

WHAT ARE THE NEXT STEPS IN THE DEVELOPMENT APPROVAL PROCESS?

Following the approval of an area rezoning process and amendment of Burnaby's Zoning Bylaw, each individual property owner would be responsible to advance specific related development applications.

Depending on the zoning and lot eligibility the following processes may be required:

Subdivision

- In many cases, development proposals will require subdivision approval, including any prerequisites.

Building Permit

- A Building Permit is required for the construction of all buildings.

FOR FURTHER INFORMATION

For specific information related to individual applications, please contact:

Planning Department
T: 604-294-7400
F: 604-294-7220
E: planning@burnaby.ca

City of Burnaby
Planning and Building Department
4949 Canada Way
Burnaby, BC V5G 1M2

SINGLE AND TWO FAMILY RESIDENTIAL AREA REZONING PROCESS is one of a series of public information brochures covering the City Approvals Process in the City of Burnaby. Other brochures available from the City include:

- **REZONING**
- **PRELIMINARY PLAN APPROVAL**
- **SECONDARY SUITES**
- **SUBDIVISION**

This brochure is meant to act only as a general guide. Please consult the Community Charter, Local Government Act, Burnaby Zoning Bylaw, and other bylaws for definitive requirements and procedures. While every care is taken in the preparation of this brochure, the City of Burnaby assumes no responsibility or liability in respect of its contents. This brochure is intended as a guide only and is not a legal document. The public is advised to review the applicable legislation and bylaws and conduct its own enquiries with City staff.



Planning and Building Department



Planning and Building Department

Single and Two Family Residential Area Rezoning Process

A GUIDE TO THE CITY APPROVALS PROCESS IN BURNABY

INTRODUCTION

The City of Burnaby has prepared this brochure to assist you in understanding the City's area rezoning process for single and two family residential areas. The intent is to provide a summary outline of the process. Anyone considering area rezoning for their neighbourhood should contact the Planning Division of the Planning and Building Department for further information and guidance.

WHAT IS THE PROCESS?

The area rezoning process is initiated by property owners. The process begins by contacting the Planning Department about the type of area rezoning requested and whether the neighbourhood is considered appropriate for an area rezoning. Staff review the neighbourhood context including the current Official Community Plan (OCP) designation, prevailing zoning, width and size of the existing lots, age of the existing houses, pace of redevelopment, and the proposed zoning district. If the proposal meets the guidelines for an area rezoning, staff provide advice on the process and a suggested boundary of the area for advancement as part of the next step in the process.

WHAT IS AREA REZONING?

The single and two family residential area rezoning process was established to provide property owners with an opportunity to propose and initiate changes to the land use zoning of their neighbourhoods that:

- introduce potential for small lot development (e.g. R4 or R5 Districts to R12 or R12S Districts, R4 to R5 District);
- protect single family neighbourhoods from larger houses (e.g. R10 and R11 Districts);
- consider an adjustment in zoning boundaries where development is inconsistent with existing zoning (e.g. R2 to R3).

The process then moves to the petition phase. It is the responsibility of one of the property owners within the proposed rezoning boundary, or their agent, to organize the petition. The petition should be circulated to all area property owners. A petition must include the names, addresses, and signatures which represent at least 50% of the properties within the proposed rezoning boundary. The petition provides the City with assurance that there is sufficient interest in pursuing the area rezoning process.

After the completed petition is submitted to the Planning Department, the proposal is reviewed by staff and a report is prepared for consideration by the Planning and Development Committee. The report may include a recommendation to Council regarding the advancement of a City sponsored neighbourhood consultation process. If Council approves the recommendation to

advance the area rezoning process, City staff will begin the public consultation process. A City brochure and questionnaire are prepared and sent to each property owner within the proposed rezoning boundary and to residents located within a consultation area of 100 metres around the proposed rezoning area. Residents and property owners are also invited to attend a City sponsored open house.

The results of the questionnaire and feedback from the public consultation are compiled and a report is prepared for the Planning and Development Committee and City Council. The report would include information regarding the results of the public consultation with recommendations for consideration to either advance or abandon the proposed area rezoning. If the area rezoning is advanced, a bylaw amendment is prepared and notification of a Public Hearing is sent to area residents and property owners.

The Public Hearing process provides an additional opportunity for the public to comment on the proposal and provide input for Council's consideration. Council approval of all readings for the rezoning bylaw is required to complete the change of zoning. The overall area rezoning process can take up to a year or more to complete. It is noted that the outcome is not guaranteed and not all area rezonings are successful.

AREA REZONING PROCESS

The following provides a chronological summary of the typical steps for an area rezoning process.

Stage I: Owner Inquiry and Petition

1. A property owner(s) wishing to pursue an area rezoning begin with an inquiry through the Planning Department.
2. Staff review the neighbourhood taking into account the logical boundaries such as

roads, natural features, zoning boundaries, anomaly lot sizes, and existing land use patterns in defining an area for review. The Official Community Plan (OCP) and local Community Plans are checked to confirm that the proposed rezoning complies with the adopted land use designation(s). In those cases where a Community Plan has identified a neighbourhood as a candidate R12 area, a petition may be submitted on a portion of that area in order to initiate the rezoning for a sub-area, subject to the area being a minimum of one complete block front.

3. The proposed area rezoning will be reviewed to determine subdivision and works / services requirements, if applicable.
4. If staff consider that the area is suitable for the area rezoning process the owner(s) are provided with instructions on submitting a petition. The petition should include the names, addresses, and signatures of owners which represent at least 50% of the properties within the proposed rezoning boundary.
5. Owner(s) complete and submit petition to Planning Department.

Stage II: Review Report

6. For area rezoning requests, staff prepare a report for Committee and Council which reviews the request based on the following criteria:
 - Housing character of the area (e.g. size of existing lots, age of houses, pace of redevelopment);
 - Appropriateness of the area boundaries (e.g. number of properties, land uses, and character of adjacent areas);
 - Proposed impact of the area rezoning in the context of the City's overall residential growth management strategy and future residential growth objectives; and,

- The priority to be assigned to initiating an area rezoning consultation process in the context of other rezoning processes that are underway and the work priorities of the Planning and Building Department.
7. For zoning boundary adjustments, staff prepare a report for Committee and Council which reviews the feasibility and desirability of the request based on the following criteria:
 - At least 50% of the existing lots are not reflective of the current zoning category.
 - The proposed zoning category better reflects the existing lot development.
 - The rezoning involves a realignment of existing zoning boundaries.
 8. If the Committee and Council agree that the area rezoning or zoning boundary adjustments have merit, staff are authorized to proceed with a consultation process to determine the level of support for the proposal in the neighbourhood.

Stage III: City Consultation Process

9. Staff prepare a brochure and questionnaire that are sent to all property owners and residents in the rezoning area and notification to property owners and residents within 100 metres of the rezoning area.
10. An open house is held at a venue near the rezoning area.
11. Questionnaires are due two weeks after the date of the open house. If there is less than a 50% response rate from the rezoning area, reminder letters are sent to those property owners and residents who have not yet submitted their questionnaires. If required, a second reminder letter is sent.

Stage IV: Consultation Results Report

12. The results from the questionnaire responses from the property owners within the

rezoning area are compiled to determine if there is sufficient majority support for the area rezoning. The criteria for support are:

- where the response rate is 100%, at least 50% of the property owners in the rezoning area, based on one response per legal lot, have indicated they support the area rezoning; or
 - where the response rate is less than 100%, at least 50% of the properties in the rezoning area, based on one response per legal lot, have responded and at least 70% of those who responded support the area rezoning.
13. Following compilation of the results of the public consultation, staff will prepare a report. If the above criteria in support of the area rezoning is met, then staff will recommend that a proposed area rezoning proceed to Public Hearing, where further public opinion can be received by Council.
 14. If the results of the public consultation do not meet the criteria for support, staff will recommend that the proposed area rezoning should not proceed to Public Hearing. It is noted that it is the policy of Council that should an area rezoning not proceed, the area will not be reconsidered for initiation for a new area rezoning proposal for at least three years, unless a substantially new proposal is submitted.
 15. A copy of the report is sent to property owners and residents in the rezoning and consultation areas.

Stage V: Rezoning Bylaw and Public Hearing

16. The area rezoning amendment bylaw is advanced to First-Reading and a Public Hearing. Property owners and residents in the rezoning and consultation areas are notified of the Public Hearing.
17. Property owners and residents in the rezoning area are notified if the area rezoning amendment bylaw receives Final Adoption.