



Zoning Amendment

A guide to rezoning property



This guide explains:

- The purpose of the Zoning Bylaw
- Zoning amendment applications
- The amendment process
- Commonly asked questions

This pamphlet is a guide only. It is general in nature, and is not a legal document. Any contradiction, dispute or difference between the contents of this brochure and applicable bylaws, plans, policies or guidelines will be resolved by reference to the bylaws or other official documents.

What is the Zoning Bylaw?

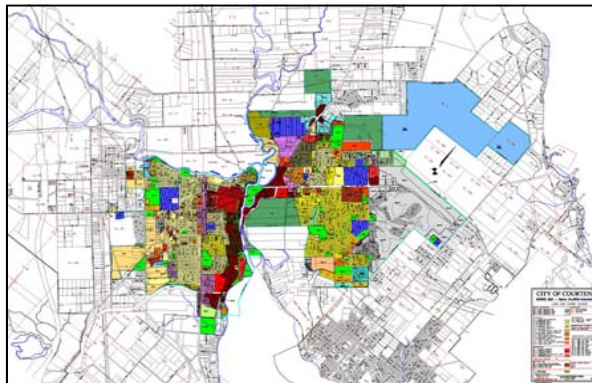
The City of Courtenay is divided into designated land use categories or zones, pursuant to the *City of Courtenay Zoning Bylaw No 2500, 2007*.

The purpose of a zoning bylaw is to group compatible land uses together and provide regulations that manage those uses.

The zoning bylaw provides the community with:

- The types of land uses in the City, and
- Regulations for setbacks, height, parking, buffering, fencing etc. that will manage those uses.

The zoning bylaw is comprised of maps and text. The mapping outlines the zone on all properties in the City and the text provides a list of permitted uses for each zone (such as residential, commercial, industrial etc.). Each zone also has a set of regulations (such as the number of residential units permitted, building height, lot coverage, or setbacks).



How is a zone changed?

An application for rezoning is necessary when a proposal for a use or density that is not permitted in a particular zone in which the land is situated.

How is a zoning amendment application made?

The Planning Services Department has application packages that outline the required information, drawings and fees. It is important to

make an appointment with staff before submitting a formal application. Staff will be pleased to review requirements and provide information. This will ensure a complete application and prevent unnecessary delays.

If Council defeats an application, there is a 12 month waiting period before Council will consider a substantially similar application.



What is the amendment process?

The Local Government Act regulates the process for a zoning amendment application, public hearing, and four opportunities for consideration of the application by Council (called 'readings'). The application can only be approved when given the fourth and final reading.

Does the Official Community Plan affect zoning amendments?

An Official Community Plan (OCP) is a bylaw of policies providing a framework for making land use decisions. The policies of an OCP are used in evaluating applications and reviewing proposed changes in land use. All development must conform to the relevant policies of the OCP. If the requested zoning amendment does not conform to the OCP, an OCP bylaw amendment application will also be required. Both applications may proceed simultaneously.

It is important to remember that an OCP reflects the objectives of the community and is the result of a long process involving considerable public input. An application to change a designation in the OCP will be carefully considered in light of the overall policies and objectives of the OCP.

What are the application costs?

The cost of an application can vary depending on the complexity of the application.

Some typical costs include:

- The application fee. Please refer to the *City of Courtenay Fees and Charges Bylaw No.1673, 1992*
- Any documents/plans necessary to complete the application requirements such as legal surveys, site plans etc.
- Any professional reports or information required by City departments, external agencies, or Council.
- Assessment of offsite requirements such as road improvements, drainage issues etc.
- Any legal fees such as legal interpretation, or the registering of amendments or restrictive covenants on the title of the subject property.

<p>CITY OF COURTENAY PROPOSED REZONING</p> <p>APPLICANT NUMBER: 3360-20-0510</p> <p>APPLICANT NAME & ADDRESS: 3L DEVELOPMENTS INC BOX 609 PORT MCNEILL, B.C. V9N 1R0 (250) 956-3123</p> 	<p>THIS PROPERTY IS PRESENTLY ZONED: R-1A AND DESIGNATED MULTI RESIDENTIAL IN THE OFFICIAL COURTENAY PLAN</p> <p>AN APPLICATION HAS BEEN MADE TO REZONE THESE PROPERTIES TO CD-12 MULTI-RESIDENTIAL AND R-1C</p> <p>FOR FURTHER INFORMATION CONTACT: PLANNING DEPARTMENT CITY OF COURTENAY 830A CLIFFE AVENUE COURTENAY, B.C. V9N 2J7 TEL: 334-4441 FAX: 334-4241 20 JUNE 2005</p>
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How long does the application process take?

City staffs do their best to ensure that applications are dealt with in a timely manner. Most applications take approximately 6 months to proceed through the evaluation and approval process. More complex applications may take up to 12 months or longer.

Additional information may be requested at any time during the process and the application cannot proceed before that information is provided. An applicant can considerably reduce any delays by supplying prompt replies with complete information.

The Rezoning Process

Discuss the proposal with Planning Staff

Submit a complete application

Application reviewed by the Planning Services Department (2-4 weeks)

Referrals issued to other City departments and external agencies (4 weeks)

Referrals are returned to the applicant for outstanding issues to be addressed (2-4 weeks)

If required, a Public Information Meeting may be held (2-4 weeks)

Planning Department prepares a report to Council and a bylaw is created for the amendment (2 weeks)

1st and 2nd readings of the bylaw are considered by Council and passed or defeated

If passed, a public hearing is set and the Planning Department notifies all owners and occupants within 100 m of the subject property (2-4 weeks).

Third reading of the bylaw is considered at a Council meeting following the public hearing and passed or defeated.

If passed, final reading is considered by Council at a subsequent Council meeting.

If the amendment is adopted, it takes place immediately. If it is refused, no substantially similar application will be considered by Council for 12 months.

For More Information:

You should always refer to the official copies of the Official Community Plan, Zoning Bylaw, Subdivision Control Bylaw, Development Application Procedures Bylaw, and other formal City of Courtenay documents if you are unsure of any procedure or requirement. Staff will be pleased to be of assistance.

For more information, please contact planning staff at the Planning Services Department 250-334-4441. We will be pleased to help you and answer any questions that you might have.



City of Courtenay
Planning Services Department

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