

**ZONING BY-LAW AMENDMENT**

**BY-LAW # 1350-04-14**

Page 1/1

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 20<sup>th</sup> 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 between Church Avenue and Brookview Crescent, having P.I.D. # 30217475 on GIC Map 10R 29SW and 10R 28NW as shown on the attached Schedule "A-12", from "R2" Single and Two-Family Residential to "R4" Single and Two-Family and up to and including Twenty-Four-Family Residential with terms and conditions.

READ FIRST TIME BY TITLE	<u>JUNE 23, 2008</u>
READ SECOND TIME BY TITLE	<u>JUNE 23, 2008</u>
READ IN ENTIRETY	<u>JULY 21, 2008</u>
THIRD READING BY TITLE AND ENACTED	<u>JULY 21, 2008</u>

PAUL I. MAGUIRE  
TOWN CLERK

RALPH A. CARR  
MAYOR

## ZONING BY-LAW AMENDMENT

BY-LAW # 1350-04-14

TERMS & CONDITIONS

Page 1/4

**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 between Church Avenue and Brookview Crescent, having P.I.D. # 30217475 on GIC Map 10R 29SW and 10R 28NW as shown on the attached Schedule "A-12", dated March, 2008, be limited to the uses under Section 140, Single and Two-Family and up to and including Twenty-Four-Family Residential "R4", of the Town of Sussex Zoning By-Law, By-Law # 1350-04, with terms and conditions.

**WHEREAS** under Section 39 of the Community Planning Act upon rezoning, said property shall not be developed except in accordance with the following terms and conditions.

- 1) The following subsections of Section 140, Single and Two-Family and up to and including Twenty-Four-Family Residential "R4", of the Town of Sussex Zoning By-Law, By-Law # 1350-04, shall be *deleted* for the purpose of this Zoning By-Law Amendment, By-Law # 1350-04-14:

#### **4.0 YARDS FOR A MAIN BUILDING OR STRUCTURE**

4.1 No main building or structure may be placed, erected or altered so that it is

- (a) within 9.0 metres of a street line;
- (b) within 2.0 metres of one side line and 3.0 metres of the other side line; and
- (c) within 7.0 metres of a rear lot line; and

9.0 TOWNHOUSE DWELLINGS IN A SERIES OR GROUP

9.1 Townhouse dwellings in a series or group are subject to the further requirements that

- (a) no series or group contains more than:
  - (i) six dwelling units in number,
  - (ii) six dwelling units with the same or approximately the same front line, or
  - (iii) 41 metres in continuous length;
- (b) no side wall of a series or group is placed, erected or altered so that any part of such wall is closer to a side wall of another series or group than a distance equal to seven metres;
- (c) no front wall of a series or group is placed, erected or altered so that any part of such wall is closer to the front wall of another series or group than 21 metres;
- (d) no rear wall of a series or group is placed, erected or altered so that any part of such wall is closer to the rear wall of another series or group than 16 metres; and
- (f) such dwelling units do not occupy more than 35% of the area of the lot.

2) The following subsections shall be *added* under Section 140, Single and Two-Family and up to and including Twenty-Four-Family Residential "R4", of the Town of Sussex Zoning By-Law, By-Law # 1350-04, for the purpose of this Zoning By-Law Amendment, By-Law # 1350-04-14:

**4.0 YARDS FOR A MAIN BUILDING OR STRUCTURE**

4.1 No main building or structure may be placed, erected or altered so that it is

- (a) within 6.0 metres of a street line;
- (b) within 2.0 metres of one side line and 3.0 metres of the other side line; and
- (c) within 7.0 metres of a rear lot line; and

**9.0 TOWNHOUSE DWELLINGS IN A SERIES OR GROUP**

9.1 Townhouse dwellings in a series or group are subject to the further requirements that

- (a) no series or group contains more than:
  - (i) six dwelling units in number,
  - (ii) six dwelling units with the same or approximately the same front line, or
  - (iii) 52 metres in continuous length;
- (b) no side wall of a series or group is placed, erected or altered so that any part of such wall is closer to a side wall of another series or group than a distance equal to seven metres;
- (c) no front wall of a series or group is placed, erected or altered so that any part of such wall is closer to the front wall of another series or group than 21 metres;
- (d) no rear wall of a series or group is placed, erected or altered so that any part of such wall is closer to the rear wall of another series or group than 16 metres; and

**Town of Sussex, N.B.**  
Zoning By-Law Amendment  
By-Law # 1350-04-14  
Terms & Conditions  
Page 4/4

- (e) such dwelling units do not occupy more than 35% of the area of the lot.