

## **Guide: Zoning Amendments**

This guide is provided solely for the convenience of the general public. This guide does not replace City bylaws, codes, or policies, nor should this guide be construed by anyone as a right to approval. The City disclaims any liability from the use of this guide.

## What is a Zoning Amendment?

A zoning amendment is the process of legally changing the zoning designation of a property to allow for changes to land use, density, and physical dimensions of permissible on-site development.

The Local Government Act provides City Council with the authority to create and amend the Zoning Bylaw. Any amendment to the Zoning Bylaw must conform to the City of White Rock's Official Community Plan.

If the proposed development is not permitted under the existing zoning, then a property owner (or applicant) may apply to lawfully change the zoning designation on any particular property.

The zoning amendment process provides both the City and the community an opportunity to review and assess the potential impacts that a development proposal may have on the surrounding community.

## What is Zoning?

All land in the City is designated under a zone in the White Rock Zoning Bylaw, 2012, No. 2000.

The Zoning Bylaw is the principal instrument that regulates land use in the City, including (but not limited to):

- minimum lot dimensions (width, depth, and area)
- permitted uses and densities
- physical dimensions of buildings and structures (e.g. setbacks, lot coverage, height, etc.).
- off-street parking and loading requirements
- landscaping and screening requirements

You can find out the zoning designation of a property in White Rock through <u>Schedule C of the Zoning Bylaw</u>, or through the <u>White Rock Online Mapping System</u>.

With the exception of certain aspects of development such as use and density, other aspects of development can be varied through the Development Variance Permit process.

## Before You Begin ...

#### Review the White Rock Official Community Plan (OCP)

The White Rock Official Community Plan is a statement of objectives and policies intended to guide decisions on planning and land use management within our community.

All development proposals submitted to the City are required to comprehensively and credibly identify how the proposal facilitates or inhibits the realization of the vision, principles, and goals of the OCP. This analysis must be comprehensive in its consideration of the OCP in its totality.

#### Talk To Your Neighbours

We strongly encourage discussing your proposal with neighbouring residents and business owners before submission. Understanding and addressing their concerns early on can save significant time and resources later in the process.

#### Review OCP Land Use Designations

Each property in the City is assigned under a specific policy area that outlines the future land use direction of that specific area, including objectives and policies on use, density, height, and typology of development. These policy areas are known as OCP Land Use Designations.

To learn more about the OCP Land Use Designation of a property in White Rock, please review the following:

- OCP Schedule A: Land Use Designation Map
- OCP Section 8.0: Land Use

If your proposal cannot comply with the OCP Land Use Designation of your property, please see the FAQ section at the end of this guide.

# Review OCP Development Permit Area Guidelines (if applicable)

Each property in the City is also designated under a Development Permit Area (DPA). Unless specifically exempt, development in these areas will require application for a development permit.

To learn more about DPAs and their associated guidelines, please review the following items:

- OCP Schedule B: Form, Character, and Sustainability
  Development Permit Areas Map
- OCP Section 22.0: Form, Character, and Sustainability Development Permit Area Guidelines
- OCP Schedule C: Environmental Development Permit Areas Map
- OCP Section 23.0: Environmental Development Permit Area Guidelines

You can also learn more in the City's Guides to the Major and Minor Development Permits.

#### Review Zoning Bylaw Requirements

General land use provisions and requirements should be reviewed and considered through the application preparation process.

A summary list of frequently requested provisions from the **Zoning Bylaw** are provided below:

- Section 3.3 Definitions and Interpretation
- Section 4.4 Construction in an Identified Floodplain
- Section 4.13 Siting Exceptions and Permitted Projections
- Section 4.14 Off-street Parking Requirements
- Section 4.15 Off-street Loading Requirements
- Section 4.16 Bicycle Parking
- Section 4.17 Provision of Electric Vehicle Charging Infrastructure
- Section 6.0 General Zones

Any variances to certain regulations contained within the Zoning Bylaw, such as off-street parking requirements, will need to go through the Development Variance Permit process.

#### Review Relevant Council Policies

Depending on the particular characteristics of your proposal, certain Council policies may also take effect:

# Council Policy 511: Bonus Density and Amenity Contribution

The purpose of this policy is to allow for increases in permissible densities in exchange for providing community amenities.

This policy triggers for any development application proposing densities greater than 1.75 gross FAR and/or 3 storeys in the Town Centre and Lower Town Centre, and for applications greater than 1.1 gross FAR and/or 3 storeys everywhere else.

#### Council Policy 514: Tenant Relocation

The purpose of this policy is to mitigate impacts resulting from the redevelopment of purpose-built rental apartments on current tenants.

It is applicable to all applications that involve the demolition of purpose-built rental housing in a building with three or more dwelling units.

## Overview of the Zoning Amendment Process

The zoning amendment process is fully detailed in the White Rock Planning Procedures Bylaw, 2017, No. 2234. For the purposes of reference, a general overview of the zoning amendment application process is provided below:

#### Step 1: Pre-Application Meeting

It is strongly recommended that you arrange a meeting with Planning staff at City Hall to discuss your proposal prior to application submission.

A summary of the proposal, including any applicable plans and proposed site statistics, should be provided to staff prior to the scheduled pre-application meeting.

Staff will be able to advise you on various aspects of your proposed development, including commentary on site characteristics and details on relevant City bylaws, policies, and other related plans.

You will also be able to confirm your submission requirements with staff after this meeting.

#### Step 2: Application Submission

The Land Use Development Application Form, along with the accompanying Submission Requirement Form(s), can be located on the <u>Planning Resources & Documents</u> <u>section</u> of the website. Application fees are summarized in the City's Summary of Development Application Fees.

Prior to making application with the City of White Rock, please confirm with staff as to whether there will be any further additional requirements are required prior to formal submission. Staff will only accept a full and complete application at time of submission.

If your proposal requires multiple application types, they may be submitted and processed concurrently. Please contact staff for more information.

#### Step 3: Internal Review and Circulation

Once your application has been received by the Planning Department, it will be assigned to a File Manager who will guide you through the application process.

Once the File Manager has reviewed your application for completeness, the application will then be circulated for comment by other City departments and external agencies as required. Planning staff will also provide their own review of the proposal.

During this time, staff may request plan revisions, clarification, or additional information for the proposal.

#### Step 4: Development Proposal Sign

Shortly after application submission, your file manager will prepare a Development Proposal Sign for installation on the subject property.

This sign must be prepared and installed in accordance with Section 36 and Schedule F of the White Rock Planning Procedures Bylaw.

This signage must be posted no later than 14 days following application submission, and must be removed within 10 days following either Public Hearing completion, or withdrawal/rejection of the application.

#### Step 5: Public Information Meeting (PIM)

As part of the rezoning process, applicants are required to present their proposals to the public in an open house format in order to discuss and respond to any issues, concerns, or questions related to the proposal.

The purpose of the PIM is to obtain input from local residents and business owners regarding potential issues or concerns to be addressed early in the approval process.

Please check out our Public Information Meeting Guide to learn more.

### Step 6\*: Advisory Design Panel (ADP)

\*Note: This step is only required for applications that require major or minor development permits that guide the form, character, and sustainability of development.

The Advisory Design Panel is a volunteer committee that evaluates, analyzes, and assesses the architectural and landscape designs of various development proposals.

Recommendations and comments from the ADP may necessitate modification to the proposal.

Learn more about the ADP process in the Advisory Design Panel Guide.

#### Step 7: Land Use and Planning Committee

The Land Use and Planning Committee (LUPC) reviews matters related to land use policy and development. Development proposals are typically presented in report form to the LUPC under two circumstances:

- 1. To provide the LUPC with an preliminary information report on the proposal; or
- 2. To provide the LUPC with recommendations and options on a proposal for consideration by Council once all other steps are complete.

An applicant may speak or present on their application at an LUPC meeting. In the second case, the decisions of the LUPC are presented to Council for  $1^{st}$  and  $2^{nd}$  reading.

#### Step 8: 1st and 2nd Council Readings

Following discussion of the proposal, Council will typically move forward with one of the following three options:

- 1. Give First and Second Reading of the zoning amendment bylaw
- 2. To defer the application back to staff for further revision and modification; or
- 3. Reject the zoning amendment bylaw

If 1<sup>st</sup> and 2<sup>nd</sup> readings are given to the zoning amendment bylaw, then Council may direct staff to schedule a public hearing for the proposal.

#### Step 9: Public Hearing

A public hearing is a meeting of City Council where the applicant and the public are given an opportunity to comment on the proposal prior to third reading.

Comments may be provided to Council either in writing prior to or during the hearing, or verbally during the hearing when the bylaw is presented.

No further information can be received from the applicant or the public once the Public Hearing is concluded.

Notice will be mailed to all neighbours within 100 metres of the site at least ten days before the Public Hearing.

#### Step 10: 3rd Reading and Final Adoption

After the Public Hearing, Council will consider the application for third reading.

If the application receives sufficient support from Council, then the applicant will need to address all outstanding applicable City requirements (including servicing, outstanding payments, and registration of legal documentation) prior to final adoption.

Any required development permits will also need to be prepared and be ready for consideration at this time.

## Frequently Asked Questions

Will my zoning application be approved if I apply?

Staff cannot comment on or guarantee the future approval or refusal of any particular project as every development application is subject to professional review and community input.

How long will my zoning amendment application take?

Processing times for zoning amendment applications vary depending on the complexity of the development, especially when the processing of other applications types (such as development permits) are required.

Can my zoning amendment application be processed concurrently with other types of development applications?

Yes.

Where more than one type of development approval is needed for one project, other application types (such as development permits or development variance permits) may be submitted jointly and may go through the application process concurrently. Please contact Planning for more information.

My proposal is not consistent with the White Rock Official Community Plan. What should I do?

Any amendment to the Zoning Bylaw must conform to the City of White Rock's Official Community Plan (OCP).

If your proposal is not consistent with the Land Use Designation or the Development Permit Areas applicable to property, then you will need to consider making application for an OCP amendment.

Each application for an OCP amendment must clearly demonstrate how the proposal conforms with and will help realize the OCP's vision, goals, and objectives. Development proposals that require OCP amendment will be reviewed by staff, and an initial information report will be prepared for Council.

If Council directs staff to continue processing the application, then the provisions of <u>Council Policy 512: Official</u> Community Plan Consultation take effect.

Any applicant that is contemplating making an OCP amendment for any proposal should contact Planning staff for further direction.

Can I apply for comprehensive development (CD) zoning?

Comprehensive development zones are the City's means to accommodate the form, character, and sustainability of innovative and large-scale multi-unit residential, commercial, and mixed-use proposals that have broad implications for community livability and sustainability.

<u>Council Policy 511: Density Bonus / Amenity Contribution</u> provides guidance on the use of comprehensive zoning in the following circumstances:

- a) For rezoning applications in the Lower Town Centre Area for developments that exceeds three (3) storeys in height and/or 1.75 gross Floor Area Ratio; and
- b) For rezoning applications located outside of the Town Centre Area and the Lower Town Centre Area exceeding three (3) storeys in height and/or 1.75 gross Floor Area Ratio.

#### Questions?

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