

Amendment to Zoning By-law No. 7124

Name of Property Owner: _____

Name of Applicant: _____

Civic Address of Property: _____

Legal Description of Property: _____

References:

City Plan By-law No. 7392; Applicable Secondary Plan By-law; COB Zoning By-Law No. 7124

Prior to submitting a formal application, the Planning & Building Safety Department strongly recommends that all applicants meet with a Community Planner to complete a pre-application review

Proposal: _____

As the applicant, I confirm and verify to the City that the information provided in this application is true and complete, and I undertake to observe and perform all provisions of The Planning Act, the City Plan, the Zoning By-law, and the provisions of other relevant laws, by-laws or agreements.

Signature of Applicant: _____ Date: _____

Address: _____ Postal Code: _____

Phone No.: (Primary) _____ (Secondary) _____

Email Address: _____

Signature of Owner: _____ Date: _____

Address: _____ Postal Code: _____

Phone No.: (Primary) _____ (Secondary) _____

Email Address: _____

The personal information which you are providing is being collected under the authority of The Planning Act and will be used for the purpose of approving this application. Information is also being collected for the purpose of statistical reporting. It is protected by the Protection of Privacy provisions of The Freedom of Information and Protection of Privacy Act. If you have any questions about the collection and/or use of information, contact Jennifer Houlihan, FIPPA Coordinator, City of Brandon Planning & Building Safety Department, 638 Princess Avenue Brandon, Manitoba, R7A 0P3, Telephone 204-729-2116.

FOR PLANNING DEPARTMENT USE ONLY:

Community Planner: _____ Planning File No.: _____ CityView No.: _____

Date Application Received: _____ Payment Date: _____ Receipt No.: _____ Amount: \$ _____

Re-Zoning - Application

REV 12/2024

Zoning By-law Amendment

A zoning by-law amendment, also known as a rezoning, is a process where parts of the Zoning By-law are added, altered or deleted. The Zoning By-law imposes specific regulations on how land can be used and developed. The amendments may affect the text of the by-law, the zoning map, or both. The scale of a zoning by-law amendment may also vary from an individual property to the entire City.

Documentation and Fee Requirements

- Application Fee: See fee schedule
- Status of Title: Issued by Brandon Land Titles Office no later than 30 days before the date of the application
- Letter of Authorization: From registered owner(s) of the land whose name(s) appear on the title
- Letter of Intent: As per attached checklist
- Site Plan: As per attached checklist
- Community Participation Report: As per attached checklist
- Other plans and documentation may be required to demonstrate compliance with applicable laws, by-laws, regulations, or policies, depending on the nature of the request

Application may not be processed until all of the above information has been submitted

Timelines

The process generally can take four (4) months at best. Complicated applications may take a longer period of time.

Decision Making Authority

City Council decides on zoning by-law amendment applications. The Planning Commission, an independent body of five (5) members appointed by City Council, will hold a public hearing and make a recommendation to City Council on the application.

Pre-Application Review

Before formal submission of an application, the Planning & Buildings Department can lead a preliminary review of the application package and, if necessary, advise the applicant which elements of the package to revisit. The Planning & Buildings Department cannot guarantee support or approval of an application, as it must objectively analyze all applications. The pre-application review may take two to three (2-3) weeks.

Public Hearing

The applicant must attend a public hearing scheduled by the Planning & Buildings Department, and is responsible for presenting details of their application and answer any questions the Planning Commission may have. The public hearing allows the general public to comment on the application prior to the Planning Commission's recommendation to City Council.

Second Objections/Appeals

Should the public hearing receive sufficient objections (at least 25 eligible persons or half of property owners within 100m of a site under a zoning by-law amendment application) and City Council gives the application second reading, anyone who commented on the application at the public hearing and is not satisfied with City Council's decision may file a second objection in writing to the Office of the City Clerk. This second objection must indicate who is appealing, the Zoning By-law amendment file number or the By-law number, and the reasons for the second objection. If the City receives sufficient objections after the second reading (same threshold as the public hearing), the City will refer the application to the Manitoba Municipal Board for an appeal hearing. Following the Municipal Board hearing, the Municipal Board by order will direct City Council to make a final decision on the application.

The applicant may within fourteen (14) days file an appeal directly to the Manitoba Municipal Board under the following circumstances:

- City Council rejects the application
- The applicant is not satisfied with the requirement of a development agreement or conditions proposed in the development agreement
- City Council fails to make a decision within the prescribed time limit under The Planning Act

The Municipal Board will then hold an appeal hearing and, if necessary, direct City Council on a final decision. The Municipal Board is a provincial quasi-judicial tribunal and is the final approval authority where appeals are involved.

Letter of Authorization

Date: _____

To: City of Brandon
Development Services
638 Princess Avenue
Brandon, MB R7A 0P3

RE: _____ (address or legal description of application)

I (We) hereby give authorization to:

_____ (Applicant's name)

To apply for a development application for the above address.

Registered Owner(s) on the Current Status of Title:

_____	_____	_____
Name (Print)	Name (Signed)	Date
_____	_____	_____
Name (Print)	Name (Signed)	Date
_____	_____	_____
Name (Print)	Name (Signed)	Date
_____	_____	_____
Name (Print)	Name (Signed)	Date

Letter of Intent (Zoning By-law Amendment) Requirements

All letters of intent must have the following information:

1. Business/Formal letter format (addressed to “City of Brandon Development Services”, signed and dated)
2. Name(s) of applicant(s)
3. Location of proposed development (civic address and legal description)
4. Description of proposed development, including but not limited to use(s) proposed on site, number and types of residential/non-residential units, design themes, any other related development applications, how the proposal fits with the surrounding area
5. Is the proposal generally consistent with the Development Plan? (cite and expand on applicable policies)
6. Is the proposal generally consistent with a Secondary Plan, if applicable? (cite and expand on applicable policies)

Community Participation Report

All community participation reports must include the following information:

1. Business/Formal letter format (addressed to “City of Brandon Development Services”, signed and dated)
2. Name(s) of applicant(s)
3. Method(s) of notification
4. List of properties that were notified
5. Summary of comments or concerns
6. Summary of efforts to address comments or concerns
7. If a public meeting is held, the date and location of the meeting

Site Plan (Zoning By-law Amendment) Requirements

The site plan must be drawn to scale with all dimensions clearly labeled and submitted in PDF and paper format (Maximum Size: 11" x 17") showing:

1. Title and date (latest revision)
2. North arrow (oriented to top of page)
3. Drawing scale (metric)
4. Location (civic address and legal description)
5. Site lines and all adjacent public rights-of-way
6. All easements (e.g. utility, overland drainage)
7. Total floor area of building(s) (m²)
8. Existing/proposed buildings (include setbacks from site lines)
9. Roadways, driveways, laneways, aisles
10. Pedestrian connections
11. Parking
12. Existing/proposed utilities on or near the site
13. Any other information as required