



## BY-LAW STATUS REPORT

For City Council – November 27, 2023

**From:** Legal Services

**Date:** November 16, 2023

**Title:** By-law Z-5.307, 115 Draco – Rezoning (Colpitts Developments)

**Description:** By-law No. Z-5.307, A By-law to Amend By-law No. Z-5, A Zoning By-law for the City of Fredericton, Adoption of Terms & Conditions, Reading by Summary, Third Reading of By-law No. Z-5.307, by title; Land for Public Purposes

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### **FOR CITY COUNCIL ON NOVEMBER 27, 2023:**

- Motion to impose terms and conditions
- Motion to read the by-law by summary
- Reading of By-law No. Z-5.307, by summary and third reading by title
- Motion for land for public purposes

### **Additional Information**

The purpose of proposed By-law No. Z-5.307 is to amend By-law No. Z-5 by rezoning property located at 115 Draco Road from Residential Zone Two (R-2) and Agricultural Experimental Zone (AGX) to Residential Zone One Narrow (R-1N).

#### **↪ City Council Meeting – September 25, 2023**

- Council adopted a resolution referring the application to PAC, authorizing Section 111 advertising, preparation of a by-law to amend the Zoning By-law, and set the date for consideration of objections/support to the proposed by-law.

#### **↪ Planning Advisory Committee Meeting – October 18, 2023**

- Staff recommended approval
- PAC recommended approval (*No letters of support/objection concern received at PAC*)

#### **↪ City Council – November 14, 2023**

- Receipt of the Planning Advisory Committee Report
- Hearing of Objections/Support (*No letters of objection/support received by the City Clerk's office*)
- First Reading of By-law No. Z-5.307, by title
- Second Reading of By-law No. Z-5.307, by title

### **RECOMMENDATION:**

It is recommended that the following resolutions be considered by City Council:

**BE IT RESOLVED THAT** with respect to an application by Colpitts Developments to rezone property located at 115 Draco Road from Residential Zone Two (R-2) and Agriculture Experimental Zone (AGX) to Residential Zone One Narrow (R-1N) as outlined in proposed By-law No. Z-5.307 the Council of the City of Fredericton, pursuant to Section 59(1) of the *Community Planning Act* hereby imposes the attached Terms and Conditions.

**BE IT RESOLVED THAT** the Council of the City of Fredericton hereby authorizes that By-law No. Z-5.307, A By-law to Amend By-law No. Z-5, A Zoning By-law for the City of Fredericton, be read by summary pursuant to Section 15(4) of the *Local Governance Act*.

**WHEREAS** municipalities may make by-laws pursuant to the *Local Governance Act* and the *Community Planning Act*; and City Council has authorized the reading of By-law No. Z-5.307, by summary;

**BE IT RESOLVED THAT** the Council of the City of Fredericton hereby reads a summary of the by-law as follows: The purpose of proposed By-law No. Z-5.307, is to amend By-law No. Z-5, A Zoning By-law for the City of Fredericton, by rezoning property located at 115 Draco Road from Residential Zone Two (R-2) and Agriculture Experimental Zone (AGX) to Residential Zone One Narrow (R-1N); and THAT the said by-law be given third reading by title.

**BE IT RESOLVED THAT** with respect to a tentative plan of subdivision to create 17 Residential Zone One Narrow (R-1N) lots on an extension of Draco Road, the Council of the City of Fredericton hereby approves the location of the public streets as shown on Map II of the Planning Report dated October 18, 2023 (P.R. No. 71/23) and confirms that upon approval of the subdivision plan, a sum representing eight percent (8%) of the market value of the land be taken in the form of cash pursuant to By-law No. Z-4, A Subdivision By-law.

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Approved by: Michelle Brzak, City Solicitor