

**TOWN OF SUSSEX, N.B.
ZONING BY-LAW AMENDMENT**

BY-LAW # 1350-04-05

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 39 of the Community Planning Act and enacts as follows:

1. SECTION 370, FENCES AND/OR HEDGES, LOTS AND OTHER STANDARDS:

Subsection 14.0, Exemptions; clause 14.1, Permitted Uses; the following use is **deleted**:

ZONE	CIVIC #	ADDRESS	PERMITTED USE	BY-LAW #
R1	157	Church Avenue	Bed & Breakfast	1350-03-25.

2. SECTION 370, FENCES AND/OR HEDGES, LOTS AND OTHER STANDARDS:

Subsection 14.0, Exemptions; clause 14.1, Permitted Uses; the following use is **added**:

ZONE	CIVIC #	ADDRESS	PERMITTED USE	BY-LAW #
R3	126	Maple Avenue	Daycare Centre	1350-04-27

3. SECTION 370, FENCES AND/OR HEDGES, LOTS AND OTHER STANDARDS:

Subsection 13.0, Infill; clause 13.1, as follows is **deleted**:

In an in-filling situation where a front yard line has been established by existing residential that is less required under the zoning by-law, the existing line can apply for new construction and/or expansions and extensions in accordance with Schedule 4 of Appendix B.

4. **SECTION 370, FENCES AND/OR HEDGES, LOTS AND OTHER STANDARDS:**

Subsection 13.0, Infill; clause 13.1, as follows is **added**:

In an in-filling situation where a front yard line has been established by existing residential unit(s) that have front yard setback distances less than required under the Zoning By-Law, the existing setback line can apply for new construction and/or expansions in accordance with Schedule 4 of Appendix B.

5. **SECTION 210, CENTRAL BUSINESS DISTRICT (CBD”)**

Subsection 1.1, Uses; clause 1.1 (d) as follows is **deleted**:

Any use permitted under subsection 1.1 (c) of this section is subject to terms and conditions as the Planning Advisory Committee feels is required for said use.

6. **SECTION 210, CENTRAL BUSINESS DISTRICT (CBD”)**

Subsection 1.1, Uses; clause 1.1 (d) as follows is **added**:

Any use permitted under subsection 1.1 (b) and 1.1 (c) of this Section is subject to terms and conditions as the Planning Advisory Committee feels is required for said use.

7. **SECTION 340, PARKING & LOADING**

Section 1.0, Vehicular Off-Street Parking; subsection 1.2, clause (b) and clause (c) as follows is **deleted**:

7. SECTION 340, PARKING & LOADING – Cont'd.

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|-----|--|--|
| (b) | for retail stores and service shops or similar establishments sales floor space; | not less than one space for every 25 square metres of retail |
| (c) | for beverage rooms, clubs, lounges and restaurants | not less than 10 square metres of gross floor space; |

8. SECTION 340, PARKING & LOADING

Section 1.0, Vehicular Off-Street Parking; subsection 1.2, clause (b) and clause (c) as follows is **added**:

- | | | |
|-----|---|---|
| (b) | for retail stores and service shops or similar establishments | not less than one space for every 25 square metres of retail floor space; |
| (c) | for beverage rooms, clubs, lounges and restaurants | not less than one space for every 10 square metres of gross floor space; |

9. SECTION 360, SIGNS

Subsection 3.7; clause (c) as follows is **deleted**:

- (c) an illuminated free-standing sign not exceeding 7 square metres to indicate the name of the business and the maximum height of a free-standing sign shall not exceed 11.0 metres;

10. SECTION 360, SIGNS

Subsection 3.7; clause (c) as follows is **added**:

- (c) an illuminated free-standing sign not exceeding 7 square metres in gross surface area to indicate the name of the business and the maximum height of a free-standing sign shall not exceed 11.0 metres;

11. SECTION 130, SINGLE AND TWO-FAMILY RESIDENTIAL AND UP TO AND INCLUDING SIX-FAMILY RESIDENTIAL (“R3”)

Subsection 1.1; clause (c) as follows is **deleted**:

- (c) subject to subsection 1.1 (g), one of the following accessory uses:
 - (i) a boarding house,
 - (ii) a rooming house,
 - (iii) a service club or lodge, or
 - (iv) bed and breakfast; and.

12. SECTION 130, SINGLE AND TWO-FAMILY RESIDENTIAL AND UP TO AND INCLUDING SIX-FAMILY RESIDENTIAL (“R3”)

Subsection 1.1; clause (c) as follows is **added**:

- (c) subject to subsection 1.1 (f), one of the following accessory uses:
 - (i) a boarding house,
 - (ii) a rooming house,
 - (iii) a service club or lodge, or
 - (iv) bed and breakfast; and.

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FIRST READING BY TITLE	<u>SEPTEMBER 25, 2006</u>
SECOND READING BY TITLE	<u>SEPTEMBER 25, 2006</u>
READ IN ENTIRETY	<u>OCTOBER 23, 2006</u>
THIRD READING BY TITLE AND ENACTED	<u>OCTOBER 23, 2006</u>

MARC THORNE
DEPUTY MAYOR

PAUL I. MAGUIRE
TOWN CLERK