



REGIONAL DISTRICT
OF BULKLEY-NECHAKO

AGENDA

MEETING NO. 10

SEPTEMBER 17, 2020

P.O. BOX 820
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"A WORLD OF OPPORTUNITIES
WITHIN OUR REGION"

VISION

“A World of Opportunities
Within Our Region”

MISSION

“We Will Foster Social,
Environmental, and
Economic Opportunities
Within Our Diverse Region Through Effective
Leadership”



REGIONAL DISTRICT OF BULKLEY-NECHAKO

AGENDA

Thursday, September 17, 2020

<u>PAGE NO.</u>	<u>CALL TO ORDER</u>	<u>ACTION</u>
	<u>AGENDA – August 13, 2020</u>	Approve
	<u>SUPPLEMENTARY AGENDA</u>	Receive
	<u>MINUTES</u>	
7-17	Board Meeting Minutes – August 13, 2020	Adopt
18-22	Committee of the Whole Meeting Minutes - September 3, 2020	Receive
23-26	Rural/Agriculture Committee Meeting Minutes - September 3, 2020	Receive
	<u>BUSINESS ARISING OUT OF THE MINUTES</u>	
	<u>ELECTORAL AREA PLANNING (All Directors)</u>	
	<u>Bylaws for 3rd Reading</u>	
27-44	Jason Llewellyn, Director of Planning 3 rd Reading - Bylaw No. 1915, 2020 Rezoning Application C-01-20 (Willick) Electoral Area “C”	Recommendation
45-72	Jason Llewellyn, Director of Planning 3 rd Reading - Bylaw No. 1916, 2020 Rezoning Application A-01-20 (Hunting) Electoral Area “A”	Recommendation
	<u>Bylaws for 3rd Reading and Adoption</u>	
73-82	Jason Llewellyn, Director of Planning 3 rd Reading and Adoption - Bylaw No. 1913 and 1914, 2020 OCP Amendment and Rezoning Application E-01-20 (Brewer) Electoral Area “E”	Recommendation

<u>PAGE NO.</u>	<u>DEVELOPMENT SERVICES (All Directors)</u>	<u>ACTION</u>
	<u>ALR Application</u>	
83-93	Maria Sandberg, Planner ALR Non-Farm Use Application 1224 (CSFS) Electoral Area "F"	Recommendation
	<u>Temporary Use Permit</u>	
94-103	Deneve Vanderwolf, Planner 1 Temporary Use Permit Application G-01-20 (CGL) Electoral Area "G"	Recommendation
	<u>Memo</u>	
104-125	Deneve Vanderwolf, Planner 1 Bill 52: What We Heard Report from the Residential Flexibility Engagements	Receive
	<u>ADMINISTRATION REPORTS</u>	
126	Wendy Wainwright, Executive Assistant - Committee Meeting Recommendations - September 3, 2020	Recommendation
127-129	John Illes, Chief Financial Officer - Accounting of Administrative Overhead Policy	Recommendation
130-132	John Illes, Chief Financial Officer - Accounting of Directors' Remuneration and Expenses Policy	Recommendation
133-137	John Illes, Chief Financial Officer - Chinook Shareholders' Resolution	Recommendation
138-141	John Illes, Chief Financial Officer - Chinook Community Society	Recommendation
142	Nellie Davis, Regional Economic Development Coordinator – Federal Gas Tax Funds – Electoral Area 'B' (Burns Lake Rural), Burns Lake Mountain Bike Association	Recommendation
143	Shari Janzen, Regional Economic Development Support Assistant – Village of Granisle – Letter of Support Request	Recommendation

<u>PAGE NO.</u>	<u>ADMINISTRATION REPORTS (CONT'D)</u>	<u>ACTION</u>
144-145	Cheryl Anderson, Manager of Administrative Services – CN – Whistle Cessation and Controlled Crossings	Recommendation
146-149	Cheryl Anderson, Manager of Administrative Services – Fort Fraser Fire Protection Service Area Boundary Amendment Bylaw No. 1920, 2020	Recommendation
150-151	Protective Services – British Columbia - Modernizing BC's Emergency Management Legislation	Recommendation
152-153	Protective Services – Community Resiliency Investment Program – 2021 FireSmart Community Funding & Support Application	Recommendation
154-156	Nellie Davis, Regional Economic Development Coordinator – Federal Government Broadband and Spectrum Advocacy Letter	Recommendation
157-162	Cheryl Anderson, Manager of Administrative Services – Friends of Morice Bulkley – Risk Assessment of Rail Transport of Hazardous Petroleum Cargo on Northwest BC Rail Corridor	Receive

VERBAL REPORTS

RECEIPT OF VERBAL REPORTS

ADMINISTRATION CORRESPONDENCE

163	Ministry of Environment and Climate Change Strategy – Cardboard Recycling	Receive
164-165	Ministry of Citizens' Services – Connectivity Funding	Receive
166-181	Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Together for Wildlife – Improving Wildlife Stewardship and Habitat Conservation in British Columbia	Receive

ACTION LISTS

182-183	July 2020	Receive
184	August 2020	Receive

SUPPLEMENTARY AGENDA**NEW BUSINESS****IN-CAMERA MOTION**

In accordance with Section 90 of the *Community Charter*, it is the opinion of the Board of Directors that matters pertaining to Section 90(1)(c) – labour relations or other employee may be closed to the public, and therefore exercise their option of excluding the public for this meeting.

ADJOURNMENT

REGIONAL DISTRICT OF BULKLEY-NECHAKO**MEETING NO. 9****Thursday, August 13, 2020**

PRESENT:	Chair	Gerry Thiessen
	Directors	Shane Brien Mark Fisher Judy Greenaway Tom Greenaway Clint Lambert Linda McGuire Chris Newell Mark Parker Jerry Petersen Michael Riis-Christianson Sarrah Storey
	Directors Absent	Dolores Funk, Village of Burns Lake Brad Layton, Village of Telkwa
	Alternate Directors	Darrell Hill, Village of Burns Lake Frank Wray, Town of Smithers
	Staff	Curtis Helgesen, Chief Administrative Officer Jason Blackwell, Regional Fire Chief – arrived at 1:00 p.m., left at 1:05 p.m. Nellie Davis, Regional Economic Development Coordinator – left at 1:25 p.m. John Illes, Chief Financial Officer Jason Llewellyn, Director of Planning Wendy Wainwright, Executive Assistant
	Others	Monty Belcher, Smithers – arrived at 11:24 a.m., left at 11:49 a.m. Tanya Belcher, Smithers – arrived at 11:24 a.m., left at 11:49 a.m. Dan Buffet, CEO, Habitat Conservation Trust Foundation – Via Zoom – left at 11:42 a.m. Clay Hunting, Smithers – arrived at 11:24 a.m., left at 11:49 a.m. Steve Kozuki, Executive Director, Forest Enhancement Society of BC – left at 11:42 a.m. Sylvia Rautter, Smithers – arrived at 11:24 a.m., left at 11:49 a.m.
	Media	Priyanka Ketkar, Lakes District News

CALL TO ORDER

Chair Thiessen called the meeting to order at 11:12 a.m.

**AGENDA &
SUPPLEMENTARY AGENDA**Moved by Director Storey
Seconded by Director Brien**2020-9-1**

“That the Board Meeting Agenda of August 13, 2020 be approved; and further, that the Supplementary Agenda be received and dealt with at this meeting.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

MINUTES**Board Meeting Minutes
-July 16, 2020**

Moved by Director McGuire
Seconded by Director Storey

2020-9-2

“That the Board Meeting Minutes of July 16, 2020 be adopted.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

**Broadband Meeting Minutes
-July 16, 2020**

Moved by Director Riis-Christianson
Seconded by Director Parker

2020-9-3

“That the Broadband Meeting Minutes of July 16, 2020 be adopted.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

**DELEGATION – Forest Enhancement Society of BC and Habitat Conservation Trust
Foundation – RE: FESBC Funded Projects Update – Dan Buffett, CEO, (HCTF) and Steve
Kozuki, Executive Director (FESBC) – Via Zoom**

Chair Thiessen welcomed Dan Buffett, CEO, Habitat Conservation Trust Foundation and Steve Kozuki, Executive Director, Forest Enhancement Society of BC.

HCTF & FESBC in Bulkley-Nechako

- Who We Are:
 - o Habitat Conservation Trust Foundation
 - o Forest Enhancement Society of BC
- HCTF Background
- HCTF Projects and Education
- HCTF Fish & Wildlife Projects 2020-21
- FESBC Funding & Priorities
- FESBC Projects
- FESBC/HCTF Partnership
- Co-Funded Projects.

Discussion took place regarding:

- Benefit of FESBC projects to utilize fibre
- Impacts to other resource sectors wanting to sell fibre e.g. Agriculture sector
 - o Worked to mitigate impacts
 - o Harvesting prices and confirmed sales
- Babine Lake Community Forest Society – Granisle Wildfire Mitigation
 - o Mitigation work nearing completion
- Biomass utilization and BC Hydro
 - o Power Supply Agreements
- Applications for funding – length of time
 - o Funding commitment and criteria
 - o Majority of the available funding has been committed to projects.

ELECTORAL AREA PLANNING (All Directors)**Bylaws for 1st and 2nd Reading**

1st and 2nd Reading Report
OCP Amendment & Rezoning
Application E-01-20 (Brewer)
Electoral Area "E"

Moved by Director Lambert
 Seconded by Director Riis-Christianson

2020-9-4

1. "That the Board consider and approve the consultation identified in the consultation checklist attached as "Appendix A".
2. That Burns Lake Rural and Francois Lake (North Shore) Official Community Plan Amendment Bylaw No. 1913, 2020 be given first and second reading this 13th day of August, 2020 and subsequently be taken to Public Hearing.
3. That Regional District of Bulkley-Nechako Rezoning Bylaw No. 1914, 2020 be given first and second reading this 13th day of August, 2020 and subsequently be taken to Public Hearing.
4. That the Public Hearing for Burns Lake Rural and Francois Lake (North Shore) Official Community Plan Amendment Bylaw No. 1913, 2020 and Regional District of Bulkley-Nechako Rezoning Bylaw No. 1914, 2020 be delegated to the Director or Alternate Director for Electoral Area E."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

1st and 2nd Reading Report
Rezoning Application C-01-20
(Willick) Electoral Area "C"

Moved by Director T. Greenaway
 Seconded by Director McGuire

2020-9-5

1. "That Regional District of Bulkley-Nechako Rezoning Bylaw No. 1915, 2020 be given first and second reading this 13th day of August, 2020 and subsequently be taken to Public Hearing.
2. That the Public Hearing for Regional District of Bulkley-Nechako Rezoning Bylaw No. 1915, 2020 be delegated to the Director or Alternate Director for Electoral Area C."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

1st and 2nd Reading Report
Rezoning Application A-01-20
(Hunting) Electoral Area "A"

Moved by Director Fisher
 Seconded by Alternate Director Wray

2020-9-6

1. "That Regional District of Bulkley-Nechako Rezoning Bylaw No. 1916, 2020 be given first and second reading this 13th day of August, 2020 and subsequently be taken to Public Hearing.
2. That the Public Hearing for Regional District of Bulkley-Nechako Rezoning Bylaw No. 1916, 2020 be delegated to the Director or Alternate Director for Electoral Area A."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

DEVELOPMENT SERVICES (All Directors)**ALR Application**

ALR Non-Farm Use –(Removal of Soil) Application No. 1223 (Stephen) - Electoral Area “F” Moved by Director Petersen
Seconded by Director T. Greenaway

2020-9-7 “That Agricultural Land Reserve Non-Farm Use Application No. 1223 be recommended to the Agricultural Land Commission for approval.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Crown Land Referrals

Crown Land Application Referral No. 0307706 (Hilman) Electoral Area “D” Moved by Director Parker
Seconded by Director Storey

2020-9-8 “That Regional District of Bulkley-Nechako Comment Sheet on Crown Land Application Referral No. 0307706 be provided to the Province.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

BUILDING INSPECTION

Second Quarter Building Permit Summary Moved by Director Petersen
Seconded by Director Riis-Christianson

2020-9-9 “That the Board receive the Planner 1’s August 13, 2020 memo titled Second Quarter Building Permit Summary – 2020.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ADMINISTRATION REPORTS

Director Riis-Christianson recused himself from the meeting at 11:50 a.m. due to a conflict of interest regarding Artifact Recovery – Imerson’s Beach and Hospital Point. His employer is the Lakes District Museum Society.

Artifact Recovery – Imerson’s Beach and Hospital Point Moved by Director Lambert
Seconded by Alternate Director Hill

2020-9-10 “That the Board authorize Lakes District Museum staff to conduct informal surveys of Hospital Point and Imerson’s Beach to find and retrieve artifacts.”

ADMINISTRATION REPORT (CONT'D)

Moved by Director Fisher
Seconded by Director Storey

2020-9-11

“That Motion 2020-9-10 be amended as follows:

“That the Board direct staff to write a letter to First Nations within the areas of interest to advise them of the Lakes District Museum Society’s request to the Regional District of Bulkley-Nechako in regard to Hospital Point and Imerson’s Beach.”

(All/Directors/Majority) CARRIED UNANIMOUSLY

“That the question be called on Motion 2020-9-10 as amended.”

(All/Directors/Majority) CARRIED UNANIMOUSLY

Director Riis-Christianson returned to the meeting at 11:59 a.m.

Dungate Community Forest

Moved by Director Brien
Seconded by Director Wray

2020-9-12

“That the Board provide a letter to the District of Houston in support of its proposed expansion to the Dungate Community Forest.

Moved by Director Newell
Seconded by Director Riis-Christianson

2020-9-13

“That Motion 2020-9-12 be amended to include

and further, that the Board recommend that an Advisory Committee be formed for the Proposed Dungate Comfor expansion with representation from area residents.”

(All/Directors/Majority) CARRIED UNANIMOUSLY

“That the question be called on Motion 2020-9-12 as amended.”

(All/Directors/Majority) CARRIED UNANIMOUSLY

Discussion took place regarding:

- Previous logging practices and public consultations near the Buck Flats area
- Proposed expansion to Dungate Community Forest and Morice Mountain Recreation Area
 - Small scale logging
 - Monies received to be returned to the area for community recreation
- Working group including Buck Flats residents and those directly impacted by the proposed expansion
- Overview of Canfor’s harvesting of the current Dungate Comfor
 - Challenges of equity and small size of the Dungate Comfor
- FireSmart initiatives
- Dungate Comfor Board Structure.

Break for lunch at 12:19 p.m.

Reconvened at 1:00 p.m.

ADMINISTRATION REPORT (CONT'D)

FireSmart BC Home Partners
Program Pilot 2.0

Moved by Director Storey
Seconded by Director McGuire

2020-9-14

1. "That the Board direct staff to participate in the Home Partners Program Pilot 2.0 in 2021.
2. That the Board authorize the Board Chair and the Chief Administrative Officer to enter into an agreement with FireSmart Canada for \$10,000 grant funding."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Burns Lake Mountain Biking
Association NDI Application
-Community Halls and
Recreation Facilities

Moved by Director Storey
Seconded by Alternate Director Hill

2020-9-15

"That the Board support the application to Northern Development Initiative Trust from the Burns Lake Mountain Biking Association for a grant of up to \$15,000 for the Village Connector and Utrack Project from the Northwest Regional Account."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Grant in Aid – LD Fair
Association

Moved by Director Lambert
Seconded by Director Riis-Christianson

2020-9-16

"That the Lakes District Fall Fair Association be given \$5,000 grant in aid monies – half (\$2,500) from Electoral Area "B" (Burns Lake Rural) and half (\$2,500) from Electoral Area "E" (Francois/Ootsa Rural) for costs associated with purchasing a new lawn tractor."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Grant in Aid – Fort St. James
Fire Department

Moved by Director T.Greenaway
Seconded by Director J. Greenaway

2020-9-17

"That the Fort St. James Fire Department be given \$10,000 grant in aid monies from Electoral Area "C" (Fort St James Rural) for costs associated with improving Road Rescue capabilities in their service area."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Grant in Aid Update - Months
of April to July 2020

Moved by Director Storey
Seconded by Director Lambert

2020-9-18

"That the Board receive the Regional Economic Development Coordinator's August 13, 2020 memo titled Grant in Aid Update – Months of April to July 2020."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ADMINISTRATION REPORT (CONT'D)Administration Reports

Moved by Director Storey
Seconded by Director Brienen

2020-9-19

“That the Board receive the following Administration Reports:
-Chief Financial Officer – Bulkley Valley Pool Update including memo on Supplementary Agenda
-Chief Financial Officer – Income Statements for Six Months Ending June 30, 2020
-Executive Assistant – Items to be Brought Forward to the Public Agenda from Special (In-Camera) Meeting.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

VERBAL REPORTSEagle Creek Recreation Commission Meeting

Director Riis-Christianson and RDBN staff met with the Eagle Creek Recreation Commission to discuss potential possibilities in relation to the RDBN Parks and Outdoor Recreation Study and discussions.

Unveiling of the Village of Burns Lake Tourism Strategy

Director Riis-Christianson attended the unveiling of the Village of Burns Lake Tourism Strategy and indicated that it is an exciting strategy.

Conference Call with Telus -RE: Update Connectivity

Director Riis-Christianson, Chair, Broadband Committee asked Nellie Davis, Regional Economic Development Coordinator to give an update on the recent meeting with Telus regarding outstanding questions from the July 13 Broadband Committee Meeting:

- 1) Update from Telus Wireless Frequency Team regarding the lack of cell service in the Luck Bay and Stones Bay area near FSJ:
 - This area is included in long term plans for upgraded service (next 2-3 years)
- 2) Clarification regarding presence of fibre in the Buck Flats area:
 - There is approximately 1 km of old fibre as per the map provided at the July 13th meeting. This fibre is very old and encased in an old, different kind of sheath than Telus currently uses. It is not considered useable for fibre deployment purposes
- 3) Costing for Busk Flats Fibre:
 - KMZ files were provided to Telus. This request takes 2-3 weeks to process and information will be provided to the Board once a response is received
- 4) Information on the Perow Tower that was included in the CRTC application:
 - This tower installation is contingent on the funding application, then land location and approvals. All being well, the best-case scenario is installation in summer of 2021
 - The tower would be HSTA capable (Telus Hub), Telus is not able to predict specific speeds (likely similar to other Hub customer experiences)

VERBAL REPORTS (CONT'D)

- All towers have fibre backhaul, but it is specifically dedicated to the cellular network. In order to consider FTTP Telus would need to know well in advance and design a parallel fibre deployment
- 5) Information about advocacy regarding access to 5G spectrum:
- Telus offered to compose a letter for review and additions for the RDBN Board to consider
 - Telus is mainly interested in addressing the issue of fallow spectrum, or spectrum that has been allocated but not deployed. They would like advocacy for specific timelines associated with spectrum so that when it is allocated (or held back for new entrants), there is a required timeline for deployment, or it would go back to auction and be available to anyone
 - The CRTC has 3800 MHz coming available that they have not decided how to auction/allocate –can advocate for this spectrum
- Telus provided statistics for spectrum within the RDBN
- | TelCo | has (Mhz) | deployed | % |
|--------------|---|-----------------|----------|
| Telus | 209 | 150 | 78 |
| Rogers | Telus is confirming and will follow up. | | |
| Bell | 100 | 100 | 100 |
| Shaw | 110 | 0 | 0 |
- 6) Clarification regarding presence of fibre between Burns Lake and Francois Lake:
- Telus confirmed extensive fibre in the area between Burns Lake and Francois Lake, but could not yet provide information on how much was dedicated cellular fibre
 - Could not easily answer capacity questions without a full review of type/other variables
 - Any investigation regarding transport projects would include any available fibre, but Telus will need polygons to derive the distribution costs for the area. Needs more investigation.

**District of Fort St. James
By-Election**

Director J.Greenaway announced that there will be a By-Election held in Fort St. James with the nomination period opening August 11, 2020 and the Election to take place on September 26, 2020.

**Salmon Fishing Opened
on Babine Lake**

Director McGuire mentioned that the salmon fishing on Babine Lake is open and there was an increase to the limit.

**Absentee Landlords and
Unightly Premises**

Director McGuire commented that the Village of Granisle is addressing an unsightly premise issue in its community with an absentee landlord. It has been a very lengthy and challenging process.

**Village of Fraser Lake
-Learning Centre Renovations**

Director Storey announced that the Village of Fraser Lake Learning Centre has undergone some renovations and has new siding on the outside of the building. She noted that there is interest from individuals to open businesses in the centre.

VERBAL REPORTS (CONT'D)

<u>Town of Smithers By-Election</u>	Alternate Director Wray reported that the By-Election for the Town of Smithers will take place October 17, 2020. Acting Mayor Gladys Atrill resigned in order to run in the By-Election. Councillor Thomas has been appointed Acting Mayor.
<u>Connectivity in Electoral Area "G" (Houston Rural)</u>	Director Newell has been in conversations with area residents regarding connectivity in Electoral Area 'G' (Houston Rural) and he also spoke of the challenges of utilizing satellite for connectivity.
<u>Traffic and Fibre on Buck Flats Road</u>	Director Newell indicated he spoke with TC Energy in regard to traffic on Buck Flats Road from pipeline construction. He also discussed connectivity and lack of fibre with TC Energy.
<u>District of Houston</u>	<p>Director Brienens spoke of the District of Houston being a forest dependent community and working to diversify. Houston is currently undergoing a Downtown Infrastructure Revitalization Project largely funded with the Northern Capital and Planning Grant.</p> <p>He noted the changes in market lumber prices currently and the challenges and impacts to the forest industry in the past. Director Brienens identified the importance of continuing to work to make forestry changes to ensure long term sustainability.</p> <p>Chair Thiessen noted the importance of forest companies making long term investments into communities.</p>
<u>Village of Burns Lake Splash Park is Now Open</u>	Alternate Director Hill announced the opening of the Village of Burns Lake Splash Park.
<u>Receipt of Verbal Reports</u>	Moved by Director Brienens Seconded by Director T.Greenaway
<u>2020-8-20</u>	<p>"That the verbal reports of the various Board of Directors be received."</p> <p>(All/Directors/Majority) <u>CARRIED UNANIMOUSLY</u></p>

ADMINISTRATION CORRESPONDENCE & ACTION LIST

<u>Administration Correspondence</u>	Moved by Director Storey Seconded by Alternate Director Wray
<u>2020-8-21</u>	<p>"That the following Administration Correspondence be received: -Yinka Dene Economic Development Limited Partnership – Wet'suwet'en First Nation Interest in Developing a Business Relationship with the Regional District of Bulkley-Nechako -Ministry of Agriculture – Information Update on Order in Council #353/2020 – Amendments to Regulations under the <i>Agricultural Land Commission Act</i> Regarding Application Fees, Soil Removal, and Fill Placement -Community Energy Association – Charge North – July 2020 Update."</p> <p>(All/Directors/Majority) <u>CARRIED UNANIMOUSLY</u></p>

SUPPLEMENTARY AGENDA**ADMINISTRATION REPORTS****2020 Virtual UBCM Convention - Sub-Regional Networking Meetings**

Discussion took place regarding:

- Value in meeting with member municipalities to participate in 2020 Virtual UBCM Convention
- Value meeting at the RDBN to represent the RDBN
- Potential events at the RDBN
 - o During the week of Minister of Meetings
 - o Dinner and brainstorm session
- Week of UBCM sessions – host sub-regional events
 - o Utilize 2020 UBCM Budget
 - o Town of Smithers approved funding
- Value in travelling for singular Minister meetings due to the meetings being only 15 minutes in length in the past
- Schedule a sub-regional event on a day with less meetings
 - o Potential ideas
 - Tour of Hospital Point and Imerson’s Beach
- Awaiting the final schedule and agenda from UBCM
- Staff will research options and determine final details.

ELECTORAL AREA PLANNING (All Directors) & ADMINISTRATION CORRESPONDENCE**Application Documents
& Administration
Correspondence**

Moved by Director Storey
Seconded by Director T. Greenaway

2020-9-22

“That the Board receive the following:

Application Documents

- Rezoning Application C-01-20 (Willick) - Additional Information
- Rezoning Application A-01-20 (Hunting) Additional Information

Administration Correspondence

-Northwest B.C. Resource Benefits Alliance RE: Northern BC Rail Analysis.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

NEW BUSINESS**Pinnacle Renewable Holdings
-Smithers, B.C. – Noise
Concerns**

Director Fisher brought forward concerns in regard to noise from Pinnacle Renewable Holdings Smithers, B.C. chippers operation. He noted that the Town of Smithers has worked with Pinnacle Renewable Holdings to develop a noise reduction plan for its chipper operations but due to the COVID-19 pandemic initiatives have yet to move forward. Director Fisher spoke of continuing to work with the Town of Smithers advocating for the noise reduction plan to move forward.

NEW BUSINESS (CONT'D)

Letter to Pinnacle Renewable Energy– Smithers, B.C.

Moved by Director Fisher
Seconded by Alternate Director Wray

2020-9-23

“That the Board write a letter to Pinnacle Renewable Energy, Smithers, B.C. in regard to noise concerns from the chipper at its operations and request information in regard to its mitigation plan; and further, that CAO Helgesen facilitate advocacy with the Town of Smithers in regard to Pinnacle Renewable Energy – Smithers noise reduction mitigation plan.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

IN-CAMERA MOTION

Moved by Director Lambert
Seconded by Director McGuire

2020-9-24

“In accordance with Section 90 of the *Community Charter*, it is the opinion of the Board of Directors that matters pertaining to Section 90(1)(c) – labour relations or other employee relations and Section 90(1)(d) – the security of the property of the municipality, and 90(2)(b) – the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party (First Nations Agreements) may be closed to the public, and therefore exercise their option of excluding the public for this meeting.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by Director J. Greenaway
Seconded by Director McGuire

2020-9-25

“That the meeting be adjourned at 1:55 p.m.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Gerry Thiessen, Chair

Wendy Wainwright, Executive Assistant

REGIONAL DISTRICT OF BULKLEY-NECHAKO**COMMITTEE OF THE WHOLE MEETING****Thursday, September 3, 2020**

PRESENT:

Chair	Gerry Thiessen
Directors	Shane Brien – left at 12:06 p.m., returned at 12:53 p.m. Mark Fisher Dolores Funk Judy Greenaway Tom Greenaway Clint Lambert Brad Layton Linda McGuire Chris Newell Mark Parker Jerry Petersen Michael Riis-Christianson Sarrah Storey Casda Thomas
Staff	Curtis Helgesen, Chief Administrative Officer Cheryl Anderson, Manager of Administrative Services Nellie Davis, Regional Economic Development Coordinator – left at 11:57 a.m. Janette Derksen, Deputy Director of Environmental Services – left at 11:52 a.m. Debbie Evans, Agriculture Coordinator – left at 11:52 a.m. John Illes, Chief Financial Officer Jason Llewellyn, Director of Planning – left at 11:29 a.m., returned at 12:48 p.m. Sashka Macievich, Controller – left at 11:57 a.m. Wendy Wainwright, Executive Assistant
Others	Penni Adams, Program Manager, Northwest Invasive Plant Council – Via Zoom – left at 11:52 a.m. Darrell Hill, Contractor, Northwest Invasive Plant Council – left at 11:52 a.m. Grahame Gielens, Environmental Roadside Manager, Ministry of Transportation and Infrastructure – Via Zoom – left at 11:52 a.m. Denise McLean, Invasive Plant Specialist, Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Via Zoom – left at 11:50 a.m.
Media	Priyanka Ketkar, Lakes District News

CALL TO ORDER

Chair Thiessen called the meeting to order at 11:13 a.m.

AGENDA & SUPPLEMENTARY AGENDAMoved by Director Layton
Seconded by Director McGuire**C.W.2020-7-1**

“That the Agenda and Supplementary Agenda of the Committee of the Whole meeting of September 3, 2020 be approved.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

MINUTES

Committee of the Whole
Minutes – June 4, 2020

Moved by Director McGuire
Seconded by Director Storey

C.W.2020-7-2

“That the Committee of the Whole meeting minutes of June 4, 2020 be adopted.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

DELEGATION

NORTHWEST INVASIVE PLANT COUNCIL – Via Zoom – Penni Adams, Program Manager, Darrell Hill, Contractor, Denise McLean, Invasive Plant Specialist, Ministry of Forests, Lands, Natural Resource Operations and Rural Development, Grahame Gielens, Environmental Roadside Manager, Ministry of Transportation and Infrastructure

Chair Thiessen welcomed Penni Adams, Program Manager and Darrell Hill, Contractor, Northwest Invasive Plant Council, Denise McLean, Invasive Plant Specialist, Ministry of Forests, Lands, Natural Resource Operations and Rural Development and Grahame Gielens, Environmental Roadside Manager, Ministry of Transportation and Infrastructure.

Ms. Adams provided a PowerPoint Presentation.

Northwest Invasive Plant Council Program

- Vision
- Mission
- A brief history of the Northwest Invasive Plant Council (NWIPC)
- What does “Invasive Plant” mean?
- How does NWIPC manage Invasive Plants?
- Funding sources 2020
- IPMA’s (Invasive Plant Management Area)
- Discussion
 - Why isn’t the NWIPC doing anything about....
 - Why isn’t orange hawkweed being managed?
 - Containment lines for Provincial Crown Land
 - In consultation with:
 - FLNRORD
 - MOTI
 - BC Parks
 - Determine where orange hawkweed can be strategically controlled
 - Difficult spread
 - Chemical treatment only option
 - Why isn’t the NWIPC spraying MOTI road right of ways adjacent to agricultural land/crop fields?
 - MOTI recognizes the impact to Agriculture lands from invasive plants
 - Current operations MOTI/FLNRORD
 - Employ a strategic response
 - Manage/treatments where most likely successful
- Report Invasive Plants
- Resources.

DELEGATION (CONT'D)

Discussion took place regarding:

- Field Scabious in Electoral Area "G" (Houston Rural)
 - Containment lines established
 - Mr. Hill will provide a map
 - Private properties
 - Resistant to management or not accessible
 - Those properties providing opportunities for spread
- Landowner Invasive Plant Removal Rebate (Weed Removal Rebate)
- Oxeye Daisy
 - Mr. Hill will provide information on treatment
- NWIPC involvement with other agencies
 - Ministry of Agriculture
 - Encourage RDBN to advocate Ministry of Agriculture to continue involvement with NWIPC
 - BC Cattlemen's Association
 - CN Rail
- Importance of education, awareness and outreach
- Bylaws specific to the control of invasive species on private lands
- Village of Burns Lake resolutions at the 2020 UBCM Convention regarding Invasive Species Funding and *Invasive Species Act*
- Highway maintenance pits and yards
 - Spread of invasive plants from contaminated material in sand/salt pits
 - New service agreements include stronger language regarding clean material and equipment
 - MOTI currently conducting a pilot project in Southern B.C.
 - Mr. Gielens will follow up in regard to specific sites
- Wildflower seed mixes.

Chair Thiessen thanked Mmes. Adams and MacLean, and Messrs. Hill and Gielens for attending the meeting.

REPORTS**Accounting of Administrative Overhead**

Moved by Director Layton
Seconded by Director Funk

C.W.2020-7-3

"That the Committee of the Whole direct staff to bring back the Accounting of Administrative Overhead Policy (as amended) to the next Board meeting for approval."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

CFO Illes provided an overview of the Accounting of Administrative Overhead memorandum. Discussion took place regarding Support Services allocation of each service's share and examples.

Break for Lunch at 12:06 p.m.

Reconvened at 12:48 p.m.

REPORTS (CONT'D)Accounting of Expenses and Remuneration

Moved by Director Layton
Seconded by Director Parker

C.W.2020-7-4

“That the Committee of the Whole direct staff to bring back the Policy for Director Remuneration and Expenses (as amended) to the next Board meeting for approval.”

(All/Directors/Majority)

CARRIED UNANIMOUSLYMinistry of Indigenous Relations and Reconciliation - Core Advisory Council

Moved by Director Greenaway
Seconded by Director Layton

C.W.2020-7-5

“That the Committee of the Whole recommend that the Board nominate Curtis Helgesen, CAO to the Core Advisory Council.”

(All/Directors/Majority)

CARRIED UNANIMOUSLYCow Moose and Calf Cull

Moved by Director Lambert
Seconded by Director Greenaway

C.W.2020-7-6

“That, in preparation for the Minister of FLNRORD UBCM meeting regarding the Board’s opposition to the cow moose and calf cull, the Board request letters of support from First Nations and sportsman’s groups within the RDBN.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Directors Lambert and Riis-Christianson and Chair Thiessen attended the Provincial Caribou Recovery Program Update of September 2, 2020. Discussion during the meeting took place regarding:

- Cow moose and calf cull
- Finding a natural balance
- FLNRORD working on caribou habitat recovery since 2006 - results occurred when the wolf cull was implemented.

Director Lambert spoke of predator control and the impact of wolves, grizzly, black, brown bears and cougars to caribou, moose populations and livestock. Discussion took place regarding culling programs, the impact of railways on moose population and increase of predators and examples of moose reductions that have taken place.

Parks and Outdoor Recreation Service Implementation Strategy Update

Moved by Director Layton
Seconded by Director J. Greenaway

C.W.2020-7-7

“That the Committee of the Whole receive the Director of Planning’s September 3, 2020 Parks and Outdoor Recreation Service Implementation Strategy Update staff report.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

REPORTS (CONT'D)Cheslatta Land Transfer

Moved by Director Storey
 Seconded by Director Layton

C.W.2020-7-8

“That the Committee of the Whole receive the Director of Planning’s September 3, 2020 Cheslatta Land Transfer staff report.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY**SUPPLEMENTARY AGENDA****REPORT**

Director Newell recused himself from the meeting at 1:21 p.m. due to a conflict of interest in regard to Mount Milligan Environmental Assessment Certificate Amendment due to being employed by the Ministry of Energy, Mines and Petroleum Resources.

Mount Milligan Environmental
 Assessment Certificate
 Amendment

Moved by Director T. Greenaway
 Seconded by Director McGuire

C.W.2020-7-9

“That the Committee of the Whole receive the Director of Planning’s September 3, 2020 Mount Milligan Environmental Assessment Certificate Amendment staff report.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Director Newell returned at 1:23 p.m.

NEW BUSINESS

2020 UBCM Meeting with
 Northern Health

Director McGuire brought forward the meeting with Northern Health on September 14, 2020 at the 2020 UBCM Convention. Discussion took place in regard to attending the virtual meeting from home or attending at the RDBN.

Staff will provide an update to the Board once meeting confirmations are received for the 2020 UBCM Virtual Convention.

ADJOURNMENT

Moved by Director Layton
 Seconded by Director J. Greenaway

C.W.2020-7-10

“That the meeting be adjourned at 1:30 p.m.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

 Gerry Thiessen, Chair

 Wendy Wainwright, Executive Assistant

REGIONAL DISTRICT OF BULKLEY-NECHAKO**RURAL/AGRICULTURE COMMITTEE MEETING****Thursday, September 3, 2020**

PRESENT: Chair Mark Parker

Directors Mark Fisher
Tom Greenaway
Clint Lambert
Chris Newell
Jerry Petersen
Michael Riis-Christianson
Gerry Thiessen

Staff Curtis Helgesen, Chief Administrative Officer
Cheryl Anderson, Manager of Administrative Services
Nellie Davis, Regional Economic Development Coordinator
Janette Derksen, Deputy Director of Environmental Services – arrived at 10:58 a.m.
John Illes, Chief Financial Officer
Jason Llewellyn, Director of Planning
Wendy Wainwright, Executive Assistant

Others Dolores Funk, Village of Burns Lake
Darrell Hill, Contractor, Northwest Invasive Plant Council – arrived at 10:40 a.m.
Casda Thomas, Councillor, Town of Smithers
Wayne Whittemore and Residents from the Whistle Cessation Group, Electoral Area “A” (Smithers Rural) – Via Zoom left at 10:36 a.m.

Media Priyanka Ketkar, Lakes District News – arrived at 10:36 a.m.

CALL TO ORDER

Chair Parker called the meeting to order at 10:15 p.m.

OATH OF OFFICE

Curtis Helgesen, CAO administered the Oath of Office to Casda Thomas, Director, Town of Smithers.

AGENDAMoved by Director Lambert
Seconded by Director Greenaway**RDC.2020-6-1**

“That the Rural/Agriculture Committee Agenda for September 3, 2020 be approved.”

(All/Directors/Majority) **CARRIED UNANIMOUSLY****MINUTES****Rural Directors Committee Meeting Minutes -June 4, 2020**Moved by Director Petersen
Seconded by Director Lambert**RDC.2020-6-2**

“That the minutes of the Rural Directors Committee meeting of June 4, 2020 be adopted.”

(All/Directors/Majority) **CARRIED UNANIMOUSLY**

DELEGATION**WAYNE WHITTEMORE (Via Zoom) RE: Whistle Cessation, Electoral Area “A”**

Chair Parker welcomed Wayne Whittemore and residents of Electoral Area “A” in regard to Whistle Cessation.

Mr. Whittemore spoke to the request for Whistle Cessation, Electoral Area “A”

- Concerns in regard to noise disturbances
 - o Health and sleep impacts
 - o Impact to quality of life
- Staff in the Thompson Nicola Regional District have worked through the whistle cessation process and indicated willingness to assist
- Challenging process
- In Southern BC there are a number of whistle cessations with guarded crossings
- Request from residents in Electoral Area “A” (Smithers Rural) for whistle cessation at:
 - o Lake Kathlyn East
 - o Lake Kathlyn West
 - o Slack Road
 - Petition signed by 334 residents
 - A number of fatalities have occurred at the rail crossings
- Anticipated increase in train traffic
- Cost and responsibility of guarded crossing
 - o Potential Service Area
 - o Potential grant funding and funding from Transport Canada
- Impact to the region due to the number of unguarded crossings
- An existing guarded crossing located in a low-density area in Electoral Area “A”
- Vegetation near unguarded rail crossings makes it challenging to have a clear line of sight
- Train whistles are inconsistent
- Whistle a deterrent to people wanting to move to the area
 - o Impact to resale values
- Work being conducted by Friends of Morice-Bulkley in regard to rail traffic
 - o Director Fisher encouraged Mr. Whittemore to contact Friends of Morice-Bulkley
- Moving forward and investigating options
 - o Possibly establishing a service area
- Whistle Cessation group will provide a summary of concerns to Regional District staff.

Mr. Whittemore indicated his wish to move forward and review potential options.

Chair Parker thanked Mr. Whittemore and the residents of the Whistle Cessation, Electoral Area “A” Group for attending the meeting.

PLANNING DEPARTMENT (Rural Directors)**Crown Land Referral**

Crown Land Application
Referral No. 7410025
 (J Penner) – Electoral Area F

Moved by Director Petersen
 Seconded by Director Greenaway

RDC.2020-6-3

“That the Comment Sheet for Crown Land Application Referral No. 7410025 be provided to the Province.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Crown Land Referral (Cont'd)

Crown Land Application
Referral No. 6409207
(BV Amateur Radio Society)
-Electoral Area B

Moved by Director Riis-Christianson
 Seconded by Director Lambert

RDC.2020-6-4

"That the Comment Sheet for Crown Land Application Referral No. 6409207 be provided to the Province."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

RURAL REPORTS

CN Whistle Cessation

Moved by Director Lambert
 Seconded by Director Greenaway

RDC.2020-6-5

"That the Rural/Agriculture Committee receive the Manager of Administrative Services' September 3, 2020 CN Whistle Cessation memorandum."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Discussion took place in regard to staff:

- Working with the railway company to determine a cost analysis of whistle cessation and a guarded crossing
- Ministry of Transportation and Infrastructure jurisdiction of roadways in rural areas
- Options moving forward and staff time
- Staff will provide a report at the September 17, 2020 Board meeting.

DISCUSSION ITEMS

1. Spot Zoning

- Raised at the Electoral Area "A" APC Meeting as a result of a rezoning application that was being considered
- There is no formal definition of "Spot Zoning"
- The term originates from the American Legal System
- Rezoning a particular property with property around it that is negative and contrary to land planning
- Doesn't apply to the Canadian legal system/planning
- 90% of applications received by the Board is "spot zoning"
- Rezoning that may have a negative impact is referred to as spot zoning - if the rezoning is favourable it is not referred to as spot zoning
- Legal System in BC oversees the rezoning process to ensure a fair process and that legislation is being followed.
- The Board considers a number of items when a rezoning application is brought forward, and a decision is made
- Understanding of cumulative impacts regarding rezoning and land use
- Official Community Plans (OCP) is the process in which cumulative impacts are reviewed.

DISCUSSION ITEMS (CONT'D)

2. Federal Gas Tax Review
 - Chair Parker spoke with Taylor Bachrach, MP Skeena-Bulkley Valley
 - MP Bachrach participates on the Review Committee for Federal Gas Tax
 - Requested input/feedback from the Board in regard to Federal Gas Tax
 - Directors can e-mail information to Nellie Davis, Regional Economic Development Coordinator
 - Staff will bring forward information received at an upcoming Rural Directors Committee Meeting prior to forwarding to MP Bachrach.

3. UBCM Convention Update (if available)
 - Staff provided the latest 2020 UBCM Virtual Convention Program
 - Have yet to receive Minister Meeting Confirmations
 - Rural Directors wanting hotel accommodations in Burns Lake during UBCM can forward their information to staff.

NEW BUSINESSRDBN Food and Agriculture Plan

Chair Parker noted that staff have hard copies of the RDBN Food and Agriculture Plan available.

ADJOURNMENTMoved by Director Lambert
Seconded by Director GreenawayRDC.2020-6-6

"That the meeting be adjourned at 11:07 a.m."

(All/Directors/Majority)

CARRIED UNANIMOUSLY_____
Mark Parker, Chair_____
Wendy Wainwright, Executive Assistant



REGIONAL DISTRICT OF BULKLEY-NECHAKO STAFF REPORT

TO: Chair Thiessen and Board of Directors
FROM: Jason Llewellyn, Director of Planning
DATE: September 17, 2020
SUBJECT: Rezoning Application C-01-20 (Willick)
 3rd Reading Report for Rezoning Bylaw 1915, 2020

RECOMMENDATION

1. That the Regional District Board receive the Report of the Public Hearing for “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1915, 2020”.
2. That “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1915, 2020” be given 3rd reading.
3. And that should Bylaw 1915 be supported at 3rd reading, adoption not be considered until a covenant is registered on title, to the satisfaction of the Planning Department, ensuring the land is developed as proposed.

VOTING

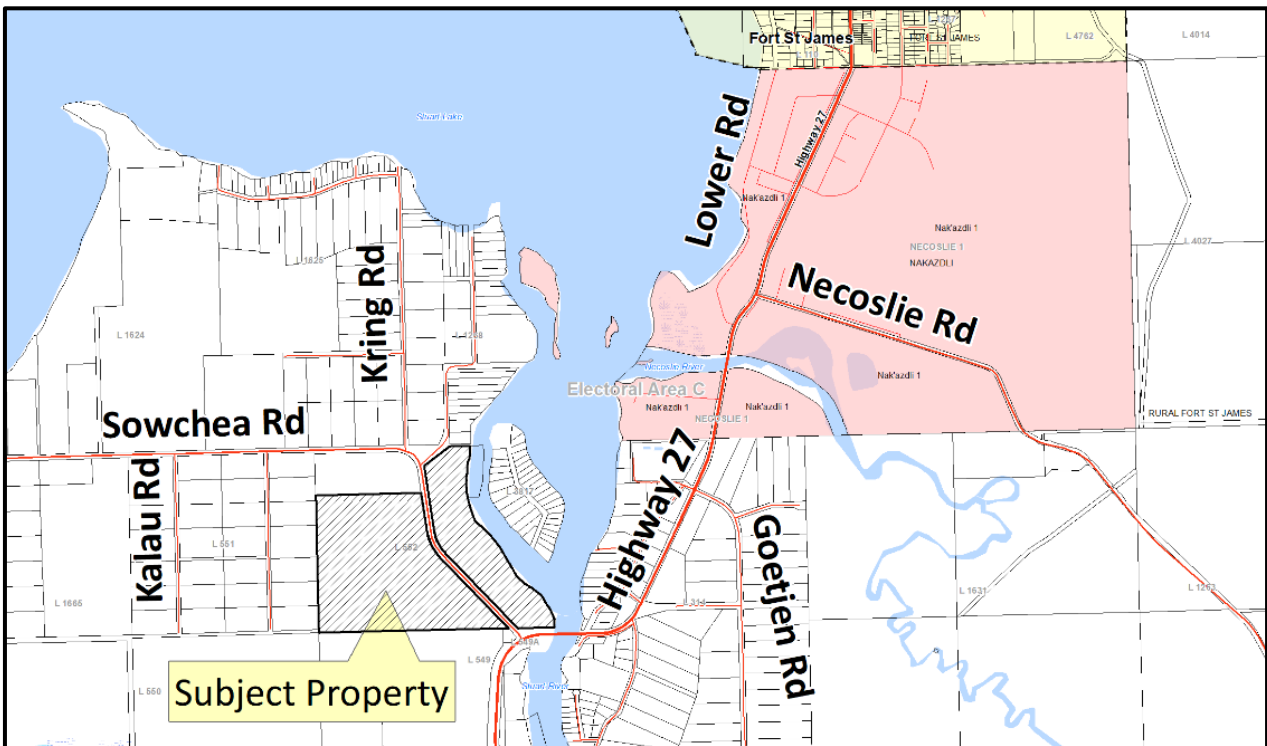
All Directors / Majority

EXECUTIVE SUMMARY

The proposed rezoning of the property to the Waterfront Residential II (R4) Zone will allow the subject property to be considered for subdivision, as proposed, by the Ministry of Transportation and Infrastructure. The subject property is identified for Rural Residential development in “Fort St. James Rural Official Community Plan Bylaw No. 1578, 2010”. The proposed lot layout fits the character of the area, and the proposed parkland dedication includes land with high recreation value. Staff recommend that Rezoning Bylaw No. 1915 be given 3rd Reading, and that consideration of adoption not occur until a covenant has been registered on title ensuring the land is developed as proposed.

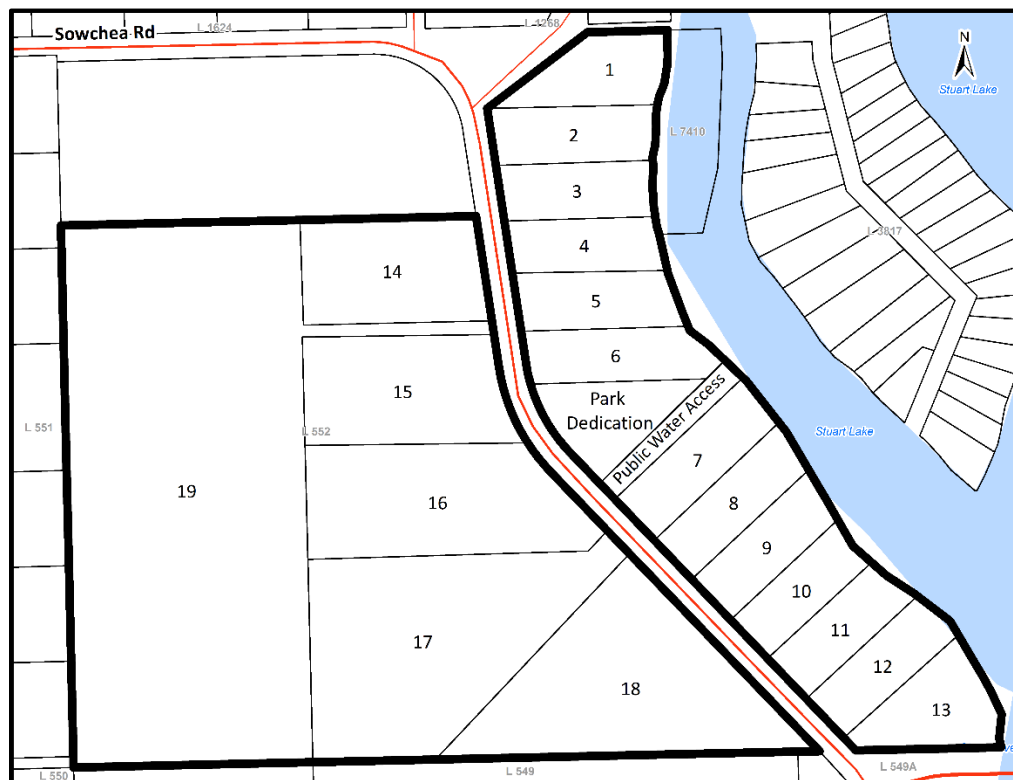
APPLICATION SUMMARY

- Name of Owner(s):** Stuart River Development Ltd
- Electoral Area:** C
- Subject Property:** District Lot 552 Range 5 Coast District except Plans 9838 and 10375
- Property Size:** 47.23 ha. (116.7 acres)
- OCP Designation:** Rural Residential (RR) in the Fort St. James Rural Official Community Plan Bylaw No. 1578, 2010.
- Zoning:** Small Holdings (H1) in Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020.
- ALR Status:** Not in the ALR
- Existing Land Use:** Vacant Land
- Location:** The subject property is on Sowchea Road at the mouth of the Stuart River.



Proposed Rezoning

The applicant wishes to subdivide the subject property into 19 parcels as shown on the attached site plan. The proposed waterfront parcels east of Sowchea Road are as small as 0.93 ha. (2.3 ac.). However, the minimum parcel size in the Small Holdings (H1) Zone is 2 ha. Therefore, the applicant has made application to amend the zoning of the land east of Sowchea Road from H1 to the Waterfront Residential II (R4) Zone to accommodate the proposed subdivision. The proposed parcels west of Sowchea Road meet the minimum parcel area of the H1 Zone.



Proposed Parcel	Area
Lot 1	3.24 ac.
Lot 2	2.58 ac.
Lot 3	2.49 ac.
Lot 4	2.4 ac.
Lot 5	2.49 ac.
Lot 6	2.89 ac.
Parkland Dedication	1.97 ac.
Public Water Access	0.98 ac.
Lot 7	2.67 ac.
Lot 8	2.59 ac.

Lot 9	2.4 ac.
Lot 10	2.31 ac.
Lot 11	2.31 ac.
Lot 12	2.49 ac.
Lot 13	2.67 ac.
Lot 14	5.69 ac.
Lot 15	6.23 ac.
Lot 16	8.18 ac.
Lot 17	12.45 ac.
Lot 18	11.34 ac.
Lot 19	36.39 ac.

REFERRAL COMMENTS

Electoral Area C Advisory Planning Commission (APC)

“Questions regarding size for septic? Northern Health has dealt with this. Question regarding water access. Bob has inspected and deems fair not great access. Under auspices of Department of Highways. RDBN will be able to develop the park. Assume no taxes. Conversation regarding soil, drainage, septic, drinking water. Caution regarding driving access to Sowchea Road will increase risk. Question regarding frontage road. Discussed with Department of Highways if required it would further reduce lot size but remain larger than most lots. Question regarding supply water not required by Northern Health but waiting on referral. Prepared to drill wells if required. Lot 19 totally logged others selectively. Should help frame other improved. APC supports application”

Ministry of Transportation and Infrastructure

- “MoTI is currently reviewing a subdivision application for the above noted parcel. The proposed zoning boundaries are consistent with the current proposed subdivision layout; however, the proposed subdivision layout is not guaranteed as it is dependant on review and approval by the Provincial Approving Officer.
- MoTI is working with the Ministry of Environment to address on site contamination through our subdivision process.
- No storm drainage shall be directed to MoTI drainage system. This includes but is not limited to collection and run-off of the internal road system.
- MoTI setback requirements to be followed as per Section 12 of the Provincial Undertakings Regulation.”

Northern Health

“Northern Health is concerned with the proposed size for some of the lots in the subdivision. According to the Northern Health Guidelines for Subdivisions: (https://www.northernhealth.ca/sites/northern_health/files/services/environmental-health/documents/subdivision-guidelines.pdf) the recommended minimum lot size is 1.6 hectares (4.0 acres) if the on site sewage system will be a lagoon. The minimum lot size in the proposal is 0.8 hectares (1.98 acres). The proposal does not indicate if an assessment has been done to determine if the condition of the lots will allow for a Type 1 sewerage system or a lagoon. Therefore, it is recommended that an assessment is made for each lot that will be smaller than 1.6 hectares to determine the suitability for installation of sewerage systems for the property. Based on the assessment, the lot sizes can be altered if lagoons will be required.

In addition to the lot size limits for sewerage systems, for lots that will have individual water systems (wells), the recommended minimum lot size is 1.0 hectares (2.5 acres). The proposal does not mention the plans for water systems, so it is recommended that any lots that will have their own water systems should meet the 1.0 hectare size limit.”

DISCUSSION

Official Community Plan

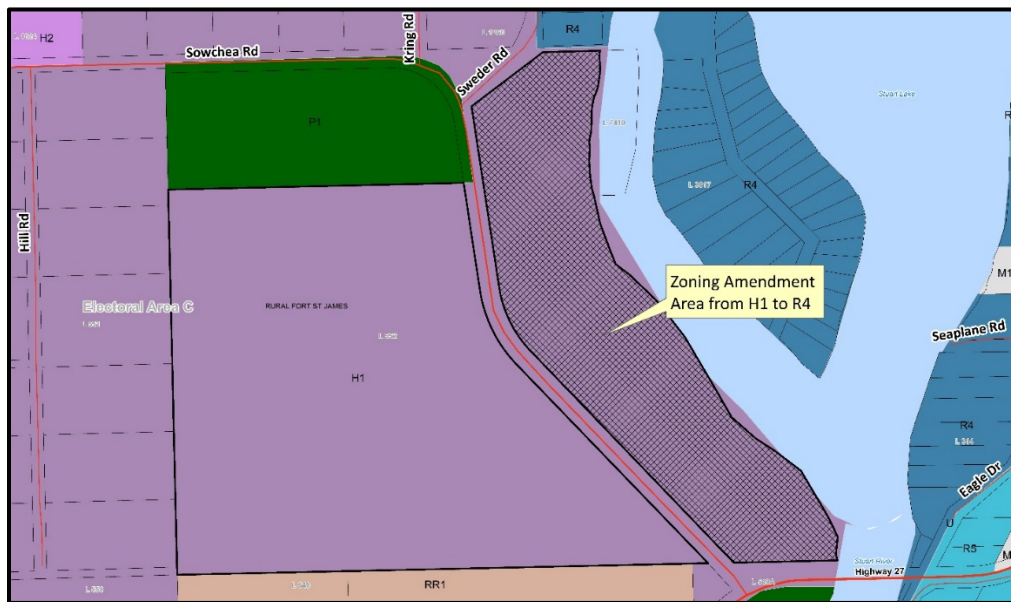
The proposed rezoning is supported by “Fort St. James Rural Official Community Plan Bylaw No. 1578, 2010.” The subject property is designated Rural Residential. This designation is intended to provide opportunities for people to live in a rural setting while protecting and preserving the rural character of the area.

Policy 3.4.2 (10) states that rezoning applications to permit parcels smaller than 2 hectares to a minimum parcel size of 0.8 ha. may be considered where the reduced parcel size will result in a parcel layout that provides improved protection on an environmentally sensitive area and the average parcel created is not smaller than 2 hectares. The average parcel size is 2.25 ha. (5.56 ac.). The area to the west of Sowchea Road contains wetlands and could be considered environmentally sensitive. The larger parcels proposed in this area would help protect those lands from development impacts.

The Proposed R4 Zone

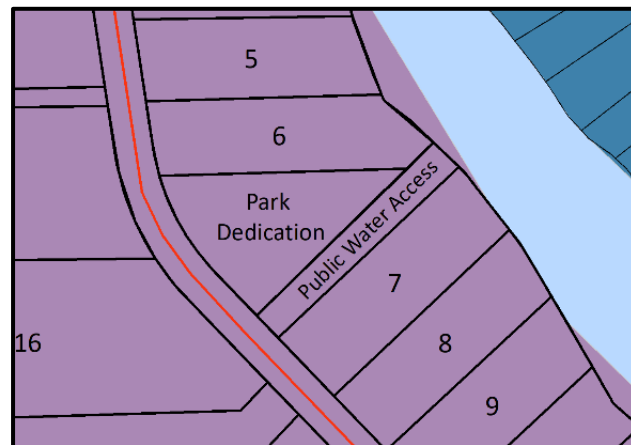
The Waterfront Residential II (R4) Zone allows parcels which are as small as 0.8 ha. (1.98 ac.) in size. The parkland dedication area and water access are not subject to the minimum parcel

area regulation. The R4 Zone allows each parcel to be used for a Single-Family Dwelling or for a Two-Family Dwelling. The lands proposed for rezoning to R4 are shown in the map below.



Parkland Dedication

The proposed subdivision triggers the allowance for parkland dedication pursuant to Section 510 of the *Local Government Act*. Where a proposed subdivision creates 3 or more lots where the smallest lot being created is 2 hectares or smaller the applicant may be required to provide, without compensation, up to 5% of the lands for park in a location acceptable to the RDBN. Alternatively, the applicant may provide a cash equivalent to the market value of the 5% of lands to be dedicated, where a local government has a parks function ("Regional District of Bulkley-Nechako Electoral Areas' Parks and Trails Establishment Bylaw No. 1881, 2019").



The applicant is proposing to dedicate approximately 0.97 ha. (1.97 ac.) of land as parkland in the location shown on the preliminary site plan. This is 1.7% of the parcel. This parkland is adjacent to the 0.36 ha. (0.98 ac.) public road access required to be provided to the Ministry of Transportation and Infrastructure (MoTI) as a condition of subdivision. In total, this represents approximately 1.3 ha. (3.3 ac.) or 1.97% of the parcel.

Covenant on Title

The applicant has offered to register a covenant on title of the property to the satisfaction of staff, prior to adoption of Rezoning Bylaw 1915, which ensures that the land is developed in general accordance with the site plan provided. Staff's primary concern is to confirm the number of lots to be created is in accordance with OCP policy. Staff are comfortable leaving the remaining details of the subdivision design to the MoTI subdivision approval process and are not recommending that the applicant commit to the proposed subdivision plan.

Site Contamination

The previous use of the site for a sawmill has triggered the requirement for a Contaminated Sites Questionnaire to be submitted to the Province. The Province has provided the necessary authorization from the Ministry of Environment & Climate Change Strategy for the rezoning to proceed (see attached letters). Planning Department staff are confident that site contamination issues will be appropriately addressed by MoTI as part of the subdivision approval process and are not asking the applicant to address contamination issues as part of the rezoning process.

Planning Department Comment

The applicant has worked with the Planning Department to develop the general parameters of the subdivision, including the location of the parkland dedication and the public road access. The parkland proposed to be provided to the RDBN has high recreation value if developed in conjunction with the public water access. It is noted that this will require the authorization of the Ministry of Transportation and Infrastructure. Staff recommend that Rezoning Bylaw No. 1915 be given 3rd Reading.

PUBLIC HEARING

The Public Hearing for Bylaw No. 1915 was held on September 2, 2020. The report of the Public Hearing is attached to this report.

ATTACHMENTS

1. Letter from the applicant dated June 18, 2020
2. Letter from the Ministry of Environment and Climate Change Strategy dated Aug. 25, 2020.
3. Electoral Area C APC Minutes
4. Public Hearing Report
5. Bylaw No. 1915

June 18th, 2020

Gregory Willick
Director
Stuart River Development Ltd.
4268 Russel Rd.
Fort St. James, BC, V0J1P0

To whom it may concern Buckley Nechako Regional District,

Stuart River Development is applying to re-zone a portion of District Lot 552 on Sowchea Rd. which will involve to two separate zoning types on the lot on either side of Sowchea Rd. that splits the lot. The application will ask for a zoning on the water front that allows for 2 acre minimum lot sizing and to maintain Small Holdings (H1) on the back portion of the property. The lot sizing of 2 acres is below that outlined for the area in the OCP and as such we will also be requesting an amendment to the OCP to allow for the 2 acre minimum of the river front portion of the lot.

The intention behind the re-zoning is to subdivide the river portion into lots for residential or recreational use following suite with the lots up river of the property on Sweder Rd., the lots directly across the river on Fir Island, and the lots across the river on Garvie Rd. that are zoned as Waterfront Residential II (R4). The river frontage would provide some of the last river/lakefront living opportunities in the area while still being located in an area with access to power, school bus routes, fire halls, and the community of Fort St. James. We expect the river front lots would end up split between local residential and seasonal/vacation lots. The proposed density increase from the OCP/Current Zoning averages 2.65 acres on the river front which is significantly larger than the current average residential riverfront/lake front property on Stuart Lake and River.

Our subdivision process will have a couple other benefits for the district and Sowchea community as well. The site being in an ideal location in Fort St. James and thus has had some previous uses that have left legacy problems. Existing environmental contamination, illegal garbage dumping, and quarry partying are issues that development of this site will eliminate for the district and the surrounding residents. In the 1970's the river front portion of the property had the ParMill Sawmill this has left some areas of identified contamination, through the subdivision process we will mitigate this contamination to residentially acceptable levels. The back portion of the property has been regularly used for illegal garbage dumping, we will mitigate this by restricting access and encouraging local transfer station use. Finally the rock quarry located on the river portion of the property has historically been used as a party spot and with restricted access and development we will remove this issue. We are committed to fixing these issues and the successful subdivision will clean up the property of contaminants on Stuart river frontage, cleanup this stretch of Sowchea road of physical garbage, and remove a common source of noise and complaints.

The portion of the lot that is on the south side of Sowchea Rd. is requested to stay as Small Holdings (H1) and subdivide lots along Sowchea Rd. leaving a large lot in the back section of the property for future agricultural activity. The surrounding properties on the back side along Hill Rd. and the majority of Sowchea Rd. that are not waterfront are zoned as Small Holdings (H1) and we would like to maintain this and create 6 lots on this side of the property.

Stuart River Development would request dual zoning on this lot, with the river front portion re-zoning to allow for a minimum lot size of 2 Acres for residential lot development and the non-river front section staying zoned as Small Holdings (H1) for agriculture and larger rural lot development. Both portions of the lot would then better follow the surrounding land uses and promote residential development on a desirable central location at the start of Sowchea Rd.

Sincerely,

Gregory Willick
Director
Stuart River Development Ltd.

A handwritten signature in black ink, appearing to read 'Gregory Willick', written in a cursive style.

August 25, 2020

Victoria File: 26250-20/23695
SITE: 23695

VIA EMAIL: gregory@newlandenterprises.ca, deneve.vanderwolf@rdbn.bc.ca

Stuart River Development
4268 Russell Road, PO Box 286
Fort St. James, BC, V0J 1P0
Attention: Gregory Willick

Regional District of Bulkley-Nechako
37 3rd Ave, PO Box 820,
Burns Lake, BC, V0S 1E0
Attention: Deneve Vanderwolf

Dear Gregory Willick and Deneve Vanderwolf,

**Re: Release Request – Zoning Permit Application
Sowchea Road, Fort St. James
PID: 014-991-781**

This letter is to acknowledge receipt of the above-referenced release request. According to our records, there is an outstanding requirement for a preliminary site investigation for the subject site as outlined in our site profile decision letter dated July 30, 2020.

Based on the information provided by the applicant, please accept this letter as notice pursuant to the *Local Government Act* (section 557(2)(b)) or the *Land Title Act* (section 85.1) in the case of subdivision that the Regional District of Bulkley-Nechako may approve the zoning permit application under this section because the Director does not require site investigation prior to approval of the zoning permit application. This decision is for the limited purpose of rezoning.

Please note that the requirement for a site investigation is not extinguished by this release and this outstanding requirement will suspend the approval of future applications for the site identified in section 40 of the *Environmental Management Act* (the Act) until:

- the proponent has obtained one of the following contaminated sites legal instruments, as applicable: a Determination that the site is not a contaminated site, a Voluntary Remediation Agreement, an Approval in Principle of a remediation plan or a Certificate of Compliance

confirming the satisfactory remediation of the site. A copy of the legal instrument must be provided to the approving authority; or

- the approving authority has received notice from the ministry that it may approve a specific application because a) in the opinion of the Director, the site would not present a significant threat or risk if the specified application were approved; b) the Director has received and accepted a Notification of Independent Remediation with respect to the site; or c) the Director has indicated that a site investigation is not required prior to the approval of the specified application.

Investigation of all environmental media must be conducted until the full extent of any contamination is determined at the site and which has migrated from the site. Section 58 and 59 of the Contaminated Sites Regulation describe the requirements for the conduct of preliminary and detailed site investigation and the content of reports based on those investigations.

For more information regarding the freeze and release provisions of the site profile process, refer to Fact Sheet 37, "[Site Profile Freeze and Release Provisions](#)" and Administrative Guidance 6, "[Site Profile Decisions and Requesting Release Where Local Government Approvals are Required](#)" available on the Site Remediation Section Website at <https://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation>.

Please be advised of the following:

- The absence of a requirement to undertake a site investigation does not necessarily mean that the site is not a contaminated site. It is recommended that the proponent retain a qualified environmental consultant to identify and characterize any soil and/or groundwater of suspect environmental quality encountered during any subsurface work at the subject site;
- Those persons undertaking site investigations and remediation at contaminated sites in British Columbia are required to do so in accordance with the requirements of the Act and its regulations. The ministry considers these persons responsible for identifying and addressing any human health or environmental impacts associated with the contamination; and
- Penalties for noncompliance with the contaminated sites requirements of the Act and Regulation are provided in section 115 and 120(17) of the Act.

Decisions of a Director may be appealed under part 8 of the Act.

Please contact the Site Identification Coordinator at SiteProfiles@gov.bc.ca if you have any questions about this letter.

Yours truly

A handwritten signature in black ink, appearing to read "Vincent Hanemayer". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Vincent Hanemayer
for Director, *Environmental Management Act*

cwd\

Advisory Planning Commission Meeting Minutes

Electoral Area C	Meeting Date: July 29 / 2020	Meeting Location: FSS Seniors' Centre
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Attendance	
<u>APC Members</u> <input checked="" type="checkbox"/> Cam McCormick (secretary) <input checked="" type="checkbox"/> Chester Hiebert (chair) <input checked="" type="checkbox"/> Charlotte Croquet <input checked="" type="checkbox"/> Andy McGowan <input type="checkbox"/> Terri Karey	<u>Electoral Area Director</u> <input checked="" type="checkbox"/> Director Tom Greenaway <input checked="" type="checkbox"/> Alternate Director Bob Hughes Re Application C-01-20 <u>Other Attendees</u> <input type="checkbox"/> <input checked="" type="checkbox"/> GREGORY WILKIE <input checked="" type="checkbox"/> STEVE WILKIE <input type="checkbox"/>

Chairperson: Chester Hiebert.	Secretary: Cam McCormick
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Call to Order: 8:02	
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Old Business/Updates (if applicable)	
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Applications (Include application number, comments, and resolution)

Questions Re: sizes for septic? NH has dealt with this.

Q - Water Access. Bob has inspected & deems fair not great access. under auspices of Dept Highways.

RDBN will be able to develop the park.

Assumed no toxins.

Conversation Re: soil - drainage - septic - drinking water

Caution Re: Driveway access to Bowcher Rd. will increase risk.

Q: Re Frontage Rd. Discussed with Dept Hwy. If required of lot size but remain larger than most lots not required by N. Health but writing or referral.

Q Re: supply water - wells if required.

lot 19. totally logged others selectively - should help fence other improved

J.C.

APC Supports Application. (For conversation with Tom)

Meeting Adjourned 8:48	Secretary Signature 
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**REGIONAL DISTRICT OF BULKLEY-NECHAKO
REPORT OF THE PUBLIC HEARING FOR BYLAW NO. 1915
September 2, 2020**

Report of the Public Hearing held at 7:00 p.m., September 2, 2020 in the Main Room at the Fort St. James Community Centre, 190 Stuart Drive East, Fort St. James, B.C. regarding Bylaw No. 1915

Present: Tom Greenaway, Chairperson
Jason Llewellyn, Recording Secretary
Fiona Richardson
Gregory Willick, Agent
Ryan Sararchuk
Tania Sararchuk
Gerry Playfair,
Taylor Dunkley
Harry Hooke
Joyce Helweg

CORRESPONDENCE

The written submission to this Public Hearing is attached to this Public Hearing Report as Appendix "A."

CALL TO ORDER:

The meeting was called to order at 7:01 p.m.

BUSINESS:

Chair Greenaway

Welcomed everyone to the public hearing and read a statement introducing the application, noting the submission received, and outlining the public hearing process.

Ryan Sararchuk

Expressed concern that the land to remain zoned H1 could be used for a commercial use, high density residential, or an industrial use.

Jason Llewellyn

Said that the land uses allowed on the portion of the property retaining the H1 zoning will not change because of the proposed rezoning. An overview of the uses allowed in the H1 zone was provided.

Harry Hooke

Said that he didn't have time to prepare for the meeting and asked for an overview of the proposal.

Jason Llewellyn

Said that the proposed land use and bylaw under consideration was explained in detail in the staff report in Mr. Hooke's possession.

- Gerry Playfair Said that he lives across the river and that he did not want to see the subdivision occur, or trees cleared from the land. He noted a rock quarry and impact on eagle nests.
- Harry Hooke Asked if the parkland being provided was available for use by everyone, and who would own the land. He also asked if the land being dedicated was for the entire subdivision.
- Jason Llewellyn Confirmed that the land would be for public access once developed and opened as a park, and that the land would be owned by the RDBN.
- Greg Willick Provided an overview of the proposed subdivision, and process to identify the proposed water access and parkland dedication in discussion with RDBN staff. He noted the intention to clean up the old mill site and illegal dumping that has occurred on the property. He also confirmed that the proposed parkland was for the entire property.
- Gerry Playfair Suggested that the development was going to proceed regardless of his input.
- Harry Hooke Said that he supports the proposed development but the lots could be smaller. He said that he fully supports the proposed subdivision as it will attract residents to the area.
- Chair Greenaway Called for comments on Bylaw No. 1915 three times.
- Chair Greenaway Closed the hearing at 7:21 p.m.

Tom Greenaway, Chairperson

Jason Llewellyn, Recording Secretary

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Appendix "A"

To the Report of the Public Hearing for Bylaw No. 1915

August 28, 2020

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

TO WHOM IT MAY CONCERN:
Regarding Section 466 of the Local Government Act & Your Letter dated August 19, 2020.

As we are unable to attend the public meeting on September 2, 2020, please add this letter of our concerns as part of your agenda and read at the meeting and documented in the official minutes.

In regards to the proposed development at District Lot 552, Range 5, Coast District, Except Plans 9838 & 10375, we have concerns regarding our ownership of Lot District: Lot 5, Plan 8903, District Lot 3817, Range 5 & Lot 6, Plan 8903, District Lot 3817, Range 5 of Fir Island. In 1979 when we purchased these two lots from Comet Investments (Matte Brothers Realty) the verbal discussion and understanding from them was that a bridge would be constructed over the waterway to allow access for future building on Fir Island. At the time, the Matte Brothers owned the subject property and our concern now is that there is no land put aside in the proposed development for a right of way for the building of a bridge to connect Fir Island's road to the mainland.

We would like you to consider an amendment to the proposed development to create a right of way that will allow connection to the island, in the future, when the building of a bridge becomes a reality and therefore the subject properties on the island become desirable for future development and growth in Fort St. James.

Please forward to us the outcome of your decision so that we can decide our future plans for our properties.

Sincerely,

Peter Veeken (1/3 Owner)
Nicholas Veeken (1/3 Owner)
John Veeken (1/3 Owner)



REGIONAL DISTRICT OF BULKLEY-NECHAKO
BYLAW NO. 1915

A Bylaw to Amend “Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020”

The Board of the Regional District of Bulkley-Nechako in open meeting enacts as follows:

That “Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020” be amended such that the following land is rezoned from the “Small Holdings (H1)” Zone to the “Waterfront Residential (R4)” Zone.

The part of ‘District Lot 552 Range 5 Coast District Except Plans 9838 and 10375’ as shown on Schedule “A”, which is incorporated in and forms part of this bylaw.

This bylaw may be cited as the “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1915, 2020.”

READ A FIRST TIME this 13 day of August, 2020

READ A SECOND TIME this 13 day of August, 2020

PUBLIC HEARING HELD this 2 day of September, 2020

READ A THIRD TIME this day of , 2020

I hereby certify that the foregoing is a true and correct copy of “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1915, 2020”

DATED AT BURNS LAKE this day of , 2020

Corporate Administrator

Approved pursuant to section 52(3)(a) of the *Transportation Act* this

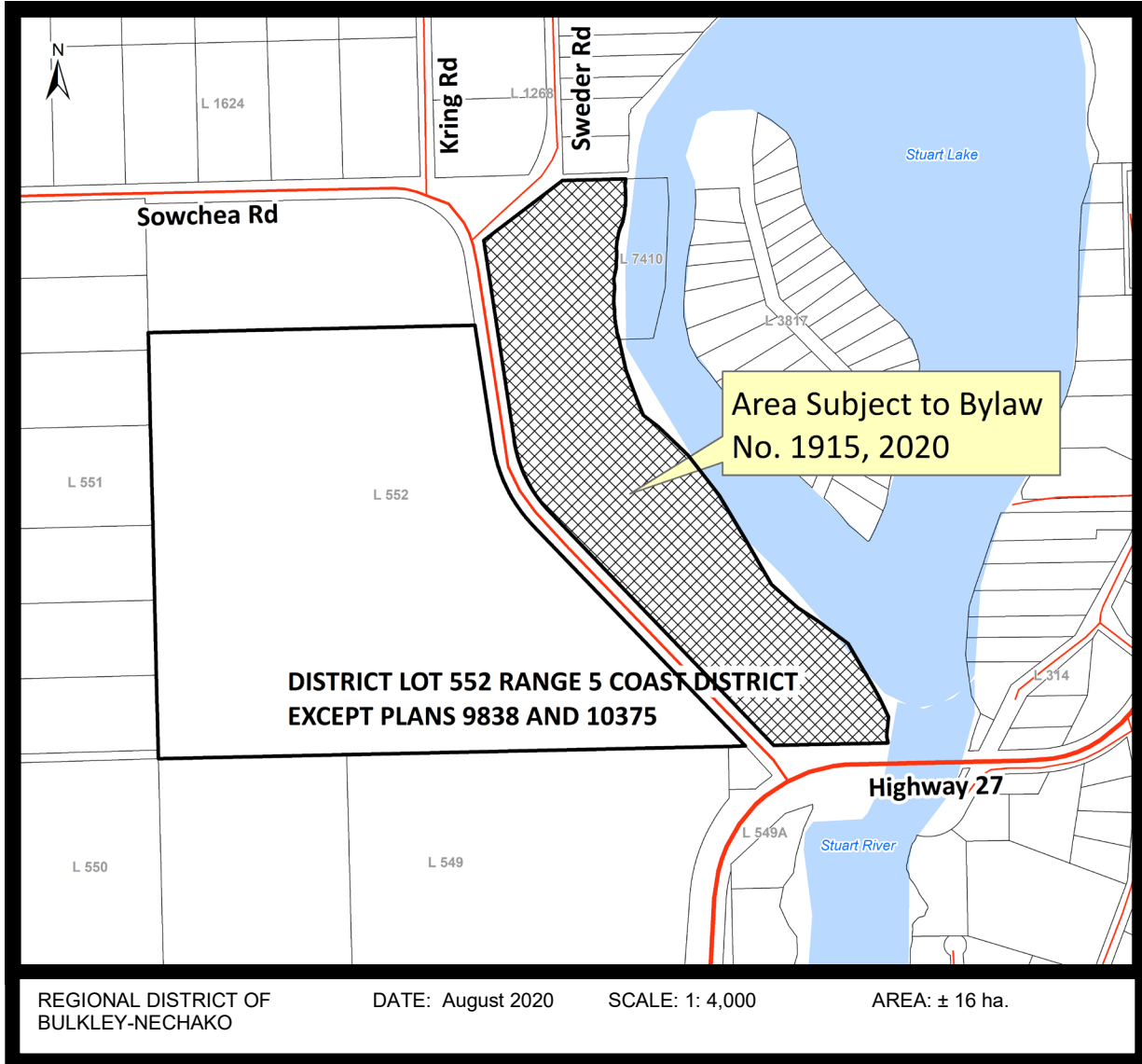
_____ day of _____, 20____

for Minister of Transportation & Infrastructure

ADOPTED this day of , 2020

Chairperson

Corporate Administrator



SCHEDULE “A” BYLAW NO. 1915

Part of “District Lot 552 Range 5 Coast District Except Plans 9838 and 10375”, comprising of ± 16 ha. being rezoned from the “Small Holdings (H1)” Zone to the “Waterfront Residential (R4)” Zone, as shown.

I hereby certify that this is Schedule “A” of Bylaw No. 1915, 2020.

Corporate Administrator



REGIONAL DISTRICT OF BULKLEY-NECHAKO STAFF REPORT

TO: Chair Thiessen and Board of Directors
FROM: Jason Llewellyn, Director of Planning
DATE: September 17, 2020
SUBJECT: Rezoning Application A-01-20 (Hunting)
3rd Reading for Rezoning Bylaw 1916, 2020

RECOMMENDATION

1. That the Regional District Board receive the Report of the Public Hearing for “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1916, 2020”.
2. That “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1916, 2020” be given 3rd reading.
3. And that should Bylaw 1916 be supported at 3rd reading, adoption not be considered until the Building Inspectors have obtained a complete building permit application for the building on the subject property.

VOTING

All Directors / Majority

EXECUTIVE SUMMARY

This application is to allow the processing, packaging, and distribution of cannabis and cannabis products where the cannabis is not grown or produced on the property. Proposed Rezoning Bylaw 1916 creates a definition for Cannabis Processing and amends the text of the Rural Resource (RR1) Zone to allow Cannabis Processing to occur on the subject property.

Staff recommend that Rezoning Bylaw No. 1916 be given 3rd Reading.

APPLICATION SUMMARY

Name of Owner(s): Clay Hunting and Silvia Rautter

Electoral Area: A

Subject Property: Lot A, District Lot 350, Range 5, Coast District, Plan EPP147 (30071 Telkwa High Road)

Property Size: 28.403 ha. (70 ac.)

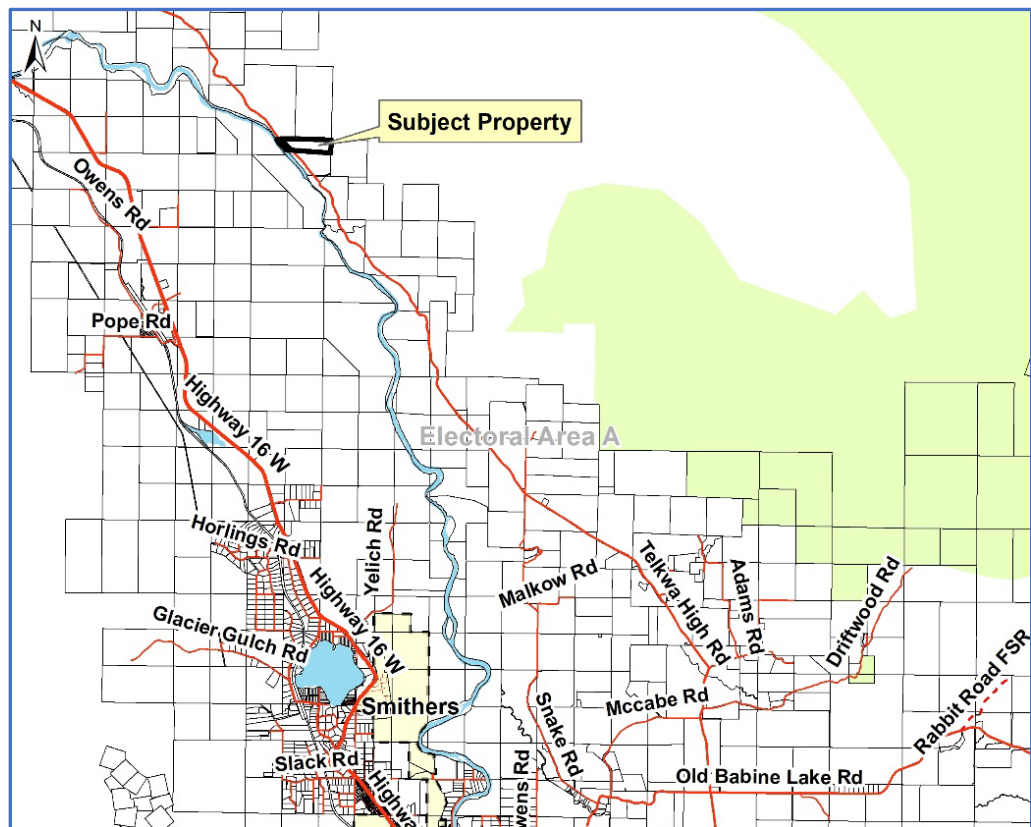
OCP Designation: **Resource (RE)** in “Smithers Telkwa Rural Official Community Plan Bylaw No. 1704, 2014.”

Zoning: **Rural Resource (RR1)** in “Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020” (the Zoning Bylaw).

ALR Status: Not in the ALR

Existing Land Use: Agriculture

Location: The subject property is located on the Telkwa High Road, approximately 10.5 km north of the Town of Smithers.



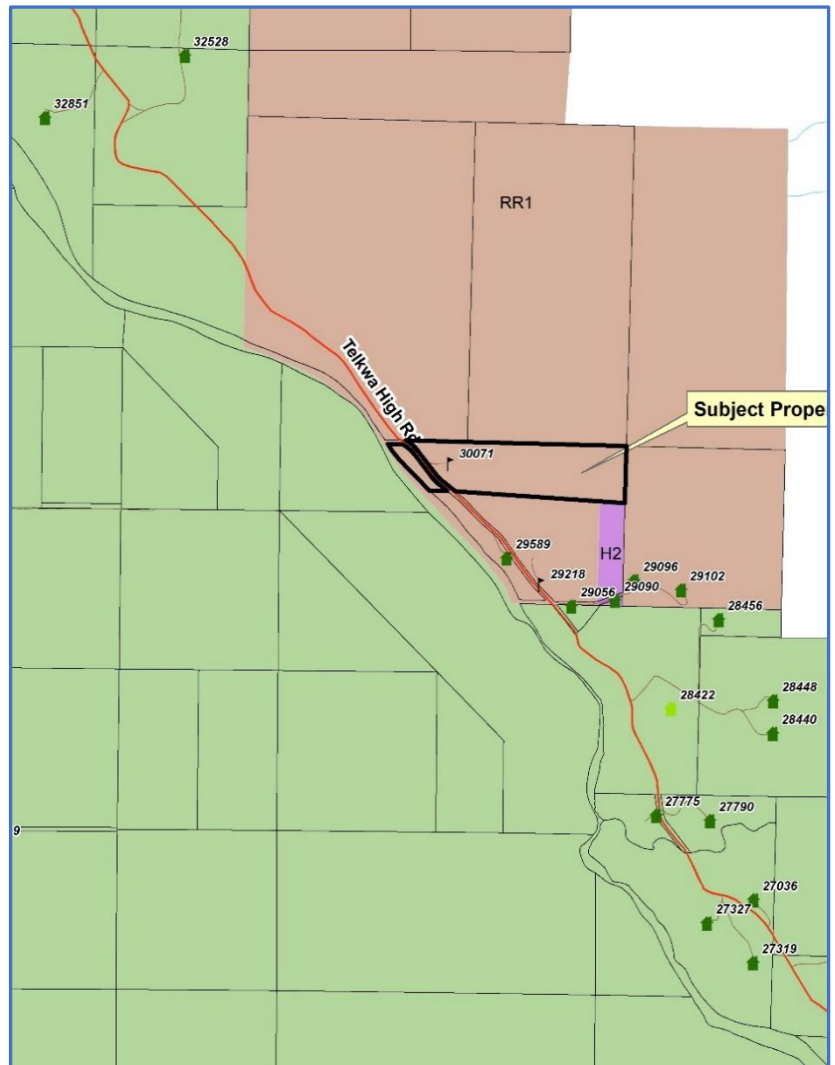
Proposed Rezoning

This application is to allow the processing, packaging, and distribution of cannabis and cannabis products where the cannabis is not grown or produced on the property. The existing Cannabis Production use, which is currently allowed to occur on the property, only allows the processing of cannabis where the majority of the cannabis processed is also grown on the property. Proposed Rezoning Bylaw 1916 creates a definition for Cannabis Processing and amends the text of the RR1 Zone to allow Cannabis Processing to occur on the subject property.

The property owner is proposing to extract oil from industrial hemp plants that are grown in the region. Industrial hemp is defined in the *Cannabis Act* as “a cannabis plant — or any part of that plant — in which the concentration of THC is 0.3% w/w or less in the flowering heads and leaves. However, under the proposed definition the processing of a range of cannabis products would be permitted.

CANNABIS PROCESSING means the use of land, Building or other Structure for the processing of cannabis or any part of a cannabis plant, including industrial hemp, as permitted by the Access to Cannabis for Medical Purposes Regulations (ACMPR) or Bill C-45 (the Cannabis Act), and any subsequent regulations or acts which may be enacted henceforth. This use includes the packaging, storage, and distribution of cannabis products processed on the same property.

As noted, the application is to amend the Zoning Bylaw to include Cannabis Processing as a permitted use in the RR1 Zone on the subject property only.



REFERRAL COMMENTS

Area A APC

“Much discussion around “spot zoning” amending zoning to specific/subject property vs amending the zoning for all property in the zone. Some discussion regarding amending the definition of “intensive agriculture”. All agree to support the application.

Ministry of Transportation and Infrastructure

- “Pursuant to Section 62 of the Transportation Act the client is required to have a Commercial Access Permit from the Ministry of Transportation for their access onto Telkwa High Road as the new proposed use is commercial in nature.
- The applicant can make an application online for a commercial access by following the attached instructions.”

DISCUSSION

Official Community Plan

The proposed rezoning is in accordance with “Smithers / Telkwa Rural Official Community Plan Bylaw No. 1704, 2014.” The area is designated Resource. The Resource Designation is characterized by a lack of settlement and by extensive resource management potential. Residential uses, and uses directly associated with forestry, agriculture and grazing, mineral or aggregate extraction, fish and wildlife management, wilderness oriented recreation, and necessary institutional, public, utility or transportation services may be supported in the Resource (RE) designation. Staff consider the proposed use adequately associated with agriculture to be considered in areas designated Resource.

The Rural Resource (RR1) Zone

The RR1 zone allows the following uses:

Agriculture	Cabin	Farmers’ Market
Intensive Agriculture	Large Kennel	Portable Sawmill
Primitive Campground	Rural Retreat	Single Family Dwelling
Two Family Dwelling	Veterinary Clinic	

RR1 zoned parcels are typically large in area, and the zone is intended to accommodate uses that may be a nuisance in more densely populated areas. It is noted that the Intensive Agriculture use includes Cannabis Production, which is similar to the proposed Cannabis

Processing use. Given the light industrial character of the Cannabis Production it is not recommended that it be allowed as a Permitted Use on any property zoned RR1. Restricting the use to the subject property only will allow the Board to consider the use on a case by case basis through the rezoning process.

Building Permit

The property owner is constructing a building to accommodate the proposed use without the benefit of a building permit. The property owner indicated his intention to work with the building inspectors to apply for a building permit and submit the document necessary for a building permit to be issued once the proposed use of the building is allowed. However, at the time of the writing of this report no application has been made and no documentation has been provided. Staff recommend that consideration of Bylaw 1916 not occur until the Building Inspectors have obtained a complete building permit application for the building on the subject property.

PUBLIC HEARING

The Public Hearing for Bylaw No. 1916 was held on September 3, 2020. The report of the Public Hearing is attached to this report.

ATTACHMENTS

1. Letters from the applicant dated June 11, 2020 and July 14, 2020
2. Electoral Area A APC Minutes
3. Public Hearing Report
4. Bylaw No. 1916

M E M O R A N D U M

Date: June 11, 2020

3781 Second Avenue, P.O. Box 187
 Smithers, B.C. V0J 2N0
 Tel: 250.847.1204 | info@northvalleydesign.ca

To:

Regional District of Bulkley Nechako
 P.O. Box 820
 Burns Lake, B.C. V0J 1E0

From:

Mr. Tylor Versteeg, ASCT, C.E.T., ROWP, GSC_{PENDING}
 Principal
 North Valley: Architecture | Engineering | Construction

Re: 30071 Telkwa High Road – Request for Site-Specific Zoning Amendment

1.0 BACKGROUND

North Valley has been retained by Mr. Clay Hunting to provide design and engineering consultant services for coordination/approvals of the proposed use and development on the subject property (the 'property') described below and located within the Regional District of Bulkley Nechako ('RDBN'). The property is identified as:

30071 Telkwa High Road, Smithers, B.C.

Legal: Lot A, DISTRICT LOT 350, RANGE 5 COAST DISTRICT PLAN EPP147

PID: 027-351-726

The 28.4-hectare rural property is designated in the official community plan as Rural Resource (RE) and is currently zoned Rural Resource (RR1). There is an existing single-family dwelling registered as the properties principal use and an existing accessory building built within the last five years for agricultural equipment storage. The property is located outside of the Agricultural Land Reserve and is comprised of mostly undulating forested terrain with a few small clearings scattered through the parcel.

Mr. Hunting currently grows hemp on his agricultural property as well as on multiple leased agricultural parcels throughout the RDBN. He plans to process hemp oil from the vegetation grown in the RDBN in a converted accessory building on the subject property. Mr. Hunting intends to submit an application to become a holder of a Standard Processor License under Health Canada's Cannabis Regulations (the 'regulations'). The cannabis regulations include processed hemp flower under the definition of cannabis, therefore, Mr. Hunting is required to apply for a license under the Cannabis Regulation even if the intended operations are only for the processing of hemp products.

In March of 2020, Mr. Hunting inquired of the RDBN if the processing of hemp CBD oil is allowable in the current zoning and what steps would be required to permit the operations in the RDBN if there were a conflict between his business plan and the local bylaws. Mr. Hunting was advised through email correspondence with staff (cited below) that:

"Hemp is considered an agricultural product and is regulated under the Cannabis Act. Therefore, hemp production is permitted under 'Intensive Agriculture' under our zoning bylaw. Intensive Agriculture allows the use of Cannabis Production."

RDBN staff also advised that:

"Since the hemp is grown on multiple properties, and the processing of that hemp is conducted on one property that is not producing at least 50% of the hemp production; this would make 'processing' the principal use of that property. If the hemp processed was all grown on the same parcel the use may potentially fall within the definition of Agriculture in the zoning bylaw."

M E M O R A N D U M

Mr. Hunting was advised to submit a site-specific zoning amendment to allow for the processing of hemp grown on other parcels in addition to the permitted processing of hemp grown on the same parcel. Mr. Hunting was also informed that since the processing facility would be considered an accessory to the agricultural use of the property, that it would be exempt from the Building Bylaw 1634 via section 5.4 that states:

“This bylaw does not apply to a farm building located on property, which is classified as a farm by the B.C. Assessment Authority at the time of construction.”

Mr. Hunting's parcel is classified by the B.C. Assessment Authority as a farm and he has initiated a renovation project on the existing accessory farming building to convert it from a storage building into a processing facility. RDBN staff and the applicant have communicated through all steps in the project and North Valley is currently proceeding on behalf of Mr. Hunting with RDBN staff's recommendation to request a site-specific amendment to the zoning bylaw. The remainder of this letter will provide insight into the operations, the effect on the neighbourhood, community need, economic diversification and precedent from a previous application.

To become a holder of a Standard Processor License by Health Canada, Mr. Hunting must submit a formal application to the regulator. The formal application is followed by an inspection of the facility before the granting of a license. Mr. Hunting's facility is currently under renovation and the application to Health Canada is being assembled. At the local government level, this site-specific zoning amendment is required to permit processing operations on the parcel. This application is being submitted in tandem with the federal application for a Standard Processor License.

2.0 OPERATIONS

Cannabidiol (CBD) has become the sought-after component from the cannabis plant in recent years. It has become known worldwide for its many beneficial qualities which range from helping people deal with mental illness to helping cancer patients deal with nausea (a common side effect from chemotherapy treatment). It has been trusted by many for centuries for its healing properties. CBD oil is similar to its cousin tetrahydrocannabinol (THC). Despite their similar chemical structures, CBD and THC don't have the same psychoactive effects. CBD is a nonpsychoactive compound; That means it doesn't produce the “high” associated with THC. CBD can be extracted from hemp or marijuana. Hemp plants are cannabis plants that contain less than 0.3 percent THC, while marijuana plants are cannabis plants that contain higher concentrations of THC.

The operation of hemp CBD extraction can be done in a variety of ways: solvent-based extraction is the common way to extract CBD oils, however, Mr. Hunting plans to utilize a proprietary water-based extraction method. Although we will not go into detail about the method, we will briefly discuss the benefits of this method of CBD extraction.

The facility has been designed to receive raw bales of hemp that is grown and harvested on other parcels. Hemp will be grown through the spring and summer and harvested on a variety of parcels located across the RDBN. The harvested bails will be delivered and unloaded via truck and farm equipment and placed directly inside of the secure processing facility. Inside the facility, the hemp will be processed through a proprietary system and the final product will be a clean CBD oil. The facility will be approved and regulated by Health Canada under the Cannabis Regulations. Due to the ‘clean’ nature of Mr. Hunting's extraction process, no solvent waste will be produced since the method of extraction is water-based. The waste from the extraction process will be bio-mass from the unused plant material and an organic water-plant matter mixture that can be naturally returned to the soil through a properly engineered wastewater treatment system. The bio-mass will be repurposed by preparing it into Organic Matter (OM) in a method just approved by Health Canada and returned to the agricultural land it came from to improve the fields growing medium. The OM will not contain any CBD, THC, or harsh chemicals since the natural components were removed through a ‘clean’ extraction process; what would be left for re-use is a compostable plant-based bio-mass without cannabinoids. The intended waste produced from the facility is remarkably low due to the clean products used in the extraction process. The finished CBD product will be packaged for transportation, and securely stored on-site until they are picked up by shippers and transported to the procurer. The OM will remain on-site in a commercial dump-trailer until a full load is produced and transported back to the agricultural land it came from.

M E M O R A N D U M**3.0 EFFECT ON THE NEIGHBOURHOOD**

The subject property where the facility is located has a generous amount of tree cover that naturally shields the facility from view from the Telkwa High Road. The Telkwa High Road, at this location, is not a busy roadway and is usually only travelled by locals or farmers that live or work in the area. The neighbourhood is rural by nature and is home to many farms including an established dairy producer and agricultural crop producers. The traffic on the road will not be substantially increased by the activities planned. There will be a slight increase in commercial farm traffic through the delivery of hemp bails to the facility. The facility staffing will slightly increase private travel by no more than 8 vehicles per day, driving to and from the facility at the start and end of shifts. The facility is designed to accept approximately 12 bails of harvested hemp per day, therefore, keeping it artisan in nature, and not a facility that can scale to mass production, although a license from Health Canada does not limit production quantity.

The facility is located over 200 ft away from the closest property line, and over 2,200 ft from the closest neighbouring dwelling. The exterior noise will be limited to farm equipment unloading and moving bails, which would be a normal occurrence for the neighbourhood. The equipment within the facility will produce noise as well, however, the walls will be commercially built to 8" thick and insulated to reduce noise transmission. The facility is located within the trees to further dampen any noise pollution. We do not expect the internal noise to be greater than the equipment noise on the exterior of the building when measured outside the facility.

From the exterior, the building will appear to be a simple farm accessory building. The structure is a simple A-frame building with one overhead door and two person-doors on the front (west) elevation, one person-door on the north elevation and one person-door on the rear (east) elevation. The building will be setback from the front property line by ~270 ft with generous tree cover between the Telkwa High Road and the facility, therefore, there will be no view of the facility from the road.

We propose that there will be no change in the rural character of the neighbourhood. The operations of the facility integrate with the rural character of the area since the processing of an agricultural product would be normal and permitted if all of the products were supplied from the same parcel.

4.0 COMMUNITY NEED + ECONOMIC DIVERSIFICATION

Economic diversification and increased manufacturing are two central themes that our local, provincial and federal governments hope private industry will grow. As of early 2020, with the COVID-19 pandemic, the federal government has encouraged industries to pivot with a push to create more Canadian manufacturing jobs. Currently, only about 10% of the Canadian GDP comes from manufacturing. By creating this facility, Mr. Hunting is proposing to grow two Canadian industries: agriculture and manufacturing. Through land leases, he will be encouraging growth in agriculture and further development of usable farmland in Northern BC by compensating landowners by use of their land to develop suitable soils for growing hemp. Through his farming operations, the business will be tending to the land and maintaining approximately 600 acres in the RDBN. The manufacturing of CDB oil will add to the manufacturing industry in BC and create a Canadian made product that is legally permitted and regulated. This proposed facility will generate between 6 and 8 new full-time jobs local to the RDBN Electoral Area A. If this facility is successful in attaining its license and the business plan proves effective, Mr. Hunting has plans to expand operations east toward Ft. Fraser and again near Vanderhoof, with each expansion growing in economic input and creation of new jobs.

Northern communities are outstanding places to live, but the limited industries and jobs can make it challenging to retain residents. When new industries are created or expanded, local governments must support diversification and the creation of new jobs that will aid in sustaining an economy in the north. This industry is newly legalized and is developing under the regulation of the federal government. Our local economies have a chance to benefit from the leading edge growth of this industry's development with a local businessman who lives and works in the North. Mr. Hunting lives in the RDBN Electoral Area A and has been a resident of Northern BC for nearly a decade. With this level of investment in developing a new northern industry, it should be clear that he is interested in stable and sustainable growth for this business and the local economy.

M E M O R A N D U M**5.0 SIMILAR PAST APPROVAL**

In conversation with RDBN staff, a past zoning amendment application/approval was discussed as a precedent for this application. In 2012, Top-Hay Agri-Industries Inc. near the District of Vanderhoof submitted a similar application to the RDBN to allow agricultural products grown and harvested on other parcels to be processed on one parcel for the establishment of a hay processing business that was not permitted under their zoning. The Top-Hay application was only slightly different because the parcel was located in the AG1 zone. RDBN staff considered that the Top-Hay application was quite similar for discussion because the applicant required approval for processing activities to take place on this parcel and their business would also receive an agricultural product from other parcels. In this application, we are currently permitted to use the facility for the operations intended, just not currently for agricultural products grown and harvested off-site. RDBN staff had discussed the Top-Hay application with North Valley during the investigatory phase of our application development and recommended that we proceed with a site-specific zoning amendment similar to the approved Top-Hay application. We propose that although the zoning is different, agricultural processing use in the two zones have similarity and believe the Top-Hay application sets a comparable precedent for this application.

6.0 CLOSURE

Thank you for considering this request for a site-specific zoning amendment to permit the processing of hemp/cannabis on the subject property from agricultural product grown and harvest on other parcels. To repeat what was previously stated, we must include cannabis in the description of the use on this property even when there is no intent to produce cannabis since hemp is included in the Cannabis Regulations. We hope that our explanation of the hemp processing facility and operations has provided you with good information for discussion with a general understanding of the proposed operations to prove that the effect on the neighbourhood will be minor and there will not be a substantial change to the rural character of the area. We also hope to have substantiated how the proposed facility will have a positive effect on the northern economy with the potential for further economic investment and new jobs. The proposed facility will stimulate the agricultural industry and further diversify the north to create a new manufacturing industry. In closing, we would like to echo that hemp CBD oil Mr. Hunting plans to produce is not the same as THC or does he intend to produce a product for recreation use. He desires to produce a clean, non-chemical processed product that will be used to treat those suffering from chronic pain and mental illnesses for which CBD has beneficial healing properties. Should you have any questions or require more information on the proposed operations, do not hesitate to contact the undersigned. We look forward to your consideration and support.

Sincerely,



Tylor Versteeg
Principal | North Valley Design + Consulting Ltd.
250.847.1204 | tylor@northvalleydesign.ca

Encl.: A-101 - Site Plan

M E M O R A N D U M

Date: July 14, 2020

 3781 Second Avenue, P.O. Box 187
 Smithers, B.C. V0J 2N0
 Tel: 250.847.1204 | info@northvalleydesign.ca
To:
Regional District of Bulkley Nechako
 P.O. Box 820
 Burns Lake, B.C. V0J 1E0
From:
Mr. Tylor Versteeg, ASCT, C.E.T., ROWP, GSC_{PENDING}
 Principal
 North Valley: Architecture | Engineering | Construction

Re: 30071 Telkwa High Road – Request for Site-Specific Zoning Amendment – ADDENDUM NO. 1
1.0 INTRODUCTION

This letter is a response to the Regional District of Bulkley Nechako (RDBN) staff's request to provide supplementary information regarding the equipment and process used for oil extraction in the proposed facility. In our letter dated June 11, 2020, we had briefly touched on the process of oil extraction and acknowledged Mr. Hunting's concern surrounding the exclusivity of his planned extraction process in a new and competitive market. With Mr. Hunting's approval, this letter will provide more detail on the general process of planned CBD oil extraction and generally describe the equipment used with relevant specifications.

2.0 OIL EXTRACTION PROCESS

After the hemp product is harvested from the field, bales are transported via flat deck trucks or trailers to the facility. They are moved into the building by a propane-powered forklift, the exterior overhead door is closed and the facility secured. Harvested bales of hemp are put through a standard electrically powered agricultural bale breaker and the loose material is dropped onto a conveyor. The conveyor, powered by a quiet 30hp electric motor, will transport the loose hemp material into a wet sifting machine. To simplify the explanation of the wet sifting machine, it is a cold water shower for the hemp flower over a screen that sifts the components of the plant containing CBD away from the portions that do not. The wet sifting machine produces wet kief (water combined with resin glands containing cannabinoids) from the rest of the plant (now called biomass) that will be recycled.

The hemp is now separated into two components, kief solution and wet biomass. The biomass will move from the wet sifting machine to a screw press that will squeeze the biomass into a small noodle-like form and a 5hp electric auger will break up the biomass and load it into the back of a transport truck to be recycled back over agricultural land. The biomass is now called Organic Matter (OM) and will increase the quality of the agricultural growing medium in the fields. This process of biomass recycling will comply with Health Canada's waste disposal regulations.

Once a day, the wet kief will be pumped from a collection tank to vibratory screeners with a 1/4hp electric pump. The screeners are high-frequency electric screeners that produce between 22-30dB, about half the intensity of a residential dishwasher. The electric screeners extract the CBD oil from the kief and fill sealable buckets of oil for transport away from the facility.

3.0 CLOSURE

The entire process is operated by a few small electric motors and electric machines that produce very low noise intensity. The building is constructed of 8-inch thick insulated exterior walls and the few electric motors and machines required for the process are small commercial in size. The bales will be move from the outside of the facility to the inside using a low decibel propane forklift. The facility will have a backup generator, it will be located inside an insulated sea-can and only used in case of power loss. The process is very "clean" in comparison to solution-based extraction methods and the expected noise intensity in Mr. Huntings should be very low inside the facility and negligible on the outside of the facility.

M E M O R A N D U M

We hope this provides additional clarity in the process of CBD oil extraction for the proposed facility. If there are any further questions, do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Tylor Versteeg".

Tylor Versteeg
Principal | North Valley: Architecture | Engineering | Construction
250.847.1204 | tylor@northvalleydesign.ca

**Advisory Planning Commission
Meeting Minutes**

Electoral Area A	Meeting Date: 4 August 2020	Meeting Location: Telkwa Village Office
Attendance		
<u>APC Members</u> <input checked="" type="checkbox"/> Brian Atherton <input checked="" type="checkbox"/> Natalie Trueit <input checked="" type="checkbox"/> Bob Posthuma <input checked="" type="checkbox"/> Sandra Hinchcliffe <input type="checkbox"/> Janik Heer <input checked="" type="checkbox"/> Stoney Stoltenberg <input checked="" type="checkbox"/> Andrew Watson <input checked="" type="checkbox"/> Alan Koopman		<u>Electoral Area Director</u> <input checked="" type="checkbox"/> Director Mark Fisher <input type="checkbox"/> Alternate Director Megan D'Arcy <u>Other Attendees</u> Tanya Belsham Clay Hunting Silvia Rautter Tylor Versteeg
Chairperson: Sandra Hinchliffe		Secretary: Natalie Trueit
Call to Order: 6:57pm		
Old Business/Updates (If applicable)		
Applications (Include application number, comments, and resolution) Rezoning A-01-20 (Hunting) Much discussion around "spot zoning" amending zoning to specific / subject property vs amending the zoning for all property in the zone. Some discussion regarding amending the definition of "intensive agriculture". All agreed to support the application.		
Meeting Adjourned 8pm	Secretary Signature	

REGIONAL DISTRICT OF BULKLEY-NECHAKO
REPORT OF THE PUBLIC HEARING FOR BYLAW NO. 1916
September 3, 2020

Report of the Public Hearing held at 7:00 p.m., September 3, 2020 in the West Fraser Room at the Smithers Municipal Office, 1027 Aldous Street, Smithers, B.C. regarding Bylaw No. 1916

Present:

- Mark Fisher, Chairperson
- Jason Llewellyn, Recording Secretary
- Maria Sandberg, Planner
- Tylor Versteeg, Agent
- Dave Stevens
- Eugen Wittwer
- Robert Wagner
- Silvia Wagner
- Willette Swanson
- Lyse Loiselle
- Normand Legare
- Marianne Kolnberger
- Karl Bachmann
- Clare Moisey
- Dominique Dubeau
- Laura Mussfeld
- Christoph Dietzfelbinger
- Jerry Cummings
- Jantina Hamelink
- Ursula Yeker

CORRESPONDENCE

The written submissions to this Public Hearing are attached to this Public Hearing Report as Appendix "A".

CALL TO ORDER

The meeting was called to order at 7:04 P.M.

BUSINESS:

Chair Fisher	Welcomed everyone to the public hearing and read a statement introducing the application, noting the location of the submissions received, and outlining the public hearing process.
Chair Fisher	Called for comments on Bylaw No. 1916
Tylor Versteeg, Applicant	Introduced himself as the agent for the application. He explained that the proposed processing facility extracts

CBD oil from hemp that is grown on multiple properties in the region. The hemp delivery will result in an average of 1 truck every 2.5 days. The facility has to operate according to Health Canada and Provincial government standards. The approval process for hemp and cannabis processing facilities are the same.

Christoph Dietzfelbinger

Said that he has concerns regarding traffic volume, the noise from the operation, and the disposal of residuals (fibre and chemicals) from the CBD extraction process.

Tylor Versteeg, Applicant

Explained that the traffic will be 1 truck every 2.5 days, and the suppliers are from across the region. The only noise outside is from a tractor unloading bales of hemp into a secure storage room. Inside there is electric equipment that uses water to extract the oil. The facility is anticipated to use 500 litres of water per day, which is below residential use levels. The wastewater system will be engineered and is essentially drinkable when it has been treated. Organic soap will be used to clean the facility. The biomass will be recycled by being put back on the fields.

Marianne Kolnberger

Asked where the water will come from as she believes there may not be an on-site water supply. She was concerned that the use may impact water supply in the area.

Tylor Versteeg, Applicant

Said that he has been informed that there are year-round natural springs on the property.

Karl Bachmann

Said he lives on Telkwa High Rd, southeast of the property and that he heard of the application by chance. He questioned the notice requirements. He said he shares Marianne's concerns regarding water supply and feels that certain times of the year there is not much water in the area. He asked if there are limits of the operation's expansion and asked if the building can be repurposed to allow cannabis processing?

Jason Llewellyn

Explained that the public hearing notification requirements are dictated by the *Local Government Act* and Regional District bylaws. He said there is no RDBN restriction on expansion, and that the proposed zoning allows the processing of cannabis. The existing zone also

allows cannabis production where more than 50% of the product processed is grown on the property.

- | | |
|---------------------------|--|
| Norman Legere | <p>Said that he is a future property owner in the area and has submitted a letter to the public hearing. He stated that 200 metres is not much of a notification distance. He encouraged the Regional District to contemplate changes to the notification distance.</p> <p>He suggested that the operation be reduced in scale so that a rezoning is not necessary. He asked if he will be given answers to the questions he submitted in writing.</p> |
| Jason Llewellyn | <p>Stated that the input received at the public hearing is presented to the Board. The typical process does not involve a formal response to questions asked.</p> |
| Norman Legere | <p>Asked if the final decision on the application is made by the Board.</p> |
| Jason Llewellyn | <p>Explained that the RDBN Board will make the decision on the proposed bylaws. The Board may ask staff to clarify issues raised at the public hearing before making any decision. However, there can be no further input from the public or the applicant directly to the Board after the public hearing.</p> |
| Norman Legere | <p>Stated that he is concerned that the operation will grow in scale and be disruptive to the neighbourhood. The processing operation should be relocated to the location where the hemp is grown.</p> |
| Willette Swanson | <p>Asked if the water used in the process would be collected and recycled. She was concerned it would end up in the river.</p> |
| Tylor Versteeg, Applicant | <p>Explained that the water will be put through an engineered treatment system as required by Health Canada regulations.</p> |
| Willette Swanson | <p>Said that they should collect and reuse the water and asked if they are operating under a water license.</p> |
| Chair Fisher | <p>Explained that any non-domestic water use needs a license under the <i>Water Act</i>.</p> |

Willette Swanson	Said that the signage was not adequately visible.
Karl Bachmann	Said that relying on Provincial and Federal regulations is not good enough. Mount Polley was an approved operation. Projects can be legal and still have bad outcomes.
Marianne Kolnberger	Stated that she has lots of questions about the bylaw change and feels that the wording is too loose and that there are no safeguards in the bylaw language. The water system could fail and her fields are next to the subject property. She feels left out as a resident.
Norman Legere	Questioned how the Regional District could make a decision if all the information is not available. People are concerned.
Norman Legere	Asked if the Board will see the information from tonight's public hearing.
Jason Llewellyn	Said that the staff will prepare a report of the public hearing for the Board that includes the written submissions.
Normal Legere	Asked if the proponent is aware of the <i>Fisheries Act</i> since water may be released into the Bulkley River.
Tylor Versteeg, Applicant	Replied that the water will be a similar quality to drinking water when it has been through the engineered system.
Laura Mussfeld (Speaking notes provided as written submission)	Said she lives on Telkwa High Road and is a pharmacist. Cannabis has more than 500 chemical compounds in it. There are pregnancy risks, risks to youth and cardiac implications. Refining CBD oil is difficult and there will be by-products. Water extraction does not account for fat-soluble matters. There will be by-products that are aerosolized and everybody in the area will be exposed. There are other unaccounted factors, such as what pesticides will be used and the needed water supply. Property values will decrease. She said she has plans for her property that will be adversely affected by the proposed facility. She also has concerns about the attention from people with bad intentions. This facility deals with a drug and not food.

- Christoph Dietzfelbinger Suggested that the proponent could enter into a good neighbour agreement which is legally binding to do certain things. Pinnacle Pellet came to Smithers with good plans and not they are now a nuisance. Industry does not always do what they say they will do.
- Tylor Versteeg, Applicant Said that he will present the idea of a good neighbour agreement to Mr. Hunting.
- Jason Llewellyn Said that a covenant on title registered in favour of the RDBN could be the legal mechanism to achieve this.
- Clare Moisey Stated that he owns property surrounded by the Town of Smithers. Telkwa High Road was originally a logging road and agricultural areas have become bastardized by people moving there for residential purposes. This affects his use of agricultural land and he has had problems with the Regional District and the Town. He has a problem with agricultural land being turned into residential land.
- Eugen Wittwer Introduced himself as the owner of W Diamond Ranch on Lawson Rd. He grows hemp for the property owner, which helps to diversify his farming operation. Hemp growing will help many small farmers in the area. He grew hemp for the first time 15 years ago but the transportation cost to Manitoba is too high. The property owner's facility makes it feasible to grow hemp. The hemp is grown organically and is a good weed killer. The cows on his farm drink more than 500 litres per day. It is really important to get this facility to provide diversification for farmers. The property owner will use the flowers for oil and the stalks can be processed into animal bedding and a lot of other things. He supports this application.
- Dave Stevens Said that he has no opposition to the proposal but there must be a process to ensure there are no potential adverse affects. He would like more information about the operation. If there is expansion and greenhouses are built there will be difficulties with water disposal in the winter. He has concerns with dust, exhaust air, fire and explosion and not enough details are provided regarding the disposal of residuals. The RDBN should look at Washington where this has been legal for a long time as they may have solutions. He also expressed concern regarding the impact on the river.

Norman Legere	Stated that he is moving to the Telkwa High Road and wants to start organic farming. He is not against the project but does not agree with the rezoning. They should limit the scale of the operation to processing the hemp that can be grown on the property. The scale needs to be limited.
Karl Bachmann	Said that he agrees with Norman's opinion and questioned whether this location by his house is the best location is to process hemp. He said that the process does not feel like meaningful consultation. It feels someone is sneaking something by the residents. The property owner should have talked to the neighbours.
Willette Swanson	Asked if the facility has been built already.
Jason Llewellyn	Explained that the building is there and has had some renovations done without a building permit. A building permit cannot be issued for the use while it is not allowed. The property owner is working with building inspectors to issue the permit if the rezoning is successful.
Tylor Versteeg, Applicant	Said that the building was built a year or two ago as a farm building. Health Canada requires that applicants have a facility before applying for a license. He clarified that the use is intensive agriculture and not industrial, and that an average household uses 1,800-2,500 litres of water a day.
Laura Mussfeld	Asked how much water it takes to grow hemp.
Eugen Wittwer	Said that he does not irrigate his crops and does not fertilize. The plants grow quite well and like well-drained soil. There should be no dust in the facility as the hemp is a green product and is not dried.
Marianne Kolnberger	Said that the language of the bylaw needs to be less broad and not so open.
Willette Swanson	Asked if the approval of this application will set a precedent for the next application.
Jason Llewellyn	Said that staff base their recommendations to the Board on the specific merits of each application.

Chair Fisher	Said that the Electoral Area "A" APC always discusses precedence setting but that each application is looked at individually.
Willette Swanson	Said that it is unfortunate that hemp and cannabis are treated the same as she is not keen on having hemp and cannabis in the neighbourhood, although she lives a long way from the area.
Norman Legere	Asked if a rezoning approval is transferable to a new property owner.
Jason Llewellyn	The zoning applies to the land and not the property owner.
Norman Legere	Said that he wants more details on the operation.
Carl Bachmann	Asked what the next steps are for the bylaw.
Jason Llewellyn	Said that staff anticipate that the report of the public hearing, and 3 rd reading of the bylaw, may be considered by the Board on September 17, 2020.
Tylor Versteeg, Applicant	Noted that details of the operation have to be approved by Health Canada and the Province. The issue tonight is only the zoning.
Norman Legere	Stated that a new bylaw definition is not needed if the scale of processing is limited. The Health Canada process can then be gone through without rezoning.
Robert Wagner	Said that he is growing hemp for the property owner. He has a farm with cattle and also grows hay. The property owner requires that no pesticides are used anywhere on the farm. Downsizing the operation is not possible as a certain scale is necessary to make it feasible. People should be happy that somebody is creating jobs and providing opportunity for farmers.
Karl Bachmann	Asked if a less controversial location had been looked at.
Eugen Wittwer	Said that all locations are potentially controversial. Where else is a better location?

Tylor Versteeg, Applicant	Said that the plants are tall but only the flowers are harvested for oil. It is not feasible to grow 50% of the plants processed on site. The rezoning is necessary.
Eugen Wittwer	Explained that the plants grown in cow manure are about 6 feet tall and plants in good soil without manure are about 4 feet tall. He said the approval for hemp growing was much easier 15 years ago and now it is a heavily regulated process. People cannot get a growing licence without this type of processing facility.
Chair Fisher	Called for comments on Bylaw No. 1916 three times.
Chair Fisher	Closed the hearing at 8:52 P.M.

Mark Fisher, Chairperson

Jason Llewellyn, Recording Secretary

Appendix "A"

Written Submissions

August 31, 2020
 (Maria) Kolnberger

Marianne

29589,29218,29090 Telkwa

High Road, Smithers BC

To Whom It May Concern in the Regional District of Bulkley-Nechako:

In regards to Rezoning Application A-01-20 (Hunting) Electoral Area "A" Proposed Bylaw Amendment 1800 to change to be replaced by Bylaw 1916, which creates a definition for Cannabis Processing and amends the text of the RR1 Zone to allow Cannabis Processing to occur on 30071 Telkwa High Road, Lot A, District Lot 350, Range 5 ,Coast District, Plan EPP147.

I have moved to the Telkwa High Road in 1985 and raised a family and subsequently bought "Rosie's mill" which I then subdivided into 2 parcels (Lot A and B). I also invested in an extensive and expensive environmental clean up of the sawmill site that was part of the property when I bought it. 30071 Telkwa High Road(Lot A) then was sold to the current owners.

1. The river section (address on your map 29589) is overlooked in your document as a neighbouring residence. It has been my seasonal residence for many years since I bought the property. I'm currently upgrading the existing main building and spend much of my time in a small cabin (on skids), close to the main building.

In section 17.0 RR1, Zoning Bylaw No. 1800, 2020, it states

"17.0.4 Setback 1. No structure or part thereof, shall be located within 7.5 meters of any Parcel Line

2. No Building or portion thereof used for Intensive

Agriculture

shall be located within

a) 60 metres (196.85 feet) of a Parcel Line;

b) 30 metres (98.42 feet) of a domestic well, spring

or the

Natural Boundary of a lake or a Watercourse."

Under this language, has it been established where the property lines are in context to neighbouring properties and their watercourse?

2. A “proprietary water based CBD extraction process” needs to be explored in terms of how waste water treatment and discharges would be designed, and built, including proposed volumes, discharge quality and location, as well as the fate of the effluent once discharged (for example, will residual contaminants enter the Bulkley River, and if so, would this be safe)?

It would also be good to know whether a solvent extraction method would be part of “plan B” if/when it is discovered that the new proprietary water system won’t actually work. If this is the case, then the alternate process and potential waste management issues with it (see above) need to be known.

As previous owner of the property in discussion, I am aware there is limited water supply available on the proposed site, where will the water supply come from for this extraction process and how will it be transported to the site? Will this affect my supply and quality of my water source?

In short, without a good look at the proposed water process, it is impossible to determine whether it is feasible, and no way to establish whether there might be environmental impact related issues if implemented.

3. Essentially, there would be industrial effluent discharge to ground and would be subject to the environmental management act, as it is an industry. I understand that currently authorizing discharge is under jurisdiction of the province, but I wish you would still address it for the long term protection of drinking water.

When does it become a “contaminated site” issue and when does it spill over to neighbouring ground and water sources? Any discharge to ground must have the assurance that there would be no effect to my water supply (quality and quantity) and the very near river and its eco system.

4. This same impact assessment process should be applied to any other proposed discharges to air and land (air discharge from energy sources and/or the extraction processes, or discharge of solids to ground on the property, including potential leachate from stockpiles, or solid waste storage).

For example, which method of heat will be used for the extraction process and

heating the buildings? If wood is used, are there likely to be airborne emissions from this heat source? How would it affect the air quality in a valley known to have frequent inversions?

What are the other inputs that may be used for processing and waste management of the bio mass?

Are there chemicals which would contribute to a contaminated site with the potential to affect my land as well? In addition, are there potential leachate from stock piles that may affect ground water and reaching the river as well. At which point in this industry will the assimilative capacity of the soils be exceeded?

Is it reasonable to include language in the bylaw that could limit the number of structures and activities on the property, as there is currently nothing in the proposed language for this.

Conclusion:

The Bylaw in its current form may not be adequate for eventualities. There may be far too much leeway. It seems like it would also apply far more broadly to other cannabis inputs and products besides hemp as time goes on. (Cannabis that would be processed for its THC content). Without an amendment to the language, these future uses could bypass the bylaw amendment process. Please add language in the bylaw that can clarify this upfront.

Thank-you for giving me the opportunity to raise my questions. The given time frame from receiving the invite to the public hearing and the date of the hearing was less than 2 weeks. This was not enough time to delve into the new and interesting topic of CBD oil extraction and its waste management.

Please consider my questions carefully as the impact of this proposed bylaw change can and will have significant effects on this neighbourhood and its environment.

Respectfully submitted,

Marianne Kolnberger

Rezoning Application A-01-20 (Hunting)

Bylaw No. 1910 - Public Hearing process

Note that all the questions raised below are based on the reading of the document available for the Smithers Public Hearing September 3rd, 2020.

Bylaw:

Why zoning modification required, when business can be performed on site without any modification, if 50% or more of the incomes come from growing hemp directly on the property?

Does the activity to be added to RR1 allowed uses will remain on the subject property if the owner (proponent) ever sells it?

Can you tell what are the recourses, neighbours have, if non-compliance happen within any aspects of the production?

Will the rezoning of this property create a precedent for more lots zoning modification?

Industrial sites availability:

Why requesting the addition of a new permitted use within the RR1 zoning definition for the project when the Bulkley Valley offers different industrial sites that will suit the project without zoning modification?

Road access:

What will be the preferred access road, through Smithers or through Witset?

If through Witset, were they informed of the proposed project?

Supply / Shipping:

How many trucks are expected to provide daily supplies for the production?

How many Hemp bales per truck loads, considering application forecast is for 12 bales a day?

What exactly is the weight of one bale?

Composting products: how many truckloads expected to leave the processing plant, daily/weekly/monthly?

Will storage on site for the hemp be provided or processing will be done as product arrives?

Where hemp bales will come from, how far can it be?

Who is expected to be the hemp provider?

Hemp Oil extraction Process:

What extracting method is planned to be used for oil extraction?

Can you expand?

What are the benefits of the preferred method?

What will be the operating hours, 8 hours, 24 hours a day?

What volume of oil extraction expected on a daily basis?

In the business development plan, will there be a production limit or production expansion/growth expected and if so what is the scale?

What is the production rate forecast within the first, five and ten years to come?

What is the list of the products to be used during the process, such like for extraction, cleaning etc.?

Is there any future plan to produce other substance than CBD oil on this specific project approval?

Noise disturbance:

What operation hours expected about onsite fork-lift, trucks and heavy equipment alarms (24 hours a day, 7 days a week)?

Air quality control:

What is/are the applicable air emission regulations, controls associated to the project?

What kind of air emission should neighborhood expect from the process?

What kind of air emission treatment will be put in place?

What about the smell, what can be expected?

Does the main airflow plume direction determine, in relation with the project and possible disturbance on the neighborhood?

If so, what is the main airflow direction in the area/ the Bulkley Valley?

Water management: Water supply / Wastewater / Used Processing water

For the operation, where the water supply will come from?

What are the volumes of water expected to be drawn/pumped/used on a daily basis for the operation?

Does a hydrological study performed and available about the water supply availability in the area?

Does water drawing impact assess for the neighborhood?

How will you manage used process water volumes?

What volume of used process water expected to come out from the operations?

What will be the septic system use on site?

Where will the process treated or untreated water be released to?

Legislation applicable:

Which entity is in charge for assessing the cannabis waste management plan and operation in the manner to mitigate environmental effect exposures?

Are you aware of the fisheries act and the general prohibition ss. 36(3)?

How will the project manage to avoid releases of deleterious substances to the fish water bearing, such as the Bulkley River or any creek to the area?

Others:

How can you state that the project will not impact the rural character of the area, if Health Canada license does not limit production quantity?

Did you assess the carbon footprint of this project?

If so, what is it?

Thanks for your diligence to answer our questions!

The fact that there are various health care workers ^{represented.} here speaks volumes about the concerns we all have. I would like to comment on a few concerns and objections I have to this proposal on a personal and professional level as a pharmacist.

Cannabis ^{including hemp.} has more than 500 chemical compounds in it, we only know what about 60 of these compounds do to humans. We do not know what the rest do or effects that they have. From what we do know about those 60 compounds, Here are 50 pages of warning, precautions, and side effects from a health Canada for health professionals document. I wont read it to you but can summarize that there are pregnancy risks for men and women of childbearing such as myself, development systems of youths such as my neighbours, cardiac implications to all ages, and many more.

Refining CBD oil is difficult, even with modern technology. The 500+ compounds that are in cannabis have to go somewhere, so there will be by-products. Water extraction does not account for fat-soluble matter or other non-water soluble compounds. These impurities have to be taken out somehow. I can only guess at the process that the applicant is using but carbon dioxide, heat, and hydrocarbons have been used in other methods. All of these carry risks. No matter the method, there will be by-products that are aerosolized. Aerosol dosing aka breathing it in, is highly effective as everyone is well aware. Exposure over time to an industrial application means we are all coming into contact with the applicants product.

This is a drug that I do not want in my neighbourhood and am extremely unhappy that the applicant is already even farming it. If this application is approved we will unwillingly be exposed to by-products and toxins.

The applicant has expressed their view on the increase in traffic, noise, etc. but I still feel that there are unaccounted factors. For example, the applicant has not mentioned what pesticides are involved in their product. They have also not accounted for the water supply that will be needed. Im sure there are many more factors. We have plans for our property that would be adversely effected by this refinery. I'm sure I can speak for all of us when I say that our property values will also decrease due to this operation and we all have concerns about the attention it will draw from curious people and people with bad-intensions.

Industry belongs in an industrial location with proper pharmaceutical facilities, not in a family-oriented agricultural setting.

- we are deluged
to a drug plot
a food.

Med effect

Relatively little is known about the pharmacological actions of the various other compounds found within cannabis (e.g. terpenes, flavonoids). However, it is believed that some of these compounds (e.g. terpenes) may have a broad



REGIONAL DISTRICT OF BULKLEY-NECHAKO
BYLAW NO. 1916

A Bylaw to Amend “Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020”

The Board of the Regional District of Bulkley-Nechako in open meeting enacts as follows:

1. That “Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020” be amended such that the following definition for Cannabis Processing is added to Section 1.0.2 Definitions

CANNABIS PROCESSING means the use of land, building or other Structure for the processing of cannabis or any part of a cannabis plant, including industrial hemp, as permitted by the Access to Cannabis for Medical Purposes Regulations (ACMPR) or Bill C-45 (the *Cannabis Act*), and any subsequent regulations or acts which may be enacted henceforth. This use includes the packaging, storage, and distribution of cannabis products processed on the same property.

2. That “Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020” be amended such that the following be added to the list of Permitted Uses for the Rural Resource Zone in Section 17.0.1.1 Principal Uses:

“Cannabis Processing on the Parcel legally described as Lot A, District Lot 350, Range 5, Coast District, Plan EPP147.”

This bylaw may be cited as the “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1916, 2020.”

READ A FIRST TIME this 13 day of August, 2020
READ A SECOND TIME this 13 day of August, 2020
PUBLIC HEARING HELD this 3 day of September, 2020
READ A THIRD TIME this day of , 2020

I hereby certify that the foregoing is a true and correct copy of “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1916, 2020”

DATED AT BURNS LAKE this day of , 2020

Corporate Administrator

ADOPTED this day of , 2020

Chairperson

Corporate Administrator



**REGIONAL DISTRICT OF BULKLEY-NECHAKO
STAFF REPORT**

TO: Chair Thiessen and Board of Directors
FROM: Jason Llewellyn, Director of Planning
DATE: September 17, 2020
SUBJECT: OCP Amendment and Rezoning Application E-01-20 (Brewer)
3rd Reading and Adoption Report for OCP Amendment Bylaw No. 1913, 2020 and
Rezoning Bylaw No. 1914, 2020

RECOMMENDATION

1. That the Regional District Board receive the Report of the Public Hearing for “Regional District of Bulkley-Nechako OCP Amendment Bylaw 1913, 2020 and Rezoning Bylaw No. 1914, 2020”.
2. That “Regional District of Bulkley-Nechako OCP Amendment Bylaw No. 1913, 2020” and “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1914, 2020” be given third reading and adoption.

VOTING

All Directors / 2/3 of Votes Cast

EXECUTIVE SUMMARY

The proposed OCP amendment and rezoning of the property to the Small Holdings (H1) and Large Holdings (H2) Zones will allow the subject property to be considered for subdivision into a maximum of 5 parcels by the Ministry of Transportation and Infrastructure. This subdivision fits the character of the area. Staff recommend that OCP Amendment Bylaw No. 1913 and Rezoning Bylaw No. 1914 be given 3rd Reading and adoption.

APPLICATION SUMMARY

Name of Owner(s): Tom & Sherille Ann Brewer

Electoral Area: E

Subject Property: The Fractional East 1/2 of the Fractional West 1/2 of District Lot 701 Range 4 Coast District except plans 11366 and 12509

Property Size: 30.92 ha.

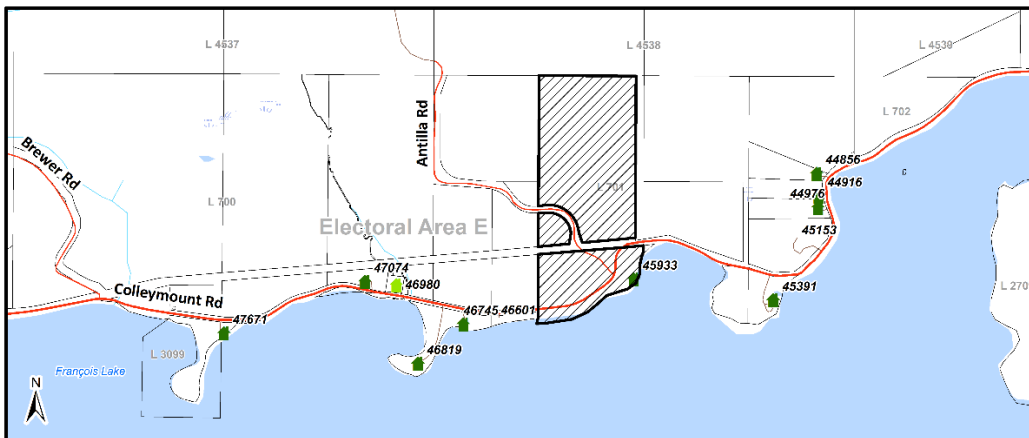
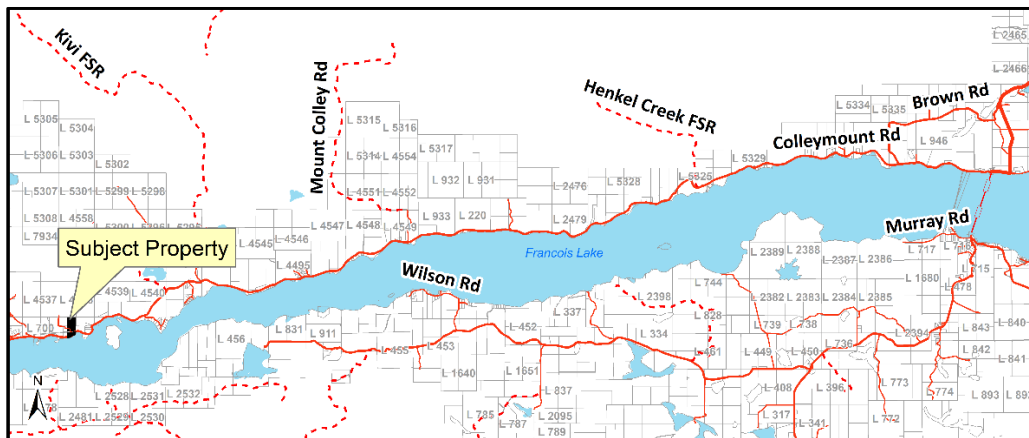
OCP Designation: Resource (RE) in the Burns Lake Rural and Francois Lake (North Shore) Official Community Plan Bylaw No. 1785, 2017.

Zoning: Rural Resource (RR1) in Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020.

ALR Status: Not in the ALR

Existing Land Use: Vacant Land

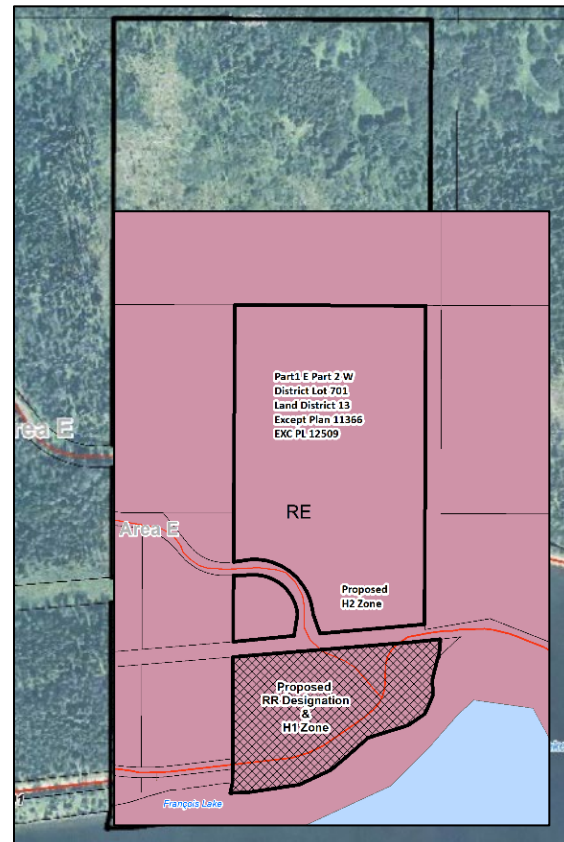
Location: The subject property is located on Colleymount Road, south of the Village of Burns Lake.



Proposed OCP Amendment and Rezoning

The applicant wishes to subdivide the parcels as shown on the adjacent preliminary subdivision plan. The proposed waterfront parcels south of the undeveloped Colleymount Road right of way are 2.5 Ha. (6.18 ac.). However, the minimum parcel size in the existing Resource (RR1) Zone is 28 ha. (69 ac.). Therefore, the applicant has made an application to amend the zoning of the land south of the right of way from RR1 to Small Holdings (H1), and the land north of the right of way from RR1 to Large Holdings (H2).

The applicant's preliminary proposal is to develop the property into three parcels in total. However, the proposed zoning would potentially allow the development of 5 parcels in total (3 parcels south of the undeveloped right of way, and 2 parcels north of the right of way).



“Burns Lake Rural and Francois Lake (North Shore) Official Community Plan” must be amended by changing the land use designation of the area proposed to be zoned H1 from Resource (RE) to Rural Residential (RR).

REFERRAL COMMENTS

The Ministry of Transportation recommends approval subject to conditions below:

- “The Ministry is currently in the process of reviewing a proposed subdivision with the applicant (MoTI File No. 2020-02684). As part of the subdivision process, the Ministry of Transportation and Infrastructure will ask for road dedication. We will likely propose 25m (12.5m of centerline) of road dedication for Colleymount Rd and 25m (12.5, of centerline) for Antilla Rd.”

The Advisory Planning Commission recommends that the application be supported.

DISCUSSION

Official Community Plan

The intent of the proposed RR designation is to 1) provide opportunities for residential lots that fit the existing rural character of the Plan area; 2) support opportunities for affordable housing

rental housing and special needs housing; 3) ensure future development is sustainable and does not have a notably negative impact on the natural environment, and; 4) protect and enhance the quality of life associated with existing and new rural residential development.

Applications to permit parcels as small as 2 ha may be considered where 1) it has been demonstrated that the proposed lots can accommodate an on-site water supply and sewage disposal system; 2) the development is compatible with adjacent land uses and maintains the rural character of the area; 3) parcels are not located within a floodplain or on other hazard lands; and, 4) the development adequately addresses wildlife and ecological values.

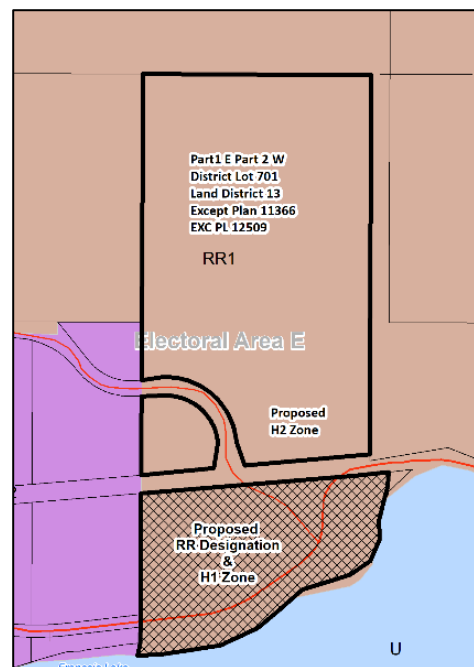
Staff are satisfied that the RR designation is appropriate for the area as proposed, and that the rezoning to H1 meets the intent of the RR designation.

The Proposed H1 and H2 Zones

The minimum parcel size in the H2 zone is 8 ha. The minimum parcel size in the H1 zone is 2 ha. The proposed split zoning along the existing undeveloped Colleymount Road right of way would allow the property to be potentially subdivided into 5 parcels (2 parcels north of the right of way, and three parcels south of the right of way).

Land Use

In staff's opinion the proposed zoning, and the subdivision allowed by the proposed zoning, is appropriate and fits within the character of the area. The Planning Department does not expect that the proposed rezoning will result in any negative implications for the community.



PUBLIC HEARING

The public hearing for Bylaws No. 1913 and 1914 was held on September 2, 2020. The report of the public hearing is attached to this report.

ATTACHMENTS

1. Electoral Area E APC Minutes
2. Public Hearing Report
3. Bylaw No. 1913
4. Bylaw No. 1914

**Advisory Planning Commission
Meeting Minutes**

Electoral Area E	Meeting Date: Aug 5, 2020	Meeting Location: Burns Lake
Attendance		
APC Members		Electoral Area Director
<input type="checkbox"/> Jason Jubinville		<input type="checkbox"/> Director Clint Lambert
<input checked="" type="checkbox"/> Elizabeth Palmer		<input type="checkbox"/> Alternate Director Scott Zayac
<input checked="" type="checkbox"/> Russ Skillen		Other Attendees
<input checked="" type="checkbox"/> Norbert Mund		<input type="checkbox"/> <u>Mr + Mrs Brewer</u>
<input checked="" type="checkbox"/> Vickie Hill		<input type="checkbox"/> <u>Jason Hewelllyn</u>
		<input type="checkbox"/>
		<input type="checkbox"/>
Chairperson: Norbert	Secretary: Vickie Hill	
Call to Order: 6:10		
RZ E-01-20 (Brewer)		
<p>The APC recommends that the application be supported.</p>		
Meeting Adjourned 6:30	Secretary Signature <i>Vickie Hill</i>	

**REGIONAL DISTRICT OF BULKLEY-NECHAKO
REPORT OF THE PUBLIC HEARING FOR BYLAWS NO. 1913 & 1914
September 2, 2020**

Report of the Public Hearing held at 7:00 p.m., September 2, 2020 at the Francois Lake Hall, 770 Francois Lake East Road, Francois Lake, B.C. regarding Bylaws No. 1913 and 1914.

Present: Clint Lambert, Chairperson
Deneve Vanderwolf, Recording Secretary
Maria Sandberg, Planner
Tom and Sherille Brewer, Applicant

CALL TO ORDER: The meeting was called to order at 7:02 pm

BUSINESS:

Chair Lambert Welcomed everyone to the public hearing and read a statement introducing the application and the public hearing process.

Chair Lambert Called for comments three times on Bylaws No. 1913 and 1914

Chair Lambert Closed the hearing at 7:05


Clint Lambert, Chairperson


Deneve Vanderwolf, Recording Secretary



REGIONAL DISTRICT OF BULKLEY-NECHAKO

BYLAW NO. 1913

A Bylaw to Amend “Burns Lake Rural and Francois Lake (North Shore) Official Community Plan Bylaw No. 1785, 2017”

The Board of the Regional District of Bulkley-Nechako in open meeting enacts as follows:

That “Burns Lake Rural and Francois Lake (North Shore) Official Community Plan Bylaw No. 1785, 2017” be amended such that the following land is changed from “Resource (RE)” to “Rural Residential (RR)”

The part of ‘The Fractional East 1/2 of the Fractional West 1/2 of District Lot 701 Range 4 Coast District except plans 11366 and 12509’ as shown on Schedule “A”, which is incorporated in and forms part of this bylaw.

This bylaw may be cited as the “Burns Lake Rural and Francois Lake (North Shore) Official Community Plan Amendment Bylaw No. 1913, 2020.”

READ A FIRST TIME this 13 day of August, 2020

READ A SECOND TIME this 13 day of August, 2020

PUBLIC HEARING HELD this 2 day of September, 2020

READ A THIRD TIME this day of , 2020

I hereby certify that the foregoing is a true and correct copy of “Burns Lake Rural and Francois Lake (North Shore) Official Community Plan Amendment Bylaw No. 1913, 2020”

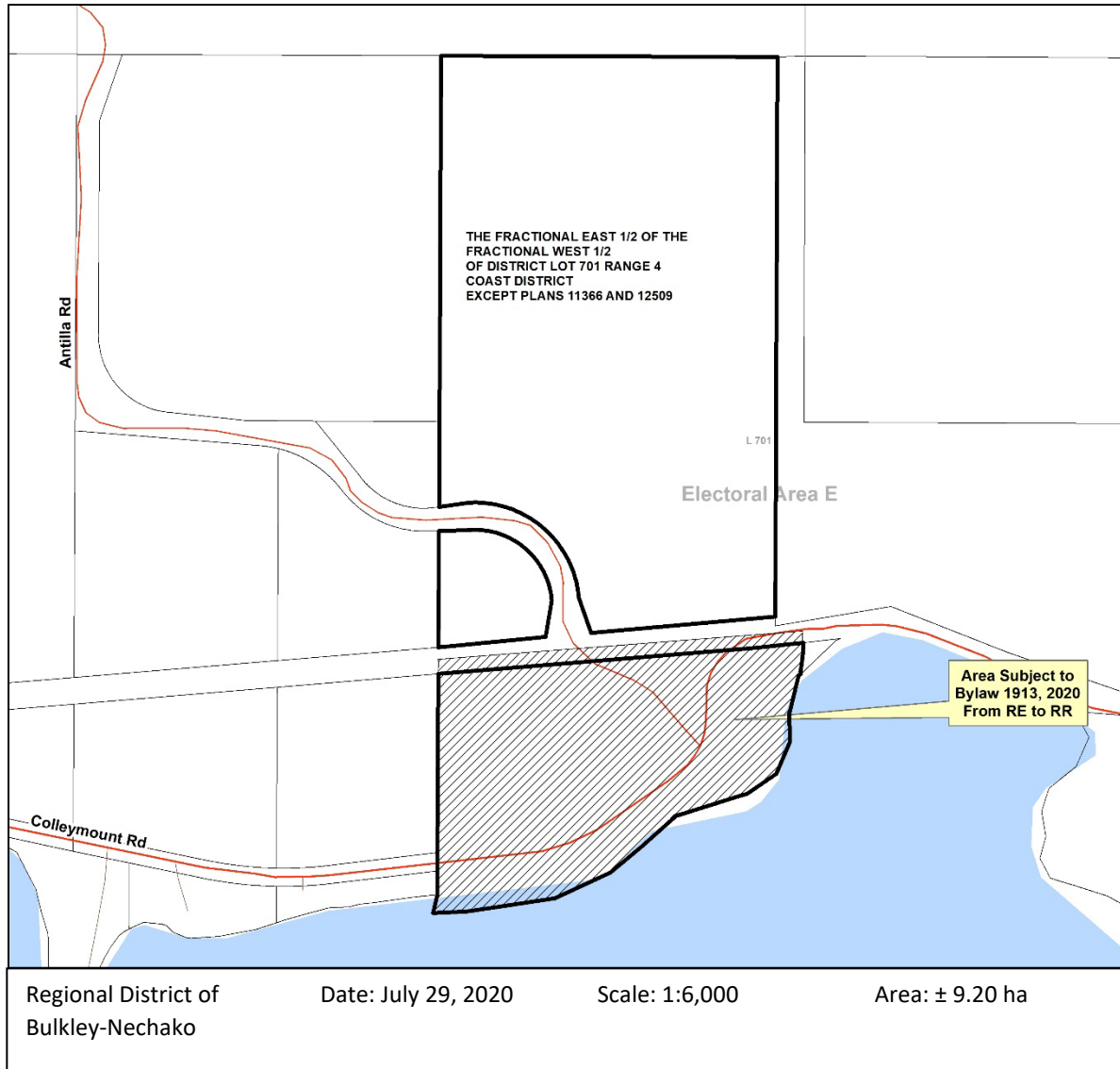
DATED AT BURNS LAKE this day of , 2020

Corporate Administrator

ADOPTED this day of , 2020

Chairperson

Corporate Administrator



SCHEDULE "A" BYLAW NO. 1913

The part of 'The Fractional East 1/2 of the Fractional West 1/2 of District Lot 701 Range 4 Coast District except plans 11366 and 12509', comprising of ± 9.20 ha. Being redesignated from the "Resource (RE)" to "Rural Residential (RR)" as shown.

I hereby certify that this is Schedule "A" of Bylaw No. 1913, 2020.

Corporate Administrator



REGIONAL DISTRICT OF BULKLEY-NECHAKO

BYLAW NO. 1914

A Bylaw to Amend “Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020”

The Board of the Regional District of Bulkley-Nechako in open meeting enacts as follows:

That “Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020” be amended such that the following land is rezoned from the “Rural Resource (RR1)” Zone to the “Small Holdings (H1)” Zone and “Large Holdings (H2)” Zone.

‘The Fractional East 1/2 of the Fractional West 1/2 of District Lot 701 Range 4 Coast District except plans 11366 and 12509’ as shown on Schedule “A”, which is incorporated in and forms part of this bylaw.

This bylaw may be cited as the “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1914, 2020.”

READ A FIRST TIME this 13 day of August, 2020

READ A SECOND TIME this 13 day of August, 2020

PUBLIC HEARING HELD this 2 day of September, 2020

READ A THIRD TIME this day of , 2020

I hereby certify that the foregoing is a true and correct copy of “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1914, 2020”

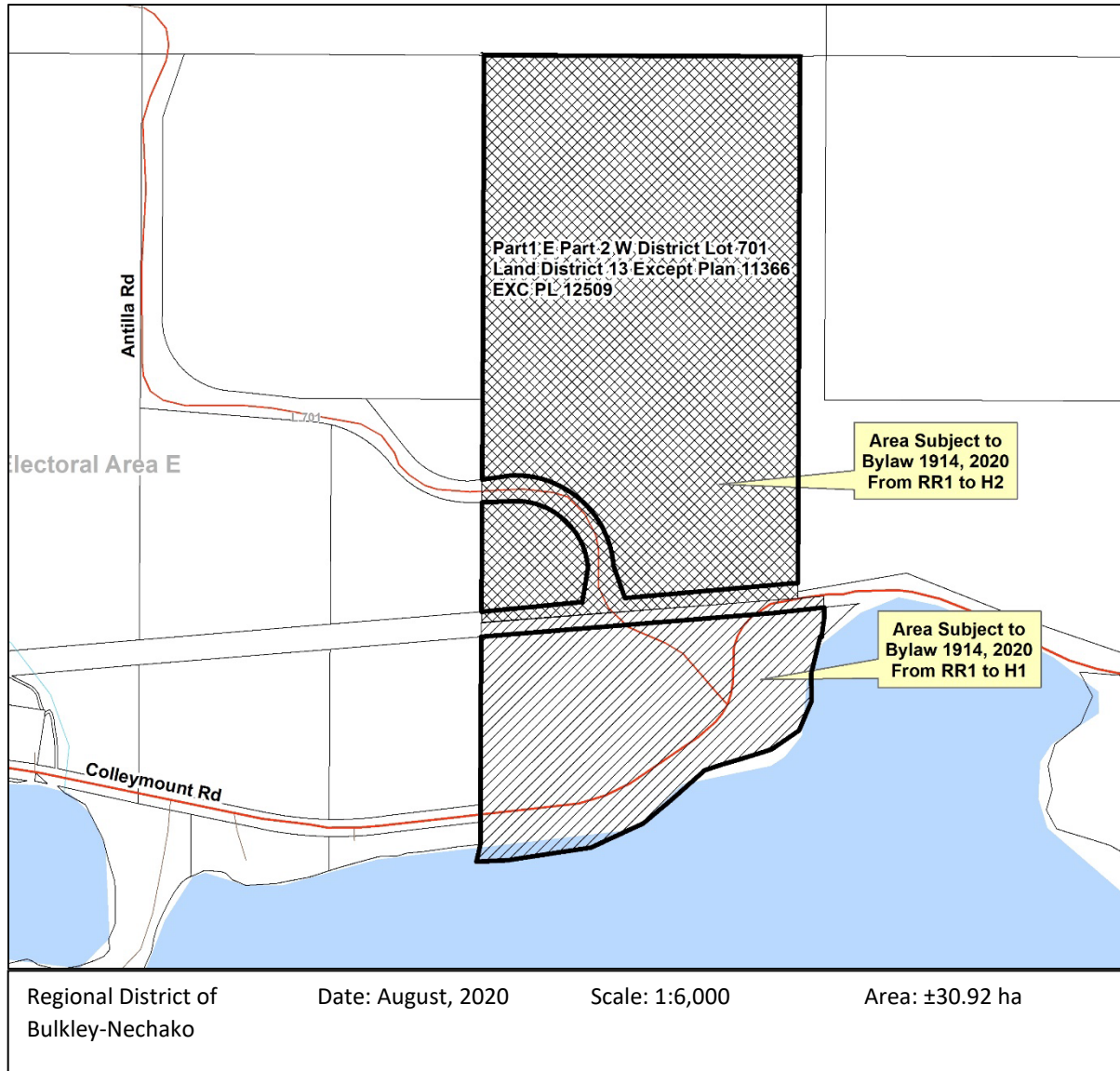
DATED AT BURNS LAKE this day of , 2020

Corporate Administrator

ADOPTED this day of , 2020

Chairperson

Corporate Administrator



SCHEDULE "A" BYLAW NO. 1914

'The Fractional East 1/2 of the Fractional West 1/2 of District Lot 701 Range 4 Coast District except plans 11366 and 12509', comprising of ± 30.92 ha. Being rezoned from the "Rural Resource (RR1) Zone" to "Small Holdings (H1)" Zone and "Large Holdings (H2)" Zone as shown.

I hereby certify that this is Schedule "A" of Bylaw No. 1914, 2020.

Corporate Administrator



REGIONAL DISTRICT OF BULKLEY-NECHAKO STAFF REPORT

TO: Chair Thiessen and Board of Directors
FROM: Maria Sandberg, Planner
DATE: September 17, 2020
SUBJECT: ALR Non-Farm Use Application No. 1224 (CSFS)

RECOMMENDATION

That Agricultural Land Reserve Non-Farm Use Application No. 1224 be recommended to the Agricultural Land Commission for approval.

VOTING

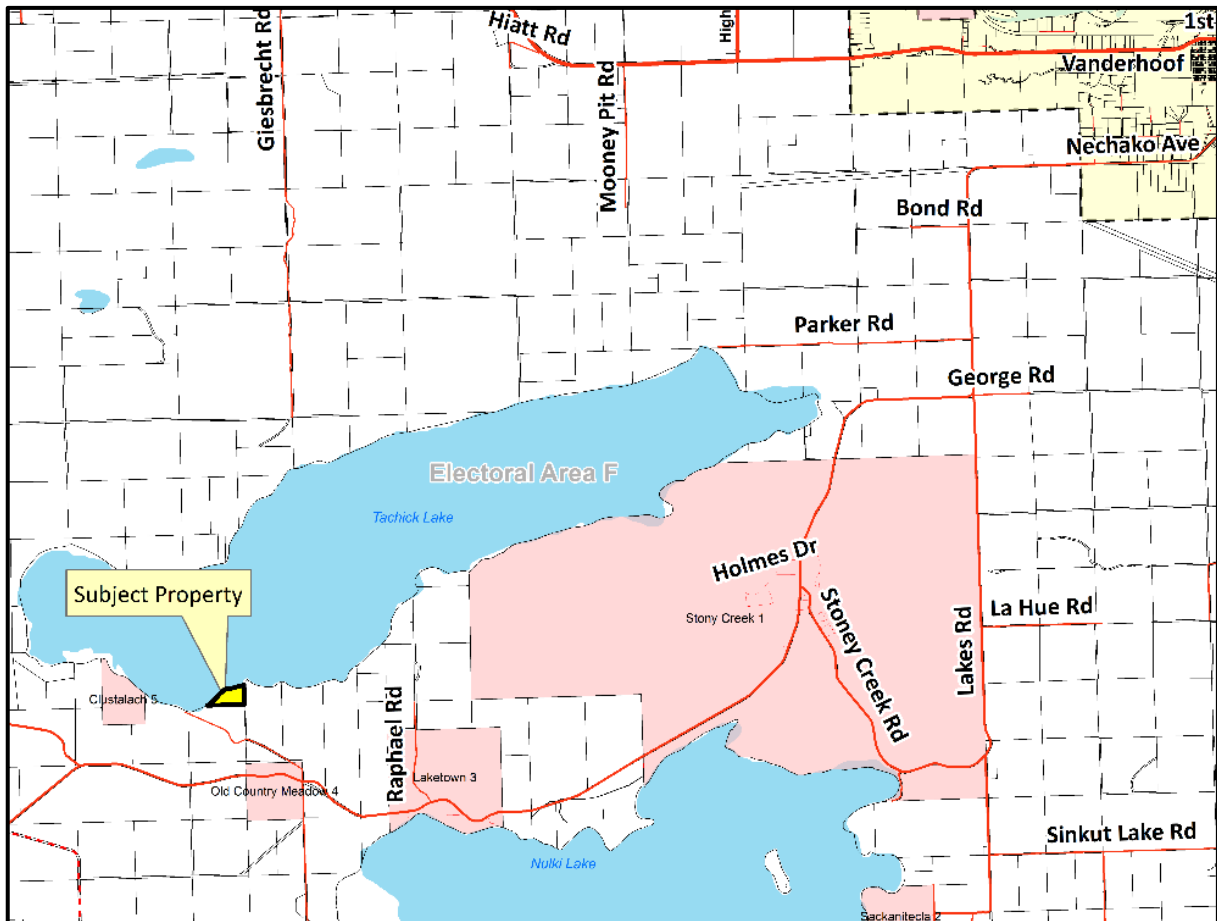
All Directors / Majority

EXECUTIVE SUMMARY

This application is requesting Agricultural Land Commission approval to operate a Community Care Facility within the Agricultural Land Reserve. Staff recommend that the application be recommended to the ALC for approval.

APPLICATION SUMMARY

Name of Owner(s):	0713069 B.C. Ltd
Electoral Area:	F
Subject Property:	The Fractional NW ¼ of Section 12, Township 4, Range 4, Coast District. This parcel is approximately 9.41 ha. (23.26 ac.) in size.
Property Size:	9.41 ha. (23.26 ac.)
O.C.P. Designation:	Agriculture (AG)
Zoning:	Agricultural (Ag1) pursuant to Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020.
Existing Land Use:	Tachick Lake Resort (Lodge, 9 cabins and 33 camp sites. Records indicate that the resort was initially constructed in 1969.)
Location:	The subject property is located at 15112 Tachick Lake Road, 12 km southwest of the District of Vanderhoof, as shown on the map below.



Proposal

The purpose of this application is to allow a Community Care Facility to be established on the subject property. Carrier Sekani Family Services (CSFS) has entered into an agreement to purchase the property subject to ALR approval and rezoning. The proposed facility is a year-round residential treatment centre that will provide mental health and addiction recovery services. The applicant indicates that the facility could house up to 60 clients.

The applicant's plan is to utilize the existing lodge and construct a 25,000 square foot main facility which will include meeting areas, counselling rooms, offices, kitchen, dining room and accommodations for residents and staff. Additional areas for parking will also be required.

A site plan of the proposed new development has not been provided.



REFERRAL COMMENTS

The **Advisory Planning Commission** supports the application.

Ministry of Agriculture

“Thank you for providing the B.C. Ministry of Agriculture with the opportunity to comment on the ALC Non-farm use application regarding the identified parcel southwest of the District of Vanderhoof. Ministry staff have reviewed the referral and provide the following comments:

- Ministry staff have concerns regarding the location of this development proposal. The Agricultural Land Reserve is a provincial zone in which agriculture is recognized as the

priority use. Farming is encouraged and non-agricultural uses are restricted. The proposed location is within an active farming area.

- Ministry staff note that the activities associated with the business of farming may generate perceived nuisances such as noise, dust, or odours. These conditions may not always be in accord with the pursuit of a tranquil setting and may for some become a source of frustration. Related to this, under the B.C. Farm Practices Protection (Right to Farm) Act, farmers are protected from nuisance complaints and local government nuisance bylaws under specific conditions if farmers follow normal farm practices.
- Ministry staff also note that non-agricultural uses typically have an option to be located outside of the ALR or an existing farming area. Farmers however typically depend on being able to access their land in the ALR for primary agricultural and food production. Long term access to land in the ALR is in the interest of agriculture and food security.
- As such, given the proposed scope of the proposal, (or even if the proposal were to downsize to keep within the existing building footprints) and the probable increase in vehicular traffic within the existing farming area, Ministry staff encourage the proponent of the proposed facility to pursue an alternative location for this community amenity, and that the current owners pursue agricultural production on the parcel.

Additional comments

- Ministry staff also acknowledge the existing site development and the importance of gaining such an amenity as proposed, for a community. In the interest of long-term agriculture in the area Ministry staff suggest to following for consideration:
 - If the proposal is approved, any development activity and/or disturbance including the construction of new buildings be limited to those areas previously disturbed;
 - The area used for parking and/or transportation should be sited and sized to minimize its use of and impact on arable land;
 - Any non-farm use of the area be managed to prevent impact to any nearby farm operations. This includes but is not limited to management of water, dust, and noise;
 - Weeds can greatly reduce the productivity of agricultural areas, and under B.C.'s Weed Control Act the land occupier has a legal obligation to control noxious weeds on the site. Control of both plants and seeds is required as the seeds from invasive plants can lay dormant and viable in the soil for many years and can be a serious long-term problem. Land development is an activity that can have a high likelihood of introducing invasive species to the site. A solid weed prevention and control plan is recommended, and that special emphasis be place on ensuring all equipment is clean prior to being brought on site; and
 - As per B.C. legislation, this parcel is in the Fort George Livestock District, where livestock may be at large. In such areas it is a highly recommended practice to ensure that appropriate, lawful fences are established. This can be a key step in protecting property and landowners from costs and legal issues such as livestock

being at large and reduces the potential for complaints and conflict. For more information on livestock at large and related legislation please see:

- www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/agriculture-andseafood/agricultural-land-and-environment/strengthening-farming/farmpractices/870218-43_livestock_at_large.pdf

If you have any questions or concerns about our comments, please do not hesitate to contact Ministry staff.”

RDBN Agriculture Coordinator

“Approval Recommended for Reasons Outlined Below:

The property is already approved for Non-Farm Use. By approving, do not see this application affecting agriculture properties in the surrounding area.”

DISCUSSION

Official Community Plan

The subject property is designated Agriculture (AG) under the Vanderhoof Rural Official Community Plan. The intent of the designation is to preserve these lands for the purposes of farming and other related activities.

Section 3.1.2(6) of the OCP states that:

Severances for small lot residential (other than home site severances approved by the Agricultural Land Commission), institutional, commercial or industrial development shall be avoided. However, applications for exclusions, subdivisions, and non-farm uses within the Agricultural Land Reserve may be supported if:

- (a) *There is limited agricultural potential within the proposed area;*
- (b) *Soil conditions are not suitable for agriculture;*
- (c) *Neighbouring uses will not be compromised;*
- (d) *Adequate provisions for fencing are provided, where necessary;*
- (e) *There is a demonstrated need for the proposed development; and,*
- (f) *The application is in the best interest of the community.*

Zoning

The property is zoned Agricultural (Ag1) under the RDBN Zoning Bylaw No. 1800, 2020. A community care facility is not a permitted use in the Ag1 zone. The applicant has submitted a rezoning application concurrently with the ALR application to do a site-specific amendment for the proposed use to the Ag1 zone. The rezoning application should not be adopted until ALC approval has been provided.

Agricultural Impacts

The subject property is located in a rural agricultural area south of Vanderhoof. The surrounding area is dominated by large parcels used primarily for agriculture, including pasture and the growing of grains and forage. There are several reserves belonging to Saikuz First Nation in the vicinity of the parcel, including the main community, Stoney Creek Reserve No. 1, with approximately 400 residents. The Saik'uz First Nation has provided the attached letter of support.

The property does not have direct road access to Tachick Lake Road, but there is an easement in place over the neighboring property to the south, Part of Section 12, Township 4, Range 4, Coast District to provide access. The proposed use will likely bring less traffic during the summer months compared to the current resort use, and increased traffic for the remainder of the year.

This non-farm use application proposes to utilize the entire property. The plan is to keep some of the existing buildings and infrastructure, as well as building new facilities. The proposed new main building and construction of additional parking areas may reduce future agricultural capability of the unbuilt lands. However, given that the long-standing use of the property as a resort the overall impact to agriculture is anticipated to be minimal.

ATTACHED

1. Appendix A: Agricultural Capability Mapping
2. Appendix B: Surrounding Applications
3. Electoral Area F APC Minutes
4. Letter of support from the Saik'uz First Nation dated August 6, 2020.

APPENDIX A:**Agricultural Capability based on Canada Land Inventory Mapping**

The Subject Property is:

88% Water

12% Class 5 Land limited by cumulative and minor adverse conditions

Class 5 Land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

Agricultural Capability Map

APPENDIX B:**No previous ALR applications on file for this property.****Surrounding Applications****No. 1045**

The purpose of this application is to subdivide a ±11.2 ha (±27.6 acre) parcel from the ±42.0 ha (±103.82 acre) parent property under the Agricultural Land Commission's Homesite Severance Policy. The proposed parcel is separated from the remainder of the property by Kenney Dam Rd and contains the residence and the farm buildings. The applicant is planning to sell the remaining 31.9 ha (78.9 acres) land on the north side of the road to her son Darrell Weaver to expand his farming operation. That part of the subject property is currently in crop production. Application closed on applicant's request before going to the Board (2007).

Staff Recommendation:	n/a
Regional Board Recommendation:	n/a
ALC Decision:	n/a

No. 1030 NE ¼ of Section 36, Township 5, Range 4 Coast District

The purpose of this application is to subdivide a ±4 ha (±10 acre) parcel from the parent property under the Agricultural Land Commission's Homesite Severance Policy. The ±4 ha parcel would contain the owner's residence and the remainder of the parcel would contain the farm. The applicant has lived on and farmed this property since 1954, which is the headquarters of the farm. He is forming a new company with his four sons to take over the operation of the farm, and this company would take over the remaining farmland. The Homesite Severance Policy requires that the remaining farmland be sold immediately, however the applicant has requested that he be able to lease the property to the company with an option to purchase. (2006).

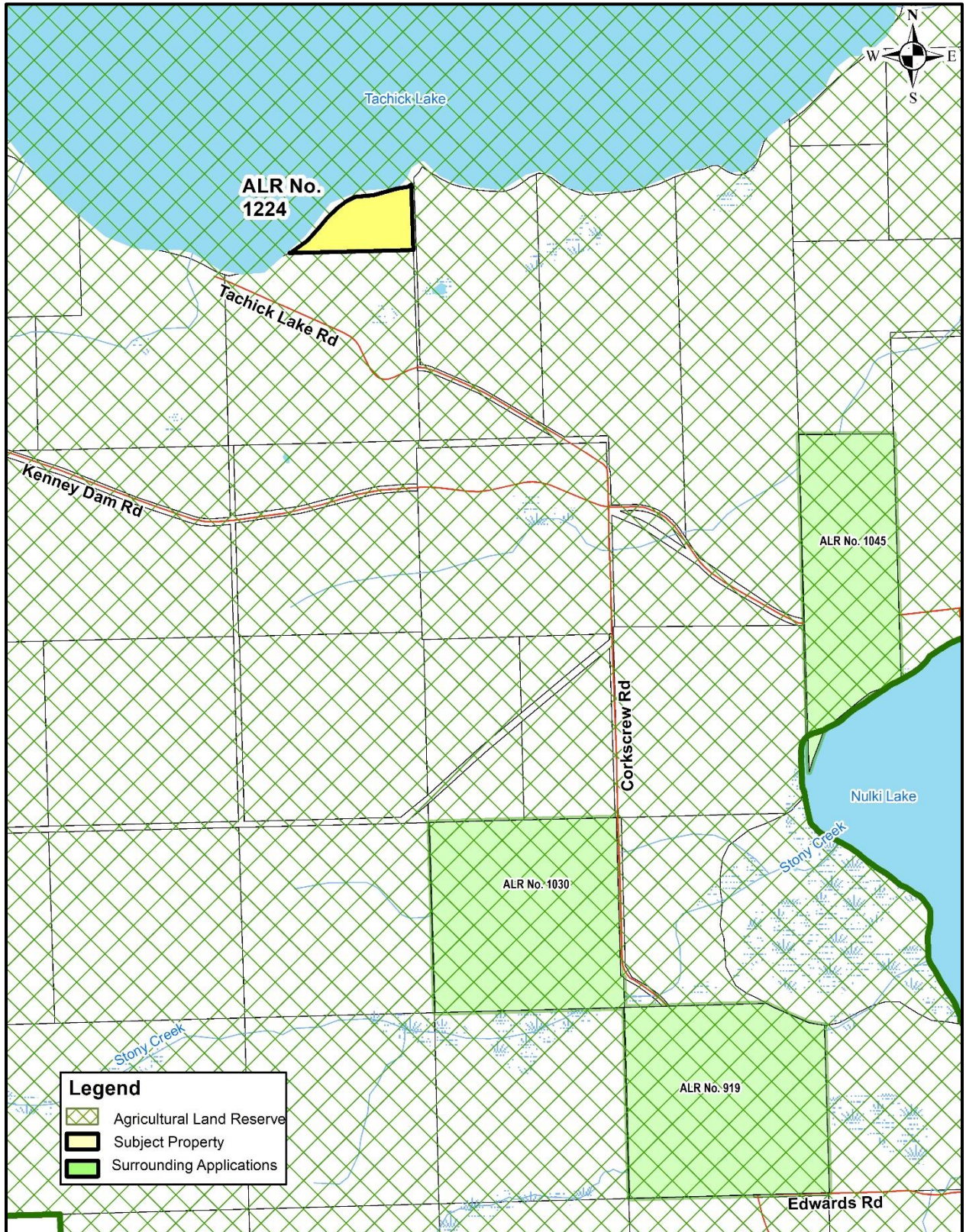
Staff Recommendation:	Approval
Regional Board Recommendation:	Approval
ALC Decision:	Approved

No. 919 SW 1/4 of Section 31, Township 6, Range 4 Coast District except Plan PRP12845

The owner has applied to subdivide a ±55 acre parcel off of the 320 acre property. The 55-acre parcel would become the homesite of the applicant's son and his family. The son, Daniel Weaver, currently resides and works on the farm. See written submission attached to application (1999).

Staff Recommendation:	Approval
Regional Board Recommendation:	Approval
ALC Decision:	Denied, Reconsidered & Approved 2006

Surrounding Applications Map



**Advisory Planning Commission
Meeting Minutes**

Electoral Area F	Meeting Date: <u>22 April 2011</u>	Meeting Location:
Attendance		
<u>APC Members</u>		
<input checked="" type="checkbox"/> Art Wiens	<u>Electoral Area Director</u>	
<input type="checkbox"/> Mike Kulchar	<input checked="" type="checkbox"/> Director Jerry Peterson	
<input checked="" type="checkbox"/> Henry Klassen	<input type="checkbox"/> Alternate Director Roy Spooner	
<input checked="" type="checkbox"/> Joe Meier	<u>Other Attendees</u>	
<input type="checkbox"/> Orenda Jarman	<input type="checkbox"/> <u>David McWalter</u>	
<input type="checkbox"/> Barb Ephrom	<input type="checkbox"/> <u>Liane & Cally Cathcart</u>	
	<input type="checkbox"/> <u>Wayne Blackburn</u>	
	<input type="checkbox"/> <u>Gabe Blackburn</u>	
Chairperson: <u>Henry Klassen</u>	Secretary: <u>Jerry Peterson</u>	
Call to Order: <u>7:00</u>		
Applications (include application number, comments, and resolution)		
<u>ALR 1224 (CSFS)</u>		
Agent; David McWalter explained the application. It will maintain a Agriculture zone		
Resort Owners; Commented on the condition of the resort and their desire to sell and move on.		
A discussion on public access to the lake took place, in the past the resort owners would grant uses of their dock.		
Moved to approve M/S Art Wiens, Joe Meier carried		
Meeting Adjourned 8:15 PM		



P: 250.567.9293 | F: 250.567.2998
135 Joseph Street, Vanderhoof, BC, V0J 3A1
www.saikuz.com

August 6, 2020

To: Whom It May Concern:

Re: Tachick Lake Resort ("TLR") – Transferring to Treatment Centre

As a nation, the Sai'kuz First Nation ("SFN") supports the construction and operations of a Carrier Sekani Family Services ("CSFS") Treatment Centre, to be located at the now TLR.

Background:

The SFN is located on the east end of Nulki lake on Tachick Lake 14 km south of Vanderhoof BC. SFN is part of a larger Carrier Nation, comprising several First Nation communities in the north central part of BC. The SFN is of the Athabaskan language family, part of the Carrier Nation. SFN is distinct to our langue dialect, land, practice and traditions. Similar to other Carrier Nations, CSFS Bah'lats governing structure continues to thrive. Under the matrilineal system, we have had numerous matriarchs influence our programs and services. Matriarchs Mary John and Sophie Thomas are testaments of our historical knowledge keepers.

Current Situation

SFN supports TLR becoming a potential Healing Centre site to be administered by the CSFS. As a member nation to CSFS, their thirtieth anniversary is approaching in 2020. CSFS provides supports and services in the areas of children and families, legal, health and research development, to not only other member nations it serves, but also to non-members and non-Indigenous populations in need.

Many of our people suffer from the impacts of drug and alcohol abuse and the issue will not go away unless we all combine our efforts to design and manage a system that is rooted in clinical evidence and cultural teachings. Our area, Northern BC has been identified as a hot spot for opioids addiction, this addiction has no boundaries and taking the lives of many young people regardless of age and race.

SFN believes and supports services and programming that improves the health and wellbeing of Indigenous peoples. The need is more apparent under the current COVID-19 Pandemic, with the increased need of critical supports and services to be offered by the CSFS. We are pleased at the prospect for a healing center within our traditional territory to improve and save lives. The healing center is long overdue and has been a vision for many of our elders and community members in all of carrier and Sekani territory.

Regards,

A handwritten signature in blue ink that reads "Priscilla Mueller".

Chief Priscilla Mueller



REGIONAL DISTRICT OF BULKLEY-NECHAKO STAFF REPORT

TO: Chair Thiessen and Board of Directors
FROM: Deneve Vanderwolf, Planner I
DATE: September 17, 2020
SUBJECT: Temporary Use Permit Application G-01-20 (CGL Borrow site 15A & 15B)

RECOMMENDATION

That the Regional District Board approve the issuance of Temporary Use Permit G-01-20 to allow gravel crushing on the application area.

VOTING

All Directors / Majority

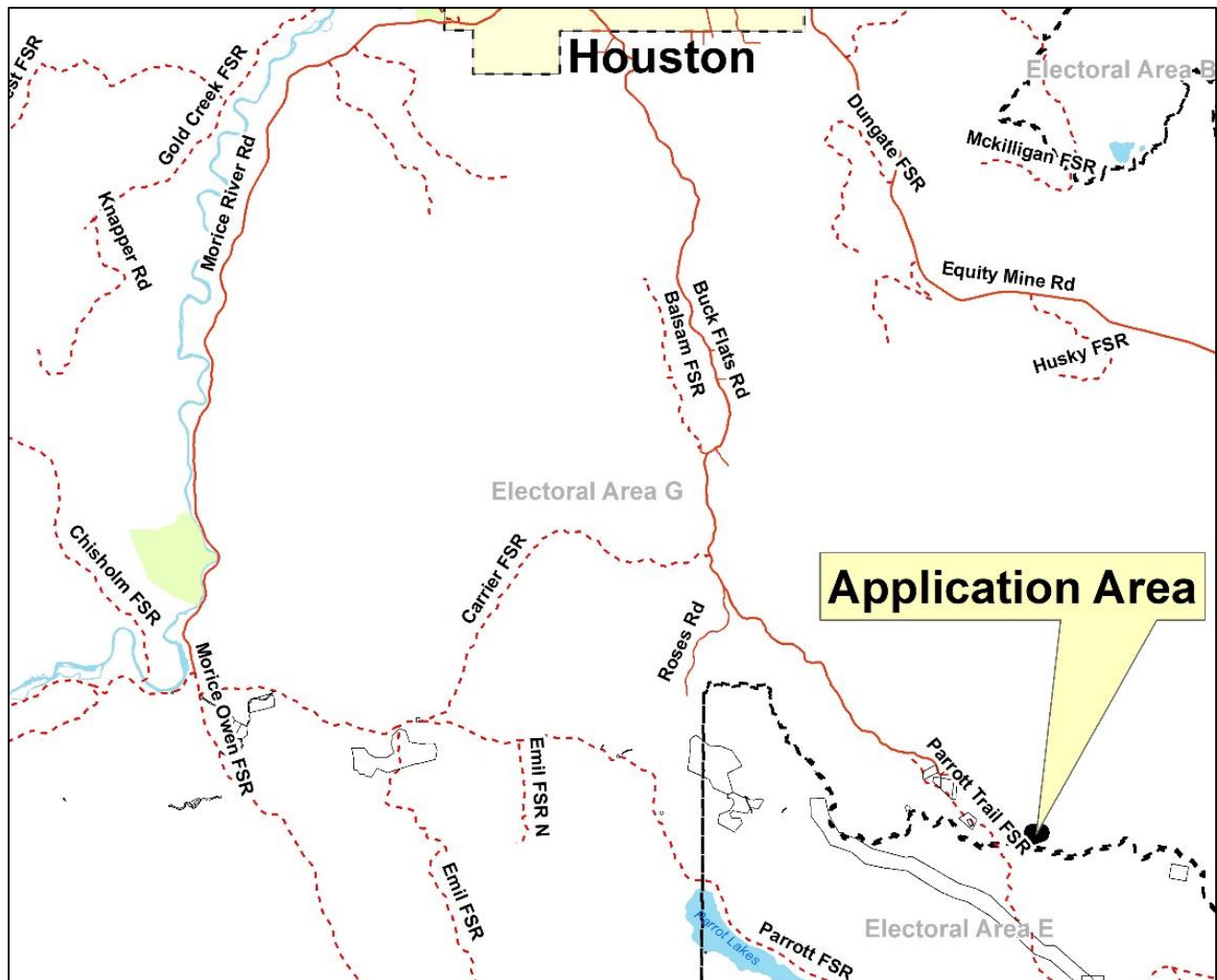
EXECUTIVE SUMMARY

This application is to allow the operation of gravel crushing equipment at a borrow site (gravel pit) located on the Parrot Trail Forest Service Road approximately 27 km south of the District of Houston. The borrow site is operated by a contractor involved in the construction of the Coastal GasLink Pipeline Project.

Staff have no objection to the proposed application.

APPLICATION SUMMARY

Name of Property Owners:	Crown Land
Name of Agents:	Nicole Stuckert, TC Energy and Mark Cooper, Canada West Land Services Ltd.
Electoral Area:	G
Subject Property:	Unsurveyed Crown Land. The application area is approximately 1.53 ha. in size
O.C.P. Designation:	Resource (RE) in the Houston, Topley, Granisle Rural Official Community Plan 1622, 2011.
Zoning:	Rural Resource (RR1) in 'Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020"
Existing Land Use:	Vacant Crown Land
ALR Status:	Not located within the ALR
Location:	The property is located approximately 27 km southeast of the District of Houston.



PROPOSAL

The applicant is requesting the issuance of a Temporary Use Permit (TUP) in order to allow gravel crushing at a sand and gravel borrow site required in the construction of the Coastal GasLink (CGL) Pipeline. The gravel crushing is anticipated to occur from October 2020 until the completion of construction in the area and during clean-up activities following pipeline construction. The applicant is applying for a permit with a term of three years.



The Approval Process

Notice of this application has been published in a local newspaper informing the public of the time and location of the Board's consideration of the application, and their ability to provide input. All written submissions received will be available at the RDBN Board meeting on September 17, 2020, on the supplemental agenda.

The Advisory Planning Commission review process was waived by the Director given the remote location of the application area.

DISCUSSION

Official Community Plan (OCP)

The application is designated Resource (RE) in the Houston, Topley, Granisle Rural Official Community Plan Bylaw No. 1622, 2011. The Resource Designation is characterized by a lack of settlement and by extensive resource management potential.

The issuance of a TUP must be in accordance with the policy identified in the OCP which allows for the issuance of a Temporary Use Permit on the following basis:

- (1) Temporary use permits may be issued, pursuant to Section 921 of the *Local Government Act*, throughout the plan area, where:

- (a) The proposed temporary use will not create an amount of traffic that will adversely affect the natural environment, or rural character of the area;
- (b) The environment would not be negatively affected by the proposed temporary use;
- (c) The proposed temporary use will not have adverse affects on neighbouring land uses or property owners;
- (d) The proposed temporary use does not require a significant amount of capital investment in a particular location; and,
- (e) The proposed temporary use has the support of the Agricultural Land Commission if the land is within the Agricultural Land Reserve (ALR).

DISCUSSION

The applicant has indicated that reclamation of the land back to the pre-existing soil classification for future agricultural use in accordance with the Project's Environmental Management Plan and Reclamation Program will commence after the fourth quarter of 2021. This is regulated by the Oil and Gas Commission. Therefore, staff are not recommending that security for reclamation be obtained as a condition of permit issuance.

The applicant has confirmed that the gravel pit will not be accessed using Buck Flats Road. The proposed location appears well suited for the proposed use given its relatively remote location and proximity to the Pipeline right of way.

ATTACHMENTS

1. Applicant letter
2. Proposed Borrow Site Construction Information
3. Temporary Use Permit G-01-20

August 28, 2020

Sent via: Email

REGIONAL DISTRICT OF BULKLEY NECHAKO

37 - 3RD AVE, PO BOX 820
BURNS LAKE, BC V0J 1E0

**RE: Coastal GasLink Pipeline Ltd.
Proposed Borrow Site 15A & 15B – Unit 10 Block L, Group 93-L-1**

Coastal GasLink Pipeline Ltd. (**Coastal GasLink**) is applying to the Regional District of Bulkley-Nechako for a temporary use permit to construct and operate the above-mentioned Borrow Site in order to accommodate the potential for gravel crushing equipment to be used on site. The proposed ancillary site is required to support construction of the proposed Coastal GasLink Pipeline Project (the Project).

The proposed ancillary site will need to be accessed and prepared in order to progress pipeline construction activities and will continue to be utilized until clean-up activities following pipeline construction are complete.

The proposed ancillary site is located in an area of relatively level ground, located on crown land, north of the proposed pipeline right-of-way with suitable ground access. Ground access will be via tenured roads. Site preparation, use, clean-up and reclamation will be undertaken in accordance with the Coastal GasLink Pipeline Project Environmental Management Plan (EMP).

Please find enclosed the following documents:

- RDBN Temporary Use Permit Application – TUP_Application_2020_RDBN_PBS 15A & 15B
- Attachment A - Additional Information Letter
- BC Oil & Gas Commission Authorization Letter
- PBS_15A_15B-CGL Program Summary
- CGL4703-JEG3-ENV-PLN-0010 - Mitigation Plan
- Contaminated Sites Regulation Questionnaire
- Environmental Management Plan, Appendix D.1: Chemical and Waste Management Plan
- STDS-03-ML-05-301 – Timber Salvage Quality and Defects
- Environmental Management Plan, Appendix D.5: Contaminated Soils Management Plan
- CGW4703-MCSL-G-MP-1890-PBS_15A_15B_250K-Rev0 - Access Map
- CGW4703-MCSL-G-MP-1887-PBS_15A_15B_SKETCH-Rev0 (5) – Borrow Site Plan
- Shape File package – CGP-00002_00008_STD_SHAR_PBS15_001

Should you have any questions regarding the project, please do not hesitate to contact one of the following representatives:

Nicole Stuckert, Sr. Land Representative
Email: **Nicole_Stuckert@tcenergy.com**

TC Energy
Phone: 587-933-8534

Mark Cooper, Project Manager
Email: **Mcooper@canadawestland.com**

Canada West Land Services Ltd.
Phone: 403-993-8171

Sincerely,



Nicole Stuckert
Senior Land Representative
Coastal GasLink Pipeline Ltd.

Ancillary Sites Proposed Borrow Site Construction

Proposed Borrow Site – PBS 15A & 15B (approximately KP SH35.80)

Coastal GasLink Pipeline Ltd., a wholly owned subsidiary of TC Energy, will require various proposed borrow sites during the construction of the Coastal GasLink Pipeline Project. Proposed borrow sites will be required in the construction of the pipeline Right-of-Way, access roads and ancillary sites such as camp sites, valve sites, laydown sites or stockpile sites. Proposed Borrow Site PBS 15A & 15B are located approximately 26.9 km southeast of Houston, BC.

PURPOSE, LOCATION AND ACCESS

Coastal GasLink will develop sand and gravel borrow sites to aid with construction of the Pipeline Project. Material excavated will be used for, but not limited to the following application:

- Pipeline bedding and padding;
- Ancillary sites including but not limited to camps, compressors, valve sites, rail sidings, stockpile sites and laydown areas;
- New and Existing Access Roads;
- Watercourse crossings; and
- watercourse bank protection and reclamation, if and where applicable.

Proposed Borrow Site – PBS 15A & 15B is located approximately 26.9 km southeast of Houston, BC. The proposed Borrow Site will be accessed using existing public roads, and forest service roads (FSRs).

SIZE

Proposed Borrow Site – PBS 15A & 15B will be approximately 1.53 hectares.

SCHEDULE AND DURATION

Subject to the receipt of regulatory approval, construction is expected to begin Q2 2020. Operations consisting of excavation, processing and stockpiling are expected to occur periodically through to December 31, 2021 after which reclamation will commence. It is expected that reclamation activity, other than vegetative re-growth, will be completed by December 31, 2022.

EQUIPMENT AND PERSONNEL

Equipment associated with proposed borrow sites may include (but is not limited to): mulchers, excavators, bulldozers, wheel loaders, crushers, screeners, rock trucks, pickup trucks, and delivery vehicles.

Example of Proposed Borrow Site Development





**REGIONAL DISTRICT OF BULKLEY-NECHAKO
TEMPORARY USE PERMIT NO. G-01-20**

ISSUED TO: TC Energy, Coastal GasLink
450-1st Street SW
Calgary, AB T2P 5H1

WITH RESPECT TO THE FOLLOWING LANDS:

Crown Land Identified on Schedule A as "Use Area" (1.43 ha.)

1. This Temporary Use Permit authorizes gravel crushing.
2. The temporary use identified in Section 1 may only operate within the 'use area' identified in Schedule A, which forms part of this permit.
3. The temporary use identified in Section 1 may occur only in substantial accordance with the terms and provisions of this permit and the plans and specifications attached hereto as Schedule A. If the terms of this permit are not met the permit shall be void.
4. This Permit authorizes the temporary use identified in Section 1 of this Permit to occur only for a term of three years from the date of issuance of this permit.
5. If a term or provision of this permit is contravened or not met, or if the Applicant or property owner suffers or permits any act or thing to be done in contravention of or in violation of any term or provision of this permit, or refuses, omits, or neglects to fulfill, observe, carry out or perform any duty, obligation, matter or thing prescribed or imposed or required by this permit the Applicant and / or property owner are in default of this permit, and the permit shall be void and of no use or effect.
6. As a term of this permit the owner of the land must remove all equipment from the land upon which the temporary use is occurring or has occurred within two months from the date of the expiration of this permit, unless this permit is renewed by the Board.
7. This permit is not a building permit, nor does it relieve the owner or occupier from compliance with all other bylaws of the Regional District of Bulkley-Nechako applicable thereto, except as specifically varied or supplemented by this permit.

AUTHORIZING RESOLUTION passed by the Regional Board
on the 17 day of September, 2020.

PERMIT ISSUED on the ___ day of _____, 2020

Corporate Administrator



Schedule A : TUP G-01-20

Legend



Communities 9-1-1
Communities 9-1-1
Welland

*DISCLAIMER: The Regional District of Bulkley-Nechako makes no Warranty, Representation or Guarantee of any kind regarding either maps or other information provided herein or the sources of such maps or other information.
The Regional District of Bulkley-Nechako assumes no liability, either for any errors, omissions, or inaccuracies in the information provided regardless of the cause of such or for any decision made, action taken, or action not taken by the user in reliance upon any maps or information provided herein.
Please be advised that the data represented here will be maintained on an ongoing basis, and as such, changes frequently.

Scale: 1 cm = 51 m
User: geneve.vanderwolf
Date: 2020-09-08
Time: 10:30:15 AM

Sources: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



**REGIONAL DISTRICT OF BULKLEY-NECHAKO
STAFF REPORT**

TO: Chair Thiessen and Board of Directors
FROM: Deneve Vanderwolf, Planner 1
DATE: September 17, 2020
SUBJECT: Bill 52: What We Heard Report from the Residential Flexibility Engagements

RECOMMENDATION

Receipt

VOTING

All Directors / Majority

DISCUSSION

In February of 2020 Local Governments, First Nations, associations, and individuals were given an opportunity to provide input on the document titled “Policy Intentions Paper: Residential Flexibility in the ALR” (attached). This document discussed options for allowing small secondary residences within the Agricultural Land Reserve (ALR). Planning Department staff and the Agriculture Committee Chair provided input during a conference call with Ministry of Agriculture staff.

The input provided has been published in the attached document titled “What we Heard from Consultations with Local Governments and Public Feedback on Residential Flexibility”. The Province indicates that the input received is being analyzed and will be used to refine the options put forward in the Policy Intentions Paper.

ATTACHMENTS

1. “Policy Intentions Paper: Residential Flexibility in the ALR” document.
2. “What We Heard from Consultations with Local Governments and Public Feedback on Residential Flexibility” document.

January 27, 2020

Introduction

This paper outlines the Ministry of Agriculture's (the Ministry) proposed policy direction to increase residential flexibility in the Agricultural Land Reserve (ALR).

The intentions summarized here have been developed through collaborative work with the Union of BC Municipalities, the Agricultural Land Commission (ALC) and the BC Agriculture Council and are responsive to what the Ministry heard during recent public consultations.¹

The Ministry is publicly sharing this proposed policy direction now in order to ensure those interested have an opportunity to review. As always, input from the public and from stakeholders is appreciated.

Context

In February 2019, the province brought into force amendments to the *Agricultural Land Commission Act* (Act) to better protect ALR land for farming. There were three key changes that:

- Directly address mega-mansions and speculation in the ALR by limiting the size of primary residences and empowering the ALC to approve additional residences for farm use;
- Restrict the removal of soil and increased penalties for dumping of construction debris and other harmful fill in the ALR; and,
- Reunify the ALR as a single zone, ensuring consistent rules with strong protections for all provincial ALR land.

The first change noted above included a phase-out of a long-standing previous rule that had allowed ALR landowners to place a small secondary residence in the ALR without ALC approval, so long as it was a manufactured home for immediate family members.

In response to some public concerns about this phase-out change, in July 2019, the Ministry delayed its implementation to February 22, 2020. This grandfathering period has now been extended a second time to December 31, 2020, in order to allow time for the possible implementation of the policy direction outlined in the paper.

During the September to November 2019 engagement, the Ministry heard a key theme: more flexibility is needed for residences in the ALR. Therefore, this work has been given priority.

The rationale for more residential flexibility is argued in a number of ways. For example, it may be necessary to keep a loved one, especially an aging parent, on the property. It creates options for jointly owning a property (for farming or not). It can provide a residence for a farmer transitioning out of farming, or for a young or new person transitioning into farming. It can create efficiency for small-scale farmers as it could allow for farmer or farm-worker accommodation, without the need to apply to the ALC. Or it could be simply needed as a source of rental revenue (that may or may not be invested back into a farm).

Current and previous legal framework relating to secondary residences

Recent changes to the Act and regulations modified approval processes for residential uses. Under the previous law, local governments (LG) had the authority to approve all principal residences (up to any size

¹ See <https://engage.gov.bc.ca/supportingfarmers/> for more information on the Supporting BC Farmers public engagement.

as stipulated in bylaws) in the ALR, and LG had the authority to approve additional residences if they were necessary for farm use. In practice, if a LG did not want to approve, or was not sure if the additional residence was necessary for farm use, or it wasn't for farm use, the owner then applied to the ALC through a non-farm use application.

The Act and regulations additionally permitted the following dwelling types without a decision from the ALC if local bylaws allowed them to be constructed:

- Zone 1: one secondary suite in the single family dwelling, and either one manufactured home 9 meters wide for immediate family; OR, an accommodation constructed above an existing building on the farm and that has only a single level.
- Zone 2: one secondary suite in the single family dwelling, and either one manufactured home (as above); OR, an accommodation constructed above an existing building on the farm and that has only a single level; and, if parcel is greater than 50 hectares a residence that fits all residential needs into an area of 4,000m².

After the recent amendments, a LG can only approve a principal residence if the total floor area is less than 500m² (5,400ft²) but may also restrict the principal residence to a smaller size by bylaw. A suite within a principal residence's total floor area is still permitted if a LG permits it by bylaw. A principal residence larger than 500m² (5,400ft²) or an additional residence now requires application to the ALC. The ALC may not approve an additional residence unless it is necessary for farm use.

Considerations

The policy work outlined below will maintain the purpose of the Act and its regulations, is also guided by the results of the Minister of Agriculture's Advisory Committee on ALR Revitalization² (the Committee), including the core ALR policy objectives that came out of the Committee's work to:

- Preserve the productive capacity of ALR land.
- Encourage agriculture as the priority use of ALR land.
- Strengthen ALR and ALC administration and governance to increase public confidence and ensure land use regulation and land use decisions preserve agricultural land and encourage farming and ranching in the ALR.

The Ministry will also consider how to incorporate views on residential flexibility that were raised through recent engagement, such as:

- Many participants expressed a desire to allow for a small second residence for all ALR land owners without requiring ALC approval;
- Some ALR landowners felt uncertain over their ability to replace a structure if it is destroyed (75% or more), or needs to be replaced because it is in disrepair;
- Some retiring and new farmers felt disadvantaged because they can't provide a secondary residence for family/workers without approval from the ALC;
- Participants generally wanted to ensure that the needs of LG, First Nation governments and regional districts are considered in the development of any future policy changes;
- It was recognized that some regional districts do not have zoning bylaws and there is a need to consider what this might mean against any policy options; and,

² See <https://engage.gov.bc.ca/agriculturallandreserve/> for more information on the independent committee's work.

- BC ALR regions have different residential land uses, including the size of properties, population densities, and pressures to use ALR for non-farm uses.

These and potentially other considerations that were brought forward from the Committee's work and the Supporting BC Farmers engagement will help guide the Ministry in its work to increase residential flexibility in the ALR.

Proposed policy direction

In order to support farmers and non-farmers living in the ALR, the Ministry is considering a change to regulations that will enable landowners in the ALR to have both a principal residence and a small secondary residence on their property, provided they have approval from their LG. In other words, there would be no required application to the ALC. Further, the province would not impose restrictions to require this secondary residence be a manufactured home, or be for an immediate family member, or be part of a farming plan.

Farmers have always had the option to build additional residences in the ALR (two, three or more), provided they are needed for farming and have approval from LG and the ALC. The ALC routinely provides this approval for farming purposes.

The primary use of ALR land is, and will continue to be, for agriculture. Residential uses should be developed in a way that minimizes disturbance to agriculture. New secondary residences should be registered with the ALC for long-term land-use planning purposes.

This direction does not include reconsideration of the maximum size of a principal residence; nor changing the ALC as the decision maker for additional residences for farm use.

In terms of defining a "small secondary residence", consideration will be given to:

- a manufactured secondary home with conditions such as whether:
 - the foundation type should be limited to a concrete slab and no basement;
 - it can be restricted to a maximum of 9 meters in width and 22.86 meters in length; and
 - it can be restricted to the Canadian Standards Association (CSA) Z240 Manufactured Home (MH) series.
- a garden suite, guest house or carriage suite (e.g. usually meaning a detached dwelling, often no larger than 90m²).
- accommodation above an existing building on a farm with conditions on what type of existing structure it could be built on and whether it can be located on a parcel that already has a suite in the principal residence.
- permitting a principal residence to be constructed in addition to a manufactured home that was placed as the first principal residence.

Any of these concepts may also consider:

- per parcel, the maximum number of residences, maximum size, siting, and total floor area.
- how to preserve a total cumulative floor area of residential uses on a single parcel (e.g. additional dwellings that may be reintroduced so as not to exceed 500m² when added to principal dwelling).
- options to minimize impact on agriculture.

Next steps

Nothing in this paper should be considered as a final decision; it should be viewed as a policy direction and development guidance document. Its purpose is to inform interested parties and to assist Ministry discussions in further developing and finalizing the policy ideas presented in this document.

This Intentions Paper and links to current legislation are posted on the BC Government website and can be accessed via the following link: <https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/agricultural-land-and-environment/agricultural-land-reserve/the-agricultural-land-reserve>

The Ministry has created a technical review committee that includes the Ministry of Agriculture, ALC, Ministry of Municipal Affairs and Housing, Union of BC Municipalities, and the BC Agriculture Council. As part of the technical review committee process, the Ministry also works directly with local governments from across British Columbia. The Ministry will work through this technical review committee process on the further refinement of these options until April 17th, 2020, in preparation for potential recommendations to government.

Individuals or associations who would like more information on this process, or who want to provide feedback for policy consideration, should contact ALR_ALCRevitalization@gov.bc.ca, write the Minister of Agriculture at PO Box 9043 Victoria BC V8W 9E2, or call the AgriServiceBC line at 1 888 221-7141.

What We Heard from Consultations with Local Governments and Public Feedback on Residential Flexibility

Background

In February 2019, the Province brought Bill 52, *Agricultural Land Commission Amendment Act, 2018* into force to better protect Agricultural Land Reserve (ALR) land for farming purposes. Following this legislative change and a 2019 Bill that included further changes to the *Agricultural Land Commission Act* (ALCA), the Ministry of Agriculture (the Ministry) undertook further [public engagement](#) in order to provide an opportunity for ALR landowners and stakeholders to express their concerns and views regarding: residential uses of ALR land, economic diversification, and new and young farmers.

From the engagement process, the Ministry heard that more options for small additional residences were needed. This work is a priority and the Ministry responded to stakeholder concerns by publishing a [Policy Intentions Paper: Residential Flexibility in the ALR](#), which outlines options under consideration for small additional residences that continue to maintain the core policy objectives of the ALCA. The core policy objectives include the preservation of land for agriculture and encouraging the use of land for agriculture.

Local and First Nation governments are key partners in determining land uses on the ALR. For that reason the Ministry policy analysis for the additional residences being contemplated maintains the ability of a local government to be more restrictive than the possible future provincial regulation.

The policy intentions paper invited individuals or associations to provide their feedback for policy consideration. Along with this public feedback, 191 local governments were invited to engage with the Ministry and assist in further developing and finalizing the policy option ideas outlined in the policy intentions paper. Of the 191 local governments invited to participate in the engagement, 153 have ALR in their jurisdictions. The invitation went out by email to local government staff through the Chief Administrative Officer or the equivalent individual and was referenced in the UBCM website through their newsletter, *The Compass*.

A total of 29 local governments participated in the engagement by conference call and or email as follows:

- 26 local governments at the staff level,
- 3 local governments at the elected official and or committee level and,
- 9 local governments at the staff and elected official and or committee level.¹

A telephone invitation was also extended to the applicable First Nation Government, however input was not provided.

Of the responses received, there were cases where more than one local government provide the same or similar answers and the term some local governments was used to capture their response. There

¹ The committee level may include one or more of the following types of committee: Agricultural Advisory Committee, Agricultural and Advisory Committee, Agricultural Development Committee, institute or similar committee type.

were also cases where only one local government generally provided a particular response or suggestion and that response was framed as statement or suggestion for purposes of this document.

The Ministry is working with the Agricultural Land Reserve Technical Review Committee made up of members from the Ministry of Agriculture, Agricultural Land Commission, Ministry of Municipal Affairs and Housing, and Union of BC Municipalities to refine the options put forward in the policy intentions paper.

Interpretive Notes

Speculation For the purposes of this document, ‘speculation’ means that the potential to have an additional residence may incentivize a real estate speculator to purchase agricultural land for its residential potential instead of using the land for farming.

Services and Servicing Costs For purposes of this document, ‘services’ and ‘servicing costs’ relates to one or more of the following: water, septic fields, sewer, lights, and roads.

Farm Residential Footprint For purposes of this document, we use the term “farm residential footprint” instead of the term “homeplate”. Some feedback from local governments used the term “homeplate”. We use the term “farm residential footprint” in this document because it is defined in the Guide for Bylaw Development in Farming Areas, also known as the Minister’s Bylaw Standards (MBS). The MBS defines farm residential footprint as the portion of lot that includes the principal farm residence, additional farm residences and its accessory farm residential facilities. “Homeplate” refers to the same concept and has been used in past discussions about whether such a concept could be brought into the ALR regulations.

Guest House, Carriage House, Garden Suite For purposes of this document the terms guest house, carriage house, garden suite relates to a *dwelling unit* that may stand-alone or be within or above another structure.

Key Themes – local governments

Key themes were selected based on being noted more than two times and by multiple regions across the province. Key themes that emerged from the engagement with local governments include the following suggestions:

- Keep everything clear, simple and easy to interpret;
- Have options for an additional residence type as some people may not want to have their only additional house options for an aging parent limited to living in manufactured homes;
- Keep the number of additional residences allowed on ALR land to a minimal number;
- Support for the policy directions set out in the policy intentions paper;
- Align additional residence requirements with BC Building Code requirements where possible;
- Place the additional residence in a manner that minimizes the impact on useable farm land;
- The additional residence may increase speculation;
- Tie the additional residence to farming; and,
- Consider needs for servicing and fire protection.

The local governments shared the above concepts with the understanding that if the Province is going to change policy, that the Province please consider these ideas as they will help the local governments with implementation in their communities.

Overview of Responses

The Ministry provided local governments with a list of questions in advance to support discussion. The following gives an overview of local governments' responses to each question.

1. Is there a lot of pressure in your jurisdiction for residential development in areas zoned for agriculture? If yes, do you feel that your local or First Nation government has the necessary tools and resources to manage this pressure?
 - **Pressure** Level of pressure varies. Some local governments may experience significant pressure for additional residences on agricultural land while others indicate no pressure. Lack of affordable housing creates pressure to use farmland for residential purposes. Pressure exists to place additional residence on small plots of land.
 - **Tools and Resources** Local governments noted that tools to deal with pressure for residential development on agricultural land include zoning, planning inspection and official community plans. Enforcement related to improper residential uses (e.g. cost of removal) can be expensive as it may need a court injunction.
2. Prior to Bill 52, approximately how many requests per year did your local or First Nation government receive for additional residences (e.g. include how many for manufactured homes, garden suites, guest house, carriage suite, accommodation above an existing building on the farm) on ALR parcels?
 - **Request** Varies – numbers range from 0 to more than 70 (in the last four years), some do not track the information. Many were in the lower range.
 - **Servicing Costs** Sometimes additional residences are not permitted as they would need to be fully serviced (e.g. water, roads) and it would cost millions to bring the services to the additional residences so not feasible.
3. Since Bill 52 came into force in February 2019, how many non-adhering residential use applications has your local or First Nation government received?
 - **Non-Adhering Applications** Varies – numbers range from 0 to 170. Many were in the lower range.
4. Please share whether your existing local government bylaws and First Nation government laws currently allow these additional residences on the ALR and whether you think your community might be supportive of allowing them in the future. Please rank these options in terms of what you think your community will support.

Additional Residence option	Allowed in Current Bylaws or law (Yes / No)	Community support (Yes / No)	Rank Options (#)
Manufactured home			

Garden suite, Guest house, or Carriage suite			
Adding a new accommodation above an existing building on a farm			
Permitting a new permanent residence to be constructed in addition to a manufactured home that is the principal residence			

- **Types of additional residences allowed** Comments ranged from a community that may support all four types to currently not permitting any of these additional residence options.
 - For new accommodation above an existing building, comments ranged from not allowing a new accommodation above an existing building on a farm to allowing. If the new accommodation is allowed it would need to comply with the BC Building Code which can be difficult to do.
 - Some local governments allow for manufactured homes.
5. Of the types of additional residences outlined in the policy paper, which types would your local or First Nation government find the most difficult to regulate within ALR parcels in your jurisdiction? Please share why.
- **Accommodation above an existing building** on a farm because of the costs to bring it up to the residential building code, concerns with fire code and the dwelling unit can go unnoticed.
 - The accommodation above an existing building on a farm could affect viable farm land (i.e. creation of new driveway on active farmland to access the new residence).
 - Suggestion to define, existing farm building, so that it includes a constructed by date so that ensure it is existing and not a new building subsequently converted through an additional permit.
 - **Public Consultation** Change, at a local level, to allow additional residence may need public consultation and changes to the official community plan.
 - **Units within a building** Suites within a building can be easily expanded without the knowledge of the local government.
 - **Limit number of additional residences** Suggestion to allow only one residence unless the second residence is for farm help.
6. If future changes to the ALRUR permit certain types of residences by regulation, would your local or First Nation government choose to prohibit those additional residences in the ALR in your jurisdiction? Please share why.
- **Additional Residences** Most indicated that they would not prohibit. Some local governments noted that they may prohibit or limit additional residences. Some local governments already prohibit one or more types of additional residences. May need to restrict further based on lot size and level of service available to the property. Preference expressed for not changing the current legislation with respect to additional residences.
7. Have you had problems permitting a new permanent residence to be constructed in addition to a manufactured home that was the principal residence (i.e., the manufactured home was the only

residence on the parcel, and somebody wished to build a second, permanent residence on the parcel)? Please explain.

- **Permitting of a new permanent residence** Generally, has not been a problem. A few noted that it was an issue. A local government asked if it could be addressed at the provincial level.
8. In the context of policy work generally, how can the Ministry improve any specific definitions that may be needed for small secondary residences?
- **Simplicity** Keep simple, straight forward and easy to interpret, ensure terminology does not conflict with what the local government uses.
 - **Floor area and definitions** Clearly define floor area restrictions intended to limit the size of the dwelling, don't regulate who occupies the building, define maximum floor area with some kind of scale, for manufactured homes use specific code through CSA, don't define building type just allow second house with so many m².
 - Creation of a specific definition for what qualifies as a secondary residence with specific definitions of key terms would help minimize varying interpretations.
 - Questioned whether a deck/porch/balcony count towards floor area for garden suite, guest house or carriage suite. Request for a definition that would outline the difference between a garden suite, guest house, carriage suite and accommodation above an existing building.
 - **Farm Use** Tie the use back to farming. Suggested that additional residences be for agricultural purposes (e.g. staff accommodation, family members).
 - **Use of farm land** Factor in a maximum separation from principal dwelling so they have to keep it close to the house, no second driveway to service second house, add anything that lessens impacts for farming.
 - **Basements** Questioned whether basements that are rented become another secondary residence.
 - **Other** Observation was made that it is going to be challenging to have a provincial definition and these kinds of things have been left to local government to define and determine (ensure provincial definitions do not in conflict with local government definitions).
9. In the context of the policy work we are completing how would you define each type of additional residence if you had the opportunity? Would you restrict further?
- **Definitions** Suggestions included using one definition for additional residence that limits the floor area to 800 to 1000 square feet, define garden suite, carriage site or guest house as secondary dwelling, don't define by type of secondary residence, define maximum size, go with so many square feet that also include decks and porches. For garden suite, guest house or carriage suite, definition should include maximum size permitted and number of stories.
 - Suggestion to set maximum floor area for additional residence between 90 to 100 m² for a detached garden suite, upper floor coach house and residential use of an existing building.
 - **Simplicity** Keep simple, use clear definitions and ensure the definitions do not conflict with the BC Building Code.
 - **Basements** In the north, a four-foot foundation is needed due to the permafrost, questioned if the options could include a basement.
 - **Use of farm land** Minimize impact on ALR land, place additional residence on sections of land that are not good for farming, place close to the road, keep residences close together.

- Concept of additional residence above a building on a farm does not match the purpose of farm residential footprint.
10. Has your local or First Nation government made any bylaw or law amendments related to residential uses in the ALR since Bill 52 came into force and effect in February 2019?
- **Bylaw or law amendments** Most local governments said no and a few said yes.
11. Do you have any other bylaws or laws that regulate manufactured homes, garden suites, guest houses or carriage suites (i.e. the options in the policy paper)?
- **Bylaws that regulate additional residences** Some local governments referenced their zoning bylaws.
12. If so, how do you define each type of residence and does the bylaw or law include information on % of site coverage, size (in meters), siting and total floor area (in m²)?
- **Bylaw definitions** Some of the local governments provided information contained in their bylaws. The bylaws may include information on the dwelling unit, maximum floor area and parcel coverage.
13. Are there other types of additional small residences that your local or First Nation governments define that you would like to tell us about that should be considered? If you have others, what size, siting and maximum floor area is recommended?
- **Other types of additional residences** Concept of tiny homes was raised, and it was noted that there building code challenges related to the use of a tiny home for a permanent dwelling.
 - Clarify that all forms of secondary small residences are required to meet the BC Building Code. If permit “tiny homes” as a “small secondary residence”, then it should be made clear that they must meet BC Building Code.
 - Idea of a Yurt was put forward for consideration as farm worker housing or seasonal housing as it has low impact on the land.
 - Suggestion to keep things at a single-family home on ALR lands.
 - Ensure that the secondary residence not be used as a short-term rental.
 - Concern raised with respect to sewage.
 - Consider residential options that support multiple family operations and the 90m² may not be large enough to accommodate this.
14. In order to permit any of the residential changes under consideration, would your organization need to amend or create a bylaw or a law? Please share why your local or First Nations government may choose to do this. If yes, please list the bylaws or laws that would be amended.
- **Need to amend bylaws** Some said no and others said yes. Some noted that the Official Community Plan may need to be amended and changes to this plan could require significant public engagement.

- **Servicing costs** Comment made with respect to servicing cost (e.g. additional residences cannot be constructed without needed services and the cost of bringing service to the ALR land is very high).

15. Future changes made to the ALRUR may permit certain types of additional residences by regulation. The amount of time that local and First Nation governments needs to amend/create the bylaws or laws may depend on the level of changes made to the ALRUR.

a) Based on your experience, what is the minimum amount of time required by your local or First Nation government to amend/create new bylaws or laws?

- **Time needed for bylaw changes** For many the time ranged from 2 to 12 months. For one local government, the length of time could be more like one and half to two years or more when the process of updating the Official Community Plan and other requirements are factored in. Cost associated with making changes and staff time were mentioned as things that could be significant.
- **Speculation** of land could increase, and over the long-term additional residence would increase the cost of the land and non farmers would purchase land for rental reasons.

b) If changes are made to the ALRUR, would your local or First Nation government need to create new processes or prepare change management tools for staff or the public applicants?

- **Process changes** Some said no, could depend on level of changes and others said yes. Examples of what may need to change included internal procedures, applications guidelines, and website information.
- **Costs** Financial considerations were mentioned in relation to completing local level public consultations.

c) If changes are made to the ALRUR, would suggested bylaw wording be helpful to create a new, or amend an existing bylaw or law?

- **Need for bylaw wording** Some said yes and some said no. Suggestion to do by region, and to make clear if the wording is a guidance document or strict regulation to adhere to.

Manufactured Homes

a) Would it be helpful if a regulation permitting manufactured home as an additional residence included the following specifications?

- **Permanent** Once a manufactured home is placed it is generally a permanent fixture.
1. Limiting the foundation type to a concrete slab, concrete pile (as indicated in the ALC policy [L-25](#)) and surface pier foundation systems and no basement.
- **BC Building Code** Ensure that details comply with the BC building code.
2. Restricting them to the Canadian Standards Association (CSA) Z240 and (CSA) A277 Manufactured home series (as indicated in ALC policy L-25).

- **BC Building Code** Ensure that details comply with the BC building code.
 - **Standard Changes** Comment was made that references to specific existing standards can become obsolete as those standards are updated or changed.
3. Restricting them to a maximum of 9 m wide and 22.86 m long (as indicated in ALC policy L-25) or floor area of approximately 200 m².
- **Length and Width** Suggestion to use maximum floor size rather than length and width, or round to 23 meters, not use measurement to two decimal points. Note made that manufactured home could be wider than 9 meters. Specify if 200m² includes driveway.
- b) Are there any additional restrictions or considerations you would like (use meters and m²)?
- **Certification** A manufactured home could lose certification if deck not done by professional builder. Suggests discouraging decks.
 - Regulation to clarify what manufactured home is (e.g. use the CSA).
 - **Services needed** Additional residences need investment in septic field and water.
 - **Limiting additional residence types** Note made that it does not seem fair that parents that farmed all their life and are retiring are limited to living in a manufactured home.
 - Prefer maximum number of square feet and need to consider what goes with it (i.e. garage, porch etc.) and whether these are included in the total square feet.
 - No need to limit the foundation type.
 - **BC Building Code** Ensure that any concrete slab requirements comply / reflect building code.
 - Ensure the manufacture home complies with the BC Building Code.
 - Ensure foundation requirements reflect BC Building Code.
 - **Permafrost and basements** Areas with permafrost need to dig 4 down four feet and asked if would allow a basement.
 - **Flood plain** areas need to lift manufactured home up 1.5 meters and need to anchor to the ground.
 - **Permanent** Addition of basement makes the manufactured home permanent.
 - **Accessory structures** Requested additional information on the permissibility of accessory structures. Are decks, porches (covered & uncovered), attached gazebos permitted in addition to the dwelling unit? If yes, is there a maximum size.
 - **CSA series** Noted that the CSA series A277 series can be larger than the others so may need parameters on it. The CSA A277 could be two stories.
 - **Tiny homes** Challenge is that because tiny homes are under a certain number of square feet, it difficult to meet BC building code requirements.
 - **Use of farm land** Suggestion that manufactured home be located on same farm residential footprint as the principal residence so that farm land is preserved.
 - Too much flexibility in permitting manufactured homes and other secondary residences on small properties that do not actively farm and is likely to increase urban/rural conflict and is likely to not contribute to future farming operations.
 - **Secondary suites** Manufactured homes should not be converted to allow for secondary suites (basement) and or any additions.

- **Other** Suggestion that second dwelling have size restrictions and that it could be site built or built off site (e.g. manufactured home).

Garden suite aka Guest house aka Carriage suite

a) Would it be helpful if a regulation permitting a form of detached additional dwelling (commonly referred to as Garden suite aka Guest house aka Carriage suite) as an additional residence included the following restrictions or specifications?

- Defining them as a detached additional residence no larger than 90 m².
 - **Definitions** Suggestion for more generic language (e.g. small detached dwelling) and move away from the garden house/guest house/carriage house terminology.
 - Some were okay with 90 m². Comments included whether it could be bigger to make space more liveable, changed to approximately 200m² so that it is the same size as the manufactured home being contemplated.

b) Are there any additional restrictions or considerations you would like (use meters and m²)?

- **Size Differentials** Questioned why would allow a manufactured home at 200m² and limit this one to 90m². Could tailor the smaller 90m² additional residence to a smaller parcel so that a smaller amount of lot is used.
- People may choose manufactured home because it is bigger.
- **Servicing** Suggestion that the regulation refers to proper servicing for water and sewer.
- Consider distance from fire hydrant.
- **Use of farm land** Potentially tie additional residence to farming, place the residence in a way that minimizes the use of farmland and consider use of farm residential footprint.
- Suggestion to not provide a siting requirement and instead look that the secondary residence is placed where it the land is not suitable for farming, flexibility to choose where the secondary residence goes, porches and deck could make space livable.
- Continue to apply criteria that requires farm owner to demonstrate requirement of the residence for farm use.
- Locate additional residence close to principal residence to discourage short term vacation rentals, consider slightly larger size to improve livability – slightly larger size may decrease demand for farm housing.
- Consider using farm residential footprint to minimize impact on ALR land.
- Additional considerations for additional residence could include size of property, type of farming operation, farm classification status, maximizing use of property for agricultural purposes and available services. Suggestion that second permanent residences need to be justified (i.e., should only be supported for farm help, farm partners or family members that are involved in the overall farming operations and only for properties that are large enough to be productive in agriculture).
- **Flood plains** For areas with flood plain issues a stick build may not be feasible and carriage home above garage would alleviate flood plain issue.
- **Definitions** Suggestion to not define secondary residence by term.
- Suggestion to distinguish between garden suites and guest house and carriage suites in order to provide clarity and avoid misinterpretation.
- Clarify whether area includes garages attached storage rooms.

- Define garden suite/guest house/carriage suite, define 90m² (i.e. does it relate to floor area, lot coverage, number of stories). Clarify if single story ground-oriented home, because of flood plain garden suites may not be feasible.
- Note that 90m² okay and will likely become short term rentals.
- **Options for additional residence types** Garden suite is good as may not want to have parent living in a manufactured home.

Accommodation above an Existing Building

- a) Would it be helpful if a regulation permitting an additional residence built above an existing building on the ALR parcel include the following restrictions or specifications:
- Limiting the additional residence above an existing building to one level and not to exceed size of the building above which it is located provided the structure does not exceed 500m².
 - **BC Building Code** Building would need to meet the BC Building code.
 - **Size of Structure** If allow this, suggested that simply allow second residence.
 - Responses included that 500m² could be okay and that 500m² seems excessive given the others are approximately 90 m² and 200m².
 - **Definitions** Define difference between accommodation above an existing building, garden suite, guest house or carriage suite and clearly define what one level is (e.g. can the hot water tank go on another floor).
 - **Use of farm land** If implemented, place restrictions on height, setbacks and farm use for the rest of the building as could create a loophole that would allow people to get around local governments' building setback or farm residential footprint rules by allowing a dwelling in an existing building that is set back far from the road. This loophole could prevent efficient farming practices.
- b) The previous regulation, allowed an accommodation on top of an existing building. Was that useful, what were the problems with it and what could be made better from the perspective of local and First Nation governments?
- **Services and BC Building Code** Question raised on whether these buildings would meet septic field and requirements and building code requirements.
 - **Term existing** Clarify the term "existing". If the intent is to restrict opportunity to long-existing farm structures, without increasing the total footprint of structures on the land, then use a "constructed by" date. Otherwise a person may build a new building and then seek to build accommodation above the newly existing building.
- c) Are there certain types of buildings that you would allow to have an additional residence added above them? If yes, are there any health authority limitations to providing accommodations above any specific buildings (e.g. over a farm building)?
- **BC Building Code** Need to meet BC Building Code and costly to bring up to code.
 - **Potential restrictions** Considerations with septic and there could be restrictions on dwelling above barn, depending ventilation or breed of animal. Above garage or repair shop okay.
- d) Would your local or First Nation government allow the additional residence to be built within an existing secondary story of that building (e.g. a barn); on top of a one-story building; or both?

- **BC Building Code** Reference was made for the need to meet building code.
- e) What is the preferred limit to the maximum number of stories (residential and non-residential)?
- **Maximum number of stories** Up to 3 stories for some local governments. May need to ask fire department to determine how many stories their ladders accommodate. Some places may have building height restrictions based on fire safety.
- f) Are there any additional restrictions or considerations you would like (use meters and m²)?
- **Number of units** Prefers maximum of 2 units. Large farming operations can always go to the ALC for additional secondary residences.
 - **Clarity and Simplicity** Keep simple, no need to specify if above a second building.
 - Simplify. You can build X square metres of structures within X square metres of space.
 - Clarify whether or not accessory structures (external stairs, balconies, etc.) are permissible if they extend beyond the existing building footprint.
 - **Services** Sewage may need second septic field.
 - **Fire safety** Ensure fire protection capabilities.
 - **Use of farm land** Consider removing the references to 'above' and 'existing' in order to allow for greater flexibility for this 'small secondary residence' type to be incorporated into new construction and be located in the most suitable portion of the farm building.
 - These types of residences should be located within reasonable proximity to the principal farm residence.
 - Goes against farm residential footprint concept (could build a building on a farm just to get residential accommodation, or accommodation above a farm building could extend residential uses beyond the farm residential footprint).
 - Consider total cumulative area for residential uses on a property is (to a maximum number of residences) as way to restrict the impact to agricultural land without overly restricting the specific type of housing.
 - **Other** Residential use above a building on a farm hard to manage.
16. How many additional residences within an ALR parcel would your local or First Nation government likely allow? Please share, based on your experience, the preferred number.
- **Number of additional residences** Preference for a low number. Could depend on the parcel size.
 - **Servicing and fire safety** Level of service and need for fire safety.
 - **Speculation** Initiative will drive up speculation of farm land. Additional residences could increase potential that owners seek to subdivide parcels in the future. Preference that the ALR parcels not be divided.
 - **Use of additional residence** Suggestion to not get into the details that a manufactured home is for immediate family or farm help as it is not possible to enforce.
 - **Downloading decision** If this is allowed, it places a lot of pressure on the Council.
 - **Farm Use** May limit to those that need the additional residence for farm labour or family.
 - Justify additional residence based on level of agricultural activity on the property and being necessary for farm use.

17. Are there any general size, siting and total floor area parameters your local or First Nation government would recommend?

- **Total floor area** A maximum floor area of 92m² is recommended for a second dwelling.
 - Clearly define size as a footprint or floor area for both manufactured homes and carriage homes. Outline if footprint includes building roof overhang, roof pilings, decks etc.
 - Keep simple. Comment that highly prescriptive dwelling forms leads to debate.
 - Suggestion to keep secondary residence floor area between 800 to 1,000 square feet.
 - Some local governments have farm residential footprints already in place.
 - **Defer decision** Suggestion that local government make the decisions.
- a) In relation to the options under consideration, what type of structures would you consider necessary for an additional residence (e.g. driveway, front steps, added on exterior porch, garage etc.)? Would you wish to see those necessary structures permitted by regulation?
- **Necessary structures** Some noted it would be good permit front steps, porch, deck and garage for a secondary residence through regulation. The second residence could use same driveway as the primary residence.
 - Suggestion to limit floor area and all the decks etc. that would fit in that area.
 - Clearly specify what is permissible (e.g. the following should be permissible – external stairs, porch, balcony, deck, detached storage shed and garage). Clarify if the local government can impose restrictions.
 - Suggestion to not regulate as they do not take up a lot of space on large parcels.
 - Need for sufficient parking for the additional bedrooms and need for emergency access.
 - Allow garage. Question on whether the additional residence needs to be on the same farm residential footprint as the principal residence. Some would not want the additional residence on the same farm residential footprint as the principal residence.
 - Front steps or other minor features are necessary for additional residences and noted that structures such as porches and detached/attached garages which utilize land which could otherwise be farmed may be unnecessary.
 - Maximum size or general size restrictions would be helpful.
 - **Total floor area** Allow local governments to calculate total floor area based on their zoning bylaws.
- b) Do your local or First Nation government bylaws or laws mention structures that are ancillary to additional residences? Please describe.
- **Ancillary structures** May not have regulations that address decks and porches that are attached to secondary residences as these items are considered part of the residence.
 - Possible that hard surfaces for parcel coverage are not counted, just count the buildings.
 - Some local governments have farm residential footprint.
 - Suggestion for more restrictions around siting, lot coverage of accessory structures.
 - **Compliance and Enforcement** Questioned what resources are available for compliance, concerns with ability to enforce provincial regulations.

18. Of the types of additional residences and concepts (size, siting, total floor area) under consideration what are the drawbacks your local or First Nation government envisions?

- **Subdivision of farm land** While manageable, concern that more dwellings may negatively impact agricultural potential and may encourage subdivision of the land. Could add something to limit subdivision if qualify for an additional residence.
- Concern that secondary residence encourages subdivision – suggest adding something to limit subdivision if get a secondary residence.
- **Cost of ARL land** Too many residences make farmland expensive and out of reach for farmers.
- Agricultural land becomes even less affordable for farmers given increased assessed value when the number of additional farm housing units increases.
- **Need for Services** While more residential development on rural land may create more demand for urban services (paved roads, lights, sewer), allowing one additional residence per parcel could be okay.
- Existing well / septic field may need to be resized for the additional dwelling.
- Suggestion to place the additional residence close to the principal residence so that only use one septic field.
- **Size Differential** Why are some of the additional residences proposed larger in size than the others?
- **More Options** Concerns with manufactured home being the only option for a retiring farmer. Need additional options.
- **Floodplains** For floodplain areas an accommodation above a building on a farm would be suitable.
- **Revenue** May receive pressure from ALR landowners for secondary residence as they may want the rental revenue and not intend to farm.
- **Short term rentals** Could create issue with short term rentals.
- **Other** Concern that if additional residences are not used as permitted then the initial complaints fall to local government, staff time and expense associated with bylaw changes.
- **Total Floor Area** The definition of floor area is too subjective to be used to determine the maximum size of a secondary residence as basements, attics, unconditioned space, areas used for parking, mechanical rooms, etc. may or may not be included within the total floor area calculation based on individual municipalities definitions. Each of those spaces (i.e. basements, attics, etc.) have individual definitions which vary among local governments. The measurement of floor area can be challenged if not specifically defined (for example, are measurements to be taken to the interior of the wall or exterior of the wall).
- **Size of additional residence** Noted that lot coverage may be a more suitable option to regulate the size of a secondary residence as it reflects the amount of land which is being used for residential purposes.

19. What measures are available to local and First Nation governments to ensure compliance?

a) What if any criteria could be included in the ALRUR to support enforcement?

- **Compliance and Enforcement** Court order can be used, however it is expensive. Rely on complaints. Appreciate increased ALC enforcement. A fine or financial deterrent could be useful.

- Noted that can't rely on enforcement to manage changes, enforcement needs to be measurable – measure item not how it is used, concerns with short term rentals if the additional residences are on ALR parcels that do not have farm class.
- Note made that if things are not clear it becomes open to interpretation and not easy to enforce. Can have covenant to remove if no longer used for the purpose it was put there for in the first place.
- Large daily fines.
- Use building permit application, zoning and building bylaws, bylaw enforcement.

20. Would your local or First Nation government consider one or more of the following constraints helpful:

- a) Requiring the location of the small secondary residence to be 'in proximity' of the principal residence. If so, what restrictions or parameters related to the proximity of the additional residence to the principle residence would be helpful?
- **Proximity** Some were in favour of proximity other were not.
 - Proximity may be good in theory not good in practice. Prefer to have flexibility on the placement because one standard would not work in all cases.
 - Proximity could reduce issues with short term rental.
 - For large parcels a maximum separation may be more appropriate than containment within a specific area.
 - Instead of term "proximity" use a clear measure of farm residential footprint in meters so that not open for debate.
 - With farm residential footprint, proximity is not an issue.
 - **Use of farm land** Suggest placing the additional residence in an area that does not impact land use.
 - Suggest requiring secondary dwelling not exceed a specific distance from principle dwelling to reduce land area used for non agricultural purposes.
 - **Size of Additional Residence** Need to be clear on size of the additional residence.
 - **Servicing** Consider servicing issues.
 - **Defer decision** Suggestion to let the local government determine.
- b) Specifying that an additional residence (permitted by regulation) can only be added to an ALR on a parcel that is greater than a certain number of hectares. If so, what number of hectares would you recommend?
- **Number of hectares** Suggestions included no size restriction, other suggestions included less than a hectare to 8 hectares.
 - Need for additional residences can be as applicable for small intensively farmed parcels as it is for large operations.
 - Farmers may have more than one parcel and may need more than one home so makes sense to put 2 houses in small lot.
 - **Farming / farm use** Permitting of additional residence be conditional on being required for the operation of the farm rather than the size of the farm.
 - If additional housing is required, ensure it is needed for farming.

c) What other constraints would be considered helpful?

- **Parcel size and floor area** Minimum parcel size and maximum floor area for the secondary dwelling would be sufficient.
- If limit the secondary residence to a percentage of the parcel size, then would limit the non farm use of small parcels.
- Use building footprint instead of floor area.
- **Cost of farm land** Note was made that the value of land made up of a small parcel increases when a second residence is added.
- **Farm use** Suggestion to tie additional residences to farm use.
- Potential for increased rural/urban conflict is of concern in allowing additional homes on small acreages that are not likely to be actively farmed. Secondary residences should only be supported for farm help, farm partners or family members that are involved in the overall farming operation and only for property that are large enough to be productive in agriculture.
- **Health regulations** Ensure compliance with health regulations.
- **Driveway and Servicing** Shared driveway. Not allowing second connections for water services for cottages or carriage houses. Have to be served by principal residence.
- Ideally same service lines, same driveway. May need an additional septic field, unless they add on the existing one, which may not be ideal.
- **Proximity** Comments ranged from supporting idea of maximum separation to noting that with large parcels there's no need to have residences within a proximity of each other.

Registering Additional Residences

21. The policy paper suggests registering additional residences:

- a) Would registering additional residences with the ALC be utilized by your local government?
 - **Purpose** Need to understand value in registration. Clarification on what the registration would mean.
 - **May already exist in some format** Note made that a local government has their own tracking software. Could be something that BC Assessment already has.
 - **Other** Could be an issue for those that don't have building permits.
 - Support if there is agreement for joint enforcement with the ALC and local government.

- b) Could [agricultural land use inventories](#) be an alternative to registering individual residences?
 - **Use of ALUI** Some said yes others said no.
 - Value of the ALUI is in the second time it is done so that can see what has changed. If change what is measured and recorded in the second update, then will make it harder to compare over the previous time.
 - **Limitations** Surveys done from road and it is not possible to see everything.

- c) Are there other options that could be considered?
 - **May already exist** Suggestion to check with BC Assessment.
 - Some LG have own records through the permit process.
 - Note made that yellow sheet tracks building permit data.
 - **Purpose** Need to understand purpose of registration.

- **Other** Consider providing business licencing authority to track rentals.

22. Please provide any further comments you wish to address here.

- **Simplify** Make the regulations simple and easy to administer.
- **Additional residence** Farm labour difficult to find and a small home would help with that and with flexibility so that have practical options for young people that want to farm.
- Ideal to have secondary residence so that retired farmer can live there comfortably and have it be a size where a family can live comfortably. The secondary residence could also be source of revenue to help the farm survive.
- If need to allow aging in place, then government needs to define secondary suites and limit size of secondary suites given changes to the BC building code.
- **Pressure to subdivide** Pressure to develop ALR land that is surrounded by non ALR land that is serviced.
- **Speculation** Farm owners may want to provide housing for their relatives or farm workers because housing in urban areas is too expensive and this may erode the agricultural land base while driving up prices of farmland even higher. Proposed changes may increase speculation.
- **Farm Use** Manufactured home can be removed, however, a permanent residential structure and supporting infrastructure is permanent and increases value of the land forever. Removing the requirement that the secondary dwelling be linked to the farm could put the objective to encourage farming at risk.
- Minimize footprint to reduce the use of farmable land.
- Extend policy so that 500 m² includes all residences so to limit the increasing costs of farmland.
- A number of local governments support concept of tying the additional residence to farming / family member.
- **Registry of additional residences** Registration of secondary residences with ARL should be done in a way that does not add burden to local government.
- **Density** Allowing a secondary suite and an additional residence increases density.
- **Definition of existing** For accommodation above an existing building, need to define existing.
- **Proximity** Residential footprint of the additional dwelling should be next to principal dwelling and close to road to minimize impacts on farmland.
- **Policy direction** A number of local governments wrote to express support for the policy directions set out in the policy intentions paper.
- **Manufactured Homes** Request that the secondary home be a permanent structure not a manufactured home.

Public Engagement with Individuals or Associations on Residential Flexibility Policy Intentions Paper

In all, the Ministry received a total of 257 email responses from individuals and associations. Generally the key themes and associated sub-themes received to June 22, 2020 included the following:

- **Flexibility and creativity in farm business options:** Many suggest that the tough realities of farming make other incomes streams necessary to support on farm production and make a farm more resilient to tough economic conditions. Most respondents here self identified as farmers.
 - o *Rental property:* The ability to have rental properties is seen as a way to assist in this.

- *Restaurants/cafes/bakeries*: Respondents strongly maintained that these establishments significantly enhance their business and bring people to the farm that otherwise wouldn't come and allows them to fetch a higher price for their products. It is key component of agritourism.
- **Flexibility in use of homes**: Most respondents that mentioned this believe that it is desirable to have more flexibility in use of residences. Far fewer here self identified as farmers.
 - *Two dwelling allowed in regulation*: Respondents wanted the ability to build two dwellings without an ALC application
 - *Tiny homes, stick build options*: Respondents wanted to be afforded the opportunity to build different kinds of secondary dwellings in regulation and specific about their dislike of manufactured homes.
- **Better Definitions and no "one size fits all" policy**: Some respondents articulated the need for better definitions and policy that varied according to regions and need. It was suggested that since agricultural needs and challenges differ by region a policy that applies to all will be ineffective.

Next Steps

We are in the process of compiling and analyzing all the information that has been gathered through the feedback from local governments, individuals and associations. The Ministry will work through the Agricultural Land Reserve Technical Review Committee and use the information gathered to inform the policy and recommendations that are put forward for decision. The Ministry thanks all those that took the time to provide feedback in this process.



REGIONAL DISTRICT OF BULKLEY-NECHAKO

MEMORANDUM

TO: Chairperson Thiessen and Board of Directors

FROM: Wendy Wainwright, Executive Assistant

DATE: September 17, 2020

SUBJECT: Committee Meeting Recommendations
– September 3, 2020

RECOMMENDATION: (ALL/DIRECTORS/MAJORITY)

Recommendations 1 and 2 as written.

Following are recommendations from the September 3, 2020 Committee Meetings for the Regional Board's consideration and approval.

Committee of the Whole Meeting– September 3, 2020

Recommendation 1:

Re: Ministry of Indigenous Relations and Reconciliation – Core Advisory Council

“That the Board nominate Curtis Helgesen, CAO to the Core Advisory Council.”

Recommendation 2:

Re: Cow Moose and Calf Cull

“That, in preparation for the Minister of FLNRORD UBCM meeting regarding the Board's opposition to the cow moose and calf cull, the Board request letters of support from First Nations and Sportsman's groups within the RDBN.”



Regional District of Bulkley-Nechako

To: Board of Directors
From: John Illes, Chief Financial Officer
Date: September 17, 2020
Re: Accounting of Administrative Overhead Policy

Recommendation (All/Directors/Majority):

That the Board approve the Accounting of Administrative Overhead Policy.

Background:

The updated policy is attached to this memo.

At the September 3rd Committee of the Whole meeting, the Board directed staff to bring back the draft policy for approval at the September 17, 2020 Board meeting.

The Committee also asked staff to review the allocation of support services to the Environmental Services Department. Staff reviewed this allocation and further considered the time associated with managing capital assets. The time associated with insurance, asset management planning, and asset retirement obligations is much greater than in other departments. Staff are recommending changing the allocation to Environmental Services from 6% to 7% and including a 1% support allocation cost for all capital purchases to cover the costs associated with procurement and initiating insurance coverage.

Except for these changes, the policy remains as presented at the September 3, 2020 Committee of the Whole meeting.



Regional District of Bulkley-Nechako Board Policy

SUBJECT: Accounting for Administrative Overhead
 CATEGORY: Financial Services
 LAST REVIEW:

1. PURPOSE

The purpose of this policy is to set out the cost allocation for administration overhead in a fair, clear and transparent manner.

2. CONTEXT

All local services share the same governance, administration, information technology, infrastructure, and office space. To provide a true cost of providing local services, these costs must be allocated.

3. POLICY STATEMENT

The allocation of costs falls into three categories.

- a. The Corporate administration costs including the costs for the Chief Administrative Officer and the Manager of Administrative Services and their department are recognized as governance costs and are charged directly to the Rural Administration or General Administration budgets.

The determination of the percentage apportionment of the governance costs is based on an analysis of all RDBN services with an assigned weighting factor representing effort. The weighted ratio of the number of electoral area and municipal services to the total weighted number of services, determines the percentage split.

The initial allocation will be 35% to Rural Administration and 65% to General Government Administration.

A revised estimate will be completed every five years or sooner if requested by the Board.

- b. Support Services include the Finance Department and administrative support services. The allocation of these costs is described in Part 4.

- c. Other Shared Costs including infrastructure, information technology and services, insurance, and fleet costs. The allocation of these costs is also described in Part 4.

4. ALLOCATION OF SHARED COSTS

- a. Support Services allocation is based on:
1. Service budget (less debt servicing costs, cost allocations, transfer to reserves, and capital purchases)

Multiplied by the:

- 7.0% for Environmental Services
- 6.0% for full service including payroll/AP/AR
- 4.5% for substantial services such as AP/AR only
- 3.0% - limited service such as monthly grants or parcel taxes
- 1.5% - for annual payments only

and

2. Service budget (capital purchases only) multiplied by 1.0%.

b. Allocation of Other Shared Costs

1. Information Technology and Services will be allocated by FTE based on the number of staff issued a computer.
2. Cellular Service will be allocated by FTE based on the number of staff issued a cell phone.
3. Administration building costs and replacement reserve costs will be allocated on FTE based on the amount of staff with space allocated in the administrative building.
4. Fleet costs will be based on actual use or in the case of shared vehicles it will be on FTE based on the number of staff the have access to that vehicle.
5. Liability Insurance will be based on an assessment of risk associated with each service to be adjusted each year by the CAO and CFO.
6. Property Insurance will be allocated based on the total property value of each service divided by the total value of the Regional District Property.

- c. The Minimum administrative amount charged to each service shall be \$500 for services with a budget \$5,000 or greater and \$250 for services with a budget of less than \$5,000.

- d. For budgets that vary greatly year to year a three-year floating average may be used as an "average" budget to determine the administrative charge.



Regional District of Bulkley-Nechako

To: Board of Directors
From: John Illes, Chief Financial Officer
Date: September 17, 2020
Re: Accounting of Directors' Remuneration and Expenses Policy

Recommendation (All/Directors/Majority):

That the Board approve the Accounting for Directors' Remuneration and Expenses Policy.

Background:

At the September 3rd Committee of the Whole Meeting, the Board directed staff to bring back the policy to the September 17, 2020 Board meeting for approval. The policy remains unchanged since its presentation on September 3rd.

The policy is attached to this memo.



Regional District of Bulkley-Nechako Board Policy

SUBJECT: Accounting for Directors' Remuneration and Expenses
 CATEGORY: Financial Services
 LAST REVIEW:

1. PURPOSE

The purpose of this policy is to set out the accounting for Board remuneration and expenses in a clear and easily understandable manner.

2. CONTEXT

Bylaw: The Board has outlined the remuneration and expenses for the Board in Bylaw 1837 - "Regional District of Bulkley Nechako Directors' Remuneration and Expenses"

3. POLICY STATEMENT

The administrative and governance expenses for the Regional District of Bulkley-Nechako is assigned to either of two revenue sources: General Administration that obtains taxation revenue from both Municipalities and Electoral Areas and Rural Administration that obtains taxation revenue from Electoral Areas only.

The Board recognizes that Directors' attendance at Board and Committee meetings is at the core of the governance for the Regional District and as such the expenses and remuneration to attend these meetings will be assigned to General Administration.

The Board recognizes that the Chair, Vice Chair and Committee Chair positions are working on behalf of the entire Regional District and therefore the Chair, Vice Chair and Committee Chair remuneration and expenses related directly to a Director acting in one of these positions will be assigned to General Administration.

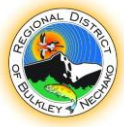
The Chair of the Rural/Agricultural Committee is primarily of interest to Electoral Area Directors and therefore the remuneration and expenses association with a Director being Chair of the Rural/Agricultural Committee shall be assigned to Rural Administration.

The Regional District will not pay remuneration or expenses for Municipal Directors to attend events outside of Board and Committee Meetings except for a Director's work as Chair or Committee Chair.

All remuneration and expenses for Rural Directors outside of the Director's work as Chair or Committee Chair and attendance at Board and Committee Meetings will be paid from Rural Government.

The benefits and remuneration associated with Electoral Area Directors shall be assigned to Rural Administration. This includes among other things Rural Area Population Remuneration, Rural Director's Remuneration Supplement, and expenses associated with attending local meetings of interest to the local rural communities.

One-time exceptions to the policy can be approved by Board motion.



Regional District of Bulkley-Nechako

To: Board of Directors
From: John Illes, Chief Financial Officer
Date: September 17, 2020
Re: Chinook Shareholders' Resolution

Recommendation (All/Directors/Majority):

That the Board approve the Chinook Comfor Limited Shareholders' Resolution and that the Chair and Corporate Officer sign the resolution.

Background:

The manager of Chinook Comfor Limited has requested a six month's extension for the company's annual general meeting to the BC Registrar of Companies in light of the current pandemic situation.

This request and the continuation of the appointment of the company's Board of Directors requires a shareholders' resolution.

The Regional District holds 894 shares of Chinook Comfor Limited.

SHAREHOLDERS' RESOLUTION
OF
CHINOOK COMFOR LIMITED
(the "Company")

WHEREAS:

- A. Karl Alfred Garrett (Village of Burns Lake Nominee) has resigned as a director of the Company; and
- B. Paul Charles Alexander Davidson (Village of Burns Lake Nominee) has consented in writing to act as a director of the Company, effective Nov 2, 2020.

RESOLVED THAT:

- 1. Resignation of Karl Alfred Garrett as a director of the Company be confirmed;
- 2. Paul Charles Alexander Davidson (Village of Burns Lake Nominee) be appointed as a director of the Company effective Nov 2, 2020;
- 3. The following persons directors of the Company will hold office until they cease to act as directors or until their successors are elected or appointed:

James Michael Rakochy	Walter Miles Fuller Jr.
Kieran Broderick	Lloyd Adams
Adele Gooding	Cindy Shelford
Duane Crouse	Shannon Haizimsque
Paul Charles Alexander Davidson	

- 4. These resolutions may be executed and transmitted by facsimile, electronic mail, or other electronic means, and in as many counterparts as may be necessary, each of which so signed and transmitted shall be deemed to be an original, and such counterparts together shall constitute one and the same original instrument and notwithstanding the date of execution shall be deemed to bear the date set out below.

Effective date: Nov 2, 2020

YINKA DENE ECONOMIC DEVELOPMENT LIMITED PARTNERSHIP,
by the authorized signatory(ies) of its general partner:

Per: _____
Signature

Print Name: _____

Per: _____
Signature

Print Name: _____

HUNUST' OT' EN INVESTMENT CORP.,
by its authorized signatory(ies):

Per: _____
Signature

Print Name: _____

Per: _____
Signature

Print Name: _____

NATANLII DEVELOPMENTS LTD.,
by its authorized signatory(ies):

Per: _____
Signature

Print Name: _____

Per: _____
Signature

Print Name: _____

NOOT'SENAY ENTERPRISES LIMITED PARTNERSHIP,
by the authorized signatory(ies) of its general Partner,
Noot'senay Enterprises Ltd.:

Per: _____
Signature

Print Name: _____

Per: _____
Signature

Print Name: _____

LAKE BABINE NATION FORESTRY LTD.,
by its authorized signatory(ies):

Per: _____
Signature

Print Name: _____

Per: _____
Signature

Print Name: _____

TS'IL KAZ KOH DEVELOPMENT LIMITED PARTNERSHIP,
by its authorized signatory(ies) of its general partner,
Ts'il Kaz Koh Development Corporation:

Per: _____
Signature

Print Name: _____

Per: _____
Signature

Print Name: _____

THE VILLAGE OF BURNS LAKE,
by its authorized signatory(ies):

Per: _____
Signature

Print Name: _____

Per: _____
Signature

Print Name: _____

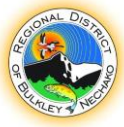
REGIONAL DISTRICT OF BULKLEY NECHAKO,
by its authorized signatory(ies):

Per: _____
Signature

Print Name: _____

Per: _____
Signature

Print Name: _____



Regional District of Bulkley-Nechako

To: Board of Directors
From: John Illes, Chief Financial Officer
Date: September 17, 2020
Re: Chinook Community Society

Recommendation (All/Directors/Majority):

That the Board approve the Chinook Community Society's resolutions and authorize the Chair and the Corporate Officer to sign the resolution.

Background:

The Village of Burns Lake and the Regional District of Bulkley-Nechako formed the Chinook Community Society to manage the profits it obtains from Chinook Comfor Ltd. on behalf of the Village of Burns Lake and Electoral Areas B and E of the Regional District.

The Directors of the Society have retained Legacy Tax and Trust Lawyers to help the Society obtain charitable status with the Canada Revenue Agency.

The lawyers have recommended the changes in the attached resolution to make ensure that the Society's are consistent with the CRA's registered charity requirements.

The current goal of the society is to become a registered charity and form a partnership agreement with the Vancouver Foundation or the Prince George Community Foundation for the investment of funds. The Society hopes to be providing community grants by 2025.

CHINOOK COMMUNITY SOCIETY

(the “Society”)

RESOLUTIONS consented to in writing by all the members of the Society entitled to vote on the following resolutions:

1. RESOLVED, as a special resolution pursuant to the British Columbia *Societies Act*, that the Constitution of the Society be amended by deleting the following words and punctuation:

“The purposes of the Society are:

- (a) to provide grants for charitable purposes as may contribute to the benefit and well-being of the residents of the Village of Burns Lake and Electoral Areas B and E of the Regional District of Bulkley-Nechako in the Province of British Columbia;
- (b) to invite contributions and promote fund development through the receipt of bequests, trusts, funds and property (“Assets”);
- (c) to receive and remit to the Prince George Community Foundation funds received from the Village of Burns Lake and the Regional District of Bulkley Nechako derived from the Chinook Comfor Limited Partnership (“Chinook Revenue”), and to remit to the Prince George Community Foundation funds received by the Society as part of its Assets (collectively with the Chinook Revenue, the “Funds”);
- (d) to consider and approve requests for funding and to provide direction to the Prince George Community Foundation for disbursement of grants to be awarded from income derived from the Funds, to charitable organizations providing services primarily and exclusively within the boundaries of the Village of Burns Lake and Electoral Areas B and E of the Regional District of Bulkley-Nechako in the Province of British Columbia in accordance with the Chinook Community Foundation Terms of Reference;
- (e) to ensure that the capital of the Funds is invested to preserve the capital and establish a legacy fund;
- (f) to exercise all powers as are necessarily ancillary to the fulfilment of the purposes of the Society.”

and replacing such words and punctuation with the following:

“The purposes of the Society are:

- (a) to gift funds to qualified donees as defined in subsection 149.1(1) of the *Income Tax Act (Canada)*; and
 - (b) to do all such other things as are incidental and ancillary to the attainment of the foregoing purposes and the exercise of the powers of the Society.”
2. RESOLVED, as a special resolution pursuant to the British Columbia *Societies Act*, that the Bylaws of the Society be amended by deleting the existing Bylaw 2.6 and replacing it with new Bylaw 2.6 as follows:
- “2.6 In the event that one or more members ceases to be a member under Bylaw 2.5, the Society shall dissolve.”
3. RESOLVED, as a special resolution pursuant to the British Columbia *Societies Act*, that the Bylaws of the Society be amended by deleting the existing Bylaw 2.7 and replacing it with new Bylaw 2.7 as follows:
- “2.7 Upon the winding up or dissolution of the Society, the funds and property remaining after the payment of all costs, charges and expenses properly incurred in the winding up or dissolution including the remuneration of a liquidator, and after payment to employees of the Society of any arrears of salaries or wages, and after payment of any debts of the Society, shall be distributed to such charities, registered under the provisions of the *Income Tax Act (Canada)*, R.S.C. 1985, c.1 (5th Supp.) or such "qualified donees" allowed under the *Income Tax Act (Canada)* which are charitable at law, as shall be designated by the Board of Directors.”
4. RESOLVED, as a special resolution pursuant to the British Columbia *Societies Act*, that the Bylaws of the Society be amended by adding the following Bylaw after the end of Bylaw 8.4:
- “No profit to members**
- 8.5 The activities of the Society will be carried on without purpose of gain for its members and any income, profits or other accretions to the Society will be used in promoting the purposes of the Society.”
5. RESOLVED that these resolutions may be executed in one or more counterparts all of which together shall constitute one and the same instrument, and notwithstanding the date

of execution will be deemed to be executed on the date herein stated, and any such counterpart may be delivered by way of facsimile or email transmission.

DATED as of _____.

VILLAGE OF BURNS LAKE

by its authorized signatory:

REGIONAL DISTRICT OF BULKLEY-NECHAKO

by its authorized signatory:

Name:

Title

Name:

Title

Name:

Title

Name:

Title



Regional District of Bulkley-Nechako Memorandum

To: Chair Thiessen and Board of Directors
 From: Nellie Davis, Regional Economic Development Coordinator
 Date: September 17, 2020
 Regarding: Federal Gas Tax Funds – Electoral Area ‘B’ (Burns Lake Rural),
 Burns Lake Mountain Bike Association

Recommendation:

That the Board authorize contributing up to an additional \$15,000 of Electoral Area ‘B’ Federal Gas Tax allocation monies to the Burns Lake Mountain Bike Association for a Recreation Infrastructure project at the Burns Lake Mountain Bike Park.

(All/Directors/Majority)

And, that the RDBN Board of Directors authorize the withdrawal of up to \$15,000 from the Federal Gas Tax Reserve Fund.

(Participants/Weighted/Majority)

Background:

In October 2018 the Board approved a Federal Gas Tax contribution of up to \$60,000 to the Burns Lake Mountain Bike Association to assist with the construction of a Village Connector trail from the existing bike park on Boer Mountain Road to the Rod Reid Trail.

The Society has successfully leveraged that approved funding to include a larger trail project, one that will complete the Society’s current trail development strategy. The \$265,000 project now includes the Village Connector Trail to Rod Reid, as well as an Utrack; a green-level trail from the bike park to the top of the mountain. These trails will significantly reduce bike traffic on the increasingly busy roads that access the trail network.

Total uncommitted Gas Tax Funds remaining in Electoral Area ‘B’ allocation is \$486,536.29. Director Michael Riis-Christianson is supportive of this project and of accessing additional Federal Gas Tax Funds in the amount of up to \$15,000 from Area ‘B’ for this Recreation Infrastructure project. A Board resolution is required to contribute Federal Gas Tax Funds to this project.



Regional District of Bulkley-Nechako Memorandum

To: Chair Thiessen and Board of Directors
From: Shari Janzen, Regional Economic Development Support Assistant
Date: September 17, 2020
Regarding: **Village of Granisle – Letter of Support Request**

Recommendation:

That the Board provide a Letter of Support to the Village of Granisle for their Trail and Waterfront Development Project application to the Investing in Canada Infrastructure Program's Community, Culture and Recreation Fund.

Background:

In 2019 the Village of Granisle completed a detailed design for replacement of the Marina in Granisle. It is the only Marina located on Babine Lake. Additionally, funds have been secured through a BC Rural Dividend Program grant to create a detailed design for a pier development on the Granisle waterfront as well as 10km of multi-use trail along the shores of Babine Lake from the Village of Granisle to Topley Landing. The detailed design for the trails is expected to be completed in 2021.

The Village of Granisle is submitting an application to the Investing in Canada Infrastructure Program's Community, Culture and Recreation fund for funding to replace the Marina and construct the pier and the portion of the trail that falls within the municipal boundary. The Village of Granisle is requesting a Letter of Support for the application from the RDBN.



Regional District of Bulkley-Nechako Memo

TO: Chair Thiessen and Board of Directors

FROM: Cheryl Anderson, Manager of Administrative Services

DATE: September 17, 2020

SUBJECT: CN – Whistle Cessation and Controlled Crossings

RECOMMENDATION

(all/directors/majority)

That the Board authorize staff to consult with CN in regard to gated railway crossing construction with whistle cessation at two Lake Kathlyn Road Crossings and the Slack Road Crossing.

BACKGROUND

At the September 3, 2020 Committee of the Whole Meeting, the Committee received a delegation of residents in Electoral Area “A” (Smithers Rural) for whistle cessation at three crossings located at Lake Kathlyn East, Lake Kathlyn West, and Slack Road as a result of a petition signed by 334 residents titled “This petition directs the Bulkley-Nechako Regional District to pursue gated railway crossing construction with whistle cessation. Construction locations include two Lake Kathlyn Road Crossings and the Slack Road Crossing.”

At this time, staff is seeking authorization to proceed with next steps as identified below.

Apply to Road Authority /Transport Canada for Anti-whistling

1. **Citizen or community group expresses interest**
The municipality receives a request to stop train whistling at a specific area (one crossing or multiple crossings) along a railway corridor.
2. **Municipality consults with railway company**
To find out if the request is feasible, the municipality checks with the company that operates the railway line.
3. **Municipality notifies the public**
The municipality:
 - notifies [all relevant associations or organizations](#)

- issues a public notice, which says it intends to pass a resolution to stop train whistling at a railway crossing (or at multiple crossings in one area)
4. **Municipality and railway company assess the crossing(s)**
This assessment determines whether or not the area meets whistling cessation requirements in section 104 of the *Grade Crossings Regulations* and Appendix D of the *Grade Crossings Standards*. The municipality and railway company may hire an engineer to help complete the assessment.
 5. **Municipality and railway company agree the crossing(s) meet requirements**
If the municipality and the railway company do not agree that the crossing(s) meet(s) these requirements, they should try to resolve the conflict.
 - **5a. (optional): Municipality and railway request a final decision from Transport Canada**
If the disagreement continues, they may send supporting documentation to railsafety@tc.gc.ca for assessment. Transport Canada's decision on the issue is final.
 6. **Municipality passes a resolution**
If it's decided that the crossing(s) meet(s) requirements, the municipality:
 - must pass a resolution saying it agrees train whistling should not be used at the crossing(s)
 - sends a copy of the resolution to the railway company and [all relevant associations or organizations](#), including Transport Canada's Rail Safety Directorate headquarters (railsafety@tc.gc.ca)
 7. **Railway company confirms whistling has stopped at the crossing(s) (within 30 days)**
When they receive the resolution, the railway company must:
 - issue special instructions to stop train whistling at the crossing(s)
 - notify Transport Canada's Rail Safety Directorate (railsafety@tc.gc.ca) of the effective date of whistling cessation, with a copy of its special instructions
 - notify the municipality and/or road authorities in writing of the whistling cessation, not later than 30 days after the day the whistling stops
 8. **Municipality and railway company both ensure the right safety conditions are met**
If the municipality and company do not maintain the crossing(s) according to requirements in the *Railway Safety Act* and *Grade Crossings Regulations*, a Transport Canada Rail Safety Inspector may order that train whistling start again.



Regional District of Bulkley-Nechako Memo

TO: Chair Thiessen and Board of Directors

FROM: Cheryl Anderson, Manager of Administrative Services

DATE: September 17, 2020

SUBJECT: Fort Fraser Fire Protection Service Area Boundary Amendment
Bylaw No. 1920, 2020

RECOMMENDATION

(all/directors/majority)

“That “Fort Fraser Fire Protection Service Area Boundary Amendment Bylaw No. 1920, 2020” be given first, second, and third reading this 17th day of September, 2020.”

BACKGROUND

Attached is Fort Fraser Fire Protection Service Area Boundary Amendment Bylaw No. 1920, 2020. The property owners have requested that the property be included in the fire protection service area. The Fort Fraser Fire Chief, Regional Fire Chief, and Electoral Area “D” Director are supportive of the request.

REGIONAL DISTRICT OF BULKLEY-NECHAKO**BYLAW NO. 1920**

A bylaw to amend the boundaries of the Fort Fraser Fire Protection Service Area within a portion of Electoral Area "D"

WHEREAS the Regional District of Bulkley-Nechako has established by Bylaw No. 624 a service of fire protection to a portion of Electoral Area "D" known as the "Fort Fraser Fire Protection Service Area";

AND WHEREAS the Regional District may amend a Local Service Establishment Bylaw under Section 349 of the *Local Government Act*;

AND WHEREAS the Regional District has received a request from owners of the property to be included in the Fort Fraser Fire Protection Service Area;

AND WHEREAS the Director of Electoral Area "D" has consented in writing to the adoption of a bylaw which would amend the boundaries of the service area which amendments are described herein, in accordance with Section 347 of the *Local Government Act*;

NOW THEREFORE, the Board of Directors of the Regional District of Bulkley-Nechako, in open meeting assembled enacts as follows:

- 1) That the Regional District hereby amends the boundaries of the Fort Fraser Fire Protection Service Area by including the following property:

The South-west ¼ of Section 27 Township 14 Range 5 Coast District

and that the resulting boundaries of the Fort Fraser Fire Protection Service Area are as shown on Schedule "A";

- 2) This bylaw may be cited as "Fort Fraser Fire Protection Service Area Boundary Amendment Bylaw No. 1920, 2020."

READ A FIRST TIME this day of , 2020

READ A SECOND TIME this day of , 2020

READ A THIRD TIME this day of , 2020

CONSENT OF ELECTORAL AREA "D" DIRECTOR RECEIVED this
day of , 2020

ADOPTED this day of , 2020

Chairperson

Corporate Administrator

I hereby certify that the foregoing is a true and correct copy of Bylaw No. 1920,
as adopted.

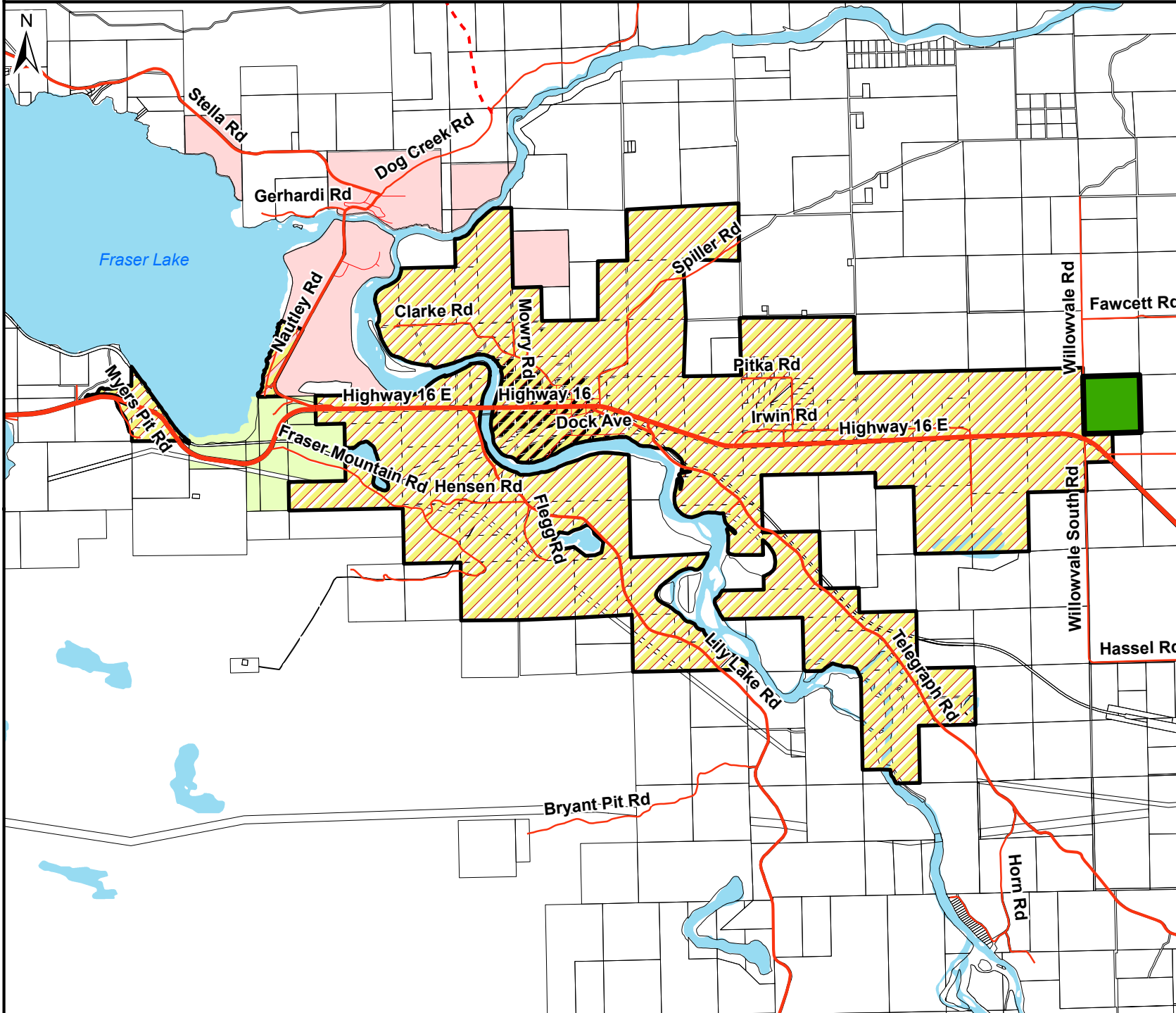
Corporate Administrator





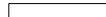



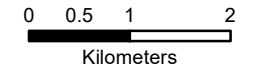
Fort Fraser Fire Protection Service Area Boundary Amendment Bylaw No. 1920, 2020

149

Legend



-  Expansion Property
-  Fire Protection Area Fort Fraser
-  Highway
-  Major Secondary Road
-  Cadastre
-  Parks



This map is an approximate representation and should only be used for reference purposes.

I hereby certify that this is Schedule A of Bylaw No. 1920

Corporate Administrator

TO: Chair Thiessen and Board of Directors
FROM: Protective Services
DATE: September 17, 2020
SUBJECT: **British Columbia – Modernizing BC’s Emergency Management Legislation**

RECOMMENDATION

1. That the Board direct staff to pursue further engagement with the Province of BC with the below recommendations.

VOTING: All /DIRECTORS/MAJORITY

EXECUTIVE SUMMARY

On August 31, 2020, Emergency Management BC (EMBC) published a response document summarizing the feedback from the Emergency Program Act (EPA) Modernization Engagement process. The document titled, “What We Heard” identifies the common ‘overarching themes’ of concerns consistent with Local Government and First Nations communities. The document also highlights which modernization recommendations put forth by the Province will be further investigated, and which ones will no longer pursued as part of the EPA modernization.

Written by,



Haley Jeffrey
 Emergency Services Manager



Deborah Jones-Middleton
 Director of Protective Services

Attached:

- Modernizing BC’s Emergency Management Legislation Summary of What We Heard In Response To The Discussion Paper Issued On October 28, 2019
- Letter to Minister Farnworth re: Discussion Paper: British Columbia – Modernizing BC’s Emergency Management Legislation

The document does not address all RDBN's initial concerns and recommendations from the feedback provided in January 2020. However, EMBC has provided another invitation to engage local governments and First Nations further with an opportunity to provide additional feedback which can be received until September 30, 2020.

The main topics the RDBN put forward for consideration that were not addressed are as follows:

- host communities;
- Provincial Ministries and consultation with Local Governments and communities in determining response activities; and,
- Stay & Defend

In addition to the recommendations provided in January 2020, RDBN staff would like to include the following recommendations for EMBC to consider through the modernization process:

- provide financial and acquisition support for Personal Protective Equipment during a pandemic for Emergency Support Services teams;
- streamline pandemic/epidemic information for Local Governments and First Nations communities in a more logical fashion.
- identify solutions and provide technological infrastructure for virtual Emergency Operations Centers to support communities with sustained emergency response activities;
- the Province will ensure that Provincial Ministries who are legislated to support local government and First Nations during an emergency, as stated in the EPA, understand their responsibilities and are committed to planning and supporting local governments and First Nations during an emergency event;
- mandate the provision of grant funding essential for the ongoing development of local government and First Nation Emergency Management Programs including ESS as part of the EPA.

TO: Chair Thiessen and Board of Directors
FROM: Protective Services
DATE: September 17, 2020
SUBJECT: Community Resiliency Investment Program – 2021 FireSmart Community Funding & Support Application

RECOMMENDATION:

That the Board support applying to the Union of British Columbia Municipalities (UBCM) Community Resiliency Investment Program – FireSmart Community Funding & Support (CRI Funding), to extend the FireSmart program from May 2021 – May 2022.

And

That the Board authorize the Chair and CAO to enter and/or the RDBN's contract with the CRI Funding program, should the funding be approved, and provide overall grant management for the project.

VOTING: All/Directors/Majority

EXECUTIVE SUMMARY


The UBCM is offering the CRI Funding Program again this year. Staff are preparing an application for the 2021 intake to renew the funding for the RDBN's FireSmart program. A resolution from the RDBN Board is required to submit the application.

The CRI Funding has enabled the development of a robust FireSmart program within the RDBN. The Department of Protective Services would like to continue to develop this program and increase public awareness regarding wildfire preparedness.


The CRI Funding Program will contribute 100% of the cost of the eligible activities. Regional applicants may apply for a maximum of \$150,000 base funding, and an additional \$50,000 per Electoral Area to a maximum of \$500,000. The deadline for the application is October 9, 2020.

The RDBN hosted a meeting with several member municipalities on September 9th to look at collaborative opportunities within the CRI Funding Program. There was significant interest in collaborating on these projects. Member municipalities that attended have agreed to confirm their participation in the program by September 25th.

Written by,



Lindsay King
FireSmart Educator



Deborah Jones-Middleton
Director of Protective Services

BACKGROUND:

The RDBN's FireSmart program was initiated in May 2020 with funding from the CRI Funding program. The FireSmart Educator has increased public awareness on wildfire preparedness by hosting FireSmart webinars, promoting FireSmart at farmers markets, and by organizing community outreach events. The RDBN's FireSmart Educator has completed 80 FireSmart Home Assessments to date.

DISCUSSION:

The CRI Funding will contribute 100% of the cost of the eligible activities. Regional applicants may apply for a maximum of \$150,000 base funding, and an additional \$50,000 per Electoral Area. Some of the proposed activities for this program include:

1. public outreach and education:
 - a. at farmers markets;
 - b. through online webinars; and,
 - c. at public schools;
2. distributing Firesmart information:
 - a. with mail packages targeting high risk residents;
 - b. emailed to previous FireSmart clients;
 - c. using RDBN social media platforms; and,
 - d. with a promotional video advertisement that will be shown at movie theatres within the RDBN region;
3. conducting Firesmart home assessments and providing recommendations;
4. administering the FireSmart Home Rebate Program;
5. creating a Community Wildfire Resiliency Plan; and,
6. developing Wildfire Threat Assessments for RDBN critical infrastructure including but not limited to:
 - a. Regional Parks;
 - b. Fire Departments;
 - c. landfills, transfer stations; and,
 - d. water/sewer systems.

Under the direction of the Director of Protective Services, the Regional Fire Chief and the FireSmart Educator will manage this program.



Regional District of Bulkley-Nechako Memorandum

To: Chair Thiessen and Board of Directors
From: Nellie Davis, Regional Economic Development Coordinator
Date: September 17, 2020
Regarding: **Federal Government Broadband and Spectrum Advocacy Letter**

Recommendation:

That the Board provide the attached Letter to the Right Honourable Justin Trudeau to advocate for changes to Broadband Infrastructure Investment and Spectrum Allocation policies.

Background:

Telus, as per previous conversations with staff and the Broadband Committee, have provided the framework of a letter to the Federal Government advocating for changes to current spectrum allocation policies. This letter template was provided to local governments in hopes to have the completed letters delivered in advance of the September 23, 2020 Speech from the Throne.

Staff have adapted the letter to reflect RDBN priorities for connectivity advocacy and are submitting it for review and comments prior to sending.

September 17, 2020

The Right Honourable Justin Trudeau, P.C., M.P.
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2

Dear Prime Minister,

The Regional District of Bulkley-Nechako (RDBN) has prioritized **Connectivity** in our rural, northern communities for several years, and continues to advocate and collaborate with all levels of Government, First Nations, ISPs operating in our region, as well as industrial and public sector stakeholders to improve access to vital online services for our residents.

We are writing to ask that you **prioritize rural connectivity in the upcoming Speech from the Throne** on September 23. The ongoing COVID-19 pandemic has reinforced the essential role connectivity services play in the daily lives of Canadians, not only to stay in touch with loved ones, but to telecommute, access virtual health care services, and enable remote learning. The abrupt transition to mandatory digital participation has moved the focus from the economic and social development disadvantages, to significant concerns for safety, health and well-being in rural, and particularly Northern BC.

As you prepare to lay out the Government of Canada's priorities in the Speech from the Throne, we urge you to prioritize policies that **revise how public funds can be more effectively allocated to ensure that rural, northern residents receive the essential service of reliable, affordable highspeed internet in a timely fashion**. The need for new or improved broadband connectivity in the Regional District of Bulkley-Nechako and communities like ours is urgent.

To deliver better connectivity to our communities – and all of rural Canada – we ask that the federal government encourage rural network investment and deployment by:

1. Expediting the 3500 MHz and 3800 MHz spectrum auctions so that this spectrum can be put to use for all Canadians, sooner.
2. Imposing meaningful deployment conditions across accelerated timelines to all spectrum holders. For example, a “use it or lose it” spectrum policy that requires greater rural deployment within five years of a license grant, where failure to build results in forfeiture of that license.
3. Ending the use of spectrum set asides, particularly for rural areas, as set-aside eligible telecoms companies do not have a track record of deploying in rural Canada, and that spectrum goes unused.

4. Continuing to invest in rural connectivity programs by launching the Universal Broadband Fund, supporting the CRTC Broadband Fund, and identifying opportunities to match or coordinate funding programs with the provinces.
5. Considering broadband connectivity an Essential Service.
6. Considering ownership of digital infrastructure on par with transportation infrastructure, as being mandatory to provide, operate and maintain on behalf of Canadian residents.
7. Funding it accordingly by collaborating with Provinces and local governments to serve areas where a business case cannot be justified by a local ISP.

We can no longer afford delays to the roll out of broadband connectivity. We hope that you will include rural connectivity as a key priority in the Speech from the Throne. We ask that these commitments be reflected in new ministerial mandate letters, reflecting your government's commitment to **revise how public funds can be more effectively allocated in** the RDBN and all of rural Canada.

I look forward to hearing from you on how your government is going to prioritize rural connectivity to ensure equal access for all Canadians to reliable wireless services and high-speed internet.

Sincerely,

Gerry Thiessen
Chair, Regional District of Bulkley-Nechako

Cc
Hon. Chrystia Freeland, Minister of Finance
Hon. Navdeep Bains, Minister of Innovation, Science and Industry



Regional District of Bulkley-Nechako Memo

TO: Chair Thiessen and Board of Directors

FROM: Cheryl Anderson, Manager of Administrative Services

DATE: September 17, 2020

SUBJECT Friends of Morice Bulkley - Risk Assessment of Hazardous Petroleum Cargo on Northwest BC Rail Corridor

RECOMMENDATION

(all/directors/majority)

Receive.

BACKGROUND

Attached is a letter from Friends of Morice Bulkley outlining its concerns for public safety and the safety of the watershed with the proposed increase in hazardous petroleum cargo on the Northwest rail corridor. The group is requesting a letter of support from the RDBN Board.

Friends of *Morice Bulkley*

PO Box 2841
Smithers BC V0J2N0

Email: info@friendsofmoricebulkley.ca
Web: friendsofmoricebulkley.ca

July 31, 2019

Board of Directors
Regional District of Bulkley Nechako
c/o Mark Fisher
mark.fisher@rdbn.bc.ca

Re: Risk Assessment of Rail Transport of Hazardous Petroleum Cargo on Northwest BC Rail Corridor

Dear Board of Directors:

Request for letter to Transport Minister:

Because of our concern for public safety and the safety of our watershed given the proposed dramatic increase in hazardous petroleum cargo on the Northwest rail corridor, we are asking Council to write the Minister of Transport requesting a risk assessment under the *Railway Safety Act*. Recognizing that this is a complicated 'ask', we have outlined the main points we would like to see in such a letter, below:

The global tank storage company, Vopak, teamed with AltaGas to build a propane terminal at Prince Rupert¹. AltaGas is the first propane export terminal on Canada's west coast and it requires 50 -60 propane tank cars per day. Assessed under the BC Environmental Assessment Office (EAO), no consideration was given to the rail transport of dangerous products. As a result, unit trains of pressurized propane tank cars are now passing through the heart of our towns and cities along the northwest CN rail line.

We have attached a map of Smithers overlain with propane rail disaster evacuation zones as defined in the 2016 Emergency Response Guidebook². We find it sobering that much of the town and literally all the downtown core could be destroyed if a unit train of propane were to derail and explode.

A second proposed propane export facility is undertaking geotechnical work in Kitimat. Pacific Traverse Energy has received a 25-year propane export license from the National Energy Board and, if built, will require 60 propane rail cars a day.³

¹ The Northern View May 5, 2017

² Emergency Response Guidebook 2016 was developed jointly by Transport Canada, the U.S. Department of Transportation, the Secretariat of Transport and Communications of Mexico and others, for use by fire fighters, police, and other emergency services personnel who may be the first to arrive at the scene of a transportation incident involving dangerous goods.

³ <https://www.terracestandard.com/news/geotechnical-work-underway-at-proposed-kitimat-propane-terminal/>

Vopak Pacific Canada has applied for environmental certification to build a terminal for liquid bitumen refinery products⁴. The Interior News states “At full capacity, Vopak expects the 240 rail cars per day (60 for liquefied petroleum gas, 90 for clean petroleum products, such as diesel or gasoline, and 90 for methanol.)”

If both Vopak and Pacific Traverse export facilities are built, the Northwest rail corridor will be carrying 180 pressurized liquefied petroleum gas tank cars and 180 tank cars filled with petroleum liquids per day.

There are several unique hazards specific to the northwest BC rail line; one being that there is no circle route so empties will return on the same line, increasing complexity of managing hazardous and other rail traffic. The CN rail line follows the Skeena River through the Coast Mountains, which are notorious for landslides, avalanche and flooding. We are economically and culturally tied to the world-class wild salmon resources of this watershed. Yet residents have observed numerous derailments and spills over the years and know that products like diesel are especially toxic to aquatic life if spilled.

These petroleum products export terminals are undergoing BC environmental assessment with no consideration of public and environmental safety during the rail transport of hazardous goods. If approved, the projects will result in a major increase in hazardous cargo different from what CN has previously transported on this line. This increase in shipment of petroleum products will be occurring without an environment assessment of the rail line, a publicly available spill response plan or a commitment to using the most up to date and safest version of rail tank cars, enhanced braking systems, electronic systems to prevent collisions and derailments. The public is deeply concerned this change will affect the safety of the public and protection of property and our river systems.

We request that, as elected officials:

Council write the Honourable Marc Garneau requesting the Ministry of Transport initiate an inquiry under the *Railway Safety Act* of the proposed increase in flammable hazardous shipments on the Northwest BC rail corridor. The Minister may choose to designate an individual or panel of rail safety experts to conduct the risk assessment – the important thing is that it be public and transparent. To have the greatest credibility with the public, this panel should include rail safety experts from both inside government (i.e., Transportation Safety Board) and outside government.

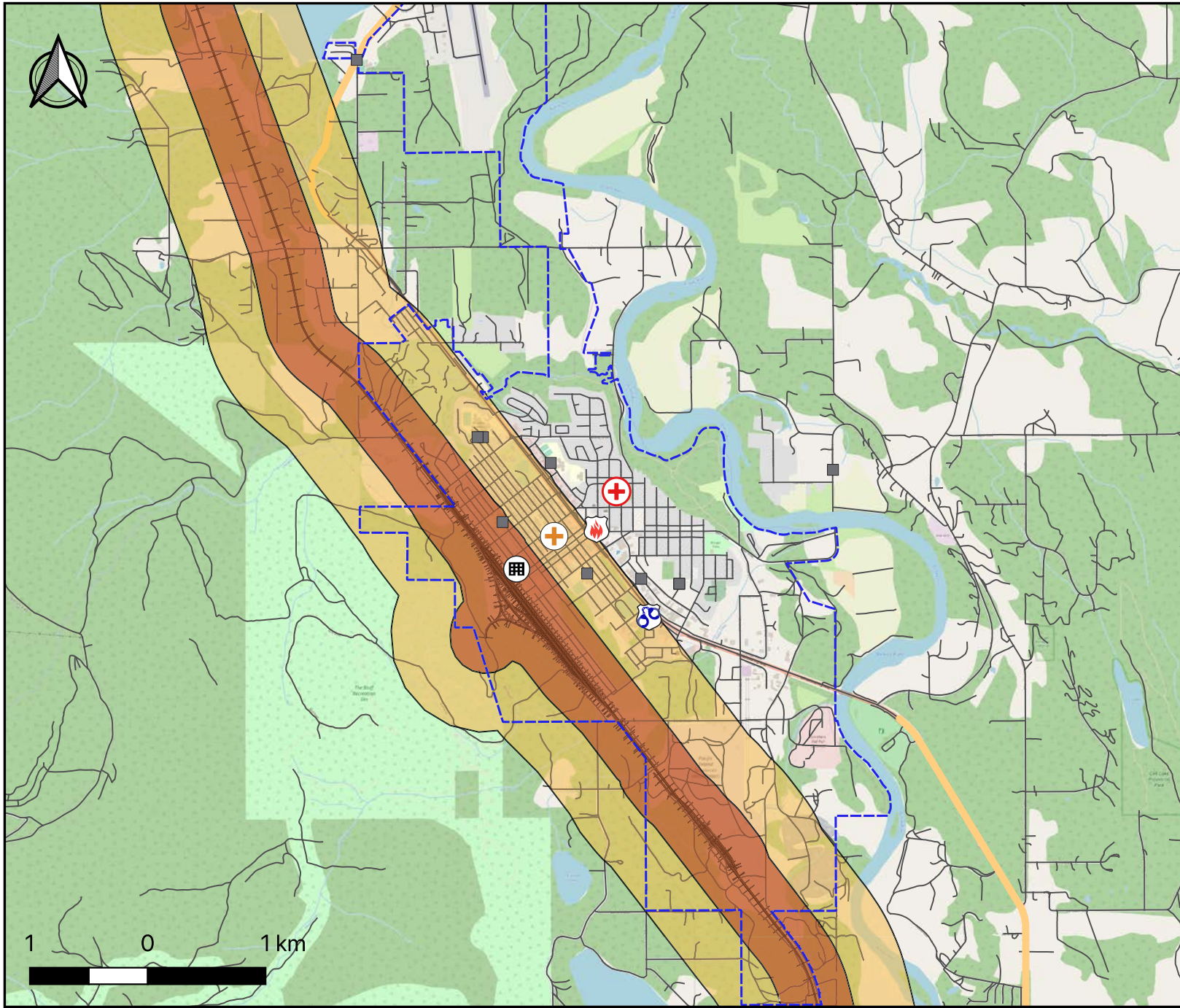
This assessment should be conducted before any further increase in hazardous goods traffic. The assessment would need to identify risks and remedial actions for possible adverse environmental effects including spills into watersheds, public safety issues and climate impacts. The inclusion of municipal/local governments in the risk assessment process is essential. Local governments have too many concerns regarding train technology, track and bridge maintenance and spill response plans to list them all here. We would be very willing to further engage with a rail safety inquiry, particularly regarding role of local governments in public education and emergency response planning.

For the purposes of tonight’s discussion, we have attached the *Smithers Rail Evacuation Maps* and the *Rail Safety Toolkit for Residents* files.

Sincerely,
Dawn Remington
chair, Friends of Morice Bulkley

⁴ (Interior News Oct 3, 2018)

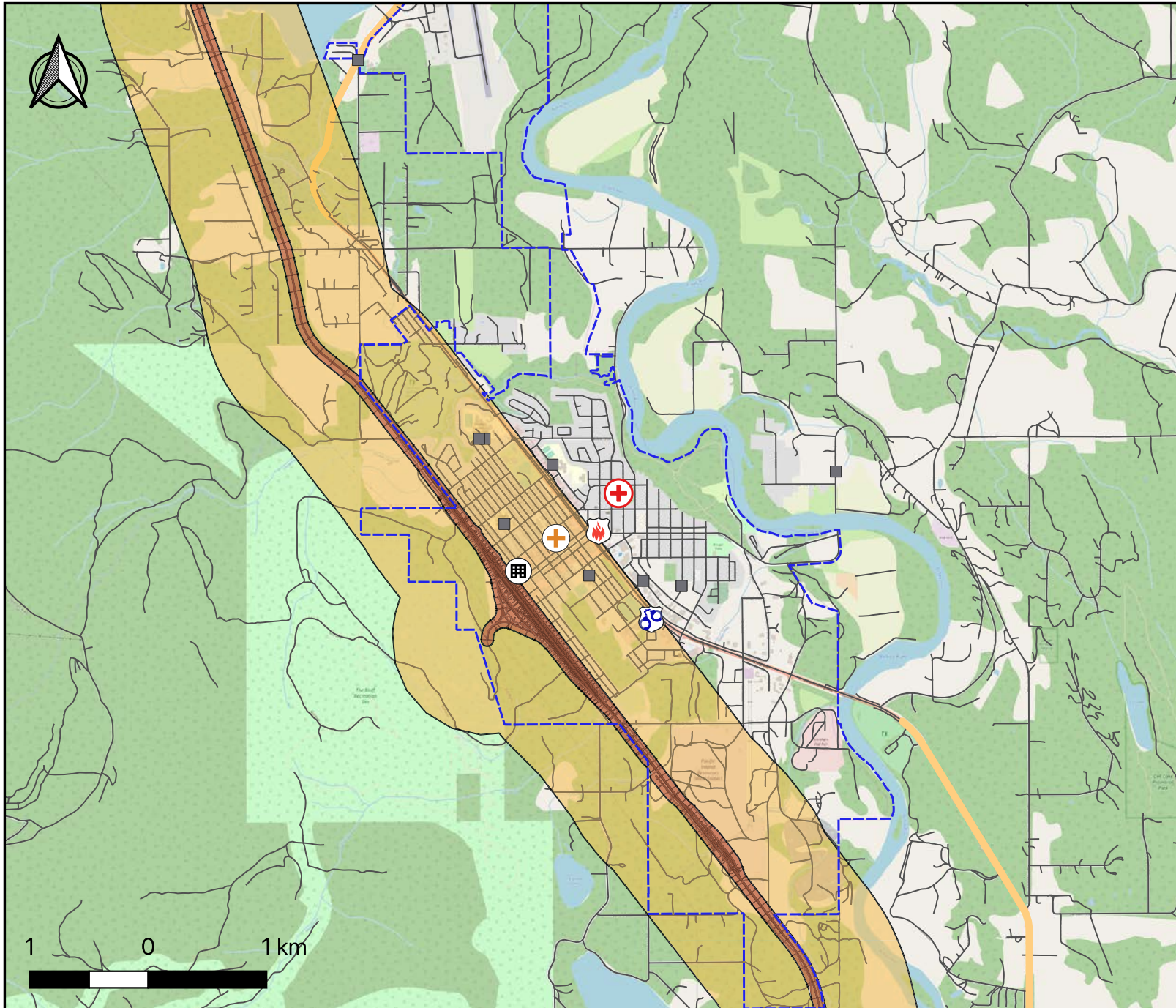
Diesel Rail Evacuation Zones - Smithers



- Ambulance Station
- Fire Station
- Police Station
- Hospital
- Municipal Office
- School
- CN Rail Line
- Roads**
- Highway
- Local Road
- Municipal Boundary
- Spill Evacuation Zone (300 m)
- Fire Evacuation Zone (800 m)

Distances for evacuation zones are referenced from the North American 2016 Emergency Response Guidebook, available at <https://tc.gc.ca/eng/canutec/guide-menu-227.htm>

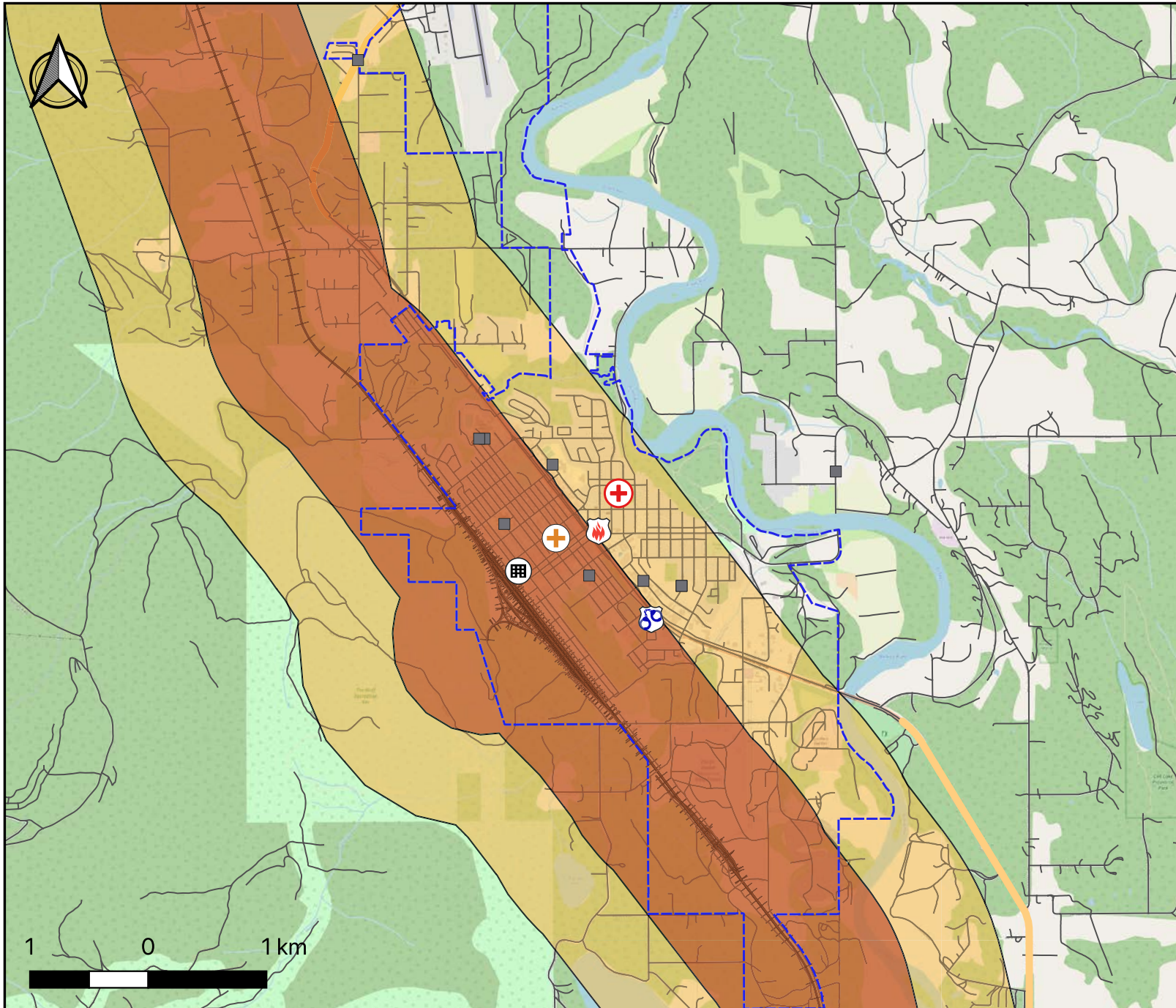
Methanol Rail Evacuation Zones - Smithers















- Ambulance Station
- Fire Station
- Police Station
- Hospital
- Municipal Office
- School
- CN Rail Line
- Roads**
 - Highway
 - Local Road
- Municipal Boundary
- Spill Evacuation Zone (50 m)
- Fire Evacuation Zone (800 m)

Distances for evacuation zones are referenced from the North American 2016 Emergency Response Guidebook, available at <https://tc.gc.ca/eng/canutec/guide-menu-227.htm>

Propane Rail Evacuation Zones - Smithers



-  Ambulance Station
-  Fire Station
-  Police Station
-  Hospital
-  Municipal Office
-  School
-  CN Rail Line
- Roads**
-  Highway
-  Local Road
-  Municipal Boundary
-  Spill Evacuation Zone (800 m)
-  Fire Evacuation Zone (1600 m)

Distances for evacuation zones are referenced from the North American 2016 Emergency Response Guidebook, available at <https://tc.gc.ca/eng/canutec/guide-menu-227.htm>



Reference: 359888

September 9, 2020

Gerry Thiessen, Chair
and Directors
Regional District of Bulkley-Nechako
PO Box 820
Burns Lake BC V0J 1E0
Sent via email: mayor@district.vanderhoof.ca

Dear Chair Thiessen and Directors:

Thank you for your letter of July 31, 2020, regarding cardboard recycling in the Regional District of Bulkley-Nechako (RDBN).

I appreciate the RDBN providing an update on the status of cardboard recycling in the region. I understand the significant challenges the region has been experiencing since the loss of the baling facility at the Smithers & Area Recycling Society last year. The RDBN's continued engagement in Extended Producer Responsibility (EPR) is vital to the programs' success, and your comments regarding Industrial, Commercial and Institutional (ICI) sector generated cardboard and other materials are appreciated and will be considered as we move forward with EPR in B.C.

The ministry has heard that both stakeholders and the public want more EPR programs. Based on the recent 2019 review of potential products for inclusion under EPR programs (which included a product and services gap analysis to identify opportunities for EPR expansion) the ministry is finalizing a priority listing of potential products/categories to be addressed going forward. Once this exercise is complete, we will begin development of an outreach strategy on proposed priorities. Your feedback will be valuable, and you will be notified when we launch any outreach activities.

Thank you again for taking the time to write.

Sincerely,

A handwritten signature in blue ink that reads "G. Heyman". The signature is fluid and cursive.

George Heyman
Minister

cc: Cheryl Anderson, Manager of Administrative Services, Regional District of Bulkley-Nechako



RECEIVED

SEP 08 2020

REGIONAL DISTRICT OF
BULKLEY-NECHAKO

September 1, 2020

Ref: 149965-113531

Gerry Thiessen
Board Chair
Regional District of Bulkley-Nechako (RDBN)

Michael Riis-Christianson
RDBN Broadband Committee Chair and
Director
RDBN Electoral Area "B" (Burns Lake Rural)

37-3rd Avenue
PO Box 820
Burns Lake BC V0J 1E0

Dear Gerry Thiessen and Michael Riis-Christianson:

Thank you for your letters of June 10, 2020, addressed to MLA Scott Fraser, Mid Island-Pacific Rim, regarding support for the Regional District of Bulkley-Nechako's efforts, and of July 20, 2020, regarding recommendations to the Province regarding connectivity funding. I am pleased to respond to both of your letters regarding connectivity in the Regional District of Bulkley-Nechako, and on behalf of the Ministries of Citizens' Services and Jobs, Economic Development and Competitiveness.

The Government of British Columbia (BC) recognizes that connectivity is an essential service, critical to enabling and supporting the delivery of accessible and responsive services that people count on. It is foundational to economic growth, environmental sustainability, and social well-being in our communities. In some areas, the costs of providing coverage go beyond capital investments and require multiple levels of government, community, and industry to work together on solutions.

We see examples across the province that show when local governments act directly in connectivity expansion through coordination, planning, investment, and collaboration, they accelerate toward results and benefits. We commend the Regional District of Bulkley-Nechako for its continued regional leadership on connectivity development. More importantly, we applaud your efforts in reaching out to local First Nations as partners and collaborators in regional connectivity planning, and in including local Internet Service Providers.

.../2

Gerry Thiessen and Michael Riis-Christianson
Page 2

Your commitment to applying the knowledge obtained through studies to prioritizing regional objectives has led to the refined role of the broadband committee and insights that speak to the recommendations shared in your letters. It also confirms the need for collective dialogue among regional districts and across all levels of government regarding how best to ensure connectivity investments meet the needs of British Columbians in rural, remote, and Indigenous communities.

The Province intends to support and encourage this dialogue at the Union of BC Municipalities 2020 Annual Convention this September, inviting all levels of government to collectively explore BC's new digital reality and new approaches to connectivity as an essential service in the context of a post-COVID-19 world. We welcome your input in these discussions, and I have advised program staff to follow up with you to ensure your District is part of the conversation.

The progress made in bridging the digital divide in the past 20 years by all levels of government has been substantial, but we must not be complacent. We need long-term, sustainable connectivity solutions in all areas of BC to enable all rural, remote, and Indigenous communities to fully participate in the digital economy.

Thank you again for writing.

Sincerely,



Anne Kang
Minister of Citizens' Services

pc: Honourable Scott Fraser
Minister of Indigenous Relations and Reconciliation

Honourable Michelle Mungall
Minister of Jobs, Economic Development and Competitiveness

Honourable Doug Donaldson
Minister of Forests, Lands, Natural Resource Operations and Rural Development

Taylor Bachrach, MP
Skeena-Bulkley Valley

Todd Doherty, MP
Cariboo-Prince George

John Rustad, MLA
Nechako Lakes



Ministry of
Forests, Lands, Natural
Resource Operations
and Rural Development

TOGETHER FOR WILDLIFE

Improving Wildlife
Stewardship and
Habitat Conservation
in British Columbia



August 2020

It is a great pleasure for me to share British Columbia's *Together for Wildlife* strategy, which sets us on a path to improve wildlife and habitat stewardship in this province.

The diversity of wildlife in British Columbia is one of our province's greatest treasures. The variety of species, ecosystems, and habitats is greater than in any other province in Canada, and some species are not found anywhere else on earth.

Wildlife is of utmost importance to British Columbians, providing social, economic, environmental and cultural benefits. For many of us, the simple existence of wildlife is a fundamental value. Our rich natural diversity is inextricably linked to our way of life, and we need to ensure that wildlife and their habitats are resilient as we face challenges like climate change.

We built this strategy together with Indigenous peoples, rural communities, academic institutions and a wide range of resource industry, conservation, hunter, trapper, guide, recreation and tourism stakeholder organizations. We asked you to share your concerns and ideas for change. We heard your calls for sufficient funding, effective legislation, clear objectives, and meaningful on-the-ground work. And we heard this urgent work needs to start now.

In the *Together for Wildlife* strategy, we outline our vision and principles, and commit to 5 goals and 24 actions to achieve this vision. The issues facing wildlife and habitat in this province are complex and can only be resolved through reconciliation with Indigenous peoples and ongoing collaboration with industry, stakeholders, and the public. British Columbians must work together on shared priorities with the right tools and sufficient funding to achieve better outcomes for wildlife.

This strategy will be the foundation of our work now and beyond. This is our path forward, together for wildlife.

Sincerely,



A handwritten signature in black ink that reads "Doug Donaldson". The signature is fluid and cursive, written over a light grey background.

Doug Donaldson

Minister of Forests, Lands, Natural Resource
Operations and Rural Development

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1/ Introduction

British Columbia's biodiversity is globally significant: we are home to the broadest diversity of wildlife and ecosystems of any province or territory in Canada, including some species not found anywhere else on earth.

This rich natural abundance is a gift and a responsibility. It provides the people of British Columbia with a wealth of environmental, cultural, social, and economic benefits that are intrinsically linked to our history, our way of life, and the prosperity of future generations. We have opportunities and values that no other jurisdiction enjoys.

Our rich and diverse landscapes, many of which were sustainably managed by Indigenous peoples long before the arrival of Europeans, are indispensable to people and communities across the province. They provide food, fresh water, clean air, and natural resources, while also moderating our climate, regulating disease, cycling nutrients, and forming soils.

A growing body of evidence shows that wildlife and natural ecosystems make significant contributions to mental and physical well-being through aesthetic, spiritual, educational, and recreational values. Wildlife populations are an important source of food and culture to Indigenous peoples. Wildlife contributes to provincial and local economies through hunting, guide outfitting, trapping, wildlife viewing, photography, wilderness tourism, and research.

British Columbia's wildlife and their habitat face unprecedented and accelerating challenges due to climate change, increasing human activity, and competing pressures on the land base. These pressures are resulting in significant declines in some wildlife populations throughout the province. Along with our responsibility to build true and lasting reconciliation with Indigenous peoples, evolving societal expectations require a new and dynamic way of managing our wildlife and habitat. We need to be inclusive, adaptive, and agile.

Wildlife stewardship¹ and conservation practices have evolved over the past century. We need to continue to adapt and improve how we approach this work.

British Columbia is geographically, ecologically, and culturally diverse, and our collaborative approaches to wildlife stewardship must reflect these diverse interests and aspirations. Wildlife does not recognize the boundaries of any government. Also, solutions that work in one part of the province might not work elsewhere. Wildlife stewardship practices and policies must reflect this reality.

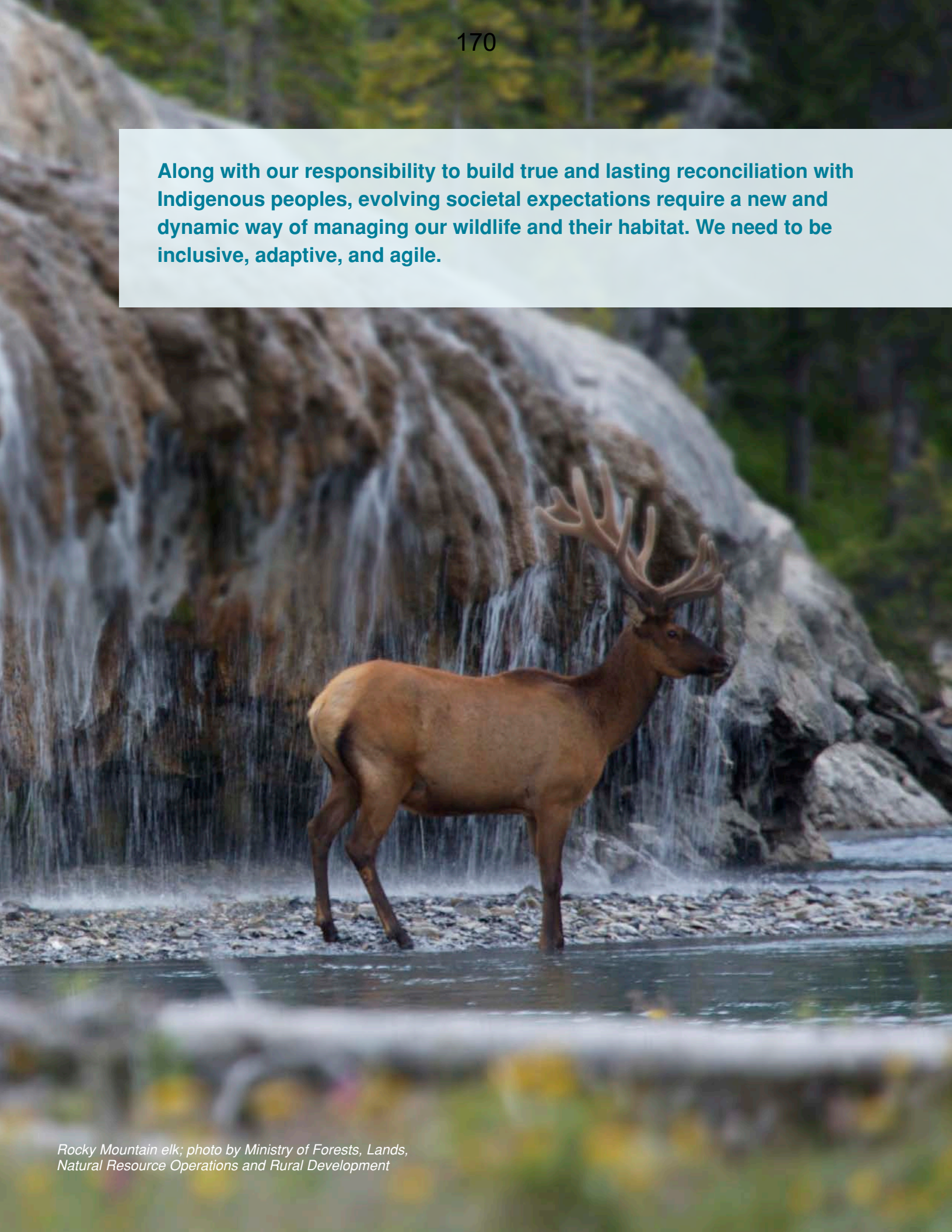
Given all the issues and opportunities we face today, there is simply too much for any one organization or one government to do. More than ever, we need to work together on shared priorities with the right tools and sufficient funding to achieve our desired outcomes on the ground.



Steller's Jay; photo by Rick Skerry

¹ For the purposes of this strategy, we define "wildlife stewardship" as the responsible care of wildlife and habitat, including protection, conservation, restoration, recovery, regulation of human activities, administration, and enforcement. Wildlife stewardship accounts for the interests of current societies and future generations.

Along with our responsibility to build true and lasting reconciliation with Indigenous peoples, evolving societal expectations require a new and dynamic way of managing our wildlife and their habitat. We need to be inclusive, adaptive, and agile.





River otter; photo by Roy V. Rea

2 / Vision and Principles

The Province is committed to making significant new investments and developing new partnerships to collaboratively deliver wildlife stewardship. We recognize that we must build on success while continuing to adapt and improve our approaches. We will make these changes in collaboration with Indigenous governments², local governments, and partners, supported by engagement with all British Columbians.

We built this strategy over 21 months through an unprecedented conversation with British Columbians. We held comprehensive discussions with Indigenous communities, rural communities, academic institutions, and a wide range of resource industry, conservation, hunter, trapper, guide, recreation, and tourism stakeholder organizations, as well as with the public. We asked British Columbians what actions we should undertake to improve wildlife stewardship. We believe this strategy reflects the rich dialogue and diversity of ideas we heard.

Our *Together for Wildlife* strategy lays out a vision and principles to guide the 5 goals and 24 actions that are the foundation of our path forward. We are committed to deliver this strategy together to benefit all British Columbians as we implement our vision.

Our Vision

Wildlife³ and their habitats thrive, are resilient, and support and enrich the lives of all British Columbians

Our Principles

Interconnectedness	We recognize that all living and non-living things and communities are integrally dependent on each other.
Trust	We will build public trust and confidence in wildlife stewardship through our actions to deliver this strategy.
Collaboration	We will collaborate and form partnerships to deliver this strategy.
Respect	We recognize and respect that people hold deep and sometimes differing intrinsic, ecological, social, cultural, and economic values for wildlife stewardship.
Responsiveness	We will be proactive and adaptive in responding to new information, and changes to wildlife populations and their habitats. We will learn continuously by doing.
Reconciliation	We are committed to advancing reconciliation with Indigenous peoples to support wildlife stewardship and access to healthy, wild foods.
Transparency	We will improve accessibility to information across all aspects of wildlife stewardship, including decision-making and administration of funding.
Accountability	We will define measures of success for this strategy, report our performance, and promote actions that improve implementation and the likelihood of success.
Evidence-Based Decisions	We will use evidence gathered through research, monitoring, and experience to inform decisions.
Balance	We will work together to improve a balance to ensure that wildlife stewardship and the economy thrive.
Innovation	We will embrace new technology and approaches to collect, apply and share information, deliver services, and implement practices.

² For the purposes of this strategy, the term “Indigenous government” refers to the representative or governing body of a group of First Nations individuals who share collective Aboriginal rights.

³ Although this strategy focuses on terrestrial, not “at risk” wildlife, the actions identified will, in many situations, also benefit aquatic species and species at risk. Strong linkages with the programs responsible for these species will help to ensure coordinated delivery.

3 / Goals and Actions

Goal 1⁴ – All British Columbians have a voice in wildlife stewardship

Wildlife stewardship is a shared responsibility and requires that everyone have a voice. This strategy is the Province’s commitment to develop inclusive and cooperative governance structures and to make existing engagement processes more transparent and effective. We will build new relationships to ensure that we work in partnership with all British Columbians to improve outcomes for wildlife stewardship.

Together, we will undertake the following actions:

Action 1

In 2020, we will establish a Minister’s Wildlife Advisory Council with members from across British Columbia. Council members will bring a wide range of expertise in natural resource stewardship and will have a passion for wildlife and habitat. They will be drawn from First Nations, the public, local government, academia, natural resources and other industry sectors, and conservation organizations. The Council will advise and support the Minister on implementation of this strategy, as well as on new and existing provincial legislation for wildlife and habitat stewardship, provincial initiatives across government that affect wildlife stewardship, and other priority wildlife stewardship matters identified by the Minister.

Action 2

By 2022, we will create or expand existing Regional Wildlife Advisory Committees to represent a variety of perspectives and provide opportunities for collaboration to improve wildlife stewardship.⁵

We will tailor committees to meet the unique needs and priorities of each region and ensure the committees can influence and be involved in processes that affect wildlife stewardship (e.g., land use planning, cumulative effect assessments, wildlife and habitat monitoring, etc.).

The First Nations–B.C. Wildlife and Habitat Conservation Forum

The First Nations–B.C. Wildlife and Habitat Conservation Forum (the Forum) was formed in December 2018 in response to the Province’s Improving Wildlife and Habitat Conservation Initiative as an innovative way to obtain perspectives from First Nations across British Columbia on wildlife stewardship issues.

The Forum is comprised of participants from more than 40 B.C. First Nations. Their work is not consultation, and members do not represent any other First Nation.

In 2019/20, the Forum provided input for the *Together for Wildlife* strategy and, with the Province, co-developed a proposal for *Wildlife Act* amendments that aims to advance reconciliation with Indigenous peoples in British Columbia.

⁴ The numbering systems of goals and actions do not reflect order or priority—all goals and actions are similarly weighted.

⁵ Existing regional hunting and trapping advisory committees may become sub-committees.



Mule deer; photo by Roy V. Rea

Action 2
(cont.)

Regional Wildlife Advisory Committees will provide opportunities for dialogue with provincial government programs, industry, stakeholders, local governments, and the public that complement the government-to-government relationships the Province is committed to pursuing with Indigenous governments. Indigenous governments will be encouraged to join Regional Advisory Committees as the Province's government-to-government partners.

Action 3

Over the life of the strategy, we will increase opportunities for the public to learn about and engage on wildlife stewardship issues that are important to them. We will update and expand wildlife and habitat communications, conduct province-wide surveys to better understand priority issues and opportunities, and hold public open houses in different areas of the province.

Goal 2 – Data, information, and knowledge drive better decisions

The right data, information, and knowledge are essential for successful wildlife stewardship. Acquiring and sharing the right data, information, and knowledge will require that our data and knowledge systems be modernized in collaboration with Indigenous governments, local governments, resource industries, stakeholders, non-government organizations, and the public.

Under the strategy, we will make new investments in biological, social, and economic data collection, cumulative effects assessments, monitoring, innovative population modelling, and information management systems. These tools, processes, and systems will improve the availability, accessibility, and reliability of wildlife stewardship data for all users. This renewed approach will better inform resource stewardship decisions and will support the relationships and structures that enable investments from other organizations and partners.

Together, we will undertake the following actions:

- | | |
|-----------------|---|
| Action 4 | Starting in 2020, we will expand biological, social, and economic data and information. For example, we will fill critical gaps in wildlife monitoring and inventory, develop wildlife population and habitat supply models, and better understand the effects of climate change on wildlife. We will ensure consistent standards are followed to collect and analyze this information. |
| Action 5 | Starting in 2020, we will support priority research for wildlife stewardship through contributions to post-secondary institutions. These contributions will leverage other sources of funding and build stronger partnerships between independent and government researchers, and managers. We will broadly share the results of this research with British Columbians. |
| Action 6 | In 2022, we will develop a citizen science framework to provide new opportunities for British Columbians to partner in wildlife stewardship data collection and monitoring. We will build on existing citizen science initiatives in British Columbia and examples from other jurisdictions and use this information to support decision-making. |
| Action 7 | We will ensure wildlife and habitat data are accessible to everyone, are reliable and integrated, and include wildlife harvest statistics, wildlife inventory and monitoring data, and research findings. Between 2020 and 2025, we will complete the ongoing Fish and Wildlife Data and Licensing Transformation project ⁶ and collaborate on other initiatives, such as the Species and Ecosystems Information System Modernization project, to consolidate, replace, or enhance outdated information systems for wildlife and ecosystems. |

⁶ *Together for Wildlife* will focus on the wildlife components of the Fish and Wildlife Data and Licensing Transformation project.



Pacific tree frog; photo by Shari Willmott



Red fox; photo by Chris Hamilton



Townsend's Solitaire; photo by Rick Skerry



Canada lynx; photo by Dexter Hodder

Goal 3 – Stewardship actions achieve tangible benefits for wildlife and their habitats

To improve wildlife stewardship, we need the right tools to deliver tangible, on-the-ground changes in a timely way. We need to ensure our existing tools—whether policies, legislation, financial mechanisms, land designations, or restoration and enhancement activities—are effective in achieving the intended outcomes and, where needed, develop new tools, including legislation, policies, and procedures, to respond to our changing world.

We will be guided by clear and transparent objectives for wildlife stewardship that are developed collaboratively with Indigenous governments and through engagement with stakeholders. Science, Indigenous knowledge⁷, local expertise, and the needs, values, and perspectives of all British Columbians will inform these objectives. Our objectives will be specific, measurable, relevant, and time bound. They will be set at appropriate scales to reflect local differences and will enable the actions needed to achieve our vision.

Together, we will undertake the following actions:

- | | |
|-----------------|--|
| Action 8 | Beginning in 2020, we will establish clear, measurable objectives for wildlife stewardship that take into consideration the interactions among species. In 2021, in collaboration with the Minister's Wildlife Advisory Council and the First Nations–B.C. Wildlife and Habitat Conservation Forum, we will draft a renewed approach for setting objectives and linking wildlife populations and habitat. We will implement this approach after broad engagement, by developing provincial stewardship frameworks and regional stewardship plans for priority species and populations. |
| Action 9 | Starting in 2020, we will invest in on-the-ground stewardship to meet wildlife objectives, and ensure wildlife and their habitats are resilient to change. Examples of stewardship actions include enhancing and restoring priority habitats such as wetlands and grasslands; reducing wildlife mortality on highways and railways; working with industry to improve practices; reducing wildlife conflicts with communities; deactivating and reclaiming resource roads, and; managing key threats to wildlife and habitats, including invasive species, interspecies interactions, and disease. We will use evidence to guide actions and funding allocation decisions, and we will strategically leverage other funding opportunities (e.g., Forest Carbon Initiative, Habitat Conservation Trust Foundation, and Fish and Wildlife Compensation programs) to maximize benefits for wildlife. |



Pacific coast rainforest; photo by Christina Toth

Action 10

In 2021, we will complete a comprehensive review of land designations under the *Land Act*, *Wildlife Act*, *Oil and Gas Activities Act*, and *Forest and Range Practices Act* that contribute to conservation to ensure they effectively target the intended habitats, now and in the future, and in light of climate change impacts and habitat alterations. The results of the review will identify gaps and opportunities to improve the effectiveness of those designations for wildlife.

Starting in 2022, we will complete more detailed assessments for 10 percent of these designations every year. In collaboration with Indigenous governments, local governments, and key partners, we will recommend changes to these land designations (e.g., boundaries and stewardship) to improve their value for wildlife and to meet established wildlife and habitat objectives. Proposed changes will undergo socio-economic assessments and consultation, as required by the applicable legislation.

Action 11

Starting in 2020, we will make investments to manage existing Conservation Lands⁸ and acquire new priority lands for wildlife stewardship. We will use these funds to leverage additional investments, and we will strengthen ties with Indigenous governments, conservation partners, resource industries, and stakeholders to better secure and manage Conservation Lands to achieve wildlife objectives.

Action 12

In 2021, we will review the *Wildlife Act* and make recommendations to address priority issues, such as reconciliation with Indigenous peoples, determination of objectives, improved wildlife stewardship, effective and accessible service delivery, and dedicated funding. Proposed changes will contribute to wildlife stewardship and support strong, innovative, and sustainable local communities.

Action 13

In 2021, in collaboration with the Minister's Wildlife Advisory Council and the First Nations–B.C. Wildlife and Habitat Conservation Forum, we will review existing and potential new creative funding models and make recommendations to ensure sufficient, dedicated, long-term funding for wildlife and habitat stewardship in British Columbia.

⁷ Indigenous knowledge generally refers to knowledge systems that are embedded in the cultural traditions of Indigenous peoples and are based on observations and interactions with the environment. In many cases, Indigenous knowledge has been passed on from person to person over generations through stories, legends, rituals, songs, laws, or other means. The meaning of Indigenous knowledge differs among societies and cultures. Additional information can be found at: <https://www.ictinc.ca/blog/what-does-indigenous-knowledge-mean>

⁸ Administered Conservation Lands include Wildlife Management Areas designated under the *Wildlife Act*, Crown acquisitions, privately owned land leased to the Province, and Crown transfers of administration (between Ministries)—all for the purpose of wildlife and habitat conservation.

Goal 4 – Accountability and transparency build trust and confidence

Our success depends on making sure we are on the right path, which means assessing whether we are delivering the actions identified in this strategy and whether the impacts of these actions benefit wildlife. This requires a robust and transparent system for reporting our actions, measures of success, and plans for future investments.

Together, we will undertake the following actions:

Action 14	In 2021, we will implement a robust performance management framework with goals, actions, and performance measures to monitor and report publicly on the success of this strategy to all British Columbians.
Action 15	Starting in 2021, we will produce annual financial reports that document all expenditures made to deliver this strategy, and we will share these reports with all British Columbians.
Action 16	We will document and share with all British Columbians the rationale for significant decisions related to wildlife stewardship and how evidence was used to inform decisions. In 2021, we will develop an approach for publicly reporting on significant decisions, and we will implement this approach over the life of the strategy.
Action 17	In 2025, we will complete a comprehensive review of this strategy and revise it appropriately based on the knowledge gained.

Goal 5 – Collaborative wildlife stewardship advances reconciliation with Indigenous governments

Our *Together for Wildlife* strategy will create new opportunities to work collaboratively with Indigenous governments to effectively and efficiently deliver wildlife stewardship. We will know that our work together is successful when Indigenous rights are recognized by society as foundational to how the Province and Indigenous governments steward wildlife and when Indigenous peoples can meaningfully practise their traditions and customs.

The Province has a special constitutional relationship with Indigenous peoples. The *Constitution Act, 1982* recognizes and affirms existing Aboriginal and treaty rights. Indigenous governments are not stakeholders. It is the Province's intention to shift our relationship with Indigenous governments to ensure our work is based on recognition and respect for the inherent right of Indigenous peoples to govern themselves and play an integral role in the stewardship of our shared natural resources.

The Province acknowledges that, consistent with existing laws and provincial policy, First Nations have first access to wildlife to meet their food, social, and ceremonial needs, now and in the future.

Success also means that wildlife stewardship is delivered in partnership with Indigenous governments and that we continually endeavour to help build their capacity. Together, we must always work to improve government-to-government relationships, inform ourselves about Indigenous worldviews, perspectives, and approaches, and ensure that all British Columbians understand the rights of Indigenous peoples and their role in wildlife stewardship.

Together, we will undertake the following actions:

Action 18	We will continue to develop policy and legislative proposals to advance co-management and shared decision-making ⁹ with Indigenous governments in British Columbia. As co-management partners, Indigenous governments and the Province will together define the scope, mandate, and function of the arrangements to be used.
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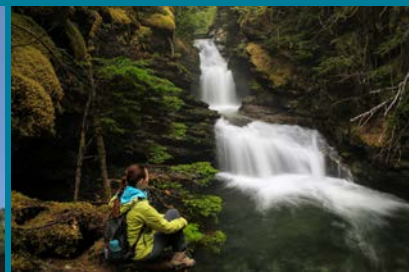
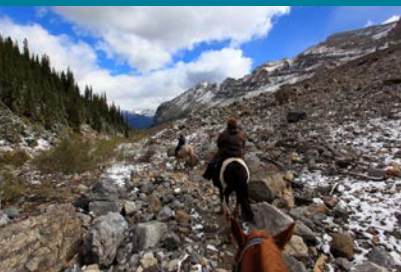
- Action 19** With the First Nations–B.C. Wildlife and Habitat Conservation Forum, we will jointly develop communication and extension materials to educate and inform British Columbians about the nature of Aboriginal rights and title, modern and historical treaties, Indigenous worldviews, and Indigenous use of wildlife and wildlife stewardship approaches. In 2021, we will engage with Indigenous governments on draft communication materials.
- Action 20** We will incorporate Indigenous knowledge into statutory and non-statutory wildlife stewardship decision-making through the collaborative development of policies and procedures. These policies and procedures will provide direction and guidance for provincial government staff in order to ensure a consistent approach across the province. In 2020 and 2021, jointly with the First Nations–B.C. Wildlife and Habitat Conservation Forum, we will draft a policy and engage with Indigenous governments.
- Action 21** We will evaluate, in collaboration with participating Indigenous governments, existing guardian and compliance projects with a focus on wildlife and habitat stewardship. Starting in 2021, and building on successes identified in the evaluation, we will support guardian and compliance programs (e.g., through developing approaches) that will be implemented locally with Indigenous governments at their request.
- Action 22** We will invest to develop models and approaches for sharing wildlife and habitat data and information with Indigenous governments. These models and approaches will include agreements and technologies that allow Indigenous governments to share Indigenous knowledge and community and food-security needs with the Province in order to support co-management and shared decision-making.
- Action 23** We will invest in capacity to ensure Indigenous governments can effectively and efficiently participate in all aspects of wildlife stewardship. We will develop pilot initiatives to involve collectives of Indigenous governments to deliver trusted information to support shared stewardship.
- Action 24** Starting in 2020, we will support the operation of a formal First Nations–B.C. Wildlife and Habitat Conservation Forum to provide one source of Indigenous perspectives on the development of policies and legislation that will support wildlife and habitat stewardship across provincial government programs and with Indigenous governments throughout British Columbia.

⁹ Although shared decision-making and co-management are often understood as meaning the same thing, for the purposes of this strategy, they are distinct. With shared decision-making, Indigenous governments and the Province work together to make decisions over wildlife and habitat conservation, with both parties sharing decision-making roles under provincial legislation. Shared decision-making may require changes to legislation, with supporting policy and direction. With co-management or co-stewardship, Indigenous governments and the Province work collaboratively through the entire system of resource management—from inventory and supporting methodologies, engagement, analysis, decision-making, and effectiveness monitoring.

As partners in shared decision-making and co-management, Indigenous governments and the Province will necessarily engage with stakeholders and tenure holders, industry, and the public. It is up to each Indigenous government or group of Indigenous governments to determine, in partnership with the Province, what shared decision-making and co-management look like.



*Dall's sheep;
photo by Ministry
of Forests, Lands,
Natural Resource
Operations and
Rural Development*



Second photo from left: Hoop Dancer Youth; Northern Secwepemc te Qelmuw

4 / Stay Involved

For more information about the *Together for Wildlife* strategy, please contact:

Ministry of Forests, Lands, Natural Resource
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TOGETHER FOR WILDLIFE

Cover: Mountain goats; photo by David Burwash

Regional District of Bulkley-Nechako**Action List - July 2020 Board Meetings**

MOTION #	AGENDA ITEM	ACTION REQUIRED	RESPONSIBILITY	STATUS	DATE COMPLETED
Board Meeting July 18, 2020	Annual UBCM Convention Minister Meetings	Request the following meetings for the 2020 UBCM Virtual Convention: 1. Premier Horgan 2. Minister of Environment 3. Minister of Transportation and Infrastructure 4. Minister of Public Safety and Solicitor General 5. Minister of Forests, Lands, Natural Resource Operations and Rural Development 6. Minister of Citizens' Services 7. Minister of Agriculture 8. Minister of Municipal Affairs and Housing 9. Minister of Mental Health and Addictions 9. BC Emergency Health Services - BC Ambulance 10. BC Hydro	Cheryl	Completed	
2020-8-8 Board Meeting July 18, 2020	Annual UBCM Convention September 22-24, 2020	Register the following: attendance of Chair Thiessen, Rural Directors, the Chief Administrative Officer, and Manager of Administrative Services at the virtual UBCM Convention from September 22-24, 2020, and further, that the Board approve associated sub-regional networking meeting costs related to UBCM.	Ger/Cheryl	Completed	
2020-8-10 Board Meeting July 18, 2020	Credit Card Payments	Enter into an agreement with Option Pay for processing credit card payments on behalf of the Regional District.	John	Completed	
2020-8-13 Board Meeting July 18, 2020	Gas Tax and NCPG Allocation	That the Board "swap" \$179,252 (\$129,252 from Area "C", \$25,000 from Area "D" and \$25,000 from Area "B") of NCPG to Electoral Area "A" in exchange for Gas Tax from Electoral Area "A"; and, That the Board allocate \$60,000 from the Area "C" NCPG allocation to the Luck Bay Fire Department local service; an additional \$384,756 from the Area "A" NCPG allocation to the Parks and Trails local service; and an additional \$50,000 from the Area "A" NCPG allocation to the Area "A" Emergency Response Plan and that these amounts be included in the next budget amendment.	John	Completed	
2020-8-14 Board Meeting July 18, 2020	2019 Statement of Financial Information	File the 2019 Statement of Financial Information (SOFI) to the Ministry of Municipal Affairs and Housing pursuant to the <i>Financial Information Act</i> , and that the Board authorize the approval of the SOFI by the RDBN Chief Financial Officer and Chair.	John	Completed	
2020-8-15 Board Meeting July 18, 2020	Bulkley Valley Pool Update	Contact the Province and request an exemption from liability (for COVID related claims) for societies that manage recreation services on behalf of a local government.	John	Completed	

Regional District of Bulkley-Nechako**Action List - July 2020 Board Meetings**

MOTION #	AGENDA ITEM	ACTION REQUIRED	RESPONSIBILITY	STATUS	DATE COMPLETED
2020-8-18 Board Meeting July 18, 2020	Federal Gas Tax Funds - Electoral Area "F" (Vanderhoof Rural) District of Vanderhoof	Contribute and withdraw up to \$310,962 of Electoral Area "F" Federal Gas Tax allocation monies to the District of Vanderhoof for Recreation Infrastructure projects at Riverside Park and the Vanderhoof Arena, as well as for a Rehabilitation project at the Vanderhoof Municipal Airport.	Nellie/John	In Progress	
2020-8-19 Board Meeting July 18, 2020	Cluculz Lake Fire Services Agreement	Enter into the Cluculz Lake Rural Fire Protection Agreement with the Cluculz Lake Volunteer Fire Department for a five (5) year term ending on June 30, 2025.	Jason Blackwell/DebJM	Completed	
2020-8-20 Board Meeting July 18, 2020	UBCM Community Excellence Awards	Submit the Board supported application to the Union of BC Municipalities (UBCM) for the 2020 Community Excellence Awards - Excellence in Service Delivery for the RDBN's FireSmart Home Assessment & Rebate Database Program.	DebJM	Completed	
2020-8-25 Board Meeting July 18, 2020	Conditional Suspension of Cardboard Ban at the Knockholt Landfill	Temporarily suspend the cardboard ban at the Knockholt Landfill on a month-by-month basis, but not to exceed November 1, 2020, to support the progress that is being made on an ICI (Industrial Commercial Institutional) cardboard solution for the region.	Alex/Curtis	On going	

Regional District of Bulkley-Nechako**Action List - August 2020 Board Meetings**

MOTION #	AGENDA ITEM	ACTION REQUIRED	RESPONSIBILITY	STATUS	DATE COMPLETED
2020-9-10 Board Meeting August 13, 2020	Artifact Recovery - Imerson's Beach and Hospital Point	That the Board authorize Lakes District Museum staff to conduct informal surveys of Hospital Point and Imerson's Beach to find and retrieve artifacts; and that the Board direct staff to write a letter to First Nations within the areas of interest to advise them of the Lakes District Museum Society's request to the Regional District of Bulkley-Nechako in regard to Hospital Point and Imerson's Beach.	Wendy	Completed	
2020-9-11 Board Meeting August 13, 2020	Dungate Community Forest	That the Board provide a letter to the District of Houston in support of its proposed expansion to the Dungate Community Forest; and further, that the Board recommend that an Advisory Committee be formed for the Proposed Dungate Comfor expansion with representation from area residents.	Wendy	Completed	
2020-9-14 Board Meeting August 13, 2020	FireSmart BC Home Partners Program Pilot 2.0	Staff to participate in the Home Partners Program Pilot 2.0 in 2021. That the Board Chair and the CAO to enter into an agreement with FireSmart Canada for \$10,000 grant funding.	DebJM	In Progress	
2020-9-15 Board Meeting August 13, 2020	Burns Lake Mountain Biking Association NDIT Application - Community Halls and Recreation Facilities	Provide notification of the Board's support of the application to Northern Development Initiative Trust from the Burns Lake Mountain Biking Association for a grant of up to \$15,000 for the Village Connector and Uptrack Project from the Northwest Regional Account.	Shari/Nelli	Completed	
2020-9-16 Board Meeting August 13, 2020	Grant in Aid - LD Fair Association	Write a letter and provide the Lakes District Fall Fair Association \$5,000 grant in aid monies – half (\$2,500) from Electoral Area "B" (Burns Lake Rural) and half (\$2,500) from Electoral Area "E" (Francois/Ootsa Rural) for costs associated with purchasing a new lawn tractor.	Nellie/John	Completed	
2020-9-17 Board Meeting August 13, 2020	Grant in Aid - Fort St. James Fire Department	Write a letter and provide the Fort St. James Fire Department \$10,000 grant in aid monies from Electoral Area "C" (Fort St James Rural) for costs associated with improving Road Rescue capabilities in their service area.	Nellie/John	Completed	
2020-9-23 Board Meeting August 13, 2020	Letter to Pinnacle Renewable Energy - Smithers, B.C.	Write a letter to Pinnacle Renewable Energy, Smithers, B.C. in regard to noise concerns from the chipper at its operations and request information in regard to its mitigation plan; and further, that CAO Helgesen facilitate advocacy with the Town of Smithers in regard to Pinnacle Renewable Energy – Smithers noise reduction mitigation plan.	Wendy	Completed	