
A Guide to the Municipal Approvals Process in Chilliwack

Rezoning & OCP Amendments



February 2023

Introduction

The City of Chilliwack has prepared this brochure to assist you in understanding the City's Rezoning and OCP Amendment procedure.

Upon review of the following information, anyone intending to submit a rezoning application is urged to contact the Planning Department for assistance.

Zoning

The Zoning Bylaw regulates land uses by setting the range of permitted uses, densities, siting, and building forms permitted in various zones. In Chilliwack, all properties are assigned a specific zone, which is described in the Zoning Bylaw.

The basis of zoning decisions is the Official Community Plan (OCP), which outlines a long-term development strategy for the City of Chilliwack. The OCP assigns land use designations to all properties as an implementation tool of this development strategy. Land use designations also regulate the permitted uses and density for a property in conjunction with zoning.

When is Rezoning Necessary?

In the case where a property owner wants to use their land in a manner that is not permitted under the present zoning (e.g. a land use or density), a change in the zoning classification for the subject lands is required through a formal amendment to the City's Zoning Bylaw for the property. This process is called Rezoning.

The OCP land use designation is considered during rezoning. If the proposed change in zoning no longer reflects what is permitted under the land use designation, an OCP Amendment is also required.

The rezoning process enables Council to thoroughly review the potential impacts that a change in land use, density or building form may have on the local neighbourhood and the community at large. Furthermore, the review process will:

- provide the general public with an opportunity to express its view on a proposed change; and,
- endeavor to ensure that the change will be a positive contribution to the community and meet the community's standards for development .

Rezoning & OCP Amendment Process

1. Pre-application Stage

Prior to submitting an application for rezoning, you should contact the Planning Department to identify the following:

- the current zoning of the property;
- the current Official Community Plan (OCP) designation of the property;
- general Bylaw requirements of the zone to be applied for;
- type of information that will be required to support an application; and,
- suitability of proposed zoning for the proposed development.

2. Application Submission

A completed application for Rezoning is submitted by the Applicant to the Planning Department and includes the following:

- a complete Application Form including:
 - full name and contact information for all owners and the applicant (if different) including signatures;
 - civic address of the subject property(ies);
 - The specific details of the requested zoning change (and OCP amendment);
- a completed letter of authorization and release of documents form;
- a detailed description of and/or rationale for the proposed development, including:
 - if another concurrent application is being/will be made;
 - If redevelopment is proposed, a detailed plan outlining how the property will be maintained and secured throughout the redevelopment process;
- site plan and/or building elevations clearly indicating the proposed development. Additional plans may be required upon review of the proposal.
- proof of ownership as evidenced by a Title Search (for all parcels) dated within 1 week (7 days) of application submission. Should a copy of the property title not be provided, a \$15 charge for each parcel will be included within the application fee per title;
- a copy of each document (i.e. restrictive covenant, easement, statutory right-of-way, etc.) registered on title for the subject property(ies). Should a copy of the applicable documents not be provided, a \$15 charge will be included within the application fee for each item; and,
- a Rezoning Application Fee, payable to the City of Chilliwack, the amount of which is based upon a fee schedule available in the Development Application Fees Bylaw. This Bylaw is available on the City website at www.chilliwack.com.

3. Application Review and Reporting

The Planning Department coordinates the review of your application, which may involve other municipal departments and outside agencies, such as Ministry of Environment and Climate Change Strategy, Fraser Health Authority, Ministry of Transportation and Infrastructure and others.

The City also strongly encourages applicants to conduct public engagement and submit a summary of the public engagement results at this stage. Undertaking early applicant-to-neighbourhood engagement will help improve communication and build relationships between the applicant and neighbours by allowing neighbours to review proposals, ask questions, and provide comments or concerns directly to the applicant. Please see the Guide to Undertaking Applicant-to-Neighbour Engagement for more information.

Planning Department Staff will prepare a staff report detailing the proposal with a rationale for support/opposition for Council consideration. This report will be published in the Council agenda and available for review by members of the public.

PLEASE NOTE: The applicant is responsible for posting rezoning notification signage on the subject property at least fourteen (14) days prior to introduction. Sign specifications are described in the “Public Hearing/Public Information Meeting Procedural Bylaw”.

You will be notified regarding staff recommendations and the impending review of your application at a regular Council meeting, which is open to the public. Should you wish to make a presentation at the meeting, you must make prior arrangements (two business days before the meeting) with the Planning Clerk. If you cannot attend the meeting, you may request alternative representation on your behalf.

4. Initial Bylaw Readings and Public Hearings

At the regular Council meeting, Council may refuse the application, request revisions or consider the application favourably.

If Council refuses the application or requests revisions to the proposal at the meeting, you will be informed. If you withdraw your application before introduction part of the rezoning fee may be refunded. Once Council considers the application favourable, it will give the rezoning bylaw First Reading and set a Public Hearing date.

The Public Hearing date will normally be two weeks from the date of First Reading. The Public Hearing will be advertised in a local newspaper for two weeks and the applicant and the owners/occupants of all properties within 30 metres of the subject property will also be notified.

During the Public Hearing, held at 6:30 pm, a party can make a presentation regarding the application. The City will also accept written submissions prior to the Hearing. After the Hearing, Council will not accept or otherwise consider any submissions. It is advisable that you attend the Public Hearing, in case you need to clarify your proposal or respond to issues that may arise from the Public Hearing. Council, upon consideration of the public's concerns, may alter its decision or require changes in the proposal.

5. Satisfying the Prerequisites

Following the Public Hearing, Council either rejects the application or gives Third Reading to the bylaw outlining prerequisites prior to final adoption. For example, if the application involves an OCP amendment, or if the property is within 800 metres of the Trans-Canada Highway, it will be referred to the Provincial Government for approval before proceeding to Fourth Reading.

Requirements, which involve preparing other bylaws and permits, and obtaining approval from outside agencies, are staff's responsibility.

Requirements that involve providing more information, preparing design plans or submission plans, or registering any required covenants are the applicant's responsibility.

If no provincial agencies are involved and prerequisites are met, the Rezoning will usually be referred to the following Council meeting for fourth reading and adoption.

6. Final Bylaw Adoption

If necessary, the applicant proceeds to fully complete the prerequisite conditions and submits the required information to the Planning Department.

Planning staff undertake a final review and once all the prerequisites have been satisfied, recommend to Council that the Final Adoption of the bylaw be given.

Upon receipt of the above recommendations, Council will usually give Fourth Reading and Adoption of the bylaw at the next regular Council meeting. You are notified when this is completed; however, the amendment bylaw is subject to a 30-day quashing period.

What Are The Next Steps In The Development Approval Process?

You may require additional approvals prior to beginning construction.

- Subdivision or consolidation of lots may be required to accommodate the proposed development.

Building Permit approval is required for construction of all buildings.

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How Can I Find Out More?

For information related to your specific application and the time it will take to process your proposal for a Development Variance Permit, please contact:

City of Chilliwack
Planning Department
8550 Young Road
Chilliwack BC V2P 8A4

Phone: 604-793-2906

Fax: 604-793-2285

Email: planning@chilliwack.com

This brochure has been prepared to provide guidance only. It is neither a bylaw nor legal a document. Please consult the Local Government Act and its Regulations, and the City of Chilliwack applicable codes for definite requirements and procedures.

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