

Guide to Land Use Bylaw Amendment Applications (Rezoning and OCP Amendments)

What is a Land-Use Bylaw amendment application?

A land-use bylaw amendment application is required when a property owner wishes to change one or more provisions of the [City's Zoning Bylaw](#) or [Official Community Plan](#), (OCP). These are commonly referred to as "rezoning" and "OCP amendments."

What is an Official Community Plan?

An Official Community Plan (OCP) establishes the community vision for the plan area, and contains statements of goals, objectives, and policies to implement that vision. These policies are used to guide decisions on planning and land use management.

When is an OCP Amendment Required?

An OCP amendment application is required if the proposed *Zoning Bylaw* amendment (rezoning) is not adequately consistent with the OCP.

What is a Zoning Bylaw?

The *Zoning Bylaw* is an important regulation governing the use and development of land, and it implements the goals and objectives outlined in the Official Community Plan.

The *Zoning Bylaw* divides areas and properties into different zones, each of which includes specific regulations about permitted uses of the land, the density of those uses, and the number, size, and placement of buildings and structures.

When is a Zoning Bylaw amendment application required?

Applications are required when a property owner wishes to add or change the permitted uses or allowable density on a property.

Typically, this involves changing the zoning designation of a property from the existing zone to another in the *Zoning Bylaw*. For example, requesting a change from R1 (Low Density Residential) to C5 (Neighbourhood Commercial) to accommodate commercial uses. This is also known as a **Rezoning Application**.

In some cases, the change needed can be achieved through an amendment to the wording of the bylaw, for example, to permit a new activity within an existing commercial zone. This is referred to as a **Zoning Bylaw Text Amendment**.

What are the associated costs?

Land use amendment applications require an application fee and a deposit for a public notice sign. costs can be viewed in the City's latest [Fees and Charges Bylaw](#). Depending on the application, other costs may include:

- Construction of offsite services such as sewer pipes, roads, etc. to support the proposed uses
- Professional reports such as archaeological, geotechnical, or environmental assessments reports
- Legal fees

How Long Does the Application Take?

Applications are decided by City Council and require a minimum of two Council meetings before adoption (application approval). The minimum time from the City receiving a complete application for approval is 3 months. Most applications proceed through the evaluation and approvals process in less than 8 months. Please note that complex applications that involve other government agencies are expected to take longer.

Approvals Process

Pre- Application & Preparation

- Applicants are encouraged to review the OCP, Zoning Bylaw, Devevelopment Servicing Bylaw and Development Approvals Procedure Bylaw to determine the requirements.
- Applicants are also strongly encouraged to dissuss the propsal with Development Services staff for high level feedback and confirmation on required documents.

Submit Application

- Submit your complete application package including application form, conceptual drawings drawings, and any other required documents electronically to planning@merritt.ca.
- Development Services staff will review the application for completeness and may ask for additional information
- Staff then generate an invoice for the application fee and a Public Notice Sign deposit.

Application Review

- Staff will intiaite the application review process once the application fees are paid.
- Your appliction will be referred to other City departments and external agencies for a comprehensive review.
- Staff will schedule your application for the next available Council meeting. Once confirmed, you will be asked to install a Public Notice sign no less than 10 calender days before the Council meeting.

Council Consideration

- After the referral process, Development Services staff will present the proposal to Council.
- If changes are requested through the referral process or Council proceedings, Development Services staff will compile referral commments and provide you with a feedback memo.
- You must address the comments to continue with the approvals process. A written response to the comments contained in the feedback memo must be provided.

Public Hearing

- If the proposal receives 1st and 2nd Readings from Council, staff will schedule for a Public Hearing and 3rd reading at the next available Council meeting.
- Staff will direct you to update the Public Notice sign to reflect the proposed Public Hearing.
- If 3rd Reading is granted by Council, the application will be scheduled for final adoption at the next available Council meeting.

Final Council Consideration

- If the proposal has received all 3 readings and obtained applicable approvals from other government agencies, Council will give final reading and adopt the land use amendment bylaw (application approval).
- Once approved, you must remove the Public Notice sign within 7 days of the Council meeting. After staff has confirmed that the sign has been removed, the sign deposit will be refunded.