

TOWN OF SUSSEX, N.B.

ZONING BY-LAW AMENDMENT

BY-LAW # 1350-10-10

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 #1350-10 enacted on the 21st 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 north side of Main Street as shown on the attached Schedule "A-10", dated October 2012, having P.I.D. # 00267625, from a Single and Two Family Residential ("R2") to Highway Commercial ("HC") permitting an "Health Service Business" or "Office" with terms and conditions.

READ FIRST TIME BY TITLE	<u>January 21, 2013</u>
READ SECOND TIME BY TITLE	<u>January 21, 2013</u>
READ IN ENTIRETY	<u>February 18, 2013</u>
THIRD READING BY TITLE AND ENACTED	<u>February 18, 2013</u>

PAUL. I. MAGUIRE
TOWN CLERK

MARC THORNE
MAYOR

TOWN OF SUSSEX, N.B.

ZONING BY-LAW AMENDMENT

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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 north side of Main Street, as shown on the attached Schedule "A-10", dated October 2012, be subject to terms and conditions and the use of said property be pursuant to Section 39 of the Community Planning Act for an "Health Service Business";

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

"health service business" 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 in the delivery of modern health care by one or more trained professionals and paraprofessionals including professionals in medicine, nursing, dentistry, allied health, public health practitioners, community health workers, therapy practitioners, and assistive personnel who systematically provide personal and population-based preventative care services.

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

Town of Sussex
By-Law # 1350-10-10
Terms and Conditions

2. The land use for this parcel of land is to be an *“Health Service Business”* or *“Office”* subject to the following:
 - a. that the Health Service Business 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 Health Service Business 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.
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 changes in development of this property and subject to the provisions of:
 - a. maintaining the grassed boulevard, three (3) metres in width, along the property line which affronts Main Street and / or Fundy Street;
 - b. a grassed boulevard, three (3) metres in width, adjacent all parking areas;
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 four (4) 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.

Town of Sussex
By-Law # 1350-10-10
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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:
 - 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 # 1350-10-10

N B GRID NORTH

30221105

00267690
00095919
00095836

PROPERTY IDENTIFICATION
NUMBER 00267625 IS AMENDED
FROM SINGLE AND TWO FAMILY
RESIDENTIAL "R2"
TO HIGHWAY COMMERCIAL "HC"
ON THE ZONING MAP
OF THE TOWN OF SUSSEX

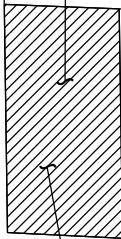
00267559

00267583

00095935

00267609

FUNDY STREET



00267641

00267674

SCHOOL STREET

00095901

MAIN STREET

00267625

00267575

00101584

30256648

00267633

30094304

00267682

30212591

ESSEX STREET

00261040

00261024

00267666

00264366

00261032

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SCHEDULE "A-10"
OCTOBER 2012