

### 3.10 AMENDMENTS TO THE BY-LAW AND REZONINGS

- 3.10.1 Council may initiate an amendment to the *Zoning and Development By-law* to change the text of the by-law or to Rezone a property without the authorization of the Owner(s) of land(s) involved in the Rezoning, provided that the proposed amendment obtains the support of Council and complies with the general intent and purpose of the *Official Plan*. If the proposed amendment is contrary to the policies in the *Official Plan*, an amendment to the *Official Plan* must be filed in-conjunction with the by-law amendment.
- 3.10.2 A person who seeks to Rezone a parcel of land, or to otherwise have this by-law amended, shall submit an application that includes such information as may be required by the Development Officer for the purpose of adequately assessing the desirability of the proposal, and if the application is for a Rezoning it shall include:
- a. Sufficient funds to cover the cost associated with processing the application;
  - b. A legal description and a plot plan, or a survey plan, accurately showing the location of the property or properties to be Rezoned;
  - c. The names and addresses of the Owner of the property and, if the applicant is not the Owner, a statement as to the applicant's interest in the property;
  - d. Drawings to illustrate any proposed Building(s) for the Lot in a detailed concept plan with a floor plan and elevations for the Building(s) and a detailed site plan showing the location of the Building(s) on the Lot and any required Landscaped Areas; and
  - e. Such other information as deemed necessary by the Development Officer to evaluate the proposal.
- 3.10.3 Before amending the regulations of this by-law or rezoning any parcel of land, Council shall conduct a public meeting to receive the views and opinions of the public and the applicant. Council may, for reasons that are in the best interests of the City, reject a proposed amendment to this by-law without public notice and without referral to a public meeting, but if an application goes to a public meeting, then Council shall determine the disposition of the application and the applicant may not be allowed to withdraw the application after the public meeting.
- 3.10.4 Before a Rezoning is heard at a public meeting, the Development Officer shall:
- a. Provide written notice by ordinary mail advise all Affected Property Owners within 100 m (328.1 ft) of the boundaries of the subject Lot through notification in writing at least seven (7) calendar days prior to the public meeting, of the date of the public meeting; and
  - b. Ensure that the notice identifies the subject Lot and describes the Rezoning application and the date by which written objections must be received.
  - c. Publish a notice in not less than two issues of a newspaper circulating in the City with the first notice at least seven (7) calendar days prior to the public hearing date.
  - d. Post a copy of the notice in at least one (1) conspicuous place on the subject Lot at least seven (7) calendar days prior to the date fixed for the public meeting.
- 3.10.5 When an application for a text amendment to this by-law or a Rezoning has been lawfully denied, the same or a similar application shall not be reheard by Council within one (1) year of its rendering a decision unless:
- a. New material facts or evidence not available at the time of the initial order or decision have come to light; or
  - b. A material change of circumstances has occurred since the initial order or decision.
- 3.10.6 A notice in writing shall be sent to the applicant within seven (7) calendar days of the Council decision stating if the application is successful, and if not successful, stating the appeal process available to the applicant.

3.10.7 Where there is a proposed amendment to the text of this by-law that does not entail Rezoning, all procedures in this subsection shall be followed except that the procedure for notification of Affected Property Owners shall not apply.