



Municipality of Emerson-Franklin
115 Waddell Avenue East, Box 66
Dominion City, MB. R0A 0H0
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DEVELOPMENT APPLICATION GUIDE

As defined in By-law No. 2022-01 Zoning Administration Handbook, the following Development Application types for the Municipality of Emerson-Franklin:

- Development Plan Amendments
- Zoning By-law Amendments / Rezoning
- Conditional Use
- Variance / Minor Variance
- Site Plan Approval / Design Review

We recommend that you arrange an appointment with our Development Officer to determine which application type is appropriate and whether a pre-application is necessary.

To schedule a meeting with our Development Officer, please call our office at 204-427-2557 or email at info@emersonfranklin.com.

What is a Development Plan Amendment?

Municipality of Emerson-Franklin Development Plan By-law 2021-10 is a long-range planning tool that guides the physical, social, environmental, and economic development of the municipality as per *The Planning Act*. A Development Plan amendment, like the zoning by-law, can have two (2) types of amendments:

1. Text Amendment
2. Map Amendment

Development Plan Amendment application requirements include:

1. Completed application form;
2. Proposed text to be deleted, changed or added to the By-law;
3. Reasons in support of the application; and
4. A signed letter by the applicant stating that he/she is willing to pay for all costs incurred by Council in processing the proposed amendment, in accordance with a schedule of fees.
5. Other documentation may be required, depending on the nature of the request (see Page 4-5).

What is a Zoning By-law Amendment / Rezoning?

Municipality of Emerson-Franklin Zoning By-Law is the planning tool that regulates land use and development by setting specific standards. These standards include provisions for how land and buildings may be used, where buildings and structures may be located, lot sizes, dimensions, parking and landscaping.

The Zoning By-Law divides all lands within the Municipality of Emerson-Franklin into zones. Each zone has defined regulations with respect to lot size, coverage, placement of buildings, etc, along



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with a corresponding set of allowable and discretionary uses.

Requests for developments not in agreement with the Zoning By-Law may be permitted but must involve a submission requesting an amendment to the Municipality of Emerson-Franklin Zoning By-Law 21-11. (Applications may be subject to a public hearing process).

A member of the public, the Development Officer, or Council may bring forward two types of Zoning By-law Amendments: either (1) a Text Amendment or (2) a Rezoning. A text amendment is an alteration of the By-law to add, delete or replace text, tables or sections of text. Whereas, a rezoning involves a change in zoning for a specified property.

Generally, the requirements for a Zoning By-law Amendment / Rezoning Application include:

1. Completed application form;
2. Proposed text and/or map to be changed or added to the By-law;
3. Reasons in support of the application; and
4. A signed letter by the applicant stating that he/she is willing to pay for all costs incurred by Council in processing the proposed amendment, in accordance with a schedule of fees.
5. Other documentation may be required, depending on the nature of the request (see Page 4-5).

What is a Conditional Use?

A Conditional Use is the use of land or buildings that may be allowed in a particular zone under the current Municipality of Emerson-Franklin Zoning By-Law, but because of the type or nature of the use(s) conditions for its establishment and operation it is necessary to ensure compatibility with adjacent land uses.

Conditional Use Application requirements include:

1. Completed application form;
2. Fully dimensioned Site Plan showing the proposed use(s);
3. Current Building Location Certificate with surveyor's seal and signature showing all building(s) on the subject lands;
4. Other documentation may be required, depending on the nature of the request (see Page 4-5).

What is a Variance / Minor Variance?

A Variance is an alteration or change to a standard prescribed under Part 2, 3 and 4 of the current Municipality of Emerson-Franklin Zoning By-law insofar as they apply to an affected property. A Minor Variance is any such alteration or change to a standard (height, setback, area, size, intensity, parking) by no more than 15 (%) percent.

Variance Application requirements include:

1. Completed application form;



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2. Fully dimensioned Site Plan showing the proposed use(s);
3. Current Building Location Certificate with surveyor's seal and signature showing all building(s) on the subject lands;
4. Other documentation may be required, depending on the nature of the request (see Page 4-5).

What is Site Plan Approval / Design Review?

In approving any of the aforementioned development applications, Council and/or the Development Officer may impose conditions. Site Plan Approval / Design review may be specified as a condition, which requires an approval from Council or the Development Officer, prior to the issuance of any building or development permits for the property, for the location, exterior design and vegetation type and species, including:

1. Buildings;
2. Accessory parking and/or loading areas;
3. Drive aisles;
4. Exterior lighting;
5. Garbage enclosures;
6. Fencing; and
7. Landscaping.

Site Plan Approval / Design Review requirements include:

1. Fully dimensioned Site Plan showing the proposed use(s);
2. Current Building Location Certificate with surveyor's seal and signature showing all building(s) on the subject lands;
3. Other documentation may be required, depending on the nature of the request (see below).

What other documentation might be required as part of my Development Application?

Items indicated on the following page as "may be required" are items that may be requested by the Municipality of Emerson-Franklin as part of their review of the development application. These items may be requested at the time the application is submitted or after the application has been circulated to Provincial Departments by the Community and Regional Planning Office. Items indicated as "if applicable" are items that will be required of the applicant if it applies to the specific context of the proposed development application.



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Required Items	
Current Status of Title	<p>You can obtain a status of title in one of two ways:</p> <ol style="list-style-type: none"> 1. your surveyor will provide a copy of the title with the SAM; or 2. contacting your local Land Titles Office. <p>Copies of land titles must be dated within 30 days of the application.</p>
Letter of Intent	<p>This statement should provide a brief description of the proposed development, how it is compatible with its surrounding context, and a description of the proposed measures to mitigate expected on- and off-site impacts. It should also provide a development summary including information such as total gross land area, proposed area of each lots, number of units, proposed uses, etc.</p>
Letter of Authorization	<p>Written authorization by all registered owner(s) of the land whose name(s) appear on the Status of Title. Please see template at the end of this document.</p>
Dimensioned Site Plan	<p>A dimensioned site plan of the proposed development including building plans, parking plans and any other requests of the Economic Development Officer.</p>
Building Location Certificate	<p>Your surveyor will begin meeting Land Titles Plan requirements (preparing any required building location certificates, easement plans or utility drawings).</p>
Easement Plan (if applicable)	<p>Your surveyor will prepare the plan of easement, along with the Mylars, to be circulated to all involved utilities for their signature.</p>
Highway Permits (if applicable)	<p>Apply for any required Manitoba Infrastructure permits for Provincial Trunk Highways and Provincial Roads immediately to avoid potential seasonal delays in processing. For more information, visit www.gov.mb.ca/mit/hpd/permits.html</p>



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May Be Required Items		
	Letter of Support (if applicable)	Written statement or signatures of support from adjoining property owners who may be adversely affected by the proposed development.
	Proposed Phasing (if applicable)	Number of phases and anticipated time of completion for each phase.
	Building Elevations (if applicable)	Drawn to scale building elevations showing the exterior layout of the building mass and potential impacts to adjacent properties.
	Floor Plans (if applicable)	Drawn to scale floor plans showing the interior layout of the building including labels and dimensions of all rooms.
	Landscaping Plan (if applicable)	Drawn to scale landscape plan, including: plant species list, planting to be removed, new planting, fencing, open space, ground cover and screening.
	Planning and Design Reports (if applicable)	Examples of additional planning reports might include: Parking management report, colour renderings, sun/shadow study, cross section street level visualization, public consultation report, arborist report, photos, heritage or archeological resource impact assesment.
	Engineering Studies (if applicable)	Examples of additional engineering studies might include: Traffic impact study, site servicing report, lot grading or stormwater management report, geotechnical/slope stability study, or a groundwater impact study.
	Written Confirmation (if applicable)	Written confirmation from the Municipality of Emerson-Franklin that all property taxes are paid and all conditions of approval are satisfied (conditional use, variance, development agreement). Written confirmation may also be required from Manitoba Hydro/Bell MTS who has entered into an easement agreement, Manitoba Sustainable Development who ensures wastewater and drainage compliance, and Manitoba Infrastructure who control road access/egress to Provincial Roads and Highways.
	Right-of-Way Agreement (if applicable)	A copy of the Right-of-Way Agreement prepared by a laywer.