Rezoning / Bylaw Amendment

City of Charlottetown

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Rezoning Process / Bylaw Amendment Process (Section 4.27 of the Zoning & Development Bylaw)

Planning Department

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Time Frame: 8-10 weeks

Fees: Actual Cost (Minimum $300) Fees are required to paid up-front and are nonrefundable.

Rezoning Process:

1. Submit application with applicable drawings and fee. The following is required:

(a) Either a legal description and a plot plan or survey plan accurately showing the location of the property or properties to be rezoned.

(b) The name(s) and address(s) of the owner(s), and if the applicant is not the owner, permission from the owner to make the application.

(c) Relevant drawings of the proposed development of the lot, including floor plans and elevations of the building and a detailed site plan showing the building setbacks and any required parking and/or landscaping.

2. The application is reviewed by Planning Department staff and presented to Planning Board for a recommendation. Planning Board meets on the first Monday of every month (4pm in summer & 5pm in winter). The Planning Board will make a recommendation to Council on whether or not to proceed to the public consultation phase.

3. Regular Council meetings are held on the second Monday of each month. Council will either approve or reject proceeding to the public consultation phase.

4. If Council approves proceeding to the public consultation phase, a date for a Public Meeting is scheduled.

5. Advertisements for the Public Meeting are placed in two issues of The Guardian and are posted on the City's website. Notice is also sent to all property owners within a 100m radius of the subject property notifying them of the application for rezoning/bylaw amendment and asking that any concerns or comments be submitted in writing. A Notice is also posted on the subject property.

6. Applicants are required to prepare their own presentations for the public meeting. Presentations should be in a PowerPoint or PDF format and are to be submitted to the Planning Department the day before the meeting.

7. The applicant and/or their representative is required to be present at the public meeting to present the application and to answer any questions that Council or the public may have.

8. The application may not be withdrawn following the public meeting.

9. Following the public meeting, the application is forwarded to the Planning Board for a recommendation to Council on whether to approve or deny the application.

10. If Council approves the application, First and Second Readings of the Bylaw amendment will take place at this meeting. A Third Reading and Final Approval will take place at another Council meeting.

11. Following the Third Reading, the application is forwarded to the Minister of Community and Cultural Affairs for final approval.

12. If the application is denied, the applicant may appeal the decision to the Island Regulatory and Appeals Commission (IRAC) or may apply for a Reconsideration (see Section 4.28 of the Zoning and Development Bylaw – Reconsideration).

13. When an application for a rezoning, or a Bylaw amendment, has been determined by Council, the same or similar rezoning or amendment shall not be heard within one (1) year of being rendered unless Council is of the opinion that there is valid new information or a substantial change in the application.

14. The Planning Department will notify the applicant in writing within seven (7) calendar days of the final resolution.