

**REGION OF QUEENS MUNICIPALITY  
PUBLIC HEARING  
AMEND MUNICIPAL PLANNING AND STRATEGY AND  
LAND USE BYLAW – CREATION OF NEW TOURIST  
COMMERCIAL (C6) ZONE  
TUESDAY, DECEMBER 8, 2015  
8:55 A.M.**

**MEMBER OF COUNCIL:** Mayor Christopher Clarke, Chair  
Councillor Darlene Norman  
Councillor Brian Fralic  
Councillor Jack Fancy  
Councillor Peter Waterman  
Councillor Susan MacLeod  
Councillor Raymond Fiske  
Councillor Bruce Inglis

**MEMBERS OF STAFF:** Richard MacLellan, Chief Administrative Officer  
April Whynot-Lohnes, Municipal Clerk  
Christine Watson, Recording / Management Secretary  
Jennifer Keating-Hubley, Director of Finance  
Jill Cruikshank, Director of Economic Development  
Mike MacLeod, Planner  
Heather Cook, Community Development Coordinator  
Norm Amirault, Director of Recreation & Community Facilities  
Steve Burns, Manager, QPEC  
Richard Lane, Economic Development Officer

**MEMBERS OF PUBLIC:** Michael Lee, LighthouseNow  
Brittney Verge, The Advance (with Co-op Student)  
Leon Robertson  
David Dagley  
Wayne Haines  
Marie O'Neill  
Rebecca Chandler  
Lin Bozac  
Art O'Neill  
Vernon Eagle  
Doug White  
Al Moore  
Ian Flinn  
Doug Coulter  
Garnet Pettipas  
Cecil Stevens  
Nancy Kenz  
Jacqueline Barkley  
Ann Hebb  
Don Hebb  
Kevin Page  
Celeste Johnston  
Dee Kozluzki  
Deborah Spartenelli  
Al Doucet  
Bill Cox  
Faye Levy  
Diana Dalton  
Ann Crawford  
Rhoda Haines

**Public Hearing  
Amend Municipal Planning and Strategy and  
Land Use Bylaw – Creation of New Tourist Commercial (C6) Zone  
December 8, 2015  
Page 2**

**CALL TO ORDER:**

Mayor Clarke called the Public Hearing to order at 8:55 a.m.

**REMARKS:**

Mayor Clarke reviewed that the purpose of this Public Hearing was to provide any interested person with an opportunity to present an oral or written presentation to the Council of the Region of Queens Municipality with regards to its intention to amend the Municipal Planning and Strategy and Land Use Bylaw to create a of new Tourist Commercial (C6) Zone and rezone PID#s 70261029, 70117817, 701777357, 70177365, 70177373, 70177381 and 701777399.

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

**REPORTS AND PRESENTATION BY STAFF:**

There were no staff reports presented at this meeting.

**WRITTEN AND ORAL PRESENTATIONS:**

1. Doug White, Inter Lake Realty, Applicant

Mr. White gave a brief overview of his intentions for the areas presented in his application to the Region for rezoning. The area known as the Mill Pond he has requested that this parcel of land (Parcel C) to be exempt from his application and have that area zoned as a protected conservation area. He indicated that he is interested in a stewardship of the area.

Mr. White indicated that he will be developing cabins on the other parcels of land.

2. Diana Dalton, Dartmouth

Ms. Dalton explained that she owns a cottage in the area and expressed her concern over the Mill Pond area and would like to see this area zoned a conservation area as well. She commented that the applicants information she received from the Region contained conflicting information than what was contained in the package circulated today from Mr. White; and thanked Mr. White for recognizing the area as wetlands.

**Public Hearing  
Amend Municipal Planning and Strategy and  
Land Use Bylaw – Creation of New Tourist Commercial (C6) Zone  
December 8, 2015  
Page 3**

3. Cecil Stevens, Canoe Cove

Mr. Stevens explained that he lives in the area and expressed his concern over the Canoe Cove shore line area and would like to see the area zoned as a conservation area as well.

4. Jackie Barkley

Ms. Barkley explained that she lives adjacent to the proposed development parcels of land. She expressed her concern over the parcel of land around the wetlands as well, and indicated that she was pleased about the stewardship expressed by Mr. White today.

5. Ann Crawford

Ms. Crawford explained that she was speaking as a friend for both sides and felt that his interests were the same as those expressed by most of the residents. She explained that in speaking to Mr. White, with his agreement, suggested that he withdraw his request for the Mill Pond area to be rezoned and replace it with an application to zone it as a conservation area, which would then allow him to achieve what he wants to develop on his dry land property.

Mayor Clarke stated that he agreed with Ms. Crawford and proposed that he prorogue the hearing for three months to allow staff and Mr. White to amend / refine the application so that it satisfies some of the issues brought forward concerning the wetland area.

6. Rebecca Chandler

Ms. Chandler explained that she was representing Jack and Pat Chandler, who has a cottage in the area and agreed with the concerns presented.

7. Rhoda Haines

Ms. Haines explained that she has a cottage in the area and expressed her concerns over the Mill Pond area also and asked that when considering amending the application to rezone that Parcel C, to also include Parcel B as a conservation area.

In response to Mayor Clarke asking if she was in agreement to prorogue the hearing for three months, she expressed her concerns that that period of time would not be sufficient as some residents were still not aware of the application.

**Public Hearing  
Amend Municipal Planning and Strategy and  
Land Use Bylaw – Creation of New Tourist Commercial (C6) Zone  
December 8, 2015  
Page 4**

8. Ian Flinn

Mr. Flinn indicated that he lives in the area and was in agreement with what was proposed today. He expressed his concern over the difference between original application submitted to the Regions and Mr. White's proposals circulated today at the hearing, and asked that when the new proposal comes forward again that it is clearly defined.

9. Sandra Webster

Ms. Webster indicated that she concurred with Mr. Flinn and expressed concern over the clarity of what parcels of land would be developed or considered as a conservation area. She also asked if Parcel B would be included, and if not, if there would be an opportunity to purchase it.

10. Doug White, Inter Lake Realty, Applicant

Mr. White indicated that he was in agreement with the suggestions presented and would be open to any further suggestions to ensure that the area in question would be protected.

In response to Cecil Steven's request to have the hearing deferred to June, Mayor Clarke agreed, and stated that the hearing would be prorogued until on the second Council meeting in May 2016.

Mayor Clarke stated that there were 16 written submissions received, 11 of which were prior to the submission deadline.

Mike MacLeod, Planner, stated that he would work with the applicant to bring forward a successful resolution.

This hearing will reconvene at 8:45 a.m. May 24, 2016.

*C. A. Clarke*

\_\_\_\_\_  
Mayor Christopher Clarke, Chair

*April Whynot-Lohnes*

\_\_\_\_\_  
April Whynot-Lohnes, Municipal Clerk

*Christine Watson*

\_\_\_\_\_  
Christine Watson, Recording / Management Secretary

Date approved:

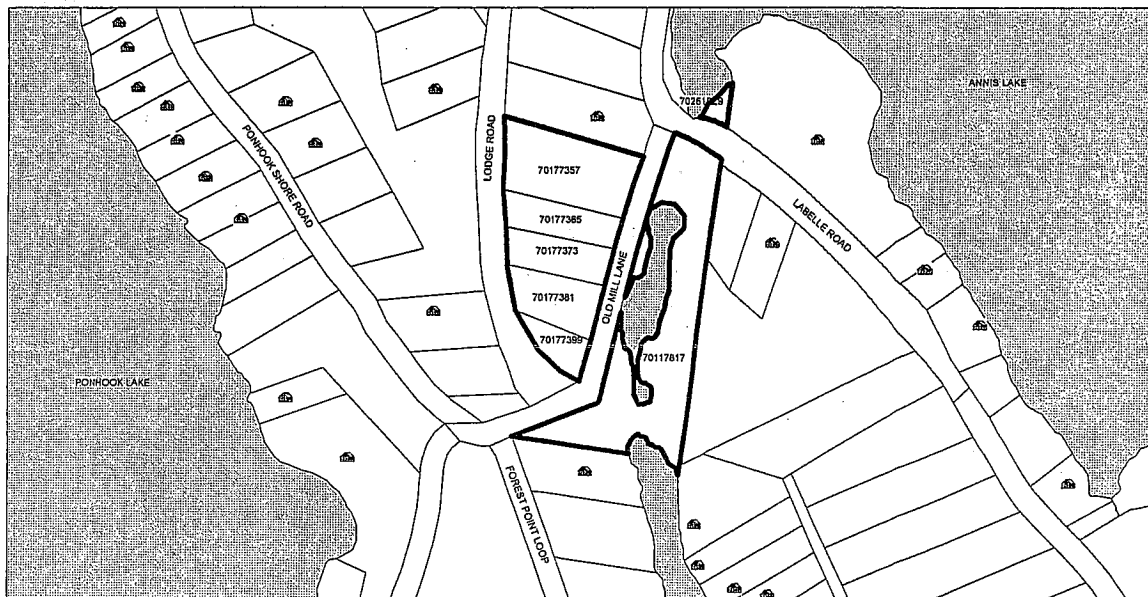
December 15, 2015

**PLANNING ADVISORY COMMITTEE  
DISCUSSION PAPER  
NOVEMBER 2, 2015  
MUNICIPAL PLANNING STRATEGY AND LAND USE BYLAW  
AMENDMENT – INTER LAKE REALTY LIMITED**

**BACKGROUND:**

The owner of properties identified as PID#'s 70261029, 70117817, 70177357, 70177365, 70177373, 70177381 and 70177399 and located on Old Mill Lane in Labelle, are interested in establish a recreational rental development to bring people to Queens County to enjoy the vast outdoor recreational opportunities, with the hope that some of these people may invest in a property of their own in the area. Refer to map below. The properties are currently zoned as Seasonal Residential (R7) under the Region's Land Use Bylaw.

A cottage rental community, as the one proposed, would be a commercial operation and would fall under the classification of "tourist establishment".



The Land Use Bylaw defines tourist establishment as:

*TOURIST ESTABLISHMENT means any premises operated to provide sleeping accommodations for the travelling public or sleeping accommodations for the use of the public engaging in recreational activities and includes the services and facilities associated with providing said accommodations.*

The Seasonal Residential (R7) Zone allows:

- |   |  |
|---|--|
| ➤ | Duplex dwellings;                            |
| ➤ | Mini (Mobile) homes subject to Section 14.4; |
| ➤ | Parks and playgrounds;                       |

➤	Single detached dwellings;
➤	Wind turbine generators (small scale), subject to Section 6.39

Since the current R7 Zoning of the properties does not allow for tourist establishments, in order to be able to consider such a use, amendments would have to be made to the Municipal Planning Strategy (MPS) and / or Land Use Bylaw (LUB).

One of the General Goals of Council under the MPS is to:

*“encourage economic development by building on the Region's strengths, recognising the importance of improved infrastructure and identifying the potential of undeveloped lands for new, or expansion of, commercial and industrial related operations;”*

Under the Economic Development section of the MPS, Council established a number of objectives and are as follows:

#### 4.2 Objectives

1. **Establish zoning which will allow for a variety of scales of business and industry within the Region.**
2. Encourage new commercial and industrial growth to locate in areas which will not place undue strain on existing municipal facilities, infrastructure and financial resources.
3. Establish policy to reduce the impact of commercial businesses and industries on other land uses.
4. **Build upon the strong connection between the Region's natural environment and a vibrant tourism industry.**
5. Investigate new value-added opportunities which can build upon the Region's well established resource based industries

The MPS also sets out that:

*In the Rural Development Area, much of the commercial development is spread out along major transportation routes. This development is sporadic and primarily limited to smaller scale operations such as gas stations, corner stores and restaurants, which cater to the travelling public and the local population. Driven largely by the natural beauty of the ocean, coastal areas of the Region have experienced an increased demand for land uses such as hotels, rental cottages and restaurants. Throughout rural Queens there are no clearly identifiable commercial core areas, as is found in an urban setting.*

#### **Policy 4.4.6**

*It shall be the intention of Council, through the Region's Economic Development Department and the Lunenburg / Queens Regional Development Agency, to continue to actively pursue potential commercial developers to invest in our communities.*

#### **Policy 4.4.7**

*It shall be the intention of Council, through the Region's Economic Development Department, to actively promote the Region of Queens Municipality as a first class tourist destination. Promotion of Queens could take place through such*

*means as advertisements in provincial tourism publications, maintain an active presence in organizations such as Tourism Industry Association of Nova Scotia and Destination Southwest Nova and participation in the various trade / travel shows.*

According to the property owners, the concept for a recreational rental community was developed many years ago, but they were not able to bring the project forward to fruition. They did not realize until recently that the Regional Land Use Bylaw, implemented in 2009, did not allow for such uses.

Given the low density, and predominantly seasonal residential nature of the area, both the Planning Advisory Committee and the applicant felt that rezoning the properties to one of the current zones which allows for this type of use was not appropriate. The existing zones were too broad in their uses permitted and would potentially open the door to uses that are not compatible with the surrounding area. It was felt that the most appropriate way to address this request would be through amendment to the MPS and LUB which would create a new limited use zoning classification and apply it to the subject properties.

The MPS sets out that:

*Policy 12.2.1*

*It shall be the intention of Council to consider an amendment to this MPS when:*

- a. any policy intent is to be changed;*
- b. a zoning amendment is in conflict with this MPS and there are valid reasons for the amendment;*
- c. a detailed secondary area strategy is desired to be incorporated into this MPS; and*
- d. when the MPS is inconsistent with Statements of Provincial Interest.*

CONSIDERATIONS:

- ❖ The area is predominantly low density residential development of a seasonal nature.
- ❖ The existing roads upon which the properties front are privately owned and maintained (Old Mill Road and Lodge Road).
- ❖ The location of the properties in relation to Annis Lake and Ponhook Lake present great outdoor recreational opportunities.
- ❖ The lots are currently vacant and wooded, providing good opportunity for the retention of a vegetative buffer to reduce impact on other residential lots in the area.
- ❖ No other commercial developments of this nature in the area (Ponhook Campground in Greenfield would be the closest).



## PROPOSED AMENDMENTS:

In considering amending the Region's Planning Documents, the following amendments would be required:

### Municipal Planning Strategy -

- ❖ Replacing Policy 4.4.10 on P. 34 with the following text:

#### *Policy 4.4.10*

*It shall be the intention of Council to guide future commercial development within the Region of Queens Municipality and meet the intent of COMMERCIAL (C) Designation by establishing **six (6)** zones as shown on the "Schedule A" Zoning Map in the Land Use Bylaw. These zones shall include:*

1. *Downtown Commercial (C1);*
2. *Highway Commercial (C2);*
3. *Neighbourhood Commercial (C3);*
4. *Liverpool Waterfront (C4);*
5. *Coastal Commercial (C5); and*
6. **Tourist Commercial (C6)**

- ❖ Insert new text and policies following Policy 4.4.24 on, P. 38:

*"The **Tourist Commercial (C6) Zone** is intended to address the connectivity between the Region's significant natural environment assets in the central part of the Municipality and an expansion of the Region's tourism industry. The Seasonal Residential (R7), commonly referred to as "cottage country", is an area which has much to offer visitors to Queens County in the way of outdoor recreational experiences. The C6 Zone recognizes the potential for such commercial uses, while at the same time, taking into account the impacts that this use may have on the surrounding area."*

#### **"Policy 4.4.24.1**

*It shall be the intention of Council to set out special requirements in the Land Use Bylaw regulating tourist establishments in the **Tourist Commercial (C6) Zone.**"*

#### **"Policy 4.4.24.2**

*It shall be the intention of Council to consider creating a new **Tourist Commercial (C6) Zone** within an area currently zoned **Seasonal Residential (R7)** through an amendment to the Land Use Bylaw (rezoning). In considering such amendments, Council shall have regard to **Policy 12.5.2.**"*

### Land Use Bylaw –

- ❖ Inserting new text on P. 4:

22(a) Tourist Commercial (C6) Zone .....	84a
22(a).1 Zone Intention.....	84a
22(a).2 C6 Uses Permitted.....	84a
22(a).3 C6 Zone Requirements.....	84a

❖ Removing the word “and” at the end of Section 6.21 f.

❖ Inserting new text under Section 6.21 on P. 42:

*“f.(1) in a Tourist Commercial (C6) Zone; and”*

❖ Insert “C6” in Section 6.36 on P. 47.

❖ Insert “C6” in Section 6.37 on P. 49.

❖ Insert “C6” in Section 6.39 on P. 49.

❖ Insert new text after P. 82, as follows:

**PART 22 (a) – TOURIST COMMERCIAL (C6) ZONE**

**Zone Intention**

22(a).1 *This zone provides for tourist establishment commercial development within the primarily seasonal residential area.*

**C6 Uses Permitted**

22(a).2 *Within the Tourist Commercial (C6) Zone a development permit shall only be issued for one or more of the following uses:*

➤	<i>Tourist establishments;</i>
➤	<i>Wind turbine generators (small scale), subject to Section 6.39</i>

**C6 Zone Requirements**

22(a).3 *In a Tourist Commercial (C6) Zone, all new development shall comply with the following requirements:*

<i>Minimum Lot Area</i>	<i>2,700 square metres (29,052 square feet)</i>
<i>Minimum Lot Frontage</i>	<i>30.5 metres (100 feet)</i>
<i>Minimum Front Yard Setback</i>	<i>7.6 metres (25 feet)</i>
<i>Minimum Rear Yard Setback</i>	<i>7.6 metres (25 feet)</i>
<i>Minimum Side Yard Setback</i>	<i>4.6 metres (15 feet)</i>
<i>Maximum Height of Main building</i>	<i>15.2 metres (50 feet)</i>
<i>Parking - As per Sections 6.22 and 6.23 of this Bylaw.</i>	

**Special Requirements for Tourist Establishments**

22(a).4 *A person applying to develop a tourist establishment shall comply with the following provisions:*

- a. *the tourist establishment shall be setback 12.2 metres (40 feet) from an abutting residential lot line;*
- b. *a vegetative buffer shall be maintained or installed, or an opaque fence which is a minimum of 1.8 metre (6 foot) in height shall be erected, along lot line(s) between the tourist establishment and adjacent residential uses;*
- c. *where two or more buildings are located on one lot, the minimum distance between the buildings shall be 9.2 metres (30 feet) or half the height of the building, whichever is greater;*
- d. *outdoor storage shall be setback 12.2 metres (40 feet) from an abutting residential lot line and shall be screened by the use of an evergreen vegetation buffer or a 1.8 metre (6 foot) fence or a combination of both;*
- e. *outdoor refuse bins shall be located in the rear or side yard of the main building and be set back 7.6 metres (25 feet) from an abutting residential lot line;*
- f. *outdoor refuse bins shall be screened by a 1.83 metre (6 feet) high opaque fence or otherwise be enclosed by a structure so as not to be visible from any street or adjacent residential property.*

❖ Amending Zoning Maps to include "Tourist Commercial (C6)" in the Map Legend and to rezone PID#'s 70261029, 70117817, 70177357, 70177365, 70177373, 70177381 and 70177399 from Seasonal Residential (R7) to Tourist Commercial (C6).

TENTATIVE TIME FRAME:

<u>DATE</u>	<u>PROCEEDURE</u>
November 2, 2015	Planning Advisory Committee
November 10, 2015	Council
November 17, 2015	First Public Notice
November 24, 2015	Second Public Notice
December 8, 2015	Public Hearing
December 8, 2015	Council
December 15, 2015	Notice of Passing
December 30, 2015	Appeal Period Ends

RECOMMENDATION:

THAT the Council of the Region of Queens Municipality give notice of its intention to amend its Municipal Planning Strategy and Land Use Bylaw, which would see the creation of a new Tourist Commercial (C6) Zone;

AND THAT Council rezone PID#'s 70261029, 70117817, 70177357, 70177365, 70177373, 70177381 and 70177399, from Seasonal Residential (R7) to Tourist Commercial (C6) ;

AND THAT a Public Hearing be held on December 8, 2015 at 8:55 a.m. in the Council Chambers of the Municipal Building, 249 White Point Road in Liverpool, NS.

# Region of Queens Municipality

249 White Point Road P.O. Box 1264 Liverpool, NS B0T 1K0 Phone (902) 354-3455 Fax (902) 354-7473



Region of Queens Municipality

## APPLICATION FOR AMENDMENTS TO THE MUNICIPAL PLANNING STRATEGY, LAND USE BY-LAW AND APPLICATION FOR DEVELOPMENT AGREEMENT

### FOR OFFICE USE ONLY

Application Type. MPS / LUB Amendment

PID #: 70261029, 70117817, 70117357, 70117365, 70117373, 70117381, 70117399

Assessment #:

NAME OF APPLICANT(S): INTER LAKE REALTY

LOCATION: OLD MILL LANE, LA BELLE, QUEENS CO. N.S.

CIVIC NUMBER: 5 STREET NAME: OLD MILL LANE

MAILING ADDRESS: 150 HARGREAVEN RD. BRISWATER, N.S.  
B4Y 2S8

TELEPHONE: 902-543-7642 <sup>W</sup> ~~(H)~~ 902-354-4896 <sup>DOUG</sup> WHITE (W)

### DESCRIPTION OF REQUEST:

RE-ZONE: LAND DESCRIBED AS PID #'S 70261029 - 70117817 - 70117357 -  
70117365 - 70117373 - 70117381 - 70117399, FROM, SEASONAL  
RESIDENTIAL, R7, TO MIXED USE RESIDENTIAL RURAL, R5,

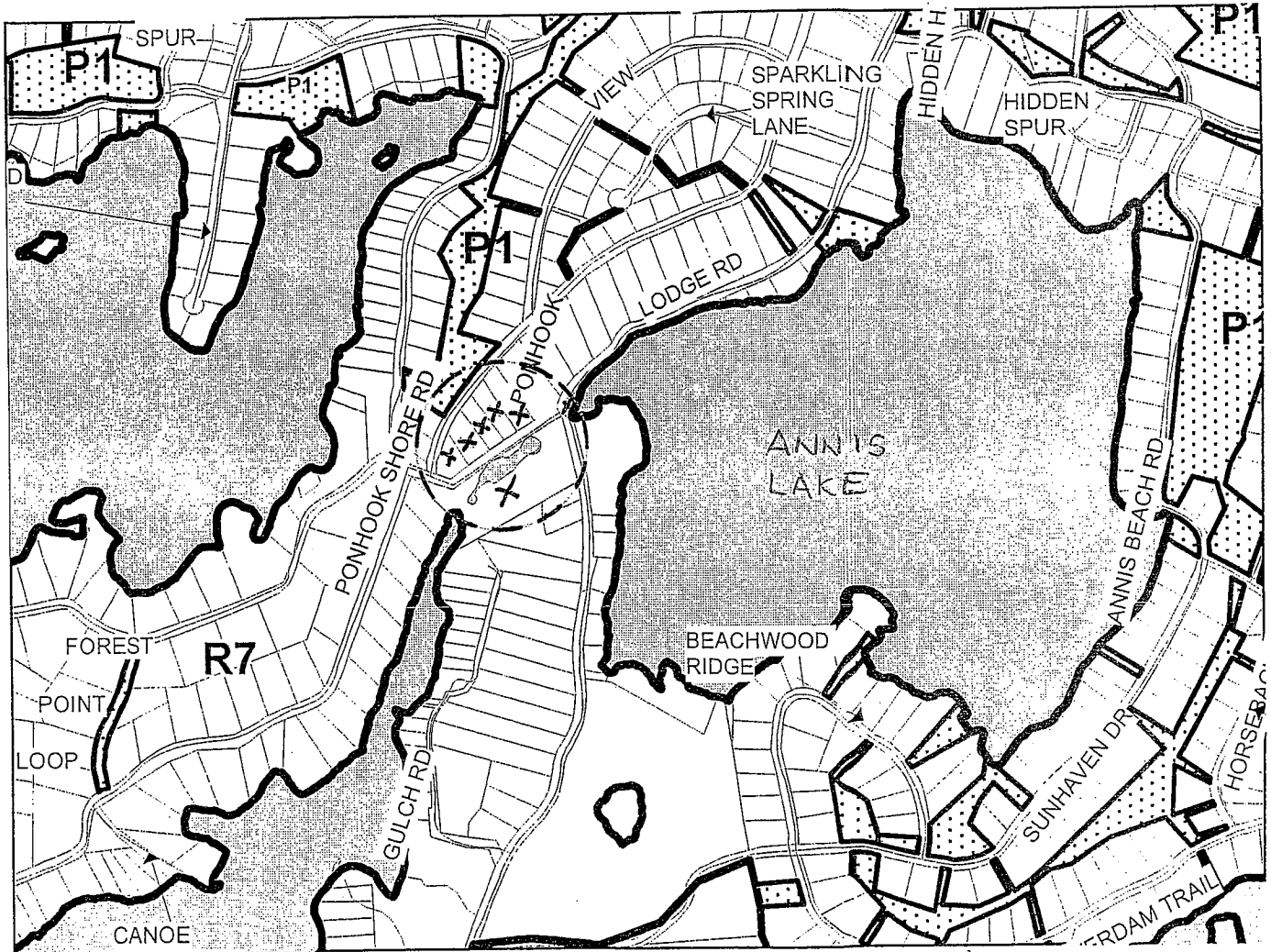
If applicable:

The undersigned acknowledges that he/she is responsible for ad costs associated with the request and attached is a cheque in the amount of \$700.00.

Don Walker  
Applicant(s) Signature

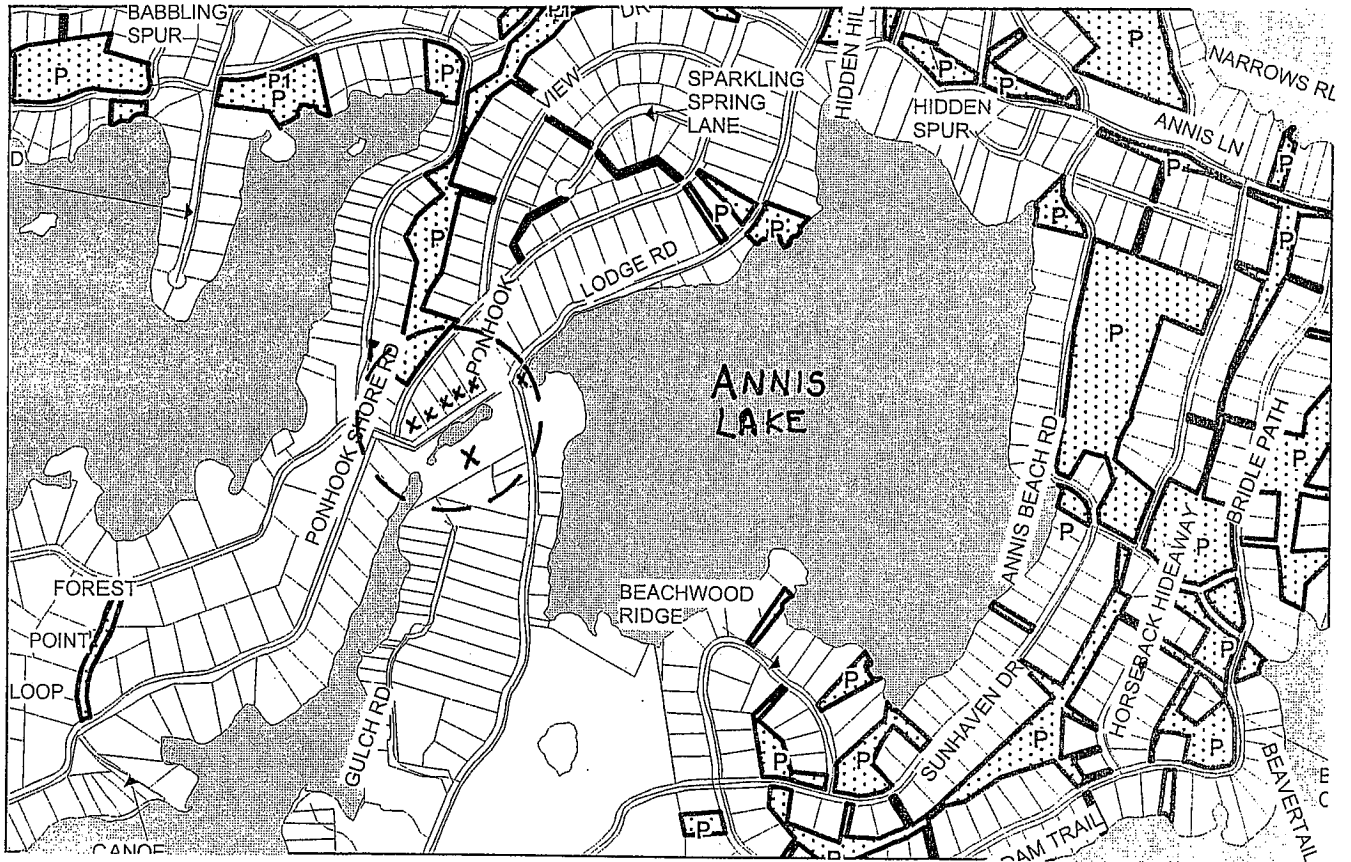
DON WALKER

10 Sept 2015  
Date



Zoning Map

Seasonal Residential (R7)



Generalized Future Land Use  
Residential (R)



**EXIT**  
REALTY INTER LAKE

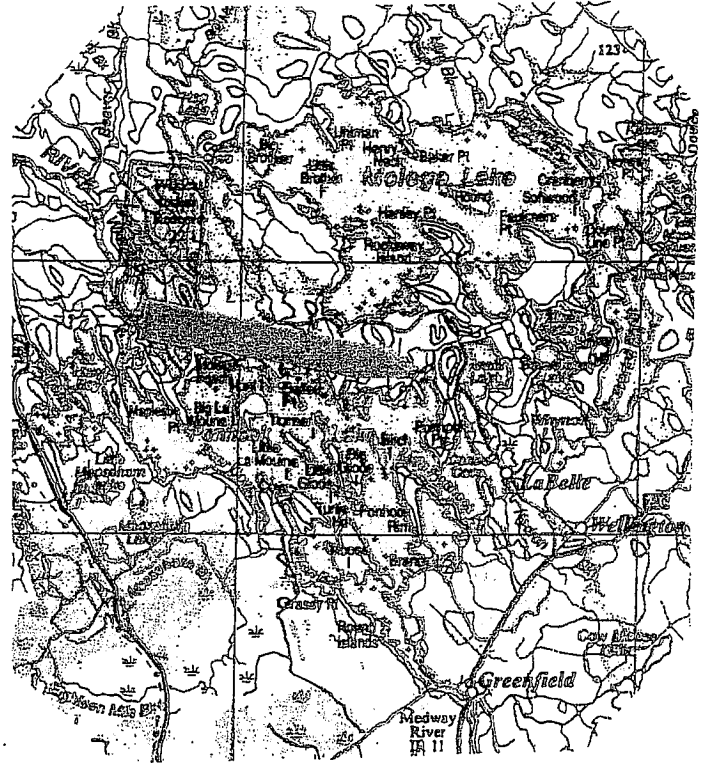
**DOUG WHITE**  
Broker



Cell: 902-350-2999 Liverpool  
or 902-523-3958 Bridgewater  
Fax to email: 902-354-4034

doug.white@exitinterlake.com  
www.exitinterlake.com

190 Main Street Liverpool, NS BOT 1E0  
Independent Member Broker  
Office: 902-354-4896



# OLD MILL ESTATES

A PICTURESQUE  
RECREATIONAL RENTAL  
COMMUNITY

CENTRAL QUEENS CO.  
IN THE HEART OF THE LAKELANDS



## HISTORICAL SUMMARY FROM THEN AND NOW

Ponhook lake area of Queen's County enjoys a remarkable, historical, and continuous growth rate.

The first recreational development in the area can be traced back to the early 1900's, during which period a number of hunting and fishing lodges were established and became very successful. Hunters and sport fisherman came from Upper Canada and the USA. For many years an international tuna fishing tournament was held at White Point, just 30 minutes away.

With changing times, improved transportation and creative advertising the 60's and 70's provided a new core of potential seasonal property buyers. Lakeland Retreats, was founded by an American developer during this period. 5000 acres surrounding 7 lakes, with Ponhook Lake as the jewel, became internationally successful with approximately 1500-water front and cottage lots, being sold over a five-year period. New owners were from all over the world. USA, Europe, Asia, and the Orient, as well as many Canadians.

Thirty years later as a result of more efficient travel facilities, modern work techniques, and ever-changing technology, increases in material costs and ever rising costs of construction and related services, we again witness great change in the recreational industry. Recreational property owners of today have the financial means to acquire recreational items that will compliment their needs and desires. The recreational owners today works very hard, plays very hard and do not want to spend weekends and holidays cutting grass, trimming trees, scrapping and staining cottages, docks and decks. They want to enjoy free time participating in boating, golfing, hiking, and all other recreational activities. A huge cottage service industry has been created and is growing as a result.



**DOUG WHITE**  
Broker



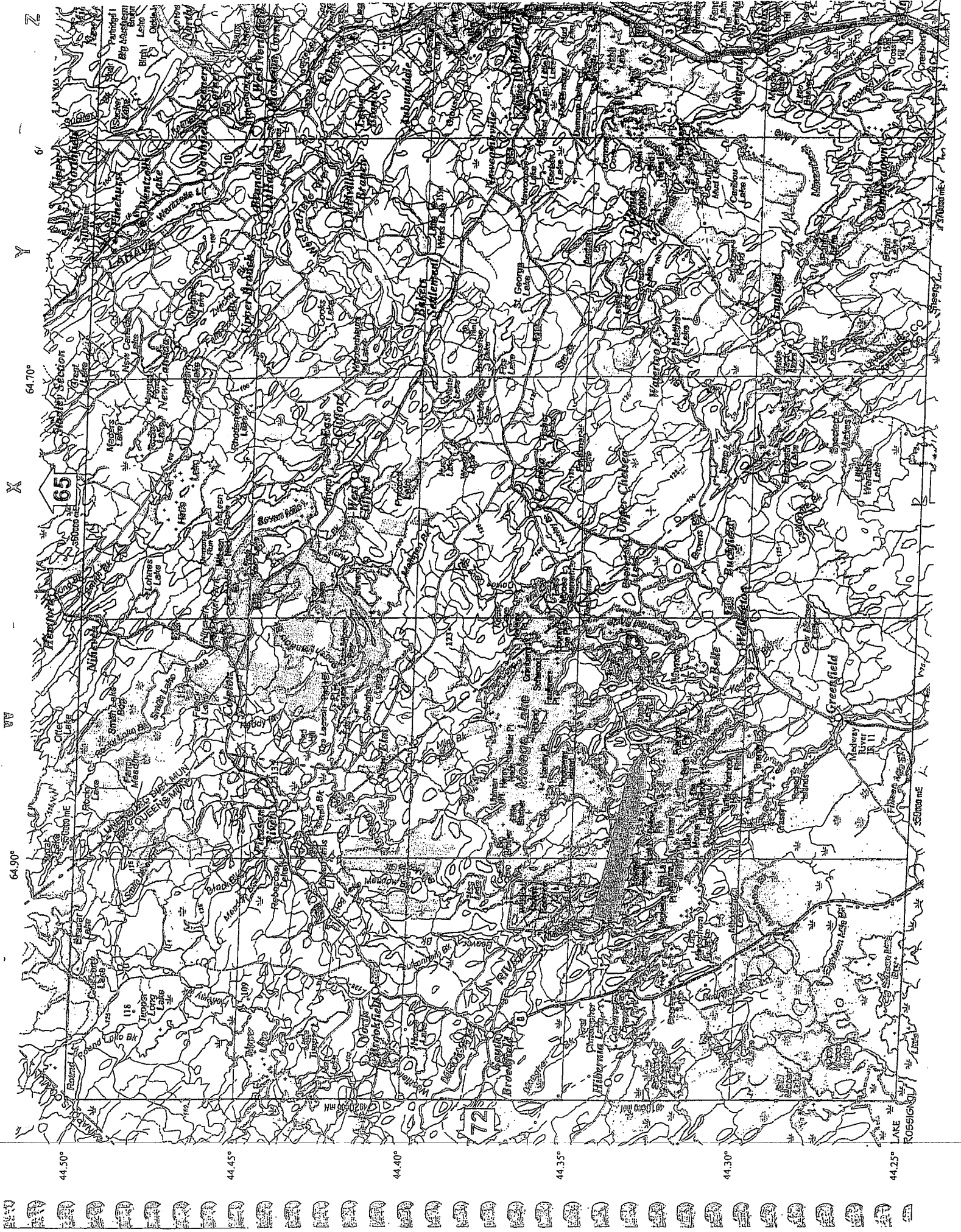
EXIT REALTY INTER LAKE  
Cell: 902-350-2999 Liverpool  
or 902-523-3958 Bridgewater  
Fax to email: 902-354-4034  
doug.white@exitinterlake.com  
www.exitinterlake.com  
190 Main Street Liverpool, NS BOT 1E0  
Independent Member Broker  
Office: 902-354-4896

High maintenance costs increasing property taxes, and the desire to enjoy leisure time at its fullest has made the next logical step in the recreational evolution "COTTAGE RENTAL COMMUNITIES".

Research and development, construction, land development, roads, electrical and related services make up a very large portion of capital investment. This proposal outlines available land that fits the criteria of buyer appeal, historical, geographical acceptance as prime recreational area, easily accessed from Halifax International Airport and ocean ferry from USA. Roadways and electrical service already in place established increasing resale values are very important to a new development.

Research indicated the market is ready and willing to participate in the COTTAGE RENTAL COMMUNITY concept.

This project enables forward thinking investors to get in on the ground floor and not just jump on the ship as it sails past.



44.50° 44.45° 44.40° 44.35° 44.30° 44.25°

64.90°

AA

X

Y

Z

64.70°

6

Map labels including: Greenfield, Rossignol, Greenfield Lake, Rossignol Lake, and various smaller lakes and geographical features.

# LAND USE PROPOSAL

SEVEN BUILDING SITES  
OPTIONAL: 2 UNITS EACH SITE

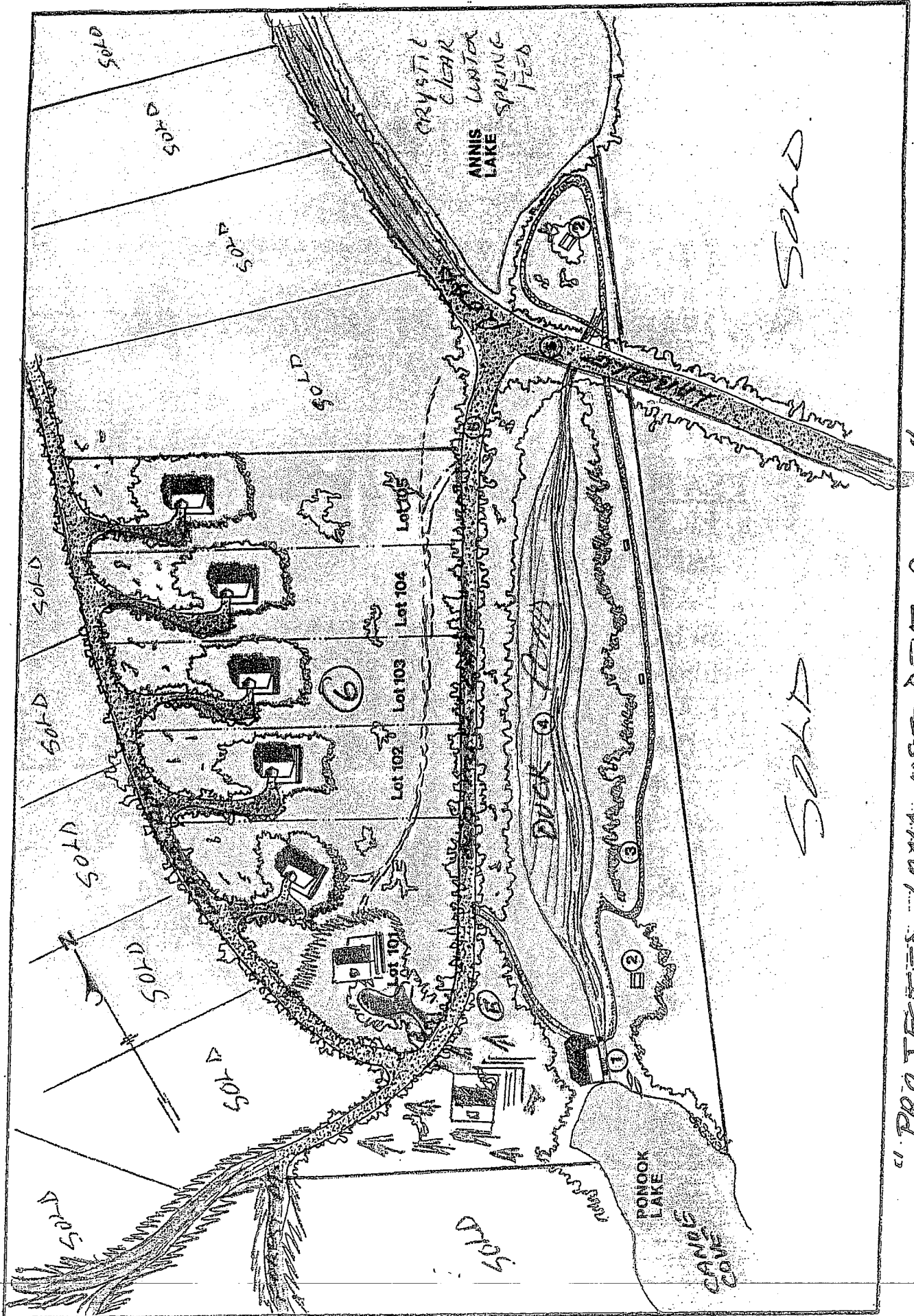
WATERFRONTAGE: PONHOOK LAKE,  
ANNIS LAKE

## FEATURES / SERVICES / ACTIVITIES

- PICNIC AREAS
- HIKING TRAILS
- NATURE WALKS
- BOAT AND CANOE RENTALS
- SNACK BAR / COFFEE SHOP
- KAYAK RENTALS AND TOURS
- 3 DAY CANOE TRIP (8 LAKES)
- SPORT FISHING
- PARTY BOAT TRIPS
- ON LAKE & LAND BBQ'S
- OVERNIGHT CAMPING

## NEAR BY

- 3 GOLF COURSES
- DEEP SEA FISHING
- 2 MAJOR HOSPITALS
- SHOPPING / THEATRE
- RECREATIONAL
- CHURCHES
- AIR PLANE TOURS



"PROJECTED LAND USE DEVELOPMENT"

