



# **ACTION NORTH HATLEY**

## *Information update*

Since March 2012, a promoter has acquired 3½ acres in the centre of North Hatley, and in March 2014, an **Agreement in Principle** was reached between the Town Council and the developer specifying what could be built there. Since then, Council has taken steps, including the preparation of a **PPU (Programme particulier d'urbanisme)**, to facilitate development of this area.

However, the proposed area is located in a flood-plain. A new map of the flood-plain has been prepared for the Town and approved by the MRC (Municipalité régionale de comté) and various government departments. The new map shows that half of the area is in a high-risk flood zone and that most of the remainder is prone to flooding, but less frequently. Because of this, a **MANAGEMENT PLAN** (Plan de gestion) is also required before any building can proceed.

**The PPU and the Management Plan together will determine what can be built on the land.** Since Council tells us that presentation of these two documents is now imminent, it is important that citizens understand their purpose. Please see the Annex for more details.

### **THE ROLE OF ACTION NORTH HATLEY**

- Action North Hatley (ANH) aims to keep the Village's population, both permanent and seasonal, informed before and during public presentation of these plans. This will of course depend on the flow of facts and data from Council. No new data has in fact been released in the last 18 months, in spite of repeated requests.
- **ANH will continue to advise people of their rights, and how and when they can exercise them in the most constructive ways possible.**
- ANH will continue to diffuse all available information to the public by all possible means, including media, e-mail, ANH website and Facebook, and by flyers to all residents.

### **WHAT ARE ANH's MAIN CONCERNS ABOUT THIS PROJECT?**

**The main concern is the magnitude of this development.** In March 2014, Council agreed in principle to the construction of 230 condos and apartments, in buildings rising to 5 floors. This would **irrevocably alter the charm and character of North Hatley.** No longer would it be one of Quebec's "Most beautiful villages".

Moreover, **the community would face important financial risks** attached to this project.

In spite of these major challenges and risks, responses given by Council indicate that monetary issues have not been analysed and that no studies have been made of environmental or social impacts. These are essential prerequisites to approving any development of this size.

## WHAT ARE THE MONETARY ISSUES?

### Tax increases, tax reductions?

Council is promoting this project primarily as a tax reduction measure, yet **no serious fiscal study** has been made or is planned.

- Has Council informed itself about similar projects in other towns concerning their impact on taxes?
- **What will infrastructure improvements cost the municipality:** sidewalks, road changes, increased sewage treatment, etc?

### Increased costs for planning, maintenance and services?

**More than \$100,000** has been spent so far by Council on reports and legal fees, mostly related to the preparation of the PPU. These and other newly engaged costs have been **paid** for solely **by North Hatley tax-payers**.

- What additional costs will this project impose on the Village's citizens, for planning and increased maintenance and services?

### Does a market exist for a development of the size proposed?

No market studies have been undertaken according to Council.

- What will the impact be on tax-payers in the event that the developer is unable to complete the project?
- Will people want to buy a home, in spite of no overland flood insurance being available?

## THIS LEADS TO THREE CRUCIAL POINTS

- Construction within a flood zone (the situation of the proposed development), in conformity with the Management Plan's stipulations, does not exempt the Village from financial responsibility. It will only reduce the overall risk.
- When a major flood event occurs (whether in 5 or 25 years), owners of flood damaged properties can apply for compensation to the Ministry of Public Security (Ministère de la Sécurité publique). Such requests are studied, on a case by case basis, and are not granted automatically.
- If the request is granted, the Village of North Hatley may be required to pay part of the damages.

## ENVIRONMENTAL AND SOCIAL IMPACTS

### • What will be the visual impact of such a large-scale development?

It would severely threaten the pastoral and architectural beauty of this heritage village. It would seriously intrude on views of many residents on Capelton and River Roads.

- What impacts is the community likely to suffer during the construction period?  
Large increases in noise, air pollution and road risks generally accompany any major construction project. These could occur over a prolonged period of time. Costly damage will inevitably be caused to roads.
- What will be the effect of increased long-term road traffic on public safety and quality of life?
- How will a village of less than 700 year-round residents absorb nearly 400 new residents, without serious perturbation?
- What additional pressures will the lake face: more boats and mooring space, more noise and water pollution, etc?
- What effects could large-scale filling and building in the flood zone have on homes neighbouring the development?

## WHAT KIND OF DEVELOPMENT WOULD BE ACCEPTABLE?

**ANH believes that a considerably smaller project would be suited to this area, with appropriate architecture and on the condition that buildings are placed only on the higher parts of the property.**

For a more detailed timeline of past events, go to:

[www.facebook.com/ActionNorthHatley](https://www.facebook.com/ActionNorthHatley)  
[info@actionnorthhatley.org](mailto:info@actionnorthhatley.org)



## WHAT IS A PPU?

PPU stands for “Programme particulier d’urbanisme” (Special Planning Program). It is an urban planning tool provided for under the law (Loi sur l’aménagement et l’urbanisme), which sets out the zoning rules for developing or redeveloping a particular sector: height, density, usage, etc. It allows a Town to proceed with such a plan without going through the usual process of getting approval from citizens in adjoining zones.

## What input can the public have?

Provincial laws require that a municipality publish the PPU and allow the public the time and means to view it before holding a mandatory public consultation. **However, Council has the right to over-ride citizens’ objections and concerns, and to adopt the PPU in the form it chooses.**

Therefore, it is very important that the population participate in this process, both at the public meeting and in written comments to Council. **It is only by voicing their opinions during the consultation process that citizens can hope to affect what will be permitted** in this area’s development.

## WHAT IS A MANAGEMENT PLAN?

If development is proposed within a flood-plain on terrain that is located in a partly built-up urban area, which is the case of the flood-plain in North Hatley, **then construction becomes possible, limited by the stipulations of a (Flood) Management Plan.** This plan is formulated by the MRC, in conformity with policies laid down by the Quebec Government. These include addressing ways in which flood risks can be reduced, and how they will be handled. The plan must be prepared in conjunction with the PPU.

Again, citizens must clearly express their opinions through the appropriate channels, whether they are for or against the plan’s proposals. Once more, the population is invited to participate in a public consultation process, **organised by the MRC.**

**Separate public hearings will be held, probably at dates close to one another, on these two inter-dependent plans.**