

**Bylaw 36-2021 map amendment to Land Use Bylaw 6-2015 (Ward 6)**

**Applicant:** Parm Kooner  
**Owner:** Balmoral Lands Ltd.  
**Legal Description:** Lot 1, Block 2, Plan 8721745; 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 provide information to Council to make a decision on first, second and third reading of a bylaw that proposes to amend Land Use Bylaw 6-2015 to rezone approximately 2.37 hectares (5.86 acres) in Lot 1, Block 2, Plan 872 1745 from AG - Agriculture: General to RE - Estate Residential in accordance with the Balmoral Heights Area Structure Plan (ASP).

**Recommendations**

1. THAT Bylaw 36-2021, a bylaw that rezones approximately 2.37 hectares (5.86 acres) in Lot 1, Block 2, Plan 872 1745 from AG - Agriculture: General Zoning District to RE - Estate Residential Zoning District, be given first reading.
2. THAT Bylaw 36-2021 be given second reading.
3. THAT Bylaw 36-2021 be considered for third reading.
4. THAT Bylaw 36-2021 be given third reading.

**Our Prioritized Strategic Goals**

Goal 1 - Build strong communities to support the diverse needs of residents  
Goal 7 - Provide opportunities for public engagement and communication

**Report**

Proposed Bylaw 36-2021 has been prepared in accordance with the Balmoral Heights ASP; and, along with the conditionally-approved subdivision for the subject lands, results in a total of 12 estate residential lots. The proposed development will be accessed from Balmoral Point within Balmoral Heights, and it is the final stage of development within the ASP.

On February 27, 2018, Council gave two readings to Bylaw 8-2018, which proposed rezoning the same area as proposed Bylaw 36-2021 for the same intent. However, Section 188(a) of the *Municipal Government Act* specifies that previous readings of a proposed bylaw are rescinded if the proposed bylaw does not receive third reading within two years after first reading.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as third reading was not given to Bylaw 8-2018 by February 27, 2020 the two readings of Bylaw 8-2018 have been rescinded.

**Council and Committee History**

February 27, 2018 Council gave two readings to Bylaw 8-2018, which proposed to amend Land Use Bylaw 6-2015 to rezone Lot 1, Block 2, Plan 872 1745 from AG - Agriculture: General to RE - Estate Residential in accordance with the Balmoral Heights ASP.

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

June 20, 2017	Council gave two readings to Bylaw 31-2017, which proposed to amend Land Use Bylaw 6-2015 to rezone Lot 1, Block 2, Plan 872 1745 from AG - Agriculture: General to RE - Estate Residential in accordance with the Balmoral Heights ASP within the Country Residential Policy Area of the MDP Bylaw 1-2007.
March 10, 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.
July 2, 2004	Council adopted the Balmoral Heights ASP Bylaw 27-2004.

**Other Impacts**

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

**Legislative/Legal:** The *Municipal Government Act* 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.

**Master Plan/Framework:** The Municipal Development Plan provides direction regarding rezoning in the Country Residential Policy Area.

**Communication Plan**

Newspaper advertisement, letters to adjacent landowners, website.

**Enclosures**

1	Bylaw 36-2021
2	Rural location map
3	Location map
4	Air photo
5	Rescinded Bylaw 8-2018
6	Notification map