

Q. What is a Zoning By-law?

The City of Fredericton Zoning By-law is a document which regulates land use. It states exactly what land uses are permitted for every property in the City and provides detailed information such as:

- zoning maps for all areas of the City;
- types of uses and buildings permitted;
- standards for lot size, parking requirements, building height, side and rear yard dimensions and setback from the street.

Q. Why are Zoning By-laws Needed?

- to help implement the objectives and policies of the Municipal Plan;
- to provide a specialized legal tool for managing land use and development within the City;
- to protect property owners from potential conflicting land uses.

Q. How Does the Zoning By-law Differ from the Municipal Plan?

While the Municipal Plan sets out the general long range policy framework for future land use within the City, the Zoning By-law is the administrative tool that ensures that Municipal Plan policies are adhered to on a day to day basis.

Unlike the Municipal Plan, the Zoning By-law contains very specific regulations. Any new development or construction that fails to comply with the City of Fredericton Zoning By-law is not permitted and will be denied a building permit. The Zoning By-law divides the entire City into distinct land use zones. A detailed land use map of these zones forms an important part of the written by-law. Within each zone, the Zoning By-law specifies the permitted uses (e.g. commercial or residential) and the required standards (e.g. location and size of buildings).

Q. What is a Rezoning or a Zoning By-law Amendment?

If you propose using or developing your property in a way that does not comply with the existing Zoning By-law, you may have to apply for a rezoning (a change in the existing designation that applies to your property). A zoning amendment is a request to alter or amend the regulations that presently apply to the existing zoning designation. A rezoning, or zoning amendment, can be considered if the new use is

consistent with the Municipal Plan. The process to rezone, or amend the regulations to the zone, is essentially the same.

Q. What is a Municipal Plan Amendment?

The Capital City Municipal Plan is Fredericton's major planning document. It is a statement of goals, objectives and policies that help to ensure the stabilization of the community, so that development and redevelopment will occur in an orderly fashion. The Capital City Municipal Plan is reviewed regularly to ensure that the policies and goals remain relevant. Such reviews often lead to an amendment for a certain area. An individual can also apply for a Municipal Plan amendment if the plans for the development of a property conflicts or is inconsistent with the intent of the Capital City Municipal Plan. For example, if a commercial or industrial development is proposed for a property located within a residential area, the plan designation for that property would have to be changed from residential to commercial or industrial in order for the proposed use to be consistent with the Municipal Plan.

Q. Who Can Apply to Rezone Property?

Only the registered landowner, or an agent appointed by the owner can apply to rezone property. The landowner of the property must sign the application.

Q. How Does the Rezoning Process Work?

Before you apply to rezone property, you should discuss your proposal with planning staff who can offer preliminary advice and information on how to proceed with a formal application.

1.0 The Application

An application to rezone or amend the conditions of the zone both follow the same processing channels and require a similar amount of time to process. A municipal plan amendment takes longer. If you wish to rezone or amend the regulations to a zone, you must submit an application to the Development Services Department. The application includes:

- a detailed site plan (showing existing and proposed buildings, setbacks, parking, landscaping, etc.),
- a letter of intention (stating the nature and specifics of the proposed use), and

- an application fee paid to the City of Fredericton.
- building elevations (architectural drawings), when required.

Application forms are available at the Development Services Department Office on the ground floor of City Hall. The application fee structure is as follows:

For a rezoning, or a zone amendment:

**\$600.00 application fee, plus
\$400.00 advertising fee (two (2) public insertions in Daily Gleaner)**
\$1,000.00 Total

For a municipal plan amendment:

**\$700.00 application fee, plus
\$800.00 advertising fee (four (4) public insertions in Daily Gleaner)**
\$1,500.00 total

2.0 Considering the Application

Planning staff will review your application and prepare a staff report with a recommendation to the Planning Advisory Committee (PAC). The PAC is a Council-appointed Committee given planning responsibilities under the *New Brunswick Community Planning Act*. The role of the PAC regarding rezonings is to provide Council with a planning recommendation.

The property owner and/or applicant can address the members of PAC by explaining reasons for requesting the rezoning or zone amendment. Residents also have the opportunity to speak at the PAC meeting.

3.0 Notification

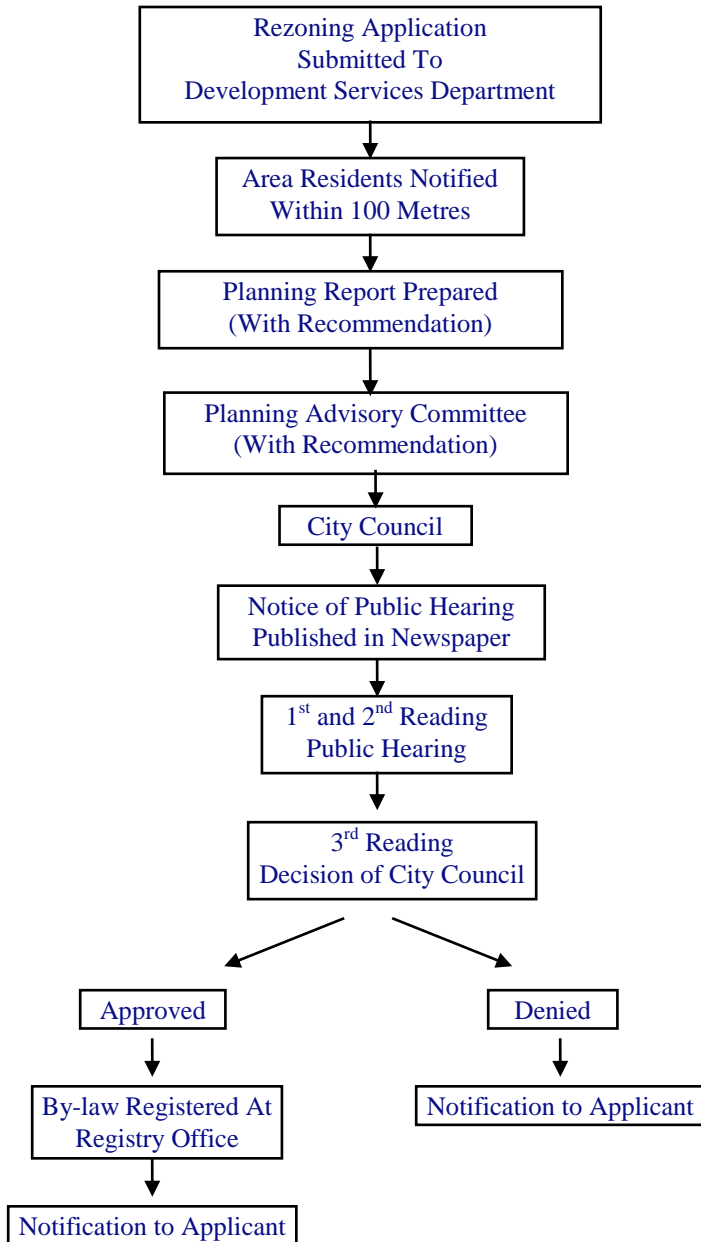
Landowners adjacent to a proposed rezoning (within a 100 metre radius) will be notified of any rezoning proposal to be considered by PAC. In addition, City Council will conduct a public hearing on the proposal with advertisements placed in the Daily Gleaner.

4.0 The Decision

The PAC will review your application and recommend to Council whether to approve, approve with conditions, or deny your rezoning application. City Council in turn will either approve or deny your application. The entire process can take 2-3 months for a rezoning or zone amendment and up to 4-5 months for a municipal plan amendment. The applicant will be notified within *seven days* of any decision made by either PAC or Council regarding their application.

If your rezoning application is denied by City Council, you may appeal the decision to the *New Brunswick Provincial Planning Appeal Board*. The appeal must be initiated within 60 days of the date of the refusal.

Zoning Process in the City of Fredericton



For further information please contact:

Development Services Department

Ground Floor, City Hall
P.O. Box 130
Fredericton, N.B.
E3B 4Y7

Phone: (506) 460-2075
Fax : (506) 460-2894
Website: www.fredericton.ca

Other brochures are available detailing subdivisions, variances, and the building permit process.

This pamphlet is for information purposes only. Zoning By-Law Z-2 should be referred to for all matters of official interpretation.

Form No.: COM-FRM-051E Service: Zoning Bylaw Amendment Approval
Issue No.: 1.1 Issued Date: 09/03/25
Printed On: February 8, 2011 © May 25, 2001

You Wanted to Know About...
ZONING

Answers
to your
Questions

Fredericton

City of Fredericton
Development Services
Department

