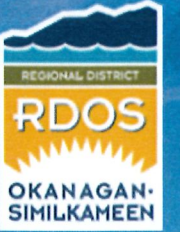


# BOARD BANTER



## LAND USE REGULATION

Parts 13, 14, and 15 of the Local Government Act contain most of the legislative provisions for local governments that relate directly to planning and land use management. Part 14 is the core section, which provides the framework and tools for the local government planning system.

### Official Community Plans

A local government may adopt, by bylaw, one or more Official Community Plans (OCP). The local government can decide the area the plan applies to and the number of plans it wants.

While OCPs do not require the Council or Board to proceed with any project contained in the plan, all bylaws or works undertaken must be consistent with the plan. The plan is a statement of policy and does not directly regulate the use of private property; this is the role of regulatory bylaws such as the zoning bylaw.

### Zoning Bylaws

The principal land use regulatory bylaw, the zoning bylaw divides the area it covers into zones. For each zone, local government can regulate:

- The use of land, building and structures including prohibited use;
- The density of use, buildings and structures;
- The siting, size and dimension of buildings and structures; and
- The area, shape and dimensions of parcels created by subdivision.

## PERMITS

Sometimes the regulations that are written to apply to all general circumstances are not appropriate for a specific situation. While one way to address this would be to rezone the affected property, the legislation provides three more expeditious ways for making site-specific exceptions to the strict application of land use regulations.

### Development Permit

An OCP can designate development permit (DP) areas for one of the following purposes: protection of natural environment; hazard areas; protection of farming; commercial area revitalization; form and character of intensive residential, commercial, industrial development; form and character objectives for development in resort regions; promotion of energy or water conservation; and reduction in greenhouse gas emissions.

### Development Variance Permit

A local government may issue a development variance permit (DVP) that relaxes the provisions of a regulatory bylaw (e.g., zoning, subdivision servicing, etc.). A development variance permit may not vary use, density, flood plain specifications, or a phased development agreement.

### Temporary Use Permit

A temporary use permit (TUP) can be issued by a local government to allow a use not permitted by zoning, specify conditions of that temporary use, and allow and regulate the construction of buildings or structure for the temporary use. A TUP may be issued for up to three years and can be renewed once. Despite the above, the Regional District has chosen to regulate farm labour housing and vacation rentals through the on-going issuance of TUPs.

For more information on land use regulation, contact Christopher Garrish, Planning Manager at [cgarrish@rdos.bc.ca](mailto:cgarrish@rdos.bc.ca) or 250-490-4101.