



## BY-LAW STATUS REPORT

For City Council – December 13, 2021

**From:** Legal Services

**Date:** December 06, 2021

**Title:** Municipal Plan Amendment and Rezoning – Saint Mary’s Street (Jim Gilbert)

**Description:** By-law No. Z-6.3 and By-law No. Z-5.245, Adoption of Terms & Conditions, Reading by Summary, Third Reading of By-law No. Z-6.3 and By-law No. Z-5.245, by title

---

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

- Adoption of Terms and Conditions
- Reading by Summary
- Third Reading of By-law No. Z-6.3 and By-law No. Z-5.245, by title

### **Additional Information**

The purpose of proposed By-law No. Z-6.3 and By-law No. Z-5.245 is to revise the land use designation and re-designate a portion of the property located on Saint Mary’s Street (PID 01424258) from Established Neighbourhood to Commercial Centres and Corridors and rezone a portion of the property from Multi-Residential Zone Two (MR-2) to Commercial Corridor Zone Two (COR-2) in order to support future consolidation of that portion of PID 01424258 with the property at 402 Saint Mary’s Street.

#### ↪ **City Council Meeting – September 27, 2021**

- ↪ Council resolution referring application to PAC; authorizing preparation of proposed amendment to By-law No. Z-6; authorizing Section 25 Notice requirements; setting meeting of October 12, 2021 for public presentation; authorizing Section 111 Notice requirements; setting meeting of November 22, 2021 for hearing of objections.

#### ↪ **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 approval

↪ 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)
- First Reading of By-law No. Z-6.3 and By-law No. Z-5.245, by title
- Second Reading of By-law No. Z-6.3 and By-law No. Z-5.245, by title

**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 authorizes that By-law Nos. Z-6.3, A By-law to Amend By-law Z-6, A By-law to Adopt a Municipal Plan for the City of Fredericton and Z-5.245, 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*.**

**BE IT RESOLVED THAT with respect to an application by Jim Gilbert to rezone a portion the property located at Saint Mary's Street (PID 01424258) from Multi-Residential Zone Two (MR-2) to Commercial Corridor Zone Two (COR-2) as outlined in proposed By-law No. Z-5.245, the Council of the City of Fredericton, pursuant to Section 59(1) of the *Community Planning Act* hereby imposes the attached Terms and Conditions.**

**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-6.3 and By-law No. Z-5.245, by summary;**

**BE IT RESOLVED THAT the Council of the City of Fredericton hereby reads a summary of the by-laws as follows: The purpose of proposed By-law No. Z-6.3 and By-law No. Z-5.245 is to revise the land use designation and re-designate a portion of the property located on Saint Mary's Street (PID 01424258) from Established Neighbourhood to Commercial Centres and Corridors and rezone a portion of the property from Multi-Residential Zone Two (MR-2) to Commercial Corridor Zone Two (COR-2) in order to support future consolidation of that portion of PID 01424258 with the property at 402 Saint Mary's Street; 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