

## District of Mission

### Rezoning Application / Approval Process

This booklet is a general guide to the rezoning process in the District of Mission. It is provided for your convenience only, is not intended to replace Bylaws or other legal documents, and should not be construed by anyone as a right to a development approval if the steps indicated are followed.

#### **What is Zoning?**

Every property in the District of Mission has been assigned a zoning category. Zoning regulates the permitted uses, building setbacks, height and densities allowed on a given property. Generally speaking, the purpose of zoning is to ensure that certain types of land uses are located in appropriate areas. The different zones are generally grouped as residential, commercial, industrial, institutional and rural. The Zoning Bylaw specifies development regulations for each zoning category and is available online at [www.mission.ca](http://www.mission.ca).

#### **When is Rezoning Necessary?**

Rezoning is the process of changing the zoning category of a property. Before any development takes place on a property, whether it be constructing new buildings or changing the types of activities that occur on the property, you should first check the existing zoning regulations for that property. If the proposed development is not permitted by the existing zoning, the property owner (or applicant of the property owner) will have to apply to the District of Mission for a change in the zoning category of that property; Council approval is required.

### **The Rezoning Application/Approval Process**

#### **1. Pre-Application**

*Initial Discussion with Staff*

#### **2. Submission of Complete Application**

*Fees, Site Profile, Plans, etc.*

#### **3. Application Review**

*Review and Analysis by Staff*

*Development Review Meeting*

*Referral to other Departments  
and External Agencies*

#### **4. Report to Council**

*Recommendation Submitted to Council*

*Review and analysis*

*Requirements*

*First & Second Reading*

#### **5. Public Hearing**

*Residents Invited to Comment on Application*

#### **6. Third Reading**

*Outstanding Issues to be Resolved*

#### **7. Adoption**

*4th and Final Reading of Zone Amending Bylaw*

#### **1. Pre-Application**

The more information you are able to gather before submitting an application, the more smoothly the process is likely to run. Accordingly, you are strongly encouraged to discuss your proposal with staff to identify any plans, policies and regulations which may apply:

- **Official Community Plan (OCP) & Zoning Bylaw**

Check the OCP map for the designation of your property and the types of land uses identified for that designation. Check the Zoning Bylaw to find out the land use regulations for the existing and proposed zoning of your property (lot sizes, density, etc.).

- **Engineering Services**

Generally, all developments must be provided with adequate services for sanitary sewerage and stormwater disposal, water, roads, sidewalks and street lights at the developer's cost.

## **2. Submission of Complete Application**

When you are ready to proceed, complete the application form. All rezoning applications must be accompanied by:

- ✓ the name(s), address(es) and signature(s) of the property owner(s);
- ✓ the civic address and legal description of the subject property;
- ✓ the current and proposed zoning for the property;
- ✓ a description of the proposed development;
- ✓ a current copy of the title;
- ✓ a completed site profile required by Provincial Contaminated Sites Regulation;
- ✓ a completed Financial Contributions for Community Amenities Policy LAN.40 (if residential rezoning component exists)
- ✓ drawings and other information (refer to the Development Submission Check List)

## **3. Application Review**

A member of the Planning Department will coordinate the review of your application. It may be circulated to a number of municipal departments (eg. Engineering) and relevant outside agencies (eg. Ministry of Transportation). During this process, you may be asked for clarification, additional information or plan revisions.

## **4. Development Review Meeting**

Your proposal will be considered by staff from various departments at a staff development meeting. These meetings are usually held twice a month.

## **5. Report to Council**

The Planning Department will prepare a report, including an analysis of the application, a recommendation and an outline of the requirements which need to be satisfied.

This report is considered by Council during a Committee of the Whole Council meeting. These meetings are usually held the first and third Monday of every month (at 6:30 p.m.) and are open to the public. At this meeting, Council will decide whether to reject the application, to approve 1st reading or 1st and 2nd reading to the zone amending bylaw, or identify additional conditions or requirements to be met by the applicant. The applicant is encouraged to attend. If the applicant wishes to appear as a delegation at the Committee of the Whole meeting, a request must be received (either in writing or by telephone) by the Corporate Administration Department by 4:30 p.m. on the Monday prior to the Committee meeting.

## **6. Development Notification Sign**

The applicant is responsible for having a development notification sign built to Municipal standards by a professional sign company. The information to be contained on the sign and the specifications of the sign will be sent to the applicant with a letter advising when and where the sign is to be erected on the site.

## **7. Public Hearing**

All rezoning applications are subject to a Public Hearing held before Council. The owners and occupants of properties located within 152 metres of the subject property for urban proposals and 500 metres for rural properties are formally notified of the Public Hearing and notices are placed in the local paper. Any person who deems their interest may be affected by the development proposal has the opportunity to express their concerns to Council. You (or a representative) should attend the Public Hearing and be prepared to respond to any questions that Council may have regarding your proposal. The Public Hearing is open to the public. Public Hearings are usually held the fourth Monday of every month at 6:30 p.m.

The Public Hearing is the last opportunity for Council to receive input from the applicant or the public before making a decision on the application.

#### 8. **3rd Reading**

Following the Public Hearing, at a subsequent Regular Council meeting, Council will review the minutes from the public hearing and consider granting 3rd reading to the zone amending Bylaw. It should be noted that Council and staff make no representations that any reading, except final adoption, should be taken as an indication by the District that your application will be approved and able to proceed.

#### 9. **Adoption (4th Reading)**

When all of the prerequisites, issues and deficiencies related to the proposal have been satisfied, the zone amending bylaw is submitted to Council for consideration of adoption (4th reading). If the majority of Council members are satisfied that the development proposal is beneficial to the community, and that all legal requirements and conditions have been met, Council may vote in favour of adoption for your application. You will be notified in writing of the outcome.

#### **Costs Involved in Obtaining Adoption for a Rezoning**

The rezoning applicant is responsible to pay for the following costs (where applicable):

- ✓ application fee;
- ✓ off-site engineering costs;
- ✓ consultant fees (engineers/architects/ solicitors, etc. are typically hired for large projects);
- ✓ other fees such as the Community Amenity Contribution.

#### **Timetable for the Rezoning Application/Approval Process**

The length of the rezoning application/approval process is dependent upon the complexity of the project and the preparedness of the applicant. Once all requirements have been met for each step in the process, the file manager will move your application forward to the next step.

#### **Rezoning File Closure Policy**

Rezoning applications will be referred to Council with a staff recommendation to close the file six months after the date of application if all information required to complete the application (ie. letters of understanding to provide deficient servicing, plan modifications, engineering information, road closure request letters, etc.) has not been received. Rezoning applications will be closed one year following the date of 3rd Reading of the zone amending bylaw unless an extension is granted by Council.

A written request for an extension must be made **at least 60 days** before the rezoning closure deadline and must be accompanied by an **extension application fee** as set by the District of Mission Land Use Application Procedures and Fees Bylaw. The applicant must outline reasons why an extension is required and the length of extension being sought. A request for an extension may be denied if, in the opinion of the District of Mission, the rezoning could have been completed within 12 months of 3rd Reading.

### **Departments/Agencies Involved in the Rezoning Application/Approval Process**

There are a number of departments and external agencies which **may** be involved with a given rezoning application:

- ✓ Planning Department;
- ✓ Engineering Department;
- ✓ Inspection Services Department;
- ✓ Fire/Rescue Service Department;
- ✓ Parks, Recreation and Culture Department;
- ✓ Corporate Administration Department;
- ✓ School District No. 75;
- ✓ RCMP (CPTED);
- ✓ Ministry of Transportation;
- ✓ Ministry of Health;
- ✓ Ministry of Environment;
- ✓ Department of Fisheries and Oceans.