

## **Land Use Planning and Development Act Summary**

This act sets out principles for land use planning and zoning that apply on Tsawwassen Lands. It adopts the Land Use Plan (LUP) that was approved by the community in 2008 and gives it the force of law. Amendments to the LUP require approval via a community vote.

The LUP sets out land use designations, which determine the types of uses that are allowed in a particular area. These designations are binding on anyone that proposes development on Tsawwassen Lands, including TFSI holders and the Tsawwassen Government. Amendments to land use designations require an extensive review and consultation process, and may require a community meeting to be approved.

Each of the land use designations will be subject to zoning regulations. Zoning regulations restrict land uses to particular things such as residential, commercial, industrial, farming and community use. They set out detailed requirements that must be met for development within each of these types of uses. The zoning regulations under this Act provide strict approval procedures and penalties for non-compliance. Any proposed land development or construction will require approval through a development permit and/or a building permit. In order for a permit to be approved, Tsawwassen Government staff must review each proposal and determine that the proposal meets all applicable regulatory requirements, including zoning regulations, environmental and geotechnical assessments, and servicing infrastructure needs. Proposals will also be assessed on how they meet TFN's environmental protection and sustainability goals. If the land has to be divided into smaller parcels, a subdivision plan will have to be created and filed with TFN Government and the Land Title Office of BC. It will have to show how access is to be provided to the new parcels.

In the cases of commercial and industrial developments, TFN charges the developers an offsite levy, which is a special fee to help finance the major infrastructure needed to serve the new development uses of properties.

In cases where people have structures on their land that do not conform to zoning requirements, and if fixing the problem would create real hardship for them, they can apply for a variance. A variance would excuse the land owner from penalties that are normally applied for a non-conforming structure. Structures that were built prior to the enactment of this Act and the zoning regulation can be "grandfathered".

This act will require that special steps be followed before it is amended in the future. The legislature will be required to decide whether any proposed amendments are significant enough to require a community vote. If they are, amendments will only be made after the community vote has been held.