



Legislation Text

File #: PH-19-002, Version: 1

TAMRMS#: B06

Bylaw 16/2018 - Erin Ridge North Area Structure Plan Amendment (2nd and 3rd Reading) Bylaw 41/2018 - 130 Element Drive North Redistricting (2nd and 3rd Reading)

Presented by: Tracy Tsui, Planner

RECOMMENDATION(S)

1. That the public hearing on Bylaws 16/2018 and 41/2018 be closed.
2. That Bylaw 16/2018 be read a second time.
3. That Bylaw 16/2018 be read a third and final time.
4. That Bylaw 41/2018 be read a second time.
5. That Bylaw 41/2018 be read a third and final time.

PURPOSE OF REPORT

The purpose of this report is to outline the proposed amendments to the Erin Ridge North Area Structure Plan (ASP) and Schedule A of the Land Use Bylaw 9/2005, as background information for Council in preparation for the mandatory public hearing prior to second reading of the amending bylaws 16/2018 and 41/2018.

BACKGROUND AND DISCUSSION

Please refer to the attachment entitled: *1st Reading Agenda Report (Previously Distributed December 3, 2018)*.

A proposed ASP amendment must be approved by the Edmonton Metropolitan Region Board (EMRB) before Council can pass the Amending Bylaw. The required referral to EMRB was done after first reading, and on January 25, 2019 the EMRB Administration issued a report (see attachment) recommending EMRB approval of the proposed ASP amendment. The issuance of that report triggered a 28-day period during which any other municipality in the Region could appeal the proposed ASP amendment to the Board itself. If no appeal is filed within the 28 day appeal period (i.e., by February 22, 2019) then the matter does not go to the Board and the EMRB Administration's recommendation stands as official EMRB approval with no further rights of appeal. Council is then free to conduct the public hearing and consider second and third readings of the amending bylaw.

At the date of submission of this Council Report the appeal period had not yet expired, but it will have expired by 5:00 p.m. on February 25, 2019 when the public hearing is scheduled to commence. If at that time there has been an appeal filed from the EMRB Administration recommendation, then Council will be asked to remove this item from the Agenda and postpone the matter until the EMRB has made a decision on the appeal.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

If Council does not wish to support the recommendations, the following alternative could be considered:

Defeat second and third reading of Bylaw 16/2018 and Bylaw 41/2018, which will have the following implications:

- The applicant cannot reapply within six months on this site for an ASP amendment or redistricting.
- The proposed residential development for a 70-unit townhouse will miss the 2019 building season.
- The applicant may still proceed with the approved Development Permit for a 57-unit townhouse.

Report Date: February 25, 2019

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Committee/Department: Planning & Development Department

Chief Administrative Officer: Kevin Scoble