

 M O N C T O N	POLICY	Owner Department: Planning and Development
	Public Notice Policy for 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 require public notice signage as a part of the application process for applying for amendments to the Municipal Plan By-law # Z-113 (as amended, repealed and replaced from time to time, henceforth the 'Municipal Plan) and/or Zoning By-law # 213 (as amended, repealed and replaced from time to time, henceforth the 'Zoning By-law').

2. Application

- (a) 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.

This policy shall apply to applicants of applications under subsection (a), and the Planner / Development Officer responsible for reviewing submissions for compliance with this policy.

3. Definitions

Underlined terms are defined in the Zoning By-law.

4. Policy

Requirement of Public Notice Signage

- (a) Public notice signage is required to be installed on the lot that is subject to proposed amendment(s) under subsection 2. (a) (henceforth 'amendment applications').
- (b) The cost of producing, installing, maintaining, and uninstalling required signage shall be borne by the applicant.
- (c) Required signage under this policy shall be exempt from the development permit and *portable sign* licensing permit requirements of the Zoning By-law and A By-law Relating to Licensing and Regulating the Erection and Use of Portable Signs in the City of Moncton By-law # L-402 (henceforth the 'Portable Sign By-law') respectively, since the requirements of this policy constitute signage installed under the direction of the City of Moncton.

Design Requirements

- (d) A required sign shall be either a freestanding sign or portable sign.
- (e) Despite subsection (d) and in exceptional circumstances, the Planner / Development Officer may approve a sign of a different type or as affixed to an existing building or structure.
- (f) An exception under subsection (e) shall be made through the pre-approval requirement of subsections (o) to (r).
- (g) A required sign shall:
 - a. Be single-sided with face / sign copy oriented generally parallel to the street line;
 - b. Have landscape orientation with dimensions of 2.44 metres (8 feet) in width 1.22 metres (4 feet) in height;
 - c. Despite subsections a. and b., the Planner / Development Officer may approve an alternative design and orientation of a sign where there are site constraints on the lot;
 - d. Be waterproof; and
 - e. Be structurally sound.

Location Requirements

- (h) A required sign shall be installed at each public street frontage within the lot of the amendment application.
- (i) Despite subsection (h) and where more than one (1) sign is required due to numerous street frontages, the number of signs may be reduced at the discretion of the Planner / Development Officer.

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- (j) A discretionary decision to allow less signage under subsection (i) shall be based on the irregular shape and size of the lot, and other site specific considerations deemed relevant by the Planner / Development Officer.
- (k) A sign shall not be installed:
 - a. Within the sight triangle as per section 110 of the Zoning By-law;
 - b. On City-owned property, including within City streets (including the entire right-of-way therein);
 - c. Where it creates a hazard to public safety or health;
 - d. Where it obstructs the vision of drivers, or detracts from the visibility or effectiveness of a traffic sign or control device on streets;
 - e. Where it may obstruct ingress to or egress from a fire escape or other required exit; or
 - f. Where it may interfere with pedestrian and/or vehicular traffic.
- (l) A sign shall be installed in a location that is unobstructed from view and is noticeable to members of the public using active modes of transportation or motor vehicles.
- (m) A sign shall be exempt from the street line setback requirements of the Zoning By-law as outlined under 'Schedule E – Signs: Gross Surface Area & Minimum Setback Required.'
- (n) A freestanding sign or portable sign shall be set back a minimum of 1.52metres (5 feet) from any lot line and 3 metres (10 feet) from a street line.

Pre-Approval of Notice Signage

- (o) Prior to producing and installing required signage under this policy, pre-approval is required from the Planner / Development Officer.
- (p) Pre-approval requirements under subsection (o) shall be requested by the Planner / Development Officer as a part of submitting a formal amendment application.
- (q) Pre-approval shall be given in written form, which includes email correspondence.
- (r) The submission requirements for pre-approval shall be the same as the requirements for a commercial sign under the Zoning By-law and Portable Sign By-law, which includes:
 - a. An elevation drawing or sketch clearly illustrating the sign type and design;
 - b. A site plan with metric measurements, including, but not limited to the following:
 - i. The street line and/or other lot lines of the lot upon which the sign is proposed to be installed;
 - ii. The proposed location of the sign upon said lot in relation to all other existing or proposed structures, including measurements adequate to show its location;
 - iii. The dimensions of the proposed sign; and
 - iv. All other information as may be required by the Planner / Development Officer.

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Display Content for Amendment Application Signage

- (s) Where signage is required in accordance with subsection (a), display content shall be large enough that it is legible and include the following in both official languages¹:
- a. The title “NOTICE”;
 - b. Pursuant to section (a), the proposed change in designation and/or zone;
 - c. The purpose of the amendment application, limited to the new, change, or modification of land use; and
 - d. How members of the public may attain more information and get involved with the amendment application process, including the telephone number, email contact, and website URL of the City of Moncton.
- (t) Despite subsection (s) and where a sign is required along a primarily vehicle-oriented thoroughfare, the Planner / Development Officer may require simplified display content in accordance with the attached template.²

Duration and Record of Signage

- (u) Where notice signage is required under subsection (a), the sign(s) shall be installed on the lot subject to an amendment application on the Wednesday after the initial Monday meeting of Council (introduction of amendment proposal to Council). The sign(s) shall be removed within 24 hours of the date and time of the public hearing required for an amendment application. (These dates will be provided to the applicant by the Planner / Development Officer.)
- (v) Despite subsection (u), the Planner / Development Officer may approve the installation of required notice signage on a subsequent day where inclement weather or other unexpected, prohibitive factors inhibit the installation of said signage.
- (w) Within 24 hours of the posting of required signage under subsection (a), the applicant shall submit photo evidence (with electronic date stamp) to the Planner / Development Officer (preferably via email) showing that installation and placement of the sign(s) is in accordance with this policy.
- (x) The Planner / Development Officer may conduct a site visit during the period in which notice signage must be displayed.
- (y) Where Administration is made aware that required notice signage is not in accordance with this policy, Administration is directed to re-notify the public, indicating that the amendment application is put on hold pending further direction by Council.
- (z) The cost of re-notifying the public under subsection (y) and retriggering required legislative and policy steps shall be borne by the applicant.

¹ See 'Appendix A':

² See 'Appendix B':

5. Administration and Contact

City Hall
655 Main St., Moncton, NB E1C 1E8
Telephone: 506.853.3550
Email: info.clerk@moncton.ca

6. Appendices

Appendix A



NOTICE

City Wide Development Inc. has submitted an application to Council **to change the Municipal Plan designation** from NH (Neighbourhood) to MU (Mixed Use Centres and Corridors). The amendment would allow for the lot to be rezoned from R2 (Two Unit Dwelling) to SC (Suburban Commercial).

The lot is proposed to be redeveloped for a medical clinic with a pharmacy, restaurant, and retail space.

A **public hearing** is tentatively set for **January 28, 2019** to consider feedback from the public.

To learn more and share your views:
letschatmoncton.ca

AVIS

City Wide Development Inc. a fait une demande auprès du Conseil, pour en **changer la désignation tel qu'indiqué dans le Plan municipal**, de NH (Quartier) à MU (Centres et corridors à usages mixtes). Cette modification entraînerait le rezonage de ce terrain de R2 (Zone d'habitations bifamiliales) à SC (Zone commerciale suburbaine).

On propose le réaménagement de ce terrain pour y construire une pharmacie, un restaurant et des espaces de vente au détail.

La date de **l'audience publique** a été provisoirement fixée pour le **28 janvier 2019**, pendant laquelle les commentaires du public seront reçues.

Pour en savoir plus et pour nous faire part de votre opinion :
jasonsmoncton.ca

info.urbanplanning@moncton.ca

| 506 853-3533

| info.urbanisme@moncton.ca

Appendix B



M O N C T O N

NOTICE AVIS

Rezoning or Municipal Plan amendment is being considered for **this property**.

To learn more and share your views:

letschatmoncton.ca

Rezonage ou modification du Plan municipal proposé pour **ce terrain**.

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