

CONDITIONAL USE - Process and Procedures

What is Zoning?

Zoning is a tool used to promote orderly development within our community. Zoning works by regulating the use of land and the use and location of buildings and structures. Zoning typically involves grouping land in the community (rural and urban) into “zones” or “districts”, with each “zone” permitting certain compatible land uses according to specified standards of development. Council sets these standards as representatives of the community.

What is a Conditional Use?

In a particular zoning district, some types of land use may be permitted as a Conditional Use. Conditional Use allows Council to consider the appropriateness of a proposed use for a particular site, or to establish certain site-specific standards for a proposed development. An example of a Conditional Use may be to allow a non farm dwelling in an Agriculturally zoned district.

Information required with your application:

- A copy of the Certificate of Title for the affected property (available from Brandon Land Titles Office, 705 Princess Avenue, 204-726-6279);
- Letter of Intent describing the application and any reasons supporting it, and any other information that may help explain the proposal;
- Detailed site plan showing accurate dimensions of the parcel; location and dimensions of all existing and/or proposed buildings and structures including distances from property lines, traffic/parking layout, access, and landscaping;
- Letter of Authorization to apply if applicant is other than the property owner; and
- The application fee (payable to Brandon and Area Planning District) of: **see fee schedule**.

What happens to your application after it is submitted?

A date and time for the hearing will be set upon receipt of a complete application. Applications are required at least 28 days before the hearing in order to meet the circulation requirements as outlined in The Planning Act.

- At least 14 days prior to the hearing, notices will be sent to each assessed property owner within a 100 metre (328 foot) radius of the affected property. All adjoining properties and properties across the street or lane will also be notified;
- At least 14 days before the hearing a notice will be posted in the Planning District office;
- At the hearing, the applicant and any other person(s) may make a presentation to Council. Council may either approve or reject the application or may approve with certain conditions. Occasionally, Council will delay their decision until the next meeting if they require additional information; and
- The decision of Council is final and not may not be appealed.

Please be advised that you or your representative should attend the hearing in order to present your application to Council. If no one will be attending, please advise our office as soon as possible.

Any questions pertaining to this process may be directed to: Brandon & Area Planning District 204-729-2110.

Brandon & Area Planning District Refund Policy (for application made on property located within the RMs of Cornwallis or Elton)

Any Application will be fully refunded if withdrawn within 5 business days following the day of processing of receipt.