

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

**ZONING BY-LAW AMENDMENT**

**BY-LAW # 1350-10-06**

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 Main Street as shown on the attached Schedule "A-6", dated December 2011, having P.I.D. # 00268128, from a Single and Two Family Residential ("R2") to Highway Commercial ("HC") permitting an "Office" with terms and conditions.

READ FIRST TIME BY TITLE	<u>February 20, 2012</u>
READ SECOND TIME BY TITLE	<u>February 20, 2012</u>
READ IN ENTIRETY	<u>March 19, 2012</u>
THIRD READING BY TITLE AND ENACTED	<u>March 19, 2012</u>

PAUL I. MAGUIRE  
TOWN CLERK

MARC THORNE  
DEPUTY MAYOR

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

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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 Main Street, as shown on the attached Schedule "A-6", dated December 2011, be subject to terms and conditions and the use of said property be pursuant to Section 39 of the Community Planning Act for an "Office";

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:

*"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; and

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

2. The land use for this parcel of land is to be an *office* subject to the following:

- a. that an Office use be limited to the ground floor area of this structure;
- b. that no trade and / or goods other than those required directly for the purposes of an Office be stored on site.

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

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4. The Developer is required to obtain approval from the Planning Advisory Committee, and 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 Main 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.
5. 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. there shall be six (6) parking spaces for the office and one loading and unloading space;
  - b. 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.
6. 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.
7. The Developer is required to obtain approval from the Planning Advisory Committee, and prior to the Town issuing a building permit, for signage pertaining to this development and adhering to the following signage allowances for this development:

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- 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; and
  - c. the illumination of any free standing sign shall cease at 23:00 hours daily, and;
  - d. a mural is permitted subject to terms and conditions imposed by the Planning Advisory Committee.
8. The residential appearance of the exterior of the building shall remain as it presently exists and shall not be altered.

# ZONING PLAN BY-LAW AMENDMENT BY-LAW # 1350-10-06

N.B. GRID NORTH

30255582

PROPERTY IDENTIFICATION  
NUMBER 00268128 IS AMENDED  
FROM SINGLE AND TWO FAMILY  
RESIDENTIAL "R2"  
TO HIGHWAY COMMERCIAL "HC"  
ON THE ZONING MAP  
OF THE TOWN OF SUSSEX

30253538

30135198

30113351

MAIN STREET

30214092

00268110

30147276

00268086

00268128

00439810

30030191

30029532

SCHEDULE "A-6"  
DECEMBER 2011