

## **FIVE: Amending the Bylaw**

### **Section 27: Bylaw Amendments**

- 27.1 Town Council may amend this Bylaw pursuant to the provisions of the Municipal Government Act.
- 27.2 Any person may apply to amend this Bylaw pursuant to the provisions of the Municipal Government Act and the requirements of the Land Use Bylaw.

### **Section 28: Contents of an Amendment Application**

- 28.1 An application to amend this Bylaw shall be made to the Town on the prescribed form, and shall be signed by the applicant or his agent authorized in writing. The following information and documents will accompany the application:
- 28.1.1 A written statement of the reason for the request to amend the Bylaw including a statement describing the implications of the amendment;
  - 28.1.2 The required application fee.
  - 28.1.3 If the amendment involves the rezoning of land to a different land use district, the following is also required:
    - (a) A copy of the current Certificate of Title for the lands affected, or any other documentation satisfactory to the Development Authority verifying that the applicant has a legal interest in the land;
    - (b) If the applicant is an agent of the landowner, a letter from the landowner verifying the agent's authority to make the application;
    - (c) Permission for right of entry by the Development Officer or a designated officer of the Town; and
    - (d) A properly dimensioned map indicating the affected site and its relationship to existing land uses on adjacent properties;
  - 28.1.4 Such additional information as the Development Officer may require to properly evaluate and to make recommendations to Council concerning the proposed amendment.
- 28.2 Council may require, prior to considering a proposed amendment to this Bylaw, that a developer prepare an Area Structure Plan in accordance with the Municipal Government Act or an Outline Plan in accordance with the Municipal Development Plan.

## Section 29: The Amendment Process

- 29.1 The amendment application may be referred by the Development Officer to:
- 29.1.1 Any Town Department for review and comment:
    - (a) Any external agency for comment and advice;
    - (b) The Municipal Planning Commission for consideration and recommendation to Council; and
    - (c) Council for first reading and to establish a date for a public hearing to be held prior to second reading.
- 29.2 In accordance with the Municipal Government Act, and after the date for a public hearing has been set by Council, a notice of the application shall be published once a week for two consecutive weeks in a newspaper circulating in the Town. This notice shall contain:
- 29.2.1 The legal description of the land;
  - 29.2.2 The purpose of the proposed amendment;
  - 29.2.3 The one or more places where a copy of the proposed amendment may be inspected by the public during reasonable hours;
  - 29.2.4 The date, place, and time that Council will hold a public hearing on the proposed amendment;
  - 29.2.5 An outline of the procedures to be followed by anyone wishing to be heard at the public hearing; and
  - 29.2.6 An outline of the procedures by which the public hearing will be conducted.
- 29.3 If the amendment involves the rezoning of land to a different land use district, a notice shall also be communicated in writing to the owner(s) of the subject land, and to all adjacent landowners.
- 29.4 Council, after considering: any representations made at the public hearing; and the Municipal Development Plan, and any area structure plan or area redevelopment plan affecting the application and the provisions of this Bylaw; may make such changes as it considers necessary to the proposed amendment, if any, and proceed to pass the proposed amendment, or defeat the proposed amendment.
- 29.5 Where an application for an amendment has been refused by Council, the Town shall refuse to accept another application on the same land for the same or similar purpose until six (6) months have passed from the date of such refusal.
- 29.6 If deemed necessary, the Town may initiate an amendment to this Bylaw without the landowner's consent.