

**Region of Queens Municipality**

**Planning Advisory Committee**

**July 7, 2025 6:00 p.m.**

## **Agenda**

- 1. Call to Order**
- 2. Approval of Agenda**
- 3. Approval of Minutes - May 5, 2025**
  - May 15, 2025**
  - June 2, 2025**
- 4. Amending Municipal Planning Strategy and Land Use Bylaw - Multiple Unit Dwellings in Downtown Commercial (CD) Zone**
- 5. Other**
- 6. Next Meeting**
- 7. Adjournment**

**Planning Advisory Committee**  
**May 5, 2025 - 6:00 p.m.**

**Minutes**

**Present:** Councillor Maddie Charlton, Chair  
Councillor Stewart Jenkins  
Councillor Wanda Carver  
Stephanie Miller Vincent  
Deanna Armstrong  
Jonathan Bower  
Mary White  
Mike MacLeod, Planner  
Wendy Connors, Development Officer

**Regrets:** Pamela Brennan  
Zenia Horton

**1. Call to Order -**

The meeting was called to order at 6:00 p.m.

**2. Approval of Agenda –**

It was **MOVED** by **Mary White** and **SECONDED** by **Stewart Jenkins** that the Agenda be approved as circulated.

**Motion Carried Unanimously**

**3. Approval of Minutes**

**3.1** It was **MOVED** by **Mary White** and **SECONDED** by **Jonathan Bower** that the Minutes of September 9, 2024 be approved as circulated.

**Motion Carried Unanimously**

- 3.2** It was MOVED by **Deanna Armstrong** and SECONDED by **Wanda Carver** that the Minutes of April 7, 2025 be approved as circulated.

**Motion Carried Unanimously**

**4. Amend Municipal Planning Strategy and Land Use Bylaw – Multiple Unit Dwellings in Downtown Commercial (CD) Zone**

Mike MacLeod gave an overview of the proposed amendments to the Municipal Planning Strategy and Land Use Bylaw that would allow the renovation / change of use, of an existing commercial building, to multiple-unit residential, in the downtown core of Liverpool.

Mary White asked if the applicant applied or had to apply for these amendments. Mike indicated that the applicant Eric Fry, who was present at the meeting, had applied. Eric Fry detailed the development that his company is proposing. Stephanie Miller Vincent felt like this was a well-thought-out proposal and would be an asset to Main Street but was not comfortable with the possibility of the entirety of Main Street being converted to residential.

Maddie Charlton mentioned that other Municipal units hold public information sessions for significant amendments to Planning documents. She felt that this is a significant proposed amendment and if possible, requested we hold a public information session to gauge the opinions of the community.

Jonathan Bower voiced his support for having this proposal being allowed by Development Agreement. Mary White felt that the community should be able to voice their opinion on this proposal and their vision for the downtown core. Stewart Jenkins has concerns that this could become a free-for-all in the downtown core and erode the existing / future commercial uses. He felt there needed to be more discussion and preparedness to prevent this erosion.

The Planning Advisory Committee engaged in considerable discussion on the potential impacts of this amendment application. The consensus of the Committee was to hold an additional Planning Advisory Committee meeting for further discussion and to review draft copy of potential amendments. This

meeting is tentatively scheduled for Thursday, May 15<sup>th</sup> at 1:00 PM. Mike MacLeod will confirm with the Committee.

## **5. Committee Review of Planning Documents**

Discussion to be held at the June meeting. Maddie Charlton felt that short-term rentals needs to be discussed.

## **6. Other**

Linda Rafuse has resigned from the Planning Advisory Committee due to a meeting conflict. An advertisement will take place for her replacement.

There was a short discussion regarding the Planning Advisory Committee and the new Municipal Council after the election.

## **7. Adjournment**

There being no further business, the meeting was adjourned at 8:40 p.m.

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Date

**Planning Advisory Committee**  
**May 15, 2025 - 1:00 p.m.**

**Minutes**

**Present:** Councillor Maddie Charlton, Chair  
Councillor Stewart Jenkins  
Councillor Wanda Carver  
Stephanie Miller Vincent  
Zenia Horton  
Pamela Brennan  
Deanna Armstrong  
Mike MacLeod, Planner

**Regrets:** Jonathan Bower  
Mary White

**1. Call to Order**

The meeting was called to order at 1:00 p.m.

**2. Approval of Agenda**

It was MOVED by **Deanna Armstrong** and SECONDED by **Stephanie Miller Vincent** that the Agenda be approved as circulated.

**Motion Carried Unanimously**

**3. Amend Municipal Planning Strategy and Land Use Bylaw – Multiple Unit Dwellings in Downtown Commercial (CD) Zone**

Maddie Charlton gave the Committee a copy of the Public Participation Policy. Mike MacLeod completed some draft amendments for the Committee to discuss. The only current permitted residential use in the CD Zone is one which is secondary to the main permitted commercial use and is considered through Site Plan Approval. The introductory paragraph includes text for Council to consider residential uses as a stand-alone permitted use.

Maddie Charlton brought up the potential for flooding, in the lower level of the building in the future. She mentioned that if any Committee member wishes to receive a copy of the flood mitigation report, they can let her know.

Stewart Jenkins voiced his opinion on the importance of having the public participation session prior to making a decision. Some members felt that making a recommendation in support of holding a public participation session prior to making a recommendation to Council was appropriate. Stephanie Miller Vincent inquired about the current criteria for multi-unit residential in commercial buildings. Mike referred to the Site Plan Approval criteria in the Land Use Bylaw.

The Committee went over the policies in Section 6.21, which would be considered for a development agreement option.

It was **MOVED** by **Pamela Brennan** and **SECONDED** by **Stephanie Miller Vincent**

THAT Planning Advisory Committee request staff to hold a public information session respecting Multiple Unit Dwellings in the Downtown Commercial (CD) Zone, prior to making a recommendation of Council.

**Motion Carried Unanimously**

#### **4. Other**

#### **5. Adjournment**

There being no further business, the meeting was adjourned at 2:33 p.m.

\_\_\_\_\_  
Date

**Planning Advisory Committee**  
**June 2, 2025 - 6:00 p.m.**

**Minutes**

**Present:** Councillor Maddie Charlton, Chair  
Councillor Wanda Carver  
Stephanie Miller Vincent  
Zenia Horton  
Mary White  
Pamela Brennan  
Deanna Armstrong  
Mike MacLeod, Planner

**Regrets:** Councillor Stewart Jenkins

**1. Call to Order**

The meeting was called to order at 6:00 p.m.

**2. Approval of Agenda**

It was **MOVED** by **Wanda Carver** and **SECONDED** by **Jonathan Bower** that the Agenda be approved as circulated.

**Motion Carried Unanimously**

**3. Update on Amending Municipal Planning Strategy and Land Use Bylaw – Multiple Unit Dwellings in Downtown Commercial (CD) Zone**

Maddie Charlton reminded the Committee that at its May 15, 2025 meeting, the proposed amendments to the Municipality's planning documents were discussed and that there was still hesitation in making a recommendation to Council. Further to Committees direction, two public information meetings will be held by Upland Planning on June 17<sup>th</sup> and June 19<sup>th</sup> from 5PM to 8PM. The meetings will be held in the Community Room at Queens Place Emera Centre. There will be an online survey that closes June 23<sup>rd</sup>. The report from the engagement process will be sent to Mike MacLeod on June 27<sup>th</sup> and will come to PAC for the July 7<sup>th</sup> meeting. Mike MacLeod advised that he had reached out to Richard Lane in the Community Development Department and the South Queens Chamber of Commerce for a list of businesses in the

downtown commercial area. These businesses will be notified of the public participation meetings.

#### **4. Housekeeping and Interim Review of Planning Documents**

Mike MacLeod reviewed the sections of the Municipal Planning Strategy which deal with monitoring, reviewing and updating the Municipality's planning documents. Three timeframes of this section include housekeeping review, interim review and comprehensive review. We are currently at the housekeeping review and interim review stages. The Committee reviewed a list of general housekeeping items such as text errors and definitions that have been identified. A short list of interim review items were also discussed, such as RV Parking Requirements, accessory buildings not permitted in the front yard of properties in the Urban Serviced Residential Zones and Hamlet Zones. As well, coastal protection measures, setback requirements for wind turbine generators and short-term rentals were identified as items for consideration.

#### **5. Other**

The next meeting is scheduled for Monday, July 7<sup>th</sup>, 2025 at 6:00 p.m.

#### **6. Adjournment**

There being no further business, the meeting was adjourned at 7:23 p.m.

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Date

## Region of Queens Municipality Staff Report

**To:** Planning Advisory Committee

**From:** Mike MacLeod, Director of Land Use

**Date:** July 7, 2025

**Re:** Residential Dwelling Units as a Main Use in the Downtown Commercial (CD) Zone

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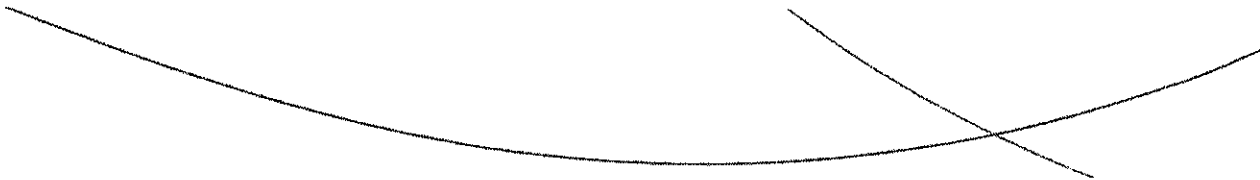
### **Background**

Region of Queens Municipality has received a request to make amendments to its Municipal Planning Strategy and Land Use Bylaw, which seeks to allow for new multiple-unit residential dwellings as the primary or sole use within the Downtown Commercial (CD) Zone. A copy of the application is attached as Appendix A.

There is a recognized need for new residential dwelling units in Queens County, including downtown Liverpool. In trying to attract new business and industry to the area and grow our communities, the need for residential dwelling units will place increasing pressure on the existing housing market.

### **Details**

Economic times have changed and there has been a development shift over the last few decades, which has seen commercial development moving away from downtown core areas to the outskirts of a town or city (ie. big box development). This trend holds true for the Region's largest commercial core area; downtown Liverpool. Our relatively small population and competition with larger urban centres can often make it challenging to attract new commercial development to the downtown area. As a result, many community "main Streets" are seeing increased vacancies in commercial space in these areas, Liverpool included.



With this in mind, a question that gets raised frequently is can this vacant commercial space be better utilized under other types of uses, including full residential development? This is an issue that previous council's have wrestled with over the years. In 2003, Council for the Town of Liverpool entertained a similar planning amendment request from a property owner in Liverpool's downtown commercial core area. During the discussion / consultation process for this amendment application, several key considerations were identified:

- Parking -
  - Under the Municipality's Land Use Bylaw, there are no requirements for parking for new development in the Downtown Commercial (C1) Zone. Parking provisions for this zone has been removed previously, as it was felt that new commercial development was inhibited because there was no room to accommodate parking.
  - Parking for commercial businesses, for the most part, is in a constant state of motion.
  - Residential dwelling units, on the other hand, will require dedicated spaces. If these parking spaces cannot be provided on-site, where will they be accommodated.
- Reduction in properties available for new commercial development -
  - If an existing commercial property is converted to a residential use, it will most likely remain residential.
- Planning amendments would not only apply to a specific property, but to all properties within the Zone.

Council, at that time, was open to new residential dwelling units in the Downtown Commercial zone, but were hesitant to opening up the zone to residential uses as-of-right. Council instead opted to amend Liverpool's planning documents to allow new residential dwelling units through a development agreement process and subject to additional development criteria. This provision was incorporated into the Regional Municipal Planning Strategy and Land Use Bylaw that was adopted in 2009.

In July of 2023, Council completed a formal review and adopted a new Municipal Planning Strategy and Land Use Bylaw. Through the review process, revitalization of downtown Liverpool as a commercial core area was identified

as an issue of importance. The provision to allow new residential dwelling units through a development agreement process was not included in the revised planning documents.

The current Municipal Planning Strategy sets out that:

#### **5.1.1** *Downtown Commercial Zone*

*Downtowns were long the heart of many communities in Queens. Many of them developed during a time before the automobile, modern financial instruments, and modern construction methods and, as a result, feature smaller buildings, packed closely together and located close to the street.*

*Along with the growth of commercial plazas, shopping centres, and large-format retail came a decline in downtowns. However, recent decades have seen somewhat of a renaissance in these areas; the smaller commercial spaces are a good fit for independent businesses and the fine-grained streetscapes are attractive to people looking for slower-paced shopping experiences.*

*Downtown Liverpool features the largest and most complete "main street" in Queens, appropriately located on Main Street and its side streets. It is defined by a mix of both older Victorian and Georgian buildings and modern buildings.*

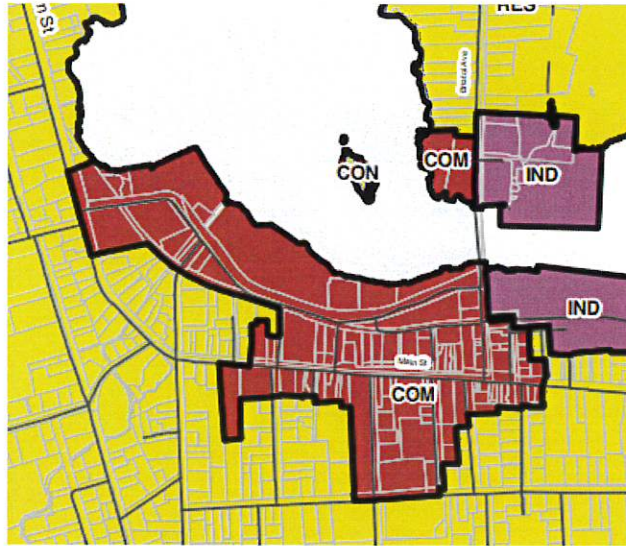
*Other downtowns in Queens do not feature the same critical mass and density of commercial buildings, having lost them to redevelopment over the years or never developing them in the first place. However, Council is supportive of establishing a denser commercial core within Caledonia, Milton, and Brooklyn; if demand warranted such an approach in the future, Council could consider applying the Downtown Commercial Zone to these communities.*

**Policy 5-20:** *Council shall establish the Downtown Commercial Zone in the Land Use Bylaw. This zone is intended to enable and promote fine-grained, walkable downtown areas reflective of a traditional "main street".*

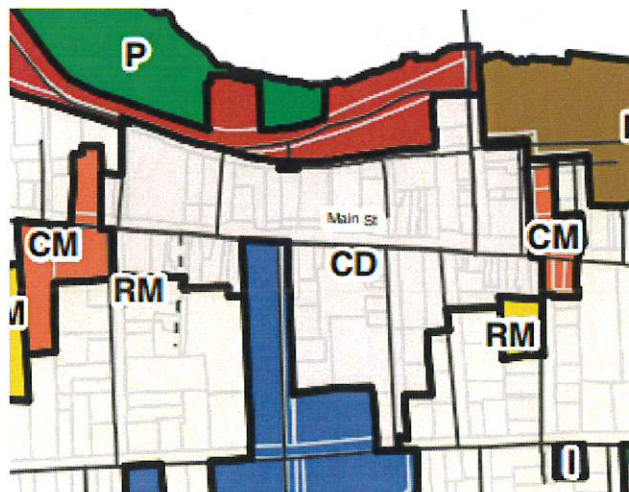
**Policy 5-21:** *The Downtown Commercial Zone shall permit a range of commercial and community uses of a scale and type appropriate to a downtown context. Automobile-related uses shall be prohibited, with the exception of parking lots designed to minimize their impact on the pedestrian*

experience. **Residential uses shall be permitted, but shall only be located in buildings with commercial uses and shall be secondary to the commercial storefront.**

The intent of policy 5-21 is to maintain the commercial nature of this commercially designated area.



Future Land Use Map



Zoning Map

In accordance with Policy 5-21, the Land Use Bylaw sets out that dwelling units can be considered in commercial buildings through a site plan approval process (Section 17.2 of the LUB). Site plan approval is a development approval

process in which applicants must meet an additional set of criteria set out in the Land Use Bylaw. This tool is useful for approvals that might require an additional level of oversight or flexibility in the ways impacts on neighbours are reduced, but that do not necessarily need to go through the complex and time consuming process required for a development agreement.

The criteria for site plan approval for Dwellings in Commercial Buildings includes the following:

*Where a zone permits dwellings in commercial buildings by site plan approval, the Development Officer shall approve a site plan agreement where the requirements of this Land Use Bylaw and the following matters have been addressed:*

*(a) Use Allocation*

- I. Dwellings located on the ground floor shall not exceed a total of 50 percent of the ground floor area.*
- II. Dwellings located on the ground floor shall be located to the rear of the commercial use(s).*
- III. On corner lots, ground floor commercial use(s) shall wrap around the corner from the front lot line along the flankage lot line to a minimum distance of 5 metres or 50 percent of the building depth, whichever is less.*
- IV. In buildings constructed after May 24, 2022, ground-floor residential uses shall have a floor-to-floor height of no less than 4 metres.*

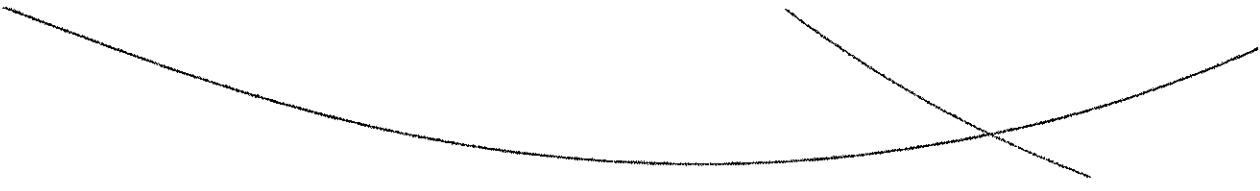
*(b) Access*

- I. Entrance(s) to residential uses shall be separate from the entrances for other uses.*
- II. Residential entrances shall not exceed a width of 2 metres on the front façade.*

In order to consider a proposal for new multiple-unit residential dwellings as the primary or sole use (no commercial use) within the Downtown Commercial (CD) Zone, amendments to both the Municipal Planning Strategy and Land Use Bylaw would be required.

**Options for Consideration -**

1. Allow new multiple unit residential dwellings as a permitted main use in the Downtown Commercial (CD) Zone –

- 
- Rewrite existing policy in the Municipal Planning Strategy to allow for multiple unit residential dwellings as a permitted main use in the CD Zone. Amend the Land Use Bylaw to reflect policy changes.
2. Allow new multiple unit residential dwellings in the Downtown Commercial (CD) Zone through development agreement -
    - Rewrite existing policy in the Municipal Planning Strategy to allow for new residential dwelling units in the CD Zone by development agreement. Amend the Land Use Bylaw to reflect policy changes.
  3. Maintain status quo.
    - Deny the application.

**Potential Recommendation Options:**

1. THAT Council of the Region of Queens Municipality give notice of its intention to amend the Municipal Planning Strategy and Land Use Bylaw to allow new multiple unit residential dwellings as a permitted main use in the Downtown Commercial (CD) Zone.

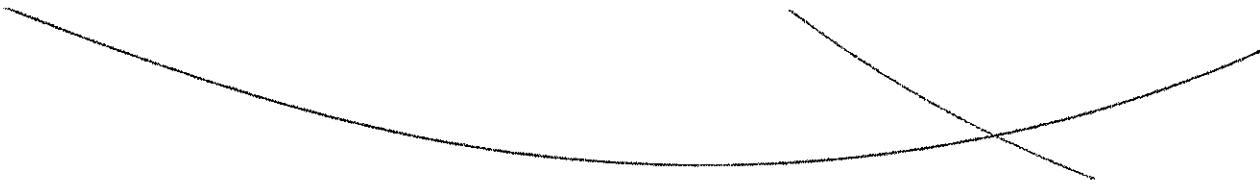
Or

2. THAT Council of the Region of Queens Municipality give notice of its intention to amend the Municipal Planning Strategy and Land Use Bylaw to allow new multiple unit residential dwellings as a permitted main use in the Downtown Commercial (CD) Zone through development agreement;

AND THAT Council of the Region of Queens Municipality give notice of its intention to enter into a development agreement with SDL Investments Limited to allow for a 16-unit multiple unit dwelling on property located at 194 Main Street in Liverpool and identified as PID# 70026364.

Or

3. THAT Council of the Region of Queens Municipality maintain status quo and deny the application to amend the Municipal Planning Strategy and Land Use Bylaw to allow new multiple unit residential dwellings as a permitted main use in the Downtown Commercial (CD) Zone.



The Planning Advisory Committee met on May 5, 2025 to review the application. The Committee engaged in considerable discussion on what it would mean for the Downtown Commercial (CD) Zone to open it up to strictly residential uses. The general feeling was that there are benefits of incorporating residential development in commercial areas, creating vibrant and sustainable communities that can encourage economic growth. Committee also discussed potential implications of reducing available space for commercial development in the future. It was felt that opening up the CD Zone to residential development as-of-right was not in the best interest of the community and that if Council was to permit this use, controls would need to be established. The Committee requested that draft amendments for considering multi unit dwellings in the CD Zone by development agreement be prepared, prior to making a recommendation to Council.

Draft amendments to the Municipal Planning Strategy and Land Use Bylaw were prepared and presented to Committee at a meeting held on May 15, 2025. A copy of the amendments is attached as Appendix B. A draft development agreement is attached as Appendix C. Following considerable discussion on potential benefits and challenges of stand-alone residential uses in the Downtown Commercial area, PAC was still not comfortable with moving forward with a recommendation to Council. The Committee requested that Staff seek input from the business community and the general public to better inform their decision making process.

UPLAND Planning and Design Studio was hired to carryout this engagement process. Drop-in information sessions were hosted on June 17<sup>th</sup>, 2025 and June 19<sup>th</sup>, 2025 at Queens Place Emera Centre to present options and gather input. An online feedback form / survey was also prepared. A copy of UPLANDS Engagement Summary is attached as Appendix D.

### **Applicable Legislation**

Municipal Government Act and Region of Queens Municipality Municipal Planning Strategy and Land Use Bylaw.

# Appendix A

February 25, 2025

Region of Queens Municipality

Liverpool, NS

Mike:

Please see attached our application to amend the Region's Planning Documents for the renovation of 194 Main Street, Liverpool.

The existing structure will be fully renovated to include up to 16 residential units, covered parking for all tenants and guests and approximately 20 storage units to be made available to the tenants.

To date we have completed a Phase 1 environmental assessment with no identified issues.

The attached plan is not yet fully designed but provides you and your team a rendering of our intended use of the property. Our goal is to complete renovations of the building by early next year.

I look forward to addressing any questions from you or your team and would be happy to meet with the PAC and/or Council to present the project and answer any questions.

Sincerely,

Eric Fry

President, SDL Investments Limited



For Internal Use Only
Acceptance Date: _____
Processing Date: _____

**Region of Queens Municipality**

**Planning Amendment and Development Agreement Application**



**1. Application Type:**

- Land Use Bylaw Amendment
- Development Agreement

**2. Property Information:**

Civic address of subject property – 194 Main St, Liverpool NS

Property Identification Number (PID) – 70026364

Present use of subject property – Commercial - vacant

Proposed Use of subject property – Residential

Existing Lot Size - 16,302 sq'

Existing Lot Frontage - 61.5 ft on Main, 64.5 ft on Water

**3. Property Owner Information:**

Name – SDL Invesments Limited

Applicant is :

- Owner
- Agent of Owner

Civic Address - \_\_\_\_\_

Mailing Address (If different from Civic Address) - \_\_\_\_\_

Telephone Number - \_\_\_\_\_

Email Address - \_\_\_\_\_

**4. Zoning Information:**

Existing Zoning - CD

Proposed Zoning - Residential

**5. Property Servicing Information:**

Water Services –

Municipal System -  Existing  Proposed

Drilled Well -  Existing  Proposed

Dug Well -  Existing  Proposed

Other - \_\_\_\_\_

Sewer Services –

Municipal System -  Existing  Proposed

On-site System -  Existing  Proposed

Other - \_\_\_\_\_

Access –

Public Road -  Existing  Proposed

Private Road -  Existing  Proposed

Other - \_\_\_\_\_

**6. Declaration:**

Registered Owner of Property (Please print)

I / We Eric Fry, President of SDL Investments Limited do solemnly declare that I / We are the current registered owner(s) of the property described in this application. I / We have examined the contents of this application and certify that the information submitted is accurate.

Registered Owner SDL Investments Limited

Signature Eric Fry

Date Feb 25, 2025

Registered Owner (if more than one) \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Authorization of Registered Owner (Please print)

I / We \_\_\_\_\_ authorize \_\_\_\_\_  
To act as agent and sign this application on my / our behalf for property located  
at  
(Civic Address) \_\_\_\_\_ and identified as PID# \_\_\_\_\_.

Notes:

1. The requirements of a Land Use Bylaw amendment or development agreement application are established by the Planning Department of the Region of Queens Municipality. An application approval process will not commence until a completed application and advertising deposit are received.
2. Please make cheques payable to the Region of Queens Municipality. Following completion of the amendment process, the unused balance will be returned to the applicant. However, should the deposit be insufficient to cover the cost of advertising, the applicant will be responsible for the difference.
3. It is recommended that an applicant have a pre-consultation meeting with staff of the Planning Department prior to submitting this application.















# Appendix B

## Multi-Unit Dwellings as Primary Use in Downtown Commercial (CD) Zone Potential Amendments – Development Agreement Option –



### Municipal Planning Strategy:

⇒ Incorporating a new paragraph in Section 5.3.2 Downtown Commercial Zone (page 5-8), which reads as follows:

*Council recognizes the important role that downtowns play in the economic sustainability of Queens. While at the same time, they are also cognizant of the fact that residential uses in commercial downtown areas can be crucial for creating vibrant, dynamic spaces that foster a sense of community and encourage economic growth. By integrating housing with commercial and cultural spaces, downtown areas become more livable, offering a balance between work and leisure. Residents in these areas support local businesses and provide a steady customer base. Overall, the inclusion of residential spaces in commercial zones promotes urban sustainability, enhances quality of life, and stimulates both social and economic interactions.*

*Council feels that new multi-unit residential dwellings, whether associated with a permitted commercial use or a stand-alone residential development, may be compatible in certain commercial locations. However, Council also feels that this type of development should be regulated, so as to not adversely affect the surrounding commercial uses.*

⇒ Removing the last sentence in Policy 5-21 (page 5-8), which reads:

*Residential uses shall be permitted, but shall only be located in buildings with commercial uses and shall be secondary to the commercial storefront.*

⇒ Incorporating a new policy statement following Policy 5-21 (page 5-8), which reads as follows:

**Policy 5-21-1:** *Council shall consider proposals for new multiple-unit dwellings, which are not associated with a permitted commercial use, in the Downtown Commercial (CD) Zone by development agreement, shall have regard to the following:*

- a. *the policies of Section 6.4;*
- b. *the suitability of other sites zoned for the proposed residential use;*
- c. *that the proposed lot is large enough to accommodate a minimum of 1.25 off-street parking spaces for each dwelling unit in the building;*
- d. *the glare from the lighting of proposed parking areas be directed away from abutting properties;*
- e. *that any proposed outdoor storage and / or garbage areas are screened from view; and*

- f. the exterior design of new residential buildings in the Downtown Commercial (CD) Zone shall be compatible with those of surrounding commercial buildings.

Land Use Bylaw:

⇒ Rewrite Section 11.2.1(c) iv. (page 11-4) to read:

iv. Multi-unit Dwellings – MPS Policy 5-21-1 and Policy 5-35

⇒ Amend chart Residential Uses in Urban Serviced Commercial Zones (page 11-5) to reflect Multi-unit Dwelling in the CD Zone by development agreement.

	CD	CG	CM	CL	SPECIAL REQ'S
Accessory Dwelling	-	-	P	-	S7.1
Bed and Breakfast	P	P	P	-	
Boarding House –					
5 or fewer sleeping units	-	-	P	-	
More than 5 sleeping units	-	-	DA	-	
Converted Dwelling -					
5 or fewer dwelling units	-	-	P	-	S7.5
Duplex Dwelling	-	-	P	-	
Dwellings in Commercial Buildings	S	S	-	P	
Grouped Dwellings	-	-	DA	P	
Home-based Business – Level 1	P	P	P	P	S7.9
Mobile Home	-	-	P	-	S11.1.1(f) & (g)
Multi-unit Dwelling	<b>DA</b>	-	DA	S	
Nursing Home	S	S	S	S	
Row House Dwelling	-	-	-	P	
Semi-detached Dwelling	-	-	P	-	
Short-term Rental	-	-	P	-	S7.14
Single-unit Dwelling	-	-	P	-	
Small Options Home	-	-	P	-	
Triplex Dwelling	-	-	P	-	

P = permitted | S = site plan approval | DA = development agreement



5. **THAT** the proposed parking area shall be maintained with a stable surface, that is treated to prevent the raising of dust or loose particles;
6. **THAT** any lighting for proposed parking area shall be directed away from abutting properties;
7. **THAT** any proposed outdoor storage and garbage areas be screened from view;
8. **THAT** notwithstanding any other provisions of this Development Agreement, the Developer shall not undertake or carry out any development on the Lands which does not comply with:
  - (a) this Development Agreement;
  - (b) any statutes and regulations of the Province of Nova Scotia to the extent that the same are properly the subject of a development agreement; and
  - (c) appropriate Municipal Bylaws, including without restricting the generality of the foregoing, the Bylaw Respecting the Building Code Act.
9. **THAT** in the event of a dispute, the decision of the Development Officer of the Region as to whether the development is in conformance with the terms of this Agreement shall be conclusive;
10. **THAT** notwithstanding the provisions of the Region of Queens Municipality Municipal Planning Strategy and Land Use Bylaw, the Developer shall be permitted to seek substantial or non-substantial amendments to this Development Agreement, subject to the procedure as set forth in Section 230 of the Municipal Government Act of Nova Scotia;
11. **THAT** amendments which shall be considered substantial are any affecting the following:
  - (a) An increase in the number of residential units in the building.
  - (b)
12. **THAT** any amendment whether substantial or otherwise must be approved by both parties in writing;
13. **THAT** the Developer agrees to pay for all legal costs, advertising and expenses incurred by the Region that have originated from its application for this Development Agreement;
14. **THAT** this Agreement shall be binding upon the parties hereto, their heirs, successors and assigns and shall run with the land which is subject to this Agreement;

15. **THAT** this Agreement is not assignable without the written consent of the Region;
16. **THAT** enforcement and rights and remedies on default of this Agreement shall be as follows:
  - (a) The Developer agrees that the Development Officer appointed by the Region to enforce this Agreement shall be granted access onto the lands during all reasonable hours without obtaining consent of the Developer. The Developer further agrees that, upon receiving written notification from the Development Officer to inspect the interior of any building located on the lands, the Developer agrees to allow for such inspection during any reasonable hour within two (2) days of receiving such notice.
  - (b) If the Developer fails to observe or perform any condition of this Agreement, after the Region has given the Developer thirty (30) days written notice of the failure or default, then in each such case:
    - (1) the Region shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default, and the Developer hereby submits to the jurisdiction of such Court and waive any such defense based upon the allegation that damages would be an adequate remedy;
    - (2) The Region may enter upon the lands and perform any of the covenants contained in this Agreement, whereupon all reasonable expenses whether arising out of the entry on the lands or from the performance of the covenants may be recovered from the Developer; if unpaid within 30 days of billing by the Region; by direct suit and such amount shall, until paid, form a lien upon the lands and be shown on any tax certificate issued under the Municipal Government Act;
    - (3) The Region may by resolution discharge this Agreement, upon providing the Developer sixty days (60) written notice, whereupon this agreement shall have no further force or effect and henceforth the development of the lands shall conform with the provisions of the Region of Queens Municipality Land Use Bylaw;
    - (4) In addition to the above-mentioned remedies, the Region reserves the right to pursue any other remediation under the Municipal Government Act or common law to ensure compliance with this Agreement.



**PROVINCE OF NOVA SCOTIA  
COUNTY OF QUEENS**

**ON** this \_\_\_\_ day of \_\_\_\_\_, 2025, before me, the subscriber personally came and appeared \_\_\_\_\_ a subscribing witness to the foregoing Indenture, who having been by me duly sworn, made oath and said that \_\_\_\_\_ signed, sealed and delivered the same in his/her presence.

\_\_\_\_\_  
A Commissioner of the Supreme Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA  
COUNTY OF QUEENS**

**ON** this \_\_\_\_ day of \_\_\_\_\_, 2025, before me, the subscriber personally came and appeared \_\_\_\_\_ a subscribing witness to the foregoing Indenture, who having been by me duly sworn, made oath and said that the Region of Queens Municipality, per its authorized officers, Scott Christian and Willa Thorpe, signed, sealed and delivered the same in his/her presence.

\_\_\_\_\_  
A Commissioner of the Supreme Court of Nova Scotia

Appendix D

Queen's Downtown Commercial Zone  
Proposed Amendments  
**ENGAGEMENT SUMMARY**

June 2025



**UPLAND**

**Queens  
Coast**  
COMMUNITY DEVELOPMENT

### PROJECT INTRODUCTION

In June 2025, the Region of Queens Municipality engaged UPLAND Planning + Design Studio to undertake a voluntary public engagement process to better understand the community's perspectives on residential land uses in the Downtown Commercial (CD) Zone. This was triggered by a development application that would require amendments to the municipal planning documents. The goal of the engagement is to help inform the decision-making process for Planning Advisory Committee's recommendation to Council.

### DEVELOPMENT SUMMARY

In 2025, SDL Investments Limited submitted an application to amend the Region of Queens Municipality's Municipal Planning Strategy and Land Use Bylaw. These amendments, if passed, would allow for new multiple-unit residential dwellings as a main (or standalone) use within the Downtown Commercial (CD) Zone. While the application would impact all development in the CD Zone moving forward, it was initiated to accommodate a proposed renovation at 194 Main Street in Liverpool. Here, the applicant seeks to renovate the existing structure to create a multiple unit residential dwelling with 16 units, featuring covered parking on the lot.

### BACKGROUND

Currently, within the Downtown Commercial (CD) Zone, residential uses are permitted, but only when they are located in buildings with commercial uses and are secondary to the commercial storefronts. This prohibits any standalone residential uses within the zone.

### OPTIONS

There are three options that Planning Advisory Committee can consider to address the proposed amendments to the planning documents, each with its own set of implications. They are:

1

**Allow new multiple unit residential dwellings as a permitted standalone use in the Downtown Commercial (CD) Zone.**



Amend the Municipal Planning Strategy and Land Use Bylaw to allow for multiple unit residential dwellings as a permitted main use in the CD Zone.

2

**Allow Council to consider new multiple unit residential dwellings in the Downtown Commercial (CD) Zone through development agreement.**



Amend the Municipal Planning Strategy and Land Use Bylaw to allow for multiple unit residential dwelling units in the CD Zone by development agreement.

3

**Deny the request and maintain current regulations.**



Make no changes to the Municipal Planning Strategy and Land Use Bylaw

## WHAT WE DID

For this project, we undertook three methods for the engagement:



### Business Engagement Session

June 17<sup>th</sup>, 5-8pm in the Community Room at Queen's Place Emera Centre



This session had 9 attendees, including 1 member of the media, 2 members of the Planning Advisory Committee and 1 member of Council.



### Public Engagement Session

June 19<sup>th</sup>, 5-8pm in the Community Room at Queen's Place Emera Centre



This session had 4 attendees, including 2 members of the Planning Advisory Committee.



### Online Feedback Form

Open from June 12<sup>th</sup>- 24<sup>th</sup>

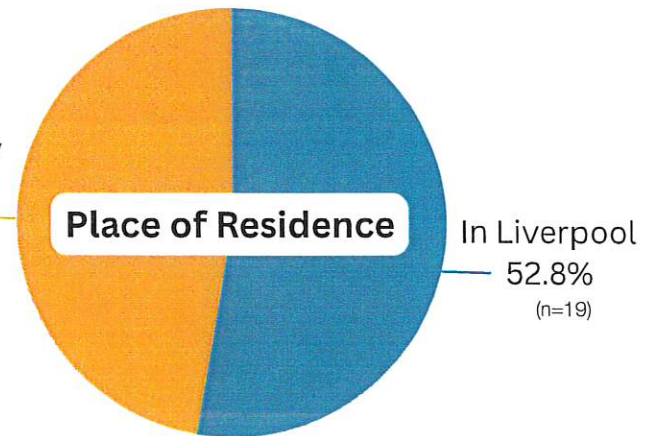


We had 30 submissions from business owners and residents.

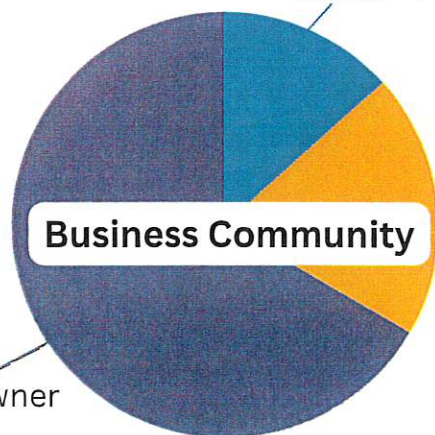
## WHO WE HEARD FROM

In another part of the Region of Queens Municipality

47.2%  
(n=17)



Business owner in the CD Zone  
13.3% (n=4)



Business owner outside of the CD Zone  
20% (n=6)

Not a business owner  
66.7%  
(n=20)

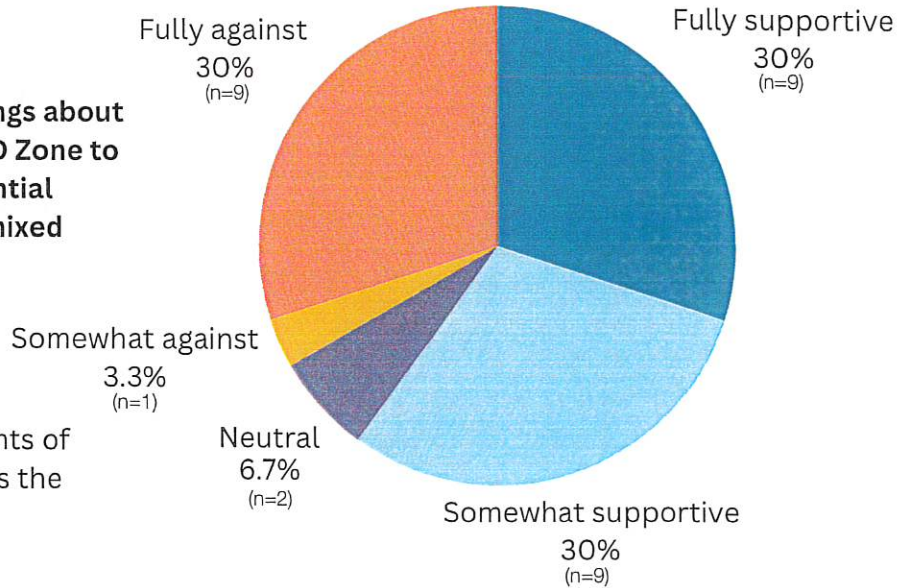
It is important to note that the data gathered is limited by the response rate and does not portray a representative sampling of the population.

## WHAT WE HEARD

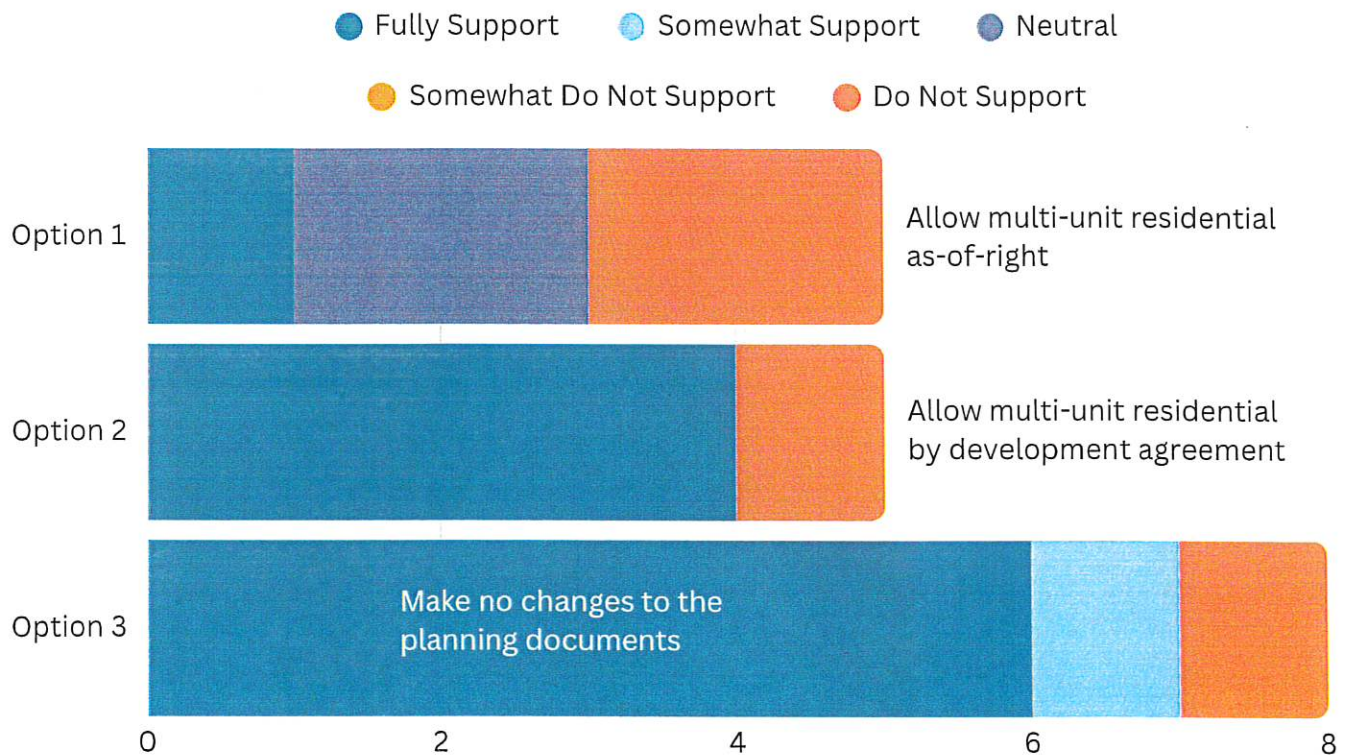
We heard a mix of feedback from residents and business owners about the proposed amendments to the CD Zone. Generally, respondents want to see housing in Liverpool, but some are concerned with the impact that the amendments could have on the commercial character of the downtown.

**When asked what their general feelings about the proposed amendments to the CD Zone to permit standalone multi-unit residential development, respondents shared mixed perspectives. (See figure right)**

Respondents qualified their sentiments of support by citing the housing crisis as the primary reason for their response.



**When asked about their support for the three proposed options, a more nuanced perspective emerged (See figure below).**





## PERSPECTIVES FROM THE BUSINESS COMMUNITY

Business owners in the community, both those who operate businesses within the Downtown Commercial Zone and those who operate them outside the area, were in agreement that Option 1 (permitting standalone multi-unit residential development as-of-right) was not the right course of action. They cited concerns about eroding the commercial area and losing its character over time.

Half of the business owners we heard from were supportive of Option 2 (permitting standalone multi-unit residential uses via development agreement), with the caveat that developments meet rigid criteria to ensure they fit within the wider context of the downtown. There were some fears that this option could set a precedent and unwittingly erode the commercial character of the area.

40% of the business owners were supportive of Option 3, saying that the current rules are in place for a reason and the existing regulations are appropriate.

## KEY THEMES



**Desire for a Comprehensive, Strategic Downtown Plan:** Many expressed concerns about decisions being made ad hoc, without a broader plan for the future of Main Street or downtown Liverpool. There is a desire to see a plan that is community-driven, rather than developer-led.



**Conflicting Priorities - Downtown Housing vs. Commercial Use:** There is a strong divide between those who believe housing should be permitted downtown and those who want to preserve Main Street as a commercial/retail zone. Some feel that this proposal could help to address housing shortages, while others fear that the loss of retail undermines tourism and local identity. Accessibility was also cited as a concern and consideration.



**Housing Crisis & Affordability (Urgent, but Complex):** There is clear recognition of a housing crisis, but skepticism about whether proposed units will be truly affordable or serve the local population. It was also highlighted that there are many other areas just outside of the Downtown Commercial Zone that would be more suitable for this kind of development and that housing should be directed to those areas.



**Loss of Community Character & Economic Identity:** Many residents worry that residential development will erode the soul of downtown Liverpool as a vibrant, walkable, tourist-friendly destination, and stifle its potential for the future. There was some acknowledgment that the area is currently in need of investment, but that it would be short-sighted to make changes that would impact its long-term viability as an economic centre.



**Process Transparency & Public Engagement:** There was some frustration about the lack of communication about this proposal. Some were critical of the promotion of the public engagement and felt that more should have been done to inform residents.