



CITY OF

Lethbridge

Land Use Re-designation Process (Rezoning)

Introduction

Land Use Redesignation (or rezoning) is an important process, as a change in land use can significantly alter what a land owner can do with their property. A change in land use can also have major impacts on the surrounding adjacent lands, as well as affect the lives of neighbouring residents. It is important that this public process is adhered to closely, so that all concerned citizens of Lethbridge have the ability to express their concerns to City Council.

Purpose

The purpose of this document is to clearly outline the land use redesignation process and provide clarity and direction to individuals who would like to understand this process from the perspective of being either an applicant or a concerned citizen.

Two Streams

There are two different streams or paths in the land use redesignation process. The first of which is the New Growth Areas Stream. These are applications where the land has never been developed in an urban manner, or the proposed rezoning is in a newer community where homes and buildings are still being developed. Applications in this stream will more than likely be located in an area that has recently undergone the planning process and an area structure plan and outline plan have been completed.

The second stream is the Existing Neighbourhood Stream. This is where an applicant is looking to change the zoning or land use on a parcel of land that is typically located in an older part of the City, and forms part of an existing neighbourhood or commercial/industrial area. Applications in this stream will more than likely not be subject to policies found within an outline plan or area structure plan; however, applications in this stream may be subject to the policies of an area redevelopment plan and the Integrated Community Sustainability Plan/Municipal Development Plan.

Process

In this section the process will be provided step by step, so that an applicant or concerned citizen can either follow how to apply, or how to gain an understanding of what is taking place.

Pre-application

The first step in the process is to call Planning & Development Services at 403-320-3920 and generally explain the proposed land use redesignation. The Planning Services Assistant will then determine which stream the application should follow, and the applicant will be assigned to a Community Planner who will help assist the applicant through the process. Once contact has been made with the Community Planner the applicant will need to arrange a time to meet with the Planner to discuss the details of the proposal, and find out any pertinent information which will need to be included in the application.

Applicant Open House

For all Existing Neighbourhood Stream applications the Community Planner will advise that the applicant host an open house in order to provide the neighbouring residents an opportunity to comment on the proposal, and be made aware that changes could be coming to their neighbourhood. This opportunity also allows the applicant the ability to gauge the communities support for the proposal. If the applicant is provided with negative feedback at the open house the applicant has the ability to then make changes which the neighbouring residents find more amenable, withdraw their proposal, or the applicant can continue forward having the knowledge of what challenges might arise at the Public Hearing (a public meeting with City Council where the proposed rezoning is presented, commented on by the public, and questioned by City Council).

Applications for New Growth Areas do not generally require applicant open houses, as the proposed land use amendment will usually reflect a recently approved outline plan, which has received public comment. However, in some circumstances, the Community Planner will recommend that the applicant hold an open house.

Further details with regards to the applicant open house will be provided once an applicant has been assigned a Planner.

Application

Applications can be picked up at the Planning Counter on the first floor at City Hall, or they can be downloaded online. The application must be completely filled out, and all of the necessary supporting information must be submitted with the application before the Planner assigned to the file will begin processing. The following list constitutes a complete application:

- Authorization to act on behalf of the Land Owner(s)

- A drawing illustrating the proposed rezoning (a hard copy must be submitted in person with the application, and an electronic copy must be submitted to the Planner in either CAD or GIS format)
- A current Land Title(s) to the property(s) (no older than 30 days)
- The required fee, as per the Bylaw for Development Fees and Charges:
 - Area Structure Plan - \$5,500
 - Area Redevelopment Plan - \$2,750
 - Land Use Bylaw - \$5,500
 - Land Use Bylaw in an ARP area - \$2,500

The application must be submitted in person to the Planner handling the process, and it is recommended that an appointment be made for this to take place.

Circulation

Once the Planner has accepted the application as being complete, the Planner will then put together the bylaw package and will then circulate the proposed land use redesignation to a number of internal and external departments and agencies for their comments on items such as servicing and transportation issues. This circulation will take approximately 2 to 3 weeks.

In the case of most New Growth Area applications the circulation component of the process can be omitted. The reason for this omission is that during the outline plan process the land uses are proposed, and the plan is circulated to the necessary internal and external departments and agencies.

First Reading

After the Circulation is complete the Planner will submit the bylaw package for first reading and will then notify the applicant of the important dates where he/she will need to attend to speak and answer questions in front of City Council about their proposal.

New Growth Stream applicants should be aware that land use applications will not typically be submitted for first reading to the City Clerks until after there is an approved Outline Plan in place. However, the applicant should submit the proposed rezoning application to the Planner as soon as possible, in order to reduce processing time and so the application can be streamlined through the process.

Notification of Public Hearing

Upon completion of first reading the Planner will send notification to the land owner and adjacent land owners in the vicinity that a public hearing will be taking place, and that they are invited to come and speak to City Council at a Public Hearing and make their support or concerns known. In accordance with the Municipal Government Act notice of the public hearing will also be advertized in the Lethbridge Herald for two consecutive weeks, so that all concerned or supportive citizens can attend the hearing. The notice will also be posted on the City of Lethbridge website www.lethbridge.ca

Public Hearing

At the public hearing the Planner handling the application will present a power point presentation which will inform City Council as to the details of the proposed land use redesignation. Then City Council will ask for those in the audience to come forward and speak either for or against the application. Once this has taken place City Council will close the hearing and the public will not be allowed to speak. Then the question period will begin and City Council will ask either the Planner or applicant questions about the proposed rezoning.

Second and Third Reading

This is the final component of the process, and this is where City Council will discuss and debate the proposal and finally make a decision to approve or deny the proposed land use redesignation. Second and third reading usually takes place one week after the public hearing at a regularly held City Council meeting. Once City Council makes a decision the applicant will be notified regardless of the result, by the Planner.

Time Frame

Once the application has been submitted the entire process usually takes between two to three months to complete.

Appeals

Unlike other development processes there is no appeal to a City Council decision on a rezoning.

Overview of the Process

Pre-application



Applicant Open House



Application



Circulation



First Reading



Notification of Public Hearing



Public Hearing



Second and Third Reading



2 to 3 month time frame