

9th January, 2008

The Town Council of the Town of Sussex met in special session, by appointment of the Mayor of the said Town, in the Council Chambers of the said Town on Wednesday the 9<sup>th</sup> day of January, 2008, at 6:00 o'clock in the evening.

The following members of the Council were present: His Worship Mayor Carr, Deputy Mayor Thorne, Councillors Campbell, Wright and Black. Councillors Wilson, Fulton and Bradley were absent. Also present at this meeting were the Town Clerk/Treasurer, Paul Maguire and Chief Administrative Officer, Michael Cummings.

It was moved by Councillor Black, seconded by Deputy Mayor Thorne, that the agenda for this special Town Council meeting be approved. Motion carried.

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

The Council held a hearing of objections to the Zoning By-Law Amendment, By-Law # 1350-04-11. The proposed by-law would amend Section 370 – Fences and/or Hedges, Lots And Other Zone Standards of Zoning By-Law # 1350-04, enacted on December 20, 2004, under subsection 14.0 Exemptions and Clause 14.1 Permitted Uses for the “R3” zone for civic address 92 and 94 Maple Avenue, under terms and conditions under A By-Law To Amend The Zoning By-Law, By-Law # 1350-90-U, would be amended by:

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1) **deleting** the following Section 4 of the terms and conditions of Schedule “U” of A By-Law To Amend The Zoning By-Law, By-Law # 1350-90-U, dated May 23, 1990:

(4) that the main building include a commercial business for the sale of craft supplies and a wedding boutique supply store and apartments, with the commercial business and one apartment being located on the first and second floor and one apartment being located on the third floor; and

**inserting** the following Section (4) in the terms and conditions of Schedule “U” of of A By-Law To Amend The Zoning By-Law, By-Law # 1350-90-U, dated May 23, 1990:

(4) that the main building can include a Lawyer’s office and apartments.

The Town Clerk informed the Council that the Town had received no written objections and His Worship Mayor Carr noted that there was no one present at the Council meeting who was objecting to the proposed by-law amendment.

The Council held a hearing of objections to the Zoning By-Law Amendment, By-Law # 1350-04-12 which would amend the Zoning By-Law #1350-04, enacted on the 20<sup>th</sup> day of December, 2004, and enacts as follows:

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Schedule "A" of the Town of Sussex Zoning By-Law # 1350-04 is amended by rezoning a parcel of land located on the east side of Bryant Drive with civic address 48 Bryant Drive, having P.I.D. # 30155972 on G.I.C. Map # 10R39NW as shown on the attached Schedule "A-10", from a "R1" Single Family Residential Zone to a "R1" Single Family Residential Zone permitting a home occupation to allow a use of Beauty Salon with terms and conditions. The terms and conditions stated that the owner shall ensure that:

- 1) the floor area of the dwelling unit which is devoted to the use of a Beauty Salon does not exceed the lesser of
  - (i) twenty percent (20%) of the floor area of the dwelling unit, or
  - (ii) 27 square metres;
- 2) no on-street parking be permitted;
- 3) the owner be the only person employed at this location;
- 4) no trade and/or other goods other than those required directly for the purposes of a Beauty Salon be stored on site;
- 5) no equipment or material used therein is stored other than in the dwelling unit area mentioned in condition 1);
- 6) the owner of the Beauty Salon adhere to the Provincial fire regulations at all times;
- 7) a minimum of three (3) off-street parking spaces be provided;

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- 8) on Sundays that the Beauty Salon operational hours be only from 12:00 hours to 17:00 hours;
- 9) the signage identifying the business be limited to one (1) sign attached to the structure having a square area not exceeding 0.25 square metres;
- 10) no change is made in the outside appearance of the building which would indicate that a home occupation is being conducted therein; and
- 11) in the event of any breach of the provisions of the Zoning By-Law Amendment, By-law 1350-04-12, by the owner or by their heirs, assigns, or successors, the Council of the Town of Sussex, shall have the power to cancel this resolution, whereupon, the zoning of the lands described in Schedule "A-10" shall revert to Residential 1-Single Family Residential Zone, and the owner shall lose the rights to use the same thereafter for any other purposes except as authorized by the Zoning By-Law of the Town of Sussex, By-law #1350-04, for a "R-1" Single Family Residential Zone.

The Town Clerk informed the Council that the Town had received no written objections to the proposed Zoning By-Law Amendment and His Worship Mayor Carr noted that there was no one present at the meeting who was objecting to the proposed by-law amendment.

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His Worship Mayor Carr notified the Council that there will be a special Council meeting to be held January 14, 2008, at 6:00pm to have first and second reading and a motion to refer to the Planning Advisory Committee the proposed Zoning By-Law amendments, By-Law # 1350-04-11 and By-Law # 1350-04-12.

It was moved by Councillor Wright, seconded by Councillor Black, that this special meeting of the Town Council of the Town of Sussex adjourn. Motion carried.

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MAYOR

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TOWN CLERK