

ZONING BY-LAW AMENDMENT

BY-LAW # 1350-04-22

TERMS AND CONDITIONS

WHEREAS, by resolution of the Council of the Town of Sussex, the proposed rezoning of land on the north side of Main Street as shown on the attached Schedule "A-19", dated November, 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 retail store 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) that a retail store use be limited to the ground floor area of this structure;
- 2) that the dwelling use be limited to the second floor of this structure;
- 3) that no trade and/or other goods other than those required directly for the purposes of a retail store be stored on site;
- 4) that no equipment or material used therein is stored other than in the dwelling unit area mentioned in conditions (1) and (2);
- 5) that three (3) off street parking spaces be provided;
- 6) that the signage identifying the business be limited to two (2) non-illuminated signs attached to the structure, one sign having a square area not exceeding 0.75 square metres and one sign having a square area not exceeding 0.61 square metres;
- 7) that a free-standing sign be permitted to be erected on the property and that the free-standing sign be limited to a width of 0.90 metres, a square area not exceeding 1.70 square metres and a height not exceeding 1.90 metres; and
- 8) that the residential exterior of the building remain as it presently exists and not be altered.

**ZONING PLAN BY-LAW AMENDMENT
BY-LAW # 1350-04-22**

UNDER SECTION 39 OF THE COMMUNITY PLANNING ACT PROPERTY IDENTIFICATION NUMBER 30242754 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



**SCHEDULE "A-19"
NOVEMBER 2009**