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The Town Council of the Town of Sussex met in special session, by appointment of the Mayor of the said Town, in the Council Chambers of the said Town on Wednesday the 18<sup>th</sup> day of April, 2007, at 6:00 o'clock in the evening.

The following members of the Council were present: His Worship Mayor Carr, Deputy Mayor Thorne, Councillors Wright, Wilson, Campbell, Bradley, Black and Fulton. There were no absentees. Also present at this meeting were the Town Clerk/Treasurer, Paul Maguire and Chief Administrative Officer, Michael Cummings.

It was moved by Councillor Wilson, seconded by Councillor Fulton, that the agenda for this special Town Council meeting be approved. Motion carried.

No members present declared a conflict of interest on any items on the agenda at this time.

The purpose of this special meeting was to have a hearing of objections to the Municipal Plan and Zoning By-Law Amendments.

A hearing of objections was held for the Municipal Plan By-Law Amendment, By-Law # 704-04-06 and the Zoning By-Law Amendment, By-Law # 1350-04-09. The Municipal Plan By-Law Amendment would change the designation of the property bearing P.I.D. # 30243067 from a "R2" Single and Two-Family Residential Zone to "HC" Highway Commercial Zone in conjunction with the

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Zoning By-Law Amendment, By-Law # 1350-04-09, with terms and conditions.

Council received written objections from Deedra Critch, Reginald Peters, Patricia Stout, a petition containing 72 names, Levi and Ann McLean, Corinne Greer and Jim Sackville.

Present at the Council meeting was Deedra Critch. His Worship Mayor Carr read her correspondence excluding point # 6. Mrs. Critch read the replacement to the omitted point # 6. In her correspondence she noted that she was objecting to the development of a critical assessment piece of land, objected to the use of the visual critical and land use critical site for a plaza box store or strip mall. She stated that she would rather see the land used as destination based usage providing people with something to do at the end of Town other than shop. Also she felt that the proposed building breaks one of the first rules of blending in with the area around it in style and appearance, she objected to the Lego-like appearance of the proposed structure which is entirely appropriate to the present areas designated for box stores and malls where it should be located. She felt that the off-white cement block skin is less environmentally damaging than if a 25 year old siding had been chosen, but although being that it is a matt shade of white, she was concerned for its ability to reflect an enormous heat volume back on the black paved area around the proposed building. She was concerned with the potential compacting of the ground and raising

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the level of the ground for the building and the environmental effect that this may negatively impact the ground water in the area. The Council had an opportunity to ask questions of Deedra Critch regarding her presentation.

Present at the Council meeting was Reginald Peters who read his letter of objection to the proposed rezoning. Mr. Peters noted that he felt that the development of this parcel of land will detrimentally affects the neighbouring properties in the devaluation of property appraisals, possible flooding due to the increase in the height of the property development to match the grade of the road entrances in an area that already has drainage problems and traffic safety issues due to the planned entrance/exit on the turn of a highway interchange. The Council had an opportunity to ask questions of Reginald Peters regarding his presentation.

Present at the Council meeting was Patricia Stout who read her letter of objection to the proposed rezoning. She also presented the Council with a petition which consisted of 72 names which stated that the undersigned Town of Sussex property owners do hereby protest the Municipal By-Law Amendment, By-Law # 704-04-06, to change the designation of the property at 201 Main Street, P.I.D. # 30243067 from an "R2" Single and Two-Family Residential Zone to an "HC" Highway Commercial Zone. In her correspondence she outlined the following points: the public presentation of the project, the purchase of the property by Plaza Corp prior to rezoning, the

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zoning process and definition, investment confidence in stable residential zoning if the project goes ahead, the possibility a historic landmark being lost, grading and paving of the parking lot and land, possible noise and light pollution, traffic safety and flow from the proposed development and the general degradation of a residential zone by spot rezoning. Deputy Mayor Thorne responded to some of her questions and the members of Council had an opportunity to ask questions of Ms. Stout regarding her presentation.

A letter of objection was received from Levi and Ann McLean. The letter was read by His Worship Mayor Carr. The letter indicated that they were concerned with the spot rezoning and the effect it would have on their property. They noted that if the rezoning took place they would like to see extreme care in what kind of building would be allowed to be located on this property, that it would be visually pleasing and suited to the neighbourhood and that fencing be installed down both the Floral Avenue and Lansdowne Avenue side to prevent a total loss of privacy by having their property becoming a shortcut for foot traffic wanting to get from one street to another. Also they were concerned with the possibility of a large amount of garbage that may come from the development and the traffic noise and harsh lighting. The McLean's were given the opportunity to address Council.

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A letter of objection was received from Corinne Greer. His Worship Mayor Carr read the letter of objection. She was concerned with what will happen to their property value should this rezoning proceed and the loss of the peaceful county-like atmosphere that they now enjoy. Ideally she would like the field to remain at an "R2" status and an attractive housing area be developed such as is presently in place at Coventry Walk, however, if the process proceed as planned she would like to see that the new structure be an attractive building, special care must be given to water control and special consideration must be given to those private property owners who abut the proposed commercial zone. In her letter she was also concerned with the possibility of littering that could come from the proposed development. She was given an opportunity to address Council.

Present at the Council meeting was Jim Sackville who presented his letter of objection. He noted that the intersection that the development is on is a major gateway into the Town of Sussex and as a gateway location any new development on this corner should include special site design considerations. He would like to see consideration for parking setbacks from Lansdowne Avenue to allow a sidewalk, double row of trees and a low fence barrier with a shrub and flower bed, screening of the loading area from the arrival view along Lansdowne with evergreen trees and parking should be

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set back from the Main Street intersection to allow a welcoming green space that has signage, seating, lighting and shrubs and perennials. He also noted that the development site should meet the following standards: parking lights to be direct cut-off, maximum height 20' to 24'; building sign to be building mounted; provide pedestrian access and bicycle racks; Architecture to reflect the character of the Town; and provide landscaping adjacent to the building. Council had an opportunity to ask questions of Mr. Sackville regarding his presentation.

His Worship Mayor Carr asked whether there was anyone else present who would like to make an objection or speak on the proposed development.

The Council held a hearing of objections to the proposed Municipal Plan By-Law Amendment, By-Law # 704-04-04, which would propose to change the designation of the entire property, bearing P.I.D. # 00267906, from a "R2" Single and Two-Family Residential Zone to "INST" Institutional Zone as well as having a hearing of objections to the related Zoning By-Law Amendment, By-Law # 1350-04-07. The Town Clerk informed the Council that no written objections were received to the proposed Municipal Plan and Zoning By-Law Amendments. His Worship Mayor Carr noted that there was no one present at the Council meeting who wished to object to the proposed amendments.

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Deputy Mayor Thorne declared a conflict of interest on the next item on the agenda and vacated the Council Chambers for any discussion or decision on the item. Deputy Mayor Thorne did not return to the Council Chambers from his conflict of interest.

The Council heard a hearing of objections to the Municipal Plan By-Law Amendment, By-Law # 704-04-05, which proposes to change the designation of the entire property bearing P.I.D # 00267849 from a "R2" Single and Two-Family Residential Zone to "INST" Institutional Zone and a hearing of objections to the related Zoning By-Law Amendment, By-Law # 1350-04-08. The Town Clerk informed the Council that the Town had received no written objections to the proposed by-law amendments. His Worship Mayor Carr noted that there was no one present at the Council meeting who wished to object to the proposed amendments.

It was moved by Councillor Wilson, seconded by Councillor Wright, that this special meeting of the Town Council of the Town of Sussex adjourn. Motion carried.

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MAYOR

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TOWN CLERK

