

# Rezoning or Official Community Plan Amendment Application Guide

**Definition: What is a Rezoning?**

The Comprehensive Zoning Bylaw is intended to guide the land use evolution of the District in a systematic and orderly manner for the benefit of the community as a whole. It also is one way that communities keep development consistent with their Official Community Plan (OCP).

A land use zone specifically regulates the use and density of land, the siting, size and dimensions of buildings and structures allowed in a specific area. The Zoning Bylaw divides all of Squamish into land use zones, and is the tool that works to harmonize different zones as they work next to each other.

Rezoning is the process of changing the zoning of a property. A property owner may request a change in their parcel's zoning to obtain a use or a density that is not permitted under the present zoning. Zoning can only be changed by an amendment to the Zoning Bylaw, based on the District of Squamish Council's voted decision. This process requires a Public Hearing before it is adopted by Council.

Zoning is used to:

- Maintain an orderly, efficient and harmonious use of land in the community
- Establish and promote minimum standards for the health, safety, convenience, and public welfare
- Prevent overcrowding of land through density parameters
- Secure adequate light, air and access
- Protect property values

**Overview: What is an Official Community Plan Amendment?**

An Official Community Plan (OCP) is the long-term vision and consolidation of District Council's policies and objectives for land use, community well being, and the form and character of development for the future. The OCP also contains guidelines for Development Permit Areas. The OCP identifies land use designations, or types of development, that Council will consider at every location throughout the District.

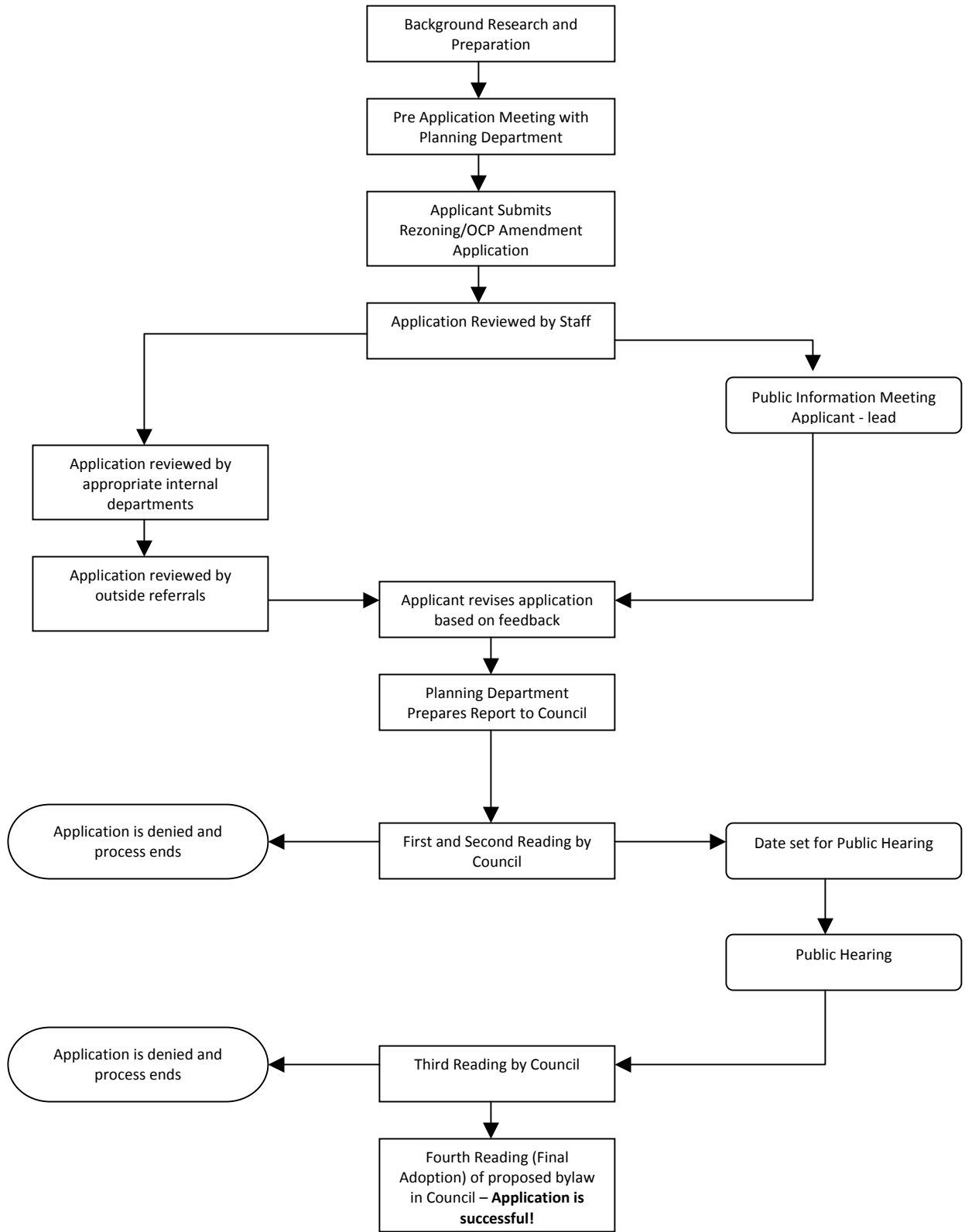
An OCP Amendment is sometimes initiated by a rezoning application that seeks approval for terms beyond those specified in the OCP. The approval process for an OCP Amendment is similar to a Rezoning application. A Public Hearing is required before Council adopts an OCP Amendment.

**When is a Rezoning or OCP Amendment Required?**

Rezoning is required when the use of the property can only be changed through rezoning. The review process examines the impact of the change on the community to ensure a positive contribution and consistency with the community's standards of development.

If the Rezoning application exceeds the parameters of the Official Community Plan, an OCP Amendment is also required. In such cases, an OCP Amendment must be made before a change to zoning can occur, and the amendment applications (both OCP and Zoning) typically occur in tandem.

## Rezoning or OCP Amendment Approval Process



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Rezoning applications should be well planned before submittal. The following steps are recommended prior to submitting an application:

### 1. Background Research & Preparation

The application process begins with background research and a thorough understanding of the development proposal. Some information, such as the current zoning will be available at the Planning Department. Other information, (such as site plans and studies), must be provided by the applicant. The following components are discussed in the pre-application meeting:

- Existing zoning of the property and applicable land use and density regulations
- Development Permit Area for siting and design requirements outlined in the Official Community Plan (OCP)
- Review applicable Development Bylaws, Zoning, Subdivision & Development Control, Official Community Plan (OCP) for applicability to the proposed development
- Compatibility within the existing neighbourhood
- Transportation considerations including cycling and pedestrian links
- Environmental impacts: proximity to sensitive areas and habitat
- Natural Hazards designation/classification

### 2. Pre-Application Meeting

The purpose of the pre-application meeting is to ensure the Planner and other appropriate District staff, fully understand the applicant's development proposal and provides guidance on those application requirements specific to the proposal.

An appointment may be made with the Planning Department after the background research is complete. A Planner will then be assigned to the file and will be the applicant's contact during application processing.

The applicant should provide the following information for the Pre-Application meeting:

- A brief summary of the project
- The lot area showing dimensions and watercourses
- Site Plan

### 3. Application Submission

To ensure the most time effective and streamlined application process, only completed applications are accepted. The application forms are available on line at [www.squamish.ca](http://www.squamish.ca) or at the Planning Department. Contact the Planning Department for assistance with any questions related to completion of application requirements. There is an application fee, payable on submission of a complete application.

See the attached **Rezoning & OCP Amendment Application Submission Checklist** for application submission requirements.

#### **4. The Approval Process:**

Once you have submitted a completed application the following steps will be taken to assess your rezoning or OCP amendment application.

##### **A. Site Sign (Required)**

In order to inform area residents and property owners of the proposed development, applicants are required to place a development sign on the subject property, clearly describing the proposed development. The Planning Department will provide applicants with detailed sign requirements. The sign is required to be in place at least ten (10) days prior to Council's consideration of the Rezoning & OCP Amendment applications. The costs incurred are borne by the applicant.

##### **B. Public Information Meeting (PIM)**

A Public Information Meeting is required for all Rezoning and OCP Amendments. The public information meeting will be scheduled prior to the application review at the Technical Planning Committee (TPC). The Planning Department will provide applicants with an information package. Public Information meetings must be held in venues that are vetted by the Planning Department.

***Costs incurred for the PIM are borne by the applicant.***

##### **C. Internal Technical Review**

The Planning, Engineering, Building, Fire Department, and Real Estate Departments will meet to assess the rezoning proposal and start to work with the applicant on technical issues as they are identified. Major technical components of rezonings, like Land Development Agreements and any Amenity Agreements, and restrictive covenants must be agreed to in a 'final draft form'.

##### **D. External Review**

Some land use rezonings require comments and approval from outside agencies. Depending on the rezoning proposal and the location and characteristics of the property, outside agencies may also be involved in technical discussions. This includes the Squamish Nation, Fisheries and Oceans Canada, the Ministry of Transportation, the Inspector of Municipalities, and other similar agencies.

##### **i. First and Second Reading:**

This is where the application is formally introduced to the assembled Council in a formal meeting. The Planning Department makes a complete and comprehensive presentation to Council, with an indication of Planning Department support, or if there are major concerns with the project, Council identifies them at this point.

##### **ii. Public Hearing (Required):**

Following the Technical Planning Committee (TPC) review of the application, and the First and Second Reading, the Zoning Bylaw Amendment or OCP Amendment will then proceed to Council for consideration. Council may then set a Public Hearing date for the amendment.

The Public Hearing will be advertised in a local newspaper twice before the Public Hearing date. The District notifies by mail and hand-delivery, all owners and occupants of land within 100 metres (328 feet) of the subject property. The Public Hearing provides an opportunity for all interested persons (as well as the applicant), to comment on the application. Prior to the Public Hearing, applicants may wish to contact neighbours to discuss their proposal and answer any questions.



Applicants are required to attend the Public Hearing to present their application and/or address questions or concerns which the public and/or Council may have. In order to assist in the presentation, a plan or drawings of the proposal should be available for display. All relevant information should be fully addressed so that a thorough assessment of the proposed bylaw can be made. The Planning Department is available to assist applicants with any questions related to the preparation of the Public Hearing.

The Public Hearing is the last opportunity for Council to receive input from the public and applicant, before making its final decision.

iii. Third Reading:

This is where Council debates the merits of the application. If the application is successful, council grants the rezoning approval in principal. After the Third Reading, all outstanding technical and legal documents must be finalized.

iv. Fourth Reading / Adoption:

Once all outstanding issues for the land use application have been completed and resolved, the Planning Department forwards the rezoning Bylaw to Council for Adoption. The new land use now becomes the official and legal zone.

**E. Development Permit (Required)**

The District of Squamish requires a Development Permit application to be submitted, in addition to the Rezoning Application. This is to ensure that the actual buildings for the project are consistent with the land use change that is being requested. **A rezoning will not be adopted until a Development Permit application is submitted.**

In those instances when a Development Permit (DP) application is being processed concurrently, the DP cannot be granted until the final approval of the Rezoning. ***NOTE: concurrent Rezoning and DP applications are eligible for a combined lower application fee.***

**Other Municipal Approvals that may be Required:**

**Subdivision (If Required)**

Some Rezoning applications require Subdivision approval. To ensure all property developed is provided with adequate sewer, water and other services, applicants should check whether the required services are available and whether additional servicing is required for the Rezoning and related Development Permit. The costs incurred are borne by the applicant. The Planning and Community Development Departments are available to assist applicants to determine if these requirements apply.

**Development Variance Permit (DVP) (If required)**

A Development Variance Permit varies the requirements of a specific zone. DVP's can sometimes be an alternative to rezoning, based on criteria established by the Local Government Act. The Planning Department can advise if the DVP is an option.



**Board of Variance (BOV) – A Development Variance Permit Alternative:**

A Board of Variance approval is similar to a Development Variance Permit, but it is usually applied for instances of hardship (such as existing buildings, or steep terrain). The BOV is run through the Administrative and Building Departments.

**Official Community Plan (OCP) Amendment (If Required)**

The Planning Department will advise if an OCP Amendment will be required as a result of the Rezoning application.

## General Information

**Cost**

Application costs include, but are not limited to:

- Application Fee
- Your consultant's fees, if necessary
- Development Sign costs
- Security for specified works and landscaping, if any
- Non-Municipal Costs: These include professional fees required for your development application, such as BC Land Survey fees, Architectural fees, legal fees, engineering fees, etc.
- Space rental for the Public Information Meeting.

**Timing**

Specific time limits for the processing of a Development Permit application are difficult to provide. The time required varies depending on the type, size and complexity of the requirements, the number of applications in progress, and the ability of the applicant to provide information when required. Generally speaking, applicants may save time by initially discussing the proposal with the Planning Department staff, employing consultants (planners, architects, engineers, landscape architects and surveyors, etc.) familiar with the Development Permit process (where appropriate), and providing in a timely manner, all the information required by the Municipality throughout the process. Experience indicates that the more information an applicant can initially provide in support of the application, the faster it can be processed. Similarly, processing time, confusion and uncertainty may be minimized if the applicant assigns one person with the specific responsibility of coordinating the rezoning process.

**Who is the Council? Why do they decide?**

Land use changes are usually requested to benefit a property owner. Typically rezonings request higher densities and a larger selection of uses, to increase the value and activity of a property. This correlates into a greater assessed land value, and is referred to as 'the lift'.

Council is comprised of elected representatives within the community. They determine if the proposed application benefits the community in balance with the interests and benefits of the landowner, while also staying consistent with the Official Community Plan. With the elected trust of the Squamish population, Council has the privilege and responsibility of balancing current growth pressures with a vision of the future.

**Things to Consider or Include When Submitting an Application: Be well prepared for Pre-Application meetings by:**

- Ensuring background research is done
- Providing information to the Planner in advance of the application where possible
- Depending on the complexity of the Rezoning application, applicants may or may not require the services of an Engineer, Planner, Architect, Landscape Architect, or Lawyer
- Amenity Contribution: When the community-through-Council- grants a new zone that increases the density and value of your property, Council will endeavor to ensure benefit to the whole community. This is often done through an amenity contribution. Talk to your file Planner for further details.
- Universally accessible Units: District of Squamish Council supports this design consideration as part of any development or redevelopment application.
- Green Building design- The District of Squamish has signed the Climate Action Charter: Squamish participates in the Community Action on Energy and Emissions (CAEE) Program. Green building design is endorsed and depending on what is proposed, green initiatives may allow for other development variances. Please check with your file Planner and visit the District of Squamish Green Building Toolkit online: [www.squamish.ca](http://www.squamish.ca)
- Flood Construction Level: this impacts most parts of Squamish, start your engineering work and surveys as soon as possible.

**Additional Information That Could Be Required:**

- Contour Plan
- Geotechnical Analysis
- Environmental Analysis
- Traffic Impact Analysis
- Survey Plan to identify the location of existing buildings/structures or watercourses, top of banks or other physical features

**Natural Hazards in Squamish**

The spectacular natural environment found in Squamish was created by volcanic activity, glaciers and the convergence of five rivers. While this has created much beauty, some parcels of land face one or more serious geological constraints and may not be suitable for development or higher density. Check with the Planning Department for local and provincial policy legislation.

**For Further Information Contact:**

**District of Squamish Planning Department**

37955 - 2nd Avenue  
PO Box 310  
Squamish, B.C. V8B 0A3

**Office Hours:**

Monday to Thursday  
8:30 a.m. to 5:00 p.m.  
Fridays 8:30 a.m. to 4:30 p.m.

Telephone: (604) 815-5002      Fax: (604) 892-1083

***This brochure is meant for guidance only and should not be construed by anyone as a right to development approval if the steps indicated are followed. Please consult the Local Government Act and its regulations, the District of Squamish Subdivision and Development Control Bylaw and Zoning Bylaw and other bylaws for definitive requirements and procedures.***