



ZONING AMENDMENT APPLICATION GUIDE

Skeena-Queen Charlotte Regional District
Planning and Development Services

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This brochure provides an overview of the steps involved in the application of a zoning bylaw amendment. This is a general guide only and is not meant to replace bylaws or other legal documents. Applicants are advised to meet with the SQCRD staff to discuss their application.

What is a Zoning Bylaw?

The purpose of zoning is to regulate land use and development standards for properties within each zone. Zoning specifies the range of permitted uses in each zone, as well as regulations for building heights, setbacks from property lines and other requirements such as minimum lot size.

When is a Zoning Amendment (a.k.a Rezoning) Required?

Before proceeding with any development or purchasing a property, you should check with staff to review zoning provisions. If you wish to undertake a use or development which is not permitted in the current zone, you must apply for a zoning amendment. If a change to the Zoning Bylaw is needed that does not affect use or density, a Development Variance Permit may be applied for.

Typically, zoning amendments involve a change from the existing zone to another zone in the Bylaw. For example, you may request a change from R-2 (Small Holdings) to C-1 (General Commercial) to accommodate a commercial use.

Application fees can be found in Schedule B: Rezoning and OCP Amendment Fees in Bylaw 549, 2013.

Steps to a Zoning Amendment

STEP 1 – Pre-application Meeting

A pre-application meeting allows the owner to meet with staff to gather information on the process, identify potential barriers to the proposal and discuss what to expect in terms of cost, if an Official Community Plan (OCP) amendment should be completed concurrently, the agencies that we require approval from and if a consultant will be required to assist with the application requirements.

Owners are also encouraged to meet with the adjacent property owners to discuss the impact of any variances.

STEP 2 – Submission of Application

Applications for amendments of the Zoning Bylaw must be accompanied by a detailed description and drawings of the proposed land use. The drawing must be an accurate reflection of the lot and surrounding area. Application forms are available from the Planning Department or on our website. Requirements for the application include:

- Completed application form signed by the registered owner of the property. If applicable, written authorization for an agent to act on behalf of the registered owner(s) of the subject property may be required;
- Payment of Application Fee;
- Certificate of Title, dated within 30 days;
- Site Plan: minimum size 11” x 17” showing the dimension of the proposed development in metric scale;
- Proposal summary outlining the nature of the proposed development and how the development fits within the neighborhood. The proposal should also be justified in terms of the benefit to the community and impact on land use patterns in the area; and
- Development plan: Detailed drawings of the proposal, including building sections, parking lay out and access and proposed means of servicing. Must also include a project summary sheet outlining gross site area, density and number of dwelling units, site coverage, heights, setbacks and other relevant data. In addition to the 11” x 17” map, we also require high resolution digital copies that include:
 - Dimensions of the property, existing and proposed toads;
 - Location and dimensions (including setbacks) of existing and proposed buildings on site;
 - Any easements or statutory Right-of-Way.
- Note: the SQCRD may require a drainage plan, or other additional information, dependent upon the site characteristics.

STEP 3 – Application Review and Referral to Agencies

Once staff have reviewed document for completeness, it is referred to other staff and outside agencies such as, the Fire Department, Northern Health and Ministry of Transportation and Infrastructure for comment. Upon receipt of all staff and referral comments and the neighborhood meeting, staff will prepare a staff report.

STEP 4 – Board Meeting

The Board will receive the staff report and draft bylaw. The Directors give thorough consideration to the application and either give it First Reading, reject the application or refer it back to the applicant for further revision.

Note: Board meetings are held once a month.

STEP 5 – Public Hearing

- All rezoning applications are subject to a statutory Public Hearing held before the Board, as per the *Local Government Act*.
- Applicants will be requested to post a rezoning sign on the property indicating the type of proposed development at least ten days prior to the Public Hearing.
- Any person who deems their interests may be affected by the proposed development may express their concerns to the Board.
- Staff prepares the required newspaper advertising and written notification to be both mailed and hand delivered to surrounding properties located within 150 feet (50 meters) of the subject property. This step normally requires four weeks prior to the Public Hearing.
- The application or the designated representative should attend the Public Hearing and be prepared to respond to any questions.
- The Public Hearing is a formal hearing subject to *Local Government Act* procedures.
- The Public Hearing is the last opportunity for the Board to receive input from the application or the public before making a final decision on the application.

STEP 6 – Second and Third Reading

After the Public Hearing the bylaw is referred to the Board for consideration of Second and Third Reading. The Board either gives the bylaw second and third reading or defeats it. If referred for more information, a new hearing date is set.

STEP 7 – Adoption

If the majority of Board members are satisfied that the proposal is beneficial to the community, consistent with the OCP and that all legal requirements and conditions are met, the Board may vote in favor of Final Reading of the zoning amendment.

Application Timing

- The process requires at least four to six months for completion. Applicants are advised that timing is most affected by the adequacy of the submission and dependent upon the complexity of the issue, current workload of staff and the Board and timing of Board Meetings,
- Applications are advised to meet directly with other relevant agencies, such as the Ministry of Transportation and Infrastructure or Environment early in their project, prior to the formal application.
- Board meetings are held once a month; dates and times are available on our website. Agendas for these meetings are completed the week prior to each meeting. These dates should be kept in mind when creating timelines for your application.

This brochure is meant for guidance only and is not intended to replace the requirements of the *Local Government Act*; applicants should obtain copies of the relevant bylaws before proceeding with development applications.