

TOWN OF SUSSEX, N.B.

**ZONING BY-LAW AMENDMENT
BY-LAW # 1350-04-10**

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 20th day of December, 2004, by Section 34 of the Community Planning Act and enacts as follows:

Schedule "A" of the Town of Sussex Zoning By-Law is amended by rezoning the property bearing P.I.D. #30134670 on GIC Map 10R 28NE and 10R 29SE to a "HC" Highway Commercial Zone, permitting self storage units, with terms and conditions, on the area as shown on Schedule "A-8" dated June, 2007, hereto attached and with the attached terms and conditions.

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|---------------------------------------|---------------------------|
| READ FIRST TIME BY TITLE | <u>AUGUST 27, 2007</u> |
| READ SECOND TIME BY TITLE | <u>AUGUST 27, 2007</u> |
| READ IN ENTIRETY | <u>SEPTEMBER 24, 2007</u> |
| THIRD READING BY TITLE AND ENACTED | <u>SEPTEMBER 24, 2007</u> |

PAUL I. MAGUIRE
TOWN CLERK

RALPH A. CARR
MAYOR

TOWN OF SUSSEX, N.B.

ZONING BY-LAW AMENDMENT
BY-LAW # 1350-04-10

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-8", dated June, 2007, be on terms and conditions and the use of said property be pursuant to Section 39 of the Community Planning Act and be for the uses outlined in the "HC" Highway Commercial Zone and including self storage units.

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:

"outdoor storage" means the storage of merchandise, goods, inventory materials or other items by locating them on a lot exterior to a building;

"office" means any building or part of a building in which one or more persons are employed in the management, directing, or conducting an agency or business;

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

"self storage building" means a building designed to be rented or leased to the general public or businesses for storage of goods, materials and equipment and may contain any use outlined in the Highway Commercial Zone; and

"self storage unit" means a building containing self storage units divided from the floor to the ceiling or roof by a wall with an independent entrance to each unit, designed to be rented or leased to the general public or businesses for storage of goods, materials and equipment.

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2. There will be no retail or wholesale use from the self storage units.
3. There will be no outdoor storage permitted on this lot.
4. The facility shall be permitted one (1) non-illuminated sign placed flat against the front of the building indicating the ownership and nature of the business carried on provided that the sign does not exceed 5.5 squares metres with lettering not exceeding 36 centimetres in height.
5. The self storage rental structure and the self storage units shall contain steel siding on the exterior walls and roof.
6. The developer is required to have approved by the Town, prior to the issuing of a building permit, a landscape plan for this property. This plan is to provide for a tree screen along the northern and eastern boundaries of the property. The trees that are to be planted as a tree screen are to be coniferous trees planted at three (3) metres center and having a minimum height of twenty four hundred millimetres (2400 mm) above grade.
7. The illumination lights on this property shall be directed away from any adjacent properties and the parking lot light standards shall have a maximum height of six (6) metres.
8. There will be no gasoline, petroleum products, chemicals or explosives stored in the self storage units.