



Date: October 8, 2025
To: Sussex PAC
From: Thomas Lewallen, RPP, MCIP
Meeting: October 21, 2025

SUBJECT

Applicant: Dana Black
Landowner: Atlantic Commercial Properties Inc.

Location: 33 Winter Street
PID: 30159107

Municipal Plan Designation: General Commercial

Existing Zoning: Downtown Commercial (DC)
Proposed Zoning: General Commercial (GC)

Application Type: Rezoning

JURISDICTION

Pursuant to Section 59 of the *Community Planning Act*, Council is being asked to amend the Sussex Zoning By-law to permit the proposed application and may impose terms and conditions on the proposal.

Pursuant to Section 55(1) of the *Community Planning Act*, the Planning Advisory Committee (PAC) may permit a proposed use of land that is not otherwise permitted if, in its opinion, the proposed use is sufficiently similar to or compatible with a use permitted in the by-law for that zone.

APPLICATION SUMMARY

The applicant is seeking a rezoning of the property at 33 Winter Street, the former Sussex Place, from Downtown Commercial (DC) to General Commercial (GC). This is to permit a recreation vehicle storage business which is currently operating on the site. The existing business is not a permitted use in the Downtown Commercial (DC) zone, and this application is intended to bring the property into compliance with the Town's by-laws.

As "recreation vehicle storage" is not an explicitly permitted use in the General Commercial (GC) zone, the applicant also requires a similar or compatible use approval from the Planning Advisory Committee.

RECOMMENDATION

1. That the Planning Advisory Committee, pursuant to Section 55(1) of the Community Planning Act, rule that recreation vehicle storage is a similar or compatible use to the permitted "Self Storage" use in the General Commercial (GC) Zone, subject to the rezoning approval;
2. That Council approve an amendment to the Zoning By-Law by rezoning 33 Winter Street (PID 30159107) from Downtown Commercial (DC) to General Commercial (GC).

ANALYSIS

Neighbourhood Context

The subject property is a large commercial site located at the southern edge of the Town's downtown core. The property is the former Sussex Place mall. It functions as a transitional property between the commercial uses along Main Street to the north and the established residential neighbourhood to the south. The properties abutting the site along Peter Street and Magnolia Avenue are zoned One and Two-Unit Residential (R2) and Medium Density Residential (R3).

Municipal Plan

The proposal is consistent with the Town's Municipal Plan. The Future Land Use Map (Schedule A) designates the subject property as General Commercial. The current Downtown Commercial (DC) zoning is inconsistent with this future land use designation. This rezoning application serves to align the Zoning By-law with the long-term vision established in the Municipal Plan, which is a key objective of good community planning.

The following policy supports the application:

- **LU-18:** "Council shall create the General Commercial land use designation on the Future Land Use Map (Schedule A)". The proposal to rezone the property to GC directly implements this policy by matching the zoning to the Plan's designation.

Staff are of the opinion that approving this application represents sound planning by correcting an inconsistency between the Town's guiding planning documents.

Zoning By-law

The existing vehicle storage business is a non-conforming use in the current Downtown Commercial (DC) zone. A review of the permitted uses in Section 7.1.1 of the Zoning By-law shows that uses such as storage facilities are not permitted. This application is required to bring the property into compliance.

The proposed General Commercial (GC) zone permits both "Self-storage facility" and "Vehicle Sales and Service" under section 7.3.1. While "recreation vehicle storage" is not explicitly listed, staff are of the opinion that it is a similar and compatible use.

The definition of a "self-storage facility" in the by-law is "an establishment where goods or personal items are stored inside separate compartments within a building". The proposed use involves the storage of personal items (recreation vehicles) within the building. The nature of the use and its potential impacts (e.g., low traffic generation, minimal noise) are highly comparable to a standard self-storage facility.

The permitted "Vehicle Sales and Service" use inherently includes the storage of vehicles as a primary component of the business. The applicant's proposed use is a less intense version of this, focusing solely on the storage aspect without the associated sales, servicing, or high traffic volumes. Given that elements of the proposed use are present in two separate permitted uses within the General Commercial (GC) zone, staff believe there are strong grounds for a similar and compatible use approval.

The existing lot and building meet or exceed the development standards for the GC zone as outlined in Section 7.3.4, including minimum lot area, frontage, and setbacks.

Conclusion

Through the analysis of the application against the Town's Municipal Plan and Zoning By-law, staff find that the proposal is appropriate. The rezoning will align the property with the Future Land Use map, and the proposed use can be considered compatible with the permitted uses in the General Commercial (GC) zone.

Therefore, staff make the following recommendation to PAC:

1. That the Planning Advisory Committee, pursuant to Section 55(1) of the Community Planning Act, rule that recreation vehicle storage is a similar or compatible use to the permitted "Self Storage" use in the General Commercial (GC) Zone, subject to the rezoning approval;
2. That PAC recommend that Council approve an amendment to the Zoning By-Law by rezoning 33 Winter Street (PID 30159107) from Downtown Commercial (DC) to General Commercial (GC).

Authored By:

Thomas Lewallen

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

Approved By:

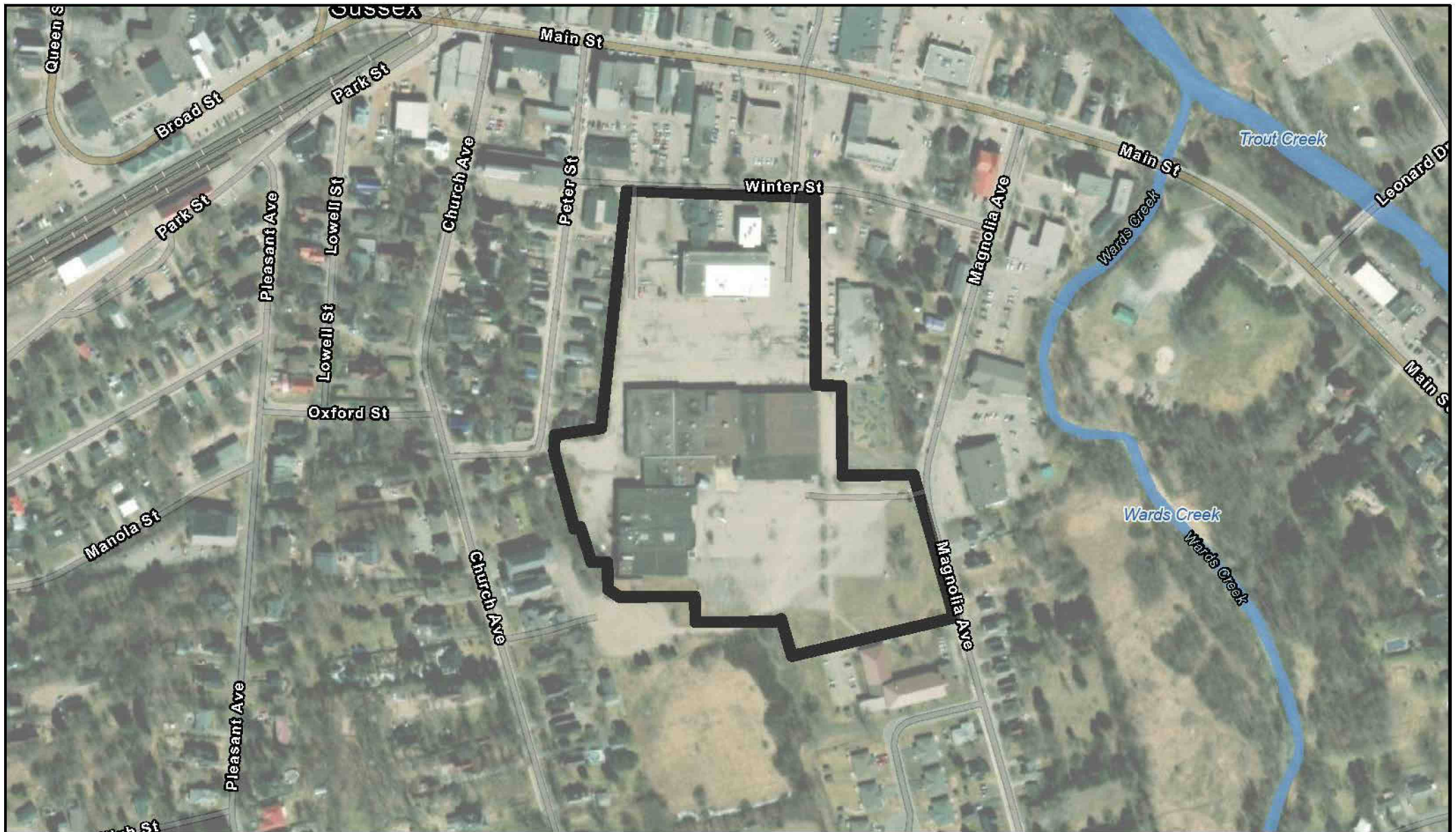


**Stephen Stone, RPP, MCIP
Contracted Planning Director**

APPENDIX

A1:	Aerial View
A2:	Future Land Use
A3:	Existing Zoning
A4:	Proposed Zoning

Aerial View - 33 Winter Street

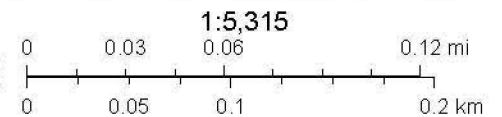


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Sussex

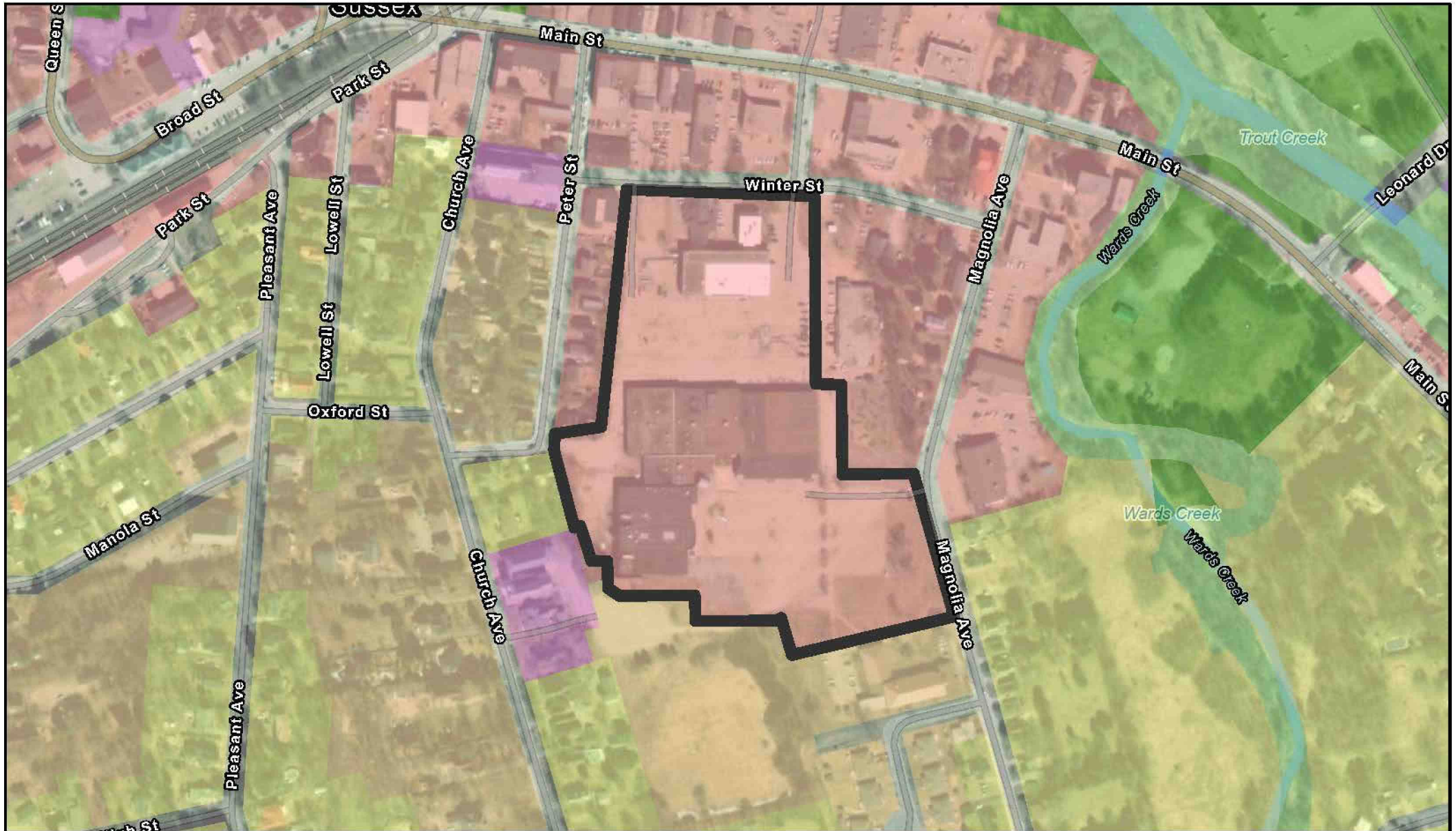
Water Bodies

Water Courses



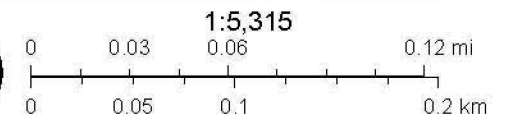
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Maxar

Future Land Use - 33 Winter Street



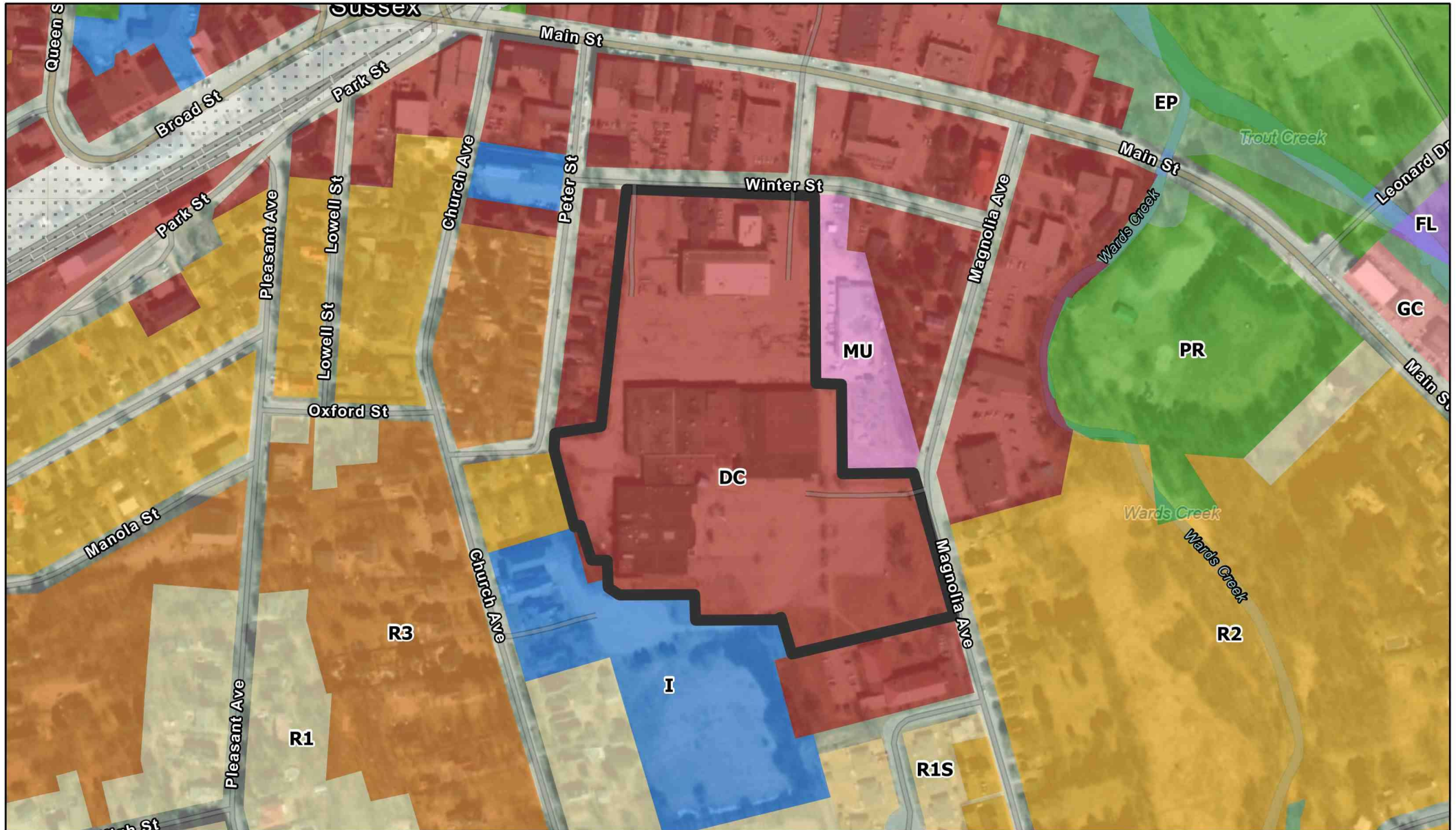
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Sussex	General Commercial	Environmental Conservation
Future Land Use	Institutional	Water Bodies
Neighbourhood Residential	Park	Water Courses
High Density Residential	Federal	



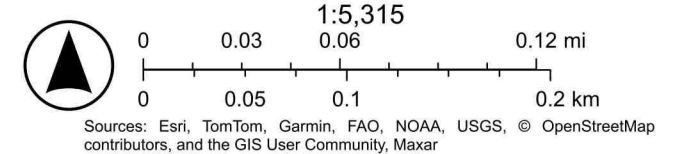
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Maxar

Existing Zoning - 33 Winter Street

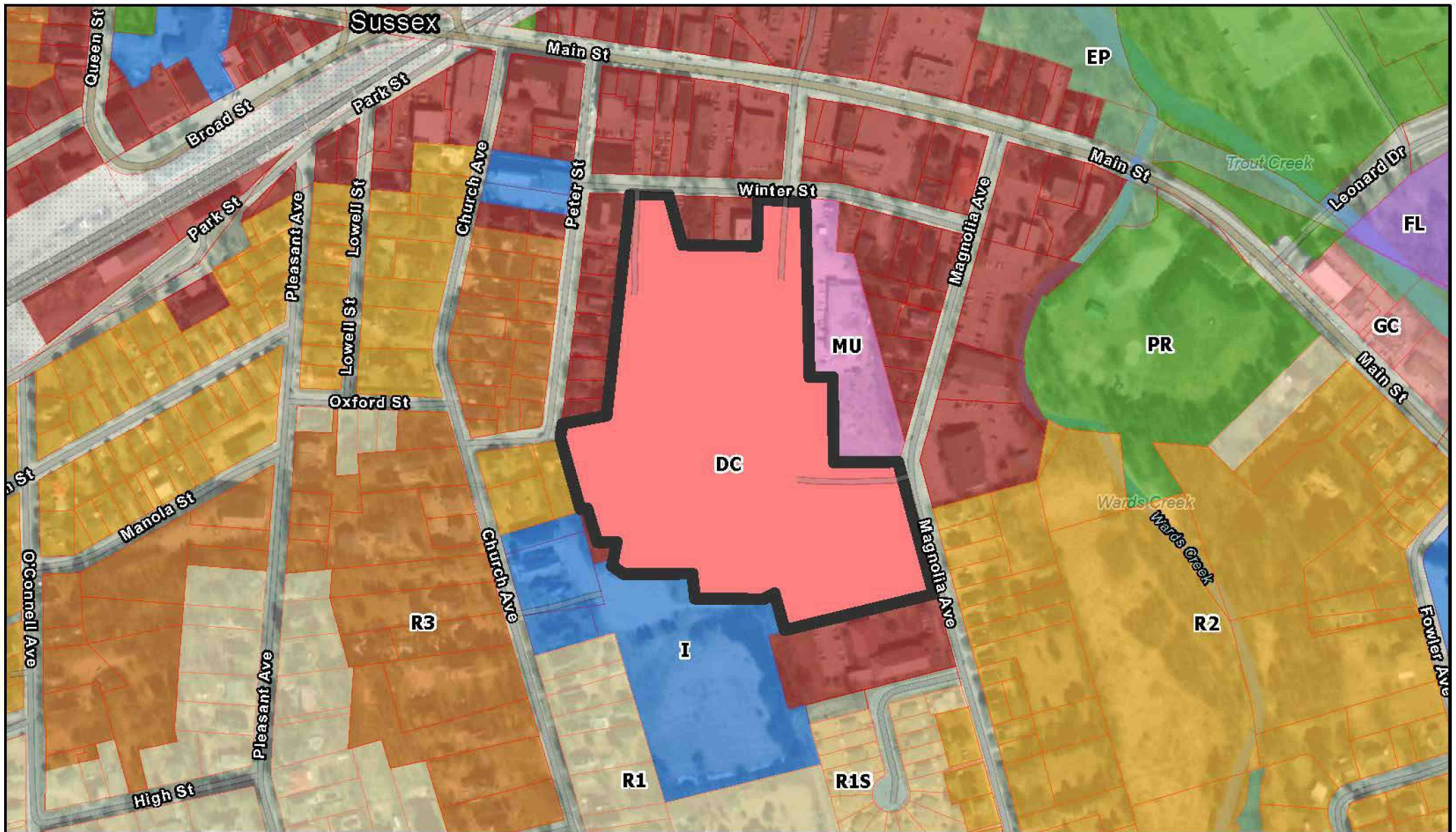


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|-------------------------------|-------------------------|--------------------------------------|---------------------------------|
| Sussex | FL - Federal Lands | PR - Parks and Recreation | R3 - Medium Density Residential |
| Zoning By-Law | GC - General Commerical | R1 - One Unit Residential | Railroad |
| DC - Downtown Commercial | I - Institutional | R1S - Small Lot One Unit Residential | Water Bodies |
| EP - Environmental Protection | MU - Mixed Use Corridor | R2 - One and Two Unit Residential | Water Courses |



Proposed Zoning - 33 Winter Street



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Sussex	GC - General Commerical	R1 - One Unit Residential	Railroad
Zoning By-Law	I - Institutional	R1S - Small Lot One Unit Residential	Parcel
DC - Downtown Commercial	MU - Mixed Use Corridor	R2 - One and Two Unit Residential	Water Bodies
EP - Environmental Protection	PR - Parks and Recreation	R3 - Medium Density Residential	Water Courses
FL - Federal Lands			

