

Rezoning Application Guide



This handout provides information on the requirements and processes to change the Zoning or amend the Zoning Bylaw.

When is a Rezoning Application Required?

If the proposed development is not permitted under the existing zoning, then the property owner may apply for a change in the zoning. Rezoning is the process of legally changing the zoning district on a property. An application for rezoning does not guarantee approval.

What is a Zone?

All land in the City is assigned a zone as shown on the City's Zoning Maps. The City's Zoning Bylaw is a tool to regulate land use; It defines permitted uses, development density, and other related issues such as building heights, lot coverage and the amount of off-street parking and loading required.

The *Local Government Act* provides Council with the authority to create and amend the Zoning Bylaw. Any development or building permit issued by the City, or any subdivision approved by the Approving Officer, must be in accordance with the Zoning Bylaw, and any Zoning Bylaw amendment must be in accordance with the City's Official Community Plan.

Prior to Application

Rezoning applications should be thoroughly considered and prepared by the applicant before submittal. The following steps are recommended prior to submitting an application:

1. Official Community Plan (OCP) Land Use Designations:

Because the OCP designates the types of land uses intended for all areas of the City, as well as policies relating to specific types of development, check the OCP land use maps for the designation of your property and the types of land uses allowed within that corresponding zone. An OCP Amendment may be required along with the rezoning.

2. Contact the Development Services Department: staff are available to meet with prospective applicants and/or their consultants to discuss the proposed development and potential rezoning application. Staff can provide advice on submission requirements and the review procedure to assist timely processing of the application prior to submittal.

Application Procedure:

Complete a Rezoning Application Form and submit the information outlined on the Rezoning checklist. Check with staff as to what information listed on the checklist is required. All information requested in the checklist must be provided in a timely manner to ensure the application is referred to the appropriate City Departments and can be responded to in a suitable timeframe.

Rezoning Review Process

Process

- 1. Assigned:** The application will be assigned to a Planner in the Development Services Department. The application will be reviewed by staff and all requested information must be received prior to processing the application.
- 2. Amending Bylaw:** The Planner will prepare an amending bylaw and report which will be brought to Council with one of the following recommendations:
 - Give first and second reading to the amending Bylaw and refer the application to a Public Hearing;
 - Decline the application; or,
 - Defer the application.
- 3. Referrals and Notifications:** If given first and second reading by Council, the Planner refers the application to appropriate City departments including but not limited to Building, Engineering and Fire Protection Services. The Planner may also refer the application to an external agency including the Provincial Ministry of Transportation and Infrastructure, the Provincial Ministry of Environment, and Forestry, depending upon the location and significance of the proposed amendment application. Notifications regarding the application and public hearing date are sent to neighbouring residents and posted in the newspaper.
- 4. Referral Requirements:** If the Planner receives referral comments which require action, the applicant may be required to provide additional information. The amending bylaw may also be modified to reflect requirements or suggestions from the referrals.

5. Public Hearing: A public hearing is held prior to third reading and adoption of the amending bylaw. Written and verbal comments from the public will be presented. Council may direct changes to the amending bylaw as a result of comments received. While uncommon, the public hearing may be waived at Council's discretion for simple applications in conformance with the Official Community Plan.

- 6. Third Reading and Adoption:** After the public hearing the amending bylaw will be brought to Council with one of the following recommendations:
- Give third reading and adoption to the amending bylaw
 - Decline the rezoning application

7. Amendments Made: If adopted by Council, the required amendments will be made to the Zoning Bylaw and Zoning Map, if required.

Timeframe

A rezoning application generally takes two months to complete depending on a number of factors including:

- completeness of the application,
- changes requested by agencies or the public,
- timing of Council meetings.

Rezoning applications associated with more complex applications will require more time to finalize.

Fees

The fee for a Zoning Amendment can be found in the Fees and Charges Amendment Bylaw No. 3932.

Additional Applications:

- A Development Permit Application (DP) may also be required with the application if the site is located within a Development Permit Area. (Refer to the Development Permit Application Guide)
- If the proposed rezoning application is to facilitate the creation of new lots, and/or requires adjusting an existing property line, a subdivision application will also be required. (Refer to the Subdivision Application Guide)
- If the proposed zoning and use does not comply with the Official Community Plan (OCP), and OCP Amendment will be required, which is done concurrently as a joint application.

If the proposed rezoning requires a development permit and/ or subdivision application, the applications may be processed concurrently.



Photo Credit: New Harvest Media

Talk with your Neighbours

Consultation with your neighbours who may be affected by the proposed rezoning application is strongly encouraged. Obtaining neighbours input better enables an applicant to address any concerns and/or modify their application before significant time and investment are made in the review process.

What is a Public Hearing?

A public hearing is a meeting of City Council where the applicant and public are given an opportunity to comment on the proposed rezoning. Comments may be provided to Council either in writing, prior to or at the public hearing, or verbally during the public hearing when the amending bylaw is presented. Once the Public Hearing is closed, Council may not receive any further information from either the applicant or the public before making a decision on the amending bylaw.



Photo Credit: New Harvest Media

Questions?

Zoning Amendment Applications

- Planning 250-784-3601

Site Servicing, Street Works or Utility Construction

- Engineering 250-784-3621

Transportation

- Planning 250-784-3601

Signage

- Building Department 250-784-3654

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