

How to Amend the Zoning Bylaw



Why is the zoning bylaw Important?

The RM of Sherwood zoning bylaw is one of the tools the municipality uses to implement our Official Community Plan (OCP). The RM uses the bylaw to manage the development of land. The zoning bylaw regulates what, where, and how land is used in the RM of Sherwood. These rules are described in zoning **districts** that are assigned to all areas and properties within the RM.

In order for a development to take place, it must comply with the zoning bylaw (as well as the OCP). A development cannot be permitted if it does not comply with the zoning bylaw. However, a property owner has the right to apply to the municipality to amend the zoning bylaw.

What must I do to apply to amend the zoning bylaw?

The RM of Sherwood requires the following information in order to consider a request **to change a map (rezoning)** contained in the zoning bylaw:

1. Complete the zoning bylaw amendment application (be as specific as possible), and attach:
 - a. The legal description of the property, including a current legal survey, evidence of current legal ownership and a letter of authorization from the property owner to make the application;
 - b. A **Letter of Intent**, describing what you are trying to do;
 - c. A **Site Plan** illustrating the proposed development in general terms, including building footprints, lot, yard, and setback dimensions, site access, and location of services; and,
 - d. An application fee.

2. A **Concept Plan** must accompany most rezoning applications that describes:
 - a. The location of the property, including the overall geographic and topographic context, major community characteristics, nearby landmarks and existing structures;
 - b. The location, type, density, and development staging of the proposed use of the land, proposed subdivision plan, including building lots, buildings, elevations, infrastructure, landscaping, and other site features;
 - c. A detailed servicing strategy including provisions for water, sewer, land drainage/storm water management, transportation access and connecting networks;

- d. Any other analysis and/or study to demonstrate the viability of the proposed use of the land and servicing strategies including, where required by the municipality: traffic impact assessments, servicing schematics, environmental, ecological and geotechnical assessments, fiscal impact analyses, site impact analyses, etc.
- 2) 1.10.1 Establish an environmental, social and economic context of the area including a rationale for proposed land use and subdivisions;
- 3) 1.10.2 Identify proposed land use, municipal infrastructure and transportation network, social facilities, built form and density controls, and phasing of development for the area in question; and
- 4) 1.10.3 Establish a Plan for the effective mitigation and integration of environmental and agricultural features within the site and proposed plans for cultural and recreational activities.
 - a)

The RM of Sherwood requires the following information in order to consider a request **to change a policy (text)** contained in the zoning bylaw:

1. Completed zoning bylaw amendment application (be as specific as possible)
 - a. If the policy applies to a specific parcel(s) of land, then the legal description of the property, including a current legal survey and evidence of current legal ownership is required.
 - b. A brief ***Letter of Intent***, describing what you are trying to do and why; and,
 - c. An application Fee.
2. A study, report, or other documentation that defends the request for a regulation change to the zoning bylaw must accompany the application. In some case, a detailed ***Concept Plan*** may also be required for text amendments.

How much will this cost me?

In addition to the application fee, you will be responsible for other costs that may include:

- The cost of advertising of a public hearing is required, if Council decides to give your application First Reading, can be about \$3,000 - \$5,000. As per the Planning Fees Bylaw, the actual cost of advertising will be billed to the applicant upon receipt of the invoice.
- Other agencies may require scientific and/or engineering studies to be completed, i.e. a hydrogeological engineering study may be required by Water Security Agency to secure groundwater allocation for certain developments.
- The Concept Plan costs vary depending upon the complexity of your project and the engineering firm you use.
- Depending on the studies required, the RM Engineer may also need to review the Concept Plan which fees will also be billed to the applicant as per the Planning Fees Bylaw.

How long will this process take?

Amending the Zoning Bylaw can take some time. First you need to complete your due diligence in order to present a complete application to the municipality.

Second, Council must give First Reading to a bylaw before your proposed OCP amendment can be advertised. Then it has to be advertised at least a month before a public hearing to consider the matter. Prior to the Public Hearing is when the Concept Plan must be submitted to the RM. This can take months, depending upon the complexity of your project. Once that has been completed, the RM must give First Reading to the Concept Plan so that it can also be circulated to stakeholders and affected parties.

Your due diligence in order to submit a complete application can take several weeks or months, depending upon the complexity of your project. Once a public hearing is advertised and held, and if Council gives all three readings to the zoning bylaw change, your application is forwarded to the provincial Ministry for approval. This can often take several weeks or months.

Zoning changes in the ***Joint Planning Area*** are also subject to discussions with the City of Regina. This can add a couple of additional months to the process prior to scheduling of a public hearing.