

THE TOWN OF SUSSEX
ZONING BY-LAW AMENDMENT
BY-LAW # 1350-95-15

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 November, 1991, by Section 39 of the Community Planning Act, and enacts as follows:

Schedule "A" of the Town Of Sussex Zoning By-Law is amended by rezoning a parcel of land located on the West side of Morrow Avenue, being P.L.D. No. 30102321 on G.L.C. Map #21H/12-Z4, from an "A" Rural or Agricultural Zone to a rural or agricultural zone permitting single family dwelling units within the area as shown on the plan attached as Schedule "1" dated November, 1995, with terms and conditions.


FIRST TIME READ .. JANUARY 22, 1996 ..
SECOND TIME READ .. FEBRUARY 19, 1996 ..
THIRD TIME READ .. MAY 21, 1996 ..
AND ENACTED ..

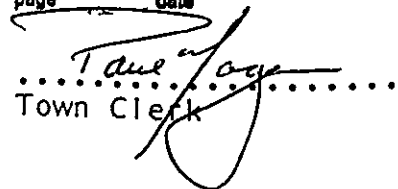
To be a copy of the original registered or filed in the Kings County Registry Office NB

copie conforme à l'instrument enregistré ou déposé au bureau d'enregistrement du comté de Kings NB

592 —
number-numéro book-livre

— May 23/96
page date


.....
Mayor


.....
Town Clerk

TERMS AND CONDITIONS

WHEREAS, by resolution of the Council of the Town Of Sussex, the proposed rezoning of land on the West side of Morrow Avenue, as shown on the attached Schedule "1" dated November, 1995, be on terms and conditions, the use of said property be pursuant to Section 39 of the Community Planning Act and be limited to a rural or agricultural zone permitting a single family dwelling;

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) that the development contain one single family dwelling unit on each lot.
- (2) LOT SIZES
No building or structure may be built, located or relocated, altered or replaced on a lot unless the lot meets the requirements of Section 110 of the Town Of Sussex Zoning By-Law.
- (3) SIZE OF DWELLINGS
No single family dwelling may be placed, erected or altered so that it has a ground floor area less than:
 - (a) 89 square metres, in the case of a one-storey dwelling;
 - (b) 71 square metres, in the case of a split level or a one and one-half storey dwelling; or
 - (c) 62 square metres in the case of a two or three-storey dwelling.

For the purposes of this section, ground floor area or floor area does not include garages, carports, porches, verandahs, breezeways, approach halls or, except for those completely contained in a dwelling unit, stairways.

- (4) YARDS OF A MAIN BUILDING OR STRUCTURE
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 a side line; and
 - (c) within 7.0 metres of a rear lot line.

(5) HEIGHT OF A MAIN BUILDING OR STRUCTURE

No main building or structure may exceed 9.0 metres in height.

(6) ACCESSORY BUILDING OR PRIVATE GARAGES

No accessory building or private garage may:

- (a) exceed one storey or 4.5 metres in height;
- (b) be placed, erected or altered so that it is within
 - (i) the front yard of the main building or structure, or
 - (ii) 2.0 metres of a side or rear lot line;
- (c) in the case of an accessory building, exceed 57 square metres in area or have a horizontal dimension greater than 10 metres;
- (d) be used for agricultural purposes or for the keeping of animals other than household pets; or
- (e) accessory building and structures may not occupy more than 10 percent of the area of a lot.

(7) LOT OCCUPANCY

No buildings or structures on a lot shall occupy a greater portion of the area of a lot than 50 percent, in the case of an interior lot.

(8) LANDSCAPING

The owner of a lot being developed shall landscape:

- (a) the front yard of the main building; and
- (b) that part of the lot within 2.0 metres of any building thereon.

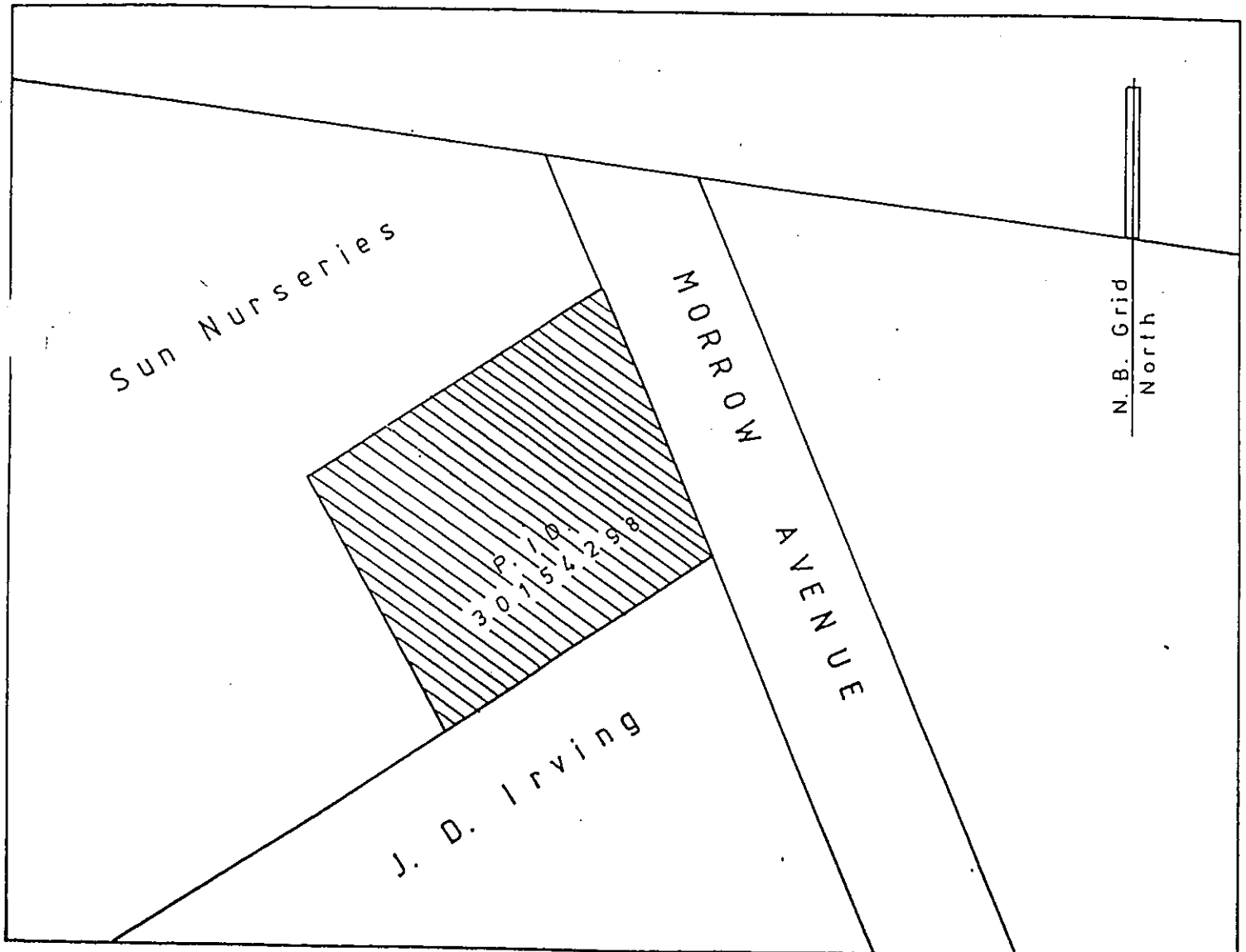
For the purposes of this section, landscaping shall include:

- (a) all grading necessary to divert surface water from the dwelling and, in so far as is reasonably possible, to contour the front yard to the surrounding terrain together with the installation of a lawn having a minimum of 7.5 centimetres of topsoil;
- (b) may include the placement of paths, patios, walkways, trees, ornamental shrubs, vines and flowers as are not prohibited by this or any other By-Law rule or regulation; and
- (c) notwithstanding subsection (a) of this section, the front yard mentioned herein may be used to a reasonable degree for the purposes of walks and driveways for access to the main building or other use on the lot.

- (9) WATER SERVICE
Residential buildings under this Zoning By-Law Amendment shall be required to receive their water supply from the Town's water network.
- (10) SANITARY SEWER SERVICE
Residential buildings under this Zoning By-Law Amendment shall be required to connect to the Town's sanitary sewer system when said system becomes available.
- (11) PROVINCIAL APPROVALS
Provincial approval of the septic field shall be obtained prior to the subdivision of the land under this Zoning By-Law Amendment.

TOWN OF SUSSEX

AMENDMENT TO ZONING BY-LAW



SCHEDULE "I"
NOVEMBER, 1995

I, Paul Maguire, of the Town Of Sussex in the County of Kings and Province Of New Brunswick, Town Clerk, DO SOLEMNLY DECLARE

1. THAT I am the Town Clerk of the Town Of Sussex, a municipal corporation, and have personal knowledge of the facts herein declared;

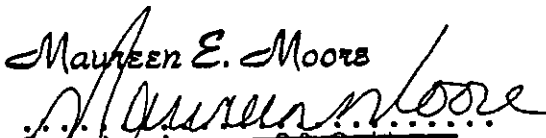
2. THAT the requirements of Section 66 and 68 of the COMMUNITY PLANNING ACT have been complied with in respect to

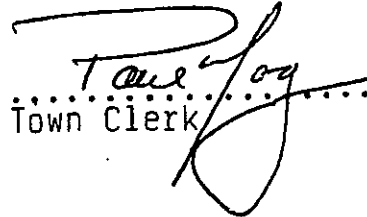
ZONING BY-LAW AMENDMENT, BY-LAW # 1350-95-15

which was passed by the Town Council of the Town Of Sussex on May 21, 1996;

AND I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Evidence Act.

DECLARED before me at the Town Of Sussex, County of Kings and Province Of New Brunswick this 22 day of May , A.D., 1996.


 Commissioner of Oaths
 My Commission Expires Dec. 31, 2000


 Town Clerk