



A primer on zoning for the Shallow Bay area

What is zoning?

Development area regulations create zones within a community that prescribe permitted uses. Zoning:

- Facilitates growth in some areas and limits growth in other areas.
- Describes what landowners are allowed to do on their property.
- Reduces conflicts by carefully determining what uses are located near one another.

What is included in a zoning regulation?

- Purpose: what is the main goal of the zone?
- Primary or principal (main use), accessory (secondary use) and discretionary uses.
- Minimum lot size and rules for subdivision of property.
- Setbacks (required distance of buildings from property line) and frontage.
- Parking requirements.
- Building height (maximums).
- Other things as necessary.

How do lot owners develop accessory uses?

Development permits are required for the development of accessory uses that are listed in the regulation. When a property owner applies for a development permit, the Land Planning Branch will review the proposed development to make sure they align with the regulations. There may be specific conditions and inspections required.

How do lot owners develop discretionary uses?

Discretionary uses (listed in the regulation) require a higher level of analysis before they can be developed. The permit process considers suitability of the land, neighboring uses, compatibility of existing uses, socio-economic and environmental impacts. Consultation or notification to First Nations (Ta'an Kwächän Council and Kwanlin Dün First Nation in the Shallow Bay area), other governments, agencies, neighboring property owners or the public may be required.

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Page 2

How are complaints addressed?

If there is a written complaint about a prohibited land use or a question of non-compliance within a development area, a development officer conducts an investigation. Development officers notify property owners of violations and advise when corrective actions must be taken. If the owner does not end the non-compliant land use within a specified period, a Minister's order, fine or court injunction may be issued under the *Area Development Act*.

What if the use is already in place when the regulation comes into force?

Land uses, lots and buildings that exist before area development regulations are completed are called "non-conforming" if they do not comply with the new zoning. These non-conforming uses and buildings are legal and can remain under the new regulation.