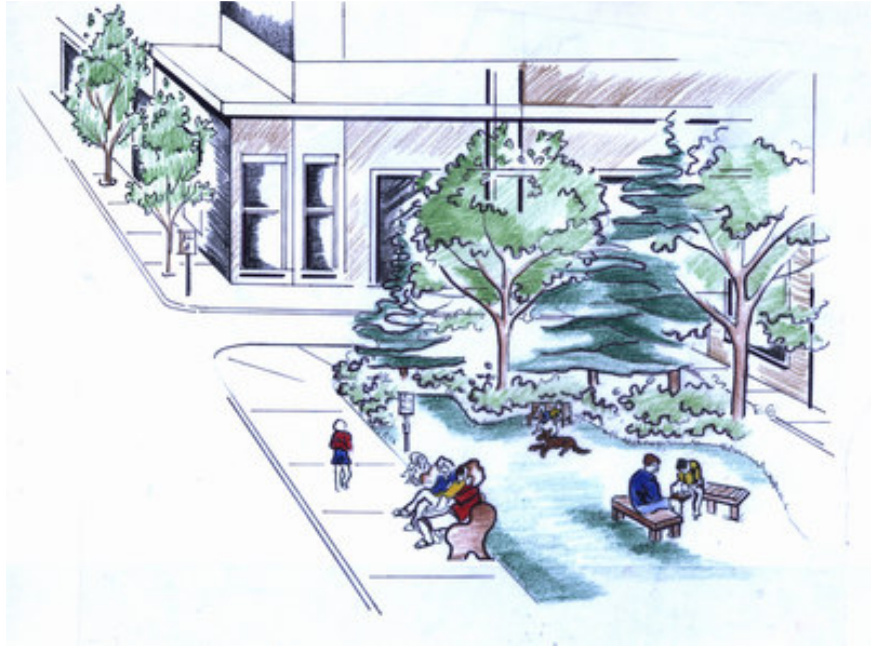


## What is Zoning?

Zoning is a way of regulating the use of land. Saanich's Zoning Bylaw No. 8200 (2003) designates properties for a specific range of permitted uses, densities, building siting, and forms and includes many other regulations. In some areas of Saanich, properties are regulated through land use contracts which take the place of zoning.

The Saanich General Plan, which establishes objectives and policies for land use and development, provides guidance for the basis of zoning decisions. Relevant bylaws are available from the Planning Department at the Municipal Hall, or on the website at [www.saanich.ca](http://www.saanich.ca).



## What is Rezoning?

Rezoning is the process of changing the zoning (or land use contract regulations) of a property to obtain an alternate use or density. The zoning of all properties must conform with the guidelines set out in the Official Community Plan (OCP). If the proposed zoning is not consistent with the OCP, the rezoning request cannot be approved. If appropriate justification is presented, the Municipal Council may agree to amend the OCP in conjunction with the zoning or land use contract amendment.

A change in use or density specified by the zoning regulations requires an amending bylaw considered by Council at a Public Hearing.

## When do I need a Rezoning?

Rezoning is necessary when you wish to change the zoning designation of a property, or to amend the zoning regulations pertained to its use or density.

In some cases, rezoning applications will be accompanied by a development permit application. The development permit sets out conditions for the actual structures that you plan to build on the rezoned property. To learn if a development permit applies to you, consult Planning staff and ask for the brochure called "A Guide to Development Permits."

**NOTE:** *Variances to zoning regulations which do not affect the use or density of the property may be obtained through the Board of Variance or a development variance permit issued by Council.*

# 10 Steps to get your Rezoning

1. **Become familiar** with municipal rezoning policies, guidelines and bylaws. Meet with the Area Planner.
2. **Understand** neighbourhood concerns. Discuss your project with the community association and neighbours.
3. **Apply to Rezone** by submitting your application form, plans and documentation.
4. **Obtain** your certificate of title and submit it with your application.
5. **Pay your fee** when you apply.
6. **Review** of your application by the Planning Department. Submit any additional information that may be required.
7. **Present** your project to Council at Committee of the Whole.
8. **Work through** any conditions specified by Council.
9. **Public Hearing** is held on your proposed rezoning. Be present to answer questions.
10. **Final Approval** is considered upon completion of all conditions.

## 1. Pre-Application

Before submitting a formal application, the rezoning needs to be well thought out and carefully planned. At the pre-application stage, you are strongly advised to discuss your project concept with the Planning Department, and to consider the District's and community's expectations. This informal stage can be very beneficial, enhancing the project's chances for approval, and saving time and money.

Pick up a rezoning application package (APPL 1 and APPL 2) and review its contents. Consider the following:

- Informal discussions with the Area Planner;
- Discussions with neighbours and the Community Association;
- The Saanich General Plan;
- The Local Area Plan and any special studies;
- Zoning and land use regulations relating to the subject property;
- Engineering servicing and access requirements (both on-site and off-site);
- Environmental requirements and considerations;
- Regional planning or parks documents;
- Any other applicable municipal policies (Adaptable Housing, Heritage Inventory, Green Building Policy, Arts Policy).
- Samples of site submission information available on the website.

## 2. Submit the Complete Application

Once the pre-application phase is completed, and informal discussions have been held with the Area Planner and community representatives, the formal application can be submitted.

A complete rezoning application must contain the following:

- A completed rezoning application form;
- Rezoning application fee;
- Certificate of Title for the property;
- a project brief explaining why the rezoning is necessary, and the benefits to the community;
- a completed Sustainability Strategy Statement.



Supplemental information to support your rezoning application should also be provided:

- Architectural drawings or illustrations
- Site plans
- Landscape plans

If the rezoning is part of a development permit, you will need to submit six complete sets of plans, two additional landscape plans, and four additional site plans. One 279 mm x 432 mm (tabloid size) reduction is also required.

## 3. Certificate of Title

All applications must be accompanied by a Certificate of Title dated no earlier than 30 days prior to the date of application. The purpose of this requirement is to confirm property ownership to ensure that the legal description used for permits and bylaws is accurate and to determine if there are any charges against the property (ie. covenants or rights-of-way). Certificates of title may be obtained in person or by mail from:

Victoria Land Title and Survey Authority of BC  
850 Burdett Avenue  
Victoria BC • V8W 1B4  
Tel • 250•387•6331  
website: [www.ltsa.ca](http://www.ltsa.ca)

## 4. Rezoning Application Fees

A rezoning fee of \$2,000.00 is payable at time of application. An Official Community Plan amendment of \$150.00 may be required.

## **5. Planning Department Review**

The Planning Department coordinates the review of rezoning applications. The review will include the referral to other municipal departments to ensure that the proposal conforms to municipal bylaws and policies. It may also involve input from several external agencies and government ministries.

The applicant will be required to post a sign on the property advertising the rezoning application. Specifications for the sign will be provided by the Planning Department. The applicant must provide confirmation of the sign posting before the application proceeds.

The review may result in a request for additional information, or a modification of the proposal. Staff will meet with the applicant throughout the process. Following satisfactory review of the application by staff, a staff report which includes a recommendation is presented to Council.

## **6. Committee of the Whole**

After receiving and considering the report, Council will exercise one of three options:

1. Proceed to a Public Hearing;
2. Postpone consideration of the application and request more information or changes from the applicant or reports from staff; or
3. Reject the application.

The applicant must submit any additional information required by Council to the Planning Department for review, and the application is returned to Council along with a follow-up report.

If the decision is made to proceed to a Public Hearing, the bylaw is given first reading at an upcoming Council meeting. The Municipal Clerk will advertise the Public Hearing in the local newspaper, and will notify by mail the neighbours within 90 m of the property.

## **7. Public Hearing**

All rezoning applications are subject to a statutory Public Hearing held before Council. Any person who deems their interests to be affected has the opportunity to express their views to Council in writing or in person at the Public Hearing.

The Legislative Division will charge a fee for advertising the Public Hearing. The fee is \$500 for the first bylaw amendment and \$300 for each subsequent bylaw amendment.

It is recommended that the applicant be present to answer any questions. The Public Hearing is the last opportunity for Council to receive input from the public prior to making its final decision on the application.

## **8. Final Approval**

At the Public Hearing, Council will either:

1. Give the application second, third and fourth (final) reading.
2. Give the application second and third reading and hold fourth (final reading) pending completion of conditions (i.e. registration of covenants, dedication of park).
3. Reject the application.

Once the bylaw is adopted, the new zone is in effect on the subject property.

# Rezoning Timeline

Timelines are an extremely important aspect of each application. Applicants need to know as soon as possible, if their application has merit or not and whether changes are needed.

## Our 90 Day commitment

The Planning Department's report on your application will be processed and filed with the Municipal Clerk's Office within 90 calendar days (or earlier) of its receipt.



## To achieve this, your commitment must be:

- To submit a full and complete application at the outset (incomplete applications will not be accepted for the 90 day process).
- To ensure that the area residents and community association have had an adequate opportunity to learn about and comment on your proposal
- To provide technical information requested during the 90 day review period necessary for Council to make a decision.

## It's Your Option:

Your Planning report will be forwarded to the Clerk at the end of 90 days (or earlier). If you have managed to resolve most of the significant issues, you will be in a good position to request that Council send your application directly to a Public Hearing.

If there are information gaps and significant unresolved issues regarding your application, the Planning report will flag these and seek direction from Council. In such an event, you will be given the option of requesting that the report be withheld pending resolution of these issues.

## More Info

For further information please contact:

District of Saanich  
Planning Department  
770 Vernon Avenue  
Victoria BC • V8X 2W7

Telephone: 250•475•5471

Fax: 250•475•5430

Email: [plansec@saanich.ca](mailto:plansec@saanich.ca)

website: <http://www.saanich.ca>

The Planning Department of the District of Saanich is responsible for processing various development applications, and for advising municipal Council on the suitability of each proposal.

This brochure is one of the Saanich Development Procedures available at the Municipal Hall.

The series also includes:

- A Guide to Development Permits

*THIS GUIDE DOES NOT REPLACE LEGAL DOCUMENTS. THE DISTRICT OF SAANICH DISCLAIMS ANY LIABILITY FROM ITS USE*

