

SUSSEX, NB
PLANNING ADVISORY COMMITTEE AGENDA

October 14, 2026, 4:30 p.m.

	Pages
1. Recording of Attendance	
2. Approval of Agenda	
Recommended Motion: THAT the agenda for this Planning Advisory Committee meeting be approved as circulated.	
3. Disclosure of Conflict of Interest	
4. Approval of Minutes - September 9, 2026	2
Recommended Motion: THAT the minutes of the Planning Advisory Committee meeting, held on September 9, 2026, be approved as circulated.	
5. Delegations, Petitions and Correspondence:	
6. Business Arising Out of Minutes	
7. New Business	
7.a Agricultural Museum of NB - Request for a Shipping Container	11
7.b 172 Park Street - Stonefield Properties	20
7.c PAC Constitution	35
8. Date of Next Scheduled Regular Meeting - November 4, 2026	
9. Adjournment	
Recommended Motion: THAT this regular meeting of Sussex Council be adjourned.	

Sussex

MINUTES OF MEETING OF SUSSEX PLANNING ADVISORY COMMITTEE

September 9, 2026

4:30 p.m.

Present: Eric Falkjar - Chairperson, Terry Gale, Rolland Gagnon, Sarah Smith, Randy Chapman, Eric Nelson, Councillor Brenan, Councillor MacLeod

Absent: Alaina Lockhart – Vice-Chairperson

Staff Present: Thomas Lewallen, Planner Town Clerk Olesen

1. Recording of Attendance

2. Approval of Agenda

Moved by: Councillor Brenan

Seconded by: Councillor MacLeod

THAT the agenda for this Planning Advisory Committee meeting be approved as circulated.

Motion Carried

3. Disclosure of Conflict of Interest

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

4. Approval of Minutes

4.a Regular Meeting - July 8, 2026

Moved by: Councillor Brenan

Seconded by: Terry Gale

THAT the minutes of the Planning Advisory Committee meeting, held on July 8, be approved as amended.

Motion Carried

4.b Special Meeting - July 29, 2026

Moved by: Councillor MacLeod

Seconded by: Sarah Smith

THAT the minutes of the special Planning Advisory Committee meeting, held on July 29, be approved as circulated.

Motion Carried

5. Delegations, Petitions and Correspondence

6. Business Arising Out of Minutes

There was no business arising out of the Planning Advisory Committee

7. New Business

7.a Zoning By-law Amendment 1350-24-12 - Queen Street

The Committee reviewed the draft by-law, feedback received from neighbouring property owners, and correspondence distributed by the developer to surrounding residents. The Planner presented a report summarizing the proposal and outlining the requested variances.

Member Fred Brenan questioned the proposed lot area of 220 square metres for a four-unit dwelling. The Planner clarified that the lot area requirement cited in the by-law is calculated based on the number of dwelling units.

Applicant Nick McCullum addressed the Committee regarding the proposed development. He noted that the building was designed to resemble a residential home in appearance and would have a smaller footprint than what could legally be constructed on the property. He acknowledged receipt of the petition submitted by residents and expressed a willingness to engage further with neighbouring property owners. He also indicated he would be open to an additional Section 59 condition limiting the development to four units.

Bridget Ryan, 20 Arnold Avenue, spoke in support of development in principle but expressed concerns regarding the interpretation of lot size requirements. She disagreed with the lot area proposed for a four-unit building and stated that, in her view, the building and parking layout would occupy too much of the site. She further noted that front-yard parking was not consistent with the character of the neighbourhood. Additional concerns included stormwater management, potential flooding impacts in the absence of a flood mitigation plan, and the cumulative effect of the requested rezoning and three variances.

Theresa Fulton, who resides directly across from the proposed development, stated that she felt the project was not compatible with the character of the street and surrounding neighbourhood, particularly due to the front-yard parking arrangement. She also raised concerns regarding the size of the proposed parking spaces and the potential for increased on-street parking. Ms. Fulton referenced the Mayor's message in the Strategic Plan regarding responsible development while maintaining community character.

Heather McLean, 59 Queen Street, expressed concerns regarding outdated flood mapping, fire safety, and emergency vehicle access. She questioned whether reduced setbacks would provide sufficient room for fire apparatus, scaffolding, and construction materials, and raised concerns regarding liability, dumpster placement, pest control, and the fact that the proposal would be approximately 35% below the minimum lot size required in the R2 Zone.

Ms. Hutchinson stated that her home is located close to the rear property line and expressed concerns that the reduced rear yard setback would negatively affect her privacy.

Nikki McConchie advised that she is a real estate agent and her mother resides in the neighbourhood. She currently has an adjacent property listed for sale and has noted that that prospective buyers have expressed less interest in the property since notification of the proposed development was circulated.

Gary Fulton, 56 Queen Street, stated that his principal concern related to site grading and landscaping work that had removed approximately one foot of topsoil and created a berm at the rear of the property. He questioned whether the work had been properly monitored and advised that he intended to submit a formal objection. Mr. Fulton also expressed concerns regarding environmental impacts, including soil compaction, and suggested the matter be returned to Council for further consideration.

Mr. McCullum returned to address concerns raised during the presentation. He advised that approximately eight feet of material would be excavated and that compaction testing would be completed under the supervision of an engineer. With respect to the rear yard setback, he noted that the design generally reflects the setbacks of surrounding properties and that landscaping and shrubbery would be installed to enhance privacy. Regarding parking, he stated that tenants would be limited to one parking space per unit and that the landscaped buffers would reduce the visual impact of the parking area. He further noted that parking enforcement would remain under the authority of the appropriate agencies.

In response to concerns regarding flooding, Mr. McCullum advised that an engineering plan is being prepared and may include an attenuation chamber to manage stormwater before discharge into the Town's system. He stated that the project aligns with principles of responsible infill development given the site's proximity to Main Street. Regarding construction-related liability, he advised that the project would be covered by \$5 million in Builders Risk and commercial liability insurance. He also noted that, to his knowledge, municipal requirements do not mandate a dumpster for a project of this size. With respect to neighbourhood character, he stated that a local designer familiar with the community had been engaged and that landscaping and greenery would be incorporated where feasible.

Committee members posed several questions to the applicant. Member Eric Nelson requested clarification regarding the location of the proposed attenuation chamber. Member Randy Chapman inquired about the number of bedrooms, to which Mr. McCullum replied that the development would consist of two two-bedroom units and two one-bedroom units managed by Stonefield Properties. Member Catherine MacLeod asked about snow removal, and Mr. McCullum advised that snow would be removed from the site. Member Rolland Gagnon questioned whether a duplex had been considered in order to better reflect the character of the neighbourhood, to which Mr. McCullum responded that the footprint of a duplex would be similar to that of the proposed four-unit building and that a 2 unit dwelling would not be financially viable.

During Committee discussion, Member Randy Chapman stated that he did not feel the scale of the development was appropriate for the property. Member Fred Brennan indicated that he was having difficulty supporting the application due to the street frontage, front-yard parking, resident concerns, and reduced setbacks. Member Terry Gale stated that, given the concerns expressed by neighbouring property owners, he would be opposed to the development as presented. Member Sarah Smith commented that although the applicant had presented the proposal well and had a positive reputation for housing development, she believed the concerns of nearby residents carried significant weight.

Chairperson Falkjar stated that while some of the issues raised could potentially be mitigated, he was concerned about introducing an R2 development within an established R1 neighbourhood. He expressed particular concern regarding the front-yard parking arrangement and the number of proposed dwelling units, and questioned whether the development was appropriate for the surrounding area.

Moved by: Councillor MacLeod
Seconded by: Councillor Brennan

THAT the Planning Advisory Committee, subject to Section 55 of the Community Planning Act, approve the following variances at 57 Queen Street (PID 30280549):

- a. A frontage of 15 metres;
- b. A rear yard setback of 2.5 metres; and
- c. Allowing parking within the front yard of a multi-unit dwelling.

Nay (7): Terry Gale, Rolland Gagnon, Sarah Smith, Randy Chapman, Eric Nelson, Councillor Brennan, and Councillor MacLeod

Motion Defeated (0 to 7)

Moved by: Councillor MacLeod
Seconded by: Councillor Brennan

THAT Council, pursuant to Section 59 of the Community Planning Act, rezone a parcel of land located at 57 Queen Street (PID 30280549) from One-Unit Residential (R1) to One and Two-Unit Residential (R2); and

THAT Council, pursuant to Section 59 of the Community Planning Act, impose the following conditions on a parcel of land located at 57 Queen Street (PID 30280549):

- a. That both side yards surrounding the proposed parking and rear yard be landscaped with evergreen shrubs.
- b. That the development be limited to 4 units.

Nay (7): Terry Gale, Rolland Gagnon, Sarah Smith, Randy Chapman, Eric Nelson, Councillor Brennan, and Councillor MacLeod

Motion Defeated (0 to 7)

Moved by: Councillor Brennan
Seconded by: Terry Gale

THAT Council, subject to Section 131 of the Community Planning Act, enter into a Development Agreement with Stonefield Properties for 57 Queen Street PID 30280459.

Nay (7): Terry Gale, Rolland Gagnon, Sarah Smith, Randy Chapman, Eric Nelson, Councillor Brennan, and Councillor MacLeod

Motion Defeated (0 to 7)

7.b Zoning By-law Amendment 1350-24-11 - Lansdowne Avenue South

The Committee reviewed the proposed by-law, the Planner's report, and the conceptual site plan for the proposed development.

The applicant addressed the Committee and commented on the Planner's recommendation that the requested window variance not be approved. The applicant advised that the window locations could be modified to comply with the by-law requirements.

The applicant further explained that the project is intended to be submitted under a Housing New Brunswick program that provides financial support in exchange for maintaining affordable rental rates. Under the program, at least half of the units, rounded up, must be subject to a rent cap, and projects must contain a minimum of five units. The applicant advised that the current rent cap is approximately \$980 per month and that the affordability requirement would remain in place for a period of 20 years.

Barry McMann, an adjacent property owner, addressed the Committee. He stated that, in his opinion, the renderings were somewhat misleading and that he had difficulty visualizing an 11-unit apartment building on the proposed lot. He expressed concerns regarding traffic volumes in the area and the potential for overflow parking on the street. Mr. McMann stated that while the development may technically fit on the property, this does not necessarily mean it is appropriate for the site. He also raised concerns regarding flooding impacts resulting from soil disturbance and the management of garbage collection.

The applicant returned to respond to the concerns raised by Mr. McMann. He advised that snow would be cleared and stored in the open area to the north of the site. The location of a dumpster had not yet been determined. He indicated a willingness to undertake a traffic study, although he noted it may be difficult to secure a consultant willing to complete such a study for a development of this size. Regarding stormwater management, he advised that it was not yet clear whether flooding concerns would require additional mitigation measures; however, a stormwater management study would be required as part of the building permit process.

The applicant further advised that the building is proposed to feature vinyl siding with stone accents around the entrances and a steel roof. The structure would be three storeys in height and would not include an elevator. The development would provide two accessible parking spaces as well as barrier-free apartment units.

During Committee discussion, Member Randy Chapman expressed concerns regarding the amount of parking being provided relative to the number of bedrooms proposed and questioned where overflow parking would be accommodated.

Member Fred Brenan noted that the proposal aligned with Housing New Brunswick's objective of providing "missing middle" housing. He observed that the area is already characterized by higher-density development and stated that he was generally supportive of the proposal given its proximity to amenities and services within walking distance.

Member Sarah Smith expressed concerns regarding the cumulative impact of traffic generated by this proposal and other developments in the surrounding area. She indicated that she remained undecided on the application.

In response to the parking concerns, the applicant advised that developments of this nature typically experience lower parking demand due to their proximity to amenities and services. He further noted that lower-cost rental units generally generate fewer vehicles per household, reducing the likelihood of significant overflow parking.

Moved by: Councillor Brenan

Seconded by: Councillor MacLeod

THAT the Planning Advisory Committee, subject to Section 55 of the Community Planning Act, approve the following variances at 0 Lansdowne Avenue South (PID 30369961):

1. A rear yard setback of 4 metres;
2. A flankage yard setback of 3 metres; and
3. Allowing parking within the front yard of a multi-unit dwelling.

Motion Carried

Moved by: Councillor Brenan

Seconded by: Rolland Gagnon

THAT Council, pursuant to Section 59 of the Community Planning Act, rezone a parcel of land located at 0 Lansdowne Avenue South (PID 30369961) from One and Two Unit Residential (R2) to Medium Density Residential (R3); and

THAT Council, pursuant to Section 59 of the Community Planning Act, impose the following conditions on the property located at 0 Lansdowne Avenue South (PID 30369961)

- a) that both side yards surrounding the proposed parking and rear yard be landscaped with evergreen shrubs; and
- b) that the development be limited to 11 units.

Motion Carried

Moved by: Councillor MacLeod
Seconded by: Terry Gale

THAT Council, subject to Section 131 of the Community Planning Act, enter into a Development Agreement with Stonefield Properties for 0 Lansdowne Avenue South PID 30369961.

Motion Carried

7.c PAC Constitution Review

The Committee reviewed the proposed amendments to the constitution and agreed to consider the changes further before bringing them back to the October meeting for review and recommendation. Committee members had no strong objections to the change in date and time of the meetings going forward.

7.d Planning Advisory Committee By-law Amendment

The Clerk brought forward the Draft Planning Advisory Committee By-law indicating that the purpose of the proposed amendments were to consolidate the by-laws from the former Village of Sussex Corner and Town of Sussex as well as a few housekeeping items, additionally administration is seeking direction on whether the Committee's preference would be to allow Council members to serve on the Committee for their entire term on Council. The Committee agreed to make the recommendation that the by-law be amended to allow Council members to serve on the Planning Advisory Committee for the duration of their term on Council.

7.e Policy C-22 - Planning Advisory Committee Term

The Committee reviewed the recently approved policy amendment, which increased the maximum length of service for members from two three-year terms to three three-year terms.

8. Date of Next Scheduled Regular Meeting October 7, 2026

The next regular meeting of the Planning Advisory Committee meeting is scheduled for October 14, 2026

9. Adjournment

Moved by: Councillor MacLeod

Seconded by: Rolland Gagnon

THAT this regular meeting of the Planning Advisory Committee be adjourned.

Motion Carried

ERIC FALKJAR, CHAIRPERSON



TARA OLESEN, TOWN CLERK



(508) 433 - 6799

28 PERRY STREET, SUSSEX NB E4E 2N7

AGRMUSEUMOFNB@GMAIL.COM

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August 16, 2026

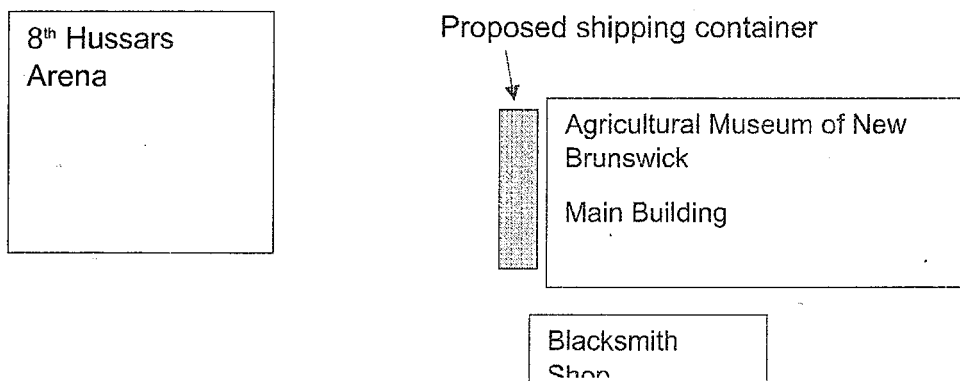
Dear Planning Advisory Committee,

The Agricultural Museum of New Brunswick Inc is a registered charity in Sussex NB that aims to preserve the history of New Brunswick agriculture, while educating the public about this rich history free of charge.

The Agricultural Museum of New Brunswick needs storage space. Our donors have been very generous; and the museum buildings do not have enough room to properly display all the artefacts. Over past years, board members and friends of the museum have allowed items to be stored on their properties. This has sometimes resulted in access difficulties, and lost items. A shipping container would allow us to place unneeded items in storage on our own property. Minor repairs to artefacts could also be done inside the shipping container.

The sea can will be placed at the end of the main museum building, on the rink side. This will neaten our property as the tarp covered thrasher will be moved. The only remodelling we need to do to the exterior of the sea can is perhaps painting so that it matches the building. Shelving may need to be added to the interior.

We hope to purchase a 40 ft sea can for approx \$5000.



Leonard Drive

Thank you for your consideration of this matter,

Bill Anderson, museum president



Date: October 7, 2026
To: Sussex PAC
From: Thomas Lewallen, RPP, MCIP
Meeting: October 14, 2026

SUBJECT

Applicant: Bill Anderson
Landowner: Agricultural Museum of New Brunswick
Location: 28 Perry Street
PID: 00095653
Municipal Plan Designation: Park
Zoning: Parks and Recreation (P)
Application Type: Variance

Jurisdiction:

Pursuant to Section 55(1)(b) of the *Community Planning Act*, the Planning Advisory Committee (PAC) may permit, subject to the terms and conditions it considers fit, a reasonable variance from the requirements of the Sussex Zoning By-law authorized by section 53(2)(a) of the *Community Planning Act* as, in its opinion, is desirable for the development of a parcel of land or a building or structure and is in keeping with the general intent of the Zoning By-law.

APPLICATION SUMMARY

Under the Zoning By-law, shipping containers are permitted accessory structures within Commercial, Industrial, Institutional, and Rural / Agricultural zones. Because 28 Perry Street is situated in the Parks and Recreation (P) zone, a variance is required to authorize a shipping container as an accessory storage building, with initial placement and setback conflicts resolved through binding approval conditions.

The Agricultural Museum of New Brunswick faces severe space constraints due to collection growth, forcing the temporary distribution of artifacts across off-site private properties. Placing an accessory shipping container on-site eliminates critical operational liabilities, including restricted inventory access, artifact damage during transportation, and misplaced historical assets.

RECOMMENDATION

1. That the Planning Advisory Committee grant a variance pursuant to Section 55(1)(b) of the *Community Planning Act* to permit a shipping container to be utilized as an accessory building within the Parks and Recreation (P) zone at 28 Perry Street (PID 00095653), subject to the following binding conditions:
 - a. The shipping container shall not be located behind (west of) or in front of the main building of the Agricultural Museum of New Brunswick and must be sited exclusively on the north side of the primary structure.
 - b. The exterior of the shipping container shall be prepped and painted the exact same colour as the main museum building prior to operational use.
 - c. The shipping container shall be used exclusively for accessory storage and repair incidental to the Agricultural Museum of New Brunswick, and not utilized for human habitation, commercial retail, or third-party commercial storage.

ANALYSIS

Neighbourhood Context

The subject property is located east of downtown and is located within an area that acts as the primary recreational hub for the Town.

Municipal Plan

Parks and Recreation Designation (Section 3.6 & Policies LU-42 to LU-45)

Directs the management of parklands and recreational hubs. Policy LU-43 requires an appropriate mix of uses in the designation, while Policy LU-45 emphasizes maintaining compatibility between active recreational/cultural uses and adjoining properties through appropriate design, buffering, or screening.

Arts, Culture, and Tourism Policies (Section 4.7)

Town of Sussex Municipal Plan Policy ACT-1 encourages the growth of cultural facilities, historical appreciation, and local heritage institutions throughout the municipality. Building upon this objective, Policy ACT-3 directs the preservation and enhancement of the town's historic character to create further educational and economic opportunities. Furthermore, Policy ACT-8 explicitly recognizes municipal cultural assets, specifically including museum facilities, as key contributors to the heritage, identity, and economic vitality of Sussex.

Zoning By-law

Under Zoning By-law, shipping containers are recognized as permitted accessory storage structures only within specific land use zones. Pursuant to Section 5.1.3, shipping containers are permitted as accessory buildings within Commercial zones (General Commercial and Highway Commercial), Industrial zones (Light Industrial and Medium Industrial), Institutional zones (INST), and Agricultural and Rural Lands (AR) zones. Shipping containers are prohibited as accessory buildings in all Residential zones (R1, R1S, R2, R3, R4, MHP) and the Mixed Use (MU) zone under Section 5.1.3(a).

Because the Zoning By-law contains no explicit provisions permitting shipping containers within the Parks and Recreation (P) zone, authorizing a shipping container as an accessory structure at 28 Perry Street requires a variance pursuant to Section 55(1)(b) of the *Community Planning Act*. Although placement was initially proposed within the rear yard on the western side of the main museum building, evaluation confirmed that rear-yard positioning is unfeasible due to insufficient clearance between the western building elevation and the western lot boundary. Relocating the proposed shipping container to the north side of the main building provides adequate spatial capacity, ensuring full compliance with spatial controls.

Specifically, this revised location maintains the mandatory 1.5-metre separation distance from the primary museum structure pursuant to Section 5.1.1(c)(vii), satisfies the required 3.0-metre setback from adjacent side and rear property lines under Section 5.1.1(c)(ii)(B), and prevents placement within the required front yard setback along Perry Street.

Conclusion

The requested variance represents a reasonable departure from the Zoning By-law. By relocating the shipping container to the north side of the main building, it adheres to the setback standards normally reserved for Commercial zones, the development maintains the general intent of the By-law. Through the above analysis of the application against the Town's Municipal Plan and Zoning By-law, staff makes the following recommendation to PAC:

1. That the Planning Advisory Committee grant a variance pursuant to Section 55(1)(b) of the *Community Planning Act* to permit a shipping container to be utilized as an accessory building within the Parks and Recreation (P) zone at 28 Perry Street (PID 00095653), subject to the following binding conditions:
 - a. The shipping container shall not be located behind (west of) or in front of the main building of the Agricultural Museum of New Brunswick and must be sited exclusively on the north side of the primary structure.
 - b. The exterior of the shipping container shall be prepped and painted the exact same colour as the main museum building prior to operational use.
 - c. The shipping container shall be used exclusively for accessory storage and repair incidental to the Agricultural Museum of New Brunswick, and not utilized for human habitation, commercial retail, or third-party commercial storage.

Authored By:



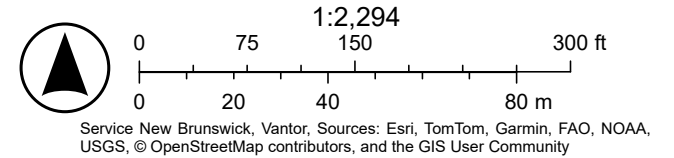
Thomas Lewallen, RPP, MCIP
Contracted Planner

APPENDIX

- A1: Aerial View
- A2: Future Land Use
- A3: Zoning
- A4: Site Plan and Application



2026-10-07, 4:04:54 p.m.

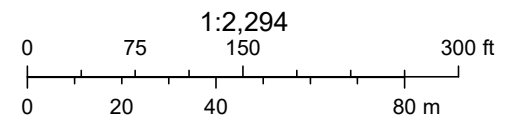




2026-10-07, 4:07:56 p.m.

Future Land Use

- | | |
|--|---|
| General Commercial | Federal |
| Industrial | Environmental Conservation |
| Park | |



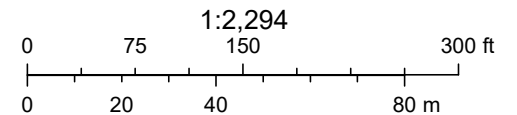
Service New Brunswick, Vantor, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



2026-10-07, 4:06:09 p.m.

Zoning

- | | |
|--|---|
| DC - Downtown Commercial | LI - Light Industrial |
| EP - Environmental Protection | PR - Parks and Recreation |
| FL - Federal Lands | |



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August 16, 2026

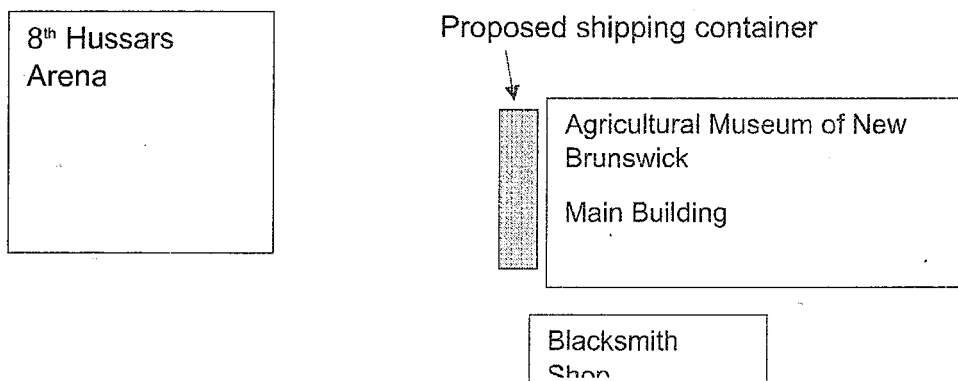
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We hope to purchase a 40 ft sea can for approx \$5000.



Leonard Drive

Thank you for your consideration of this matter,

Bill Anderson, museum president

727247 N.B. LTD.

34 Jonah Court

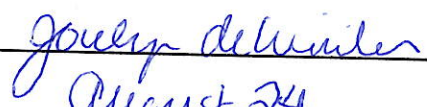
Sussex N.B.

E4E 2M1

We, Sean deWinter and Jocelyn deWinter, owners of the Company called 727247 N.B. LTD. Give Nick McCullum, owner of Stonefield Properties permission on our behalf to apply for the variances required to build the building he has designed for 172 Park Street with PID# 00265652. This property with PID# 00265652 is currently owned by 727247 N.B. LTD.

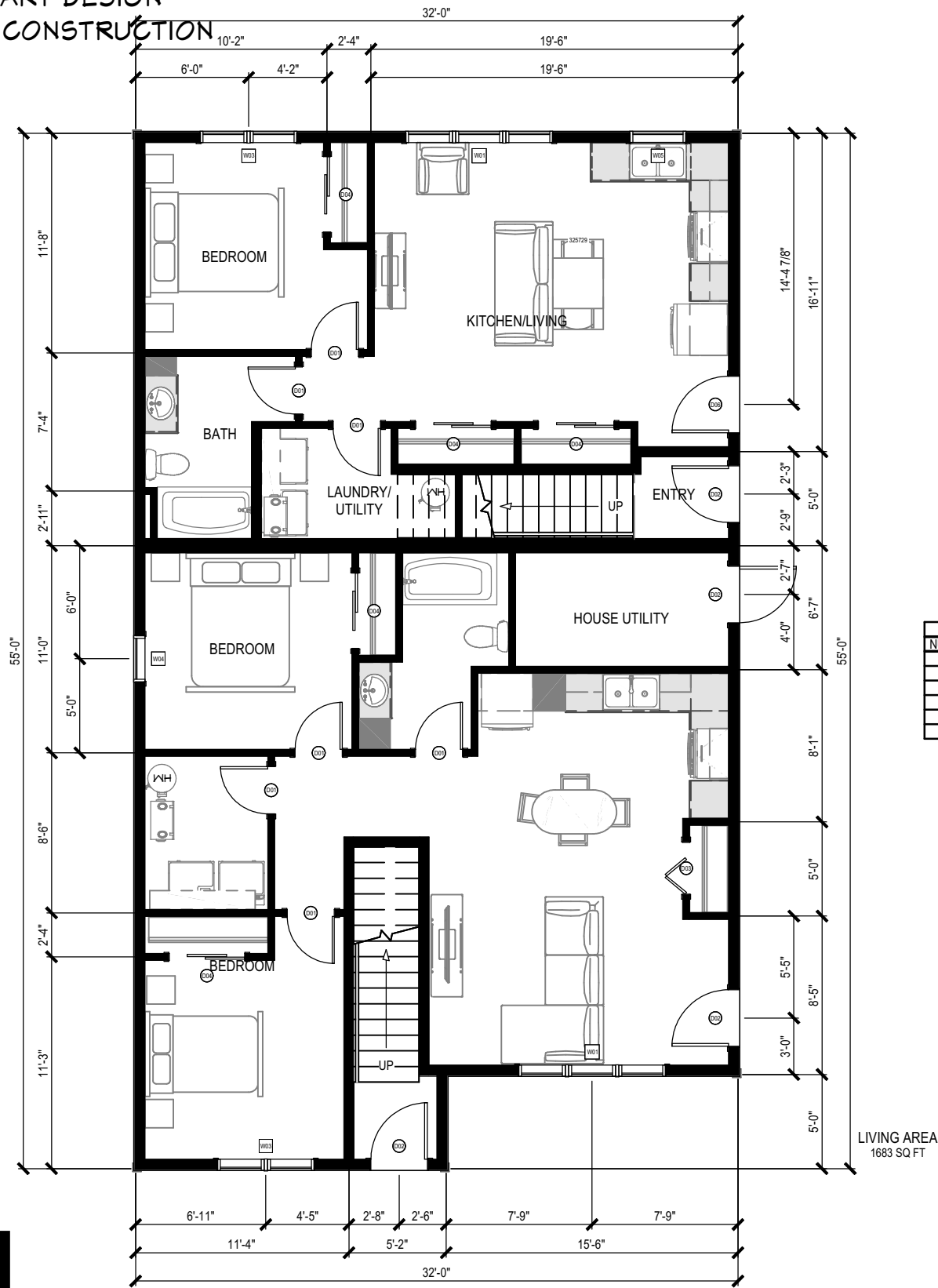
Signed by , Sean deWinter

Dated: AUGUST 24, 2026.

Signed by , Jocelyn deWinter

Dated: August 24, 2026.

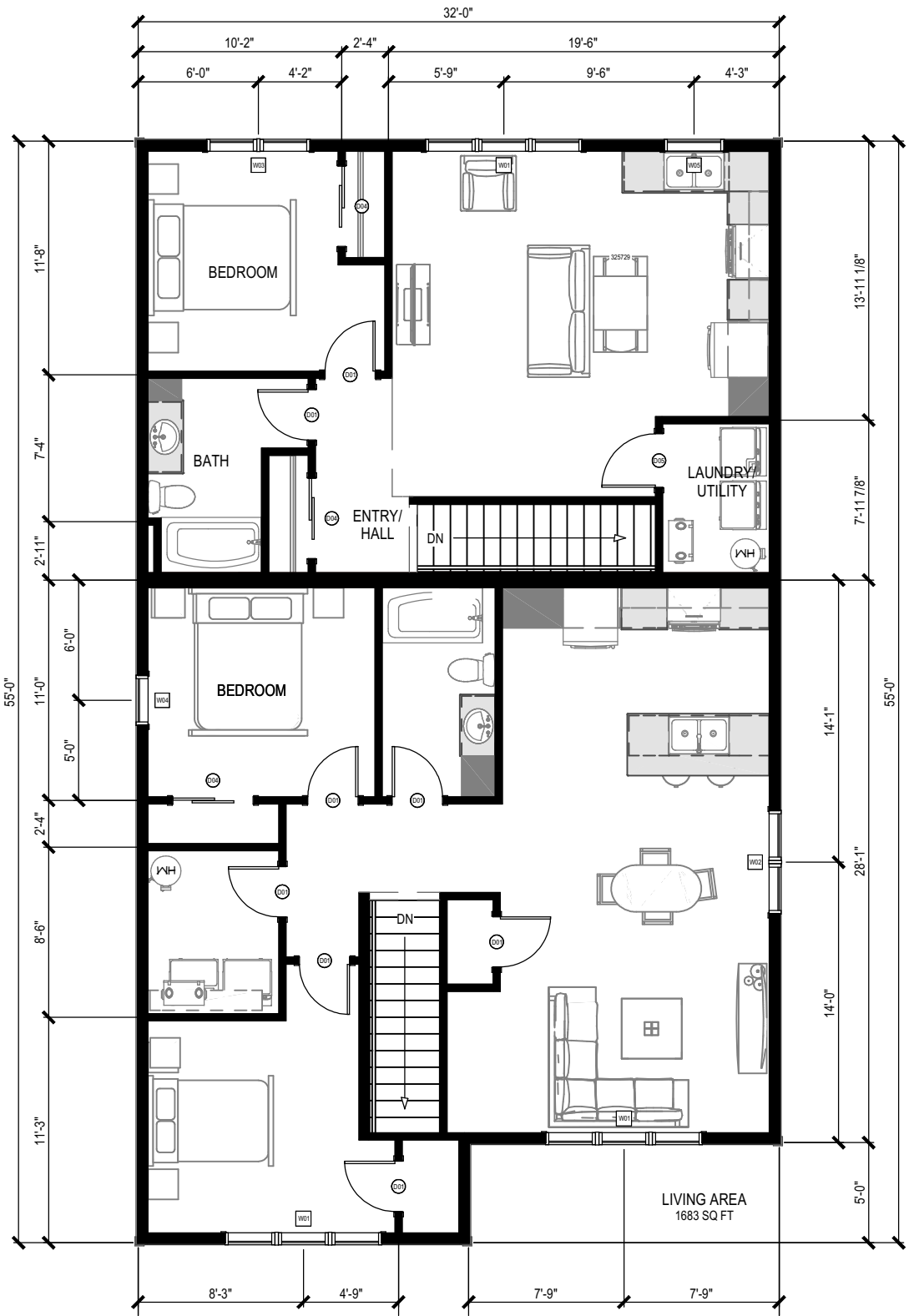
PRELIMINARY DESIGN
NOT FOR CONSTRUCTION



1st Floor

DOOR SCHEDULE					
NUMBER	QTY	WIDTH	HEIGHT	DESCRIPTION	
D01	15	30"	80"	HINGED-DOOR P03	
D02	4	36"	80"	EXT. HINGED-PANEL	
D03	1	33"	80"	2 DR. BIFOLD-DOOR P03	
D04	8	48"	80"	SLIDER-DOOR P03	
D05	1	32"	80"	HINGED-DOOR P03	
D06	1	36"	80"	EXT. HINGED-GLASS PANEL	

WINDOW SCHEDULE					
NUMBER	QTY	WIDTH	HEIGHT	EGRESS	DESCRIPTION
W01	5	94"	48"		MULLED UNIT
W02	1	62"	48"		MULLED UNIT
W03	3	62"	48"	YES	MULLED UNIT
W04	2	30"	48"		SINGLE HUNG
W05	2	36"	36"		SINGLE HUNG

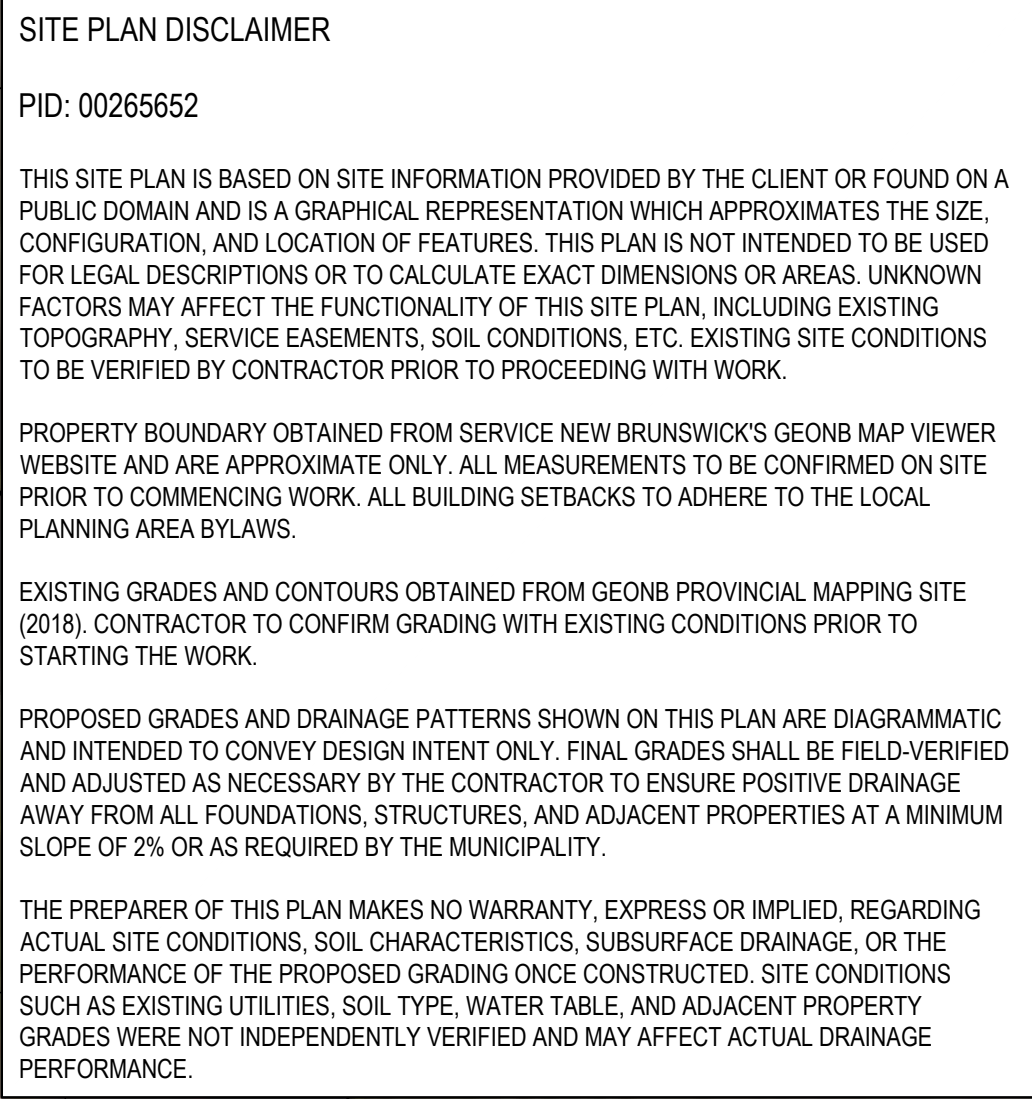


2nd Floor

4 UNIT BUILDING
PARK STREET, SUSSEX, NB
August 24, 2026
DRAFT #1



SCALE = 1/8" = 1'-0"
11" x 17"



GENERAL NOTES:

1. THE CONTRACTOR IS HELD RESPONSIBLE TO VERIFY ALL DIMENSIONS, THEIR RELATIONSHIP TO EXISTING SITE CONDITIONS AND THE PROPOSED WORK INTENDED FOR INSTALLATION PRIOR TO COMMENCING OR INSTALLING THE WORK. REPORT ANY DISCREPANCIES THAT MAY AFFECT THE WORK TO THE CONSULTANT FOR REVISION PRIOR TO PROCEEDING. ANY WORK INSTALLED SHALL BE DEEM AS BEING VERIFIED BY THE CONTRACTOR AND BECOMES THE CONTRACTOR'S SOLE RESPONSIBILITY FOR CORRECTNESS.

2. PERFORM ALL WORK TO THE NATIONAL BUILDING CODE OF CANADA, 2020 EDITION, AND ALL REGULATIONS AND LOCAL BY-LAWS.

3. DRAWINGS ARE THE INTELLECTUAL PROPERTY OF POLYLINE DESIGNS INC. AND ALL COPYRIGHT IS RESERVED.

4. THIS DRAWING MAY NOT BE USED IN WHOLE OR IN PART FOR ANY PROJECT OTHER THAN THAT DESIGNATED HEREIN.

5. ALL REQUIRED PERMITS MUST BE OBTAINED BY OWNER PRIOR TO ANY CONSTRUCTION.

6. CONTRACTOR TO ENSURE POSITIVE DRAINING AROUND BUILDING.

7. IT IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO BECOME FAMILIAR WITH AND UNDERSTAND THE NATURE AND EXTENT OF THE WORK TO BE EXECUTED. ALL WORK AND INCIDENTAL ITEMS NOT PARTICULARLY IDENTIFIED, BUT WHICH, WHETHER IN TEMPORARY OR PERMANENT WORKS, MUST EXPLICITLY BE REQUIRED BY THE NATURE OF THE WORKS SHALL BE CONSIDERED INCLUDED IN THE WORK. ON SUBMISSION OF THE BID, IT SHALL BE UNDERSTOOD THAT THIS HAS BEEN DONE AND PROVISION FOR ALL RISKS, INCIDENTAL ITEMS, AND CONTINGENCIES ARE INCLUDED IN THE CONTACT PRICE.



Polyline Designs Inc.
BUILDING AND SITE DESIGN SERVICES

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506.850.3630
melissa@polylinedesigns.ca

SUSSEX OFFICE
506.434.1157
kelly@polylinedesigns.ca

WWW.POLYLINEDESIGNS.CA

DRAWING TITLE

SITE PLAN

DRAWN BY: MD/RB

SCALE: AS SHOWN

PROJECT NO: 26-XXX

DATE: AUGUST 2026





Date: October 7, 2026
To: Sussex PAC
From: Thomas Lewallen, RPP, MCIP
Meeting: October 14, 2026

SUBJECT

Applicant: Nick McCullum
Landowner: 727247 N.B. LTD.
Location: 172 Park Street
PID: 00265652
Municipal Plan Designation: Neighbourhood Residential
Zoning: Downtown Commercial (DC)
Application Type: Variance
Jurisdiction: Pursuant to Section 55(1)(b) of the Community Planning Act (CPA), the Planning Advisory Committee (PAC) may permit, subject to terms and conditions considered fit, a reasonable variance from the requirements of the Zoning By-law if the variance is in keeping with the general intent of the Zoning By-law and the Municipal Plan.

APPLICATION SUMMARY

To enable the construction of a proposed 4-unit multi-unit residential dwelling, the proposed development requires three variances from the Zoning By-law:

- **Front Yard Setback Variance**

A 3-metre variance to exceed the maximum permitted front yard setback from 6 metres to 9 metres pursuant to Section 7.1.5(b)(v) of the Zoning By-law, permitting building placement that maintains contextual streetscape alignment with neighbouring residential properties while accommodating front yard parking and required perimeter landscaping.

- **Rear Yard Setback Variance**

A 1-metre variance to reduce the required rear yard setback from 6 metres to 5 metres pursuant to Section 7.1.5(b)(vi) of Zoning By-law, permitting a compact building footprint that maintains contextual proportion with neighbouring residential lots.

- **Parking Location Variance**

Relief from Section 7.1.4.2(a) of Zoning By-law, which prohibits off-street surface parking within the required front yard of a multi-unit dwelling, to permit 4 surface parking spaces within the front yard area.

RECOMMENDATION

That the Planning Advisory Committee, subject to Section 55 of the *Community Planning Act*, approve the following variances:

- a. A maximum front yard setback increase from 6 metres to 9 metres;
- b. A rear yard setback reduction from 6 metres to 5 metres; and
- c. Locating a 4-space off-street surface parking area within the front yard of the multi-unit residential dwelling.

Subject to the following conditions:

- a. Pursuant to Section 4.11.1(d)(ii) and Section 4.11.2(e) of Zoning By-law, dense evergreen landscaping comprised of a coniferous hedge or trees shall be installed and maintained along both side property lines surrounding the front parking area and along the rear lot line to mitigate visual impacts on abutting residential properties.
- b. The developer shall provide a minimum of 24 m² of outdoor amenity space, with no dimension less than 5 metres, pursuant to Section 7.1.4.2(b).

ANALYSIS

Neighbourhood Context

The subject property is located southwest of the downtown core near the intersection of Park Street and Union Street. Park Street functions as an established transition zone between commercial uses and low-density residential. The north side of Park Street features large tracts of vacant land zoned Downtown Commercial (DC) running adjacent to the railway corridor. The south side transitions into established Neighbourhood Residential properties with commercial uses as well. Essential local services, including the Sussex Co-op and retail amenities are within walking distance.

Municipal Plan

The subject property is located within the Neighbourhood Residential designation of Municipal Plan. The proposed development fulfills Objective 2 and Policy LU-7 to responsibly expand housing diversity in an area that is in need of revitalization. To satisfy Policy LU-8 regarding neighbourhood compatibility, spatial impacts from the requested rear yard setback (5 metres) and front yard parking (0 metres) variances align with the built form of the neighbouring properties. Mandatory terms and conditions for dense perimeter evergreen landscaping (Section 4.11) ensure privacy and streetscape aesthetics are effectively managed relative to abutting single-family properties.

Policy	Policy Intent	Application Alignment
Policy LU-7	Provide for a mix of residential housing types within the Neighbourhood Residential designation through appropriate land use provisions in the Zoning By-law.	Conforms. A 4-unit multi-unit dwelling introduces needed missing-middle housing types on an underutilized residential parcel.
Policy LU-8	Encourage new residential development within the Neighbourhood Residential designation to be respectful of neighbourhood character through sensitive design and landscape considerations.	Conforms with Conditions. The proposed 4-unit structure maintains a low-profile residential scale. Site-specific landscaping alongside property lines mitigates visual impacts associated with front yard parking.
Policy LU-9	Provide for increasingly dense housing types close to neighbourhood entrances, serviced by collector or arterial streets.	Conforms. Park Street sits on the periphery of the Neighbourhood Residential designation and connects directly to Union Street, providing direct arterial/collector access.

Zoning By-law

Pursuant to Section 7.1.1 of the Zoning By-law, the DC zone permits multi-unit dwellings up to 22 units. The proposed 4-unit configuration complies with all DC zone land-use and density provisions, delivering missing-middle infill housing on an underutilized lot, while still respecting the scale of the surrounding neighbourhood.

Development Standard	Downtown Commercial (DC)	Proposed Development	Compliance Status
Permitted Use	Dwelling, Multiple up to 22 units	Dwelling, Multiple 4-Unit	Complies
Minimum Lot Area	450 m ²	476 m ²	Complies
Front Yard Setback	6 metres	9 metres	Variance Required
Rear Yard Setback	6 metres	5 metres	Variance Required
Side Yard Setback	1.5 metres	2.5 metres	Complies
Maximum Height	15 metres	2 Storeys (11 metres or less)	Complies
Maximum Lot Occupancy	80%	32%	Complies
Off-Street Parking	4 spaces	4 spaces provided	Complies
Parking Location	Prohibited in Front Yard	Located in Front Yard	Variance Required

Landscaping Requirements

Pursuant to Section 4.11.1(d)(ii) of the Zoning By-law, landscaping must be established within the following required areas for properties within a Commercial zone:

- All required front and flankage yards abutting a public street line.
- All portions of the lot not occupied by a building, structure, driveway, parking area, walkway, or approved amenity space.

Because the subject property and all immediately abutting parcels share the Downtown Commercial (DC) zoning designation, the mandatory zoning buffer provisions under Section 4.11.1(d)(ii)(B) and Section 4.30(d), which apply specifically where a Commercial zone directly abuts a Residential or Institutional zone, are not triggered on the basis of zoning boundary adjacencies.

However, as the adjacent DC-zoned properties are currently occupied by established Residential uses, spatial and visual impacts associated with the requested variances (front-yard surface parking and rear-yard setback reduction) must still be addressed. Pursuant to Section 55(1) of the *Community Planning Act*, the Planning Advisory Committee holds the authority to attach reasonable terms and conditions to variance approvals to ensure general alignment with the Municipal Plan and Zoning By-law intent.

To preserve privacy and streetscape aesthetics relative to the adjacent Residential uses, the following site-specific landscaping standards are recommended as conditions of approval:

- Dense perimeter evergreen screening, comprised of either a continuous coniferous hedge or a minimum of two offset rows of coniferous trees planted to obscure line-of-sight visibility (Section 4.11.2(e)), shall be established along the rear property line and along both side property lines surrounding the front parking area.
- Refuse storage areas, dumpsters, and compactors shall be fully enclosed by an opaque fence or wall at least 2 metres in height, constructed of materials complementary to the main building, pursuant to Section 4.7 of the Zoning By-law.

Variance Evaluation & Rationale

- **Front Yard Setback Variance**
Section 7.1.5(b)(v) prescribes a maximum front yard setback of 6 metres for multi-unit dwellings in the DC zone. The proposed 9-metre setback exceeds the maximum by 3 metres, aligning with the approximately 8-metre setbacks of adjacent residences to preserve streetscape continuity along Park Street while accommodating front yard parking and perimeter evergreen screening without reducing rear outdoor amenity space.
- **Rear Yard Setback Variance**
Reducing the rear yard setback by 1 metre permits a compact building footprint that maintains streetscape alignment with neighbouring Park Street residences, while mandatory dense evergreen landscaping along the rear property line pursuant to Section 4.11.2(e) ensures privacy screening for abutting residential lots to the south.
- **Parking Location Variance**
Section 7.1.4.2(a) prohibits front yard surface parking for multi-unit dwellings; however, placing 4 spaces in the front yard addresses lot depth constraints to preserve rear outdoor amenity space, while mandatory dense coniferous screening and side-yard shrubs pursuant to Section 4.11.1(d)(ii) mitigate visual impacts on neighbouring lots.

Floodplain Review

Pursuant to Section 13 (Flood Overlay) and Section 4.16 (Minimum Floor Elevation Above Flood Level) of the Zoning By-law, as well as Policy LU-4 of the Municipal Plan, proposed developments are evaluated against the 1-in-100-year flood hazard mapping delineated on Schedule B (Flood Plain Map).

A spatial screening confirms that the subject property is located entirely outside the designated Flood Overlay. Consequently, the development is not subject to the mandatory flood-proofing design standards, minimum geodetic top-of-floor elevation requirements, or site drainage restrictions set out under Section 13.1 and Section 4.16 of the Zoning By-law. No special terms or conditions relative to flood hazard mitigation are required as part of this variance application.

Infrastructure, Servicing & Environmental Considerations

Pursuant to Municipal Plan Policies TS-2 and TS-10, all multi-unit developments must establish satisfactory municipal servicing arrangements prior to permit issuance:

- Water & Sanitary Services: Building must be connected via municipal lateral connections in accordance with Town engineering standards.
- Stormwater Management: Paved surface drainage from the front parking lot must be managed on-site through localized catch basins or retention features to prevent surface runoff onto adjacent properties or the public right-of-way.

Conclusion

Through the above analysis of the application against the Town's Municipal Plan and Zoning By-law, staff makes the following recommendation to PAC:

- a. That the Planning Advisory Committee, subject to Section 55 of the *Community Planning Act*, approve the following variances:
 - a. A maximum front yard setback increase from 6 metres to 9 metres;
 - b. A rear yard setback reduction from 6 metres to 5 metres; and
 - c. Locating a 4-space off-street surface parking area within the front yard of the multi-unit residential dwelling.

Subject to the following conditions:

- a. Pursuant to Section 4.11.1(d)(ii) and Section 4.11.2(e) of Zoning By-law, dense evergreen landscaping comprised of a coniferous hedge or trees shall be installed and maintained along both side property lines surrounding the front parking area and along the rear lot line to mitigate visual impacts on abutting residential properties.
- b. The developer shall provide a minimum of 24 m² of outdoor amenity space, with no dimension less than 5 metres, pursuant to Section 7.1.4.2(b).

Authored By:

A handwritten signature in black ink, appearing to be 'T. Lewallen', with a stylized, cursive script.

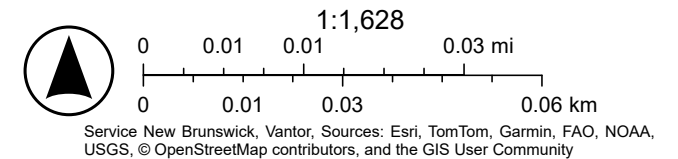
**Thomas Lewallen, RPP, MCIP
Contracted Planner**

APPENDIX

- A1: Aerial View
- A2: Future Land Use
- A3: Zoning
- A4: Site Plan and Floor Plans



2026-10-07, 2:10:13 p.m.

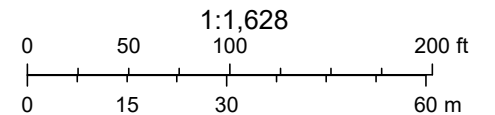




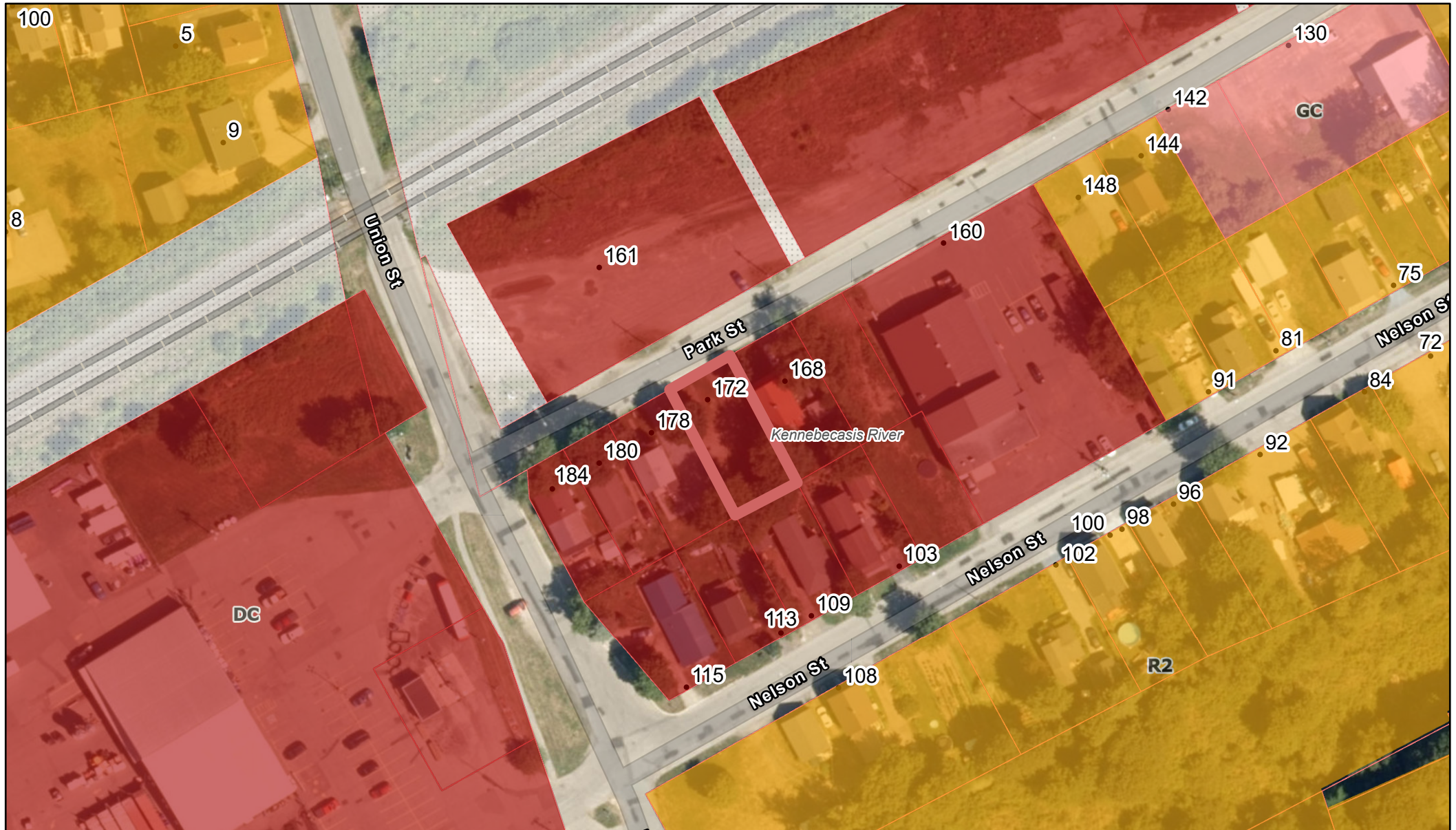
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Future Land Use

- Neighbourhood Residential
- General Commercial



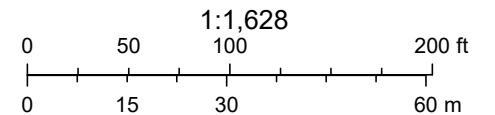
Service New Brunswick, Vantor, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



2026-10-07, 2:12:42 p.m.

Zoning

- DC - Downtown Commercial
- GC - General Commerical
- R2 - One and Two Unit Residential
- Railroad



Service New Brunswick, Vantor, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

FILE NAME: 260824 172 Part Street Site Plan.dwg PLOT DATE: August 24, 2026 PAPER SIZE: 22"x34"



SUMMARY	
LOT DATA	
PID	00265652
ADDRESS	172 PARK STREET, SUSSEX, NB
LOT AREA	476m²
CURRENT ZONING	DOWNTOWN COMMERCIAL
MINIMUM LOT AREA	450m²
MINIMUM FRONT YARD SETBACK	N/A
MAXIMUM FRONT YARD SETBACK	6m (VARIANCE REQUIRED)
REAR YARD SETBACK	6m (VARIANCE REQUIRED)
SIDE YARD SETBACK	1.5m
FLANKAGE YARD SETBACK	3.5m
BUILDING AREA RATIO (MAX 80%)	32%
PARKING	
REQUIRED PARKING PER DWELLING UNIT	1
TOTAL REQUIRED PARKING	4
TOTAL PROPOSED PARKING	4
BUILDING	
BUILDING AREA	157M²
STOREYS	2
BUILDING HEIGHT	8M
MAX ALLOWABLE HEIGHT	15m
CONSTRUCTION	COMBUSTIBLE
TOTAL RESIDENTIAL UNITS	4

- GENERAL NOTES:
1. THE CONTRACTOR IS HELD RESPONSIBLE TO VERIFY ALL DIMENSIONS, THEIR RELATIONSHIP TO EXISTING SITE CONDITIONS AND THE PROPOSED WORK INTENDED FOR INSTALLATION PRIOR TO COMMENCING OR INSTALLING THE WORK. REPORT ANY DISCREPANCIES THAT MAY AFFECT THE WORK TO THE CONSULTANT FOR REVISION PRIOR TO PROCEEDING. ALL WORK INSTALLED SHALL BE DEEMED AS BEING VERIFIED BY THE CONTRACTOR AND BECOMES THE CONTRACTOR'S SOLE RESPONSIBILITY FOR CORRECTNESS.

2. PERFORM ALL WORK TO THE NATIONAL BUILDING CODE OF CANADA, 2020 EDITION, AND ALL REGULATIONS AND LOCAL BY-LAWS.

3. DRAWINGS ARE THE INTELLECTUAL PROPERTY OF POLYLINE DESIGNS INC. AND ALL COPYRIGHT IS RESERVED.

4. THIS DRAWING MAY NOT BE USED IN WHOLE OR IN PART FOR ANY PROJECT OTHER THAN THAT DESIGNATED HEREIN.

5. ALL REQUIRED PERMITS MUST BE OBTAINED BY OWNER PRIOR TO ANY CONSTRUCTION.

6. CONTRACTOR TO ENSURE POSITIVE DRAINING AROUND BUILDING.

7. IT IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO BECOME FAMILIAR WITH AND UNDERSTAND THE NATURE AND EXTENT OF THE WORK TO BE EXECUTED. ALL WORK AND INCIDENTAL ITEMS NOT PARTICULARLY IDENTIFIED, BUT WHICH, WHETHER IN TEMPORARY OR PERMANENT WORKS, MUST EVIDENTLY BE REQUIRED BY THE NATURE OF THE WORKS SHALL BE CONSIDERED INCLUDED IN THE WORK. ON SUBMISSION OF THE BID, IT SHALL BE UNDERSTOOD THAT THIS HAS BEEN DONE AND PROVISION FOR ALL RISKS, INCIDENTAL ITEMS, AND CONTINGENCIES ARE INCLUDED IN THE CONTACT PRICE.

STAMP

DRAFT

August 24, 2026

Polyline Designs inc.

BUILDING AND SITE DESIGN SERVICES

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506.850.3630

melissa@polylinedesigns.ca

SUSSEX OFFICE

506.434.1157

kelly@polylinedesigns.ca

WWW.POLYLINEDESIGNS.CA

NEW BUILDING

172 PART STREET, SUSSEX, NEW BRUNSWICK

DRAWING TITLE

SITE PLAN

DRAWN BY:

MD/RB

SCALE:

AS SHOWN

PROJECT NO:

26-XXX

DATE:

AUGUST 2026

L-1

REV 0

SITE PLAN DISCLAIMER

PID: 00265652

THIS SITE PLAN IS BASED ON SITE INFORMATION PROVIDED BY THE CLIENT OR FOUND ON A PUBLIC DOMAIN AND IS A GRAPHICAL REPRESENTATION WHICH APPROXIMATES THE SIZE, CONFIGURATION, AND LOCATION OF FEATURES. THIS PLAN IS NOT INTENDED TO BE USED FOR LEGAL DESCRIPTIONS OR TO CALCULATE EXACT DIMENSIONS OR AREAS. UNKNOWN FACTORS MAY AFFECT THE FUNCTIONALITY OF THIS SITE PLAN, INCLUDING EXISTING TOPOGRAPHY, SERVICE EASEMENTS, SOIL CONDITIONS, ETC. EXISTING SITE CONDITIONS TO BE VERIFIED BY CONTRACTOR PRIOR TO PROCEEDING WITH WORK.

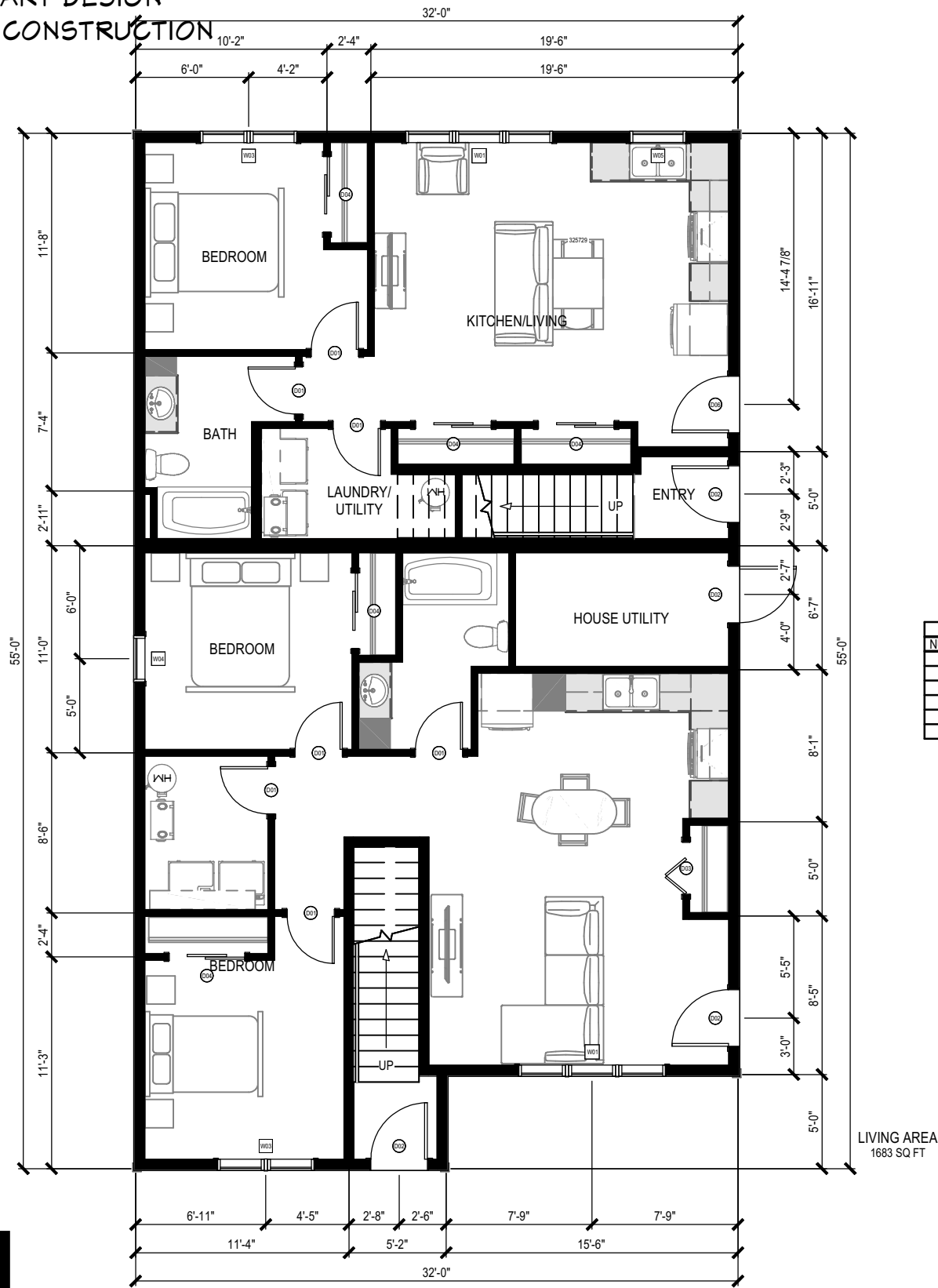
PROPERTY BOUNDARY OBTAINED FROM SERVICE NEW BRUNSWICK'S GEONB MAP VIEWER WEBSITE AND ARE APPROXIMATE ONLY. ALL MEASUREMENTS TO BE CONFIRMED ON SITE PRIOR TO COMMENCING WORK. ALL BUILDING SETBACKS TO ADHERE TO THE LOCAL PLANNING AREA BYLAWS.

EXISTING GRADES AND CONTOURS OBTAINED FROM GEONB PROVINCIAL MAPPING SITE (2018). CONTRACTOR TO CONFIRM GRADING WITH EXISTING CONDITIONS PRIOR TO STARTING THE WORK.

PROPOSED GRADES AND DRAINAGE PATTERNS SHOWN ON THIS PLAN ARE DIAGRAMMATIC AND INTENDED TO CONVEY DESIGN INTENT ONLY. FINAL GRADES SHALL BE FIELD-VERIFIED AND ADJUSTED AS NECESSARY BY THE CONTRACTOR TO ENSURE POSITIVE DRAINAGE AWAY FROM ALL FOUNDATIONS, STRUCTURES, AND ADJACENT PROPERTIES AT A MINIMUM SLOPE OF 2% OR AS REQUIRED BY THE MUNICIPALITY.

THE PREPARER OF THIS PLAN MAKES NO WARRANTY, EXPRESS OR IMPLIED, REGARDING ACTUAL SITE CONDITIONS, SOIL CHARACTERISTICS, SUBSURFACE DRAINAGE, OR THE PERFORMANCE OF THE PROPOSED GRADING ONCE CONSTRUCTED. SITE CONDITIONS SUCH AS EXISTING UTILITIES, SOIL TYPE, WATER TABLE, AND ADJACENT PROPERTY GRADES WERE NOT INDEPENDENTLY VERIFIED AND MAY AFFECT ACTUAL DRAINAGE PERFORMANCE.

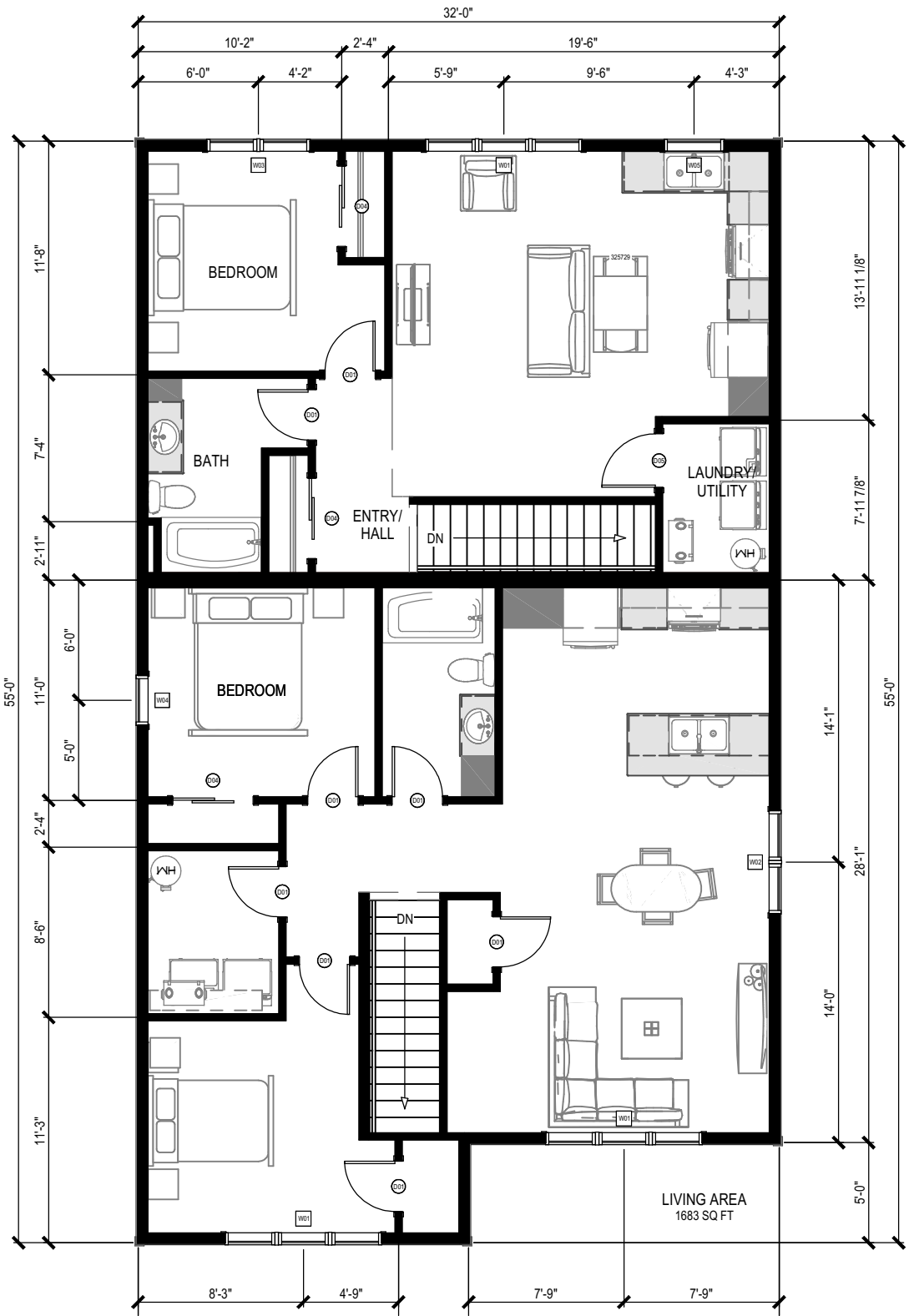
PRELIMINARY DESIGN
NOT FOR CONSTRUCTION



1st Floor

DOOR SCHEDULE					
NUMBER	QTY	WIDTH	HEIGHT	DESCRIPTION	
D01	15	30"	80"	HINGED-DOOR P03	
D02	4	36"	80"	EXT. HINGED-PANEL	
D03	1	33"	80"	2 DR. BIFOLD-DOOR P03	
D04	8	48"	80"	SLIDER-DOOR P03	
D05	1	32"	80"	HINGED-DOOR P03	
D06	1	36"	80"	EXT. HINGED-GLASS PANEL	

WINDOW SCHEDULE					
NUMBER	QTY	WIDTH	HEIGHT	EGRESS	DESCRIPTION
W01	5	94"	48"		MULLED UNIT
W02	1	62"	48"		MULLED UNIT
W03	3	62"	48"	YES	MULLED UNIT
W04	2	30"	48"		SINGLE HUNG
W05	2	36"	36"		SINGLE HUNG



2nd Floor

4 UNIT BUILDING
PARK STREET, SUSSEX, NB
August 24, 2026
DRAFT #1



SCALE = 1/8" = 1'-0"
11" x 17"

SUSSEX
PLANNING ADVISORY COMMITTEE CONSTITUTION

Feb.'12

Revised February ~~February~~ **October** 2026

1. INTRODUCTION

WHEREAS the Council of Sussex has adopted By-Law #855-09 **(26)**, Planning Advisory Committee By-Law, establishing and setting guidelines for a Planning Advisory Committee for Sussex (the "**Committee**"); and

By-Law #855-09**(26)** permits the establishment of a Constitution for the Committee;

NOW THEREFORE the Committee adopts the following document as its Constitution.

2. MEETINGS

- a) Regular meetings of the Committee shall be held on the ~~second~~ **first** Wednesday of each month.
- b) Unless otherwise specifically designated, all evening meetings of the Committee shall be held at 7 PM and all day time meetings shall be held at ~~4:30~~ **4:00** PM.
- c) Notice of all meetings, regular or special, shall be given in writing and shall specify the date, the time and the place of the meeting and, if a special meeting, shall set out the business.
- d) ~~The agenda, application letter of each applicant, and staff's written position, if any, on each application,~~ **package** shall be received by Committee members not less than four **business** days prior to the date of the meeting. Confirmation of receipt of the agenda **package and confirmation of attendance at the meeting** must be obtained by the Town staff. ~~Normally, the staff report will be available for public perusal at least two days prior to the Committee meeting.~~
- e) ~~Subject to paragraph 2(f),~~ The agenda **package** of each regular and special meeting of the Committee shall be ~~established and~~ posted the Sussex website on the Friday of the week preceding the scheduled meeting.
- f) With the exception of those matters which are administrative in nature, no matter shall be placed on the agenda of a regular Committee meeting after the last day of the month that falls 2 months prior to the scheduled meeting.

- g) Notwithstanding paragraph 2 (f):
 - i. Items referred by Council shall be received at the first regular meeting of the Committee immediately following the date of referral; and,
 - ii. Items may be placed upon the agenda with the express permission of the ~~Chair~~ **Development Officer**, which permission shall not be given unless the ~~Chair~~ **Development Officer** is satisfied that, in the circumstances of the application, appropriate public notice can be issued.
- h) A member of the Committee must be present to vote on any matter of business before the Committee.
- i) Where a member of the Committee does not attend three consecutive regular meetings of the Committee or four regular meetings in a twelve month period, without excuse, the Committee may recommend to Council that the member be replaced.

3. ADDITIONAL OR SPECIAL MEETINGS

In addition to the regular meetings described in Section 2 above:

- a) If the Chair of the Committee **at the recommendation of the Development Officer** determines that the number of agenda items requires a second meeting in any month, he/she shall be authorized to call an additional meeting or meetings; and
- b) If a request for a special meeting is made to the ~~Chair~~ **Development Officer** to transact such business as is set out in the request, the **Chair upon recommendation from the Development Officer** may call an additional meeting to transact such business.

4. COMMITTEE MEETINGS AGENDA

- a) The order of business at all regular meetings of the Committee shall provide for:
 - Opening
 - Recording of Attendance
 - Approval of Agenda
 - Disclosure of Conflict of Interest
 - Approval of Minutes
 - Business Arising from Minutes
 - Internal Variance Approvals**
 - ~~Agenda items~~
 - ~~———Delegations~~

~~—— Zonings~~
~~—— Subdivisions~~
~~—— Variances~~
New Business
~~By Law Considerations~~
~~Building Permits~~
~~Notices of Motion~~
Date of Next Scheduled Meeting
Adjournment

- b) The Order of Business at all special meetings of the Committee shall be as follows:
 Opening
 Special Business
 Adjournment
- c) The procedure for reviewing an application at a meeting of a Committee shall be as follows:
 Introduction of the subject
 Review of staff report
 Questions of staff
 Presentation by applicant
 Questions to applicant
 Public input
 Questions to public presenters
 Motion of the Committee
 Debate by the Committee
 Vote of the Committee
- d) The business of the Committee at each meeting shall be taken up in regular order as presented in the agenda, unless otherwise determined by the Chair.
- e) Written submissions received from members of the public in relation to an application before the Committee shall include the sender's full name and civic address. Submissions that do not clearly identify the sender shall be considered anonymous and shall not be considered by the Committee, nor shall they form part of the Planning Advisory Committee meeting package or be referenced in staff reports.

5. ANNUAL MEETING

The Committee designates the regular meeting in January of each year to be the Annual Meeting of the Committee when, immediately preceding the regular business, the Committee shall:

- a) Receive the Chair's Report of the previous year's activities;
- b) Elect the Officers of the Committee; and
- c) Review the Constitution.

6. CONFLICT OF INTEREST

Each member shall declare if he or she has a conflict of interest on any item on the agenda. The Secretary shall record this declaration in the minutes.

7. QUORUM

- a) At any regular or special meeting of the Committee, a quorum shall consist of ~~six (6)~~ **a majority of the** members of the Committee (not to include the Secretary) and no quorum shall be deemed to be affected by the withdrawal of any member as a result of said member declaring a conflict unless the number of members remaining totals three (3) members or less.
- b) If, within 15 minutes following the scheduled time for commencement of a meeting, a quorum is not present for that meeting, the meeting shall stand adjourned to the next Wednesday or such other day as determined by the Chair when a quorum can be present.

8. CHAIR, VICE-CHAIR, AND SECRETARY

- a) The Chair and Vice-chair shall be elected by majority vote of the Committee and the Secretary shall be appointed by the Council.
- b) The Chair shall preside at all meetings. In the absence of the Chair, the Vice-chair shall preside. In the absence of both the Chair and Vice-chair, the Committee members present at the meeting shall choose one of their number to act as Chair for the meeting.
- c) The Chair, Vice-chair or member presiding at a meeting shall not vote upon any question except in the case of an equal division of the votes when the presiding officer shall have the deciding vote. Results of a vote on an application shall be entered into the minutes without proof of the number or proportion of votes recorded in favour or against the application.

- d) ~~In case of the death, resignation, disqualification or~~ the absence of the Chair, the Vice-chair shall carry out the duties of the Chair.
- e) If the Chair or Vice-chair refuse or neglect to call a meeting when requested, any three (3) members of the Committee may call said meeting.
- f) In the absence of the Secretary, the Committee shall appoint an Acting Secretary from the members present.

9. RECORDINGS

- a) The Secretary shall record the minutes of the Committee, keep the records and books of the Committee and carry out the duties relating to the position as directed by the Committee.
- b) The minutes will be recorded by the Secretary and approved by the Chair for release to the public but will only be adopted by the full Committee at the next monthly meeting.

10. RULING OF COMPATIBILITY

Not later than ten (10) business days prior to a regular or special meeting, the Committee may endeavour to issue through the Town staff a written notice to all property owners who have an interest in any property located less than 30 metres of the boundaries of the subject property informing them of the application and their right to be heard.

~~If the Committee feels within reason that the application would affect the neighbourhood as a whole, staff may be directed to notify the neighbourhood property owners, other than the immediate neighbours.~~

11. RECONSIDERATIONS

- a) If an item on the agenda has been duly presented and a motion passed to either approve or deny, or motion to approve has been defeated, the applicant is to be informed that his/her recourse is through the Provincial Assessment & Planning Appeal Board if he/she is not satisfied with the Committee's decision.
- b) Unless the Committee is of the opinion that there is valid new evidence or change in conditions, where an application has been refused by the Committee, no further application may be considered by the Committee for one year if such application:

- i. In the case of a variance(s), is the same area of land intended to seek the same variance(s) originally sought; or
- ii. In the case of a subdivision, is the same area of land intended to seek the same subdivision originally sought.

12. SPECIAL SUB-COMMITTEES

A special sub-committee may be named at any time by the Chair upon the adoption of a motion by the Committee specifying the matters to be dealt with by such sub-committee. The motion of the Committee shall specifically include the membership of the sub-committee which is not limited to members of the Committee.

13. AMENDMENTS

This Constitution may be amended at any ~~annual~~ **regular** meeting or at a special meeting of the Committee called for that purpose provided that a notice of motion containing the proposed amendments has been filed at a regular meeting held at least one month prior to the meeting at which the amendment is considered. Such amendments shall come into effect upon the approval of a majority of the members present at the meeting at which the proposed amendments are presented.

14. CHAIRPERSON'S DISCRETION

The Chair can use their discretion to guide and to limit discussion and debate on all matters.

15. GENERAL

In all cases not provided for herein or by the *Community Planning Act* or the by-laws of Sussex, the rules of procedure as set out in *Robert's Rules of Order* shall be followed in so far as they may be applicable to the Committee.