

Planning and Development Services

Sturgeon County

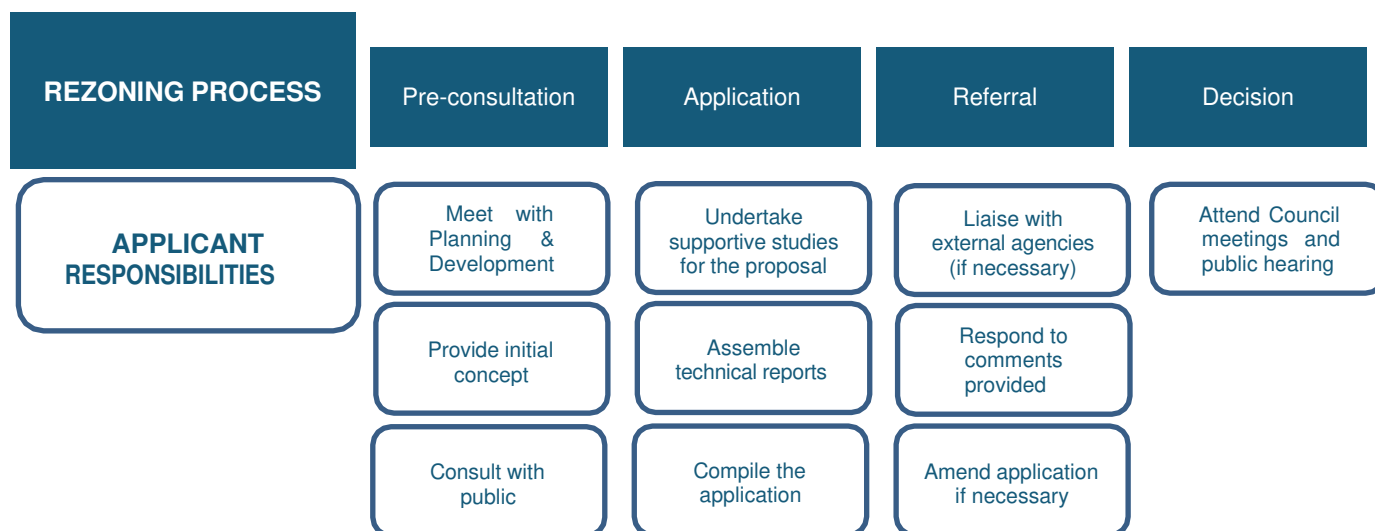
Land Use Bylaw (LUB)

Amendment (Rezoning) Application Package



LUB Amendment (Rezoning) Application Process: What to Expect?

Submission of a LUB Amendment Application (also called a Rezoning application) is a complex, public procedure which requires three readings of a bylaw and a public hearing. The timeline to process an application will vary depending on the scale and complexity of the proposal. Any delays in providing requested information will affect timelines.



STEP 1: PRE-CONSULTATION

Meet with Planning & Development Services: Before submitting an application, meet with Planning and Development Services to discuss initial considerations. It is not uncommon for a series of meetings to occur within this process, as discussions with other departments provide multi-disciplinary input into this process. The applicant should prepare for the following:

- ☐ Meetings with Planning and Development Staff.
- ☐ Administration Input: Various Sturgeon County departments provide multi-disciplinary insight for the applicant to consider and address, including identification of what documents/studies are required as part of the application (e.g. Traffic Impact Assessment, Geotechnical Report, etc.)
- ☐ Regional Considerations: Provide perspective about the Edmonton Metropolitan Region Growth Plan and Land Use Framework.
- ☐ Funding and Levy Contributions: Administration will highlight the application fees and levy contributions that may apply.

Committee of the Whole: After the initial pre-consultation meeting(s) have occurred, and if no Area Structure Plan or Outline Plan has been approved for the subject property, the applicant may request a meeting with County Council at Committee of the Whole (COW) – an informal meeting where the applicant can address Council to provide and receive information in a public forum.

Public Consultations: The applicant must demonstrate understanding of public considerations. It is advisable to undertake public consultation *before* submitting a LUB amendment/rezoning application and incorporating the findings of the consultation and any mitigating measures as part of the application package.

The public consultation should preferably take the form of an open house at a set date, time, and location. Advertising the event should at least entail the delivery of a notice of the event to all affected landowners in the vicinity of the subject property. (Administration will give guidance on which landowners should be involved and provide the contact addresses of these landowners.) In addition, depending on the scale of the proposed amendment/rezoning, an advertisement should be placed in a local newspaper.

At the event, the applicant should:

- ☐ Present the proposal and lead the discussion
- ☐ Be able to speak to the specifics of the proposal
- ☐ Record contact details of attendees
- ☐ Ensure that feedback from the public is accurately recorded and provided to the County.

STEP 2: APPLICATION PROCESS

After initial dialogue with Planning & Development Services has occurred, the applicant should submit the required materials identified during the pre-consultation meeting(s). Planning & Development Services will then review the application package to determine if the components are complete and to an acceptable standard. When the application is deemed complete, the application fee will be processed and the referral process will commence. The application package should comprise of the following:

- ☐ Amendment/Rezoning Application (Include Letter of Intent)
- ☐ Technical Supporting Documents
- ☐ Land Title Certificate(s)/Ownership Information
- ☐ Application Fee

STEP 3: REFERRAL

Internal and Outside Agency Referral: After Steps 1 and 2 are complete, the LUB Amendment/Rezoning Application Package and supportive technical documents are circulated to various Sturgeon County departments and applicable external agencies (e.g. Alberta Transportation, Alberta Environment, neighboring municipalities, oil and gas companies, etc.) – requesting comments to be provided within 1 month. Planning and Development Services will monitor the status of agency responses, advise applicant(s) accordingly and call a meeting if necessary to deal with any challenges/issues.

Amend, as required: After the referral process is complete, the applicant will address any feedback received. Note that additional information and technical reports may be required as a result of this referral process and if significant changes are necessary, recirculation may be required.

STEP 4: DECISION PROCESS

Once Step 3 has been completed (including resolving any challenges/issues), Planning & Development Services will prepare a “Request for Decision” for Sturgeon County Council to review as they consider giving First Reading to the proposed bylaw. Note: For the application to become adopted as a bylaw, all three readings must occur.

First Reading:

First reading is presenting the application to council for the first time and allows for a public hearing to be scheduled to gather feedback from affected parties.

Public Hearing:

If Council gives first reading, Planning & Development Services will arrange a public hearing, at which time any stakeholders will have the opportunity to provide comments. The public hearing will be advertised for two weeks in a local newspaper and notices sent to landowners within the vicinity of the affected parcel (Please note that a \$2,000.00 Advertising and Notification Fee will be applied at this time). When the public hearing is held, the applicant may make a presentation and address any concerns raised at the public hearing – and thereafter address, if necessary, in the LUB Amendment Application.

Second Reading:

After the public hearing, Planning & Development Services will bring the proposal back to Council for further consideration at second reading.

At this time, a summary of the public hearing and how any challenges have been addressed will be discussed. Council can then:

- a. give second reading or,
- b. *not* give second reading to the bylaw, effectively refusing the proposal.

Third Reading:

In some circumstances, Council may opt to give both second and third reading at the same Council meeting – particularly for applications of a smaller scope/impact. Otherwise, if the plan has been reviewed and approved by the Edmonton Metropolitan Region Board (if applicable), the proposal will come back to Council once again for consideration of third (final) reading. As per the Municipal Government Act, *If all three readings are not given within 2 years, the proposal becomes void, and must be re-initiated.* Hence, Council can:

- a. give third reading and the bylaw (i.e., the proposed bylaw is approved) or,
- b. *not* give third reading to the bylaw, effectively rejecting the proposal.

LUB Amendment Application Package

Refer to the following checklist to ensure all relevant information is included:

☐ **Application**

The application must be completed in *full* to be processed.

☐ **Letter of Intent**

A letter of intent will describe the rationale behind the proposed rezoning and will include details such as the type of uses, operations of the land, buildings required, how many people will use the land, whether servicing is required, hours of operation, parking requirements, etc. Try to state why this application makes sense, what value it brings to the County, and how impacts will be mitigated for neighbors.

☐ **Detailed Land Use Concept – Site Plan**

Include a site plan that clearly shows the proposed area to be rezoned, outline all existing buildings, proposed new buildings, a parking plan, access & egress points, etc.

☐ **Land Title Certificate**

A *current* certificate of title of the property being rezoned (searched within 30 days) must be included. If the parcel is titled to a company name, you will also be required to provide a Corporate Registry. These documents can be obtained at any Provincial Registry Office or online at www.spin.gov.ab.ca.

☐ **Application Fee**

The non-refundable application fee - \$5,000.00 (\$6,000.00 for Direct Control Districts)
(\$2,000.00 Advertising and Notification Fee)

☐ **Presence or Absence of Abandoned Oil & Gas Wells**

Include a map from the Alberta Energy Regulator which verifies whether the property has an abandoned oil and gas well located on it. Visit <http://www.aer.ca> and refer to the *Alberta Energy Regulator Abandoned Well Map Viewer*.

☐ **Additional Information**

Provide any additional studies outlined by the Planning Officer (ex. Environmental Site Assessment, Geotechnical Report, Traffic Impact Assessment), and any caveats, right-of-way plans, etc. referenced on the Land Title Certificate.

SUBMITTED DOCUMENTATION IN SUPPORT OF APPLICATION:

- ☐ Supporting Technical Reports
- ☐ Environmental Site Assessments
- ☐ Geotechnical Investigation
- ☐ Infrastructure Servicing Report
- ☐ Traffic Impact Assessment
- ☐ Outline Plan
- ☐ Other – please specify

Drawings/Maps Submission Standards

Professionally completed digital drawing. Scaled drawings must contain:

- Plan Boundaries
- North Arrow (facing up)
- Consistent (and referenced) Scale
- Legend
- Local landmarks used as identifiers (i.e., rivers, major roads, communities, etc.)

Date Accepted

Office Use Only

Receipt Number:

Application Fee:

File Number:

This form is to be completed in full (wherever applicable) by the registered owner of the land, the subject of the application, or by an authorized person acting on his behalf.

General Information

Name of registered owner(s) of land to be rezoned:

Address:

Postal Code

Telephone:

Email:

Authorized person(s) acting on behalf of registered owner:

Address:

Postal Code:

Telephone:

Email:

LEGAL LAND DESCRIPTION AND AREA OF PROPERTY TO BE AMENDED/REZONED

All/part of the ¼ Sec. Twp. Range West of the Meridian
Lot Block Plan Land Title No.

Total parcel size as found on the certificate of title hectares (acres)

Option 1) Rezoning Amendment

From the zoning district of:

To the zoning district of:

Option 2) Technical/Site-Specific

Amendment applied for:

Applicant's Authorization

I/We, _____ being the registered owner(s) of lands legally described as:

All/part of the _____ ¼ Sec. _____ Twp. _____ Range _____ West of the _____ Meridian

Lot _____ Block _____ Plan _____

Municipal Address _____

do hereby authorize _____

to make a Land Use Bylaw amendment/rezoning application affecting the above noted property.

Dated this _____ day of _____, 20 _____

Signature of Registered Landowner

Signature of Registered Landowner

Abandoned Oil and Gas Wells – Process for Amendment/Rezoning Applications

Applicants must search for abandoned wells on the subject property. Along with this application, you must submit:

☐

The **map** from the Alberta Energy Regulator website identifying the location(s) or confirming the absence of any abandoned oil and gas wells within the property on which the application is proposed.

This information can be obtained by either:

Contacting the Energy and Environmental 24-hr Response Line at 1-855-297-8311 (toll free) **Or** Online using the Abandoned Well Map Viewer at:

<https://extmapviewer.aer.ca/AERAbandonedWells/Index.html>

In accordance with the Alberta Regulation 160/2012 and the amendment application process, complete below.

I, We _____ hereby declare that

Full name in block capitals

☐

I **do not** have an abandoned well site(s) on my subject property, and I have reviewed the information from the AER.

OR

☐

I **do** have an abandoned well site(s) located on my property and I must meet the requirements as set out in the AER's Directive 079. <https://static.aer.ca/prd/documents/directives/Directive079.pdf>

Signature of Registered Landowner

Signature of Registered Landowner

Right of Entry Authorization

Owners consent to the Right of Entry by an authorized person of Sturgeon County for the purpose of a land site inspection relative to a proposed amendment/rezoning application.

Section 542(1) of the Municipal Government Amendment Act stipulates that:

"If this or any other enactment of a by-law authorizes or required anything to be inspected, remedied, enforced or done by a municipality, a designated officer of the municipality may, after giving reasonable notice to the owner or occupier of land or the structure to be entered to carry out the inspection, remedy, enforcement or action.

(a) enter such land or structure at any reasonable time and carry out the inspection."

In accordance with this Section and the County's amendment/rezoning application requirements, it is necessary that this form be completed and returned with your application submission.

I/We,

grant consent for an authorized person of Sturgeon County to enter upon the property for a site inspection and evaluation regarding the proposed amendment/rezoning.

Indicate any safety issues or special concerns on your property (i.e. guard dog):

Dated this day of , 20

Signature of Registered Landowner

Signature of Registered Landowner



Registered owner(s) or person acting on his behalf

I, We hereby certify that

Full name in block capitals.

☐

I am the registered owner, or

☐

I am the agent authorized to act on behalf of the registered owner
(If acting on behalf of the Landowner, include the signed authorization form)

And that the information given on this amendment/rezoning application package is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for amendment/rezoning approval.

I/We grant consent for an authorized person of Sturgeon County to communicate information electronically as per Section 608 (1) of the Municipal Government Act, R.S.A. 2000., c.M-26

Signature of Registered Landowner

Signature of Registered Landowner

Access to Information Act Disclaimer

Please be advised that any information provided to Sturgeon County (the "County") in order to process your application is subject to the application of the Access to Information Act (ATIA) and may be used and disclosed in accordance with the legislation. Specifically, all documents and studies required to be prepared and submitted by the applicant to the County are deemed to be publicly available and the property of the County once they are submitted to the County to process the application. Unless the submitting party explicitly indicates, in advance and clearly on the face of the record, that certain parts of the information are provided in confidence to the County and are to remain confidential, all documents and studies submitted to the County may be subject to disclosure under the ATIA. If confidentiality is required, it is the responsibility of the submitting party to clearly mark such records as Confidential and provide written rationale for the request. Should the applicant provide the County with such a declaration of confidentiality, the County will take this under consideration to determine if the document and/or study can be accepted in confidence; however, the County cannot guarantee that such information will remain confidential and will not be subject to disclosure pursuant to the ATIA.

LAND USE BYLAW AMENDMENT APPLICATION FEE INFORMATION

Credit Card Information:Visa: ☐MasterCard: ☐

CARD NUMBER:	EXPIRY DATE: MONTH, YEAR
NAME THAT APPEARS ON THE CARD:	
SIGNATURE OF CARDHOLDER:	