



# Proposed New Zoning Bylaw

## Summary of Process and Overview of Key Changes

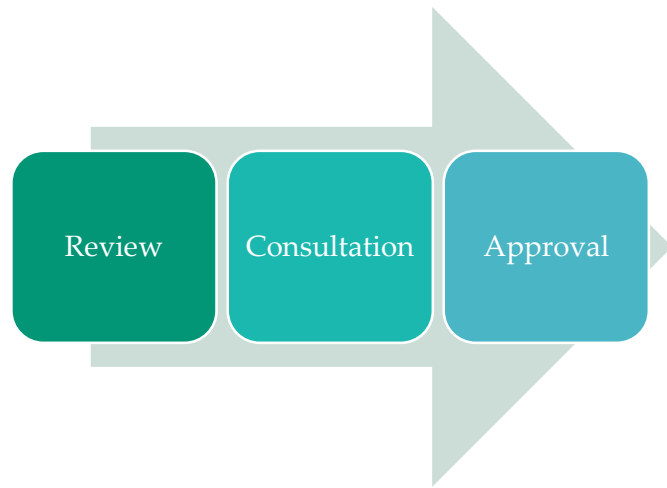
Regional District of Bulkley-Nechako | Planning Department

# Summary of Process

## Section 1



# BYLAW DRAFTING PROCESS



Staff have been working on the draft bylaw for a number of years to ensure its effectiveness.

- The RDBN Board has reviewed the draft bylaw .
- The regions Advisory Planning Commissions have reviewed draft bylaw.
- Residents with notable changes to their properties have been consulted.

Currently the draft bylaw is in the public consultation stage. The RDBN is holding public meetings, and sending referrals to First Nations, government agencies, and stakeholders.

# PUBLIC CONSULTATION

**January 2019**

Public review of the draft bylaw is proposed to take place through a series of public open houses to be held across the region. This will be followed by a Public Hearing held as part of the formal approval process.

- **Fort St. James**

Monday, January 14 at 4:00 pm - 7:00 pm  
in the Municipal Office located at  
477 W Stuart Drive, Fort St. James BC

- **Vanderhoof**

Wednesday, January 16 at 4:00 pm - 7:00 pm  
in the Municipal Office located at  
160 Connaught Street, Vanderhoof BC

- **Houston**

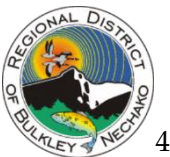
Monday, January 21 at 4:00 pm - 7:00 pm  
in the Municipal Office located at  
3367 12th Street, Houston BC

- **Smithers**

Wednesday, January 23 at 4:00 pm – 7:00 pm  
in the Municipal Office located at  
1027 Aldous Street, Smithers BC

- **Burns Lake**

Monday, January 28 at 4:00 pm - 7:00 pm  
in the RDBN Office located at  
37 3<sup>rd</sup> Avenue, Burns Lake BC



# Overview of Key Changes

## Section 2



# KEY CHANGES

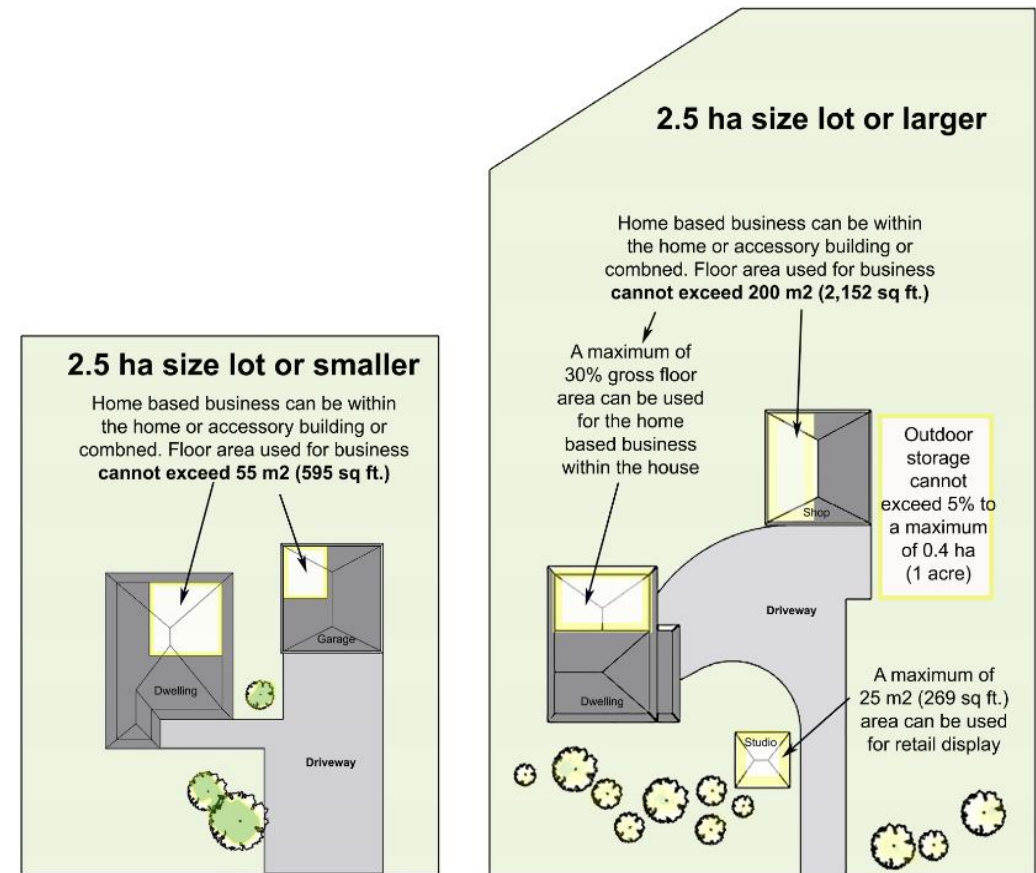
## 1. Improvements to user-friendliness

- Definitions and wording has been amended to improve clarity.
- Definitions have been created for all uses to increase certainty and ensure consistent interpretation.
- The organization of zones has been improved, and wording improved to improve readability.
- Hyperlinks have been added to assist in cross referencing.

# KEY CHANGES

## 2. Home Occupation

- The current zoning bylaw regulates home occupations with a “one size fits all” approach that results in the regulation potentially being unnecessarily restrictive for large parcels, and not restrictive enough in areas where parcels are smaller.
- The new bylaw proposes two sets of home occupation regulations:
  - properties less than 2.5 hectares (6.18 acres) in size; and,
  - properties greater than 2.5 hectares (6.18 acres) in size.



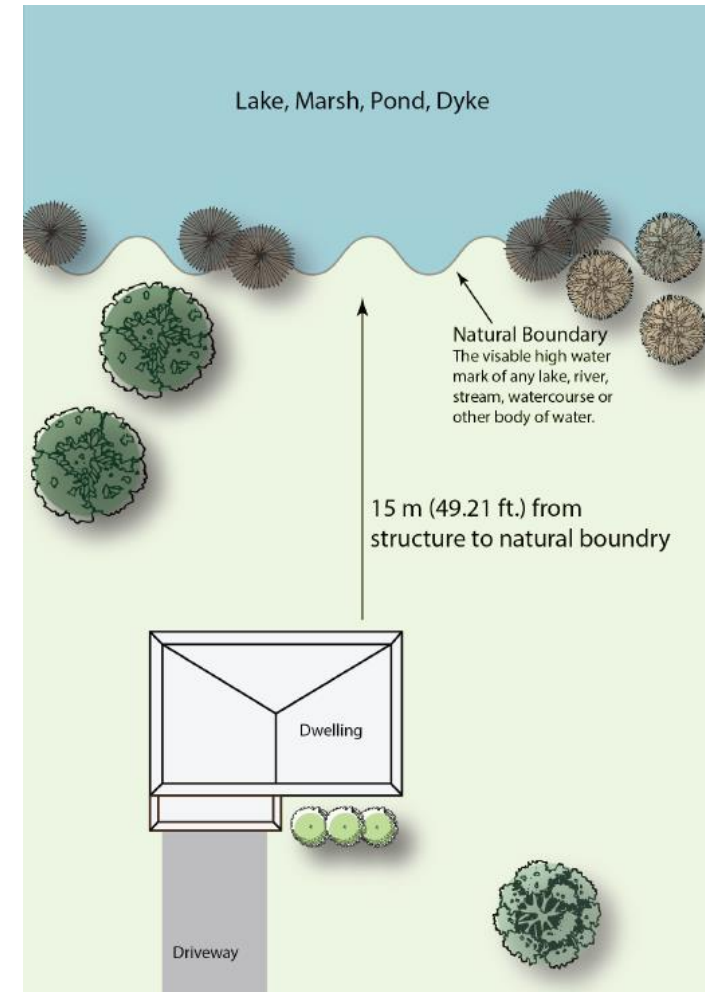
*Not intended for bylaw interpretation purposes*



# KEY CHANGES

## 3. Setback from a lake

- The setback from a lake, marsh, pond or dyke is proposed to be increased from 7.5 metres to 15 metres.
- This would bring the Zoning Bylaw in line with the minimum standards recommended by the Department of Fisheries and Oceans and the BC Ministry of Environment.
- The new setback will help reduce the impacts of flooding on dwellings.



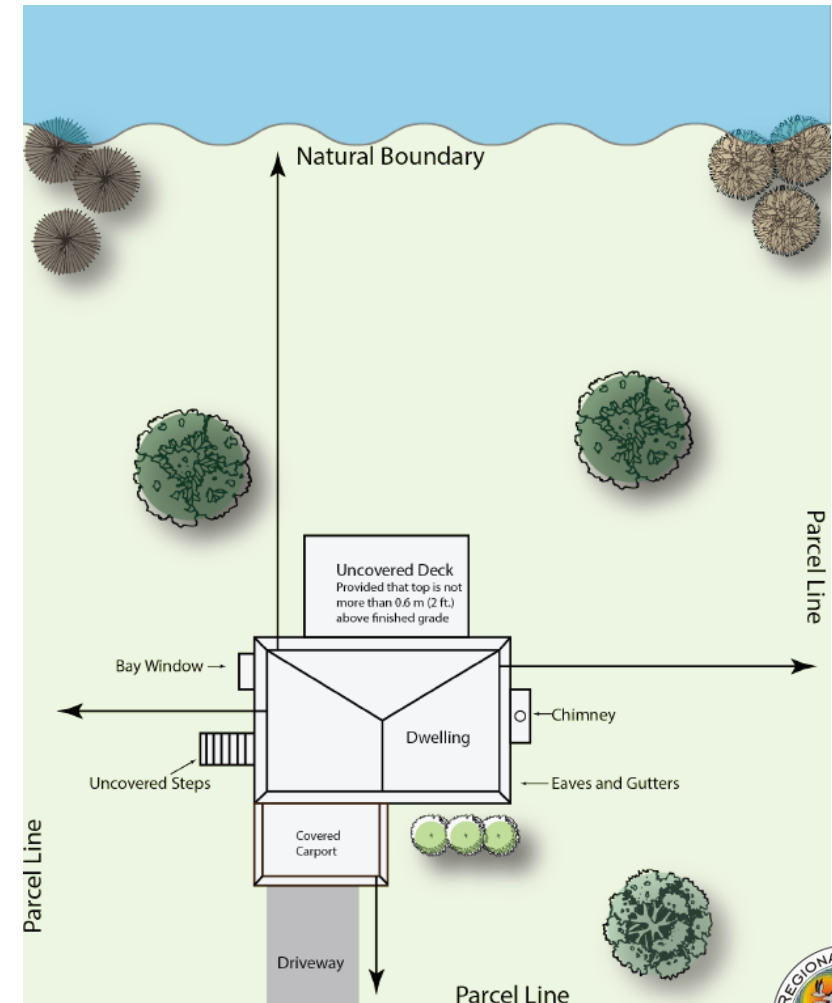
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# KEY CHANGES

## 4. Setbacks for Certain Unobtrusive Structures

- Portions of structures (bay windows, roof overhangs, chimneys, etc.) are exempted from the required property line setbacks in the bylaw.
- Certain structures such as swimming pools and hot tubs are not subject to setback requirements.
- This is proposed to clarify bylaw interpretation and reduce the need of a Development Variance Permit application for very minor encroachments.



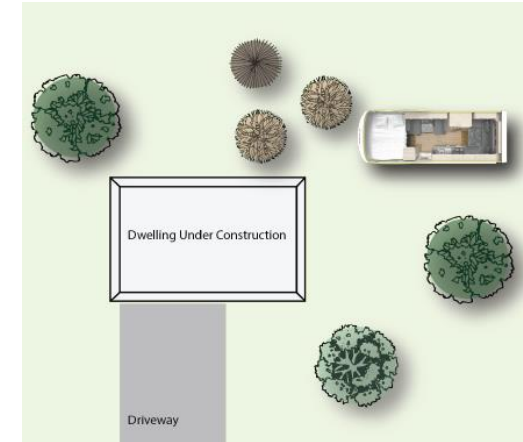
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# KEY CHANGES

## 5. Short Term Accommodation and Camping Vehicles

The new bylaw proposes to allow Camping Vehicles as follows.

- Two Camping Vehicles can be used on any residential property (6 months a year).
- Camping Vehicles can be used during the demolition or construction of a new building (8 months a year).
- The existing bylaw does not allow for this.

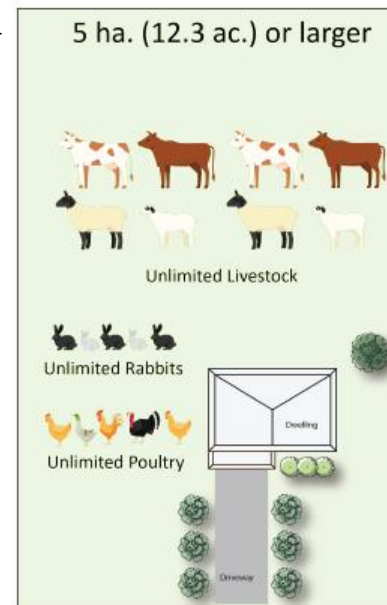
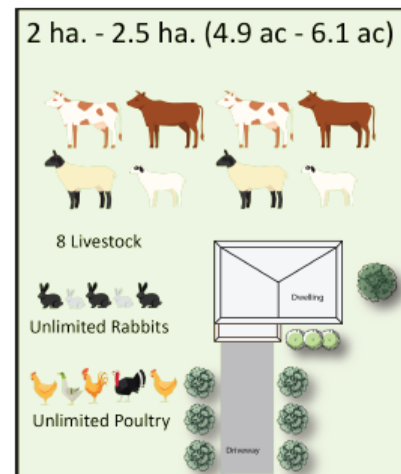
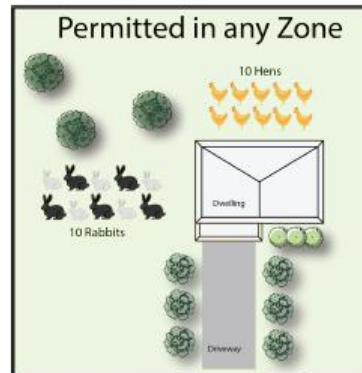


*Not intended for bylaw interpretation purposes*

# KEY CHANGES

## 6. Changes to Agriculture on small lots

- Currently the zoning bylaw restricts keeping of poultry, rabbits, and commercial livestock in most residential zones. The proposed bylaw regulates the types and number of animals by parcel size to reduce the potential impacts associated with the keeping of animals.



Parcel size	Livestock	Poultry	Rabbits
0 – 2000 m2 (0.49 ac.)	0	10 hens	10
2000 m2 - 0.5 ha. (0.49 - 1.2 ac.)	0	25	25
0.5 ha - 1 ha. (1.2 - 2.47 ac.)	2	25	25
1ha. – 1.5 ha. (2.47 - 3.7 ac.)	4	100	100
1.5 ha. – 2 ha. (3.7 - 4.9 ac.)	6	100	100
2 ha. – 2.5 ha. (4.9 - 6.1 ac.)	8	No limit	No limit
2.5 ha. – 3 ha. (6.1 - 7.4 ac.)	10	No limit	No limit
3 ha. – 3.5 ha. (7.4 - 8.6 ac.)	12	No limit	No limit
3.5 ha. – 4 ha. (8.6 - 9.8 ac.)	14	No limit	No limit
4 ha. – 4.5 ha. (9.8 - 11.1 ac.)	16	No limit	No limit
5 ha. or larger (12.3 ac. or larger)	No limit	No limit	No limit

★ **This change does not impact properties in the Agricultural Land Reserve (ALR).**



# KEY CHANGES

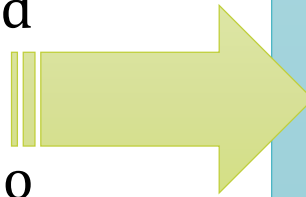
## 7. Wind Turbines and Wind Farms



The Regional District may see applications for large scale wind farms in the future.

The technology has advanced so that medium and small wind turbines are practical sources of power for individual properties.

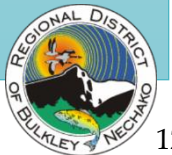
The existing bylaw does not allow wind turbines.



*The new bylaw proposes to allow wind turbines as follows.*

- **Large Wind Turbines and Wind Farms** (rotor diameter of over 30 m in diameter or designed to generate over 300 kW of power): must go through a rezoning process
- **Medium** (rotor diameter of 15 m to 30 m): in certain select zones
- **Small** (rotor diameter of less than 15 m): up to 6 small wind turbines/ property

The regulations regarding the number of turbines per property or the height of medium or small wind turbines may be amended by a development variance permit.



# KEY CHANGES

## 8. New Zones

### Special Civic / Institutional Zone (P1A)

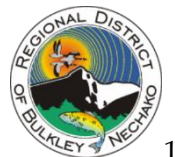
- This zone was added to accommodate community uses with the potential of notable negative impact on adjacent properties (such as fire halls and ambulance stations).
- The five rural fire halls (Southside, Topley, Fort Fraser, Luck Bay and Cluculz Lake) have been zoned P1A in the draft bylaw.

### Motor Sport Zone is renamed Special Recreation Zone (P2A)

- Permitted uses were expanded to include recreational uses with the potential to have a notable negative impact on adjacent residential development.
- The Burns Lake Rod and Gun Club parcel is proposed to be rezoned from H2 to the new P2A zone in the draft bylaw.

### Service Commercial (C4) Zone

- This zone is proposed to be removed from the new bylaw.
- Service commercial uses are added to the General Commercial zone.
- The Service Commercial zone does not currently apply to any property.



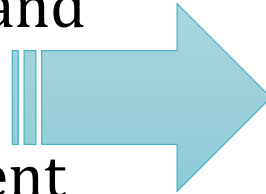
# KEY CHANGES

## 9. Land Use Contracts (LUCs)

### *What is a LUC?*

LUCs were a means of allowing the use and development of land contrary to zoning. The legislation allowing the creation of land use contracts was repealed in 1978. However, existing land use contracts remain valid, and supersede zoning regulations.

In 2014, the Provincial government amended the *Local Government Act* (LGA) to provide that all LUCs will expire in 2024. The LGA allows local governments to discontinue LUCs and apply appropriate zoning.



### *How are LUCs addressed in the revised zoning bylaw?*

Staff are proposing to initiate the process to discharge certain LUCs in incorporate the uses into zoning where appropriate.

The majority of the LUCs can be left to terminate in 2024 as they are no longer relevant, but some have uses that need to be specifically addressed in zoning.

Staff have worked with property owners to address LUCs into the revised zoning bylaw.

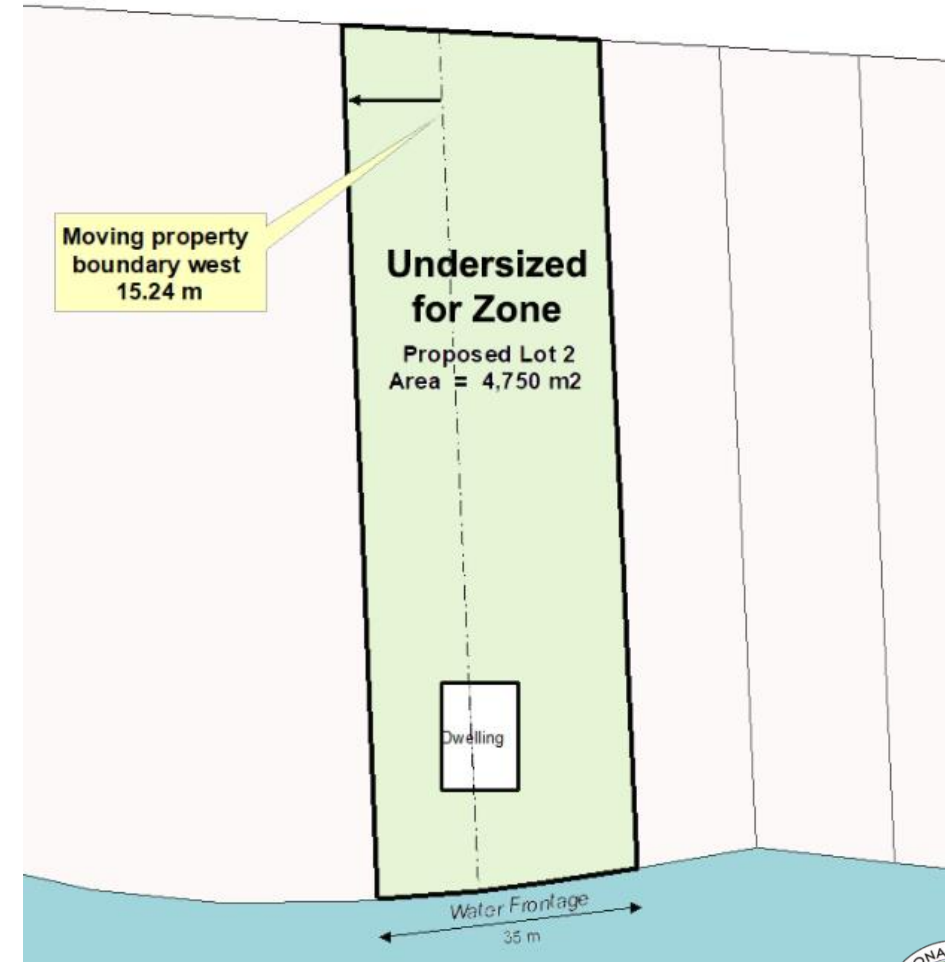




# KEY CHANGES

## 10. Parcel Line Adjustments

- A section was added to allow boundary adjustments involving an undersized parcel.
- This change would significantly streamline the process for a number of boundary adjustment subdivision applications that involve undersized parcels.
- Boundary adjustments of this nature do not defeat the intent of the minimum parcel area requirements in the Zoning Bylaw.



*Not intended for bylaw interpretation purposes*

# KEY CHANGES

## 11. Portable Sawmills

- Portable Sawmills are intended to be temporary in nature, and are not intended to be long term permanent operations. The use of Portable Sawmills are permitted in the following zones
  - ❖ Large Holdings Zone (H2);
  - ❖ Agricultural Zone (Ag1); and,
  - ❖ Rural Resource Zone (RR1).
- The draft bylaw clarifies that sawmills in the above zones must be temporary in nature, and not long term commercial operations.





# KEY CHANGES

## 12. Map Changes

- Planning Staff have proposed a number of changes to the boundaries of zones.
- The majority of the proposed mapping changes are made to correct the alignment between parcel lines and zoning.
- Other changes have been made to reflect long term existing uses.
- Please visit our interactive online map to see the draft zoning bylaw map <https://arcg.is/1XTKXv>



*Example of alignment issues in current zoning bylaw.  
Not intended for bylaw interpretation purposes*

# Next Steps – Bylaw Implementation

Section 3

# BYLAW ADOPTION PROCESS

The approval process is anticipated to take at least three months.

The schedule below is tentative and subject to change.

<b>December 2018</b>	Referrals sent to First Nations, stakeholders and government agencies.
<b>January 2019</b>	Public Open Houses.
<b>February 2019</b>	Review of referral comments and submissions from the public, First Nations, stakeholders and government agencies. Amendment of the draft bylaw as appropriate.
<b>February/ March 2019</b>	Presentation of a proposed new zoning bylaw, and LUC termination bylaw, to the RDBN Board for consideration of 1 <sup>st</sup> and 2 <sup>nd</sup> reading.
<b>March 2019</b>	Public Hearing for the Bylaws.
<b>March 2019</b>	Presentation of the proposed new Zoning Bylaw and LUC termination Bylaw to the RDBN Board for consideration of 3 <sup>rd</sup> reading.
<b>April 2019</b>	Presentation of the proposed new Zoning Bylaw and LUC termination Bylaw to the RDBN Board for consideration of adoption.

## Contact Us

The Planning Department can be contacted by email, phone, or a visit us at our office.

Regional District of Bulkley-Nechako  
37 3rd Avenue,  
PO Box 820,  
Burns Lake, BC V0J 1E0

Phone: (250) 692-3195  
Toll free in BC: 1-800-320-3339  
Fax: (250) 692-3305

e-mail: [inquiries@rdbn.bc.ca](mailto:inquiries@rdbn.bc.ca)

For more information please visit our website at [www.rdbn.bc.ca/planning-department](http://www.rdbn.bc.ca/planning-department)

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come into our office for a  
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