

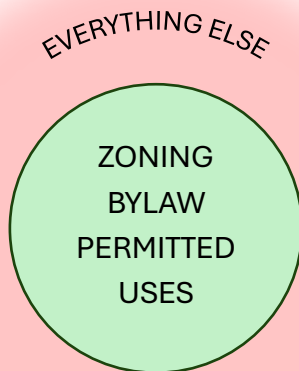
FAQ – Prohibited Use Clause

An important regulatory amendment is being made to the general Prohibited Uses section of the Quadra Island Zoning Bylaw, which triggers the need to update other elements of this section that are now obsolete, inaccurate, or unclear. One such update is the addition of a clearly stated ‘prohibited use clause’. Several common questions we’ve heard are answered below:

What is a Permitted Use Within a Zoning Bylaw?

Zoning bylaws are regulatory documents that specify what land uses are permitted in a given area, as well as a shorter list of uses that the community has already decided should not be permitted anywhere. If the zoning bylaw doesn’t mention a use anywhere within the bylaw, it is not permitted.

If a use is permitted by the zoning bylaw, it is a permitted use where clearly stated. **Everything else is prohibited.**



PERMITTED USE in the Zoning Bylaw	PERMITTED
PROHIBITED USE in the Zoning Bylaw	PROHIBITED
NOT MENTIONED in the Zoning Bylaw	PROHIBITED

What is a Prohibited Use Clause and why is it important?

As noted above, if a use is not expressly permitted within the zoning bylaw, it is prohibited. This is the way in which all zoning bylaws are interpreted and applied. Although universally true for the application of zoning and interpretation of permitted uses, it is not always clearly understood.

Prohibited Use Clauses are a standard practice, appearing in some form in zoning bylaws in all regional districts in BC. A Prohibited Use Clause is universal to all well written zoning bylaws and upholds the application of zoning while providing clarity and minimizing confusion and potential hardship for those applying or interpreting the zoning bylaw. The prohibited uses clause further protects landowners from uses that have never been contemplated to date and helps to ensure that new uses can be considered through a zoning amendment application based on how they may relate and/or impact neighbouring uses.

Questions and Comments:

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