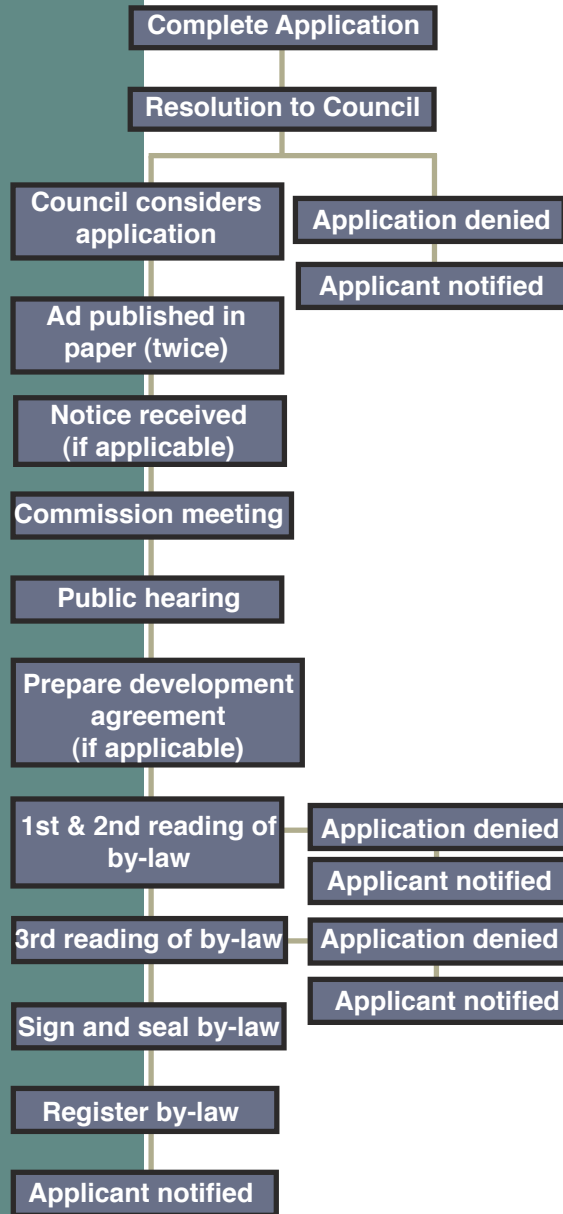


Procedure for a Zoning By-law Amendment



Summary

The planning commission, an advisory body to council, will hear the proposal and make a recommendation to council on the amendment. However, the final decision is that of council and not the commission.

Although not required, the applicant may attend the commission meeting to provide any additional information that the members may need regarding the application.

The public hearing is held so that members of the public can provide written or verbal comments and opinions for or against the proposal. Council may use these comments and opinions to modify and/or attach conditions to the by-law before it is adopted.

All by-laws adopted by council must go through three readings, which must occur at two separate meetings.

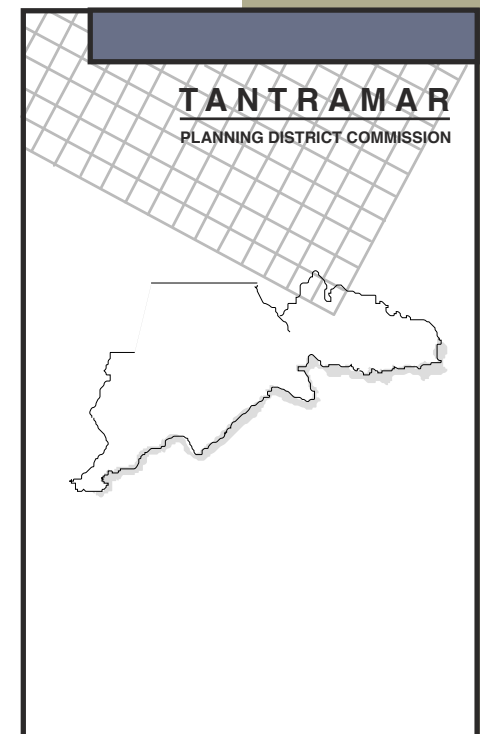
It is important that any and all information requested for the processing of the application be received in a timely fashion so that there are no unnecessary delays with the processing of the application.

This brochure is designed to give the applicant an overview and basic information about zoning by-law amendments. Where this brochure conflicts with existing legislation, the latter prevails. For further information on detailed procedures or specific applications contact the:

Tantramar Planning District Commission.

Zoning By-law Amendments

Guide to Development Procedures



Zoning By-law Amendment

A zoning by-law is the document which regulates the use of land in a community. It consists of detailed setbacks and regulations which apply to properties based on their zoning. Each zoning by-law is accompanied by a zoning map which separates the community into various zones based on their type of use.

Sometimes a development request does not conform to the zoning by-law yet is a reasonable request, or follows the intent of the municipal plan. When such a request is proposed, an amendment may be applied for through the planning commission for council's consideration.

Types of Zoning By-law Amendments

There are three types of zoning by-law amendments: a map amendment, a text amendment and a development agreement.

Map Amendment

When an applicant wants to change the use on their land, or when the zoning map does not reflect the use on the property, then a map amendment may be necessary. This could be the changing or altering of the zone associated with the property.

Text Amendment

When the written regulations do not reflect the needs and goals of the community, or conflict with the municipal plan, a text amendment is necessary. This would be the adding, removing, or changing of the text in the regulations.

Development Agreement

When an applicant wants to rezone their property for a specific proposal, they may need to apply for a development agreement. A development agreement is a registered agreement between the municipality and the applicant that details conditions under which the property must be developed and used in accordance with.

Zoning By-law Amendment Requirements

When an applicant wishes to amend the zoning by-law they must complete the appropriate application form. The application must be accompanied by a building location survey plan prepared by a New Brunswick Land Surveyor, or a plan considered suitable by the Director.

The plan must contain:

- (a) the parcel of land in question, with the dimensions,
- (b) the location, size and use of existing buildings on the property, and
- (c) a preliminary site plan showing all proposed buildings, features and uses.
- (d) any additional information deemed necessary to process the application.

There is also an application fee associated with a zoning by-law amendment which is used to cover the cost of advertising, registering and the processing of the amendment. (If both a municipal plan and a zoning by-law amendment are required, see the Municipal Plan Amendment brochure.)

For further information on
Development Procedures
Please contact the:
**Tantramar Planning District
Commission**
2 Bridge Street
Sackville, NB
E4L 3N5

Phone: (506)364-4701
Fax: (506)364-4714