

## *Affect of a new zoning bylaw on building permit applications*

On April 8<sup>th</sup>, 2010 the Regional District hosted an information meeting concerning the proposed zoning bylaw 0993, 2010 and proposed OCP amendment bylaw 0994, 2010. A question was raised concerning the effect of the proposed bylaws on building permit applications. Specifically, if the bylaws are adopted and a property owner has an active building permit application will the proposed development be required to meet the new zoning bylaw regulations?

### Answer

Local Government Act (LGA) s. 929 deals with instances in which the local governments may withhold a building permit (BP) deemed to be in conflict with an Official Community Plan (OCP) or bylaw under preparation. Generally, a BP can be withheld for 30 days beginning on the day the application was made, if the local government passes a resolution identifying conflicts with a plan or bylaw under preparation. Under some circumstances, the permit can be withheld an additional 60 days.

LGA s. 943 deals with instances where an application for subdivision has been submitted before the adoption of a bylaw (or Plan) under Part 26. In these circumstances, the bylaw has no effect with respect to the subdivision for a period of 12 months after it was adopted.

The provisions of the Act are more involved than what is represented above. Interested parties should consult the Act directly and, if needed, seek legal advice.