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Regional District Bylaw Approval Exemption Regulation No. 279/2003

To: All Regional District Planning Directors and Managers,

What:

The Regional District Bylaw Approval Exemption Regulation 279/2003 was brought into effect by Ministerial Order No. M 320/2003. The regulation exempts certain regional district official community plans (OCP) and zoning bylaws from the requirement for ministerial approval under the *Local Government Act* (LGA).

Under the regulation, ministerial approval is not required for an OCP or a zoning bylaw unless the bylaw:

- allows 30 or more new parcels;
- allows 30 or more new dwelling units;
- applies to 20 hectares or more of land; or
- applies solely to Crown land.

The regional district will determine which bylaws will need to be submitted for ministerial approval. The ministry will process submitted bylaws in the normal manner.

When:

The Ministerial Order was signed on July 16, 2003 and the Regulation was Deposited on July 17, 2003.

Where:

The regulation applies to all regional districts in the province, except:

- the Greater Vancouver Regional District (which was already exempted from approvals provided that the regional growth strategy remains in effect).

The regulation does not apply to the Islands Trust.

Background

Section 882 (6) of the LGA provides the authority for the Minister, by regulation, to define areas and circumstances where ministerial approval of regional district OCPs would not be required. Section 913(4) authorizes the Minister to exempt regional district zoning bylaws from this approval.

The objective of the regulation is to reduce the number of bylaws that require ministerial approval while ensuring that bylaws that have the potential for conflict with significant provincial interests are reviewed and considered in the approval process.

The regulation is intended to exempt bylaws that allow very small scale development or that do not apply solely to Crown lands, and it is focussed on streamlining the development approval process.

The regulation is available from Crown Publications.