

Bylaw 9-2018 Map Amendment to Land Use Bylaw 6-2015 and Rescission of Two Readings of Bylaw 18-2017 (Ward 4)

Applicant:	MMM Group Limited
Owner:	Rohit Group of Companies
Legal Description:	Lot 1, Plan 892 0377 and Pt. of NW 13-53-23-W4
Location:	Located North of Highway 16 and east of Range Road 231
From:	AD - Agriculture: Future Development
To:	R1C - Single Detached Residential C R2C - Lane Specific Residential R2A - Semi-Detached Residential R3 - Low to Medium Density Multiple Residential R4 - Medium Density Multiple Residential PR - Recreation PU - Public Utilities PS - Public Service C1 - Community Commercial C5 - Service Commercial

Report Purpose

To provide information to Council to make a decision on first and second readings of a Bylaw that proposes to rezone approximately 43.53 hectares (107.57 acres) of land in Lot 1, Plan 892 0377 and Pt. of NW 13-53-23-W4 from AD – Agriculture: Future Development to R1C – Single Detached Residential C; R2C – Lane Specific Residential; R2A – Semi-Detached Residential; R3 – Low to Medium Density Multiple Residential; R4 – Medium Density Multiple Residential; PR – Recreation; PU – Public Utilities; PS – Public Service; C1 – Community Commercial and C5 – Service Commercial in accordance with the Cambrian Crossing Area Structure Plan (ASP).

Recommendations

1. That the following readings of Bylaw 18-2017 Map Amendment to Land Use Bylaw 6-2015 be rescinded:
 - First reading – April 25, 2017
 - Second reading – April 25, 2017
2. That Bylaw 9-2018, a bylaw that proposes to rezone approximately 43.53 hectares (107.57 acres) of land in Lot 1, Plan 892 0377 and Pt. of NW 13-53-23-W4 from AD – Agriculture: Future Development to R1C – Single Detached Residential C; R2A – Semi-Detached Residential; R2C – Lane Specific Residential; R3 – Low to Medium Density Multiple Residential; R4 – Medium Density Multiple Residential; PR – Recreation; PU – Public Utilities; PS – Public Service; C1 – Community Commercial and C5 – Service Commercial, be given first reading.
3. THAT Bylaw 9-2018, be given second reading.

Council History

September 5, 2017 – Council adopted Municipal Development Plan Bylaw 20-2017.

April 25, 2017 – Council gave two readings to Bylaw 18-2017, which proposed to amend Land Use Bylaw 6-2015 to rezone approximately 60.45 hectares (149.5 acres) of land from AD Agriculture: Future Development to R1C: Single Detached Residential C District, R2C:

Lane Specific Residential District, R2A: Semi-Detached Residential District, R3: Low Density Multiple Residential District, R4: Medium Density Multiple Residential District, PR: Recreation District, PU: Utilities, PS: Public Service, C1: Community Commercial, and C5: Service Commercial in accordance with the Cambrian Crossing ASP.

March 10, 2015 – Council adopted Land Use Bylaw 6-2015 with an effective date of May 11, 2015.

January 20, 2015 – Council gave two readings to Bylaw 5-2015, which proposed to amend Land Use Bylaw 8-2001 to rezone approximately 60.45 hectares (149.5 acres) of land from AD Agriculture: Future Development to R1C: Single Detached Residential C District, R2C: Lane Specific Residential District, R2A: Semi-Detached Residential District, R3: Low Density Multiple Residential District, R4: Medium Density Multiple Residential District, PR: Recreation District, PU: Utilities, PS: Public Service, C1: Community Commercial, and C5: Service Commercial in accordance with the Cambrian Crossing ASP.

March 25, 2014 – Council repealed Bylaw 37-2010 and adopted Bylaw 47-2013 the updated Cambrian Crossing ASP.

January 25, 2011 – Council adopted Bylaw 37-2010 the Cambrian Crossing ASP.

Strategic Plan Priority Areas

Economy: The proposed amendment would facilitate the ability to attract business and diversify the economy by adding opportunity for commercial and institutional development within Strathcona County.

Governance: The Public Hearing provides Council with the opportunity to receive public input prior to making a decision on the proposed Land Use Bylaw rezoning.

Social: The proposed amendment will help to build strong neighbourhoods and communities, as this proposed amendment would facilitate increased residential, commercial and institutional development to support the diverse needs of County residents.

Culture: n/a

Environment: n/a

Other Impacts

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

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

Interdepartmental: The proposed amendment has been circulated to internal departments and external agencies. No objections were received.

Summary

The proposed rezoning is consistent with the Council adopted Cambrian Crossing ASP and is in accordance with County policy and regulations. The subject area is identified within the ASP as the first stage of development within Cambrian Crossing.

On January 20, 2015, Council gave two readings to Bylaw 5-2015, which proposed rezoning of the subject area. However, Section 188 (a) of the *MGA* states:

The previous readings of a proposed bylaw are rescinded if the proposed bylaw does not receive third reading within two years after first reading.

As financial considerations to service the development area had remained unaddressed, the bylaw lapsed after the legislated two-year timeframe and previous readings of Bylaw 5-2015 were automatically rescinded on January 20, 2017.

Consequently, on April 25, 2017 Council gave two readings to Bylaw 18-2017 to replace the automatically rescinded readings of Bylaw 5-2015 and restart the two year timeframe.

However, as a result of the recent municipal election, Strathcona County Council does not consist of quorum required to consider third reading of Bylaw 18-2017. Consequently, previous readings given to Bylaw 18-2017 are proposed to be rescinded and replaced by two readings of proposed Bylaw 9-2018. This will allow current Council to hold a Public Hearing and consider first and second readings prior to the applicant continuing further with the concurrent subdivision application.

If currently proposed Bylaw 9-2018 receives two readings, consideration of third reading would not occur until such time that the landowner has entered into a Development Agreement to address the financial obligations for the construction of the municipal improvements required for the development.

Communication Plan

Newspaper Ad, Letter

Enclosures

- 1 Bylaw 9-2018
- 2 Urban location map
- 3 Location map
- 4 Air photo
- 5 Bylaw 18-2017 to be rescinded
- 6 Notification map