

Rezoning

A guide to rezoning property in Richmond



Zoning

Zoning is one of the ways the City of Richmond regulates the density and use of land to ensure compatible land uses are located in appropriate areas and that the types of buildings or land uses on one property will not conflict with surrounding properties.

Each property in Richmond has a legal zoning classification that regulates the types of buildings and activities allowed on that property. These zones and regulations are contained in the Zoning Bylaw and control such items as permitted uses, density, lot coverage, lot size, setbacks, building height, frontages, off-street parking, landscaping, as well as other requirements.

The Zoning Bylaw showing the zoning on all properties in Richmond is available for review at the Zoning counter in City Hall. Staff in City Hall are also available to assist you with interpreting the Bylaw and can answer your questions regarding the rezoning process.

Rezoning

Before you decide to construct a new building on a property, subdivide or change the use or density of land, you should always check the zoning for that property. If the existing zoning does not permit the proposed changes, the property owner (or agent of the property owner) will have to apply to the City to see if the zoning of that property can be changed. In some cases, a *Rezoning Application* may also require Subdivision and/or Development Permit approval. You should determine this at the outset of your application.

The *Official Community Plan*, Area Plans and Single Family Lot Size Policy Manual may influence whether or not your property can be rezoned. These plans and other information brochures are available at the Zoning counter or on the information racks in City Hall and the italicized items are available on the City of Richmond's web site (www.richmond.ca). Staff members familiar with these documents and the rezoning process are available to assist you and answer your questions.

Property Information

Information regarding your ability to rezone a property can be obtained from the Zoning counter located in City Hall. Inquiries can also be made by telephone at 604-276-4017. When making enquiries, you should be able to provide both the civic address and legal description so the specific property can be properly identified and all the relevant information determined.

Preliminary Review

Prior to submitting a *Rezoning Application*, you may wish to prepare a preliminary concept and have it reviewed by City staff at a pre-application meeting. Basic information required to provide a preliminary review would include the address or legal description of the property, a sketch plan of how you propose to develop the lands, what you intend to do with the lands and what zoning category (ies) you wish to apply for.

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Rezoning Process

All requests for rezoning must proceed through the rezoning process and be approved by City Council. It is important to recognize that in order for Council to adopt a Rezoning Bylaw, the proper legislative process must be adhered to. This process is outlined in the Local Government Act and requires that all Rezoning Bylaws be given Three Readings by Council. A Public Hearing also must be held for each Rezoning Bylaw. This is legislated in the Local Government Act as well. A complete *Rezoning Application* must be submitted with appropriate fees, plans and other information. It will then be reviewed by various City staff and, in some cases, Provincial and Federal agencies, before a staff report is prepared. Each of the application processing steps is explained in the following sections.

Rezoning Application

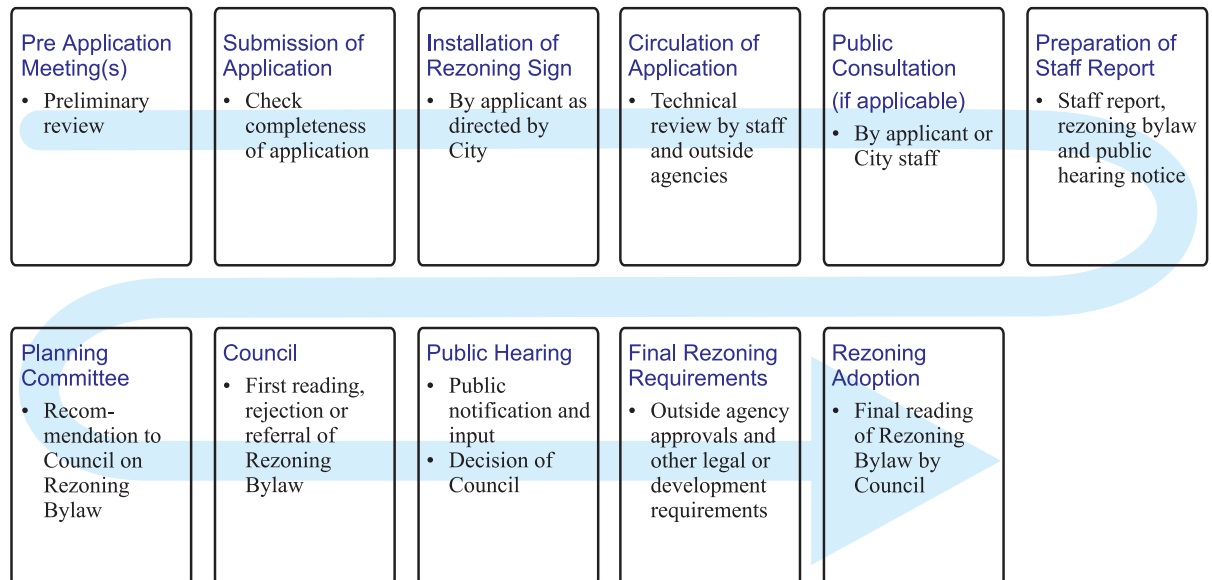
Once you have determined how you are proposing to develop your property, you can submit a formal *Rezoning Application* to the Zoning counter in City Hall. Applications are available at the Zoning counter or on the information racks and on the City of Richmond's web site (www.richmond.ca). Staff will be pleased to assist you but you must provide all the following information:

- The address(es) and complete legal description(s) of the property to be rezoned;
- The property owner's name, address, telephone and facsimile numbers, and e-mail address;

- If the applicant is applying on behalf of the property owner(s), a letter of authorization signed by the property owner(s) must be submitted with the application;
- The name, address, telephone and facsimile numbers, and e-mail address of the applicant if not the owner(s);
- Proof of ownership or current contract of purchase and sale;
- A letter outlining all aspects of the proposal including a description of the intended use of the property following the rezoning of the property;
- Where only a portion of a parcel is the subject of the application, a plan showing the precise dimensions of the proposed rezoning with distances and bearings is required;
- A completed *Site Profile* pertaining to the possible soil contamination of the property from certain types of industrial or commercial purposes or activities; and
- Non-refundable application fee.

Depending on the nature of the application, eight copies of a detailed plan of the property showing how you intend to develop it, including a site plan and elevations of all proposed new buildings and structures, the dimensions and area of the property and any proposed new buildings or existing buildings to remain on the site, the location of any other improvements on the land (parking lots, driveways etc.), and the surrounding roads with their names and lanes, may also be required.

City of Richmond Rezoning Process



Initial Staff Review And Circulation

Your *Rezoning Application* and all attachments will be reviewed for completeness. An incomplete application will be returned to you if it does not provide all of the required information. Complete applications will be assigned to a staff member and circulated to the appropriate City divisions for comment.

Your application may also require review by the Ministry of Transportation if your property is within 800 meters of a controlled access highway and/or the Ministry of Water, Land and Air Protection if the *Site Profile* indicates there may be contaminated soils on the property. Other regulatory agencies such as the Fraser River Estuary Management Program and Department of Fisheries and Oceans may also be involved if it is adjacent to either arms of the Fraser River.

Applicants will be sent a letter acknowledging the receipt of their application and advising them of any preliminary staff comments within a few weeks of when the application was made (e.g. if additional information is required or if some aspect of the application is unacceptable). Additional information or revised plans can be received during the review process.

Rezoning Sign

Once you have submitted a complete *Rezoning Application* and supplementary material, you will be required to install the *Rezoning Sign Information* on your property to notify other property owners and residents in the area of your plans. Staff will mail information regarding your sign to you with the acknowledgement letter confirming that your application has been received. You must submit a photograph of your sign in place on the form provided with the *Rezoning Sign Information* and maintain it until Council makes a final decision regarding your application.

Public Consultation

In some instances, City staff will recommend that an applicant consult with the public either before making a *Rezoning Application* or before a report is prepared for the Planning Committee of Council. This usually occurs when the *Rezoning Application* may appear to be contentious or if considerable public interest is expected. City staff can suggest how an applicant can best solicit the input of the public. It should be noted that a *Rezoning Application* is open for the public to review throughout the rezoning process and to comment on up until the Public Hearing.

Staff Review And Report

City staff will work with you to address the comments received from the City divisions and outside agencies

and to resolve any outstanding issues before preparing a report to the Planning Committee of Council. The report will contain an assessment of the proposal and a recommendation to Council. It may also identify various requirements to be met prior to final adoption. You will be contacted by staff regarding the meeting date, time and the location when your proposal will be considered. A copy of the staff report is normally available after 3:00 p.m. on the Friday preceding the Planning Committee meeting (which normally takes place on a Tuesday, twice a month) and can be obtained at the Information counter in City Hall or can be found on the City's web site (www.richmond.ca) by searching for the Planning Committee agenda.

Planning Committee Meeting

The Planning Committee is made up of five City Council members. They will review the staff report and recommendations and provide you with the opportunity to make a presentation. The Committee will also consider any comments from the public and make a recommendation to the full Council. Your attendance is recommended so that you can address any concerns the Committee or the public may have.

Council Meeting

The staff report and Planning Committee recommendations are forwarded to the full City Council for their consideration. A presentation is not generally necessary, but if the opportunity does exist you can contact the City Clerk prior to the meeting to make appropriate arrangements. Council will usually deal with your application at their next regular meeting following the Planning Committee meeting. You can confirm the meeting date and time with the City Clerk's Office (604-276-4007) or by viewing the Council agenda on the City's web site (www.richmond.ca).

When Council has received and reviewed all of the information it will make a decision to:

- Allow your application to proceed (by giving a Rezoning Bylaw first reading and sending it to a Public Hearing), or
- Reject your application, or
- Refer the application back to the Planning Committee or staff for more information.

Public Hearing

If Council has given first reading to your Rezoning Bylaw it will be forwarded to a Public Hearing. The public will be notified about your proposal through local newspaper advertisements and those owners of property located within a 50 meter radius of the site

will be contacted by mail. Public Hearings are held monthly and are the final, formal opportunity for the public to comment on a *Rezoning Application*. You will be advised of the Public Hearing by the City Clerks office.

You will be given the opportunity to address Council regarding your application as will any member of the public who deem themselves to be affected by the rezoning. This will be the last opportunity Council has to receive any information from you before they make a final decision.

On the same day as the Public Hearing, Council will make a decision to:

- Allow your application to proceed (by giving the Rezoning Bylaw second and third reading, and if there are no outstanding requirements to be completed, final adoption), or
- Reject the application, or
- Refer the application back to the Planning Committee or staff for more information.

Completing Requirements

If Council has decided to allow the application to proceed by giving the Rezoning Bylaw second and third reading, you may be required to complete a number of legal or development requirements prior to final adoption of this Bylaw. These could include the preparation and approval of engineering drawings prepared by a Professional Engineer (registered in BC); filing of restrictive covenants, rights-of-way, survey plans by the City's Law Division; payment of certain fees; etc.. Some applications may also have to be approved at this time by the Ministry of Transportation. If the *Site Profile* indicated that there might be contaminated soils on the property, the Ministry of Water, Land and Air Protection clearance would be required before the Rezoning Bylaw can be adopted.

Final Adoption

When all of the requirements have been met and approvals granted, the Rezoning Bylaw will be forwarded to Council for final adoption. In order to be placed on a particular Council agenda, these requirements must be completed by the Wednesday before the regular Council meeting. You can confirm when your Rezoning Bylaw is to be considered for final adoption by contacting the appropriate staff in the

Development Applications Division or the City Clerk's Office. After the Council meeting a letter confirming Council's decision will be mailed to you.

Timing

Specific time limits for processing a *Rezoning Application* are difficult to provide as the time required varies depending on the type, size and complexity of the requirements, the number of applications in progress and the ability of the applicant to provide information when required. Simple applications may take only a few months, while more complex applications involving a Development Permit and Servicing Agreement may take much longer to finalize. Approvals from outside government agencies also tend to extend the process.

The City of Richmond does have a "Fast Track" option for simple rezoning applications. The main purpose of this option is to get the applicant through the rezoning process in a quick, efficient manner. For more information, please view our "Fast Tracking" brochure available at City Hall or www.richmond.ca/permits/docs/fast_tracking.pdf

Generally speaking, applicants may save time by first discussing the proposal with the Planning and Development Department staff, employing consultants (planners, architects, engineers, landscape architects and surveyors, etc.) familiar with the rezoning process where appropriate, and providing in a timely manner all the information required by the City throughout the process. Experience indicates that the more information an applicant can initially provide in support of the application, the faster it can be processed. Similarly, processing time, confusion and uncertainty may be minimized if the applicant assigns one person with the specific responsibility of coordinating the rezoning process.

*This brochure is intended to be used in conjunction with our other informational brochures and helpful handouts such as: **Subdivision; Development Permit; Rezoning Sign Information; etc.***

It is not a legal Fast Tracking document. Any contradiction, dispute or difference between the contents of this brochure and applicable City bylaws, plans, policies or guidelines will be resolved by reference to the bylaws or other official documents. You should always refer to the official copies of the Official Community Plan, Zoning Bylaw and other formal municipal documents if you are unsure of any procedure or requirements.

