

**Region of Queens Municipality Public Hearing
Multiple Unit Dwelling by Development Agreement –
6755 Highway 3, Hunts Point
Tuesday, January 10, 2023
Council Chambers, 249 White Point Road, Liverpool
9:00 a.m.**

Minutes

Members of Council: Mayor Darlene Norman, Chair
Deputy Mayor Jack Fancy
Councillor Kevin Muise
Councillor Ralph Gidney
Councillor Maddie Charlton
Councillor Vicki Amirault
Councillor David Brown
Councillor Carl Hawkes

Members of Staff: Chris McNeill, CAO
Mike MacLeod, Director of Planning & Development
Eric Levy, Municipal Clerk
Heather Cook, Communications & Engagement Coord.

Members of the Public: 18

Call to Order

Mayor Norman called the Public Hearing to order at 9:00 a.m.

A. Remarks

Mayor Norman stated the purpose of the Public Hearing is to provide any interested person an opportunity to present an oral or written presentation to Council of Region of Queens Municipality with regard to the intent to enter into a development agreement with 3332373 Nova Scotia Limited to allow for a multiple unit dwelling on property identified as PID #70055058 and located at 6755 Highway 3 in Hunts Point.

Mayor Norman reviewed the procedures for the Hearing which were provided on the agenda.

Mike MacLeod, Director of Planning & Development, stated an application was received to enter into a development agreement by the owners of 6755 Highway 3 in Hunts Point that would allow for the conversion of an existing 7 unit fixed roof overnight accommodation to a multiple unit residential dwelling.

The property is located in an area zoned as a Hamlet Core (HC) zone under the Land Use Bylaw and has a future land use designation of Residential (RES) under the Municipal Planning Strategy (MPS). A multi-unit dwelling containing more than 4 units is not permitted in the Hamlet Core (HC) Zone but Council has incorporated provision within the Land Use Bylaw whereby it can consider such uses through a development agreement process.

When evaluating development agreements, Council takes into consideration the policies as set out in the MPS listed in Policy 6-2. The process for entering into a development agreement as set out in the MGA requires a public hearing being held.

The property PID#7005058 has a lot area of approximately 10,450 sq./feet and is located in an area with a mix of low density residential and commercial businesses. There is an existing 7 unit fixed roof overnight accommodation operation on the property with 9 parking stalls. There is no change the structure, just the use of the property.

Staff and the Planning Advisory Committee have evaluated the proposed use of the property and are in favour of entering into a development agreement to allow this change.

Written submissions were received and distributed to Councillors.

1. Danielle Robertson, 35 Robertson Loop, Port Joli – Ms. Robertson stated the property is directly across from her business and the requested change does not impact her personally, but the building being in a flood zone is of concern. She spoke of several storms over the years, i.e. Ground Hog in 1976, one in 1991 and Dorian, which was a significant storm.

In 2014 the Region released the Climate Change Action Plan which identified hazards and identified locations for erosion, storm surge and ocean flood zone. Hunts Point was indicated in this report for all three. Creating homes in a flood zone is dangerous and counter-productive.

Under the Municipal Planning Strategy (MPS) it states when evaluating development agreements, Council must be cognizant of the overall goals and policies of the MPS. In particular, it should have regard to the particulars listed in Policy 6.21. This policy states "Council shall not amend the Land Use Bylaw or approve a development agreement until Council is satisfied the proposal (c) is no premature or inappropriate due to (viii) site-specific climate change risks". This property is clearly site-specific for climate change risk and has been identified in the climate change risk study.

If Council approves, they are in violation of their own regulations.

2. Kevin Page, 4 Beech Hill Road, Hunts Point - Mr. Page enquired if the proposal for a multi-unit dwelling qualifies under the same permits granted for a commercial tourism build? Units were listed with a real estate company for many months prior to this, while finishing touches were being done to the building which indicated the owners wished to sell.
3. David Huskins, 16 Church Street Liverpool – Mr. Huskins enquired how many units are for sale, 6 or 7, as real estate says one unit has already been sold.

He further stated he is concerned about parking and the danger to people walking or cycling in the area. When he ran his business in Hunts Point, Department of Transportation suggested he have signs installed warning of danger in the area. There are no signs posted.

There is a store across the road, mail boxes, Beech Hill Road which is very busy, and trucks hauling pulpwood. The hill is very dangerous.

He indicated that previously homes could not be built there, but now there is a change request to allow for them.

Mayor Norman stated at the time of the build, the Land Use Bylaw at the time had no restrictions on the number of apartments. It is only at this time with our new Land Use Bylaw that restricts 4 or less. More than 4 requires a Development Agreement.

Mr. Huskins enquired when the new Land Use Bylaw took effect. Mayor Norman stated it was adopted in the spring which is the reason the applicant is applying to convert to more than 4 apartments. As it currently stands, had the applicant wished to convert the building into 4 apartments, a public hearing would not be necessary.

4. Beverly Burlock, 125 Bells Point Road, Port Mouton – Mrs. Burlock stated she felt the building should never have been allowed to be built, rules or no rules. Where are they going to park, what about the septic system and water?

We've known for many years of coastal flooding. The province has been working on guidelines but has not passed the rules yet, but we know they're coming. Looking at where the building is on the property, there is no way it will be safe.

If the grandfather clause was used to take the cottages that once sat there and combine the land and build a multiple story building, that is not the principle of the grandfather clause, which overdoes the footprint.

She further stated she contacted The Insurance Bureau of Canada to enquire how they got insurance to build, and you do not need insurance for anything other than for fire. She stated they informed her that almost no insurer in Canada would insure for coastal flooding and storm surge. If the property is damaged, the people will seek assistance from municipal and provincial governments.

Council is elected to represent the people and to make decisions. Who is this decision benefiting? It is not benefiting local people.

B. Adjournment

Mayor Norman declared the Public Hearing adjourned at 9:24 a.m.



Mayor Darlene Norman, Chair



Eric Levy, Municipal Clerk

Date Approved: January 24, 2023