

**PLANNING ADVISORY COMMITTEE
REGULAR MEETING
JUNE 6, 2016 - 7:00 P.M.**

MINUTES

Present: Councillor Susan MacLeod, Chair
Councillor Peter Waterman
Richard Smith
John Winters
Robert Ross
Don Kimball
Gary Feindel
Mike MacLeod, Planner

Regrets: Councillor Brian Fralic
Heather Kelly
Jessica Van Dyne Evans

1. CALL TO ORDER -

The meeting was called to order at 7:00 p.m.

Mike MacLeod advised that he had received an email from Jessica Van Dyne Evans just prior to the meeting advising that she was resigning from the Planning Advisory Committee as representative of District 6.

2. APPROVAL OF AGENDA –

Additions: 5.1 Coastal Planning
5.2 Signage Pull-off – Port Mouton
5.3 Labelle Planning Amendments – Update
5.4 Site Visits

It was **MOVED** by **Peter Waterman** and **SECONDED** by **Robert Ross** that the Agenda be approved as amended.

Motion Carried Unanimously.

3. APPROVAL OF MINUTES - APRIL 4, 2016

It was **MOVED** by **John Winters** and **SECONDED** by **Don Kimball** that the Minutes of April 4, 2016 be approved as circulated.

Motion Carried Unanimously.

4. RESIDENTIAL USES IN COMMERCIAL ZONES - LIVERPOOL

Mike MacLeod reviewed an application and discussion paper regarding the creation of two new residential dwelling units on the ground floor of a building in the Commercial Downtown

(C1) Zone. Mike advised the residential uses were permitted as-of-right on the upper floors of a commercially zoned building; however, Council can only consider residential uses on the ground floor by development agreement.

The applicant's property, located at 325 / 327 Main Street in Liverpool, currently has residential units on upper floors, but the commercial space on the ground floor is vacant. The applicant has indicated that he has been having a lot of difficulty finding new commercial tenants.

Mike advised that back in 2009, the former owners of this property found themselves in the same situation of not being able to find commercial tenants and had applied for a development agreement to convert ground floor units to residential. Council approved the development agreement in 2010. Prior to renovations; however, the property owner found commercial tenants for the vacant units. Property owner requested and received a discharge of the development agreement. The property was once again subject to the Downtown Commercial (C1) Zone requirements.

Robert Ross noted that downtown Liverpool is a very important area for the local economy. Taking away from this commercial core area is the start of a slippery slope. He enquired as to how far Council would be willing to go. Erosion of this commercial area is of concern to him, as once a property is converted to residential, the likelihood of it going back to commercial is slim. Robert felt that there were lots of other locations where residential development could take place and should not be at the expense of the commercial area. He felt that the owner bought the property as commercial and should bear with it. He does not support the application.

John Winters advised that he also had some trouble with this application. Back in 2014, Council approved an expansion of the Downtown Commercial (C1) Zone to allow for a new commercial development at 382 Main Street in Liverpool. Allowing for a reduction of commercial space through this development agreement application seems to be going against the earlier direction of Council.

Susan MacLeod noted that one of Council's strategic priorities is the revitalization of downtown Liverpool and the waterfront. By taking away from street level space available for commercial development will not help to strengthen or revitalize this commercial core area.

Robert Ross enquired as to the thoughts of the Region's Economic Development Department on the application. Mike MacLeod advised that he has had discussions with the Department and noted that the commercial vacancy rate within the downtown area was running a little over 17 percent at the present time. Not all of this vacant space has direct frontage on the street; however. Robert also enquired as to what the Municipality was doing to promote commercial development in the downtown area. Mike MacLeod advised that the Economic Development Department keeps an updated listing of vacant commercial space; which is available on the Region's website; to have for prospective business operators. The Department also maintains regular communication with business and property owners within this area.

John Winters noted that it can be good to have some flexibility in the planning documents; however, one has to give serious consideration to the costs and benefits of allowing this flexibility.

Mike MacLeod advised that prior to 2003, the Land Use Bylaw in Liverpool only allowed for residential uses on floors above permitted commercial uses in the C1 Zone. In 2003, Council amended the Land Use Bylaw to allow for consideration of residential uses on the ground floor through a development agreement process.

Richard Smith noted that this all goes back to establishing a clear vision for the downtown area.

Don Kimball enquired as to why we create zoning in the first place, if we continue to amend and make exceptions.

Robert Ross enquired as to what the developer is going to give back to the community in return. Could include provisions or covenants such as facade improvements and landscaping.

It was **MOVED** by **John Winters** and **SECONDED** by **Richard Smith**

THAT the Planning Advisory Committee recommend that the Council of the Region of Queens Municipality enter into a development agreement with Alan Surovell to allow for construction of two new dwelling units on the ground floor in existing building located at 325 / 327 Main Street in Liverpool and identified as PID# 70024971;

AND THAT a public hearing be scheduled for July 12, 2016 at 8:55 a.m. in the Council Chambers of the Municipal Building, 249 White Point Road in Liverpool, NS.

Motion defeated – 0 For and 7 Against.

It was **MOVED** by **John Winters** and **SECONDED** by **Don Kimball**

THAT the Council of the Region of Queens maintain status quo respecting the utilization of the ground floor of building located at 325 / 327 Main Street in Liverpool for commercial use.

Motion Carried Unanimously.

5. OTHER -

5.1 Coastal Planning –

Robert Ross noted that he had recently made a presentation at a conference in British Columbia, as part of the OceanCanada Partnership. He noted that there were many interesting and informative presentations on topics such as climate change, coastal erosion and the fisheries. One presentation in particular which peaked Robert's interest was a film by Ian Mauro on Climate Change in Atlantic Canada.

Robert enquired as to what measures that the Region of Queens was taking in regard to climate change and development along the coast.

Mike MacLeod advised that the Municipal Planning Strategy and Land Use Bylaw contain some provisions for increased development setbacks along watercourses, including the coast. However, he recognizes that these provisions do not go far enough, in many instances, to mitigate some of the effects of climate change on coastal development. This section of the planning documents is definitely earmarked for review.

Robert Ross passed around several photos of properties in South West Port Mouton showing the side effects of placing armour rock along the shore line. He feels stronger regulations need to be implemented to control this activity.

John Winters acknowledged that this was a serious problem.

5.2 Signage Pulloff – Port Mouton –

Robert Ross commented on the new Highway 103 Port Mouton Bypass and the effects that that this will have on the businesses in the area. Robert is not in favour of seeing a mish mash of commercial signs at the end of the connector road to Port Mouton. He feels that there is an opportunity for the Province to create a pull off with proper commercial / directional signage on land that the Crown now owns at the intersection of the connector road and the current 103 Highway.

Robert also enquired as to the status of a meeting that the Municipality was going to set up with local businesses to talk about the signage issue. Mike MacLeod advised that he would follow up on this.

5.3 Labelle Planning Amendments – Update

Susan MacLeod updated the Committee on an application that was presented to PAC last fall respecting the proposed creation of a new commercial zone in the Labelle area to enable a recreational rental development. Susan noted that a public hearing was held in December, where a large number of local residents attended and voiced their concern over the proposed development. Staff was asked to go back and look at the proposal to see what could be done to address some of the concerns over the environmental sensitivity of some of the subject lands. A second public hearing was held on May 24, 2016. Again, there was a large attendance of local residents and concern was expressed over the proposal.

Susan advised that Council ended up not approving the creation of the new commercial zone, but did agree to rezone some of the lands to Conservation (O1).

5.4 Site Visits –

Robert Ross suggested that the Committee should consider doing formal site visits as a group when reviewing applications for planning amendments and development agreements. Particularly when an application may prove to be controversial. Several members noted that they regularly do this on their own, but it could be beneficial to do this as a group.

Mike MacLeod concurred and will attempt to arrange for future applications. Mike advised that he will endeavour to get application information out to the Committee earlier to facilitate site visits.

6. NEXT MEETING -

The next meeting is scheduled for July 4, 2016.

7. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:35 p.m.

Councillor Susan MacLeod, Chair

Date