

Staff Recommendation for Council Resolution

Property: 50 Heather Way

Public Hearing, 1st Reading and 2nd Reading were completed on June 10, 2024

3rd Reading: June 24, 2024

Item:	Required: (Y/N)	Recommendation
Municipal Plan Amendment	No	
Zoning By-Law Amendment	Yes	That Common Council give 3rd reading to an Amendment to the Zoning By-Law which rezones a parcel of land having an approximate area of 9.15 hectares, located at 50 Heather Way, also identified as PID Numbers 55124358, 00456640, 00456657, 00456665, and 55190227, from Two-Unit Residential (R2) to Mid-Rise Residential (RM) .
Rescission of Previous s. 39/s. 59 Conditions	Yes	That Common Council rescind the Section 39 conditions imposed on the March 17, 2008, rezoning of the property located at 50 Heather Way, also identified as PID Numbers 00456640, 00456657, 00456665, 55190227 and 55124358.
Section 59 Conditions	Yes	<p>That Common Council, pursuant to the provisions of Section 59 of the <i>Community Planning Act</i>, impose the following conditions on the parcel of land having an area of approximately 9.15 hectares, located at 50 Heather Way, also identified as PID Numbers 00456640, 00456657, 00456665, 55190227, and 55124358:</p> <ul style="list-style-type: none"> (a) The development and use of the parcel of land be in accordance with detailed building elevation and site plans, prepared by the proponent and subject to the approval of the Development Officer, illustrating the design and location of buildings and structures, garbage enclosures, outdoor storage, driveway accesses, vehicle, and bicycle parking, loading areas, landscaping, amenity spaces, signs, exterior lighting, and other such site features; (b) That a landscaping plan(s) be prepared for the development by the proponent, for the approval of the Development Officer, demonstrating landscaping of the site and including the following elements:

		<ul style="list-style-type: none"> • Landscaping of the front yards of the proposed townhouse and multiple-unit buildings, which includes the planting of a minimum of one tree or shrub for every 45 square metres of required front yard, provided at least 50 percent of the required plants are trees. <p>(c) The above elevation, landscaping, and site plans be attached to the permit application for the development of the parcel of land.</p> <p>(d) If any municipal infrastructure improvements are required to service this proposal, it will be the owner/developer's full responsibility and cost to complete. Prior to determining this, detailed engineering plans and a design brief must be submitted by the owner/developer's engineering consultant to the City for review and approval by the City.</p> <p>(e) That the location of water and sanitary sewer main connections to existing infrastructure be subject to the approval of Saint John Water and Infrastructure Development.</p>
Section 59 Agreement	No	
Section 131 Agreement	No	
Other	Yes	<ol style="list-style-type: none"> 1. That Common Council assent to the submitted subdivision plan, in general accordance with the submitted subdivision plan, including any required Local Government Services Easements and Municipal Drainage Easements. 2. That Common Council accept money-in-lieu of Land for Public Purpose dedication in relation to the proposed subdivision. 3. That Common Council authorize the preparation and execution of one or more City/Developer Subdivision Agreements to ensure the provision of the required work and facilities, including any necessary temporary turnarounds.

