

REZONING APPLICATIONS

Prior to Submitting an Application

- Before submitting a rezoning application, a potential applicant / consultant should first discuss the nature of the proposal with Community Development Division staff. The Zoning Bylaw and adopted Community and Neighbourhood Plans should be consulted to ensure that the development and zoning being proposed is consistent with these documents.
An applicant should also determine availability of municipal services, which services may be required to support the proposal (as required by the Township's Subdivision and Development Servicing Bylaw), and when these may be available to the site.
- Once this information has been compiled, a proponent should have a better understanding of the likelihood of the rezoning application being successful. If the rezoning proposal is in keeping within the adopted community or neighbourhood plan, complies with the specific zoning requirements of the zone being proposed, and has the required level of municipal services (or the developer can provide the required level of service), the rezoning application has a greater chance of being successful.
- A potential applicant should also retain a qualified and experienced consultant, who is assigned the specific responsibility of co-ordinating the rezoning process on behalf of the applicant.

Timeline

Specific timelines cannot be given for rezoning applications, as the time required to process them varies depending on the type, size and complexity of the request, the number of applications in progress at the time, and the ability of the applicant to provide information when required. Simple applications may take only a few months to satisfy statutory Local Government Act requirements, while more complex applications involving servicing agreements and development permits may take longer to finalize. It may also be necessary to obtain input and approvals from outside government agencies which also may extend the length of the process.

Applicants may save time by first discussing the proposal with Community Development Division staff, employing consultants (architects, landscape architects, planners, engineers and surveyors, etc.) familiar with the rezoning process, and providing in a timely manner all the information required by the Municipality throughout the process. Processing time, confusion and uncertainty may be minimized if the applicant assigns one person from their consulting team the specific responsibility of coordinating the rezoning process on their behalf.

Application Review & Council Consideration

An initial review of the application is made by Community Development Division staff to determine if all information has been provided to enable the application to be processed. The applicant will be contacted after the application review has taken place.

The completed application is then forwarded to other Township Departments as required, such as Development Engineering, Green Infrastructure Services, Building, and Fire for their review; as well as affected outside agencies, where required.

For certain applications, other agencies and jurisdictions may also be consulted depending upon the nature of the application. Most residential applications will be referred to the Langley School District for consideration of school site and capacity requirements.

The Community Development Division prepares a report to Council which examines the nature and background of the application, its relationship to the Township's Official Community Plan and community and neighbourhood plans, as well as Council policies. The report also details the impact of the proposed amendment on the community in terms of land use implications, and the suitability of the site for the intended use, including the availability of required municipal services. The form, character, siting, design and appearance of the buildings and structures, along with the proposed landscape works, also form part of the report to Council (when the rezoning is accompanied by a development permit request).



Development Services Department

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Council Consideration Process

First & Second Reading	<p>Council considers the rezoning application and accompanying Community Development Division report at a regularly scheduled Council meeting. Council may agree to give further consideration to the application by giving the accompanying bylaw two (2) readings. Council may require additional information or studies before the application can be given further consideration, or may deny the application. The applicant is then informed by letter of the Council decision.</p> <p>After Council considers two readings of the bylaw, the applicant is required to erect an information sign on the rezoning site (consult with Community Development Division for details). Staff schedules the required public hearing, which usually occurs within one month after first and second reading.</p>
Public Hearing	<p>Pursuant to Local Government Act requirements (which include publication in a newspaper of a public notice and the mailing of individual notices to nearby residents), Council holds a Public Hearing on the proposed zoning amendment. At the Public Hearing all persons who believe their interest in property is affected by the proposed bylaw are given a reasonable opportunity to be heard or to present written submissions on matters contained in the bylaw that is the subject of the hearing. Applicants are also given the opportunity to present a summary of their proposal at the hearing, and are encouraged to take advantage of the Power Point technology available at the public hearing.</p> <p>After the hearing, Council is not permitted to receive any further representations from the public or proponent on the rezoning bylaw unless another public hearing is held.</p>
Third Reading	<p>After considering input provided at the public hearing, Council considers granting third reading to the rezoning bylaw at its next regular Council meeting. Council may decide:</p> <ul style="list-style-type: none"> to proceed with the rezoning bylaw by giving it third reading with or without development prerequisites (adoption may also be given at this time if there are no outstanding development prerequisites); to give effect to any representations made at the public hearing by requiring that the rezoning bylaw or development plans be amended; to defer consideration of third reading or consult further with staff; or to defeat the bylaw at third reading, thus denying the rezoning application.

Prior to Bylaw Adoption

Where Council gives third reading to the zoning amendment bylaw, all outstanding items and development prerequisites must be completed prior to the bylaw being forwarded for Council's consideration of adoption. Such items may include:

- adoption of a community or neighbourhood plan (or amendment);
- securing of neighbourhood parks, school sites, and community detention ponds;
- adjustments being made to the proposed plan (and development permit schedules) as a result of the public hearing input;
- completion of a Servicing Agreement or undertaking additional engineering/servicing studies;
- provision of a letter of credit securing all municipal works and services including parks landscaping and greenway improvements;
- provision of road dedication (and widening) including greenways, rights of way, easements and restrictive covenants;
- processing of a development permit or development variance permit;
- final approval from affected outside agencies;
- payment of supplemental fees and charges;
- compliance with Schedule 3 of the Township's Official Community Plan which establishes Streamside Protection and Enhancement Development Permit Areas (SPEA), and Erosion and Sediment Control Bylaws;
- other development prerequisites applicable to individual rezoning applications.

After Bylaw Adoption

Only after adoption of the bylaw may:

- a building permit be issued in compliance with the rezoning bylaw amendment requirements, including provisions of the development permit or heritage alteration permit (where applicable). Prior to issuance of a building permit, an applicant may also be required to enter into a Servicing Agreement providing works and services to the subject property, and provide a letter of credit securing the works along with required landscape works;
- consideration be given for approval of a subdivision that conforms to the zoning bylaw amendment, requirements of the Township's Subdivision and Development Servicing Bylaw, and the conditions of the Approving Officer's subdivision letter of decision which will include the payment of development cost charges (for each newly created lot) and a servicing agreement (where required);
- a business licence be issued in compliance with the rezoning bylaw amendment (and in compliance with Township of Langley Business Licence Bylaw).

At the applicant's risk, preliminary submissions may be made on these items prior to adoption of the rezoning bylaw.

