

Bylaw 31-2017 Map Amendment to Land Use Bylaw 6-2015 (Ward 6)

Owners: Balmoral Lands Ltd.
Applicant: Greg Mackenzie & Associates Consulting Ltd.
Legal: Lot 1, Block 2, Plan 872 1745; SE 21-52-23-W4
Location: South of Wye Road and West of Range Road 233
From: AG - Agriculture: General
To: RE - Estate Residential

Report Purpose

To give two readings to a bylaw that proposes to rezone Lot 1, Block 2, Plan 872 1745 consisting of approximately 2.37 hectares (5.86 acres) from AG - Agriculture: General to RE - Estate Residential in accordance with the Balmoral Heights Area Structure Plan (ASP).

Recommendations

1. THAT Bylaw 31-2017, a bylaw that proposes to rezone Lot 1, Block 2, Plan 872 1745 from AG - Agriculture: General to RE - Estate Residential in accordance with the Balmoral Heights ASP, be given first reading.
2. THAT Bylaw 31-2017, be given second reading.

Council History

April 21, 2015 – Council adopted Land Use Bylaw 6-2015 with an effective date of May 11, 2015.

March 10, 2015 – Council gave two readings to Bylaw 12-2015, which proposed to amend Land Use Bylaw 8-2001 to rezone Lot 1, Block 2, Plan 872 1745 consisting of approximately 2.37 hectares (5.86 acres) of land from AG - Agriculture: General to RE - Estate Residential in accordance with the Balmoral Heights ASP.

May 29, 2012 – Council adopted the Country Residential Area Concept Plan Bylaw 58-2011.

May 29, 2007 – Council adopted Municipal Development Plan (MDP) Bylaw 1-2007.

July 2, 2004 – Council adopted the Balmoral Heights Area Structure Plan Bylaw 27-2004.

July 10, 2001 – Council adopted Land Use Bylaw 8-2001.

Strategic Plan Priority Areas

Economy: The proposed amendment would facilitate additional residential development that would effectively and efficiently utilize existing infrastructure within the plan area.

Governance: The Public Hearing provides an opportunity for residents of Strathcona County to engage with Council by enabling the ability for residents to provide comment on the proposed rezoning bylaw prior to Council making a decision.

Social: The proposed amendment will help to build strong neighbourhoods and communities, as this amendment will provide the framework to develop additional residential options for County residents.

Culture: n/a

Environment: n/a

Other Impacts

Policy: SER-008-022 Redistricting (Map Amendment) Bylaws.

Legislative/Legal: The *Municipal Government Act (MGA)* provides that Council may, by bylaw, amend the Land Use Bylaw. This bylaw requires a public hearing.

Interdepartmental: The proposed amendment has been circulated to internal departments and external agencies.

Summary

The proposed amendment conforms to the Council adopted Balmoral Heights ASP and is in accordance with County regulations and policies. This site was identified within the staging concept of the ASP as the final stage. The proposed development will be accessed from Balmoral Point within Balmoral Heights. The concurrent proposed subdivision application is also in conformance with the ASP. Road right-of-way dedication requirements have been identified for the subject parcel to accommodate future Range Road 233 upgrades. Further, the development will be serviced by municipal water and sewer.

On March 10, 2015, Council gave two readings to Bylaw 12-2015, which proposed rezoning the same area as proposed Bylaw 31-2017 for the same intent. However, Section 188 (a) of the *MGA* specifies that previous readings of a proposed bylaw are rescinded if the proposed bylaw does not receive third reading within two years after first reading. Consequently, as third reading was not given to Bylaw 12-2015 by March 10, 2017 first and second readings of Bylaw 12-2015 have been rescinded.

The new Bylaw 31-2017 is proposed to replace expired Bylaw 12-2015 and will restart the mandated two-year timeframe for the bylaw to receive third reading. The landowner will be required to enter into a development agreement to address financial obligations prior to recommendation of third reading.

Communication Plan

Newspaper Ad, Letter

Enclosures

- 1 Bylaw 31-2017
- 2 Rural Location Map
- 3 Location Map
- 4 Air Photo
- 5 Rescinded Bylaw 12-2015
- 6 Notification Map