



Legislation Text

File #: PH-20-006, **Version:** 1

TAMRMS#: B06

Public Hearing -- Bylaw 33/2019 MDP Amendment, Bylaw 32/2019 ASP Amendment, Bylaw 34/2019 LUB Schedule A Amendment - Erin Ridge North

Presented by: Suzanne Bennett, Planner, Planning & Development

RECOMMENDATION(S)

1. That the Public Hearing on Bylaws 33/2019, 32/2019, and 34/2019 be postponed to a date to be fixed by resolution of Council at a later time.

PURPOSE OF REPORT

This report presents a recommendation to postpone the public hearing on the amending bylaws in question, until the applicant is ready to proceed.

BACKGROUND AND DISCUSSION

Please refer to the following attachments:

- Previously Distributed December 16, 2019 Agenda Report - Bylaws 33/2019, 32/2019, and 34/2019 First Readings
- Previously Distributed - March 16, 2020 Agenda Report
- Previously Distributed - April 20, 2020 Agenda Report

The proposed amending bylaws received first reading on December 16, 2020 and were originally scheduled for public hearing on March 16, 2020. All required notices and advertising were in place for that public hearing to proceed. Shortly before that date the applicant advised the Planning and Development Department that they were not yet ready for Council to make a decision on their requested bylaw amendments. The Agenda for that Council meeting was therefore amended prior to its adoption to remove the public hearing on these bylaws, and accordingly the public hearing did not proceed at that time.

Some time after March 16, 2020 the applicant contacted Administration to advise that they were now ready to proceed to public hearing. By motion passed on April 20, 2020 Council set a new public hearing date of June 1, 2020. Again, all required notices and advertising were put in place to allow the public hearing to proceed on June 1, 2020. Then on May 21, 2020 the applicant again contacted Administration to advise that they were not in fact ready to proceed on June 1, 2020 and to seek Administration's support for a second postponement.

Fortunately, upon hearing from the applicant on May 21, 2020 there was still time to place a notice in the May 27, 2020 edition of the St. Albert Gazette and on the City website, advising the public that the applicant would be requesting a postponement of the public hearing on June 1, 2020. Considering the economic uncertainty that has resulted from the pandemic and the various measures to combat it, Administration has decided to recommend that this second postponement also be granted, until the applicant again requests that the public hearing proceed. The applicant advises that they are not at this time able to say when they will be ready to go to public hearing on these bylaws, hence the recommended motion leaves the scheduling of a third public hearing to a future time to be determined.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

If Council passes the recommended motion, Administration will advise the applicant that upon a third public hearing date being set, Administration will oppose any further request for postponement.

IMPLICATIONS OF RECOMMENDATION(S)

Financial:

There are off-site levies owing on the subject lands. Off-site levies are collectible at time of subdivision, and/or development permit application.

Legal / Risk:

No additional information may be considered by Council on this matter after the close of the public hearing.

Program or Service:

None at this time.

Organizational:

None at this time.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

If Council does not wish to accept that this public hearing be postponed again, the public hearing could proceed as scheduled on June 1, 2020.

Administration does not recommend this course of action primarily due to the circumstances around the COVID-19 pandemic and the uncertainty it has caused to the applicant as well as many other local businesses including land developers. Administration believes it would be appropriate to give the applicant one final opportunity to request another public hearing date on the understanding that when a third date is set, absent completely unforeseeable circumstances Administration would oppose a request by the applicant for yet another postponement.

Report Date: June 1, 2020

Author: Suzanne Bennett

Department: Planning & Development

Deputy Chief Administrative Officer: Kerry Hilts
Chief Administrative Officer: Kevin Scoble