

Region of Queens Municipality

Planning Advisory Committee

September 25, 2025 6:00 p.m.

Agenda

- 1. Call to Order**
- 2. Approval of Agenda**
- 3. Amendments to the Land Use Bylaw -Site Plan Criteria for Dwellings in Commercial Buildings**
- 4. Other**
- 5. Next Meeting – November 3, 2025**
- 6. Adjournment**

Region of Queens Municipality Staff Report

To: Planning Advisory Committee

From: Mike MacLeod, Director of Land Use

Date: September 25, 2025

Re: Dwellings in Commercial Buildings – Site Plan Amendments

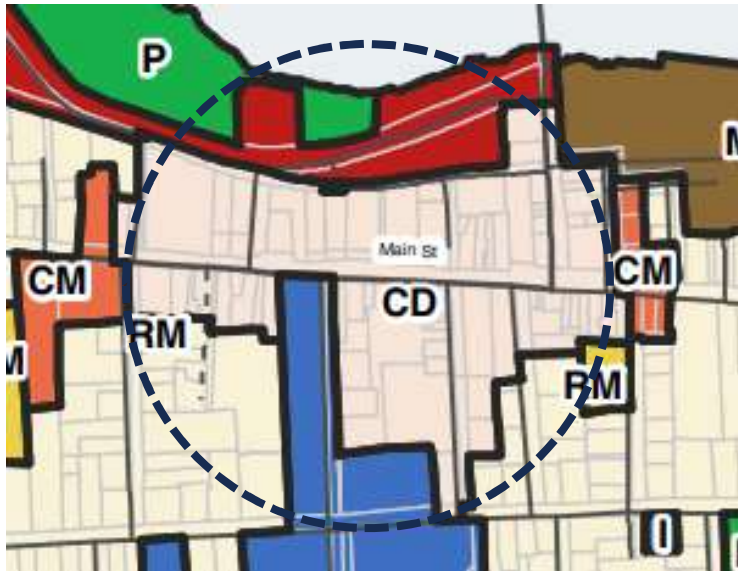
Background

Region of Queens Municipality has received a request to make amendments to the Land Use Bylaw, which would allow for the re-development of property located at 194 Main Street in Liverpool and identified as PID# 70026364 into a mix of residential and commercial uses.



Details

PID# 70026364 is located in the Downtown Commercial (CD) Zone under the Municipality's Land Use Bylaw.



Zoning Map

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.**

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.

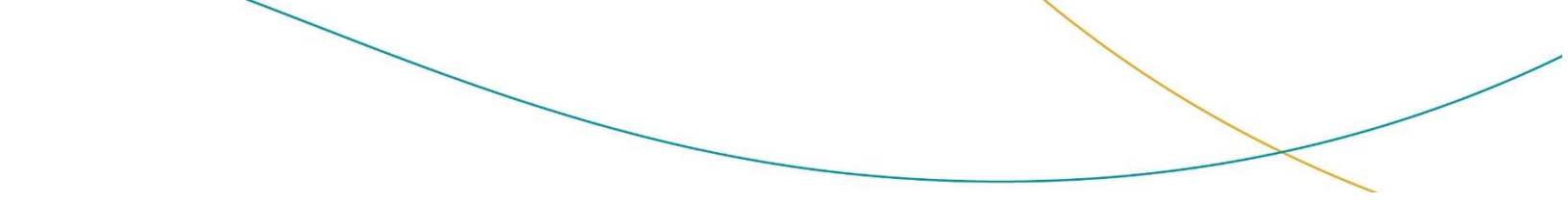
The criteria for site plan approval for Dwellings in Commercial Buildings includes the following:

17.2 Dwellings in Commercial Buildings

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.*

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- 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.*

The applicant wishes to renovate the existing vacant commercial space to create 2 commercial units, with the remainder of the building utilized for 14 residential units, indoor parking and storage units for the tenants. A copy of the amendment application and supporting documentation is attached as Appendix A.

The site plan approval criteria listed above limits the amount of residential space to a maximum of 50 percent of the ground floor area of the commercial building. While the applicant recognizes that there is community concern respecting the loss of viable commercial space, particularly along the Main Street, given the significant size of the building on PID 70026364, this creates some challenges for the property owner. They have expressed concern respecting the ability to rent significant commercial space in the building, as required by current regulations. The property owner proposes to maintain commercial frontage on Main Street, but would like to utilize the remainder of the building for residential purposes.

In order to consider a proposal for residential development in a commercial building that exceeds 50 percent of the ground floor area, amendments to the Land Use Bylaw will be required. It should be noted that any approved amendments to the Bylaw would apply, not only to the applicant's property, but also to all other properties where dwellings can be considered in commercial buildings through site plan approval.

Options for Consideration –

1. Amend the site plan approval criteria for dwellings in commercial buildings in the Land Use Bylaw to allow for greater ground floor area to be utilized for residential uses; or
2. Maintain status quo.
 - Deny the application.

In considering amendments to the Land Use Bylaw, the Municipal Planning Strategy sets out that:

6.3.3 Amending the Land Use Bylaw

Council recognizes it cannot foresee all possible types of development that might be acceptable in the municipality in general, or on a specific piece of land. As such, there will be times when the Land Use Bylaw needs to be amended to accommodate a new development trend or specific development proposal.

Council also recognizes that it is possible to inadvertently make mapping errors in preparing the maps that accompanying this Plan and the Land Use Bylaw. Such errors do not reflect the policies in this Plan and thus will be corrected by Bylaw amendments.

Policy 6-9: Council shall amend the text of the Land Use Bylaw if the proposed amendment meets the general criteria set out in Policy 6-21.

Policy 6-21: Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied the proposal:

(a) is consistent with the intent of this Municipal Planning Strategy; (b) does not conflict with any Municipal or Provincial programs, bylaws, or regulations in effect in the municipality;

(c) is not premature or inappropriate due to:

(i) the ability of the Municipality to absorb public costs related to the proposal;

(ii) impacts on existing drinking water supplies, both private and public;

(iii) the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;

(iv) the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;

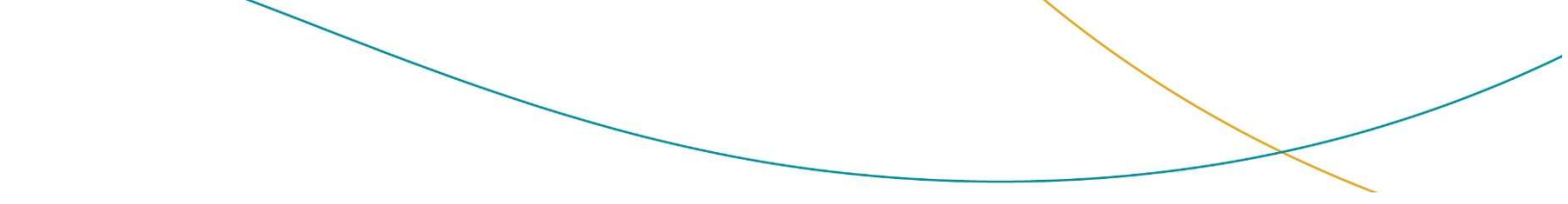
(v) the adequacy of fire protection services and equipment; (vi) the adequacy and proximity of schools and other community facilities;

(vii) the creation of a new, or worsening of a known, pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses;

(viii) site-specific climate change risks;

(ix) the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;

(x) impacts on known habitat for species at risk;

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- (xi) light pollution and impacts on dark sky views, especially in the vicinity of the Kejimkujik Dark Sky Preserve;*
 - (xii) the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility rights-of-way; and*
 - (xiii) negative impacts on the viability of existing businesses in the surrounding community, including, but not limited to, the risk of land use conflicts that could place limits on existing operational procedures.*

At the September 4, 2025 meeting of PAC, discussion focused on the need for flexible regulations which would help to revitalize Liverpool's downtown commercial core area. The current Bylaw regulations require maintaining at least 50% commercial space on the ground floor. Discussion included tiered system based on building size, establishing a minimum commercial frontage depth, encouraging establishment of micro-businesses and allowing mixed-use developments. Examples of regulations from other municipalities were reviewed. Discussion gravitated toward potential amendments reflecting maintaining commercial frontage and establishing a minimum depth for that commercial space. Committee felt that the establishment of a minimum depth of 6 meters for commercial space would be appropriate. Staff was requested to prepare draft amendments to the site plan approval criteria for dwellings in commercial buildings and bring back to next PAC meeting for discussion. A copy of the draft amendments and maps showing example of Commercial frontage with 6 meter depth is attached as Appendix B.

Potential Recommendation Options:

1. **That** Council of the Region of Queens Municipality give notice of its intention to amend the Land Use Bylaw to change the site plan approval criteria for dwellings in commercial buildings to allow for greater ground floor area to be utilized for residential uses;

And That a Public Hearing be held on November 12, 2025 in the Council Chambers of the Municipal Building, 249 White Point Road in Liverpool, NS, at 9:00 a.m.



Or

2. **That** Council of the Region of Queens Municipality maintain status quo and deny the application to amend the Land Use Bylaw to change the site plan approval criteria for dwellings in commercial buildings to allow for greater ground floor area to be utilized for residential uses.

Applicable Legislation

Municipal Government Act.

Appendix A

July 19, 2025

Region of Queens Municipality

Liverpool, NS

Mike:

Please see attached our revised 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 14 residential units, 2 commercial units, indoor parking for all tenants and guests and approximately 20 storage units to be made available to the tenants on a rental basis.

The attached revised plan specifies usage to allow for a minimum of 2 commercial units fronting Main Street.

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 revised 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/commercial

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 July 19, 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

Draft Amendments -

17.2 Dwellings in Commercial Buildings

17.2.1 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.~~

(i) Dwellings located on the ground floor of commercial buildings shall be located to the rear of permitted commercial use(s).

(ii) Ground floor commercial use(s) shall extend across the full width of the building facade from which the building gains its principle access, excluding entrance(s) for residential uses.

(iii) In the case of through lots that have frontage on Main Street, a buildings principle access shall be deemed to be off Main Street.

(iv) 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.

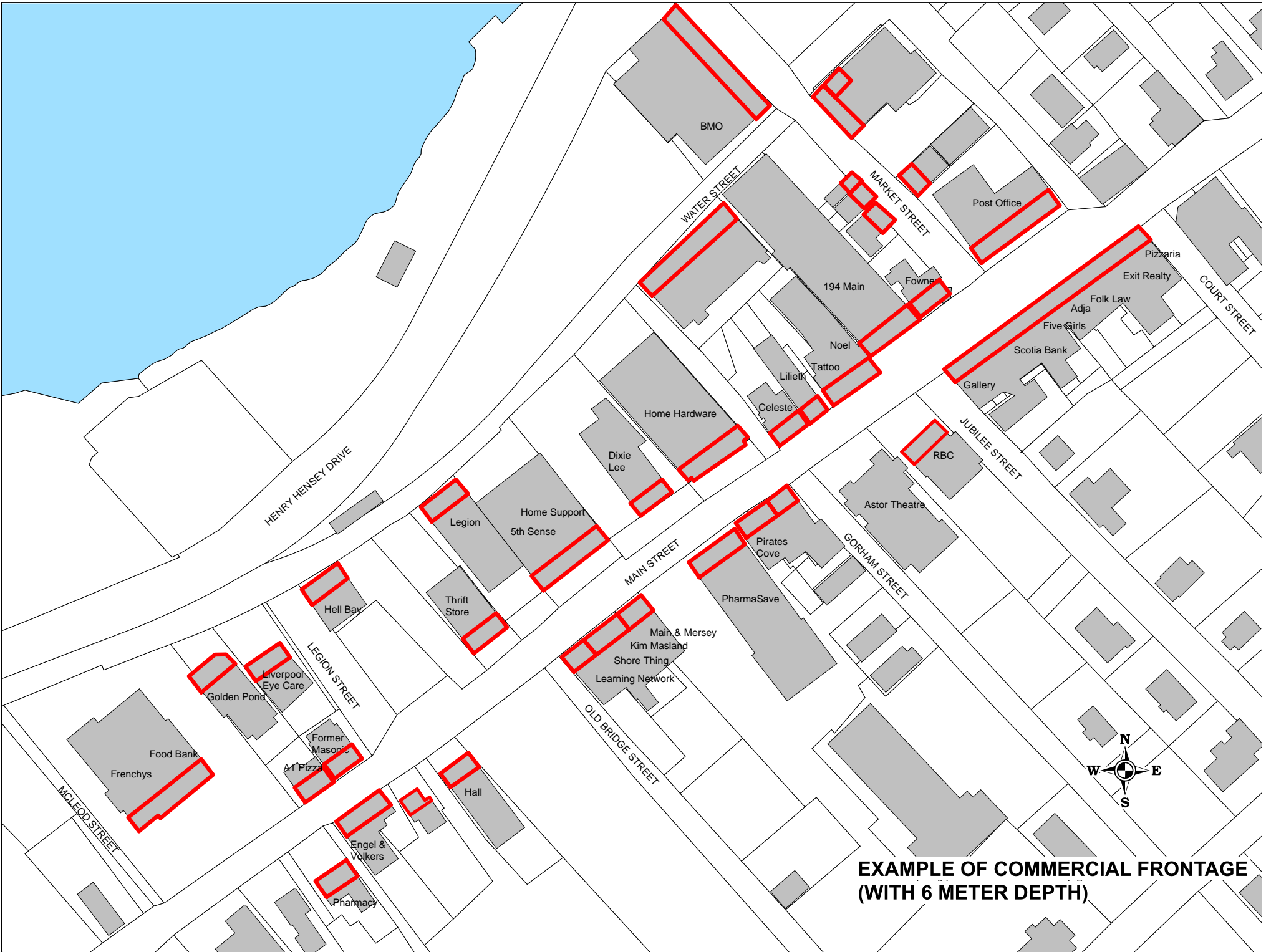
(v) Ground floor commercial use(s) shall maintain a minimum horizontal depth of 6 meters (19.68 feet) from the front facade which the building gains its principle access and is measured perpendicularly from the outside wall of that facade.

(vi) 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



**EXAMPLE OF COMMERCIAL FRONTAGE
(WITH 6 METER DEPTH)**