

## **SECTION 5      AMENDMENTS**

### **5.1      Amendment Procedure**

- (1) All applications for amendment to this Bylaw shall be made to the Council on Form "H" hereto in Schedule "A" and shall be accompanied by the following:
  - (a) the application fee which shall be established by a resolution of Council;
  - (b) the certificate of title for the land affected or other documents satisfactory to the Council including the applicant's interest in the said land;
  - (c) all drawings required to be submitted shall be drawn on standard drafting material to the satisfaction of the Development Authority and shall be fully dimensioned, accurately figured, explicit and complete.
  
- (2) After the proposed amending Bylaw receives First Reading, the Village Clerk shall forthwith cause to be published, in the local newspaper as required by the MGA, a notice of the proposed amendment stating:
  - (a) The legal description of the land,
  - (b) The civic address of the property,
  - (c) The purpose of the proposed amending bylaw,
  - (d) The one or more places where a copy of the proposed amending bylaw may be inspected by the public during reasonable hours, and
  - (e) An outline of the procedure to be followed by anyone wishing to be heard at the public hearing.

### **5.2      Public Notice and Hearing**

- (1) Village Council shall hold the public hearing at the time and place stated in the notice, at which it may hear:
  - (a) The applicant or a person acting for the applicant;

- (b) Any person who claims to be affected by the proposed amending bylaw;
  - (c) Any other person that Village Council agrees to hear; and
- (2) Public Notice and hearing of Land Use Bylaw amendments shall be conducted in accordance with the MGA.

### **5.3 Village Council Decision**

- (1) Village Council, after considering the submissions made at the public hearing by various parties pertaining to the amending bylaw, may at its sole discretion:
- (a) approve the amending bylaw;
  - (b) approve the amending bylaw with conditions; or
  - (c) refuse the amendment to the bylaw.
- (2) Where Village Council is of the opinion that the amendment is applicable to and for the benefit of the community at large, Village Council may direct that the fee be returned to the applicant.

### **5.4 Re-Application**

When an application for a change in the district designation of a site has been refused by Council, another application for the same or similar change in the district designation of the site may not be made by the same or any other applicant for six (6) months after the date of the refusal of the application.