



## BY-LAW STATUS REPORT

For City Council – December 13, 2021

**From:** Legal Services

**Date:** December 06, 2021

**Title:** By-law No. Z-5.252 – 115 Church Street, Zone Amendment (Bella Properties Inc.)

**Description:** By-law No. Z-5.252, 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-5.252, by title

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### **FOR CITY COUNCIL ON DECEMBER 13, 2021:**

- Adoption of Terms and Conditions
- Reading by Summary
- Third Reading of By-law No. Z-5.252

### **Additional Information**

The purpose of proposed By-law No. Z-5.252 is to amend By-law No. Z-5 under the City Centre Institution Zone (CCI) in order to permit the conversion of the home on the property into six (6) dwelling units on property the located at 115 Church Street. The application submitted by Bella Properties Inc. proposed to amend them CCI Zone to allow seven (7) dwelling units on the property by converting the main structure into a six (6) unit apartment building with a seventh unit above the carriage house.

#### **↪ City Council Meeting – October 25, 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 – November 17, 2021**

- Staff recommended denial
- Staff recommended an amendment to the application
- PAC recommended approval (no letters of support/objection concern received at PAC)

#### **↪ City Council – November 22, 2021**

- Receipt of the Planning Advisory Committee Report
- Hearing of Objections/Support (no letters of support/objection received by the City Clerk's office)
- Motion carried to amend By-law No. Z-5.252
- First Reading of By-law No. Z-5.252, by title, as amended
- Second Reading of By-law No. Z-5.252, by title, as amended

**RECOMMENDATION:**

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

**BE IT RESOLVED THAT** with respect to an application by Bella Properties Inc. to amend the City Centre Institution Zone (CCI) in order to allow (7) dwelling units on the property located at 115 Church Street, the Council of the City of Fredericton hereby permits the conversion of the main building into six (6) dwelling units as outlined in proposed By-law No. Z-5.252, and 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-5.252, 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-5.252, 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-5.252 is to amend By-law No. Z-5 under the City Centre Institution Zone (CCI) in order to permit the conversion of the home on the property located at 115 Church Street into six (6) dwelling units; and THAT the said by-law be given third reading by title.

Prepared by: Vicki Buchanan, Administrative Assistant, Legal Services

Approved by: Michelle Brzak, City Solicitor