

# Highlights

## ZONING AMENDMENTS

### HOW ZONING WORKS

Every property within Nelson city limits has been assigned a zoning category through the zoning bylaw. These zones specify what land use activities can take place on each property within the city and are shown on the zoning map.

Zoning is an important tool for managing the long-term priorities of the City of Nelson. It impacts lifestyle, infrastructure and services, land values, sustainability and the efficient use of resources. Because of this crucial role, rezoning processes give residents an opportunity to participate and have a strong impact in guiding decision-making.

Zoning is not about keeping everything the same as it is today and protecting the community from change. Rather, it's about encouraging development that is in line with the City of Nelson's Sustainability Strategy and Official Community Plan.

In Nelson, the Zoning Bylaw regulates the following:

- Permitted uses on any parcel of land within the city
- Density
- Siting, sizing and dimensions of buildings and structures
- Area, shape and dimensions of all parcels of land that may be created by subdivision.

#### When is an amendment needed?

There is a procedure in place for property owners, or City Council, to change the permitted use, and/or density of a property. This process is governed by the *Local Government Act*, and, as mandated, involves City staff, Council and the Council-appointed Advisory Planning Commission. It is the only way that the zoning category of a property or the zoning regulations within a zone can be legally changed.

#### Amendment procedure

Property owners who would like to apply for rezoning are encouraged to contact the Department of Development Services & Sustainability, before submitting a Land Development Application.

### WHO DOES WHAT?

#### Role of City staff

Once an application to rezone is received, staff will then review the application to determine whether it is complete. Staff refer the completed rezoning application to all applicable City departments, the Advisory Planning Commission, and relevant government ministries and agencies. The referral agencies' comments will then be incorporated into a technical report to Council.

#### Role of the applicant

Applicants are required to erect a Notice of Development Sign within ten (10) days of making an application. Sign requirements are outlined in Schedule 2 of the Land Development Application Procedures Bylaw.

Applicants must also advertise and host a public information session, open house or public meeting, at their own expense, to explain the proposed development.

After the public meeting, the applicant will provide a written report to staff, discussing the issues raised by those who attended the public meeting. This report must be received before the Advisory Planning Commission meets to discuss the application.

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### Role of the Advisory Planning Commission

The nine members of the Advisory Planning Commission are appointed to advise Council on land use, project design, landscaping and community planning.

The applicant will be invited to attend an Advisory Planning Commission meeting to present their proposal for development. The Advisory Planning Commission will then make a recommendation on the application to Council.

### Council's role

Once they receive the staff report, Council will consider the technical report prepared by staff. If they decide to proceed with the amendment application, an amending bylaw will be given two readings. Council may alternatively decide to refer, table or deny the application.

If an amending bylaw receives first and second reading, a notice of a public hearing will be given pursuant to the *Local Government Act* to owners of all parcels within a distance of 60 metres of the property in question. A public hearing will be held to permit the public to comment on the proposed amendment.

Following the public hearing, Council will consider the amending bylaw and may proceed with a third reading, refer, table or deny the application. Upon third reading, a zoning/land use bylaw amendment may need to be forwarded to the Ministry of Transportation, for signature before proceeding to Council for adoption.

Once minutes of the Council resolution have been prepared, the applicant will be notified in writing of the outcome.

## CURRENT APPLICATIONS

Copies of current applications for rezoning can be found on our website.

For more information about these applications, please call the Department of Development Services and Sustainability at 250.352.8260.

## REZONING TIMELINE



## NEED MORE INFORMATION?

### Nelson City Hall

Suite 101, 310 Ward St. Nelson BC V1L 5S4  
Phone 250-352-5511 Fax 250-352-2131  
Email [info@nelson.ca](mailto:info@nelson.ca) Web [www.nelson.ca](http://www.nelson.ca)

City of  
**NELSON**