

**TOWN OF SUSSEX, N.B.**

**ZONING BY-LAW AMENDMENT**

**BY-LAW # 1350-10-19**

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 #1350-10 enacted on the 21<sup>st</sup> day of March, 2011, by Section 39 of the Community Planning Act and enacts as follows:

Schedule "A" of the Town of Sussex Zoning By-Law #1350-10 is amended by rezoning a parcel of land located on the south side of Park Street as shown on the attached Schedule "A-17", dated March 2014, having P.I.D. # 00265595, from a Single and Two Family Residential ("R2") to Central Business District ("CBD") permitting an "Automotive Detailing and Service Station" with terms and conditions.

READ FIRST TIME BY TITLE June 16, 2014

READ SECOND TIME BY TITLE June 16, 2014

READ IN ENTIRETY July 21, 2014

THIRD READING BY TITLE  
AND ENACTED July 21, 2014

PAUL I. MAGUIRE  
TOWN CLERK

MARC THORNE  
MAYOR

**TOWN OF SUSSEX, N.B.**

**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 a parcel of land on the South side of Park Street, as shown on the attached Schedule "A-17", dated March 2014, be subject to terms and conditions and the use of said property be pursuant to Section 39 of the Community Planning Act for an "Automotive Detailing and Service Station";

**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:**

**"Automotive Detailing and Service Station"** means a building or lot where motor vehicles may be detailed, lubricated, serviced or washed or where minor or running repairs essential to the actual operation of motor vehicles are executed or performed.

**"screening"** means anything which shelters, conceals or protects and includes a berm, hedge, row of trees or fence.

**2. Water and Sewer Service**

The structure is to be serviced separately with water and sewer and the water service is to be metered.

**3. Subdivision Plan**

This development requires that the Developer file a Subdivision Plan approved by the Town in the Kings County Registry Office to consolidate PID 00265595 with PID 00265587 prior to the commencement of this development.

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**4. Site Plan**

This development shall conform to the general layout as proposed in the sketch hereto attached as Appendix 1:

- a. that the development be limited to the areas on the Site Plan;
- b. that a Parking Lot use be limited to the area on the Site Plan approved by the Sussex Planning Advisory Committee; and
- c. that no trade and / or goods other than those required directly for the purposes of a Parking Lot be stored on site.

**5. Approvals**

The Developer is required to obtain approval from the Planning Advisory Committee, prior to the Town issuing a building permit, for a lot plan for this development.

The Developer is required to obtain approval from the Planning Advisory Committee, prior to the Town issuing a building permit, of a landscape plan for the development of this property and subject to the provisions of:

- a. a grassed boulevard, three (3) metres in width, along the property line which affronts Park Street;
- b. a grassed boulevard, three (3) metres in width, adjacent all parking areas;
- c. street trees planted at ten (10) metres centers in all boulevard areas to provide screening;
- d. a minimum of one (1) tree per five (5) parking spaces planted in the grassed area of a parking lot; and
- e. the minimum height of each street tree shall be twenty-four hundred millimeters (2400 mm) above grade.

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6. The Parking Lot Plan for this development shall include asphaltic concrete paved parking spaces and shall adhere to the following regulations regarding parking spaces:
  - a. each parking space shall be an area of not less than six (6) metres in length and not less than two point seventy-five (2.75) metres in width and shall be readily accessible from the nearest street.

**7. Lighting**

The illumination lights on this property shall be directed away from any adjacent properties and the parking lot light standards, if so used, shall have a maximum height of six (6) metres.

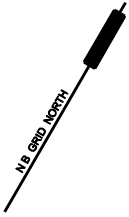
**8. Signage**

The Developer is required to obtain approval from the Planning Advisory Committee prior to the Town issuing a building permit for signage pertaining to this development and adhering to the following signage allowances for this development:

- a. a fascia sign placed flat against the front of a building indicating the ownership or nature of the business carried on therein provided the gross surface area of such sign does not exceed five point five (5.5) square metres for either an illuminated or non-illuminated sign with lettering not exceeding thirty-six (36) centimetres in height;
- b. an illuminated or non-illuminated free-standing sign not exceeding three (3) square metres in gross surface area and the maximum height of the free-standing sign shall not exceed three (3) metres;
- c. the illumination of any free standing sign shall cease at 23:00 hours daily,
- d. a mural is permitted subject to terms and conditions imposed by the Planning Advisory Committee, and;



# ZONING PLAN BY-LAW AMENDMENT BY-LAW # 1350-10-19



CANADIAN NATIONAL RAILWAY  
00265272

PROPERTY IDENTIFICATION  
NUMBER 00265595 IS AMENDED  
FROM SINGLE AND TWO FAMILY  
RESIDENTIAL "R2"  
TO CENTRAL BUSINESS DISTRICT "CBD"  
ON THE ZONING MAP  
OF THE TOWN OF SUSSEX

30138630

30138648

30138663

30138655

00264580

00264572

30138705

PARK STREET

00265595

30205983

00265611

00265603

30132914

00265587

00265579

00265561

30215586

00264630

30215578

30203863

00262691

00262675

30159826

00262667

00465914

00262642

00262634

00262626

00262618

O'CONNELL AVENUE

NELSON STREET

00262733

00262725

30285274

00262683

00269795

00262659

30216071

00262998

00263004

00262337

00262980

30103147

30103139

00054957

MANOLA STREET

SCHEDULE "A-17"  
MARCH 2014