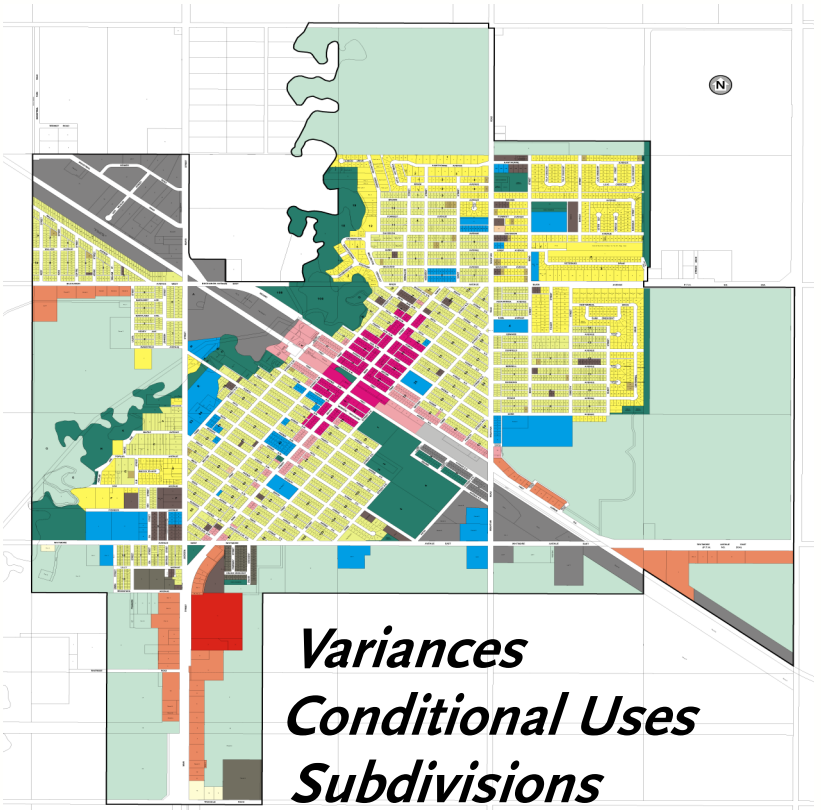
City of Dauphin

Dauphin
Everything you deserve

General planning Information Guide



Variances
Conditional Uses
Subdivisions
Zoning By-Law & Development Plan Amendments

Definitions 3
Applying For Variance or Conditional Use 4
Zoning Bylaw 5-6
Rezoning 7-8
Development Plan Amendments..... 9-10
Application Form 11
Subdivisions 12
Fee Schedule 13
Contact Information 14

A By-law of The City of Dauphin to promote and regulate the orderly use and development of land and the location of buildings and structures in the City of Dauphin as defined in City of Dauphin Zoning Bylaw No.....

Every effort has been made to ensure the accuracy of information contained in this publication. However, in the event of a discrepancy between this booklet and the governing City of Dauphin Zoning Bylaw, the Bylaw will take precedence.

Definitions

Conditional Use: Conditional use means a use of a building or land that may be unique in its characteristics or operation, which could have an impact on adjoining properties, or have unusual site development demands.

Development: means the construction of a building or structure on, over or under land, a change in the use or intensity of use of a building or land, the removal of soil or vegetation from land, the deposit or stockpiling soil or material on land and the excavation of land.

Development Plan: A Bylaw passed by Council or Board under Part 4 of the Planning Act, or a part thereof, approved under the *Act,* covering any area of land defined therein, designed to achieve stated objectives and to promote the optimum economic, social, environmental and physical condition of the area, and consisting of the texts, maps or illustrations describing the program and policy.

Minor Variance: is a minor alteration or change to the standard prescribed by the City of Dauphin Zoning Bylaw. The City Development Officer may, in accordance with the provisions of *The Planning Act*, grant or refuse, at his/her discretion, a Minor Variance not to exceed 10 percent of any height, distance, area, size, intensity of use or parking space requirement of this bylaw.

Subdivision: is a division of a parcel of land described on a Certificate of Title. A subdivision can occur when a single land title is split into two or more parts, property boundaries are rearranged, or a lease, mortgage or other instrument is registered that has the effect of subdividing the parcel.

Variance: An application to modify zoning requirements governing: height, site area, width or coverage, buildings, floor space, minimum yards, dwelling unit density or parking and loading requirements as they apply to an ***individual site***. Although the zoning designation of the property remains unchanged, an exemption of one or more of the requirements may be allowed under certain circumstances.

Zoning Variance & Conditional Use Applications

What process is involved in an Application for a Variance or Conditional Use?

1. The following documents may be required to complete an application:
   - Application filed with City of Dauphin Development Officer, and application fee;
   - Survey certificate prepared by a Manitoba Land Surveyor,
   - Current status of Title;
   - Site Plan showing the area affected as well as what is to be adjusted;
   - Letter of Intent;
   - Letter of Authorization from registered owner(s) of land whose name(s) appear on the title.
2. A Public Hearing is set before City Council to approve or reject the Variance/Conditional Use Application.
3. A notice is sent by mail at least 14 days before the Hearing to residents located within 100 meters of the property line in question. At the time of the Hearing anyone wishing to make presentation to Council regarding the application may do so.
4. Council will then approve or reject the application and may at this time include conditions of approval on the application. The decision of Council is final and no appeals may be made. An Order is then issued to the applicant/owner approving or rejecting the application. The Decision of Council is mailed to the applicant and to any person who made representation at the Hearing.
5. *Expiry of Approval - the approval of Council shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of the decision, unless it is renewed prior to the expiry date at the discretion of Council for a additional period not exceeding twelve (12) months.*

How to reach us / where to Apply:

Contact City of Dauphin Development Officer at:

100 Main Street South
Dauphin, MB. R7N 1K3
Phone No. 204.622.3200

Zoning Bylaw # 04/2015

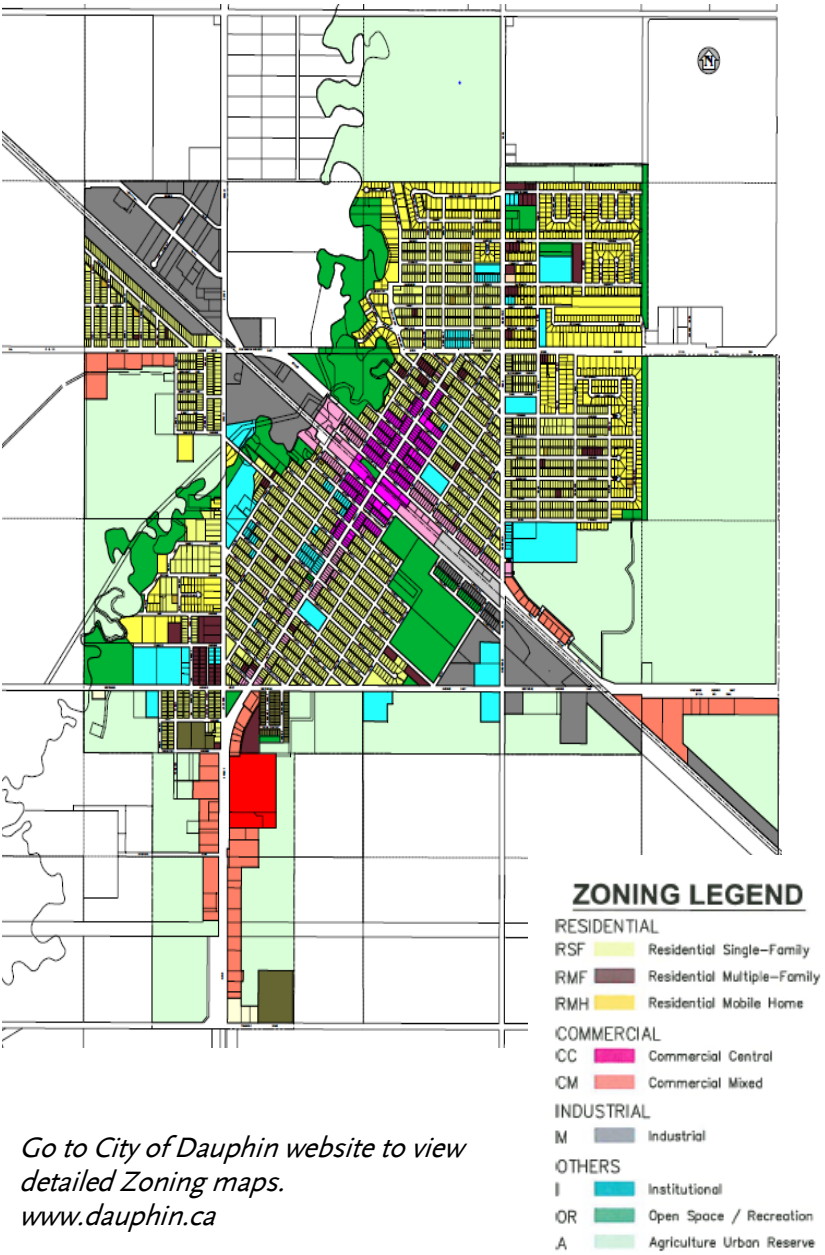
What is a Zoning Bylaw?

A zoning bylaw divides each part of the City into zones, in order to separate residential, commercial and industrial land development and to regulate specific land uses and buildings. A zoning bylaw is made up of text and maps; the text sets forth the regulations for each zone and the maps show what zone apply to each parcel land. In each zone certain land uses are permitted outright, others are conditional upon approval, and some are prohibited. In each zone there are also rules for the location and the size of buildings. These regulations are listed in detail, such as setbacks ("yards"), height limits, or other specific requirements.

The provisions of the Zoning Bylaw shall apply to all lands within the boundaries of the City of Dauphin, which lands, for the purpose of this bylaw, are hereby divided into the following Zones.

Abbreviation	Zone
RSF	Residential Single Family
RMF	Residential Multiple Family
RMH	Residential Mobile Home
CC	Commercial Central
CM	Commercial Mixed
M	Industrial
I	Institutional
OR	Open Space/Recreational
A	Agriculture Urban Reserve

Zoning Map



Go to City of Dauphin website to view detailed Zoning maps.
www.dauphin.ca

Rezoning Applications

What is a rezoning?
A rezoning changes the zoning designation and regulations on a parcel of land. The purpose of a rezoning is to change the rules of development in order to allow a land use which cannot be established under the existing zoning regulation. A rezoning takes effect when City Council passes a rezoning bylaw to amend the existing zoning bylaw and any relevant caveats are registered.

Who can apply for a rezoning?
An application for a rezoning can be made by either the owner of a parcel of land, or by a person authorized IN WRITING by the owner to make the application.

What is required to make a rezoning application?
An application must be made with the City of Dauphin Development Officer. Along with the application fee, you may also be required to submit the following documents:

1. **Current status of Title**
2. **Letter of Authorization,** from all the registered owners of the land whose names(s) appear on the title.
3. **Current Building Location Certificate**, prepared by a Manitoba Land Surveyor,
4. **Site Plan**, showing all detailed dimensions. Your Site plan should also include the following items if applicable:
   - A boundary survey showing the total acreage, present zoning classification, date, north arrow, and vicinity map;
   - All existing easements and rights-of-way;
   - Parking and loading areas;
   - Proposed and existing screening, including walls, fences, or planting areas, as well as treatment of any existing natural features and any proposed buffers or landscaped yards at the project boundary;
   - Generalized information as to the number, height, size, or location of structures;
   - Proposed phasing, if any, and approximate completion time of the project;
5. **Letter of Intent**.

What is the rezoning procedure ?

1. **Council gives First Reading of Bylaw**
2. **Publication & Notice**
    a) Public Hearing Notice in newspaper
    b) Mail Notice of Public Hearing to:
        i) applicant (if any)
        ii) the Minister
        iii) adjacent municipalities or planning districts
        iv) municipalities within the planning district
        v) adjacent property owners

3. **Public Hearing Held**

- Council will hear representatives in support and objection to the proposed zoning amendment.
- If no one objects to the bylaw then Council may give 2nd and 3rd reading to the Bylaw.
- If an objection is received Council may give 2nd reading and as soon as practicable send a notice to every person who objected stating that they may file a 2nd objection with Council by the deadline specified in the notice.
- If no second objection is filed by the deadline Council may give 3rd reading to the Bylaw.
- If a second objection is filed Council must refer the objection to the Municipal Board of the Planning District.
- The Municipal Board will hold a Hearing and make an Order confirming or refusing to confirm the Bylaw. Council may give 3rd reading to the Bylaw if the Municipal Board confirms the Bylaw.

4. **After 3rd Reading**

Notice is sent after 3rd reading to the Applicant/Owner, the Minister, the Rural Municipality and/or Planning District and City City Council shall proceed with the adoption of the Zoning amendment in accordance with the provisions of the *Act.*

Development Plan Amendments

What is a Development Plan?
A development plan is a bylaw which outlines the long term vision and goals of a community and is used to guide development within the planning area of a municipality or planned district.

How is a development plan relevant to my subdivision application?
A development plan provides policy guidance on where land uses may or may not occur in a community, and will specifically include policies on subdivisions. All land uses and development must conform to the policies in the plan and requirements contained in the zoning bylaw. If a subdivision application is inconsistent with, or does not conform to the plan or zoning bylaw, it must not be approved. The development plan must then be amended before a subdivision application can be considered.

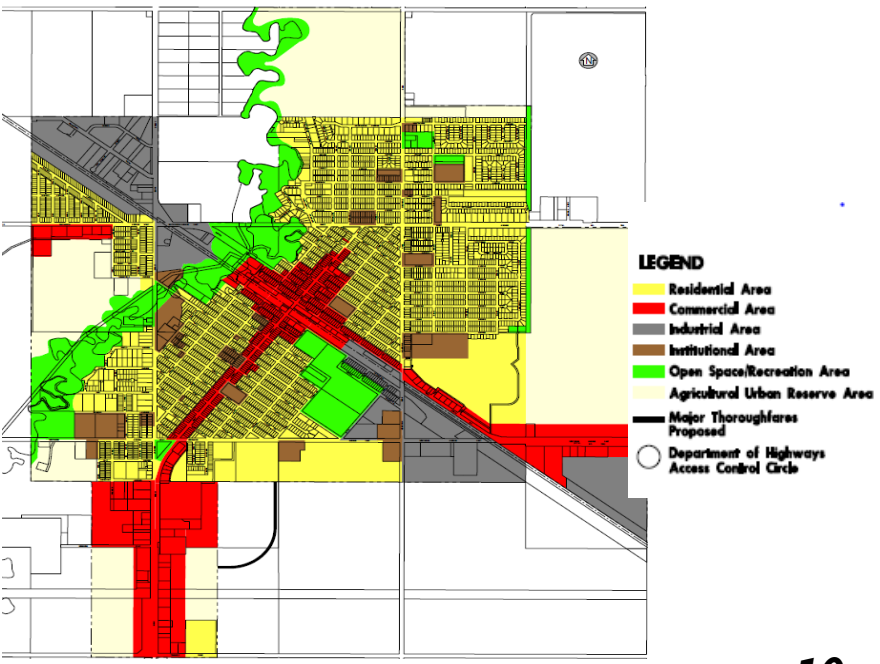
Can a development plan be amended?
Yes, a development plan amendment may be initiated by the board or Council, or through an application made to the board or council by the owner of the affected property, or a person authorized in writing by the owner. There is typically a fee involved in applying for a development plan amendment.

What is the development plan amendment process?
Council will give 1st reading to a development plan amendment bylaw. Between first and second reading of the bylaw amendment Council must hold a public hearing to receive representation from any person on the proposed development plan amendment. If there are objections at the public hearing, those making objections also have an opportunity to submit their objections to the Minister of Municipal Government. It is then up to the Minister to make a decision to approve, approve with conditions or reject the bylaw, or refer it to the Municipal Board. If the Minister refers it to the Municipal Board, those who submitted objections are given an opportunity to make representation at a Municipal Board hearing.

The Municipal Board forwards their decision back to the Minister who will give a written notice of their decision to Council. Council may then give 3rd reading to the bylaw, after making any alteration to the bylaw and complying or agreeing to comply with any condition imposed by the Minister; or pass a resolution not to proceed with the bylaw.

How does a development plan differ from a zoning bylaw?
The development plan bylaw provides general planning direction and policy to guide development in line with a community's goals. The zoning bylaw is a tool used to implement and regulate development to ensure it is consistent with this direction and policy.

Overall, development plans are more general than zoning bylaws, which are more specific. For example: A development plan might designate an area as "Residential", while the zoning bylaw will zone it for a specific kind of residential use—like multi-family, or single family. Zoning also requires specific building standards such as height, yard sizes, location, fence heights, parking, etc..



Application Form

Dauphin

100 Main Street South
Dauphin, MB. R7N 1K3
Phone: 204-622-3200
Fax: 204-622-3290

APPLICATION

☐ Variation Order ☐ Conditional Use ☐ Amendment to Development Plan ☐ Zoning Bylaw No. 17/2001	Date:	January 11, 2006
	Property Owner:	
	Applicant:	
	File Number: 12.	

Legal Description:	Lot/Section	Block/Township	Plan/Range
Location of Property:			

Council requires that the following, as indicated, be supplied:

☐ Certificate of Search	☐ Survey Plan By Manitoba Land Surveyor
☐ Certificate of Title	☐ Valid Option to Purchase
☐ Authorization to Apply	☐ Other Data:

Applicable Documents:

☐ Development Plan By-law 16/2001	☐ Zoning By-law No. 17/2001

Subject Provision:	

Proposed Changes:

☐ Varied to allow:	
☐ Conditional Use requested:	
☐ Amended to:	

Reasons in Support:	

I/we agree to undertake to observe and perform all provisions of The Planning Act, the applicable Development Plan, Zoning By-law, any development agreement entered into under Section 48 of The Planning Act and any conditions imposed under Sections 57 or 59 of the Planning Act, and the provisions of other relevant laws or by-laws.

Address of Owner(s):		Phone No:	
Signature of Owner(s):		Date:	
Address of Applicant:		Phone No:	
Signature of Applicant:		Date:	

OFFICE USE ONLY

Application Received By: Dave Derkach, Building Inspector	Date:	Application Fee: $0.00

Subdivisions

What is a subdivision?
A subdivision is the division of a parcel of land described on a certificate of title. A subdivision can occur when a single land title is split into two or more parts, property boundaries are re-arranged, or a lease, mortgage or other instrument is registered that has the effect of subdividing the parcel.

The owner of land, or a person authorized in writing by the owner, may apply to Manitoba Municipal Government Community Planning Services for subdivision approval in accordance with the regulations. ***The land that is proposed to be subdivided must be suitable for which the subdivision is intended.***

Subdivision Fees
Please contact the Regional Community Planning Office for up to date fee information. Also note additional fees will be incurred throughout the subdivision process in addition to the Provincial or Planning District fees. Additional costs to consider are surveying costs; legal costs; land title registration cost; etc.

Contact information for Community Planning Services

Manitoba Municipal Government
Community Planning Services
Sue Lucas, Regional Director
27 2nd Avenue S.W.
Dauphin, MB. R7N 3E5
Phone: 204.622.2115

Fee Schedule:

***Subdivision Approval** (payment of Fee shall be a condition of Council approval)*	***No Charge***
***Subdivision Application Amendment** (payment of Fee shall be a condition of Council approval)*	***No Charge***
***Development Agreement** plus legal Fees (Where an agreement is required as a condition of approval for an application under this part; Fee condition of resolution*	***$3,000.00***
Zoning Bylaw Amendment	***$1,600.00***
Development Plan Bylaw Amendment	***$1,600.00***
Development Permit (Part 9 Jurisdiction)	
i) Single Family and two-family dwellings	***No Charge***
ii) Other than single family and two-family	***$ 80.00***
Development Permit (Part 3 Jurisdiction) Municipal Authorization Re: Zoning Bylaw	***$ 165.00***
Major Variance Application	***$375.00***
Fee imposed after commencement (non refundable)	***$750.00***
Minor Variance Application	***$150.00***
Fee imposed after commencement (non refundable)	***$300.00***
Variance of Flood Proofing	***$ 75.00***
Conditional Use Application	***$375.00***
Fee imposed after commencement (non refundable)	***$750.00***

All Fees subject to current City of Dauphin Fees, Fines, and Charges Bylaw 13/2025.

Dave Derkach, C.E.T., CBCO
Building Inspector

City of Dauphin
100 Main Street South
Dauphin, MB R7N 1K3

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www.dauphin.ca

Notes:

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