



Regional District of
North Okanagan

Development

Application Procedures

Version 1 (updated May 2012)

A Guide to the Rezoning Process



What is rezoning?

A rezoning application is an application that is approved or rejected by the Board of Directors that may amend or supplement the Zoning Bylaw; it may amend the permitted uses or densities of land prescribed by existing regulations. The Zoning Bylaw may not amend floodplain regulations.

When Do I Need a Zoning Amendment application?

A zoning amendment application is required when the property to be developed is zoned one zone but the applicant wishes to develop according to a different zone with different uses in the Bylaw.

Procedure for Rezoning your property

1. Property Owner discusses details of the application with Planning staff to determine the zoning, and determine if the designation in the Official Community Plan (OCP) needs to be amended as well (which would require a different application and fee), etc. of the subject property and what sections of which zoning bylaws are to be amended.
2. A zoning amendment application form and application fee are submitted to the Regional District office.

An application is made by submitting all required plans and documentation, as described in detail on the rezoning application form, to the Planning Department. These requirements may vary, but generally include:

- Certificate of title of the subject property (dated no more than 30 days prior to the date of application submission to ensure ownership and accurate legal description)
 - Description of present and proposed zoning and uses
 - Site plan indicating physical features and proposed buildings
3. Planning staff will review the application and refer it to various agencies (e.g. Ministry of Transportation and Infrastructure, Interior Health Authority, etc.) for input.
 4. Planning staff then prepare a Planning Department Information Report (taking into consideration input received from referral agencies).
 5. The application (including a copy of the Planning Department Information Report) is forwarded to the applicable Advisory Planning Commission (APC) and the Electoral Area Advisory Committee (EAAC) for their input.
 6. A letter (including a copy of the Planning Department Information Report) is sent to the applicant advising when the application will be considered by the APC, EAAC and the Board of Directors.

7. The EAAC will make a recommendation to the Board of Directors who will then make a decision regarding the application:

- If the application is **NOT SUPPORTED** by the Board of Directors, a letter is sent to the applicant advising of the decision.
- If the application is **SUPPORTED** in principle by the Board of Directors, subject to any conditions precedent to bylaw preparation, a Rezoning bylaw is prepared and forwarded to the Board of Directors for consideration of 1st and 2nd readings.
- If 1st & 2nd readings are given, a letter is sent to the applicant advising of the Board of Directors decision and advising that a 'Notice of Development' sign must be posted.
[Note: there may be conditions prior to the scheduling of a Public Hearing]
- Once confirmation is received that the 'Notice of Development' sign has been posted, a Public Hearing is advertised and letters are sent to adjacent land owners (ALO's) advising of the proposed rezoning and allowing them an opportunity to speak or to present written submissions at the Public Hearing.
- If the Public Hearing is **NOT FAVOURABLE**, the bylaw may have to be amended, a new Public Hearing may be required or the bylaw may be rescinded and the file closed.
- If the Public Hearing is **FAVOURABLE**, then the Rezoning bylaw is forwarded to the Board of Directors for 3rd reading and adoption (NOTE: The bylaw may require Ministry of Transportation and Infrastructure approval prior to adoption).
- If the bylaw is **NOT** given 3rd reading or if the Ministry of Transportation and Infrastructure does **NOT APPROVE** the bylaw, a letter is sent to the applicant advising that the application has been rejected. All existing readings will then be rescinded and the file closed.
- If the Board of Directors **ADOPT** the Rezoning bylaw, a letter is then forwarded to the applicant advising that the property has been rezoned.
- If the Board of Directors do **NOT ADOPT** the Rezoning bylaw, a letter is then forwarded to the applicant advising that the application was rejected and all

readings will be rescinded and the file closed.

Information, application forms and questions

Rezoning application forms are available at the Regional District of North Okanagan office as well as on the website at www.rdno.ca. Planning staff are available to answer questions, and to provide clarification on the rezoning process as it applies to a specific property or application.

Zoning Amendment

Timing

The rezoning process normally takes four to eight months to complete. The time frame, however, depends upon the complexity of the application, the current workload of both staff and the Directors, the timing of the Board of Directors meetings, the relation of the proposal to broader planning issues which may require resolution and the need for additional information from the applicant during the process.

For More

Information

Please direct any further inquiries to:

Regional District of North Okanagan
Planning Department
9848 Aberdeen Road
Coldstream, BC V1B 2K9
Phone: (250) 550-3700
Fax: (250) 550-3701
planning@rdno.ca

ZONING AMENDMENT PROCESS

Property Owner discusses details of the application with Planning staff

A Rezoning application and application fee are submitted to the Regional District

Planning staff review the application and refer it to various agencies (e.g. Ministry of Transportation & Infrastructure, Interior Health Authority, etc.) for input

Once input is received from referral agencies, then Planning staff prepare a Planning Department Information Report (taking into consideration input received from referral agencies)

The application (including a copy of the Planning Department Information Report) is forwarded to the Advisory Planning Commission (APC) and the Electoral Area Advisory Committee (EAAC) for their input

A letter (including a copy of the Planning Department Information Report) is sent to the applicant advising when their application will be forwarded to the APC, EAAC and the Board of Directors meetings and that should the applicant wish to appear as a delegation to speak to their application they may appear at the EAAC meeting

If the application is supported in principle by the Board of Directors, subject to any conditions precedent to bylaw preparation, a Rezoning bylaw is prepared and forwarded to the Board of Directors for consideration and 1st and 2nd readings of the Bylaw

If the application is NOT supported by the Board of Directors, a letter is sent to the applicant advising of the decision to reject the application

If the Board of Directors gives the Bylaw 1st and 2nd readings, a letter is sent to the applicant advising of the Board of Directors' decision and advising that a 'Notice of Development' sign must be posted

[Note: there may be conditions prior to the scheduling of a Public Hearing]

Once confirmation is received that the 'Notice of Development' sign has been posted, a Public Hearing is advertised

ZONING AMENDMENT PROCESS

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