

### **Staff Recommendation for Council Resolution**

#### **500 Pelton Road (PID 55238471) – Municipal Plan Amendment and Rezoning**

Public Hearing, 1<sup>st</sup> and 2<sup>nd</sup> Readings were given on July 7, 2025

3<sup>rd</sup> Reading: July 28, 2025

Item:	Required: (Y/N)	Recommendation
Municipal Plan Amendment	Yes	That Common Council give 3 <sup>rd</sup> reading to By-Law Number C.P. 106-41 a Law to Amend The Municipal Plan of the City of Saint John.
Zoning By-Law Amendment	Yes	That Common Council give 3 <sup>rd</sup> reading to By-Law Number C.P. 111-204 a Law to Amend The Zoning By-Law of the City of Saint John.
Recission of Previous s. 39/s. 59 Conditions	Yes	That Common Council rescind the Section 59 conditions imposed on the April 6, 2021, rezoning of the property located adjacent to 2100 Sandy Point Road, also identified as PID Number 55238471.
Section 59 Conditions	Yes	<p>That Common Council impose the following conditions on land having an area of 8.46 hectares, located at 500 Pelton Road, also identified as PID Number 55238471 pursuant to section 59(1)(a)(ii) of the New Brunswick <i>Community Planning Act</i>:</p> <ul style="list-style-type: none"><li>a. The developer's obligation, at its own cost, to upgrade the existing municipal infrastructure required to service the proposal, which comprise the extension of water and sewer, and the restoration of the street;</li><li>b. Following the extension of municipal services on Sandy Point Road, the developer is to restore the east side of the street from the subject property to the Westmount Drive intersection to include an asphalted and delineated pedestrian walking surface;</li><li>c. All dwellings within the proposed development shall incorporate the use of a residential sprinkler system to the extent necessary for compliance with the National Building Code of Canada, Latest Edition which shall be reflected in all future Permit applications;</li></ul>

	No - (Optional)	d. That within 5 years of the date the rezoning came into effect, a building permit shall have been issued for one dwelling unit. If the building permit has not been issued, Council may take steps to cancel the resolution and repeal the rezoning pursuant to Section 59(5) and 59(6) of the <i>New Brunswick Community Planning Act</i> .
	No - (Optional)	e. There shall be no vehicular access to the development off Pelton Road. All vehicular access, including construction traffic, shall be from Sandy Point Road.
Section 59 Agreement	Yes	<ol style="list-style-type: none"> <li>1. That the City, upon third reading at Common Council, pursuant to the provisions of Section 59(6) of the Community Planning Act, cancel the existing agreement with the developer of the parcel of land having an area of approximately 8.57 hectares, located adjacent to 2100 Sandy Point Road, also identified as PID Number 55238471.</li> <li>2. That the City, upon third reading at Common Council, pursuant to the provisions of Section 59(1)(b) of the Community Planning Act, enter into an agreement with the developer of the parcel of land having an area of approximately 8.46 hectares, located at 500 Pelton Road, also identified as PID Number 55238471 respecting the following: <ol style="list-style-type: none"> <li>a. The developer's obligation, at its own cost, to upgrade the existing municipal infrastructure required to service the proposal, which comprise the extension of water and sewer, and the restoration of the street; and</li> <li>b. Following the extension of services on Sandy Point Road, the developer is to restore the east side of the street from the subject property to the Westmount Drive intersection to include an asphalted and delineated pedestrian walking surface.</li> <li>c. All dwellings within the proposed development shall incorporate the use of a residential sprinkler system to the extent necessary for compliance with the National Building Code of Canada, Latest Edition which shall be reflected in all future Permit applications.</li> </ol> </li> </ol>

Section 131 Agreement	Yes	That the City, upon third reading at Common Council, pursuant to the provisions of Section 131(1) of the <i>Community Planning Act</i> , discharge the existing agreement with the developer of the parcel of land having an area of approximately 8.57 hectares, located adjacent to 2100 Sandy Point Road, also identified as PID Number 55238471.
Other	No	