

**ZONING BY-LAW AMENDMENT  
BY-LAW # 1350-04-21**

The Council of the Town of Sussex, under authority vested in it by Section 34 of the Community Planning Act, amends the Zoning By-Law enacted on the 20<sup>th</sup> day of December, 2004, by Section 39 of the Community Planning Act and enacts as follows:

Schedule "A" of the Town of Sussex Zoning By-Law is amended by rezoning a parcel of land located on the south side of Main Street with civic address of 451 Main Street and having P.I.D. 00268573 on GIC Map # 10R-19NE from a Single and Two-Family Residential and Up to and Including Six-Family Residential ("R3") zone to a Single and Two-Family Residential and Up to and Including Six-Family Residential ("R3") zone permitting a business office and a dwelling unit within the area as shown on the plan Schedule "A-17", dated September, 2009, with the attached terms and conditions.

READ FIRST TIME BY TITLE	<u>November 16, 2009</u>
READ SECOND TIME BY TITLE	<u>November 16, 2009</u>
READ IN ENTIRETY	<u>December 21, 2009</u>
THIRD READING BY TITLE AND ENACTED	<u>December 21, 2009</u>

PAUL I. MAGUIRE  
TOWN CLERK

RALPH A. CARR  
MAYOR

**ZONING BY-LAW AMENDMENT  
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**TERMS AND CONDITIONS**

WHEREAS, by resolution of the Council of the Town of Sussex, the proposed rezoning of land on the south side of Main Street as shown on the attached Schedule "A-17", dated September 2009, be on terms and conditions and the use of said property be pursuant to Section 39 of the Community Planning Act and be limited to a business office and a dwelling unit.

AND WHEREAS, under Section 39 of the Community Planning Act, upon rezoning said property shall not be developed or used except in accordance with the following terms and conditions:

1. Definitions:

"business office" means any building or part of a building in which one or more persons are employed in the management, directing or conducting of an agency, business, brokerage, labour or fraternal organization; but does not include such uses as retail sales, manufacture, assembly or storage of goods or places of assembly or amusement;

"dwelling" means a building or portion thereof, other than a hotel or motel, occupied or capable of being occupied as a home, residence or living quarters by one or more persons and containing one or more separate rooms and does not include a mobile home;

2. that the business office be limited to the ground floor area of this building;
3. that the dwelling use be limited to the second floor of this building;
- 4) that no trade and/or other goods other than those required directly for the purposes of the business office be stored on site;
- 5) that no equipment or material used therein is stored other than in the building area mentioned in conditions (2) and (3);

### TERMS AND CONDITIONS *(cont'd)*

- 6) that three (3) off street parking spaces be provided;
- 7) that the signage identifying the business be limited to three (3) non illuminated signs attached to the structure; two signs having a square area not exceeding 0.75 square metres each and one sign having a square area not exceeding 0.61 square metres; and
- 8) that the residential fascia of the exterior of the building remain as it presently exists and not be altered.

# ZONING PLAN BY-LAW AMENDMENT BY-LAW # 1350-04-21

UNDER SECTION 39 OF THE COMMUNITY PLANNING ACT PROPERTY IDENTIFICATION NUMBER 00268573 IS AMENDED FROM "R3" RESIDENTIAL ZONE TO "R3" RESIDENTIAL ZONE WITH TERMS AND CONDITIONS TO PERMIT A BUSINESS OFFICE ON THE FIRST FLOOR AND A DWELLING UNIT ON THE SECOND FLOOR

