

TOWN OF SUSSEX, N.B.

**ZONING BY-LAW AMENDMENT
BY-LAW # 1350-04-12**

The Council of the Town of Sussex, under authority vested in it by Section 39 of the Community Planning Act, amends the Zoning By-Law #1350-04 enacted on the 20th day of December, 2004 and enacts as follows:

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 of 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.

READ FIRST TIME BY TITLE	<u>JANUARY 14, 2008</u>
READ SECOND TIME BY TITLE	<u>JANUARY 14, 2008</u>
READ IN ENTIRETY	<u>JANUARY 21, 2008</u>
THIRD READING BY TITLE AND ENACTED	<u>JANUARY 21, 2008</u>

PAUL I. MAGUIRE
TOWN CLERK

RALPH A. CARR
MAYOR

TOWN OF SUSSEX, N.B.

**ZONING BY-LAW AMENDMENT
BY-LAW # 1350-04-12**

WHEREAS, by resolution of the Council of the Town of Sussex, under the authority of section 39 of the Community Planning Act, the proposed rezoning of a parcel of land located on the east side of Bryant Drive, with civic address of 48 Bryant Drive, and with PID #30155972; as shown on the attached Schedule "A-10" dated November, 2007, be limited to the use of Beauty Salon, as Home Occupation.

WHEREAS, for the purposes of this By-law #1350-04-12; the following definition applies:

"Beauty Salon means an establishment for the business of styling and maintaining human hair and including skin and nail care."

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:

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;

Town of Sussex, N.B.

Zoning By-Law Amendment

By-Law # 1350-04-12

Terms & Conditions

Page 2/2

- 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;
- 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;
- 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 "R-1" Single Family Residential Zone.