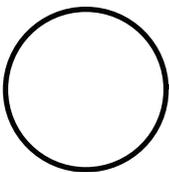
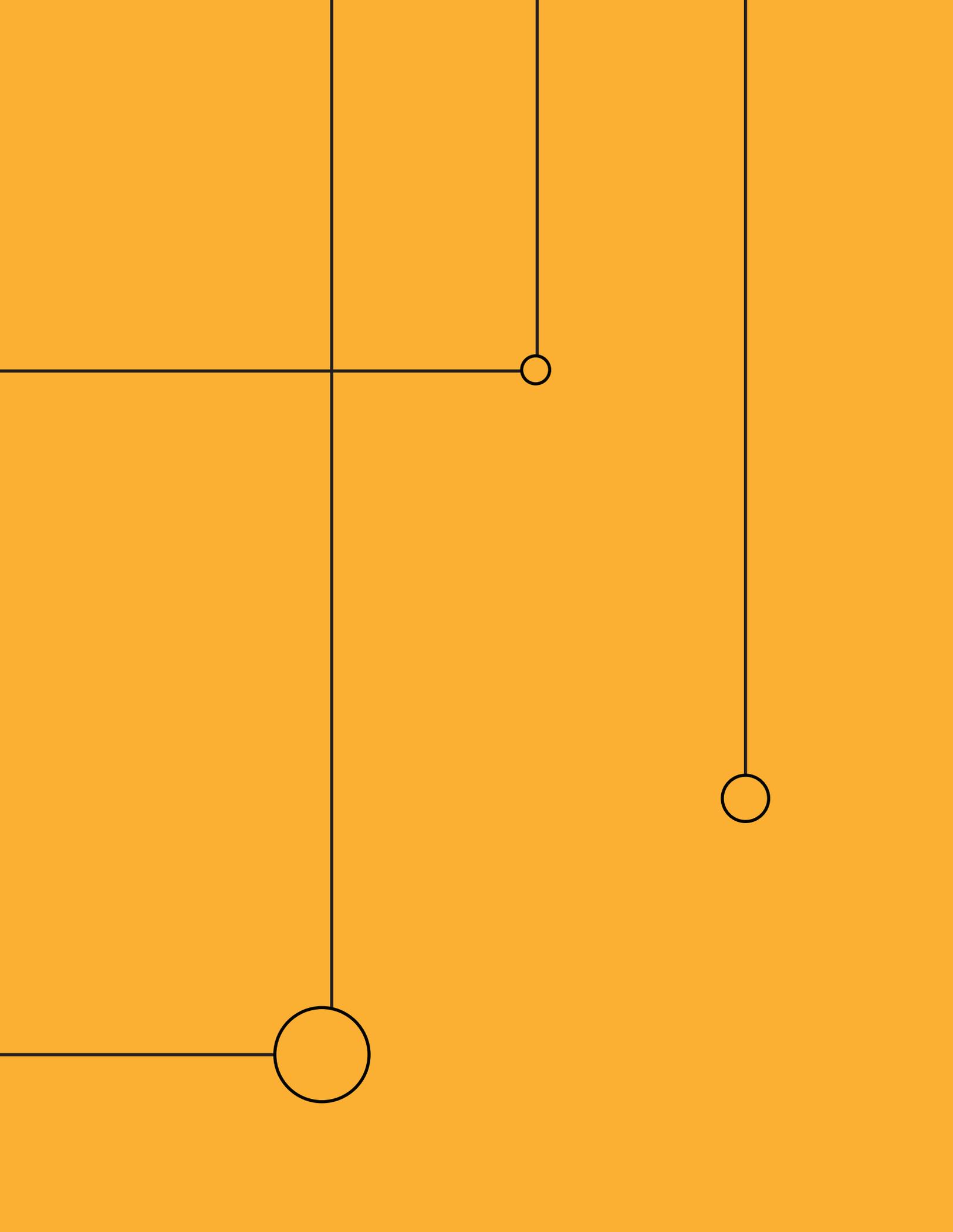


# REZONING INFORMATION PACKAGE

○ FEBRUARY 2015





PUBLISHING INFORMATION

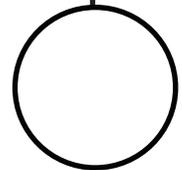
TITLE  
Rezoning Information Package

AUTHOR  
Planning and Development

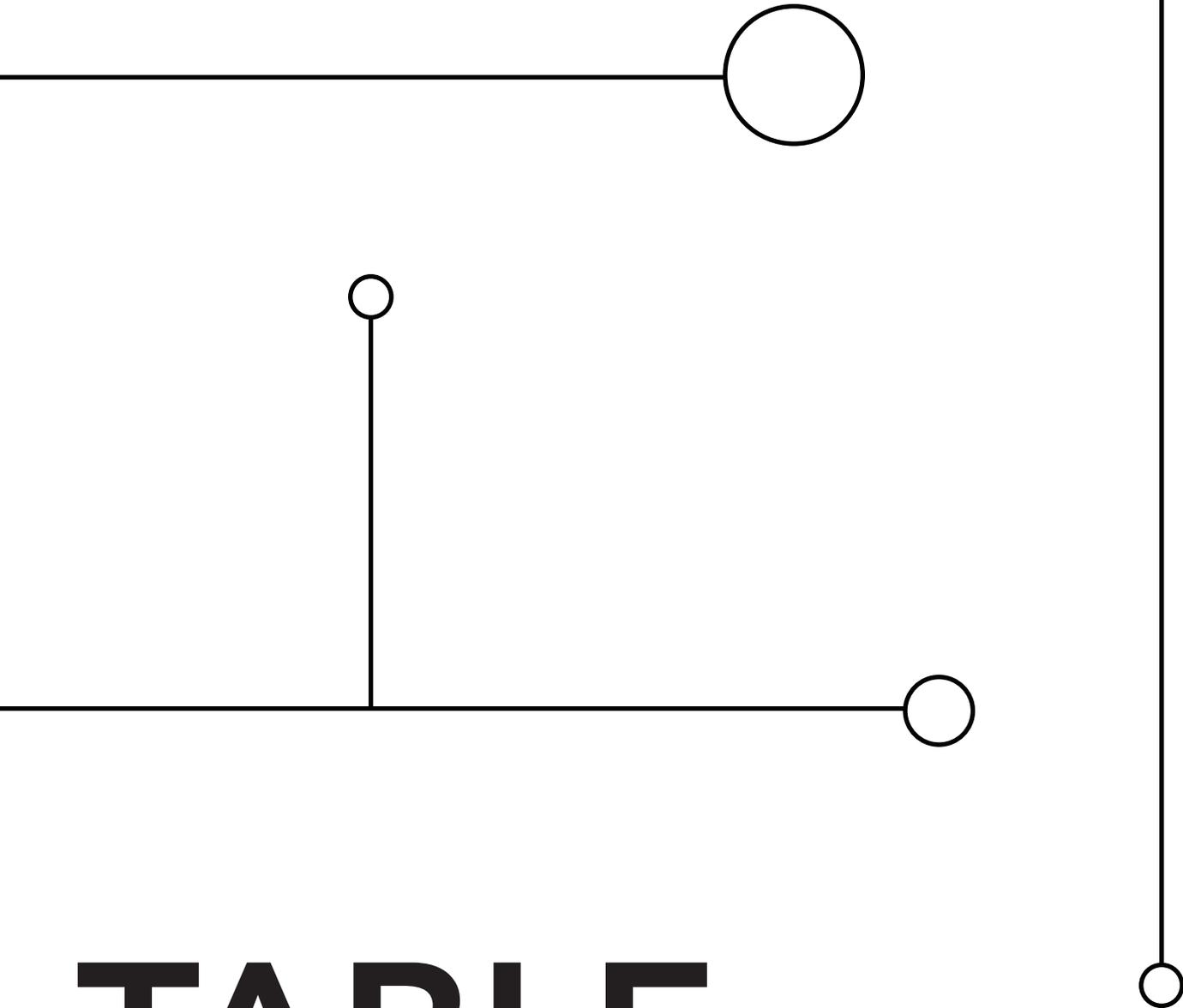
STATUS  
Final (February 2015)

ADDITIONAL COPIES  
Planning and Development Department  
Lac La Biche County | McArthur Place, 2nd Floor  
Box 1679 | 10307 - 100 Street  
Lac La Biche, Alberta | T0A 2C0

Phone (780)-623-1747  
Fax (780)-623-2039



Lac La Biche County provides this information in good faith but it provides no warranty, nor accepts any liability from any incorrect, incomplete or misleading information or its improper use. No part of this material may be reproduced or used in any form by any means, electrical or mechanical, including photocopying, or transmitting of by an information storage or retrieval system, without acknowledgment of this policy report.



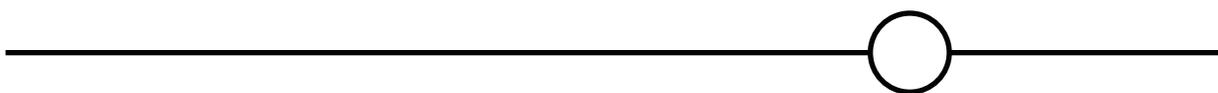
**TABLE**

**OF**

**CONTENTS**



<b>1.0</b>	Purpose .....	6
<b>2.0</b>	What is Zoning? .....	6
<b>3.0</b>	Who Can Apply to Rezone Land? .....	6
<b>4.0</b>	The Land Use Bylaw .....	6
<b>5.0</b>	How Can the Land Use Bylaw be Changed? .....	7
	5.1 Text Amendments .....	7
	5.2 Redistricting Amendment .....	7
<b>6.0</b>	The Rezoning Process .....	8
	6.1 County Timelines for Decision .....	8
	6.2 Application Review .....	8
	6.3 Notification of Public Hearing .....	9
	6.4 Amendment Review by Council .....	9
	6.5 Land Use Bylaw Amendment Standstill Provision .....	9
<b>7.0</b>	Minimum Application Requirements .....	11
	7.1 Completed Application Form .....	11
	7.2 Agent Authorization .....	11
	7.3 Right of Entry Form .....	11
	7.4 Rezoning Plan .....	12
	7.5 Certificate of Title .....	13
	7.6 Application Fee .....	13
	7.7 Area Structure Plan (If Required) .....	13
	7.8 Engineered Reports (If Required) .....	14
	7.9 Additional Information .....	14
	<b>Figure 1</b> The Rezoning Process .....	10
	<b>Figure 2</b> Example of Site Plan .....	15
	<b>Table 1</b> Rezoning Fee Schedule .....	13



## 1.0 PURPOSE

This document will outline what rezoning is, and the steps involved in the rezoning process. It should give clear direction to anyone interested in rezoning land.

Lac La Biche County Council may, from time to time, amend the text, schedules, or Land Use District Maps to match the Land Use Bylaw with the Municipal Development Plan (MDP). Council might also change them in response to market conditions or the needs of Lac La Biche County residents and landowners.

## 2.0 WHAT IS ZONING?

Zoning is the division of land into districts, which decide how those districts might be used. Zoning should separate incompatible uses from each other.

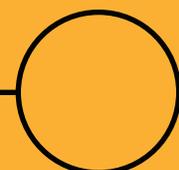
All of the land within Lac La Biche County is zoned for a particular use. Zoning is part of the County's Land Use Bylaw, which is approved by County Council.

## 3.0 WHO CAN APPLY TO REZONE LAND?

Only the person(s) who are the registered owner(s) of the land to be rezoned can apply for rezoning. However, the registered owner(s) may appoint an authorized agent to act on their behalf.

## 4.0 THE LAND USE BYLAW

The Land Use Bylaw regulates the use and development of parcels of land. All municipalities are required to adopt a Land Use Bylaw. The Land Use Bylaw divides the municipality into Land Use Districts, setting permitted or discretionary uses for each district. The bylaw establishes development standards within each district, and provides a system for issuing development and subdivision approvals.



## 5.0

### HOW CAN THE LAND USE BYLAW BE CHANGED?

A map or text amendment can add or subtract information on a map or from the text of the bylaw. For example, an amendment might add another use to an established land use district.

Rezoning is required when a proposed development cannot be allowed because the current land use (zoning) district does not allow for that particular development, land use, parcel size, or density. The applicant or land owner can submit an application to amend the Land Use Bylaw.

#### *5.1 TEXT AMENDMENTS*

Any person may apply for a text amendment to the Land Use Bylaw by submitting an application fee and a written rationale for the proposed text amendment. Council can make a text amendment to the Land Use Bylaw by directing Lac La Biche County's Development Authority to prepare a written application.

Written submissions for text amendments must include a statement outlining the proposed impacts of the amended bylaw text on land uses and developments in Lac La Biche County. The Development Authority will process the application, then refer it to Council for approval.

#### *5.2 REDISTRICTING AMENDMENT*

Any person may amend the Land Use District Maps in the Land Use Bylaw by submitting an application fee and a written rationale for the proposal. Council can make an amendment to the Land Use District Maps in the Land Use Bylaw by directing the Development Authority to prepare an application. The Development Authority will process the application, then refer it to Council for approval.



## 6.0 THE REZONING PROCESS

If a development permit proposal cannot be approved because it does not conform to the Land Use Bylaw, Council may amend the bylaw. An amendment to the Land Use Bylaw must be made with an amending bylaw according to the Municipal Government Act (MGA).

If the proposed amendment does not conform with other bylaws, the Development Authority will let applicants know that an amendment must be made to other bylaws before or at the same time as amending the Land Use Bylaw.

A staff report and recommendation is prepared and forwarded to Council for decision. Council must hold a public hearing before giving a second reading of a Land Use Bylaw amendment, as required of Section 692 of the MGA. This process is described below and illustrated in Figure 1.

### 6.1 COUNTY TIMELINES FOR DECISION

A decision can take three to four months. There is no legislated time frame within which Council must consider amendment applications. However, each amendment requires at least two Council meetings, during which a notice must be given and a public hearing held. Depending on the amendment's complexity, more time may be necessary to prepare staff reports. Council's decision on proposed amendments to the Land Use Bylaw or statutory plans is final.

### 6.2 APPLICATION REVIEW

After receiving a complete rezoning application, the Development Authority will send a written notice of the application to each assessed owner of land, adjacent to, or wholly or partially within a minimum distance of 60.0 m (196.9 ft.) of the site's boundaries. The Development Authority may increase the distance at its discretion, depending on the nature of the rezoning application.

The Development Authority will evaluate the potential impacts of the proposed amendment to this bylaw, including all potential uses. Lac La Biche County may need to refer to an application to municipal, provincial, or federal departments, or another agency.

An applicant may be required to submit an Area Structure Plan (ASP) or Area Redevelopment Plan (ARD) for the County's approval before applying. A report including recommendations will be forwarded to Lac La Biche County Council for review and decision.



### **6.3 NOTIFICATION OF PUBLIC HEARING**

Where a public hearing is required (Section 606 of the MGA), the bylaw amendment is advertised once a week for two consecutive weeks in a local newspaper. A notice can also be mailed to every resident in the affected areas. Notifications are sent three days after approval. In addition, for a Land Use Bylaw amendment changing a land parcel's designation, notice must be given to that owner, the owner of adjacent lands (within 60.0 m of the site of the proposal), or a neighbouring municipality (if applicable).

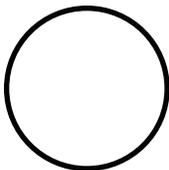
### **6.4 AMENDMENT REVIEW BY COUNCIL**

Council will review the land use amendment application. After reviewing it, Council can:

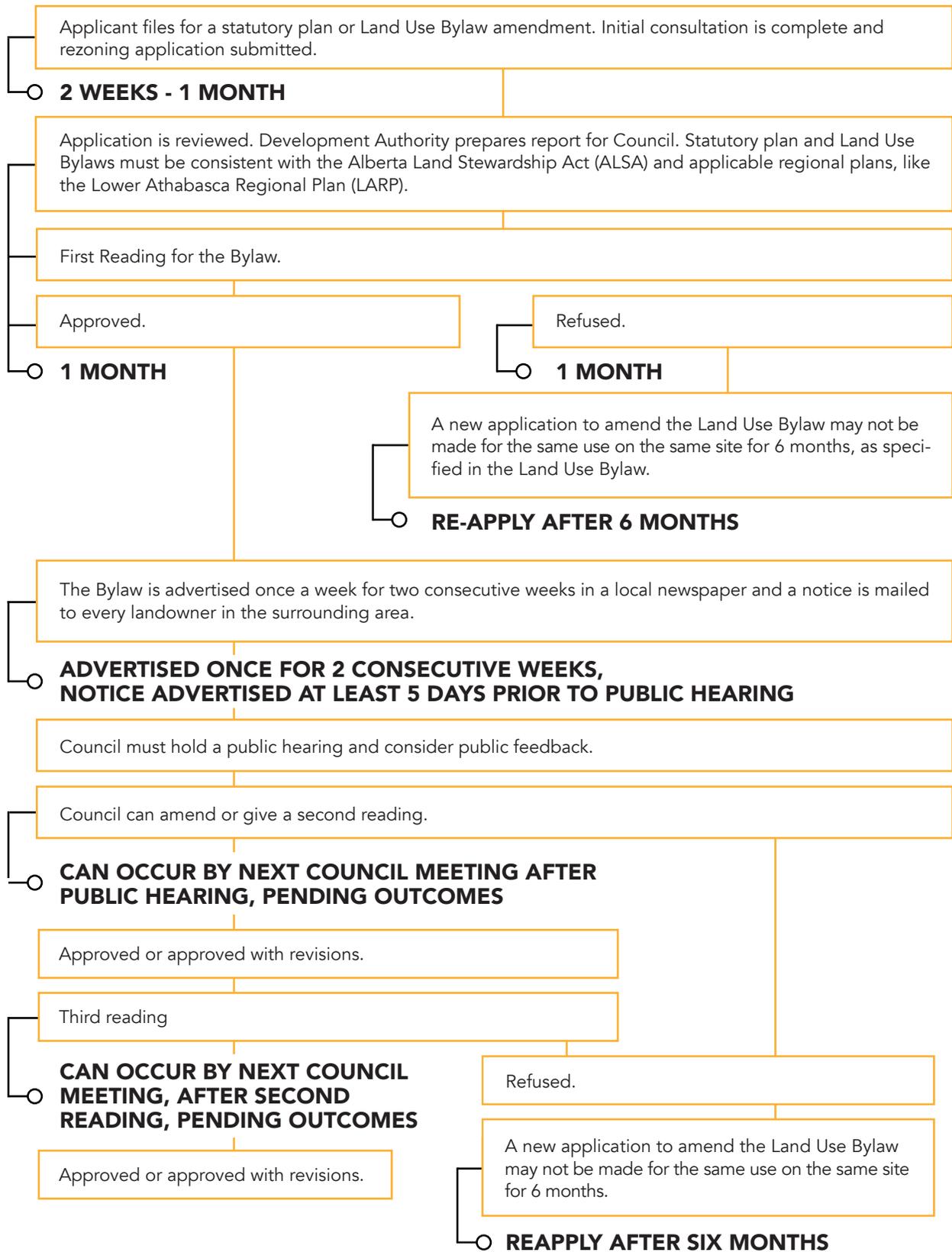
- *approve the proposed text amendment or redistricting as proposed;*
- *approve the proposed text amendments or redistricting with changes; request more information; or*
- *refuse the proposal.*
- *Following a public hearing, during the same meeting, Council may proceed with second and third readings on any amendments to the Land Use Bylaw.*

### **6.5 LAND USE BYLAW AMENDMENT STANDSTILL PROVISION**

When an amendment is refused, a similar application to amend the Land Use District on the same lot or the same sections of the Land Use Bylaw's text cannot be submitted until at least six (6) months after the refusal's date, unless directed by Council.



# REZONING INFORMATION PACKAGE



**Figure 1** The Rezoning Process

## 7.0 MINIMUM APPLICATION REQUIREMENTS

All applications for amendment must be made to the Development Authority for processing, and referred to Council using an application form. The County provides this form.

### 7.1 COMPLETED APPLICATION FORM

The application form has a number of sections. It must include:

- *registered owner information and authorization (see 7.2) and Right of Entry Form (see 7.3). If an agent is acting on behalf of an owner, the agent and registered owner (s) must sign the application;*
- *a copy of the current Certificate of Title;*
- *the existing and proposed use of the land to be subdivided, and the land's current classification under the Land Use Bylaw (available from the County);*
- *copies of all agreements registered against the land - including restrictive covenants or caveats registered by the municipality, and any other documents the Development Authority requires to verify that the applicant has a legal interest in the land; and*
- *a properly-measured map marking the property to be amended, its relationship to existing land uses within a one (1.0) km radius of the boundaries of the property, key geographic or natural features, and abandoned wells documentation.*

### 7.2 AGENT AUTHORIZATION

An agent may be appointed to act on behalf of the registered owner of the land to be subdivided. Although anyone can be appointed, an authorized person is usually an Alberta land surveyor, planning consultant, or lawyer. Regardless, land cannot be subdivided without consent of the registered owner(s).

### 7.3 RIGHT OF ENTRY FORM

You must grant permission for County staff or appointees to inspect the land being subdivided on the right of entry form by completing the Lac La Biche County application for rezoning. This form must be completed and signed by the registered owner(s) or authorized person acting on behalf of the registered owner(s).



## 7.4 REZONING PLAN

The application must be accompanied by a rezoning plan. It must show the relationship between the land being subdivided, neighboring lands, and a site plan. A site plan for the land being subdivided and the proposed subdivision is to be drawn at a 1:5,000 metric scale. The template is available from the County.

The template must be clearly labeled (see Figure 2) and include:

- *front, side and rear yards, outlines of the exterior walls on all buildings, north point;*
- *legal description of the site and adjacent lots (by lot, block, subdivision and registered plan), roads, rights-of-way, easements, floodplains, top of bank, and watercourses within or abutting the lot;*
- *location of existing and proposed municipal and private local improvements, main building and other structures, including accessory buildings, garages, carports, fences, driveways, paved areas, and major landscaped areas (including buffering and screening areas);*
- *the grades of the adjacent streets, lanes, and sewers servicing the property; the lowest finished floor elevation in either the basement or main floor in the main and accessory buildings;*
- *setbacks for existing and proposed development from areas of steep slope, top of bank from any watercourse, or identified high water mark of any water body, and the location of oil and gas wells, or pipelines and facilities.*

## 7.5 CERTIFICATE OF TITLE

One copy of the current Certificate of Title will be required. Titles are available from your local Alberta Registries office. There is a charge for the title search.

## 7.6 APPLICATION FEE

The application for subdivision must be accompanied by a payment outlined in the fee schedule (see Table 1). Cheques should be made payable to Lac La Biche County.

<b>FEE DESCRIPTION</b>	<b>PRICE</b>
LUB Amendments	\$1000
IDP Amendments	\$1000
MDP Amendments	\$1000
ASP Amendments	\$1000
ARD Amendments	\$1000
New ARDs/ASPs	\$2000

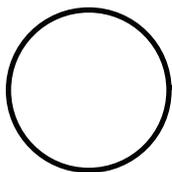
**Table 1** Rezoning Fee Schedule



### 7.7 AREA STRUCTURE PLAN (IF REQUIRED)

You may need to create a minor area structure plan before rezoning an area. A minor ASP prepared under Policy 3.1.2 of the MDP ("Area Structure Plans Required") should:

- conform with the MDP, other statutory plans, any applicable non-statutory documents, and the LUB;
- outline the sequence of development proposed for the area;
- propose land uses and densities for the area;
- explain the impact on adjacent land uses and the environment;
- describe how the development will connect with the County's transportation network. This should include analysis of on-site and off-site traffic impacts, with an estimate of roadway upgrading that may be required as a result of the development;
- show how the proposed development will retain trees and environmental features like watercourses, wetlands, wildlife corridors, and historical resources;
- integrate natural areas into the design of developments. They should link with the integrated parks and open space system. They should also retain forests, wildlife corridors, wetland areas, and stormwater ponds to form continuous open spaces;
- address natural and manmade hazards that may impact the development. Any detailed scientific or engineering analysis that may be required by the County should be undertaken by qualified technical professionals with all costs paid by the developer;
- propose methods of water supply, stormwater management and sewage disposal, with report requirements contained in Policy 3.1.10 of the MDP ("Supporting Report");
- identify the work that will be required to extend franchise utilities service to the site;
- provide space for municipal and environmental reserves;
- plan for buffers from agricultural land uses, railways, major roadways, industrial and commercial development and any other incompatible land uses; and
- identify pipeline corridors.



# REZONING INFORMATION PACKAGE

## 7.8 ENGINEERED REPORTS (IF REQUIRED)

Lac La Biche County may require an analysis by a qualified professional - registered in Alberta - on the potential impact of land use, the environment, utility services, municipal facilities, and transportation networks, especially if the amendment to the bylaw will increase density or intensify land use.

## 7.9 ADDITIONAL INFORMATION

Additional information may be required, including:

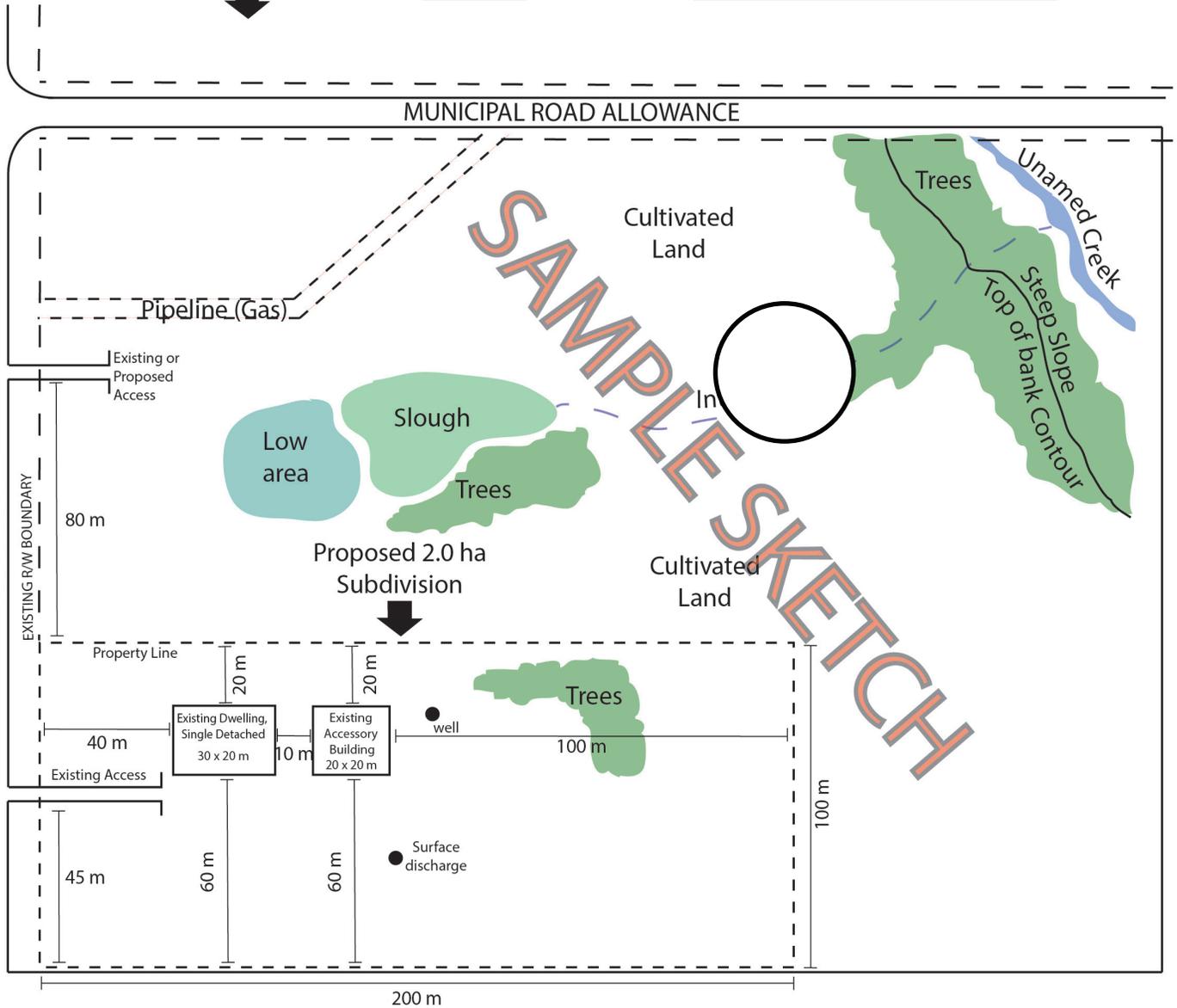
- *a stormwater management plan, which must be approved by Alberta Environment, for any subdivision of 5 lots or more;*
- *an environmental site assessment, environmental impact assessment, historical resource impact assessment from Alberta Culture Community Resources Department,*
- *a biophysical assessment, and a traffic impact assessment (if required by request of Alberta Transportation);*
- *a geotechnical report (regarding near-surface shallow water table tests, percolation tests for sewage disposal, potable water supply and steep slope evaluation);*
- *a site servicing report (to outline how services will be supplied, like water/sewer, gas, power, and phone);*
- *an off-site parking plan, master sign plan, landscape plan, and reclamation plan;*
- *a hydrological report and flood plain impact study; and*
- *abandoned wells documentation.*

EXAMPLE



**Tentative Rezoning Plan**  
**For the NW 1/4 - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ W4M**  
**Or Lot \_\_\_\_\_, Block \_\_\_\_\_, Plan \_\_\_\_\_**

Scale: \_\_\_\_\_ Date: \_\_\_\_\_



**Figure 2** Example of Site Plan

