

## Section 5: Amendments

### 5.1 Purpose

- 5.1.1 Strathcona County Council may, from time to time, amend the text, schedules, or *Land Use Maps* to bring this *Bylaw* into conformity with the *Municipal Development Plan* or to respond to changing conditions or needs of Strathcona County and its residents and landowners.

### 5.2 Text Amendments

- 5.2.1 Any person may apply for an amendment to the text of this *Bylaw* by submitting the application fee required by the *Fees and Charges Bylaw* and a written statement to describe and justify the proposed amendment. This should include a statement describing the implications of the amendment because of its general application in those parts of Strathcona County where it would apply.

### 5.3 Map Amendments

- 5.3.1 County Council may initiate an amendment to the *Land Use Maps*, including a DC District.
- 5.3.2 Landowners in Strathcona County may apply to have their own land changed to another district.
- 5.3.3 An application for redistricting must be made in sufficient quantity as determined by the Strathcona County for circulation and review.
- 5.3.4 A completed application requires the following:
- a) completed application form;
  - b) current certificate of title and written authorization to act on behalf of the owner if submitted by an agent;
  - c) map showing the proposed change within the context of adjacent land;
  - d) written statement to describe and justify the proposal;
  - e) application fee required by the *Fees and Charges Bylaw* and advertising fee as determined from time to time by Strathcona County. Any advertising fee may be refunded if the application is withdrawn before submission public notice has been started;
  - f) permission for reasonable right-of-entry by a designated officer for inspection; and
  - g) any additional information Strathcona County may require, in order to prepare, evaluate, and make a recommendation concerning the proposed redistricting. This may include an analysis by a qualified professional of the potential effect on land use, traffic, environment, utilities, and other municipal services and facilities if the amendment proposes a change increase in density or intensification or change of use. This impact report may be required to address the following:
    - (i) consistency with the *Municipal Development Plan* and other statutory plans or policies adopted by Strathcona County;
    - (ii) public transit and traffic impact in terms of daily and peak hour trip generation and assignments;

- (iii) requirements for drainage, water, sewage and other utilities and infrastructure relative to available or future capacities;
- (iv) compatibility with surrounding areas in terms of land use (including the use, enjoyment, and value of adjacent lots), function, and scale of development and potential effects on stability and rehabilitation of the area;
- (v) geotechnical evaluation of the site to confirm slope stability; appropriate top of bank setbacks and site suitability for on-site septic sewage disposal;
- (vi) assessment of effect on environmentally significant areas;
- (vii) assessment of effect on community services and facilities such as schools, parks, recreation, fire protection, and health;
- (viii) assessment of effects on the natural environment including potential mitigative measures;
- (ix) staging, implementation schedule, and duration of construction for any proposed development;
- (x) municipal land, right of way or easement requirements; and
- (xi) any known concerns and opinions of area residents, landowners, adjacent municipalities, and affected stakeholders regarding the application.

5.3.5 Strathcona County may consider a redistricting without all the above requirements if it is of such a nature that a decision can be made without some of the required information.

## **5.4 Notification Signs**

5.4.1 The applicant for redistricting shall post a notification sign on the site within 14 days of making the application.

5.4.2 All required notification signs must have a sign face at least 1.2 m by 1.2 m and be in a format and lettering size approved by Strathcona County. The sign must indicate the present district; the proposed district; a general description of the uses which could be developed under the proposed district, together with a notice that the description is not exhaustive; the maximum permitted height, density, and floor area ratio if applicable; the site area; Strathcona County's project file number; and giving the phone number of Strathcona County for further information.

5.4.3 A redistricting sign must be placed clearly visible from the fronting road approximately 3.0 m inside the property line. The signs must be located so as not to interfere with pedestrian or vehicular traffic or obstruct visibility from roads, lanes, or driveways.

5.4.4 A redistricting sign must be capable of withstanding weather and installed and maintained in a sound workmanlike manner and shall remain in place until Council's public hearing, or the redistricting is abandoned. All signs shall be removed within 7 days of the completion of County Council's public hearing.

## **5.5 Review Process**

- 5.5.1 Upon receipt of a completed application for a text amendment or redistricting, a Strathcona County may undertake an investigation and analysis of the potential effects of the proposed change.
- 5.5.2 The analysis should be based upon the full development potential of the uses and development regulations specified in the proposed district and not only on the merits of any particular development proposal. The analysis may, among other things, consider the issues listed in Section 5.3.4.
- 5.5.3 Strathcona County may refer any application for proposed amendment to any municipal, provincial, or federal department or any other agency or body.
- 5.5.4 Strathcona County should circulate a proposed map amendment that does not conform to a statutory plan to adjacent municipalities and provincial and federal government land and resource agencies within 1.6 km of the area proposed for amendment.
- 5.5.5 Strathcona shall advise applicants for non-agricultural map amendments in or within 100 m of agricultural areas about the potential impacts on their proposed development from existing or future agricultural development in the vicinity. For purposes of this section, agricultural areas are defined as those areas shown on the *Municipal Development Plan* as Agricultural Area, Agricultural/Large Rural Residential Area, and Lakeland Area.
- 5.5.6 A report should be forwarded along with recommendations and comments to Council.

## **5.6 Notification of Hearing**

- 5.6.1 Where a public hearing is required by the *Municipal Government Act* on a proposed amendment to this *Bylaw*, notice of the public hearing shall be mailed or otherwise delivered by Strathcona County to the owners of all parcels which are the subject of the proposed amendment, any abutting or adjacent parcels, or parcels within 100 m from the area that is the subject of the proposed amendment.
- 5.6.2 Where additional parcels may be affected by a text amendment or redistricting, Strathcona County may require that the public hearing notice pursuant to Section 5.6.1 shall be mailed or otherwise delivered to the owners of such parcels.

## **5.7 Review by County Council**

- 5.7.1 County Council will review the report and recommendations and may:
- a) request further information;
  - b) approve the proposed text amendment or redistricting as proposed;
  - c) approve the proposed text amendments or redistricting with modifications within the scope of the limitations of the *Municipal Government Act*; or
  - d) refuse the proposal.

## **5.8 Resubmission Interval**

- 5.8.1 Where an application for an amendment to this *Bylaw* has been refused by Strathcona County, another application for the same or substantially the same amendment shall not be considered within one year of the date of the refusal unless County Council otherwise directs.