



APPLICATION FOR A LAND USE BYLAW OR STATUTORY PLAN AMENDMENT

Town of Vulcan, Box 360, Vulcan, AB T0L 2B0 – admin@townofvulcan.ca – Phone 403-485-2417 – Fax 403-485-2914

Owner

Name: _____ Mailing Address: _____
 Phone: _____ Fax: _____ E-mail: _____

Applicant

Name: _____ Mailing Address: _____
 Phone: _____ Fax: _____ E-mail: _____

Applicant interest (if not owner): Agent Contractor Other _____

Property Information

Municipal Address: _____

Legal Description: Lot(s) _____ Block _____ Plan _____

Proposed Amendment:

- Land Use Redesignation
 Current Land Use Designation: _____ Proposed Land Use Designation _____
- LUB Text Amendment
- MDP Amendment
- ASP Amendment
- Other Statutory Plan _____

If amendment is for anything other than a land use redesignation, provision of information outlining the proposed change and reasons for the proposed change to be attached to this form.

Additional information may be required to support the application.

Applicable application fee to accompany application.

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts and in relation to the application. I consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

 Applicant

 Registered Owner (or attach letter of Authorization)

NOTE: This information is being collected under the authority of the Town of Vulcan Land Use Bylaw and will be used to process the application. Information may be used to provide statistical data. The information is protected by the provisions of the Freedom of Information and Protection of Privacy Act. If you have any questions about the collection of information, please contact the Town of Vulcan F.O.I.P.P. Coordinator at 403-485-2417.

SECTION 47 PENALTIES AND RIGHT OF ENTRY

- 47.1 Any person who contravenes any provision of this bylaw is guilty of an offence in accordance with Part 13, Division 5, Offences and Penalties of the *MGA* and is liable to a fine of not more than \$10,000 or to imprisonment for not more than one year or to both fine and imprisonment.
- 47.2 In accordance with section 542 of the *MGA*, a Development Officer may, after giving reasonable notice to and obtaining consent from the owner or occupier of land upon which this bylaw or *MGA* authorizes anything to be inspected, remedied or enforced or done by a municipality:
- (a) enter on that land at a reasonable time and carry out inspection, enforcement, or action authorized or required by the enactment or bylaw;
 - (b) request anything to be produced to assist in the inspection, remedy, enforcement or action; and
 - (c) make copies of anything related to the inspection, remedy, enforcement or action.
- 47.3 If a person refuses to grant consent or refuses to produce anything to assist in the inspection, remedy, enforcement or action referred to in section 542 of the *MGA*, the municipality under the authority of section 543 of the *MGA* may obtain a court order.

AMENDMENTS

SECTION 48 AMENDMENTS TO THE LAND USE BYLAW

- 48.1 Any person or the Town may initiate amendments to the Town of Vulcan Land Use Bylaw by submitting an application to the Development Officer.
- 48.2 All applications for amendment shall be submitted using the applicable form in Appendix A, and be accompanied by any additional information, as deemed necessary by the Development Officer to process the application.
- 48.3 The Development Officer may refuse to accept an application if, in their opinion, the information supplied is not sufficient to make a proper evaluation of the proposed amendment.
- 48.4 All applications shall be referred to the Municipal Planning Commission for their recommendation prior to forwarding to Council.
- 48.5 The Development Officer shall forward an application to Council for consideration when satisfied that sufficient information has been provided with the application.
- 48.6 Public hearing and notification requirements shall be in accordance with section 692 of the *MGA*.

- 48.7 Where an application for an amendment to the Town of Vulcan Land Use Bylaw has been refused by Council, another application that is the same or similar in nature shall not be accepted until at least 12 months after the date of refusal.
- 48.8 Where an application has been significantly changed, Town Council may accept an application prior to the end of the 12-month period specified in subsection 48.7.

SECTION 49 LAND USE REDESIGNATION APPLICATION REQUIREMENTS

- 49.1 A request for redesignation from one land use district to another shall be accompanied by:
- (a) a completed application form and the applicable fee;
 - (b) a copy of the certificate of title for the lands, dated not more than 60 days prior to the date on which the application was made;
 - (c) a narrative describing the:
 - (i) proposed designation and future uses(s);
 - (ii) consistency with the applicable statutory plans;
 - (iii) compatibility of the proposal with surrounding uses and zoning;
 - (iv) development potential/suitability of the site, including identification of any constraints and/or hazard areas (e.g. easements, soil conditions, topography, drainage, flood hazard area, steep slopes, etc.);
 - (v) availability of facilities and services (sewage disposal, domestic water, gas, electricity, fire and police protection, schools, etc.) to serve the subject property while maintaining adequate levels of service to existing development;
 - (vi) any potential impacts on public roads; and
 - (vii) any other information deemed necessary by the Development Officer or Council to properly evaluate the proposal;
 - (d) conceptual lot design, if applicable;
 - (e) a geotechnical report addressing the following, but not limited to:
 - (i) slope stability,
 - (ii) groundwater,
 - (iii) sewage,
 - (iv) water table, and
 - (v) flood hazard analysis,if deemed necessary by the Development Officer or Council;
 - (f) an evaluation of surface drainage which may include adjacent properties, if deemed necessary by the Development Officer or Council; and
 - (g) any other information deemed necessary by the Development Officer or Council to properly evaluate the application.

- 49.2 An Area Structure Plan or Conceptual Design Scheme shall be required in conjunction with a redesignation application when:
- (a) redesignating land from Transitional Agriculture – AT to another district;
 - (b) redesignating annexed land to a district other than Transitional Agriculture – AT, except where an approved Area Structure Plan or Conceptual Design Scheme defines land use designation(s) for the proposed development area, or unless determined otherwise by Council.
- 49.3 An Area Structure Plan or Conceptual Design Scheme may be required in conjunction with a redesignation application involving:
- (a) industrial development,
 - (b) large-scale commercial development,
 - (c) multi-lot residential development resulting in the creation of more than five lots or which has the potential to trigger capacity upgrades or expansion of infrastructure, or
 - (d) as required by Council.

SECTION 50 REDESIGNATION CRITERIA

- 50.1 When redesignating land from one land use district to another, Council considerations shall include the following:
- (a) compliance with applicable standards and provisions of the Town of Vulcan Land Use Bylaw;
 - (b) consistency with the Municipal Development Plan and any other adopted statutory plans;
 - (c) compatibility with adjacent uses;
 - (d) development potential/suitability of the site;
 - (e) availability of facilities and services (sewage disposal, domestic water, gas, electricity, police and fire protection, schools, etc.) to serve the subject property and any potential impacts to levels of service to existing and future developments;
 - (f) cumulative impact to the Town;
 - (g) potential impacts on public roads;
 - (h) setback distances contained in the Subdivision and Development Regulation;
 - (i) supply of suitably-designated land;
 - (j) public comment and any applicable review agency comments; and
 - (k) any other matters deemed pertinent.