



## Request for Direction: Business Redesignation

Electoral Division: 5

File: PL20210103 / 06513005

Date:	July 8, 2025
Presenter:	Logan Cox, Supervisor (Planning & Development)
Department:	Planning

### REPORT SUMMARY

The purpose of this report is to seek direction on an inactive redesignation application that has not progressed since Council referred the application back to Administration in June 2022.

Following the Public Hearing for Bylaw C-8204-2021 on June 14, 2022, Council carried the following motion:

*THAT Bylaw C-8204-2021 be referred back to Administration for the Applicant to prepare a conceptual scheme covering items listed under Policy 6.4.5 of the Balzac West Area Structure Plan with the addition of transportation, stormwater management, phasing, and servicing impacts and connections.*

Following this motion and over the subsequent years, Administration has repeatedly reached out to the Applicant and their agent seeking direction on the application and their timing to proceed. No responses were received until January 2025 when the Applicant's agent asked for a further two weeks to confirm direction with their client. No response was subsequently received.

Administration further reached out in March of 2025 giving a final deadline for direction on the application or the application would be closed due to inactivity. The landowner has since asked for the application to remain on hold as they are starting the process of obtaining a consultant to start a conceptual scheme. The Applicant's letter requesting the application remain open is included in Attachment A.

Administration is seeking Council direction on keeping the application on-hold pending submission of a conceptual scheme as nearly three years have passed since Council's original motion. Should the application remain on hold, no further application fees would be anticipated for the Applicant; however, Administration would not be able to meet Council's service delivery timeline. Further, as Bylaw C-8204-2021 was originally provided first reading on September 7, 2021, the Bylaw has been rescinded, in accordance with s. 188(a) of the *Municipal Government Act*, as third reading was not received within two years after first; therefore, a new public hearing and Bylaw would be required to permit the redesignation proposed in this application.

Administration recommends the application be refused at this time as no meaningful progress has been made since Council's decision on June 14, 2022, a new public hearing and bylaw will need to be drafted, and the process to review and evaluate the application will need to be restarted with the conceptual scheme submission. When the Applicant is ready to proceed with a conceptual scheme and redesignation of their lands, they can submit those applications to the County for review and processing.

Should Council wish to provide additional time for the Applicant to provide a conceptual scheme application they may wish to consider the motion in the Alternate Direction section of this report.

### ADMINISTRATION'S RECOMMENDATION

THAT application PL20210103 be refused.

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### BACKGROUND

#### Location (Attachment A)

Located approximately 1.00 kilometres (0.62 miles) north of the city of Calgary, 0.81 kilometres (0.5 miles) north of Highway 566, and on the west side of Highway 2, along Balzac Boulevard.



#### Site History (Attachment B)

On September 23, 2011, Council approved a redesignation of a portion of the subject lands from Recreation Business District to Direct Control District (DC 150) in order to create one  $\pm$  1.62 hectare ( $\pm$  4.00) acre lot.

On February 7, 2018, Council referred an application to redesignate portions of the subject lands from Direct Control District 150 (DC150) to Business-Highway Frontage (B-HF) and from Recreation Business District (B-4) to Business-Highway Frontage District (B-HF) back to Administration to allow for submission of a conceptual scheme. The Applicant did not progress with an application and the Bylaw rescinded in accordance with s. 188(a) of the *Municipal Government Act*, the application was closed due to inactivity.

On June 3, 2021, the subject application was submitted to the County. On June 14, 2022, Council heard the Public Hearing for the subject application, upon closure of the hearing Council referred the application back to Administration until such time as a conceptual scheme was submitted with the following motion:

*THAT Bylaw C-8204-2021 be referred back to Administration for the Applicant to prepare a conceptual scheme covering items listed under Policy 6.4.5 of the Balzac West Area Structure Plan with the addition of transportation, stormwater management, phasing, and servicing impacts and connections.*

### ANALYSIS

The County's Closing Inactive Planning Applications Administrative Policy A-300 determines an application to be inactive when the Applicant fails to demonstrate reasonable effort to move an application forward or when failure to respond to correspondence from the County for a period of 6 months or longer occurs. Administration is seeking Council's direction on whether the lack of progress on

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submission of a conceptual scheme application for the past several years warrants the refusal of the application for being inactive. Administration recommends Council refuse the application as meaningful progress on the application has not occurred.

Section 5 of Policy A-300 further highlights that “The County considers re-application as the best way to address inactive planning applications”. By refusing the application, this does not remove the ability for the applicant to re-submit their application when they are ready in the future. It will require submission of appropriate application submittals and the associated application fee, in accordance with the *Master Rates Bylaw* at the time of submission.

Should the application remain active, there is an associated administrative requirement to seek updates to the application and to maintain updated correspondence and information on the County’s project management software. Having applications on hold also creates uncertainty in proposals for the lands for surrounding landowners and the County.

In accordance with the *Master Rates Bylaw*, there is no refund applicable for this application should the landowner withdraw or be refused as the application was brought to Council for a decision on June 14, 2022. Partial refunds are available for applications processed but that have not proceeded to a stage where the Council report has been drafted.

## COMMUNICATIONS / ENGAGEMENT

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Consultation was conducted in accordance with statutory requirements and County Policy C-327 as part of the original Public Hearing notice prior to June 14, 2022.

## IMPLICATIONS

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### Financial

No financial implications identified at this time.

## STRATEGIC ALIGNMENT

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This report is an update to Council following past direction on the application.

## ALTERNATE DIRECTION

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THAT application PL20210103 be referred to Administration to continue to work with the Applicant on the application and for the Applicant to prepare a conceptual scheme covering items listed under Policy 6.4.5 of the Balzac West Area Structure Plan with the addition of transportation, stormwater management, phasing, and servicing impacts and connections.

## ATTACHMENTS

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Attachment A: Landowner Letter, dated April 24, 2025

Attachment B: June 14, 2022 Public Hearing Report

## APPROVALS

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Manager:	Dominic Kazmierczak, Executive Director, Community Services
Executive Director/Director:	Dominic Kazmierczak, Executive Director, Community Services
Chief Administrative Officer:	Reegan McCullough, Chief Administrative Officer