



# LAND USE BYLAW AMENDMENTS

## What Is a Land Use Bylaw Amendment?

The Town of Ponoka Land Use Bylaw is the guiding plan that regulates the use and development of land within the Town. The Land Use Bylaw sets out various land use districts, which are used to manage the development which is acceptable on private and public land. A land use bylaw amendment is the process of changing the land use district for a parcel of land.

Through the same process an application can be made for a textual amendment to the Land Use Bylaw. A textual amendment is the change of requirements, regulations, exemptions or wording within the Land Use Bylaw. As an example, a textual amendment application may be made to add a previously restricted use to a district.

### Why Are Amendments Made?

Often an amendment application is made to allow for the use of land in a manner that was previously restricted.

### Who Can Apply for an Amendment?

Only those who are the registered owners of the land can apply for a Land Use Bylaw Amendment. However, an authorized agent may be appointed to act on their behalf.

### Who Decides on an Amendment?

Decision on a Land Use Bylaw amendment application is made by the Town Council. Land Use Bylaw amendments may be approved, refused or referred back to administration and postponed to a future Council date.

## Application Requirements

The following items will be required to apply for a Land Use Bylaw amendment:

- A completed land use bylaw amendment application which includes:
  - A description of the use(s) proposed for the land
  - The reason(s) for the application
  - Applicant, owner and land information
- A current Certificate of Title for the land to be rezoned
- The application fee as approved by the Town
- Map or plan showing the location, boundaries and dimensions of the subject parcel(s)
- Letter of authorization (including all property owners registered on title)

Additional information may be required upon review of the application.

## Land Use Bylaw Amendment Process

### Circulation

Upon receiving a complete Land Use Bylaw amendment application all affected or potentially affected parties are provided an opportunity to find out about the proposed changes and provide feedback or comments. This is done by circulation of the proposed amendment to various referral agencies and adjacent landowners. Comments received by Development Services shall be provided to Council for their review.

## First Reading

After circulation is complete and comments have been received, the proposed bylaw is submitted to Council for first reading. This is usually an introduction where Council determines if they wish to proceed further in the process with the proposed bylaw. Approval of first reading does not mean approval of the proposed bylaw.

## Notification of Public Hearing and Proposed Amendment

Following first reading notification of the designated public hearing date and time will be advertised for 14 consecutive days in a newspaper that circulates the Town notifying the public.

## Public Hearing

During the public hearing a presentation is held informing Council of the details regarding the proposed bylaw. Following the presentation the applicant will be allowed to speak to the proposal. At this point the chair of the meeting will provide an opportunity for the public to speak regarding the proposed bylaw. A question period then follows where Council may ask administration or others for further details.

## Second and Third Reading

Second and third reading usually takes place immediately following the public hearing. This is where Town Council makes the decision on the proposed bylaw.

## Overview of the Process

1. Circulation of the land use bylaw amendment application.
2. Council votes on first reading of the bylaw and establishes a date for public hearing.
3. Public hearing is advertised prior to being held.
4. Public hearing is held to allow for discussion and comments.
5. Council votes on second and third reading of the bylaw.

## When Does the Decision Take Effect?

An approval takes effect immediately upon receiving third reading from Council. If the application is refused by Council, another application on the same land may not be submitted for the same or similar amendment again for 6 months. There is no appeal process for a Land Use Bylaw amendment decision.

## How Long Does the Process Take?

Typically, a Land Use Bylaw amendment application may take 8 to 10 weeks to fully complete the process. However, the Town cannot guarantee a specific timeline for a Land Use Bylaw amendment as each application is unique. Some factors that may impact the time to render a decision include, but are not limited to:

- The application being tied to another application such as a subdivision or area structure plan. In some cases it may be required for an area structure plan to be approved before the Land Use Bylaw amendment application may be considered.
- Missing or incomplete information submitted at the time of application.
- Scheduling of Council meetings and deadlines for agenda preparation.

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## More Questions?

Further information may be obtained by contacting the Development Services Department through the contact information below. For all requirements, restrictions and exemptions, please consult the Land Use Bylaw which may be downloaded from the Town of Ponoka website: <https://www.ponoka.ca>

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Please note: This information sheet has no legal status and cannot be used as an official interpretation of the various bylaws, codes and regulations currently in effect. The Town of Ponoka accepts no responsibility for persons relying solely on this information.