

 M O N C T O N	POLICY	Owner Department: Planning and Development
	Enhanced Notification Policy for Municipal Plan By-law and Zoning By-law Amendments (e.g. Rezoning Applications)	
Effective Date: September 1, 2019	Last Reviewed Date: September 1, 2019	
Approving Authority: Moncton City Council	Replaces No.: N/A	
1. Purpose Statement		

The purpose of this policy is to direct Administration to revise the public notice process for amendments to the Municipal Plan By-law # Z-113 (as amended, repealed and replaced from time to time, henceforth the 'Municipal Plan) and/or Zoning By-law # 213 (as amended, repealed and replaced from time to time, henceforth the 'Zoning By-law'). This is for the purposes of increasing government transparency and public involvement.

2. Application

- (a) This policy shall apply to Council and Administration.
- (b) This policy shall apply only to applications to amend 'Schedule 1: Generalized Future Land Use Map' of the Municipal Plan and 'Schedule A: Zoning Map' of the Zoning By-law, or solely Schedule A of the Zoning By-law.

Any other application to amend the Municipal Plan and/or Zoning By-law (e.g. text amendment application) shall meet the requirements under the *Community Planning Act* and the general intent of this policy.

3. Definitions

N / A

4. Policy

Conflict with Community Planning Act

- (a) Where there is conflict between this policy and the *Community Planning Act*—as amended, repealed and replaced from time to time—the *Community Planning Act* shall take precedence.

Zoning By-law Amendment (e.g. Rezoning) Notification Process

- (b) Where Council resolves to proceed with an amendment to the Zoning By-law at the first Council meeting (Introduction to Council), Council shall:
- a. Give first reading of the amending by-law;
 - b. Set the time, date, and location of the Public Hearing; and
 - c. Request the views of the Planning Advisory Committee.
- (c) Following the resolution to proceed under subsection (b), Administration is directed to send a notice of the proposed amendment to all property owners within 100 metres of the subject property on the day after the first Council meeting.
- (d) The notice under subsection (c) shall include the details of the Public Hearing and, where there is sufficient time for notice, details of the Planning Advisory Committee meeting. The content of the notice shall include:
- a. Civic address (where applicable) of the subject property;
 - b. Property Identification (PID) number of the subject property;
 - c. Details of the proposed amendment (e.g. existing and proposed zone classifications, proposed development and/or land use change);
 - d. Location and time in which members of the public may inspect the proposed amendment;
 - e. Invitation to submit written objections to the City Clerk prior to the Public Hearing;
 - f. Time, date, and location of the Public Hearing set under subsection (b) b.; and
 - g. Where there is sufficient time for notice, the time, date, and location of the Planning Advisory Committee meeting scheduled pursuant to subsection (b) c.
- (e) Following the resolution to proceed under subsection (b), Administration is directed to publish a notice on the City website on the Wednesday after the first Council meeting.
- (f) The notice under subsection (e) shall contain the information under subsection (d), but shall also include a context map showing the location of the subject property; maps, plans, and other submission details deemed relevant to the public by Urban Planning staff.
- (g) Following the resolution to proceed under subsection (b), the Applicant is required to post notice signage on the subject property on the Wednesday after the first Council meeting in accordance with the *Public Notice Sign Policy for Municipal Plan By-law and Zoning By-law Amendments (e.g. Rezoning Applications)*, Policy No.: POL-CSS-UP-003.

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- (h) Following the resolution to proceed under subsection (b), Administration is directed to publish a notice in local newspapers on the Saturday after the first Council meeting.
- (i) The notice under subsection (h) shall contain the information under subsection (d) and a context map showing the location of the subject property.

Municipal Plan By-law and Zoning By-law Amendment Notification Process

- (j) Where Council resolves to proceed with an amendment to the Municipal Plan By-law and Zoning By-law at the first Council meeting (Introduction to Council), Council shall:
 - a. Give first reading of the amending by-laws;
 - b. Set time, date, and location of the Public Presentation;
 - c. Set the tentative time, date, and location of the Public Hearing; and
 - d. Request the views of the Planning Advisory Committee.
- (k) Following the resolution to proceed under subsection (j), Administration is directed to send a notice of the proposed amendment to all property owners within 100 metres of the subject property on the day after the first Council meeting.
- (l) The notice under subsection (k) shall include the details of the Public Presentation, tentative Public Hearing, and, where there is sufficient time for notice, details of the Planning Advisory Committee meeting. The content of the notice shall include:
 - a. Civic address (where applicable) of the subject property;
 - b. Property Identification (PID) number of the subject property;
 - c. Details of the proposed amendments (e.g. existing and proposed future land use designations and zone classifications, proposed development and/or land use change);
 - d. Location and time in which members of the public may inspect the proposed amendment;
 - e. The time, date, and location of the Public Presentation set under subsection (j) b.;
 - f. The time, date, and location of the Public Hearing tentatively set under subsection (j) c., to be confirmed on the City website the Friday after the Public Presentation;
 - g. Invitation to submit written objections to the City Clerk prior to the Public Hearing; and
 - h. Where there is sufficient time for notice, the time, date, and location of the Planning Advisory Committee meeting scheduled pursuant to subsection (j) d.
- (m) Following the resolution to proceed under subsection (j), Administration is directed to publish a first notice on the City website on the Wednesday after the first Council meeting.
- (n) The notice under subsection (m) shall contain the information under subsection (l), but shall also include a context map showing the location of the subject property; maps, plans, and other submission details deemed relevant to the public by Urban Planning staff.
- (o) Following the resolution to proceed under subsection (j), the Applicant is required to post notice signage on the subject property on the Wednesday after the first Council meeting in accordance with the *Public Notice Sign Policy for Municipal Plan By-law and Zoning By-law Amendments (e.g. Rezoning Applications)*, Policy No.: POL-CSS-UP-002.

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- (p) Following the resolution to proceed under subsection (j), Administration is directed to publish a first notice in local newspapers on the Saturday after the first Council meeting.
- (q) The notice under subsection (p) shall contain the information under subsection (l) and a context map showing the location of subject property.
- (r) Administration is directed to publish a second notice on the City website on the Friday after the second Council meeting (Public Presentation).
- (s) The notice under subsection (r) shall contain:
 - a. The information under subsection (l), with the necessary modifications to reflect the proposed amendment to the Municipal Plan; and
 - b. Confirmation of the Public Hearing date, as tentatively set under subsection (j) c.
- (t) Administration is directed to publish a second notice in local newspapers on the Saturday after the second Council meeting (Public Presentation).
- (u) The notice under subsection (t) shall contain the information under subsection (s).

Notice of Registration and Ministerial Approval

- (v) Administration is directed to publish notice of registration, and the decision of the Minister of the Department of Environment and Local Government where a Municipal Plan amendment is involved, in accordance with subsection 112(1)(c) of the *Community Planning Act*.

5. Administration and Contact

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