



Village of Port Clements
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OCP and ZONING AMENDMENT PROCESS

Land Development Application Forms Policy Schedule A

The Village of Port Clements Official Community Plan (OCP) Bylaw is a statement of broad objectives and policies regarding the form, character, and density of existing and future land use and servicing requirements. It sets the direction for the future locations of commercial, recreational, industrial, and residential land uses in the Village. **An OCP amendment is required when a proposed land use is not consistent with the land use designations of the OCP.**

The Village of Port Clements is divided into designated land use categories or 'zones', pursuant to the Zoning Bylaw No. 444, 2024. The zoning bylaw sets out the regulations for development, including specifications for permitted uses, lot size and density, setbacks and building height limitations. **A zoning amendment is required when a proposed land use is not permitted under the current zoning for a property.**

Where the proposed land use is inconsistent with both the OCP and Zoning Bylaws, the amendments can be processed together. Where the proposed land use includes subdivision, a Subdivision Application can be submitted concurrently with the OCP and/or Zoning amendment process.

Authority to approve OCP and Zoning amendments is granted to the Council under the *Local Government Act*. For most applications, the process is as follows (please note that these timeframes are approximate and that more complex applications can take up to 12 months or longer).

STEP 1 - Pre-Application Meeting

This initial discussion with staff to review your intentions is your opportunity to seek more information and determine whether you will need complete an application for OCP and/or Zoning amendment. To make the best use of your time, provide a sketch plan and prepare specific questions in advance. Be prepared and knowledgeable about your proposed land use. The more information gathered before applying, the more efficiently the process is likely to run.

If the proposed land use does not conform, staff will suggest changes to the proposal, or explain the process for amending the OCP and/or Zoning Bylaws to accommodate the proposed use.

STEP 2 - Application Submission

If your property is not appropriately zoned, you may apply for an OCP and Zoning amendment to seek approval. Included in the Application form is a checklist outlining required documents and plan criteria that must accompany your submission. Incomplete applications will not be accepted.

STEP 3 - Staff Review (7 to 11 weeks)

The Village's Chief Administrative Officer (CAO) reviews the application and refers it to internal departments for comments. The CAO may also refer the application to external agencies for comment and their respective approval requirements. It is the Applicant's responsibility to fulfill external agency requirements and obtain all necessary approvals, studies or permits for the proposed land use.

Village staff will collect, compile, and review all internal and external review comments, and review relevant legislation and Village bylaws. Referrals are returned to the Applicant to allow for outstanding issues to be addressed.

STEP 4 – Notify Public (10 days prior to Council Meeting)

No later than 10 days prior to the application being considered by the Council, the Applicant is required to erect a Notice of Development sign in accordance with the requirements of the Land Development Application Procedures Bylaw No. 476, 2022.

STEP 5 – Staff Report, Bylaw Amendment and Public Hearing (2 to 6 weeks)

Once all referrals have been addressed, the CAO prepares a report and bylaw amendment for Council. Council considers first and second reading of the bylaw at their next scheduled regular meeting(s) of Council.

If a public hearing is required, a date is set and the CAO notifies all owners and occupants within 100 m of the subject property (2-4 weeks). Third reading of the bylaw may be considered following the public hearing.

STEP 6 – Council Decision

Village staff will work with the Applicant for the preparation of any required covenants, statutory rights of way, phased development or development agreements. All legal fees incurred by the Village shall be reimbursed by the Applicant prior to the final consideration of the bylaw by Council.

The final reading of the bylaw must be considered at a subsequent meeting. If the amendment is adopted, it takes place immediately. If it is denied, no substantially similar application will be considered by Council for 6 months. The applicant is notified in writing of the decision.