



BY-LAW STATUS REPORT

For City Council – December 13, 2021

From: Legal Services

Date: December 06, 2021

Title: Change to Terms and Conditions – 54, 56, 58, 60, & 62 Sarahs Lane (Thrive Properties)

Description: A change in Terms and Conditions, pertaining to By-law No. Z-2.462 - Receipt of the Planning Advisory Committee Report, Hearing of Objections/Support, Adoption of Resolution to Change Terms and Conditions

FOR CITY COUNCIL ON DECEMBER 13, 2021:

- Receipt of the Planning Advisory Committee Report
- Hearing of Objections/Support
- Adoption of Resolution to Change Terms and Conditions

Additional Information

The purpose of this application is to amend the Terms and Conditions associated with By-law No. Z-2.462 adopted on May 9, 2005 and amended on January 8, 2007, in order to permit four buildings containing a total of 296 dwelling units and revised building design.

↪ City Council Meeting – November 22, 2021

- 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 – December 8, 2021

- Staff recommended approval
- PAC recommended approval (1 letter of support, 12 letters of objection and 18 letters of concern received at PAC)

RECOMMENDATION:

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

BE IT RESOLVED THAT the Council of the City of Fredericton hereby receives the Report of the Planning Advisory Committee, dated December 9, 2021, with respect to an application from Thrive Properties, to amend previously approved terms and conditions of By-Law No. Z- 2.462, to permit four (4) buildings containing a total of 296 dwelling units and revised building design on property identified as 54, 56, 58, 60 and 62 Sarahs Lane.

Hearing of Objections/Support – City Clerk

WHEREAS, City Council received a report from the Planning Advisory Committee recommending that the terms and conditions associated with By-law No. Z-2.462, adopted on May 9, 2005 and amended on January 8, 2007, be changed;

AND WHEREAS the requirements of subsection 59(3) and Section 111 of the *Community Planning Act* have been fulfilled with respect to the change in terms and conditions;

BE IT RESOLVED THAT the Council of the City of Fredericton hereby repeals the following two terms and conditions “(a) The final site plan for the apartment buildings on Lot 05-104 satisfy all requirements of the R-6 Zone and be substantially in accordance with Map III attached to Planning Report 141/2006, (including a 5 metre height variance), to the satisfaction of the Development Officer. Detailed parking and landscaping plans be provided to the satisfaction of the Development Officer prior to a building permit being issued.” and “(c) Final design of the apartment buildings on Lot 05-104 be substantially in accordance with Map IV attached to Planning Report 141/06 (including a 5 metre height variance), and the row dwellings on Lot 05-105, including building orientation, be to the satisfaction of the Development Officer” of By-law No. Z-2.462 and replace them with new terms and conditions (a) and (c) as follows:

- a) **“The site plan for the apartment building on Lot 05-104 be substantially in accordance with Map II attached to PR No. 98/21 to the satisfaction of the Development Officer. Detailed Parking and landscaping plans be provided to the satisfaction of the Development Officer prior to a building permit being issued.”;** and
- c) **“Final design of apartment buildings on lot 05-104 be generally in accordance with Map III attached to P.R. 98/21 to the satisfaction of the Development Officer.”;**

to permit four buildings containing a total of 296 dwelling units and revised building design on the property located at 54, 56, 58, 60, and 62 Sarahs Lane.

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Approved by: Michelle Brzak, City Solicitor

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