

What is Zoning?

The *New Westminster Zoning Bylaw* regulates the development and use of each property. The zoning bylaw is a tool used to regulate the location of land uses (e.g. industrial, residential, commercial) and to promote compatible relationships between existing land uses and new developments. Every property in New Westminster is legally assigned to a zoning category. Each zoning category typically indicates:

1. types of land uses or activities that can take place on a property;
2. maximum density permitted;

The rezoning process allows both the City and the community to analyze the potential influences that a development may have. These may include impacts on surrounding land use, compliance with existing City policies and Official Community Plan designations.

3. maximum height of buildings;
4. minimum distances separating buildings and property lines;
5. required off-street parking; and
6. other requirements for development on the property.

Why a Rezoning?

If the proposed development or any other changes on the property do not conform with the land use or density specified by the existing zoning requirements, or if you own an existing non-conforming property you wish to bring into conformance, you may need to apply for a Zoning Bylaw amendment. This is accomplished through the rezoning process.

The *Local Government Act* states that two factors cannot be varied within a zone: land use and density. The allowable density may be expressed in different ways, such as floor space ratio and/or units per acre. Other factors, such as setbacks and heights are controlled by zoning regulations, but may be varied through a development variance permit or by the Board of Variance. For more information, review the *Development Variance Permits: A General Guide* and *Board of Variance: A General Guide* handouts.





Pre-Application

The pre-application stage is an opportunity to discuss the project concept with the Development Services Department, Planning Division. It is advisable to bring a site plan and photos of the site and surrounding properties to this first meeting.

Staff will discuss with the applicant how the proposal addresses, or needs to address, community goals and objectives. The proposal will receive an initial assessment for its conformance to the New Westminster Official Community Plan, and other policies and regulations that may apply to the property.

If there are buildings on the property that are protected heritage properties and are included in the Heritage Register, or are older than 50 years old, the applicant should check with the Planning Division staff for special requirements regarding heritage preservation.

Information should to be provided to the neighbours (owners and tenants) prior to submitting the application. The feedback provided from the neighbours should be used to decide if you should make a formal application.

Submit the Formal Application

Once the pre-application is finalized, and you have received feedback from staff, the formal application may be submitted.

The following information is required to make the formal application:

- a covering letter briefly explaining the project's concept, why a rezoning is necessary, and the benefits to the neighbourhood;
- the current state of title certificate;
- all encumbrances on the title which affect the development of the site, eg. Covenants, Rights-of-Way;
- if an applicant has been assigned to apply on behalf of the owner, a Letter of Authorization signed by the owner(s) is required;
- architectural drawings and a landscape plan in the following formats:
 - four (4) 11x17 sets
 - two (2) full sized sets (2' x 3')
 - digital copies in PDF format, formatted for printing to 11x17 paper;

- the rezoning application form, provided by the Planning Division staff, signed by all persons whose names appear on the title certificate;
- a letter stating that all owners/occupants within 100 metres have been notified of the proposal; and
- the rezoning application fee.

The following is also required for all applications excluding single detached dwellings (refer to the *Single Detached Dwelling Rezoning Applications* handout):

- a completed Sustainability Report Card; and
- a completed Site Profile and the associated processing fee, where it is required.

NOTE: The *Sustainability Report Card*, *Planning Fee Schedule*, and other submission information can be obtained from the City of New Westminster website: www.newwestcity.ca

A *Site Profile* and the associated processing fee must be submitted with every application. For more information on site profiles please visit the British Columbia Ministry of Environment website at www.gov.bc.ca/env/.

Application Review

Upon receipt of the rezoning application, staff will write a preliminary report to Council on the rezoning application. The Development Services Department will coordinate the application review, which involves the participation of various regulatory and advisory bodies. The Development Services Department, as well as other City Departments, will verify if the proposal conforms to the City bylaws and policies.

Most applicants requesting zoning amendments in New Westminster offer to make a voluntary amenity contribution as part of their development proposal. Amenity contributions are used to fund important community facilities and projects and help off-set the costs of growth. For more information, see the *Guidelines For Staff Evaluation Of Voluntary Amenity Contributions* handout, available on the City's website. Applicants should also check the City's Financing Growth web page for other development cost charges (ie. DCCs, SSACs, GVs and DDs).

Public Consultation

Consultation with the community and various stakeholder groups is required as part of the rezoning process. It is important to discuss your consultation program with Planning Division staff early in the process.

Discussions with immediate neighbours, a presentation to the neighbourhood residents' association, site signage, newspaper notices and mail notices are all requirements of the rezoning process. In addition, a community open house must be held. Planning Division staff may require additional consultation depending on the type and size of your proposal.

Information about the sign requirements is contained in the *Rezoning Applications: Information Sign Requirements* handout available on the City's Development Guidelines and Regulations web page.

Advisory Planning Commission and New Westminster Design Panel

All rezoning applicants are required to present their proposal to the Advisory Planning Commission (APC). The APC reviews the project in regards to existing City policies, land use considerations, density, parking requirements, traffic impacts, and other community concerns, to determine if the project is appropriate in its particular site context.

Rezoning applications are presented to the APC twice. The first is a land use information submission, where the Commission may make preliminary comments. At the second Advisory Planning Commission meeting, area residents have the opportunity to make comments.

For all development projects, except single detached and duplex dwellings, a presentation to the New Westminster Design Panel (NWDP) is required.

The NWDP is an architectural and landscape design peer review panel, which will make comments and recommendations that may require adjustments to the design of the project.

This comment/revision process may occur several times, depending on how well the revisions address the panel's concerns. For submission requirements to the APC and NWDP please review the *Submission Requirements for Land Use and Design Review: General Guide* handout.



Reports Submitted to Council

Reports will be prepared by both the Development Services Department and the Advisory Planning Commission to advise Council on the application. After considering the reports, Council will exercise one of three options:

1. give First and Second Reading to the Zoning Amendment Bylaw;
2. table the application and request more information or reports from staff; or
3. defeat/reject the Zoning Bylaw Amendment.

Initial Readings of the Zoning Bylaw Amendment

If Council grants First and Second readings to the Zoning Bylaw Amendment, a Public Hearing will be scheduled on the next available Public Hearing date. Public hearings are typically scheduled once a month. The Legislative Services Department will advertise the Public Hearing in the local newspapers, and will notify by mail the neighbours within 100 feet of the property.

Public Hearing

All rezoning applications are subject to a statutory Public Hearing held before City Council. Any person who deems their interests may be affected by the development proposal has the opportunity to express their opinion to Council, or have a letter read to Council at the Public Hearing.

During the Public Hearing, the applicant must be present to introduce and explain the project and answer any questions that residents or Council members may have about the project. The Public Hearing is the last opportunity for Council to receive input from the applicant and from the public prior to making its final decision on the application.

Zoning Bylaw Amendment Adoption

After the Public Hearing, City Council considers the rezoning application. If the majority of Council is supportive of the proposal, they will give the Zoning Bylaw Amendment Third Reading. The applicant will then address all technical requirements, including engineering works and services, outstanding payments and any required legal documentation.

The Zoning Bylaw Amendment will subsequently be placed on a Council agenda for Fourth Reading and adoption. At this point, any subdivisions or consolidation or Development Permits and Building Permits can be issued on the property if all requirements have been met.



For more information:
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