



Ministry Legislation

Bill 17, 2014
Miscellaneous Statutes Amendment Act

Ministry of Community, Sport and Cultural Development
Regional District CEO/CAO Forum - March 2014



Bill 17 Aims To:

- Reduce red tape
- Streamline land use and development approvals
- Modernize outdated land use regulation
- Provide greater flexibility, certainty and transparency for local governments, developers and property owners



Proposed Amendments

- Remove ministerial approval of RD land use bylaws
- Remove ministerial approval of bylaws that impose fees related to soil removal or deposit
- Terminate land use contracts from the 1970's
- Protect "in-stream" rezoning and development permit applications from DCC increases



RD Land Use Bylaws

- Repeal minister's approval for RD OCP, zoning, subdivision servicing, temporary use and LUC bylaws
 - Authority for minister to require approval of bylaws
 - Authority for provincial policy guidelines
- Repeal minister of MOTI approval of RD subdivision servicing bylaws
 - Authority for MOTI to require approval of subdivision servicing bylaws that establish highway standards



Soil Deposit/Removal Fees

- Repeal minister's approval of bylaws that impose soil removal and deposit fees
- Approval role of MEM and MoE for soil deposit and removal bylaws is not affected




Land Use Contracts (LUCs)

- LUC is commonly referred to as "contract zoning"
- Short-lived tool - 1971 – 1977
- 2,400 LUCs remain, regulating 66,000 properties
- 90% of LUCs are in municipalities
- 19 RDs have 259 LUCs, affecting over 6,000 properties
- LUCs effectively "freeze" the affected properties in 1970's rules



LUCs - Termination

- “Sunset” on June 30, 2024 for existing LUCs
- Zoning required for LUC properties: June 30, 2022



LUCs – Termination: Why 10 Years?

- Ensures land owners and local governments have ample lead time to adjust to the change
- Land owners can develop their property under LUC provisions
- Local governments have time to plan for and enact zoning bylaws



LUCs – Early Termination

- Local governments can “fast track” the termination of land use contracts under certain conditions:
 - Bylaw adopted on or before June 30, 2022;
 - Bylaw comes into force at least one year after adoption;
 - Public hearing required;
 - Zoning required for LUC properties; and,
 - Land Title Office notified.
- Land owner can appeal to a Board of Variance for extension to early termination date



“In-stream” protection from DCCs

- 12 months protection from DCC changes for “in-stream” rezoning and development permit applications
- Same level of protection as exists for subdivision and building permit applications



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Thank You!