



AGENDA

MEETING NO. 12

SEPTEMBER 23, 2021

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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 23, 2021

First Nations Acknowledgement

<u>PAGE NO.</u>	<u>CALL TO ORDER</u>	<u>ACTION</u>
	<u>AGENDA – September 23, 2021</u>	Approve
	<u>SUPPLEMENTARY AGENDA</u>	Receive
	<u>MINUTES</u>	
7-16	Board Meeting Minutes – August 12, 2021	Approve
17-19	Committee of the Whole Minutes – September 9, 2021	Receive
20-24	Rural/Agriculture Committee Minutes – September 9, 2021	Receive

DELEGATION

NORTHERN BC TOURISM ASSOCIATION

Clint Fraser, Chief Executive Officer

John deWolf, Exhibit Designer, AldrichPears Associates Ltd.

RE: The Great Northern Circle Route Signage Masterplan

ELECTORAL AREA PLANNING (All Directors) **ACTION**

Bylaws for 1st and 2nd Reading

25-30	Deneve Vanderwolf, Planner Rezoning Application RZ A-05-21 1 st & 2 nd Reading Rezoning Bylaw No.1958, 2021 Electoral Area “A”	Recommendation
31-37	Deneve Vanderwolf, Planner Rezoning Application RZ A-06-21 1 st & 2 nd Reading Rezoning Bylaw No.1959, 2021 Electoral Area “A”	Recommendation

Meeting No. 12
September 23, 2021

<u>Page No.</u>	<u>Bylaws for 1st and 2nd Reading (Cont'd)</u>	<u>Action</u>
38-47	Jason Llewellyn, Director of Planning OCP Amendment and Rezoning Application RZ D-01-21, 1 st & 2 nd Reading OCP Amendment Bylaw 1956, 2021 and Rezoning Bylaw No.1957, 2021 Electoral Area "D"	Recommendation
	<u>Other</u>	
48-49	Advisory Planning Commission Minutes September 7, 2021 Electoral Area "A"	Receive
	<u>DEVELOPMENT SERVICES (All Directors)</u>	
	<u>ALR Application</u>	
50-79	Jason Llewellyn, Director of Planning ALR Non-Farm Use Application 1237 Electoral Area "A"	Recommendation
80-90	Deneve Vanderwolf, Planner ALR Subdivision Application 1238 Electoral Area "A"	Recommendation
	<u>Other</u>	
91-156	ALC Annual Report	Receive
	<u>BYLAW ENFORCEMENT (All Directors)</u>	
157-160	Darrell Hill, Bylaw Enforcement Officer RDBN Bylaw Ticketing System	Recommendation
	<u>ADMINISTRATION REPORTS</u>	
161-162	Wendy Wainwright, Executive Assistant -Committee Meeting Recommendations -September 9, 2021	Recommendation
163-169	Cheryl Anderson, Director of Corporate Services -Code of Conduct	Recommendation
170-172	Cheryl Anderson, Director of Corporate Services -Fort Fraser Community Hall Grant Local Establishment Amendment Bylaw No. 1962, 2021	Recommendation

Meeting No. 12
September 23, 2021

<u>PAGE NO.</u>	<u>ADMINISTRATION REPORTS</u>	<u>ACTION</u>
173-175	Cheryl Anderson, Director of Corporate Services -Fort Fraser Fire Protection Service Establishment Amendment Bylaw No. 1961, 2021	Recommendation
176-182	Cheryl Anderson, Director of Corporate Services -Regional Broadband Infrastructure Service Establishment	Recommendation
183	Nellie Davis, Manager of Regional Economic Development – Grant in Aid Lake Kathlyn	Recommendation
184-196	Nellie Davis, Manager of Regional Economic Development – Grant in Aid Walnut Park Totem Pole	Recommendation
197	Nellie Davis, Manager of Regional Economic Development – COVID-19 Relief Funds -September 2021	Recommendation
198-207	John Illes, Chief Financial Officer – Amendment to the Remuneration Bylaw	Recommendation

ACTION LISTS

208-214	Action Lists - May 2021 - June 2021 - July 2021 - August 2021	Receive
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VERBAL REPORTS AND COMMITTEE CHAIR REPORTS

RECEIPT OF VERBAL REPORTS

SUPPLEMENTARY AGENDA

NEW BUSINESS

Meeting No. 12
September 23, 2021

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(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 Relations/Boundary Expansion), must/may be closed to the public, therefore exercise their option of excluding the public for this meeting.

ADJOURNMENT

REGIONAL DISTRICT OF BULKLEY-NECHAKO**MEETING NO. 11****Thursday, August 12, 2021**

PRESENT: Chair Gerry Thiessen

Directors Gladys Atrill
Shane Brienen
Mark Fisher
Tom Greenaway
Clint Lambert – arrived at 10:17 a.m.
Linda McGuire
Bob Motion
Chris Newell
Mark Parker
Jerry Petersen
Michael Riis-Christianson

Directors Brad Layton, Village of Telkwa
Absent Dolores Funk, Village of Burns Lake
Sarrah Storey, Village of Fraser Lake

Alternate Directors Annette Morgan, Village of Telkwa
Kim Watt-Senner, Village of Fraser Lake

Staff Curtis Helgesen, Chief Administrative Officer
Cheryl Anderson, Director of Corporate Services
Nellie Davis, Manager of Regional Economic Development
-arrived at 11:15 a.m.
John Illes, Chief Financial Officer
Deborah Jones-Middleton, Director of Protective Services
Taddea Kunkel, First Nations Liaison – left at 10:05 a.m.
Jason Llewellyn, Director of Planning
Wendy Wainwright, Executive Assistant
Chris Walker, Emergency Program Coordinator – left at 10:05 a.m.

CALL TO ORDER

Chair Thiessen called the meeting to order at 10:00 a.m.

OATH OF OFFICE

Curtis Helgesen, CAO administered the Oath of Office for Annette Morgan, Alternate Director, Village of Telkwa.

Staff Introductions

Deborah Jones-Middleton, Director of Protective Services introduced Chris Walker, Emergency Program Coordinator.

Curtis Helgesen, CAO introduced Taddea Kunkel, First Nations Liaison.

AGENDA & SUPPLEMENTARY AGENDAMoved by Director Petersen
Seconded by Director McGuire2021-11-1

"That the Board Meeting Agenda of August 12, 2021 be approved; and further that the Supplementary Agenda be dealt with at this meeting."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

MINUTES

Board Meeting Minutes July 15, 2021

Moved by Director Brien
 Seconded by Director Atrill

2021-11-2

"That the Board Meeting Minutes of July 15, 2021 be adopted."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Committee of the Whole Meeting Minutes July 15, 2021

Moved by Alternate Director Watt-Senner
 Seconded by Director Fisher

2021-11-3

"That the Committee of the Whole Meeting Minutes of July 15, 2021 be received."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ELECTORAL AREA PLANNING (All Directors)

Bylaw for Adoption

Rezoning Application RZ A-04-21 Adoption Report Rezoning Bylaw 1949, 2021 Electoral Area "A"

Moved by Director Fisher
 Seconded by Director Atrill

2021-11-4

"That Regional District of Bulkley-Nechako Rezoning Bylaw No. 1949, 2021 be adopted this 12th day of August, 2021."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

DEVELOPMENT VARIANCE PERMIT

Development Variance Permit Application No. F-04-21 Electoral Area "F"

Moved by Director Petersen
 Seconded by Alternate Director Watt-Senner

2021-11-5

"That the Board receive the written submission regarding Development Variance Permit F-04-21."

"That the Board approve Development Variance Permit F-04-21 for the property located at 49825 Tapping Road to vary Section 8.0.7 1. b) of Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020 by reducing the setback from the eastern Side Parcel Line from 2 metres to 1.39 metres for a storage building as shown on Schedule A of the permit."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Crown Land Referral No. 7410188 Electoral Area "D"

Moved by Director Parker
 Seconded by Director Riis-Christianson

2021-11-6

"That the Comment Sheet for Crown Land Referral No. 7410188 be provided to the Province."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

DEVELOPMENT VARIANCE PERMIT (CONT'D)

Crown Land Referral
No. 7002824 & 135339180
Electoral Areas "D" and "F"

Moved by Director Petersen
 Seconded by Director Parker

2021-11-7

"That the Comment Sheet for Crown Land Referral No. 7002824 and 135339180 be provided to the Province."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

OTHER

Coastal GasLink Pipeline
-Socio-economic Effects
Management Plan (SEEMP)

Moved by Director Riis-Christianson
 Seconded by Director Atrill

2021-11-8

"That the Board receive the Coastal GasLink SEEMP Status Report No. 5 attached to the Director of Planning's Coastal GasLink Pipeline - Socio-economic Effects Management Plan (SEEMP) staff report."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Discussion took place in regard to inviting Coastal GasLink to a future Board Meeting to discuss impacts to roads and waste disposal.

ALC Regulation Changes
-Residential Flexibility Options

Moved by Director Parker
 Seconded by Director Riis-Christianson

2021-11-9

"That the Board receive the Planning and Parks Coordinator's ALC Regulation Changes – Residential Flexibility Options staff report."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

PARKS AND TRAILS

Parks and Trails Service
Update

Moved by Director Lambert
 Seconded by Director Newell

2021-11-10

"That the Board receive the Director of Planning's Parks and Trails Service Update staff report."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

TRANSIT

2021/2022 Bulkley Nechako
Regional Transit Service
Annual Operating Agreement
Amendment

Moved by Director Atrill
 Seconded by Alternate Director Watt-Senner

2021-11-11

"That the Board receive and approve the 2021/2022 Bulkley Nechako Regional Transit Service Annual Operating Agreement Schedule A Amendment."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

BUILDING INSPECTION

Second Quarter Building Permit Summary Moved by Director Brienen
 Seconded by Director Atrill

2021-11-12 "That the Board receive the Building Inspector's Second Quarter Building Permit Summary staff report."

(All/Directors/Majority) CARRIED UNANIMOUSLY

Discussion took place regarding BC Housing's HousingHub Program.

ADMINISTRATION REPORTS

Code of Conduct Moved by Director Atrill
 Seconded by Director Fisher

2021-11-13 "That the Board adopt the Regional District of Bulkley-Nechako Code of Conduct as amended removing the first sentence of Section 5.1."

Moved by Director Lambert
 Seconded by Director Greenaway

2021-11-14 "That the Board defer the Regional District of Bulkley-Nechako Code of Conduct for consideration at a future meeting."

(All/Directors/Majority) CARRIED UNANIMOUSLY

Discussion took place regarding:

- Enforcement of a Code of Conduct
- Diverse ethical backgrounds
- Incorporating the Code of Conduct while conducting the Oath of Office
- Section 5. Use of Social Media
 - o 5.1 Removing the first sentence
- Communication
 - o Board members/staff role sharing information
 - Providing information to the public
 - o Board Highlights
 - o Developing a corporate Facebook page
- Section 12 Compliance and Enforcement
 - o Removing the word "ethical"
 - o Removing the word "ethical" from the document in its entirety
- Office of the Conflict of Interest Commissioner of B.C. and Office of the Conflict of Interest and Ethics Commissioner of Canada
 - o Use of the word "ethics"
- Code of Conduct a "living" document

ADMINISTRATION REPORTS (CONT'D)

Federal Gas Tax – Area “F”
(Vanderhoof Rural) Cluculz
Lake Community Hall
Association – Septic System
Upgrade

Moved by Director Petersen
 Seconded by Director McGuire

2021-11-15

1. “That the Board authorize contributing up to \$18,585.00 of Electoral Area ‘F’ (Vanderhoof Rural) Federal Gas Tax allocation monies to a Recreation Infrastructure Project at the Cluculz Lake Community Hall Association, and further,

(All/Directors/Majority)

2. That the Board authorize the withdrawal of up to \$18,585.00 from the Federal Gas Tax Reserve Fund.”

(Participants/Weighted/Majority) CARRIED UNANIMOUSLY

COVID-19 Relief Funds

Moved by Director Parker
 Seconded by Director Lambert

2021-11-16

“That the Board approve the following COVID-19 Relief Funds Applications:

Electoral Area “A” (Smithers Rural)

-Bulkley Valley Research Center – Insurance - \$2,183.00
 -Bulkley Valley Gymnastics – Physical Distancing Equipment
 - \$8,318.06

Electoral Area “B” (Burns Lake Rural)

-Lakes District Fair Association – Operational Expenses at Fairgrounds - \$3,167.57
 -Rose Lake Community Club – Insurance, Hydro Expenses
 - \$2,652.74
 -Rose Lake Community Club – Equipment Replacement (Theft)
 - \$2,707.03
 -Burns Lake Public Library – Physical Distancing Equipment
 -\$2,959.77

Electoral Area “D” (Fraser Lake Rural)

-Fraser Lake Historical Society – Facility Maintenance
 - \$1,500.00

Electoral “E” (Francois/Ootsa Lake Rural)

-Grassy Plains Community Hall – Insurance (2021/22)
 - \$4,363.00
 -Burns Lake Public Library – Physical Distancing Equipment
 - \$2,959.77

Electoral Area “F” (Vanderhoof Rural)

-Vanderhoof Farmers’ Market – COVID Supplies - \$775.39
 -Nechako Valley Exhibition Society – Insurance - \$15,154.00
 -Cluculz Lake Community Hall – Flood Repair in Bathroom
 - \$3,254.89.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

VERBAL REPORTS AND COMMITTEE CHAIR REPORTS

<u>Michael Lee, BC Liberal MLA Vancouver-Langara</u>	Director Parker mentioned that he met with Michael Lee, BC Liberal MLA Vancouver-Langara while on his BC Liberal leadership tour. MLA Lee is running in the upcoming liberal leadership race. Director Brienen also met with MLA Lee in Houston. He spoke of ensuring that conversations include the RBA.
<u>Chinook Emergency Response Society Community Meeting</u>	Director Lambert mentioned that when he attended the Chinook Emergency Response Society Community meeting a topic of discussion was the challenge homeowners have in accessing fire insurance for their homes. Director Newell noted that in homes with single source wood stove heating the cords of wood burned may impact fire insurance for the home. Discussion took place regarding FireSmarting homes and work FireSmart Canada is doing with insurers. Director Motion spoke of addressing the issue in greater capacity.
<u>Endako Weir Public Consultation Process</u>	Director Riis-Christianson noted that the Endako Weir Public Consultation process has completed. He commented that concerns were brought forward regarding the public consultation process.
<u>Meeting with Taylor Bachrach, MP Skeena-Bulkley Valley RE: Broadband</u>	Director Riis-Christianson met with Taylor Bachrach, MP Skeena Bulkley Valley and raised concerns regarding the cost to household for broadband. He also spoke of funding concerns for broadband services.
<u>Noise Bylaws</u>	Director Riis-Christianson spoke of receiving concerns from residents regarding noise issues. Regional District Electoral Areas do not have noise control bylaws.
<u>Village of Telkwa – Flood Mitigation</u>	Alternate Director Morgan mentioned that the Village of Telkwa is working on its flood mitigation study.
<u>Evacuation Alert Rescinds</u>	Director Greenaway noted that the Cutoff Creek and Mount Porter Wildfire Evacuation Alerts have been rescinded which is good news. Director McGuire thanked RDBN staff for the level of communication during the wildfire event.
<u>Granisle Day Celebration</u>	Director McGuire commented that the Granisle Day Celebration will be taking place August 14 th . There are 15 vendors planning to attend along with a parade. It will be a day of family fun.
<u>Housing Vacancies – Village of Granisle</u>	Director McGuire mentioned that there is a limited number of houses for sale in the community and currently only one rental unit remaining.

VERBAL REPORTS AND COMMITTEE CHAIR REPORTS (CONT'D)

<u>Union of B.C. Municipalities Minister Meetings and RDBN Committee Meeting September 9, 2021</u>	Director McGuire questioned the RDBN Committee Meeting scheduled September 9, 2021 being the same day as potential Minister Meetings at the Virtual UBCM Convention. CAO Helgesen noted that the RDBN will proceed similar to the 2020 UBCM Convention and work around the Minister meetings as well as hosting a dinner in the evening for the Board and Senior Management.
<u>Endako Mud Races</u>	Alternate Director Watt-Senner announced that the Endako Hall Society will be hosting its Endako Mud Races on August 28-29, 2021.
<u>Building Permits – Smithers</u>	Director Atrill spoke of the building activity in Smithers and the number of building permits issued to the end of June 2021.
<u>Homeless – Town of Smithers</u>	Director Atrill reported that the number of homeless people has increased in the community and the tent camp is currently located at the Town of Smithers Municipal Office building.
<u>Bulkley Valley Exhibition (BVX) -August 26-29, 2021</u>	Director Atrill announced that the Bulkley Valley Exhibition (BVX) will take place August 26-29, 2021.
<u>Town of Smithers – Celebrates 100 years of Incorporation</u>	Director Atrill mentioned that the Town of Smithers was the first incorporated Village in B.C. and turns 100 in September 2021.
<u>Opioid Overdose</u>	Director Newell spoke of his encounter of an individual experiencing an opioid overdose. He noted the increased stress levels in his region from COVID-19, wildfires and financial impacts that are increasing concerns and issues.
<u>Roads and Road Maintenance</u>	Director Newell commented that he would like to be involved in discussions regarding roads and road maintenance.
<u>Connectivity – Electoral Area “G” (Houston Rural)</u>	Director Newell mentioned that residents in Electoral Area “G” (Houston Rural) have expressed their feeling of hopelessness due to the lack of available and accessible internet. He voiced the importance of continuing to work to ensure that residents have access to internet.
<u>District of Houston -Downtown Improvement Project</u>	Director Brien reported that the District of Houston’s Downtown Improvement Project is nearing completion. He noted that moving ahead with the improvement project derived from economic development reports completed when the mine and sawmill closures took place. Council was able to utilize that information to move forward the project to improve the community.
<u>Northwest BC Resource Benefits Alliance (RBA)</u>	<p>Director Brien commented that the RBA All Members meeting is being held August 20th. He encouraged those able to attend to do so and noted that a virtual option would be available. The meeting will provide an update and include conversation regarding next steps moving forward.</p> <p>Director Brien mentioned that the RBA member Regional Districts are seeing challenges in attracting businesses to the region due to housing shortages.</p>

VERBAL REPORTS AND COMMITTEE CHAIR REPORTS (CONT'D)

Director Brienens provided a brief outline of the RBA meeting with the Honourable Selena Robinson, Minister of Finance and the Honourable Josie Osborne, Minister of Municipal Affairs. Ministers Robinson and Osborne identified other provincial priorities beyond RBA and were unable to confirm a future meeting date. The RBA has been unable to secure a meeting with Premier Horgan or Nathan Cullen, MLA Stikine and Jennifer Rice, MLA North Coast.

Recognition of Commitment of Past Director Rob Newell

Director Brienens recognized the commitment of past Director Rob Newell and the dedication of all Board members.

Mid-Summer Music Festival -Smithers

Director Fisher mentioned that the Mid-Summer Music Festival in Smithers will take place in September 2021.

Lake Kathlyn Float Festival

Director Fisher commented that the Lake Kathlyn Float Fest took place on August 7th with music and boats floating on Lake Kathlyn.

Young Farmers

Director Fisher spoke of the number of young people that are showing interest in farming in Electoral Area "A" (Smithers Rural). He also noted the work of the Young Agrarians Program.

Working Group – UBCM Convention

Director Fisher indicated he will no longer be able to participate on the RDBN UBCM Event Planning Group to plan an RDBN event for Directors during the 2021 Virtual UBCM Convention. He noted that it is worth continuing the planning discussions if possible.

North Central Local Government Association Solid Waste Forum

Director Fisher mentioned that the North Central Local Government Association will be hosting a Solid Waste Forum in October 2021. He will provide more details once they are available.

Chair's Update

Chair Thiessen provided an update regarding the following:

- Meeting with Nechako First Nations
- Met with MLA Michael Lee, Liberal Leader hopeful
- Meeting with Rogers Telecommunications
 - Fibre to the home costs in Toronto, Prince George and rural B.C.
 - The Board discussed the cost of fibre to a home and ISP's applying for grant funding to provide cost effective fibre to the home
 - The RDBN and CityWest pursuing a partnership to address connectivity needs was also discussed
 - Wireless connectivity
- Opioid and mental health crisis
 - Director Brienens mentioned that Houston RCMP members are working with community members to mitigate mental health and opioid issues in Houston
 - Discussion took place regarding the formation of situational tables to address the issue
 - The lack of access to adequate connectivity creates a lack of the ability for individuals to access online services and programs to assist with mental health and wellbeing.

VERBAL REPORTS AND COMMITTEE CHAIR REPORTS (CONT'D)

- BC SPCA recent statement of unannounced site visits to livestock producers
 - Director Parker is working with RDBN Agriculture Coordinators and will bring additional information forward in September 2021
- House insurance
 - o Impacts of wildfires for homeowners and the real estate market
- Staffing change in Vanderhoof
 - New CAO and Deputy Corporate Officer
 - Expressed appreciation to communities that provide mentorship to new employees to local governments as well as the Northern Development Initiative Trust Intern Program
- District of Vanderhoof will have a new Cultural Tourist Centre in the near future.

Receipt of Verbal Reports

Moved by Director Brien
 Seconded by Director Atrill

2021-11-17

"That the verbal reports of the various Board of Directors be received."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

SUPPLEMENTARY AGENDA

ADMINISTRATION REPORT

Regional District of Bulkley-Nechako Evacuation Route Planning

Moved by Director Riis-Christianson
 Seconded by Director Atrill

2021-11-18

"That the Board authorize staff to enter into a contract with Calian Ltd. as the successful proponent for the Regional Evacuation Route Planning project."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

NEW BUSINESS

COVID-19 Plexiglass Dividers

Discussion took place regarding the COVID-19 plexiglass dividers in the Board room.

IN-CAMERA MOTION

Moved by Director Newell
 Seconded by Director Atrill

2021-11-19

“In accordance with Section 90 of the Community Charter, it is the opinion of the Board of Directors that matters pertaining to Sections 90(1)(c) – labour relations or other employee relations, 90(1)(i) – the receipt of advice that is subject to solicitor-client privilege, including communication necessary for that purpose, 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 Relations/Boundary Expansion), must be closed to the public, therefore exercise their option of excluding the public for this meeting.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by Director Parker
 Seconded by Director Motion

2021-11-20

“That the meeting be adjourned at 12:20 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 9, 2021**

PRESENT: Chair Gerry Thiessen

Directors Gladys Atrill – via Zoom
Shane Brien
Mark Fisher
Dolores Funk
Tom Greenaway
Clint Lambert
Linda McGuire – via Teleconference
Annette Morgan
Bob Motion – via Zoom
Chris Newell
Mark Parker
Jerry Petersen
Michael Riis-Christianson
Sarrah Storey – via Zoom

Staff Curtis Helgesen, Chief Administrative Officer
Cheryl Anderson, Director of Corporate Services
John Illes, Chief Financial Officer
Taddea Kunkel, First Nations Liaison – left at 11:38 a.m.
Wendy Wainwright, Executive Assistant/Recording Secretary

Media Eddie Huband, Lakes District News

CALL TO ORDER

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

OATH OF OFFICE

Curtis Helgesen, Chief Administrative Officer administered the Oath of Office to Annette Morgan, Director, Village of Telkwa.

AGENDAMoved by Director Lambert
Seconded by Director Greenaway**C.W.2021-8-1**

"That the Agenda of the Committee of the Whole meeting of September 9, 2021 be approved."

(All/Directors/Majority)

CARRIED UNANIMOUSLY**MINUTES****Committee of the Whole
Minutes – July 15, 2021**Moved by Director Petersen
Seconded by Director Lambert**C.W.2021-8-2**

"That the Committee of the Whole meeting minutes of July 15, 2021 be adopted."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

REPORTS

Northern BC Solid Waste Management Forum -October 12 & 13, 2021 (Virtual)

Moved by Director Riis-Christianson
 Seconded by Director Parker

C.W.2021-8-3

“That the Rural Directors be authorized to attend the Virtual Northern BC Solid Waste Management Forum on October 12 & 13, 2021.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Coast Waste Management Association 2021 Conference

Moved by Director Lambert
 Seconded by Director Funk

C.W.2021-8-4

“That the Committee of the Whole recommend to the Board of Directors that Director Fisher be authorized to attend the Coast Waste Management Association 2021 Conference to be held October 20-22, 2021 in Victoria, B.C.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

National Day for Truth and Reconciliation

Moved by Director Funk
 Seconded by Director Fisher

C.W.2021-8-5

“That the Committee of the Whole recommend to the Board the approval of the amended Statutory and Legal Holidays Policy as presented.”

Opposed: Director Fisher

CARRIED

(All/Directors/Majority)

Discussion took place regarding the Federal and Provincial Government implementation of the National Day for Truth and Reconciliation.

2021 Remuneration Bylaw Update

The following was discussed:

- Reducing the Directors basic remuneration in implementation of extended health and dental benefits
 - o Options for Directors that currently have benefits outside the RDBN
 - o Directors not participating in RDBN benefits will not have a reduction in remuneration
- Section 4 (c)– Interpretation and Application
 - o Amend Section 4 (c) to read “Disputes regarding Directors’ Remuneration and Expense Reports shall be forwarded to the RDBN Chair, Vice Chair and Chief Administrative Officer for resolution.
- Candidate attraction – four-year term – similar to attracting employees
- Time and commitment of Directors
- Remuneration remaining at the current allocation with benefits added in addition to the basic remuneration.

REPORTS (CONT'D)

2021 Remuneration Bylaw Update

Moved by Director Brien
 Seconded by Director Lambert

C.W.2021-8-6

“That staff bring back a bylaw to amend Bylaw No. 1837 a Bylaw for Directors’ Remuneration to a future Board Meeting with the proposed updates including: amending Section 4 (c) – Interpretation and Application; and further, that Director’s basic remuneration remains at the current rate with the rate of benefits being added.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

NEW BUSINESS

BC Emergency Health Services

Director McGuire mentioned that the Village of Granisle met with BC Emergency Health Services regarding Ambulance Service. She will forward the information to the Board.

Director Brien noted the District of Houston also had a meeting with BCEHS and a number of the concerns raised are being addressed.

Chair Thiessen spoke of inviting BCEHS to a future meeting.

Director Fisher commented that the Northwest Regional Hospital District has meetings with Adrian Dix, Minister of Health September 13th and Northern Health on September 15th during the 2021 Virtual UBCM Convention.

ADJOURNMENT

Moved by Director Brien
 Seconded by Director Lambert

C.W.2021-8-7

“That the meeting be adjourned at 12:03 p.m.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

 Gerry Thiessen, Chair

 Cheryl Anderson, Director of Corporate Services

REGIONAL DISTRICT OF BULKLEY-NECHAKO**RURAL/AGRICULTURE COMMITTEE MEETING****Thursday, September 9, 2021**

PRESENT:

Chair	Mark Parker
Directors	Mark Fisher Tom Greenaway Clint Lambert Chris Newell Jerry Petersen Michael Riis-Christianson Gerry Thiessen - left at 12:50 p.m., returned at 1:07 p.m.
Staff	Curtis Helgesen, Chief Administrative Officer Cheryl Anderson, Director of Corporate Services Megan D'Arcy, Agriculture Coordinator (West) – via Zoom – left at 10:45 a.m. Nellie Davis, Manager of Regional Economic Development – left at 1:05 p.m. Janette Derksen, Waste Diversion Supervisor John Illes, Chief Financial Officer – arrived at 10:19 a.m. Deborah Jones-Middleton, Director of Protective Services Jason Llewellyn, Director of Planning – left at 10:15 a.m., returned at 12:45 p.m. Michelle Roberge, Agriculture Coordinator (East) – via Zoom – left at 10:45 a.m. Wendy Wainwright, Executive Assistant/Recording Secretary
Others	Gladys Atrill, Town of Smithers – arrived at 11:50 a.m. Annette Morgan, Village of Telkwa Linda McGuire, Village of Granisle – via Teleconference Bob Motion, District of Fort St. James
Media	Eddie Huband, Lakes District News – left at 12:03 p.m.

CALL TO ORDER

Chair Parker called the meeting to order at 10:00 a.m.

AGENDAMoved by Director Lambert
Seconded by Director Petersen**RDC.2021-7-1**

"That the Rural/Agriculture Committee Agenda for September 9, 2021 be approved."

(All/Directors/Majority)

CARRIED UNANIMOUSLY**MINUTES****Rural/Agriculture Committee Meeting Minutes - June 10, 2021**Moved by Director Petersen
Seconded by Director Riis-Christianson**RDC.2021-7-2**

"That the minutes of the Rural/Agriculture Committee meeting of June 10, 2021 be adopted."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

DEVELOPMENT SERVICES

Development Variance Permit Applications to Legalize Existing Buildings

Moved by Director Lambert
 Seconded by Director Riis-Christianson

RDC.2021-7-3

“That the Committee receive the Director of Planning’s Development Variance Permit Applications to Legalize existing Buildings staff report.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Discussion took place regarding the evaluation of each Development Variance Permit on an application-by-application basis and recommendations on all applications being based on land use issues and impacts associated with proposed or existing development. Other agency permits being issued independently of the RDBN Building Permit process was discussed.

AGRICULTURE REPORTS

Veterinary Shortages in the RDBN

Moved by Director Petersen
 Seconded by Director Greenaway

RDC.2021-7-4

“That the Committee recommend that the Board write letters to the Ministers of Advanced Education and Agriculture, Food and Fisheries in support of the request made to the Province by the Canadian Veterinary Medical Association (CVMA) – Society of BC Veterinarians (SBCV) Chapter to make veterinary training a funding priority and increase the number of seats available to BC students at the Western College of Veterinary Medicine.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Chair Parker commented that he will speak to the veterinary shortages with Lana Popham, Minister of Agriculture, Food and Fisheries during the 2021 Virtual UBCM Convention Minister Meeting. Discussion took place in regard to forwarding the letter to Regional Districts. Concerns were raised regarding:

- the lack of available seats in the veterinary program available to BC students
- the 20 seats available to BC students at the Western College of Veterinary Medicine in Saskatoon is subsidized by the BC Ministry of Advanced Education and are significantly oversubscribed
- students can also qualify for international seats
 - o increased annual tuition from approximately \$11,000 to over \$65,000.

BCSPCA Inspections on Commercial Livestock and Poultry Operations

Moved by Director Lambert
 Seconded by Director Newell

RDC.2021-7-5

“That the Committee receive the Regional Agriculture Coordinator’s BCSPCA Inspections on Commercial Livestock and Poultry Operations memorandum.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

RURAL REPORTS

Concerns were brought forward regarding the BCSPCA Inspections on Commercial Livestock and Poultry Operations, and the lack of information provided by the Ministry of Agriculture, Food and Fisheries regarding the implementation of the BCSPCA inspections.

COVID-19 Relief Funds -Remaining Allocation

Moved by Director Lambert
 Seconded by Director Riis-Christianson

RDC.2021-7-6

“That the Rural/Agriculture Committee recommend that the Board approve \$12,740.89 of the COVID-19 Relief Funds to the Community Group Allocations:

- Lake Kathlyn Protection Society – COVID – related contract work - \$8,430.61
- Colleymount Recreation Society – Insurance, Hydro, Propane - \$2,710.28
- Arocha (Houston Hatchery) – Outdoor Meeting Space - \$1,600.00.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Discussion took place regarding:

- continuation of COVID-19 and the potential to allocate the COVID-19 relief funding into 2022
- utilizing COVID-19 relief funding for Broadband strategies
- increasing contingency funding as COVID-19 continues and additional community needs may be identified
- proposed municipal recreation allocation moved to contingency
- contacting municipalities to determine recreation programming needs
- optional federal funding for the Smithers Regional Airport
- staff will bring forward additional information at a future RDBN meeting for consideration.

Break for the Committee of the Whole Meeting at 11:05 a.m.

Reconvened at 12:45 p.m.

Universal Broadband Fund and Connectivity Update

Moved by Director Riis-Christianson
 Seconded by Director Lambert

RDC.2021-7-7

“That the Committee receive the Manager of Regional Economic Development’s Universal Broadband Fund and Connectivity Update memorandum.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

The following was discussed:

- Federal Universal Broadband Fund (UBF)
 - o No notifications until after the completion of the Federal election
- staff developing a draft RDBN Connectivity Strategy
 - o bring forward for consideration in October, 2021
 - o opportunity to brainstorm rural connectivity connections and determine options moving forward
- connectivity continually evolves
- Telus connectivity issues in the Fraser Lake, Vanderhoof and Fort St. James areas.

RURAL REPORTS (CONT'D)

Canada Community Building
 Fund/Gas Tax Fund Top-Up
 Payment and Update Eligibility
 Guidelines

Moved by Director Lambert
 Seconded by Director Greenaway

RDC.2021-7-8

“That the Committee receive the Manager of Regional Economic Development’s Canada Community Building Fund/Gas Tax Fund Top-Up Payment and Updated Eligibility Guidelines memorandum.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Discussion took place regarding the Canada Community Building Fund/Gas Tax Fund Top-Up Payment and Updated Eligibility Guidelines memorandum. Staff will continue to provide updates as they become available.

Grant in Aid Update: April
 -June 2021

Moved by Director Petersen
 Seconded by Director Lambert

RDC.2021-7-9

“That the Committee receive the Manager of Regional Economic Development’s Grant in Aid Update: April – June 2021 memorandum.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

RDBN Rural Septage

Janette Derksen, Waste Diversion Supervisor provided an overview of RDBN Rural Septage memorandum.

Discussion took place regarding:

- user pay systems
- municipal partnerships to accept LNG camp liquid waste
- annual permit fee of \$1,000 per site, per hauler
- site maintenance of the RDBN septage receiving beds
 - o more volumes more cleanout of the beds is required
 - o Smithers/Telkwa Transfer Station is a lagoon system
 - o Fort Fraser, Burns Lake Transfer Station and Knockholt Landfill are engineered sites
- impact of changes in 2004 to the sewage system standards
 - o rural areas choosing to install more holding tanks vs. septic tank/field systems
- impacts of Ministry of Environment and Climate Change Strategy regulation changes and requirements
- partnering with municipalities
- treatment of ammonia at sites
- utilization of treated waste
- Northwest BC Resource Benefits Alliance (RBA) would be a benefit to addressing infrastructure maintenance/upgrades such as septage receiving beds.

ADJOURNMENT

Moved by Director Lambert
Seconded by Director Newell

RDC.2021-7-10

“That the meeting be adjourned at 1:35 p.m.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Mark Parker, Chair

Cheryl Anderson, Director of Corporate Services



REGIONAL DISTRICT OF BULKLEY-NECHAKO
STAFF REPORT

TO: Chair Thiessen and Board of Directors
FROM: Deneve Vanderwolf, Planner
DATE: September 23, 2021
SUBJECT: Rezoning Application RZ A-05-21
1st and 2nd Reading for Rezoning Bylaw No. 1958, 2021

RECOMMENDATION

1. That “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1958, 2021” be given first and second reading and subsequently be taken to Public Hearing.
2. That the Public Hearing for “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1958, 2021” be delegated to the Director or Alternate Director for Electoral Area A.

VOTING

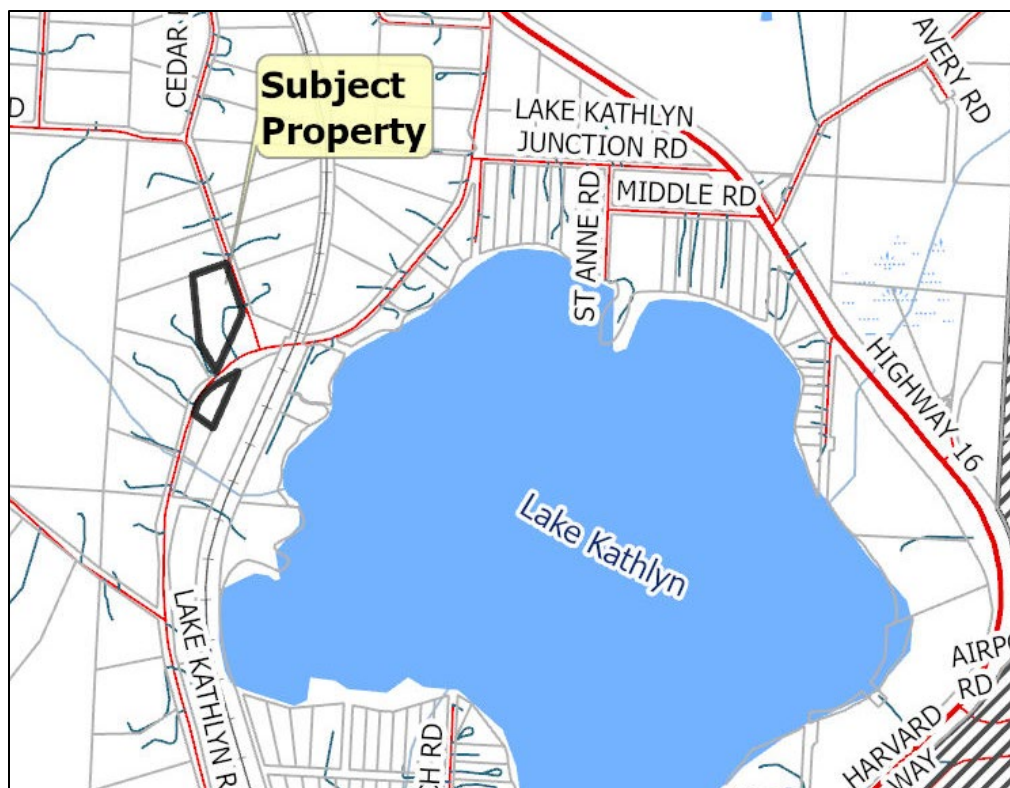
All / Directors / Majority

EXECUTIVE SUMMARY

The proposed rezoning of the property to the Small Holdings-Additional Dwelling (H1A) will allow a manufactured home to be used as a second dwelling. Staff recommend that Rezoning Bylaw No. 1958, 2021 be given 1st and 2nd Readings.

APPLICATION SUMMARY

Name of Agent/Owner:	William Curtis Matthews
Electoral Area:	A
Subject Property:	Lot A Section 15 Township 1a Range 5 Coast District Plan 9297 Except Plan PRP12847
Property Size:	±2.2 ha (5.4 acres)
OCP Designation:	Rural Residential in the “Smithers Telkwa Rural Official Community Plan Bylaw No. 1704, 2014”
Zoning:	Small Holdings (H1) in the “Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020”
ALR Status:	Not in the ALR
Existing Land Use:	Residential
Location:	The subject property is at 6575 Kroeker Road, approximately 2 km west of the Town of Smithers. The portion of the property north of Lake Kathlyn Road is approximately 1.7 ha. (4.2 ac.) in area. The portion of the property south of the road, where the proposed 2 nd dwelling is located, is 0.5 ha. (1.2 ac.) in area.



Proposed Rezoning

A building was placed on the property without a building permit, and a Stop Work Order was issued by a Building Inspector.

The applicant is proposing to rezone the subject property from Small Holdings (H1) to Small Holdings – Additional Dwelling (H1A) to allow the use of the building as a 2nd dwelling. The Small Holdings -Additional Dwelling (H1A) Zone permits two single family dwelling per parcel if one dwelling is 120 m² or less.



DISCUSSION

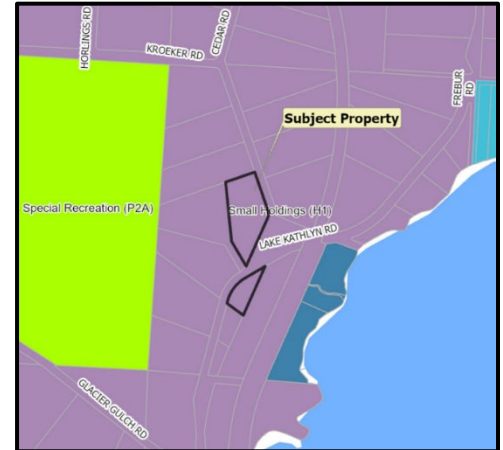
Official Community Plan

The subject property is designated Rural Residential (RR) in the Smithers Telkwa Rural Official Community Plan Bylaw No. 1704, 2014 which is intended to provide opportunities for people to live in a rural setting while protecting and preserving the rural character of the area. Section 3.4.2 (7) of the OCP states that rezoning applications to allow a second single family dwelling on a parcel may be considered under the following circumstances:

- (a) *The subject property is a minimum of 2 hectares (5 acres) in size or larger, or a 2nd single family dwelling exists and is legal but non-conforming to zoning.*
- (b) *It has been demonstrated that the parcel can accommodate an on-site sewage disposal system for two dwellings.*
- (c) *The development is compatible with adjacent land uses and maintains the rural character of the area.*
- (d) *The parcel is not located within a floodplain or on other hazard lands.*
- (e) *The development addresses wildlife and ecological values.*
- (f) *And, the future subdivision of the land into a parcel smaller than 2 hectares (5 acres) is prohibited.*

Building inspection

A RDBN Building Inspector placed a Stop Work Order on the building on July 6, 2021. The property owners have applied for and received a building permit for the building to be used as an accessory building. This allows the roof and foundation work to be completed before the winter to prevent weather damage. The applicant understands that the building cannot be used as a 2nd dwelling if the rezoning is not approved. They are also aware that a new building permit would be required to convert the building to a residential use.



On-Site-Sewage Disposal

The applicant has submitted a letter from an on-site wastewater practitioner confirming the property can support a sewer system for the second dwelling.

Referral Comments

The Electoral Area A Advisory Planning Commission provided the following comments.

“APC was concerned that if granted permission as an accessory building it would continue to be an eyesore in the community. Consideration for the lot parameters and the fact that it is divided by the road, APC felt that it would be more beneficial to permit the owner the opportunity to comply with all regulations including the most concerning, Northern Health. APC believes that the negative visual impact will be reduced and the property will become more esthetically pleasing if a residence is permitted. The APC discussed but did not prejudice the application with the fact that the applicant by-passed the process and did not obtain a building permit prior to placing the mobile home on site. APC recommends approval.”

The Ministry of Transportation and Infrastructure and Northern Health comments have not been received at the time of writing this report. Any comments received will be included on the supplementary agenda.

ATTACHMENT

Bylaw 1958, 2021



REGIONAL DISTRICT OF BULKLEY-NECHAKO
BYLAW NO. 1958

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 “Small Holdings – Additional Dwelling (H1A)” Zone.

‘Lot A Section 15 Township 1A Range 5 Coast District Plan 9297 Except Plan PRP12847’ 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. 1958, 2021.”

READ A FIRST TIME this __ day of ____, 2021

READ A SECOND TIME this __ day of ____, 2021

PUBLIC HEARING HELD this __ day of ____, 2021

READ A THIRD TIME this __ day of ____, 2021

I hereby certify that the foregoing is a true and correct copy of “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1958, 2021”

DATED AT BURNS LAKE this __ day of _____, 2021

Corporate Administrator

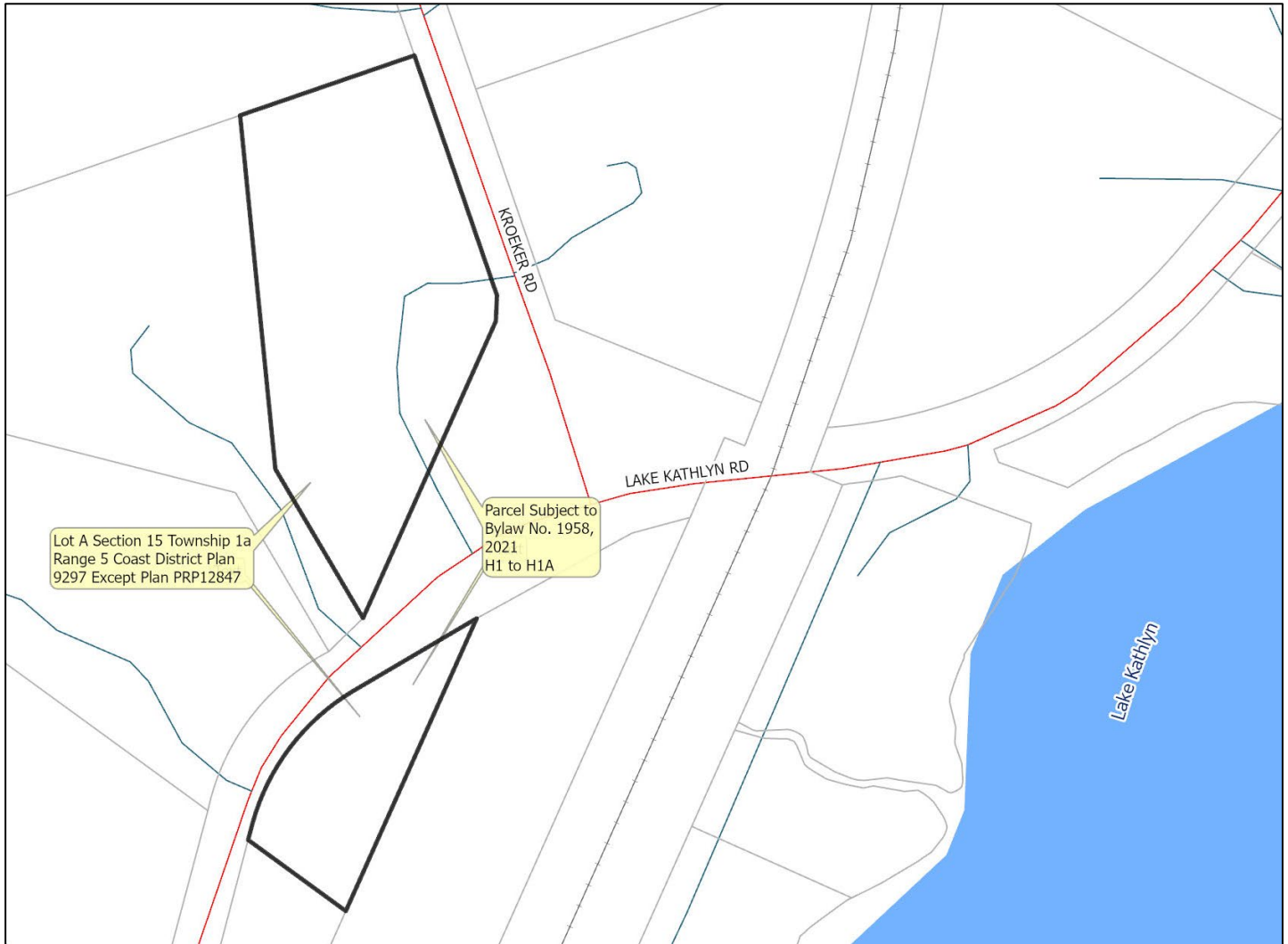
ADOPTED this ____ day of _____, 2021

Chairperson

Corporate Administrator

SCHEDULE "A" BYLAW NO. 1958

'Lot A Section 15 Township 1a Range 5 Coast District Plan 9297 Except Plan PRP12847', comprising of ±2 ha. Being rezoned from the "Small Holdings (H1)" Zone to the "Small Holdings – Additional Dwelling (H1A)". as shown.



I hereby certify that this is Schedule "A" of Bylaw No. 1958, 2021.

Corporate Administrator



REGIONAL DISTRICT OF BULKLEY-NECHAKO
STAFF REPORT

TO: Chair Thiessen and Board of Directors
FROM: Deneve Vanderwolf, Planner
DATE: September 23, 2021
SUBJECT: Rezoning Application RZ A-06-21
1st and 2nd Reading for Rezoning Bylaw 1959, 2021

RECOMMENDATION

1. That “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1959, 2021” be given first and second reading and subsequently be taken to Public Hearing.
2. That the Public Hearing for “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1959, 2021” be delegated to the Director or Alternate Director for Electoral Area A.

VOTING

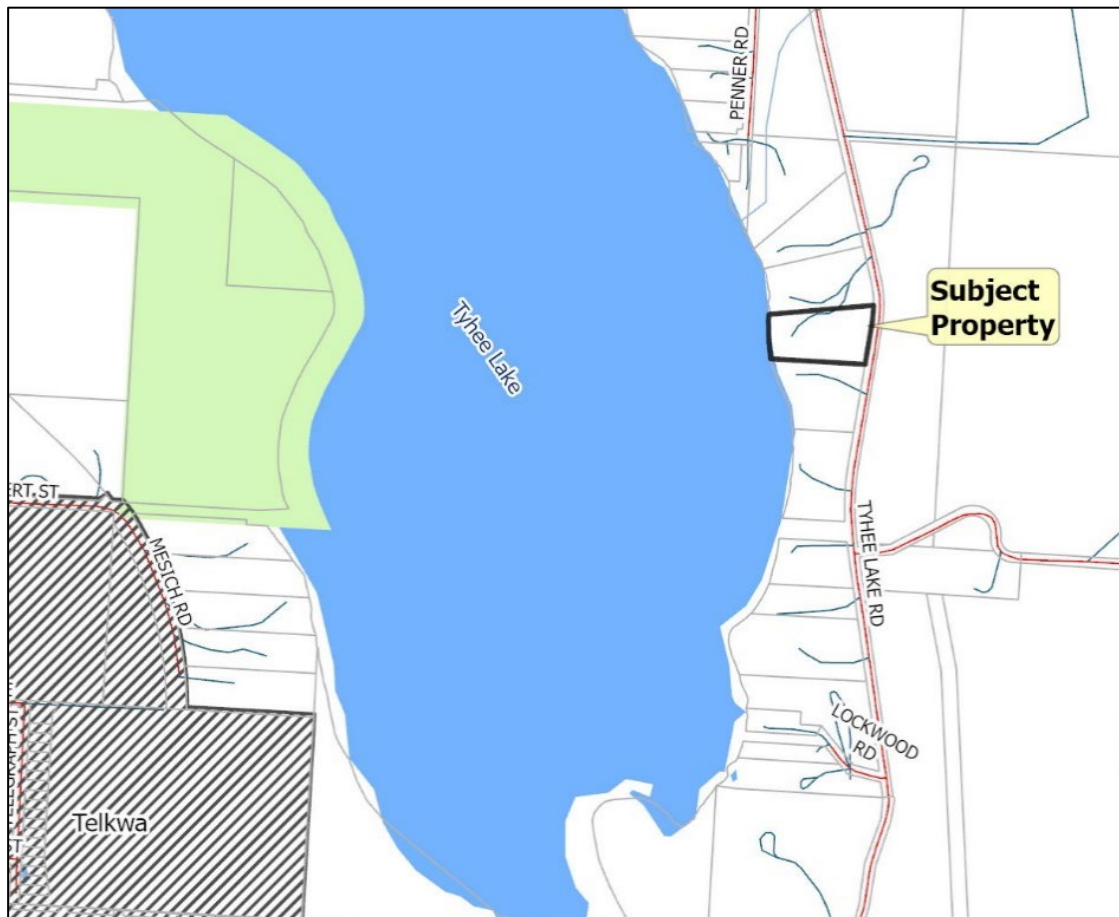
All / Directors / Majority

EXECUTIVE SUMMARY

The proposed rezoning of the property to the Small Holdings-Additional Dwelling (H1A) will allow the applicant to put a manufactured home on the property to be used as a second dwelling. Staff recommend that Rezoning Bylaw No. 1959, 2021 be given 1st and 2nd Readings.

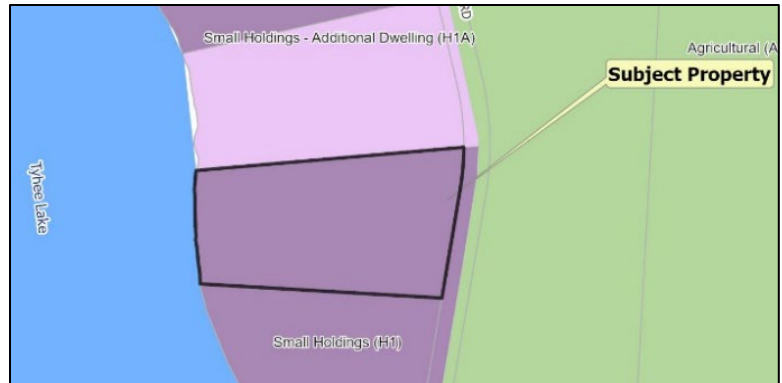
APPLICATION SUMMARY

Name of Agent/Owner:	Irene Bakker
Electoral Area:	A
Subject Property:	Lot 3 Section 36 Township 5 Range 5 Coast District Plan 8647
Property Size:	2 ha (5 acres)
OCP Designation:	Agriculture (AG) in the "Smithers Telkwa Rural Official Community Plan Bylaw No. 1704, 2014"
Zoning:	Small Holdings (H1) in the "Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020"
ALR Status:	In the ALR
Existing Land Use:	Residential
Location:	The subject property is located at 6947 Tyhee Lake Road approximately 2 km east of the Village of Telkwa.



Proposed Rezoning

The applicant is proposing to rezone the subject property from Small Holdings (H1) to Small Holdings – Additional Dwelling (H1A) to allow a manufactured home on the property as a 2nd dwelling. They wish to sell their property to their daughter and move into the manufactured home.



DISCUSSION

The subject property is designated Agriculture (AG) in the Smithers Telkwa Rural Official Community Plan Bylaw No. 1704, 2014. The AG Designation is intended to protect and preserve farmland and soil having agricultural capacity and facilitate the appropriate utilization of that land for agricultural purposes.

The Agricultural Land Commission (ALC) is in the process of amending their regulations regarding 2nd dwellings in the Agricultural Land Reserve (ALR). The current regulation allowing a manufactured home on ALR land for a relative will be removed as part of this process. The new rules are expected to allow 2nd dwellings to a maximum size of 90 m² for properties under 40 ha. These changes are scheduled to come into effect December 31, 2021. The manufactured home the applicants want exceeds the maximum size of 90 m². Therefore, they wish to be rezoned to Small Holdings – Additional Dwelling (H1A) so that they can have the larger manufactured home under the existing ALC rules. The H1A zone allows a second dwelling to be up to 120 m² (1290 ft²).

The applicant indicates that a Type 3 onsite sewage disposal system is required for the proposed second dwelling.

Referral Comments

The Electoral Area A Advisory Planning Commission is in support of the application.

Ministry of Transportation and Infrastructure and Northern Health comments were not received at the time of writing this report. Any comments received will be included on the supplementary agenda.

ATTACHMENTS

Bylaw 1959, 2021

Letter and Site Plan from Applicant dated July 21, 2021



REGIONAL DISTRICT OF BULKLEY-NECHAKO

BYLAW NO. 1959

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 “Small Holdings – Additional Dwelling (H1A)” Zone.

‘Lot 3 Section 36 Township 5 Range 5 Coast District Plan 8647’ 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. 1959, 2021.”

READ A FIRST TIME this __ day of ____, 2021

READ A SECOND TIME this __ day of ____, 2021

PUBLIC HEARING HELD this __ day of ____, 2021

READ A THIRD TIME this __ day of ____, 2021

I hereby certify that the foregoing is a true and correct copy of “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1959, 2021”

DATED AT BURNS LAKE this ____ day of _____, 2021

Corporate Administrator

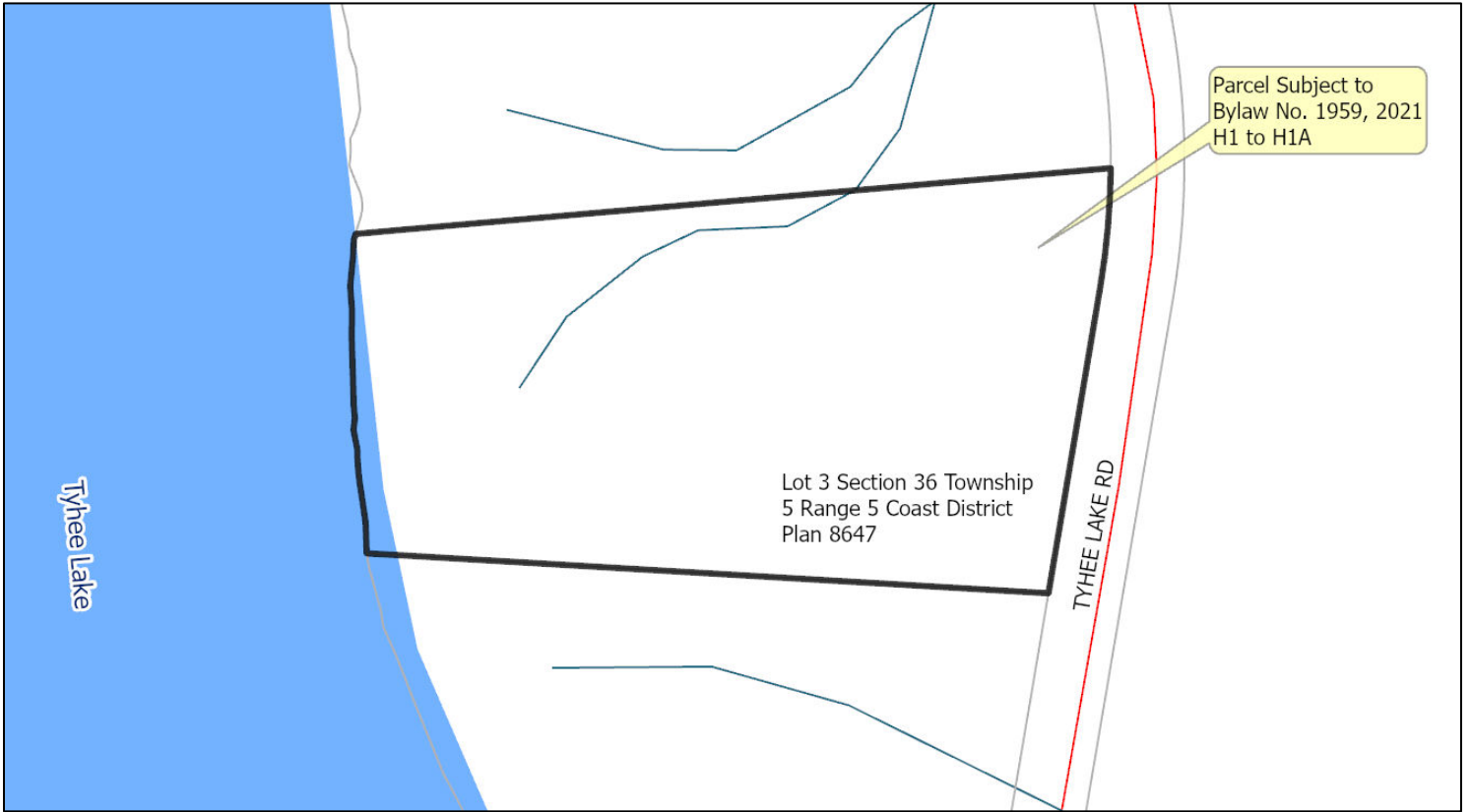
ADOPTED this ____ day of _____, 2021

Chairperson

Corporate Administrator

SCHEDULE "A" BYLAW NO. 1959

'Lot 3 Section 36 Township 5 Range 5 Coast District Plan 8647', comprising of ±2 ha.
Being rezoned from the "Small Holdings (H1)" Zone to the "Small Holdings – Additional Dwelling (H1A) as shown.



I hereby certify that this is Schedule "A" of Bylaw No. 1959, 2021.

Corporate Administrator

July 21, 2021

To the Regional District of Bulkley Nechako Planning Dep't

We are writing this letter to explain our request for a zoning change for our property at 6947 Tyhee Lake Road. It is currently zoned H1, and we request that it be changed to H1A, to allow a second dwelling.

We have been in discussion with our daughter and son-in-law, Jenna and Mark Hessels, regarding selling them our property and adding a modular home for us to live in as we age. We no longer need a large home, but really enjoy living on Tyhee Lake with all it's benefits. Being able to kayak, swim, skate, fish, etc. from our front door is a wonderful way to stay healthy. As we age we know that limitations will come, so having our family living in the main house would mean we can weather the changes that are undoubtedly coming our way as we go into our late 60s and beyond, with their support.

We have been in contact with the Regional District many times over the last 3 years, trying to find out what will work best. As you know, the ALR regulations have been in transition most of that time, but now there is a deadline of Dec. 31, 2021 if we are able to have a home that is a bit bigger than 970 sq. ft.. We understand that the current rules would allow us to have up to 1290 sq. ft., which would suit us better.

We have had a local contractor check whether it is possible to have a second septic system on the property and have been advised that it would be difficult. We are committed therefore to investing in a Type 3 waste treatment system.

In order to have our permits in place by Dec. 31, 2021, we need to ask for the zoning change for our property. Thank you for your attention to this application.

Sincerely, John and Irene Bakker

37

TYHEE LAKE RD

Lot 4

Lot 3

lat: 54.70588°N
long: 127.01756°W

driveway

6947

6943

swampy area

Shop

proposed
manufactured
home

green
house

septic
field

house

storage
shed

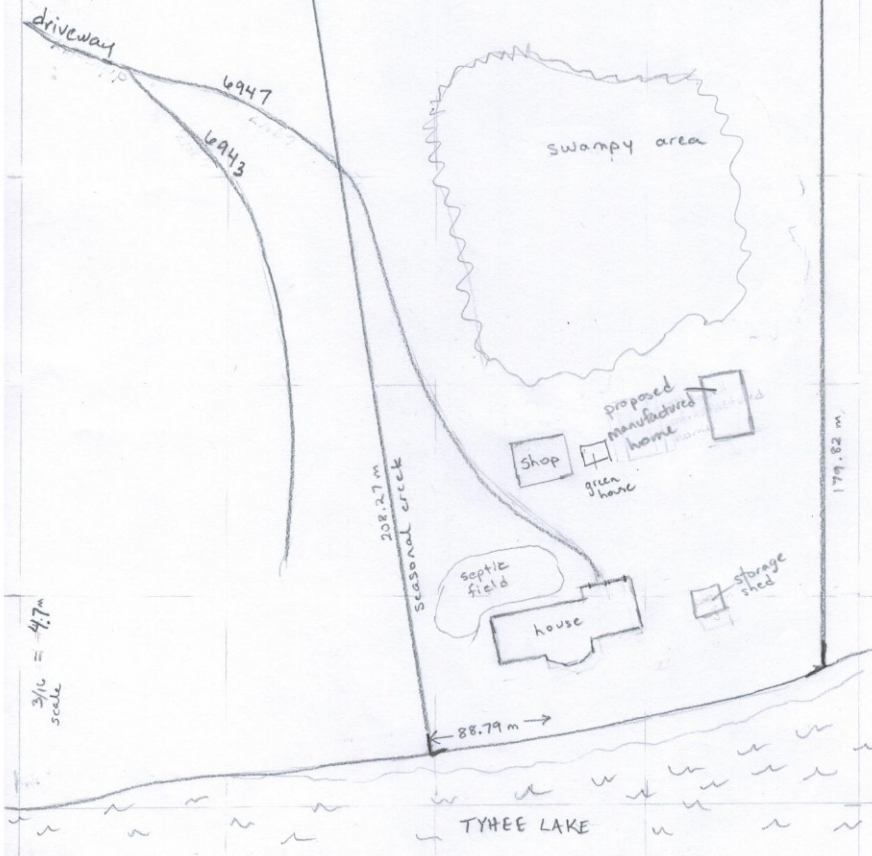
208.27 m
seasonal creek

179.82 m

88.79 m

TYHEE LAKE

3/16
scale = 4.7m





REGIONAL DISTRICT OF BULKLEY-NECHAKO
STAFF REPORT

TO: Chair Thiessen and Board of Directors
FROM: Jason Llewellyn, Director of Planning
DATE: September 23, 2021
SUBJECT: OCP Amendment and Rezoning Application RZ D-01-21
 1st and 2nd Reading for OCP Amendment Bylaw 1956, 2021 and Rezoning Bylaw 1957, 2021

RECOMMENDATION

1. That the Board consider and approve the consultation identified in the attached consultation checklist.
2. That “Endako, Fraser Lake, and Fort Fraser Rural Official Community Plan Amendment Bylaw No. 1956, 2021” be given first and second reading and subsequently be taken to Public Hearing.
3. That “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1957, 2021” be given first and second reading and subsequently be taken to Public Hearing.
4. That the Public Hearing for “Endako, Fraser Lake, and Fort Fraser Official Community Plan Amendment Bylaw No. 1956, 2021” and “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1957, 2021” be delegated to the Director or Alternate Director for Electoral Area D.

VOTING

All / Directors / Majority

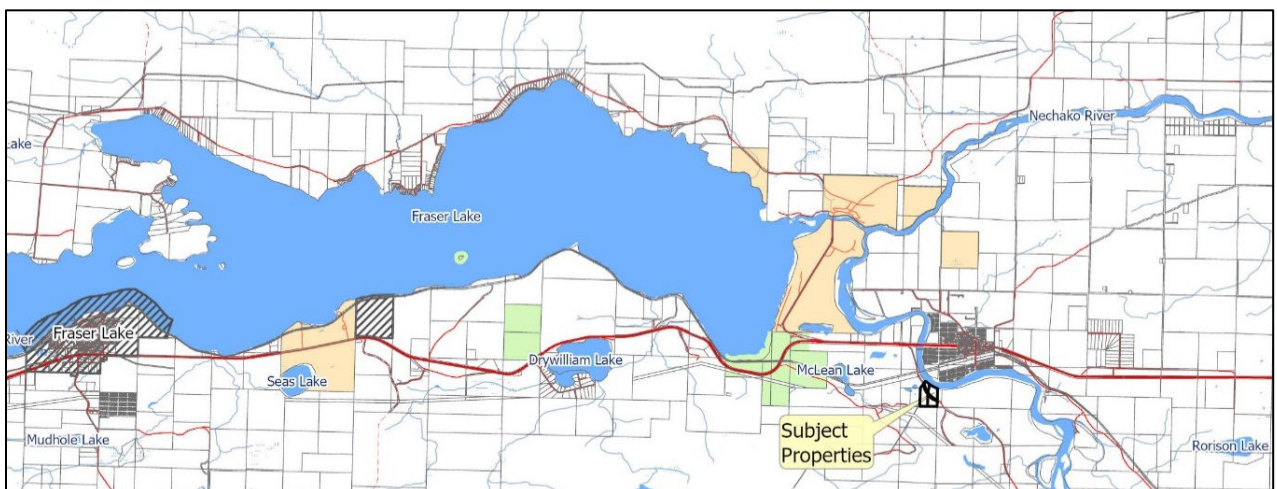
EXECUTIVE SUMMARY

The proposed OCP amendment and rezoning of the property to the Small Holdings (H1) zone will allow the subject property to be considered for subdivision into a maximum of 8 – 2 ha. parcels by the Ministry of Transportation and Infrastructure (MoTI). The applicant has indicated their intent is to apply to subdivide the land into 5 parcels as shown on the map on the following page. In staff’s opinion the subdivision into parcels as small as 2 ha. fits the

character of the area and staff recommend that OCP Amendment Bylaw No. 1956 and Rezoning Bylaw No. 1957 be given 1st and 2nd Readings.

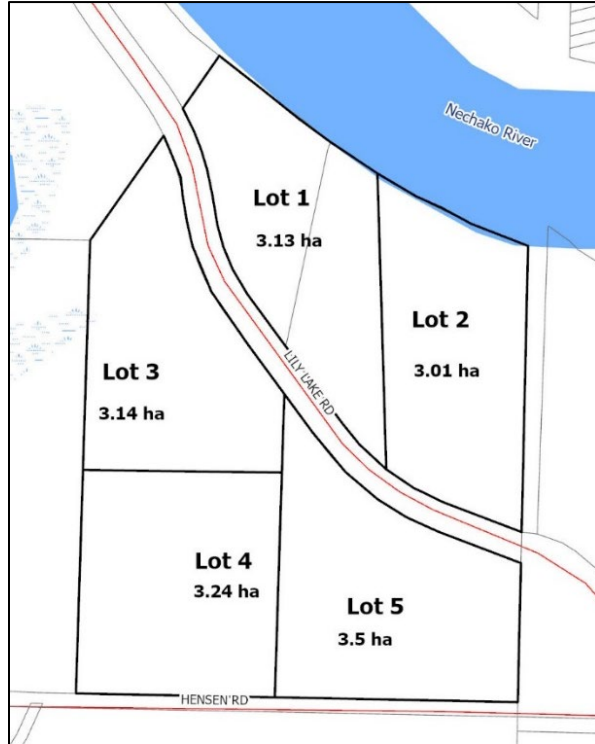
APPLICATION SUMMARY

Name of Agent/Owner:	Ronald & Vita Adair
Electoral Area:	D
Subject Properties:	Lot 3 Section 22 Township 15 Range 5 Coast District Plan BCP36727 Lot 4 Section 22 Township 15 Range 5 Coast District Plan BCP36727
Property Sizes:	Lot 3: ± 8 ha (19.76 Acres) Lot 4: ± 8 ha (19.76 Acres)
OCP Designation:	Resource (RE) in Endako, Fraser Lake, and Fort Fraser Official Community Plan Bylaw No. 1865, 2019
Zoning:	Large Holdings (H2) in Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020
ALR Status:	Not in the ALR
Existing Land Use:	Vacant
Location:	Located on Lily Lake Road approximately 18 km east of the Village of Fraser Lake and directly southwest of the community of Fort Fraser.



Proposal

The applicant is proposing to amend the OCP from the Resource (RE) designation to the Rural Residential (RR) designation and rezone the subject property from Large Holdings (H2) to Small Holdings (H1). The applicant indicates that their plan is to apply to MoTI to subdivide the land into 5 parcels as shown on the adjacent map. However, this will allow the property to be subdivided into as many as 8 – 2 ha. Parcels. Therefore, the application is being evaluated by staff based on the 8 parcels that may be potentially created.



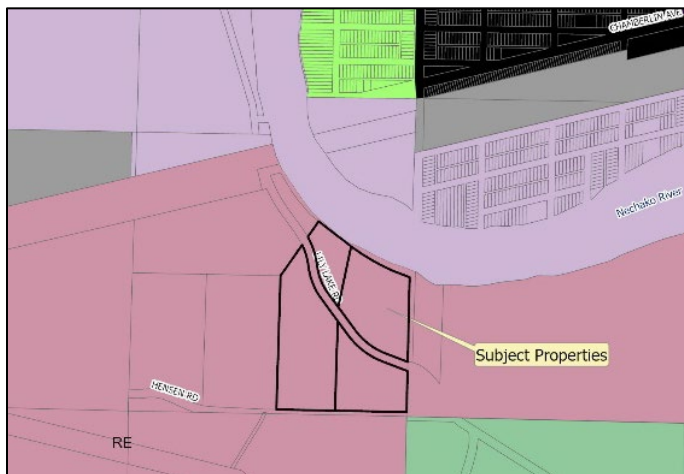
DISCUSSION

OCP and Zoning

The subject property is zoned Large Holdings (H2). The minimum parcel size that can be created by subdivision is 8 ha; therefore, the applicant is required to rezone the land to H1 which allows parcels as small as 2 ha.

The subject property is designated Resource (RE) in Endako, Fraser Lake, and Fort Fraser Rural Official Community Plan Bylaw No. 1865, 2019. The RE designation is characterised by a lack of settlement and by extensive resource management potential. The minimum parcel size in the RE designation is 8 ha; therefore, a OCP amendment to the Rural Residential (RR) designation is required

OCP



Zoning



Referral Comments

The Electoral Area D Advisory Planning Commission is in support of the application.

MoTI, Northern Health, and School District 91 comments were not received at the time of writing this report. Any comments received will be included on the supplementary agenda.

Planning Department Comments

The subject property is close to Fort Fraser and areas of rural residential development. The proposed subdivision appears to fit the character of the area.

Staff are not aware of any geotechnical or flooding risk in the immediate area. These issues will be formally evaluated by MoTI as part of their subdivision approval process.

The subdivision of the land into parcels as small as 2 ha. appears to fit the character of the area. Should the Board wish to ensure that the subdivision is limited to the 5 parcels proposed by the applicant the applicant can be asked to consider registering a covenant on title restricting the subdivision of the land accordingly.



ATTACHMENTS

Appendix A OCP Consultation Checklist

OCP Amendment Bylaw No. 1956, 2021

Rezoning Bylaw No. 1957, 2021

Appendix A
 Official Community Plan (OCP) Amendment
 Consultation Checklist

Associated OCP amendment Bylaw application number: RZ D-01-21

Associated OCP Amendment Bylaw number: 1956, 2021

Special Conditions

- Agricultural Land Reserve
- Zoning Bylaw Floodplain Overlay
- Environmentally sensitive area
- Potential contaminated site
- Within 800 metres of a Provincial Highway
- Crown land
- Other (specify) _____

Consideration of affected persons, organizations, and authorities

Prior to the Public Hearing for the OCP bylaw amendment, consideration has been given to consultation with the following:

Local Governments

- Cariboo Regional District
- Regional District of Fraser Fort George
- Regional District of Kitimat-Stikine
- Regional District of Peace Rive
- Village of Vanderhoof
- District of Fort St James
- Village of Fraser Lake
- Village of Burns Lake
- District of Houston
- Village of Telkwa
- Village of Granisle
- Town of Smithers
- Electoral Area D Advisory Planning Commission

Government Agencies

- Ministry of Transportation and Infrastructure
- Ministry of Agriculture
- Ministry of Environment
- Ministry of Community, Sport and Cultural Development
- Ministry of Forests, Mines and Lands
- Northern Health
- Department of Fisheries and Oceans
- Agricultural Land Commission

First Nations

- | | |
|-------------------------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> Binche Whut'en | <input type="checkbox"/> Nee Tahi Buhn Band |
| <input type="checkbox"/> Burns Lake Band | <input type="checkbox"/> Nuxalk Nation |
| <input type="checkbox"/> Cheslatta Carrier Nation | <input type="checkbox"/> Office of the Wet'suwet'en |
| <input type="checkbox"/> Doig River First Nation | <input type="checkbox"/> Saik'uz First Nation |
| <input type="checkbox"/> Halfway River First Nation | <input type="checkbox"/> Skin Tyee Nation |
| <input type="checkbox"/> Heiltsuk Nation | <input type="checkbox"/> Stelat'en First Nation |
| <input type="checkbox"/> Kitselas First Nation | <input type="checkbox"/> Takla Lake First Nation |
| <input type="checkbox"/> Lake Babine Nation | <input type="checkbox"/> TI'azt'en First Nation |
| <input type="checkbox"/> Lheidli T'enneh First Nation | <input type="checkbox"/> Tsay Keh Dene Nation |
| <input type="checkbox"/> Lhoosk'uz Dene Nation | <input type="checkbox"/> Ulkatcho First Nation |
| <input type="checkbox"/> Mcleod Lake Indian Band | <input type="checkbox"/> West Moberly First Nation |
| <input type="checkbox"/> Nadleh Whut'en | <input type="checkbox"/> Wet'suwet'en First Nation |
| <input type="checkbox"/> Nak'azdli Whut'en | <input type="checkbox"/> Witset First Nation |
| <input type="checkbox"/> Nazko First Nation | <input type="checkbox"/> Yekooche First Nati |

School Districts

- School District No. 91
- School District No. 54
- Improvement Districts

Public

- Immediate neighbours (within 200 metres of subject property)
- Surrounding neighbourhood
- Region wide
- Public Hearing
- Other (specify) - RDBN Website



REGIONAL DISTRICT OF BULKLEY-NECHAKO
BYLAW NO. 1956

A Bylaw to Amend “Endako, Fraser Lake, and Fort Fraser Rural
Official Community Plan Bylaw No. 1865, 2019”

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

That “Endako, Fraser Lake, and Fort Fraser Rural Official Community Plan Bylaw No. 1865, 2019” be amended such that the designation of the following lands is changed from “Resource” (RE) to “Rural Residential” (RR).

‘Lot 3 Section 22 Township 15 Range 5 Coast District Plan BCP36727’ and ‘Lot 4 Section 22 Township 15 Range 5 Coast District Plan BCP36727’ as shown on Schedule “A”, which is incorporated in and forms part of this bylaw.

This bylaw may be cited as “Endako, Fraser Lake, and Fort Fraser Rural Official Community Plan Amendment Bylaw No. 1956, 2021.”

READ A FIRST TIME this __ day of ____, 2021

READ A SECOND TIME this __ day of ____, 2021

PUBLIC HEARING HELD this __ day of ____, 2021

READ A THIRD TIME this __ day of ____, 2021

I hereby certify that the foregoing is a true and correct copy of “Endako, Fraser Lake, and Fort Fraser Rural Official Community Plan Amendment Bylaw No. 1956, 2021”

DATED AT BURNS LAKE this ____day of _____, 2021

Corporate Administrator

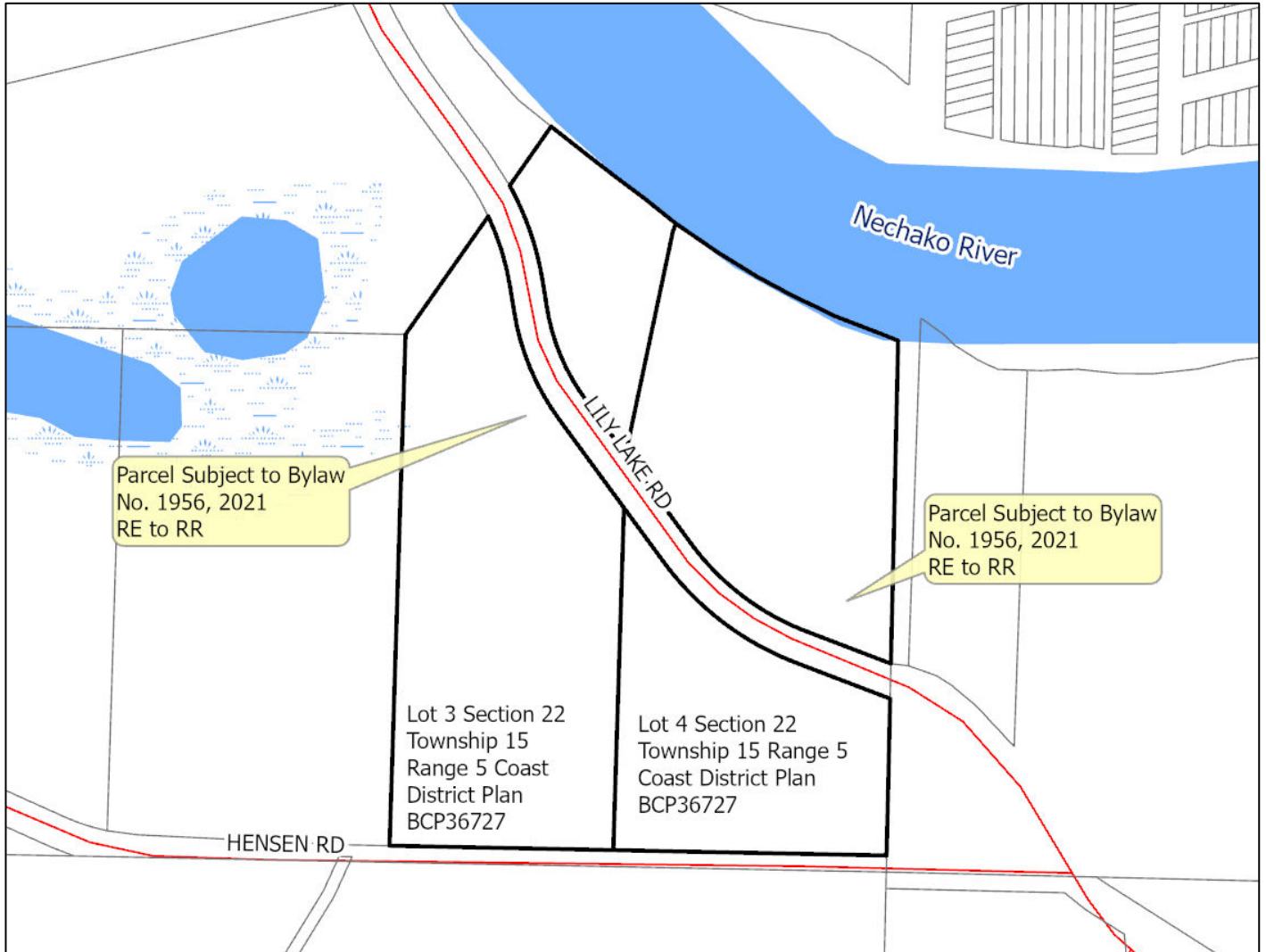
ADOPTED this ____day of _____, 2021

Chairperson

Corporate Administrator

SCHEDULE "A" BYLAW NO. 1956

'Lot 3 Section 22 Township 15 Range 5 Coast District Plan BCP36727', comprising of ±8 ha and 'Lot 4 Section 22 Township 15 Range 5 Coast District Plan BCP36727', comprising of ±8 ha. Being redesignated from "Resource" (RE) to "Rural Residential" (RR) as shown.



I hereby certify that this is Schedule "A" of Bylaw No. 1956, 2021

Corporate Administrator



REGIONAL DISTRICT OF BULKLEY-NECHAKO
BYLAW NO. 1957

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 “Large Holdings (H2)” Zone to the “Small Holdings (H1)” Zone.

‘Lot 3 Section 22 Township 15 Range 5 Coast District Plan BCP36727’ and ‘Lot 4 Section 22 Township 15 Range 5 Coast District Plan BCP36727’ 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. 1957, 2021.”

READ A FIRST TIME this __ day of ____, 2021

READ A SECOND TIME this __ day of ____, 2021

PUBLIC HEARING HELD this __ day of ____, 2021

READ A THIRD TIME this __ day of ____, 2021

I hereby certify that the foregoing is a true and correct copy of “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1957, 2021”

DATED AT BURNS LAKE this __ day of _____, 2021

Corporate Administrator

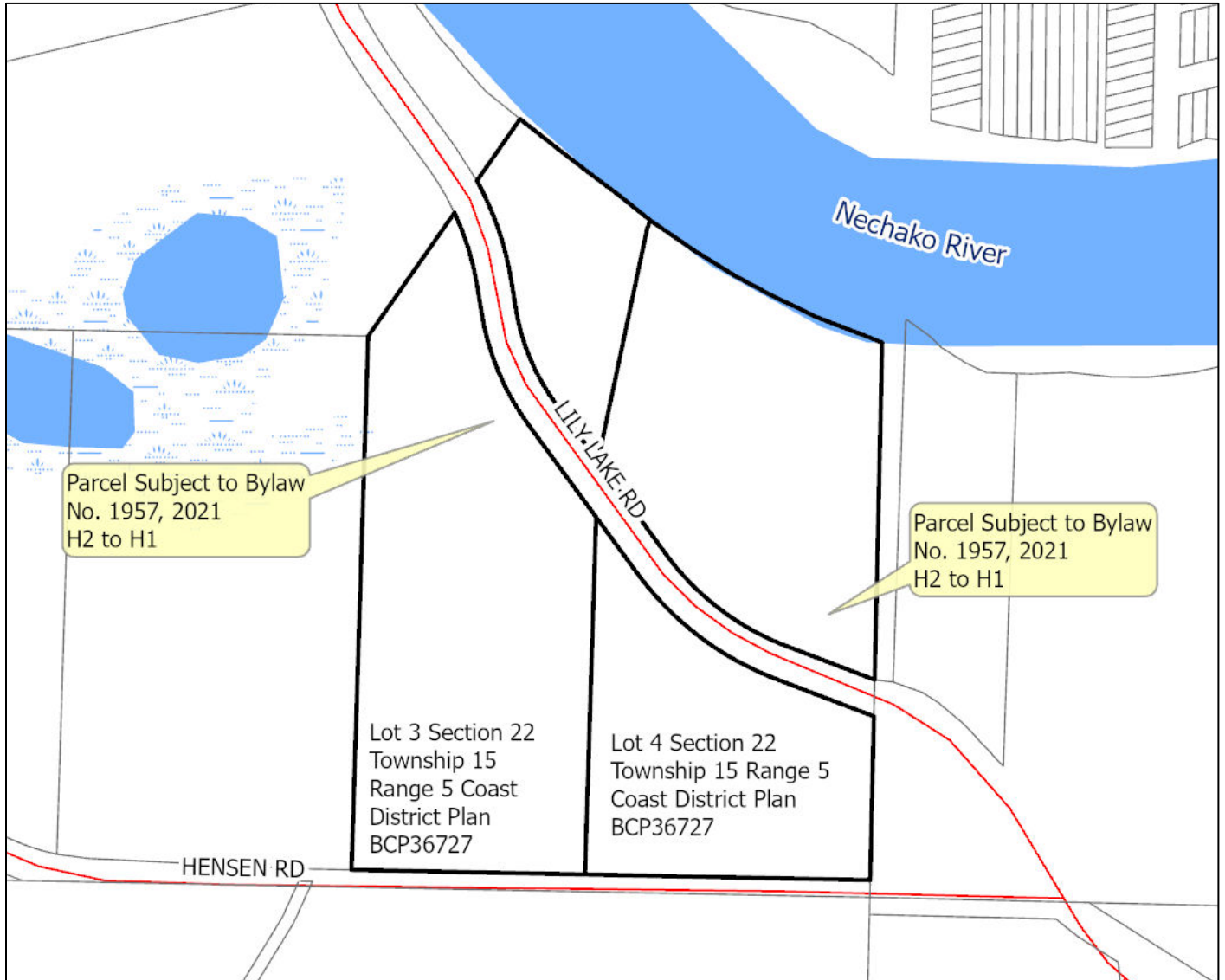
ADOPTED this ____ day of _____, 2021

Chairperson

Corporate Administrator

SCHEDULE "A" BYLAW NO. 1957

'Lot 3 Section 22 Township 15 Range 5 Coast District Plan BCP36727', comprising of ±8 ha and 'Lot 4 Section 22 Township 15 Range 5 Coast District Plan BCP36727', comprising of ±8 ha. Being rezoned from "Large Holdings (H2)" Zone to the "Small Holdings (H1)" Zone. as shown.



I hereby certify that this is Schedule "A" of Bylaw No. 1957, 2021.

Corporate Administrator

**Advisory Planning Commission
Meeting Minutes**

Electoral Area A	Meeting Date: September 7	Meeting Location: Virtually via Zoom
Attendance		
<u>APC Members</u> <input type="checkbox"/> Brian Atherton <input checked="" type="checkbox"/> Natalie Trueit <input checked="" type="checkbox"/> Bob Posthuma <input checked="" type="checkbox"/> Sandra Hinchliffe <input type="checkbox"/> Janik Heer <input checked="" type="checkbox"/> Stoney Stoltenberg <input 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> <input checked="" type="checkbox"/> BOONSTRA; Glen and Lorelee <input checked="" type="checkbox"/> BAKKER; Irene <input type="checkbox"/> _____ <input type="checkbox"/> _____
Chairperson: Sandra Hinchliffe		Secretary: Natalie Trueit
Call to Order: 7pm		
Agenda 7:00 – 7:15 7:15-7:30 ALR 1237 (Steti) 7:30-7:45 RZ A-05-21 (Matthews) Applicant will not be present 7:45-8:00 ALR 1235 (Boonstra) 8:00 RZ A-06-21 (Bakker)		
<div style="border: 1px solid black; height: 300px; width: 100%;"></div>		

RZ A-05-21 - Matthews

APC was concerned that if granted permission as an accessory building it would continue to be an eyesore in the community. Consideration for the lot parameters and the fact that it is divided by the road, APC felt that it would be more beneficial to permit the owner the opportunity to comply with all regulations including the most concerning, Northern Health. APC believes that the negative visual impact will be reduced and the property will become more esthetically pleasing if a residence is permitted. The APC discussed but did not prejudice the application with the fact that the applicant by-passed the process and did not obtain a building permit prior to placing the mobile home on site. APC recommends approval.

ALR 1237 – Steti

APC expressed concern about the final conditions still to be met – hydro-seeding and removal of noxious weeds. APC recommends approval.

ALR 1238 - BOONSTRA

APC recommends approval

RZ A-06-21 – BAKKER

APC recommends approval

Meeting Adjourned 8pm

Secretary Signature



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

TO: Chair Thiessen and Board of Directors
FROM: Jason Llewellyn, Director of Planning
DATE: September 23, 2021
SUBJECT: ALR Non-Farm Use Application No. 1237

RECOMMENDATIONS

1. That Agricultural Land Reserve Non-Farm Use Application No. 1237 be recommended to the Agricultural Land Commission for approval with the further recommendations that the Agricultural Land Commission ensure appropriate reclamation for the gravel pit, evaluate the suitability of the proposed peat deposit of future agriculture use, and ensure removal of invasive plants from the property.
2. That staff contact the Ministry of Energy, Mines and Low Carbon Innovation and request that the Ministry ensure that the permit terms for the subject property are developed in consideration of ground water resources (Aquifer 577 and 578).

VOTING

All / Directors / Majority

EXECUTIVE SUMMARY

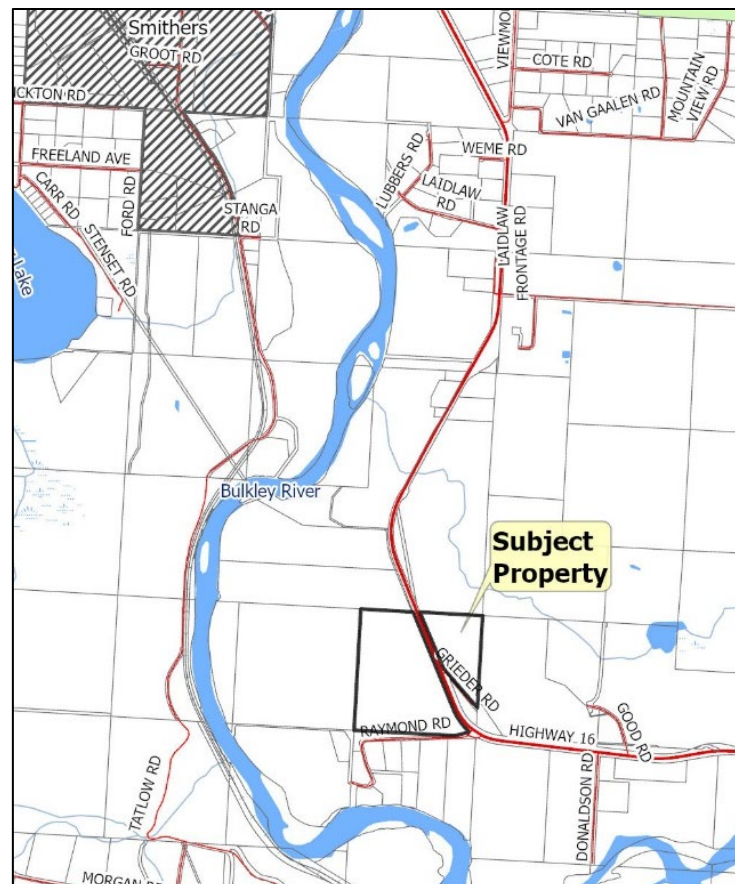
This application is requesting Agricultural Land Commission (ALC) approval for the following:

1. renewal of a non-farm use approval for the continued operation of a gravel pit;
2. the expansion of the area which may be used as a gravel pit; and
3. the deposit of 25,000 m³ of peat and topsoil to assist in reclamation of the site for future agricultural purposes.

Staff recommend that the application be recommended to the ALC for approval, subject to the ALC ensuring appropriate reclamation, evaluating the suitability of the proposed peat, and ensuring removal of invasive plants. Staff also recommend that the RDBN contact the Ministry of Energy, Mines and Low Carbon Innovation to ensure they consider ground water resources in their permit approval process.

APPLICATION SUMMARY

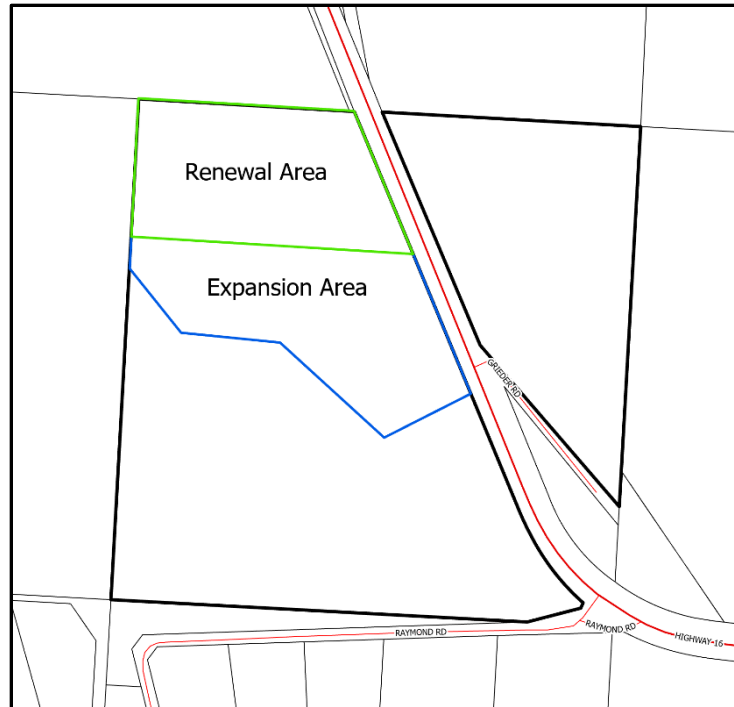
Name of Agent/Owner:	Steffen Apperloo
Electoral Area:	A
Subject Property:	NE 1/4 of Section 5 Township 4 Except Plans 8393 & PRP14394, Range 5, Coast District
Property Sizes:	±61 ha (±151 acres)
OCP Designation:	Agriculture (AG) in Smithers Telkwa Rural Official Community Plan Bylaw No. 1704, 2014
Zoning:	Agricultural (AG1) in Regional District of Bulkley-Nechako Zoning Bylaw 1800, 2020
Existing Land Use:	Gravel Pit
Location:	The subject property is located at the intersection of Highway 16 and Raymond Rd, approximately 5.5 km south of the Town of Smithers.
Non-Farm Use Area:	± 17.7 ha



Proposal

The purpose of this application is to renew an existing ALC non-farm use approval for the continued operation of a gravel pit (issued in 2010) and expand the area which may be used as a gravel pit. The renewal and expansion areas are shown on the adjacent map. The application includes a request to place 25,000m³ of peat and topsoil to assist in reclamation of the site for future agricultural purposes.

In 2010 the ALC conditionally approved gravel extraction from the property for a 5-year term until December 31, 2015. In 2015 this approval was extended for 5 years until December 31, 2020. In November 2020 the ALC granted a 1-year extension to the 2010 permit until December 31, 2021 provided that the operation does not expand beyond its current size.



This extension to December 31, 2021 was to allow the applicant the opportunity to make this application to the ALC to consider the continued long term use of the land for gravel extraction and processing, and the required reclamation.

The applicant indicates that the total proposed non-farm use area will be 17.7 ha. The renewal area is 8.7 ha. and the expansion area is 9 ha. The life of the gravel pit is estimated to be 25 years and includes the removal of 582,000 m³ of gravel.

DISCUSSION

Official Community Plan

The subject property is designated Agriculture (AG) under the Smithers Telkwa Rural Official Community Plan. The intent of the designation is to preserve and encourage the utilization of land for agricultural purposes. The OCP states:

Non-farm use of agricultural land shall be avoided. Applications for exclusions, subdivisions, and non-farm uses within the Agricultural Land Reserve may only be considered under the following circumstances:

- a) *There is limited agricultural potential within the proposed area.*

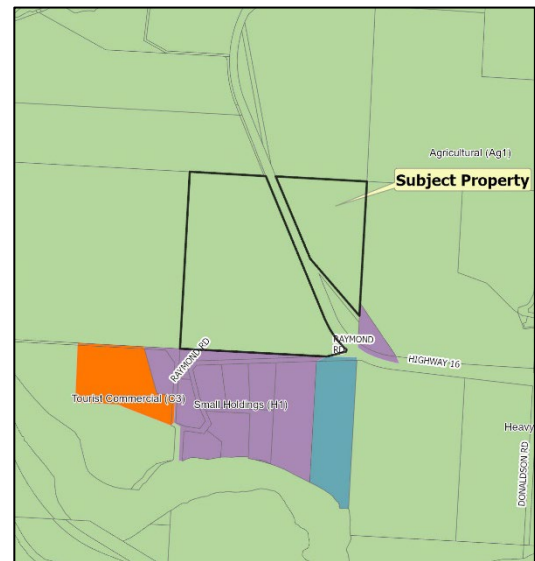
- b) *Soil conditions are not suitable for agriculture.*
- c) *Neighbouring uses will not be compromised.*
- d) *Adequate provisions for fencing are provided, where a proposed development is adjacent to an existing agricultural use.*
- e) *The application is in the best interest of the community.*
- f) *The proposed development considers and addresses potential impacts and potential improvements to recreational features and the environment, including wildlife habitat.*
- g) *And, traffic management issues will be considered and addressed appropriately.*

Zoning

The property is zoned Agricultural (Ag1) pursuant to Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020 (the Zoning Bylaw). The Zoning Bylaw cannot regulate the removal or deposit of soil, including gravel; however, it does regulate the processing of soil. Soil processing is not permitted in the Ag1 Zone.

Temporary Use Permit (TUP)

A TUP was issued in October of 2020 for the operation of a gravel crusher and screener / wash plant as part of their gravel pit operation. The permit was issued by the Board subject to the establishment of a 4 metre high berm around the gravel pit and gravel processing. The berm surface must be uniform and free from wood and other debris and must be maintained with a cover of non-invasive vegetation.



The Permit authorizes the gravel processing for a term of three years from the date of issuance of the permit or until the expiry of ALC approvals for the gravel processing, whichever comes first.

Reclamation

The applicant has provided a Soil Report and Reclamation Plan completed by an Agrologist. This report proposes the stockpiling of topsoil and the seeding of topsoil berms, removal of organic tree debris, and progressive reclamation through the life of the gravel pit. It also recommends the spot spraying of existing invasive plants with herbicide by a certified contractor. The end land use of the proposed non-farm use area is expected to be hay and grazing land.

Referral Comments

The Electoral Area A Advisory Planning Commission had concerns regarding unmet conditions of the TUP (hydro-seeding) and removal of noxious weeds from the property. The APC recommended approval.

The RDBN's Agriculture Coordinator provided the following comments on the application.

The proposed expansion of the gravel pit does not do anything to enhance the land from an agricultural perspective in my opinion. There are other areas in the Bulkley Valley where hayfields grown over soils dominated by gravel are productive (admittedly this is anecdotal). However, if the expansion of the gravel pit is deemed to be in the best interests of the community, then the reclamation of the gravel pit area is the key to maintaining the land value for agricultural purposes. To that note, I have the following observations:

- *There are restrictions with respect to field storing manure and spreading fertilizer (organic and inorganic) on low areas with standing water and areas with saturated soils in the Agricultural Environmental Management Code of Practice (Section 37(1)(a) and 49(1)(a). It may be harder to comply with this legislation if the distance to the low water table was only one metre once the reclamation activities were completed. In addition, there are minimum depths to the water table and/or bedrock that are legislated with respect to some agricultural activities (particularly burying mortalities – AEM CoP, Section 74).*
- *Depending on the ratio, reclaiming the site with sphagnum peat moss could potentially result in acidic soils (pH of natural peat moss is 3.0 to 4.5). Forage grasses and legumes generally grow better in soils with more neutral pH (6.0 to 8.0)*

(https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/agriculture-andseafood/agricultural-land-and-environment/soil-nutrients/600-series/637100-1_understanding_soil_ph.pdf).

- *There are two aquifers mapped under the property – Aquifer 577 and 578. Both are considered low vulnerability, but their presence should still be noted as risk of pollution to groundwater (e.g., manure, fertilizer) may change depending on how the site is reclaimed.*
- *Noxious weed control is a critical part of the management of the gravel pit sit, as well as the reclamation process. If the application is approved, the landowner is encouraged to reach out to the Northwest Invasive Plant Council if they need assistance in managing noxious weed species on their property.*

The Ministry of Agriculture, Food, and Fisheries comments were not been received at the time of writing this report. Any comments received will be included on the supplemental agenda.

PLANNING DEPARTMENT COMMENT

The Planning Department has no concern with the proposed expanded gravel pit's impact on agriculture provided that the ALC ensures that the land is adequately reclaimed for future agricultural use, the deposit of peat on the property is adequately considered, and the invasive plants are removed from the property.

The applicant has not fully complied with the terms of the RDBN's 2020 Temporary Use Permit. The berm intended to replace the previously existing treed buffer is incomplete and remains unvegetated. Staff will monitor the site in the spring of 2022 and report back to the Board for direction if this work is not completed.

ATTACHMENTS

1. Appendix A – Agriculture Capability
2. Appendix B – Surrounding ALR Applications
3. ALR Application
4. Pit Development Maps submitted by the applicant
5. Soil Report and Reclamation Plan submitted by the applicant

APPENDIX A

Agricultural Capability based on Canada Land Inventory Mapping

70% of the Subject Property is:

70% Class 5 Land limited by Moisture and Stoniness

30% Class 3 Land limited by Moisture

22% of the Subject Property is:

100% Class 4 Land limited by Moisture

8% of the Subject Property is:

60% Class 5 Land limited by Topography and Stoniness

40% Class 6 Land limited by Topography

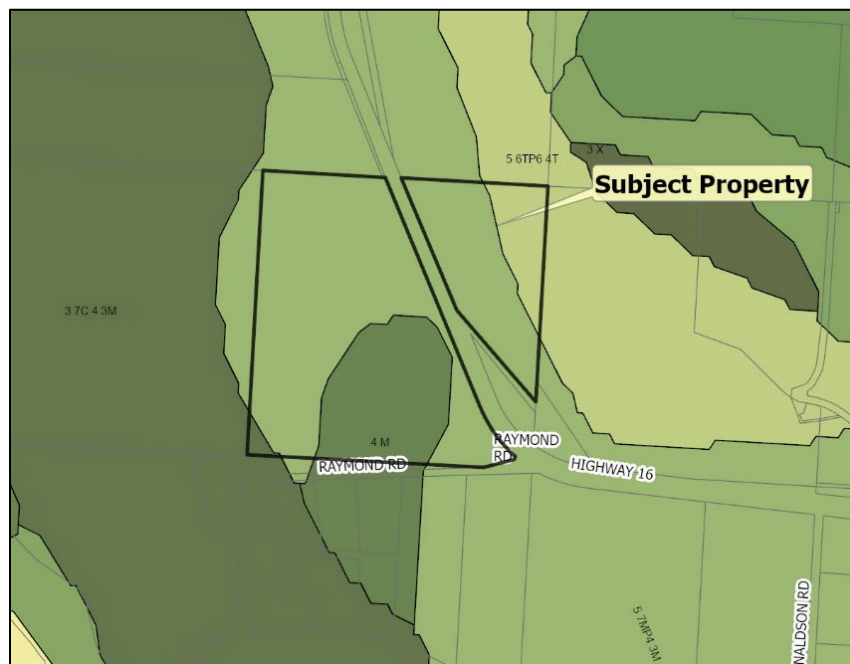
Class 3 Land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

Class 4: Land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

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

Class 6: Land is important in its natural state as grazing land. These lands cannot be cultivated due to soil and/or climate limitations.

Agricultural Capability Map



APPENDIX B:

Surrounding Applications

ALR Application	Legal Description	Summary	Recommendation Staff Board ALC
13	Lot 2, Plan 7322, SE1/4, Section 5, Township 4, R5 Coast District.	Request to remain within the ALR but to establish a Trailer Court.	Denial
			Approval
			Denied
58	NE ¼, Section 5, Township 4, Range 5, Coast District	Application to subdivide a 5 acre parcel from the subject property; the proposed lot is located between the old and the new Highway 16.	Approval
			Approval
			Approved
63	NE ¼, Section 5, Township 4, Range 5, Coast District	Application to use land as an auto wrecking storage facility.	Denial
			Denial
			Denied
96	Fractional SW ¼ of Section 4, Township 4, Range 5 Coast District	Application to construct a barn and locate a mobile home on the subject property	Approval
			Approval
			Approved
114	NE ¼, Section 5, Township 4, Range 5, Coast District	Application to use land as an auto wrecking storage facility.	Denial
			Denial
			Denied
203	Lot 3, Plan 4027, Section 8, Township 4, Range 5 Coast District	Application to operate a repair shop in the buildings existing on the property	Denial
			Denial
			Approval
213	Fractional NW ¼, Section 8, Township 4, Range 5 Coast District, lying north and west of the Bulkley River	Application to subdivide a ±8 ha parcel from the subject property	Approval
			Approval
			Approved
336	Fractional NW ¼, Section 8, Township 4, Range 5 Coast District, lying north and west of the Bulkley River	Application to use a ±8 ha parcel of the subject property as a sawmill site	Denial
			Approval
			Approved

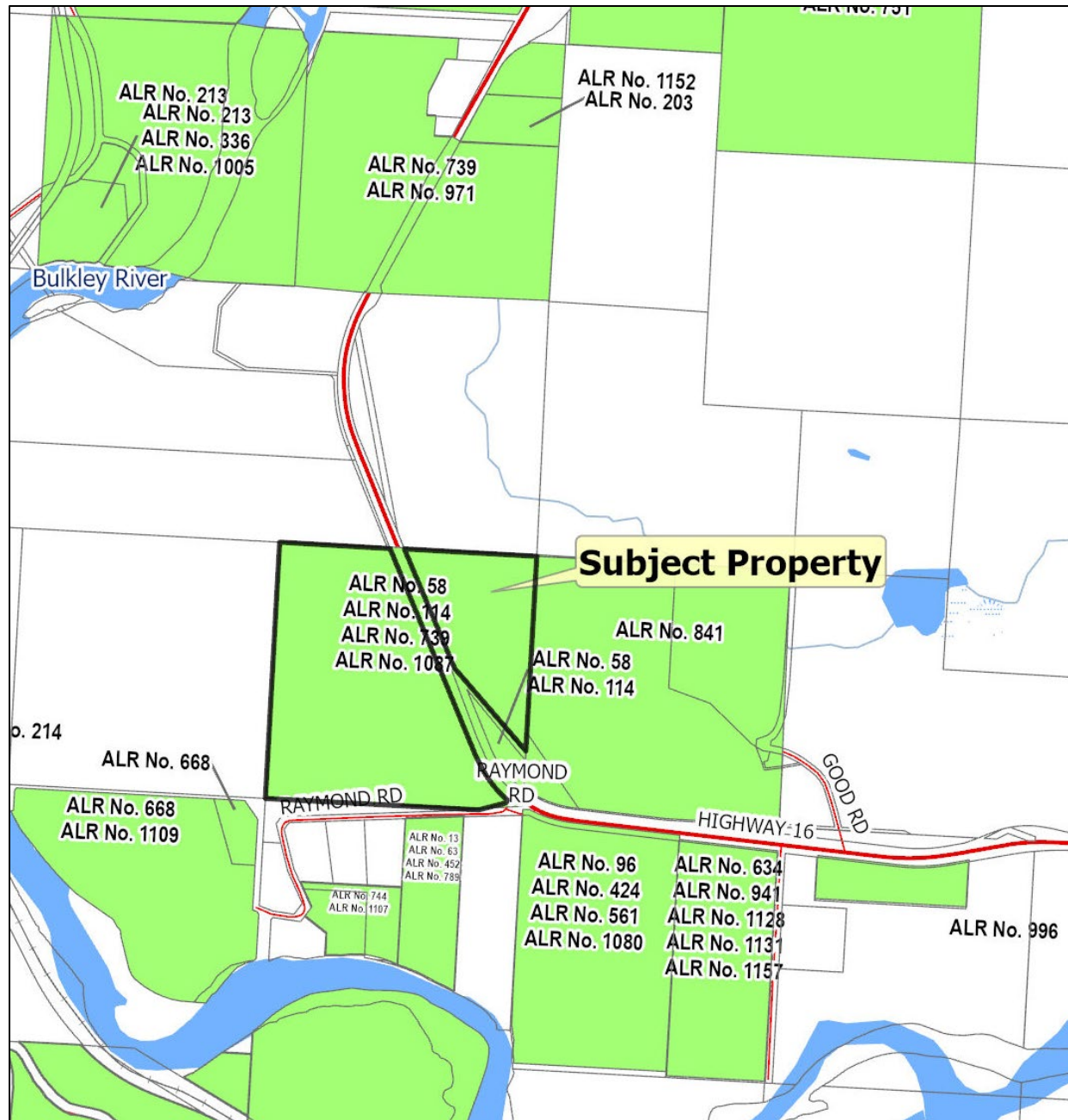
424	Fractional SW ¼ of Section 4, Township 4, Range 5 Coast District	Application to subdivide two parcels of ±8.1 ha each from the ±64 ha parent property and subdivide the remainder into 2 ha home sites.	Denial
			Denial
			Denied
452	Lot 2, Plan 7322, SE 1/4, Section 5, Township 4, Range 5, Coast District	Application to subdivide ±9.0 ha into ± 2 ha parcels.	Approval
			Approval
			Denied
561	Fractional SW ¼ of Section 4, Township 4, Range 5 Coast District	Allow subdivision of a ±24 ha lot from the ±64 ha parent property.	Approval
			Approval
			Approved
634	Lot 1, Plan 11348, Section 4, Township 4, Range 5 Coast District	Application to exclude the subject property from the ALR.	Approval (non-farm use)
			Approval
			Denied
668	Fractional SW 1/4 of Section 5, except all that portion lying south of the Bulkley River, Township 4, Range 5, Coast District.	Application to subdivide a parcel of approximately 2.02 ha for a homesite from the aforementioned property.	Denial
			Denial
			Approved
739	NE ¼, Section 8, Township 4, Range 5 Coast District, NE 1/4 OF SEC 5 TP 4 R5C EXC PLS 8393 & PRP14394	Application to subdivide a ±2.1 ha parcel	Approval
			Approval
			Approved
744	Lot 3, Plan 7322, Section 5, Township 4, Range 5, Coast District	Application to subdivide one parcel of 2.43 from 6.03 ha.	Approval
			Approval
			Denied
789	Lot 2, Plan 7322, SE ¼, Section 5, Township 4, Range 5, Coast District	Application to subdivide 9.19 ha into four lots for single family homesites.	Denial
			Denial
			Denied
841	NW ¼, Section 4, Township 4, Range 5, Coast District	Application to subdivide the ±64 ha property into one lot of ±62 ha, and one lot of ±2.02 ha.	Approval
			Approval
			Approved
941	Lot A, Plan 11348, Section 4, Township 4, Range 5, Coast District except PRP 14965.	The applicant is proposing to utilize the site for a concrete batch plant.	Approval
			Approval
			Denied

971	Part NE ¼, Section 8, Township 4, Range 5 Coast District, except Plans 1264, 3293, 3546, 3855, 4027, 6040 and 12521	The owners of the property wish to construct an additional dwelling on their property. There are currently two dwellings in existence on the property; one is the owner's residence and the other is rented out. The owners wish to have an additional dwelling near their residence for their daughter, who will assist with the farm and other personal needs	Denial
			Denial
			Denied
996	Fractional SE ¼, Section 4, Township 4, Range 5 Coast District, except the most easterly 10 chains, except Block A and R/W Plan PRP14394.	The purpose of this application is to subdivide a ±6.07 ha (±15 acre) parcel from the parent property for the development of an abattoir and meat processing facility. The subject property is currently part of a Ministry of Transportation gravel reserve. The Ministry of Transportation has agreed to relinquish the 6 ha portion of the property to Northwest Premium Meat Co-op subject to several conditions. These conditions include: constructing a new access road off of Donaldson Rd; removing a quantity of gravel from the property; and fencing the 6 ha parcel. The proposed lot is adjacent to the Smithers Telkwa waste transfer station operated by the Regional District of Bulkley-Nechako, and the remaining Ministry of Transportation gravel reserve	Approval
			Approval
			Approved
1005	Lot A, Plan PRP43710, Section 8, Township 4, Range 5 Coast District.	The purpose of this application is to subdivide the subject property into two parcels, creating one parcel of ±2.02 ha (±5.0 acres) and one of ±5.76 ha (±14.2 acres). The owner of the property wishes to create the two lots in order to accommodate two smaller scale sawmilling operations rather than one large sawmill.	Approval
			Approval
			Approved
1080	Fraction SW ¼, Section 4, Township 4, Except Plans 11348 PRP14394 & PRP41187, Range 5, Coast District.	Application to exclude property from ALR	Denial
			Denial
			Denied
1087	NE 1/4 of Section 5 Township 4 Except Plans 8393 & PRP14394, Range 5, Coast District	To allow the removal of sand and gravel and to operate a temporary asphalt plant on the property.	Approval
			Approval for the removal of sand and gravel.
			Approved, subject to 15 conditions, including posting a bond, time limit of 5 years, annual report, phased development, etc.

1107	Lot 3, Section 5, Township 4, Range 5, Cost District, Plan 7322.	To subdivide a 6 ha property into two parcels, one 3.5 ha and one 2.5 ha.	Approval on the condition that a legal notification is first placed on the title of the property in accordance with Section 57 of the Community Charter.
			Approval on the condition that a legal notification is first placed on the title of the property in accordance with Section 57 of the Community Charter.
			Approved
1109	Lot B, Section 5, Township 4, Range 5, Coast District Plan EPP660	To allow the expansion of the current guest ranch use of the property.	Approval
			Approval
			Approved subject to development being restricted to and in accordance with the plan and notes forwarded under cover of an e-mail from D. Botchford dated 3rd October 2011 and referred to in the site inspection meeting report and the bulk of the property continuing to be farmed and farm assessment maintained.
1128	Lot A, Section 4, Township 4, Range 5, Coast District Plan 11348 except Plan PRP14965	Non-farm use, to legalize the existing use of the property for a motocross track.	Approval
			Approval
			Approval to use 8 ha as a motocross track be approved subject to the following conditions:1. Confirmation that reclamation of the scrap and salvage yard has been completed. 2. The approval is for operation of the motocross track between April and October. 3. Any further expansion of the motocross track or construction of accessory buildings or infrastructure will be subject to a non-farm use application.4. Approval for non-farm use is granted for the sole benefit of the Smithers Motocross Association and is non-transferable. 5. The approval is for five years. Renewal of the non-farm use will be considered subject to compliance with the other conditions contained in this decision.
1131	Lot A, Section 4, Township 4, Range 5, Coast District Plan 11348 except Plan PRP14965	Non-farm use, to legalize the metal scrap and salvage use on the property	Approval
			Approval
			Approval to use 8 ha as a motocross track be approved subject to the following conditions:1. Confirmation that reclamation of the scrap and salvage yard has been completed. 2. The approval is for operation of the motocross track between April and October. 3. Any further expansion of the motocross track or construction of accessory buildings or infrastructure will be subject to a non-farm use application.4. Approval for non-farm

			use is granted for the sole benefit of the Smithers Motocross Association and is non-transferable. 5. The approval is for five years. Renewal of the non-farm use will be considered subject to compliance with the other conditions contained in this decision.
1152	Lot 2, Section 8, Township 4, Range 5 Coast District Plan 4027	To allow a non-farm use on the property. The applicant plans to build a 3000 square foot shop on the property to rent out to a carpenter.	Approval
			Approval
			Denial

Surrounding Applications Map



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 62379

Application Status: Under LG Review

Applicant: Steti Transport Ltd

Agent: Steti Transport Ltd

Local Government: Bulkley-Nechako Regional District

Local Government Date of Receipt: 08/02/2021

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Farm use (Removal of Soil & Placement of Fill)

Proposal: The purpose is to extend the use of the area for additional aggregate extraction.

The agricultural capabilities for the property will improve by extracting the five to six meters of gravel located beneath the ground surface. This gravel extraction will result in the land being lowered to approximately one (1) meter above the groundwater table. With this distance from the groundwater table, the hay crop roots will have the ability to access this water table. Basically we hope to lower the ground surface, replace soils and redistribute it in a more even depth closer to the water table which should make for better pasture and/or hay field.

Agent Information

Agent: Steti Transport Ltd

Mailing Address:

PO Box 3915

Smithers, BC

V0J 2N0

Canada

Primary Phone: (250) 847-0568

Email: stetittransport@gmail.com

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 014-019-116

Legal Description: The NorthEast 1/4 of Section 5 Township 4 Range 5 Coast District Except Plans 8393 and PRP14394

Parcel Area: 59 ha

Civic Address: 224 Raymond Road

Date of Purchase: 03/30/2010

Farm Classification: Yes

Owners

1. **Name:** Steti Transport Ltd

Address:

PO Box 3915

Smithers, BC

Applicant: Steti Transport Ltd

V0J 2N0
 Canada
Phone: (250) 847-0568
Email: stetittransport@gmail.com

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

Currently 15 ha is leased on the east side of Hwy 16 for pasture.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

On the west side of HWY 16, approximately 44 ha has been logged and stumped, of which 5.3 ha is currently an active aggregate extraction operation (see Fig 2).

It should be noted that the northwest section of the aggregate operation will be resloped and covered with existing soil materials later this year, and made into pasture land.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

Currently 8.7 ha has been designated and approved for an aggregate extraction operation (gravel pit), of which 3.0 ha is an active pit, with another 5.7 ha that being logged, and in the process of being stripped.

There is another 2.3 ha outside the original ALC approval that consists of scales, wash plant and access road. This area was developed as part of the original development several years ago (see Figure 2). It should have been included in the revised (new) ALC application at that time.

As part of this renewal application, we would like to increase the current area covered by ALC File No. 51775, to 17.7 ha from the existing 8.7 ha area. This "new" area would consist of the existing area of 8.7 ha, the 2.3 ha covering the current infrastructure noted above, additional mining area and storage area south of site access. This "new" area is shown on Fig 2 as the light blue outline.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity: Logged and now unoccupied raw land

East

Land Use Type: Agricultural/Farm

Specify Activity: Dairy farm

South

Land Use Type: Agricultural/Farm

Specify Activity: Residential in the ALR, and Raymond Road

West

Land Use Type: Agricultural/Farm

Specify Activity: Residential with tree plantation and remaining 1/4 used for hay land

Proposal

1. Have you submitted a Notice of Work to the Ministry of Energy and Mines?

Yes

Notice of Work Tracking/Reference Number

17-1650585-0724

2. Are you submitting this application as a follow-up to a Notice of Intent (NOI)?

No

3. What is the purpose of the proposal? Describe any benefits to agriculture that the proposal provides.

The purpose is to extend the use of the area for additional aggregate extraction.

The agricultural capabilities for the property will improve by extracting the five to six meters of gravel located beneath the ground surface. This gravel extraction will result in the land being lowered to approximately one (1) meter above the groundwater table. With this distance from the groundwater table, the hay crop roots will have the ability to access this water table. Basically we hope to lower the ground surface, replace soils and redistribute it in a more even depth closer to the water table which should make for better pasture and/or hay field.

4. Removal of Material Proposal Dimensions

Total material removal area (0.01 ha is 100 m²) *9.7 ha*

Maximum depth of material to be removed *6 m*

Volume of material to be removed *582000 m³*

Estimated duration of the project *25 Years*

5. Describe the type of material proposed to be removed.

We propose to extract the aggregate materials and process by crushing and screening.

6. Placement of Fill Proposal Dimensions

Total fill placement area (0.01 ha is 100 m²) *17.7 ha*

Maximum depth of material to be placed as fill *0.1 m*

Volume of material to be placed as fill *25000 m³*

Estimated duration of the project *25 Years*

7. Describe the type of fill proposed to be placed.

Not looking to put unsuitable fill into the property, but rather to import some local peat and topsoil materials that could be used with existing till soils to enhance the soils for reclamation efforts.

8. Briefly describe the origin and quality of fill. Has the fill been assessed by a qualified professional to verify its agricultural suitability? If yes, please attach the assessment report in the "Upload Attachments" section.

The local area particularly, Smithers itself was built on swampy (peat) ground, as well some projects encounter topsoil materials.

During many construction activities in Smithers, this material is encountered and needs to be dug out and removed.

The material has not been assessed, but is known in the area to be used for soil improvements.

9. Has a Professional Agrologist reviewed the project and provided a written report? If yes, please attach the Professional Agrologist report in the "Upload Attachments" section.

Yes

10. What alternative measures have you considered or attempted before proposing to remove material and place fill?

We have considered just using the native soils on-site for both binder and reclamation but with the soils being quite sparse in areas, we are looking to other options to ensure adequate depth of soil replacement. Such an option would be the utilization of the peat and topsoil that can be transported to the site.

It is still the plan to utilize the existing soils from the site towards reclamation efforts. They are being stockpiled around the perimeter of the operations (see Fig 2).

11. Describe any processing to take place on the parcel(s) and the type of equipment to be used for the removal of material and placement of fill.

We have several loaders and excavators used to remove the material from the pit face (bank), and then the materials are run through a variety of crushers, screeners and wash plants.

We will be using a large bulldozer and excavators to replace and spread the on-site soil materials back onto the resloped and flatten areas.

12. What steps will be taken to reduce potential negative impacts on surrounding agricultural lands?

We will take all necessary precautions to keep weeds from growing and/or spreading, as well as the precautions on contamination from machines. The operation has a general invasive weed management plan.

Soil till berms have been constructed around the operation to improve visual and reduce dust/noise impacts to surrounding neighbors.

As well, all crushing and screening operations are handled within the lowered pit operation area (a depression area) which is approximately six (6) meters below the original ground surface.

13. Describe all proposed reclamation measures. If a reclamation plan from a qualified professional is available, please summarize the reclamation and attach the full plan in the "Upload Attachments" section.

Our proposal is to build minimum 2-1 edges dropping into the extracted areas covering the gravel with an even layer of stockpiled soil materials approximately 25 to 35 cm in depth.

A soil assessment and reclamation plan was developed by a qualified professional .

Applicant Attachments

- Agent Agreement-Steti Transport Ltd
- Proposal Sketch-62379
- Site Plan / Cross Section-62379
- Other correspondence or file information-Steti_X-Section Map_Fig 4_02Aug21
- Agrologists Report-62379
- Other correspondence or file information-General Location Map_Fig 1
- Certificate of Title-014-019-116

Existing Pit ~ 3.0 ha
(Dark Blue Outline)

67
2022 to 2026 Mining Area 2.45 ha
(Yellow Outline)

Potential Total Remaining Aggregate Extraction Area
~ 6.7 ha, located within proposed 17.7 ha area
(Shaded Green Polygon)

2010 ALC Approval ~ 8.7 ha
(Dark Green Outline)

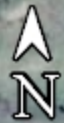
Total Proposed Area for ALC Approval
~17.7 ha (8.7 ha + 9.0 ha)
(Light Blue Outline)

Property Boundary
(Red Outline)



ALC File No. 51775

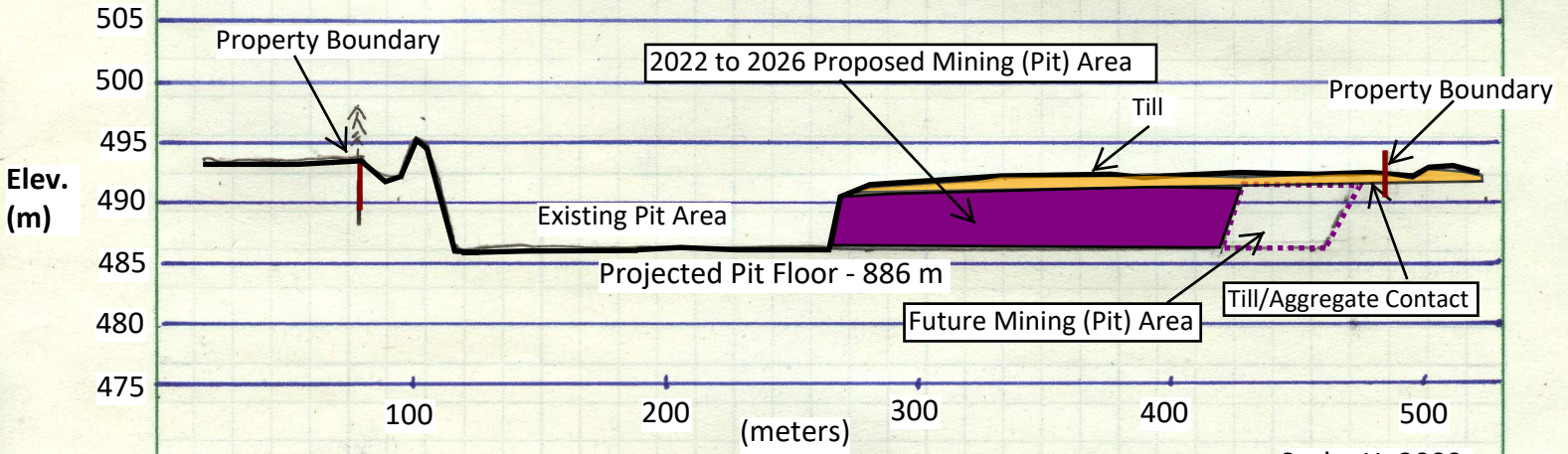
Steti Transport Ltd. - ALC Renewal Application - Overview Site Map Figure 3





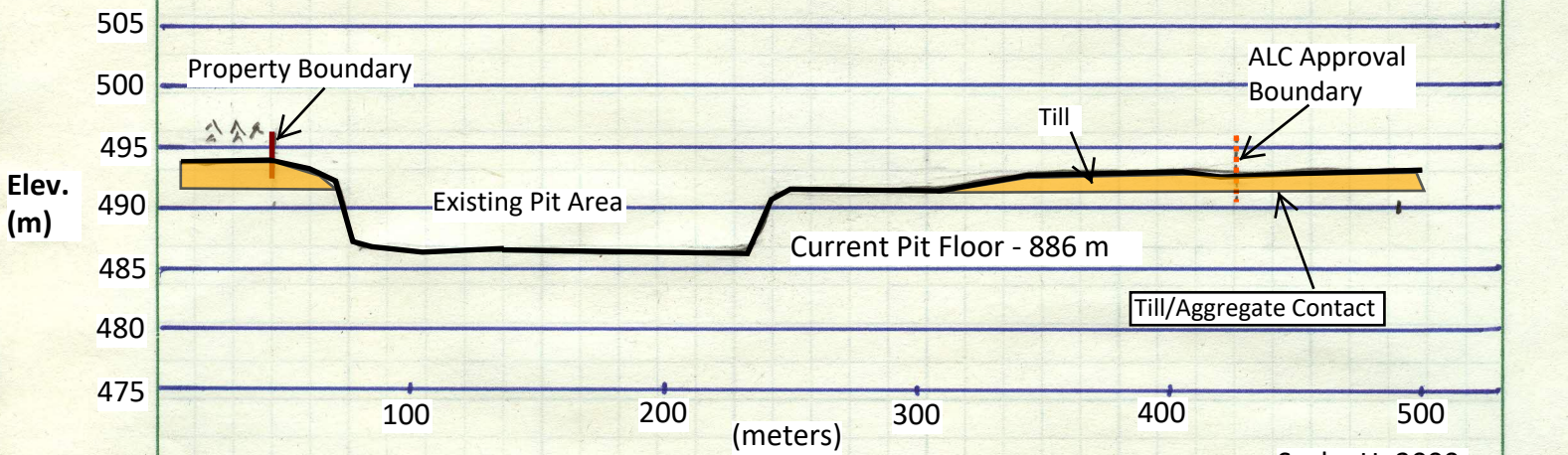
ALC File No. 51775

Cross Sections thru current and proposed mining areas



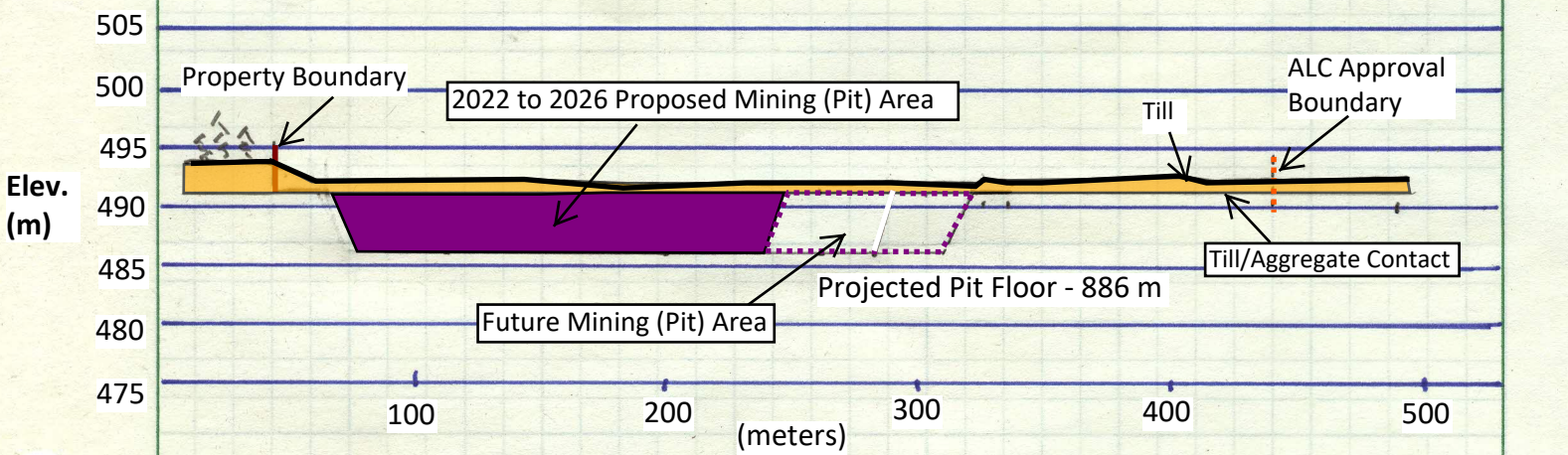
Section A - A'

Scale: H: 3000
V: 250



Section B - B'

Scale: H: 3000
V: 250



Section C - C'

Scale: H: 3000
V: 250

PID: Civic Address: IN THE ALR: 224 RAYMOND RD NE 1/4 OF SEC 5 TP 4 R5C EXC PLS 8393 & PRP14394Ag AGRICULTURAL (AG1)

Soil Report and Reclamation Plan for Steti Pit, Telkwa BC- [ALC Application Number 51775](#)

June 21, 2021

By: David W. Yole, PAg. Soil Scientist, Agrology Consultant

601 Ninth St, Nelson BC V1K 3B5; davidyole@gmail.com

Background

The property in question, NE 1/4 OF SEC 5 TP 4 R5C EXC PLS 8393, is a quarter section of land, just NW off of Raymond Road near Telkwa BC, as shown in Figure 1. The owners (S. Apperloo, Steti Transport) had applied to operate a gravel pit on the land which contains dry outwash soils and a dense pine forest. **The land is entirely contained within the boundaries of the ALR or Agriculture Land Reserve.**

The Agrologist writing this report, David Yole, MSc. PAg., is a consulting Soil Scientist with 40 years' experience in many areas of BC, including the Bulkley Valley, near Smithers and near the present ALR Gravel Pit Application. He has completed several soil assessments and reclamation plans related to gravel pit development in the Northern Interior from Prince George to Hazelton and Terrace BC. Dave has extensive experience in soil pit description and classification of soils under the Canadian System of Soil Classification.

Mr Yole has completed full reclamation Plans for gravel pits in the immediate area (three, in the Bulkley Valley and Lakes and one each in the Fraser Lake and Smithers area (MOTH, Lawson Rd). He has also completed Reclamation Plans for hard rock mines throughout the northern interior under the Mines Act for Kemess North and Red Chris Mine near Tattoga/Ealue Lake along Highway 37. These plans involve salvage of good quality soil and stripping and storage of these quality materials surface soil materials for later re-application on the land during reclamation. **The Steti Pit Project looks to extract gravel as a Non-Farm use on property in the ALR.** Subsequently, quality salvaged soils are stockpiled- and then re- applied to the surface after gravel mining or gravel extraction is complete to maintain the land arability at the same **or better Agriculture Capability as was found prior to disturbance.**

This report contains the soil limitations to agriculture (Ag Capability 1983) as and sampled to a reconnaissance level of detail in 2021, based on pit descriptions and other site observations made by I. Ronalds (RP Bio) a qualified person in Soil Classification and Ecosystem Classification. Preliminary soil lab analysis of 2 samples was completed in July 2021 by Pacific Soil Analysis Inc, Richmond BC. Samples were collected from relatively undisturbed upper soil layers including 0-15 and 15-30 cm, prior to stripping and stockpiling of quality surface soil material for use in subsequent reclamation. These soil samples will provide for baseline soil fertility parameter conditions and to guide in any required fertilization strategy or other treatments during reclamation.

Methods

The original application for gravel extraction happened approximately 10-years ago. No reclamation plan was originally completed when the Application was first submitted. This Reclamation Plan for the Steti Pit allows Mr. Steffen Apperloo to be in compliance with baseline ALC Requirements when constructing and operating a gravel pit.

This report employs methods as described by “**2017. ALC Policy P-10, Criteria for Ag Capability Assessments in BC**”. It follows accepted Reclamation Plans written by the author for similar Applications in BC.

The End Land Use is expected to be Agriculture (hay land) and grazing as the property and surrounding area have relatively low agriculture capability owing to coarse soils, high gravel/cobble content and overall moisture stress. Once the pit gravel is removed and the overall pit base becomes closer to the water table, the soil moisture deficit condition should improve. All surface silt and topsoil layers will be salvaged and then re-applied prior to closure and de-activation.

Landform and Terrain Conditions

Combination of sandy, gravelly Glaciofluvial blanket (sgFGb) dominate the site with a discontinuous veneer of silty, fine-sandy fluvial veneer (Fv) formed at the surface during old ice-dams in olden days (10000+ years ago. Drainage is predominately rapid with minor (15%) moderately-well drained in silt cap areas, which are irregular in occurrence.

Estimates of Agriculture Capability (Unimproved Estimates only) have been assessed. Improved ratings are not given owing to the extent of ground disturbance and stumping following harvesting and tree clearing activity on the subject property.

Where gravel and cobble are closer to the surface (e.g., <30cm to gravel-dominated layers), many coarse fragments were visible on, or, very near the surface. This characteristic, is shown in representative photographs taken during the soil survey at the end of this report. Most of the surface organic material or forest floors (LFH) were not sampled for nutrient characterization as they were too disturbed and intermixed with surface mineral horizons. By observing areas nearby and still under pine canopy, the authors could see the depth of loose needle structure and Mor humus type. This indicates a relatively poor <5cm humus form and surface mineral horizons with lower than average nutrient status (low % values of N, P, K, and S). This result was substantiated from lab analysis completed for the site.

Table 1. Summary of soil pit data Type I Soil toward Highway 16.

Soil Type	CSSC 1998	Ave Depth of fines (i.e., SiL) (m)	Rooting Depth (m)	Texture upper 15cm	CLI Class 2020
1	O.EB GL.EB	0.67	25	SiL, vfLS	3A-5A
2	E. EB	0.10	55	S	5PA-6P

Pits were described by I. Ronalds (RP Bio) and reviewed by D. Yole (MSc PAg)

Soil pit description data from field forms are summarized in summary tables below.

Table 2. Summary of soil pit data described in 2021 at the Steti site. Pit 1 description south and west of access road to the gravel quarry (Corresponds to Soil Type II).

Horizon	Depth (cm)	Texture	Colour	% Coarse Fragments	Rooting	pH
Bm	0-15	S/fLS	10YR6/3	0	PI	6.3
Bmgj	16-54	SiL/fSL	10YR5/3	0	F	6.6
BC	54-67	LS	2.5Y5/3	15	F	6.9
IIC	67-75	S	2.5Y5/2	57	x	-
Soil Classif= GL.EB and O.EB						

Composite soil samples for lab analysis collected from 0-15cm, 16-30cm and deep, 67-75+cm; different Parent Material >60cm = similar to loose sgFGbp; pH = 6.9

Note: Faint mottles common in upper 30cm

Refer to soil map Figure 3 for approximate extent of soil type.

Table 3. Data collected for Pit 2 (Soil Description from Soil Type I (closest to the highway)).

Horizon	Depth (cm)	Texture	Colour	% Coarse Fragments	Rooting	pH
Ae/Bm	0-6	LS	10YR6/3	55	PI	-5.5
Bm1	6-22	S	10YR5/4	65	F	-5.6
BC	22-100+	S	2.5Y4/4	75	VF	-5.1
Soil Classif : ½ by area for E.EB and O.DYB ¹	O.DYB ¹			71		

¹Abbreviation as defined in Canadian System of Soil Classification. 1998. 5-6AP soil type under CLI

Table 4. Soil Lab Analysis (Pacific Soils, Vancouver) results for 0-15 and 15-30cm depth representative composite samples.

Site 1	% gravel <2mm	%OM	TotN	AvailP	AvailK	Mg	Cu	Zn	C/N
0-15cm	100	2.4	0.05	60	7.5	220	1.1	1.5	27.8
15-30cm	100	2.6	0.03	11	35	575	3.2	3.6	50.3
67+	36	-	-	10	18	158	-	-	

Site 2	% gravel <2mm	%OM	TotN	AvailP	AvailK	Mg	Cu	Zn	C/N
0-15cm	71	-	-	275	45	45	-	-	-
15-30cm	72	-	-	130	35	40	-	-	-

Figure 1. General location of Property Associated with the Steti Pit, Raymond Road, Telkwa BC.

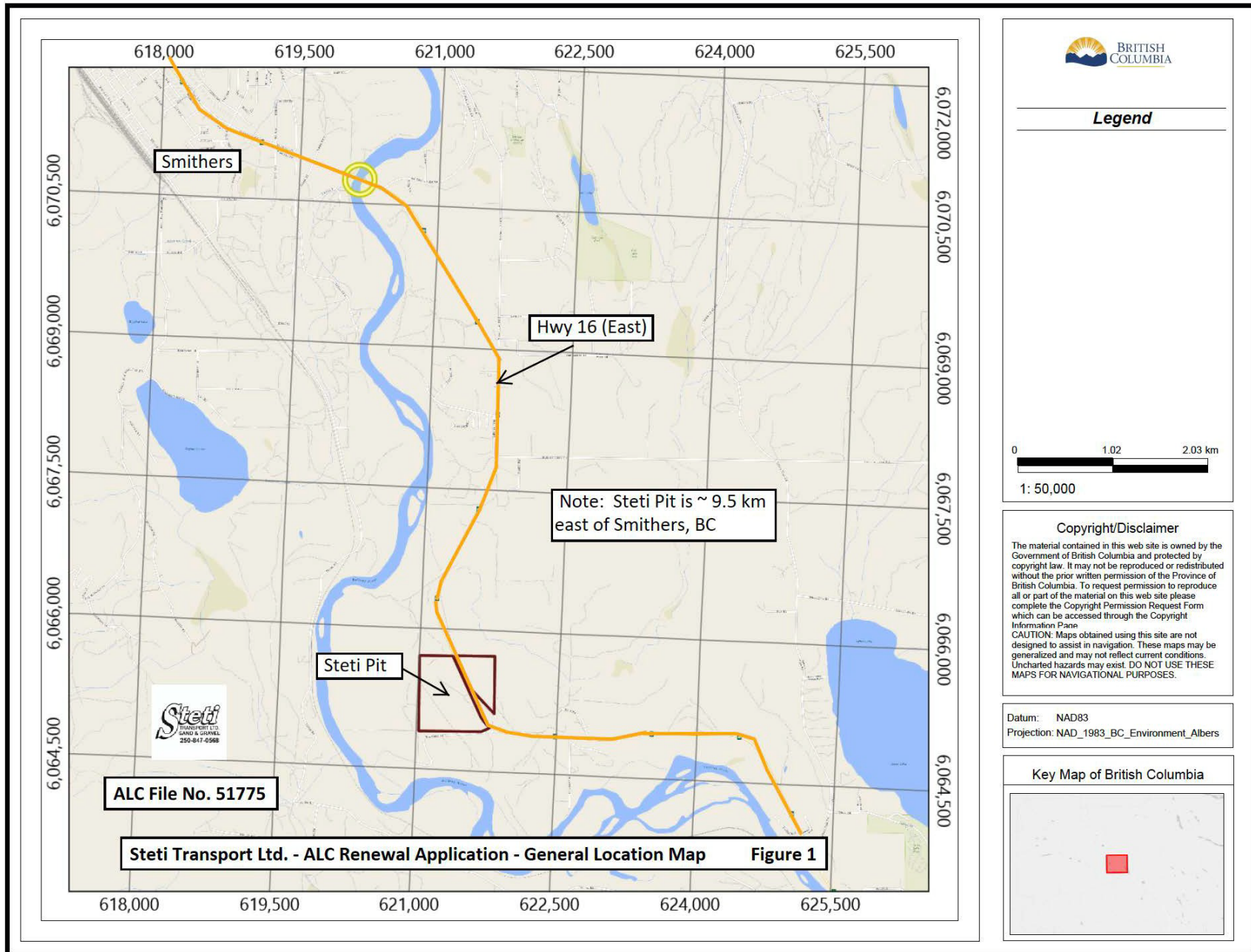


Figure 2. Site and Infrastructure layout at Steti Pit near Raymond Road BC.

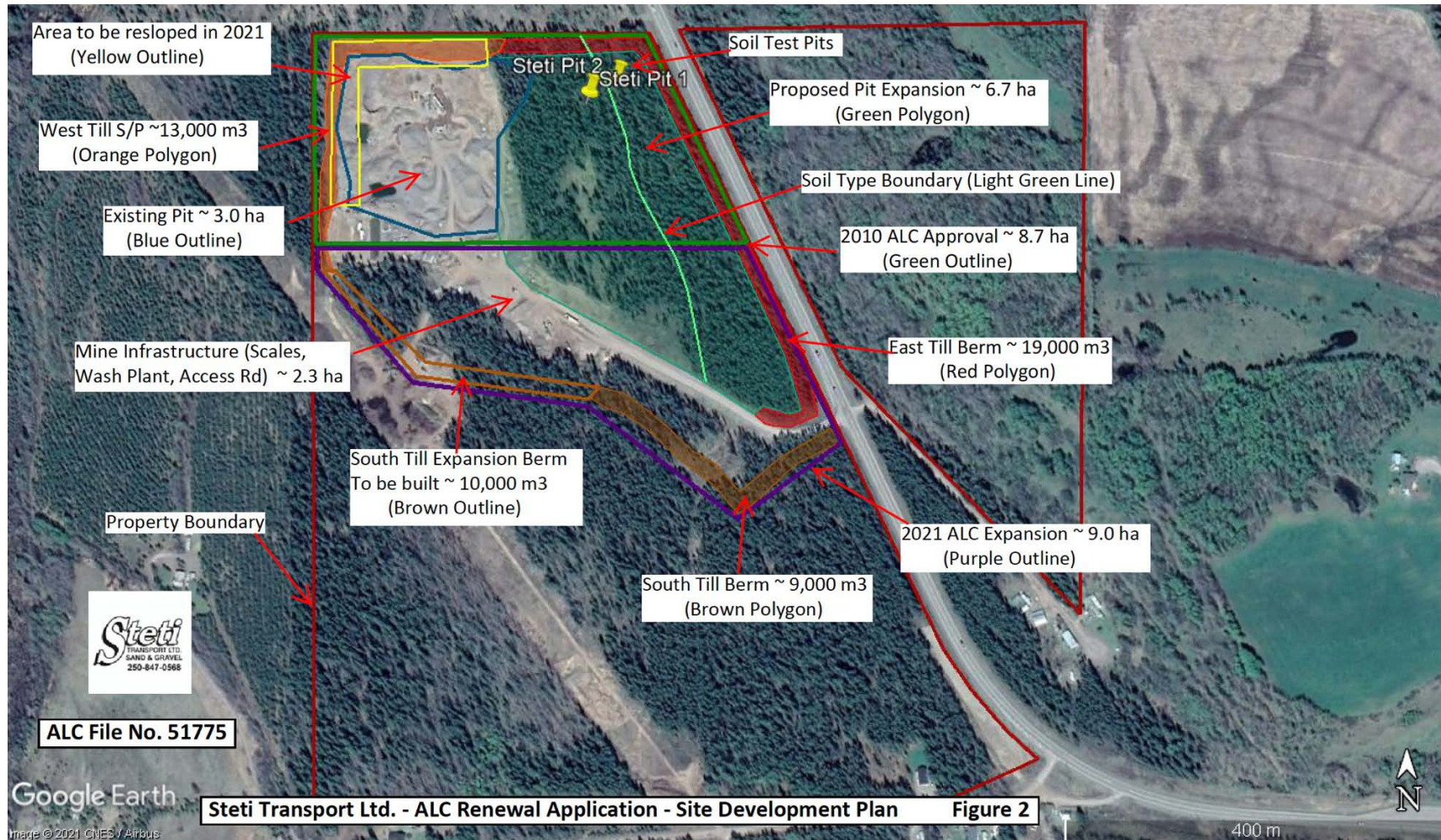


Figure 3. Soil pictures of two main soil polygons at Steti Pit Application Area.



Soil pit as described in 2021 showing 65cm silt cap over 60+% gravels with sand matrix.

Figure 4. Existing gravel pit 2021 showing pit floor.



Figure 5. Top soil profile in stockpile in 2021. (Native vegetation, as revegetated naturally. Popular, Cottonwood, alder, dandelion, willow, alalfa, creeping red fescue, orchardgrass)



Creation of Overburden/Topsoil Stockpiles

The location of the surface soil stockpiles depends on the thickness of silty surface “Bm” soil material being stripped and reserved for subsequent reclamation. Average dimension of windrow soil piles was **5 m high x 13 m wide, and length, varied from 100-400 m long**, although Mr. B. Graff (P. Eng), will estimate the total length of windrowed soil piles in the summer of 2021. This includes soil and minor coarse fragments and organic debris were pushed up around the perimeter of the Pit Operating Area, once tree clearing and pit excavation are completed, and tree debris burned or removed from the site.

Re-vegetation of mineral soil stockpiles should be seeded with a standard **Interior Reclamation Mix, which includes orchardgrass, Perennial Rye, Birdsfoot trefoil, alsike clover and creeping red fescue. All side slopes will be constructed to be less than 2:1 as per Ministry standards.** Windrows (berms the perimeter of the property) were noticed to be approximately 5-8m high x 12-13m wide. Seeding exposed soil will prevent the establishment of invasive plants in the operating area.

It is suggested that progressive reclamation be conducted in the spreading surface soil layers in dry conditions to a depth of 25-35cm on top of the main pit floor. The surface of the Application area pit floor (~3ha) would then be leveled and a reclamation grass/clover seed mix applied and in the spring (i.e., March). Reclamation would proceed from north to south and west to east, finishing near the highway. **The final Ag Capability will be estimated to be 3A-4A**, once the reclamation is complete.

Extension of the Application Area to Mine Gravel

The owner has expressed interest in extending the boundaries of the gravel pit a further 9.0 ha to the north as shown in Figure 2. The gravel pit extension to the north and south of the access road to the development. The owner will progressively reclaim the pit floor and side slopes and the gravel pit expands as approved by the ALC.

Invasive Plant Monitoring and Treatment

Invasive plants were noticed during soil surveys and pit development. In particular Canada thistle (*Cirs arv*) and oxeye daisy will need to be controlled and monitored as they were noted in the study area. Spot spray with a suitable herbicide by a certified contractor, who would complete this task in eliminating small isolated patches where invasive plants (Canada thistle, oxeye daisy) as soon as is reasonably possible to limit spread on exposed soil and gravel surfaces.

Reclaimed CLI Ratings

As a result of lowering the ground surface to a location closer to ground water location, the overall moisture deficiency should decline. Overall gravel and cobble content (%) should also go way down in the surface 50cm or control section being rated in the CLI assessment. The overall rating after gravel/cobble removal should become **3AP**, a much improved rating of Ag Capability as compared to the pre-existing soil condition prior to gravel extraction. It is anticipated that a **minimum of 35-40cm of surface fines would need to be returned and leveled to the entire reclaimed 3.0ha Pit area.**

The first 200m of land closest to the highway, contains gravel and cobble near the soil surface and would be considered largely non- arable (i.e. 6P class) and cannot sustain productive pasture crops without intensive irrigation systems (which is not practical in this area). The central 2/3 of the reclaimed land area (i.e., with deeper silt cap) would be considered arable and should be reclaimed to an acceptable standard to the ALC. There would be very minor fertility and moisture deficiency (i.e., Post-mine Ag Capability =3AF) issues at the property. Besides windrow pile stripping and replacement, there would be minimal fertilizer or irrigation water required given the soils quality present on the property. No sales of silt loam topsoil materials should be permitted from the Property such that the fertility and soil quality of the site is maintained after reclamation.

References

Soil Classification Working Group. 1998. The Canadian System of Soil Classification. Agric. And Agri-Food Can Publ. 1646.

Min. Ag and Food .1983. Land Capability Classification for Agriculture in British Columbia. 1983. MoE Manual 1. 62 pp. ISSN 0821-0640.

Yole, D. 2015. Soil Baseline Report for Kemess Underground Project (KUG) for Aurico Gold Inc. NW BC.

Yole, D. 2014. Soil Baseline and Salvage Potential for Metal Mountain Resources Dome Mtn Project, Smithers, BC.

Yole D. 2014. Soil Salvage and Soil Mapping for Endako Mines, NW Denak Pit Extension.

Yole, D. 2003. Soil Resources and Soil Salvage Potential at Red Chris Mine, NW BC. Red Chris Development Corp.

Thank you,

A handwritten signature in black ink, appearing to read 'D. Yole', with a long horizontal flourish extending to the right.

David Yole, MSc PAg
Nelson BC
601 Ninth St
Nelson BC V1L 3B5
250-551-7804 cell



REGIONAL DISTRICT OF BULKLEY-NECHAKO
STAFF REPORT

TO: Chair Thiessen and Board of Directors
FROM: Deneve Vanderwolf, Planner
DATE: September 23, 2021
SUBJECT: ALR Subdivision Application No. 1238

RECOMMENDATION

That Agricultural Land Reserve Subdivision Application No. 1238 be recommended to the Agricultural Land Commission for approval.

VOTING

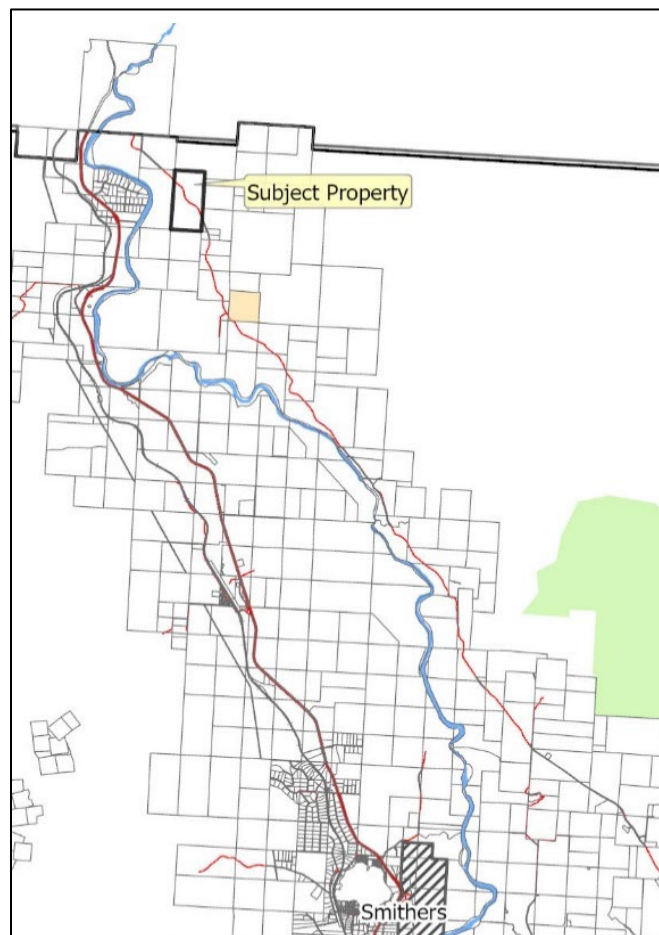
All / Directors / Majority

EXECUTIVE SUMMARY

This applicant is requesting Agricultural Land Commission (ALC) approval to subdivide the subject property into 2 parcels as separated by the Telkwa High Road. The proposed parcels meet the Ag1 Zone's minimum parcel size of 16 ha (39.5 acres) and are similar to the parcels that exist in the area. Staff recommend that the application be supported.

APPLICATION SUMMARY

Name of Agent/Owner:	Loralee Boonstra
Electoral Area:	A
Subject Property:	The East 1/2 of District Lot 1132 Range 5 Coast District
Property Size:	± 129.05 ha
OCP Designation:	Agricultural (AG) in “Smithers Rural Official Community Plan Bylaw No. 1704, 2014”
Zoning:	Agriculture (AG1) in the “Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020”
Existing Land Use:	Agricultural/Timber
Location:	The Subject Property is located on the Telkwa High Road, approximately 15 km north of the Town of Smithers
Proposed Subdivision:	Lot 1-58.8 ha ± Lot 2-69.75 ha ±

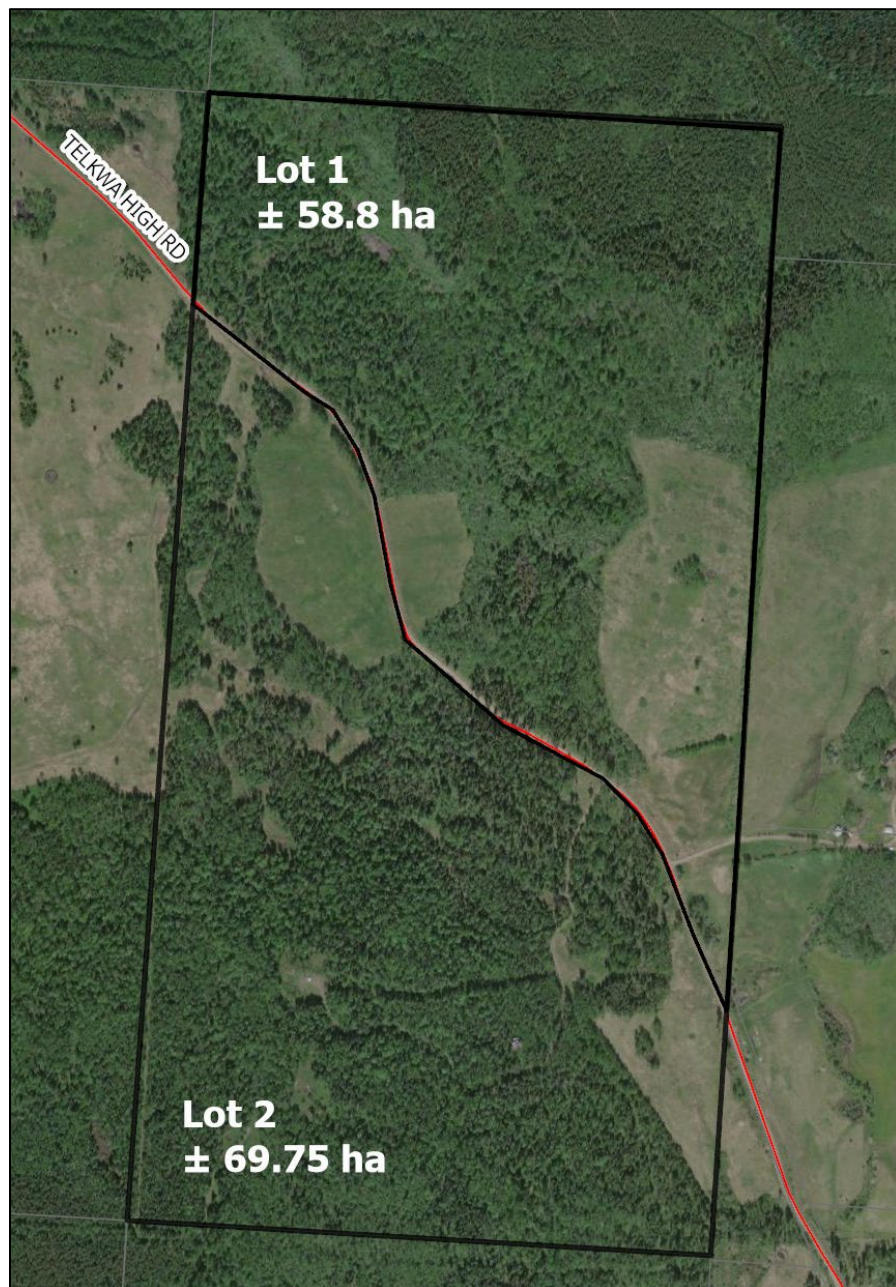


Proposal

The applicant is requesting Agricultural Land Commission (ALC) approval to subdivide the subject property into 2 lots as divided by the Telkwa High Road. Lot 1, north of the road, is proposed to be approximately 58.8 ha. in area. Lot 2, south of the road, is proposed to be approximately 69.75 ha. in area.

Currently there is 16 hectares of land used for hay production. The application indicates that the intention is to clear additional land for crop production and create building sites on both parcels prior to selling.

Proposed Subdivision Plan



DISCUSSION

OCP

The Subject Property is designated Agriculture (AG) under the Smithers Telkwa Rural OCP. Section 3.1.2 (6) of the OCP states that applications for subdivisions within the ALR may only be considered under the following circumstances.

- (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 a proposed development is adjacent to an existing agricultural use.*
- (e) *The application is in the best interest of the community.*
- (f) *The proposed development considers and addresses potential impacts and potential improvements to recreational features and the environment, including wildlife habitat.*
- (g) *And, traffic management issues will be considered and addressed appropriately.*

Zoning

The size of the proposed parcels is permitted by the Ag1 Zone's minimum parcel size of 16 ha (39.5 acres). The proposed subdivision will benefit the agricultural potential of the parcel and planning department staff have no notable concern with the proposed subdivision.

Referral Comments

The Electoral Area A Advisory Planning Commission recommends that the application be supported.

The RDBN Agriculture Coordinator notes that the proposed subdivision has "no real impact on the agricultural potential for the property in question".

The Ministry of Agriculture, Food and Fisheries comments are attached.

ATTACHMENTS

Appendix A – Agricultural Capabilities

Appendix B – Surrounding ALR Applications

ALR Application

Ministry of Agriculture, Food, and Fisheries Referral Comments

APPENDIX A

Agricultural Capability based on Canada Land Inventory Mapping

80% of the Subject Property is:

70 % Class 5 limited by Topography and Stoniness

30 % Class 4 limited by Stoniness

10% of the Subject Property is:

Class 6 limited by Topography and Shallow soil over bedrock and/or bedrock outcroppings

10% of the Subject Property is:

70% Class 4 limited by Topography

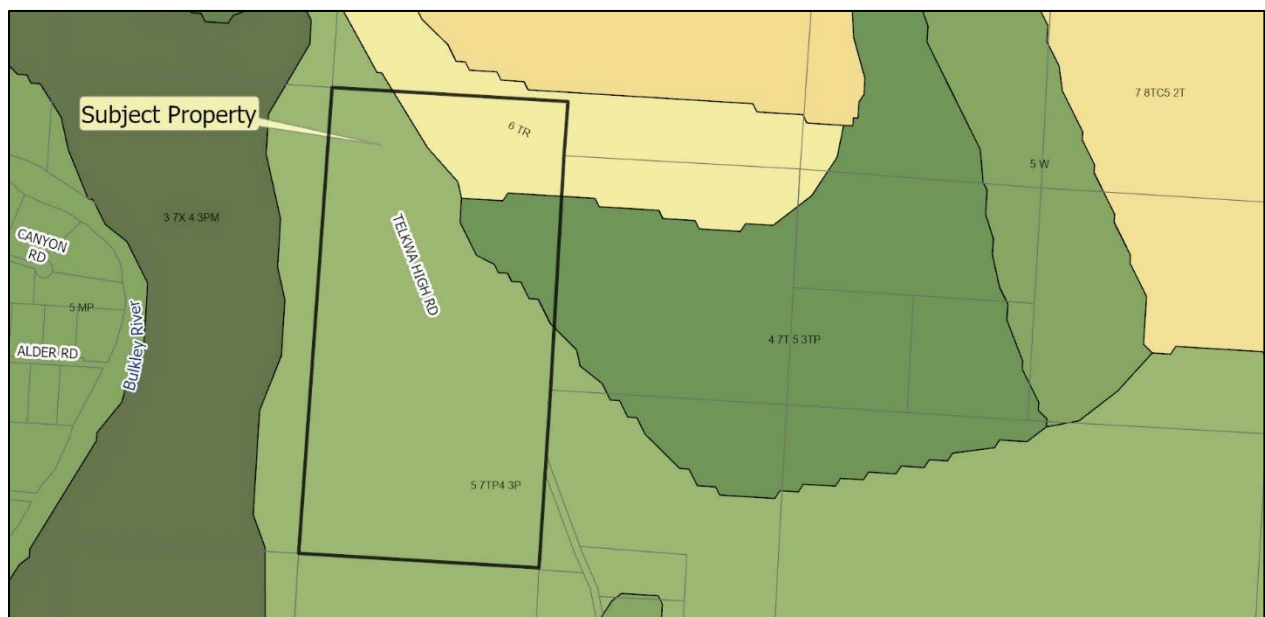
30% Class 5 limited by Topography and Stoniness

Class 4 Land in this class has limitations that require special management practises or severely restrict the range of crops, or both.

Class 5 Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially Adapted crops.

Class 6 Land in this class is nonarable but is capable of producing native and or uncultivated perennial forage crops.

Agricultural Capability Map

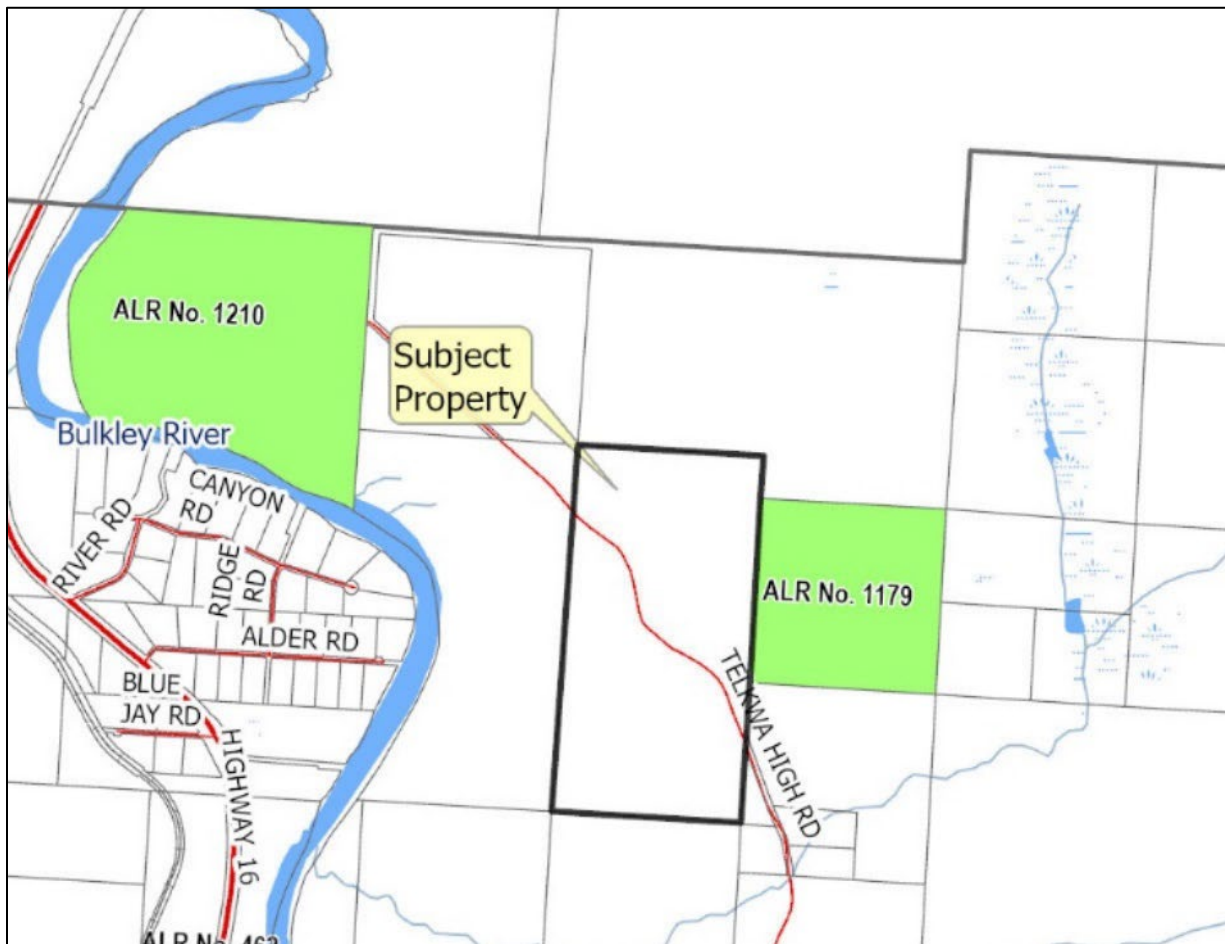


APPENDIX B:

Surrounding Applications

ALR Application	Legal Description	Summary	Recommendation
1179	W1/2 of DL 1136, Range 5 Coast District	Non-farm use for installation of communication tower, application closed by applicant	Withdrawn
1210	DL 1135, Range 5, Coast District	Application for a Non-Farm Use for a telecommunication tower, approximately 1 ha in land area.	Approval
			Approval
			Approved

Surrounding Applications Map



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 63572

Application Status: Under LG Review

Applicant: G+L Boonstra Contracting Ltd.

Agent: G+L Boonstra Contracting

Local Government: Bulkley-Nechako Regional District

Local Government Date of Receipt: 08/05/2021

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Subdivision

Proposal: Our current market situation is there are many local buyers who are looking for affordable agriculture land to start hobby farms and build homes. But it is becoming harder and harder to find anything available or affordable. We would like to subdivide this large parcel into two smaller, more affordable pieces used for agriculture. We would like to sell these pieces to potential buyers as soon as our Timber harvest and land development is completed.

Agent Information

Agent: G+L Boonstra Contracting

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 015-074-561

Legal Description: THE EAST 1/2 OF DISTRICT LOT 1132 RANGE 5 COAST DISTRICT

Parcel Area: 128.5 ha

Civic Address: N/A

Date of Purchase: 06/22/2021

Farm Classification: Yes

Owners

1. **Name:** G+L Boonstra Contracting Ltd.

Applicant: G+L Boonstra Contracting Ltd.

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

Hay crop share, roughly 40 acres

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

Nothing has been done since purchase. We will be land clearing to make more land available after Timber is harvested.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

Timber harvesting.

Adjacent Land Uses

North

Land Use Type: Other

Specify Activity: Crown land

East

Land Use Type: Agricultural/Farm

Specify Activity: Rural

South

Land Use Type: Agricultural/Farm

Specify Activity: Rural (Vacant)

West

Land Use Type: Agricultural/Farm

Specify Activity: Grain and forage Vacant

Proposal

1. Enter the total number of lots proposed for your property.

70 ha

58.5 ha

2. What is the purpose of the proposal?

Our current market situation is there are many local buyers who are looking for affordable agriculture land to start hobby farms and build homes. But it is becoming harder and harder to find anything available or affordable. We would like to subdivide this large parcel into two smaller, more affordable pieces used for agriculture. We would like to sell these pieces to potential buyers as soon as our Timber harvest and land development is completed.

3. Why do you believe this parcel is suitable for subdivision?

The Telkwa highroad runs roughly through the middle of the property. (NOTE: The lot sizes we are proposing is only a guess of the size upper and lower pieces) We would simply like to subdivide the top half which is divided by the road from the bottom half. These will both still be large parcels of land, an ideal size for people trying to start a farm. The parcel as it is now has been mostly unutilized and would be expensive and hard for first time farmers to purchase and build a home on as is.

4. Does the proposal support agriculture in the short or long term? Please explain.

Yes it supports agriculture both short and long term. As soon as we finish our Timber harvest, we are going to expand the current land that is cleared for crops. We will be creating more opportunity for the next owners to have more crops/pasture land for the long term future. We are also going to create a road access and home building site to make it easy for a new farm owner to build a home, live and start farming there in the short term.

5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.

No

Applicant Attachments

- Agent Agreement-G+L Boonstra Contracting
- Proposal Sketch-63572
- Other correspondence or file information-Certificate of Incorporation
- Certificate of Title-015-074-561

ALC Attachments

None.

Decisions

None.



September 13, 2021

File: ALR 1238

Deneve Vanderwolf
 Planner 1 /Regional Transit Coordinator
 Planning Department
 Regional District of Bulkley-Nechako
 VIA EMAIL: Deneve.Vanderwolf@rdbn.bc.ca

Re: ALC Subdivision referral – Telkwa High Road (Subject Parcel: The East 1/2 of District Lot 1132 Range 5 Coast District)

Dear Deneve Vanderwolf,

Thank you for providing the Ministry of Agriculture, Food and Fisheries (Ministry) with the opportunity to comment on the proposed Agricultural Land Commission (ALC) application to subdivide a 129.05-hectare parcel into two portions to sell both. The subject parcel is located approximately 15 km north of the Village of Smithers, is in the Agricultural Land Reserve (ALR) and is bisected by Telkwa High Road. Ministry staff offer the following comments:

- Ministry staff understand that the proposed project is intended to create two smaller agricultural lots, both remaining in the ALR. Each lot would retain a sizeable area, roughly similar in area of a quarter section (64.7 hectares), not uncommon for the region. The subject parcel is surrounded by other large agriculture properties, however very few have current farm use and/or have minimal agricultural development.
- The main reason for subdivision, as outlined in the application, is that Telkwa High Road bisects the property; this rationale for subdividing the parcel does not provide any long-term benefit to agriculture.
- Ministry staff note that if subdivision is approved, it may set a precedent, or at least an indication of support, for other agricultural properties bisected by Telkwa High Road, or other rural roads in agriculture areas. If approved, any subdivision should in no way be construed as support for any future non-farm use or subdivision on the resulting parcels within the ALR.
- Subdivision of agricultural parcels can lead to a reduction of farm production in the long run. The creation of smaller lots can sometimes erode long term agricultural and economic potential of property parcels, increase land cost per acre (which can limit farm business opportunities), and in some cases have been shown to increase conflict between adjacent land uses.

.../2

- Although the soil capability ratings (Canada Land Inventory mapsheet series) indicated for the subject property are Classes 4, 5 and 6 (and citing topographic and stoniness limitations), it is important to note that from a growing season perspective, the Witset area (approaching the north-west boundary of the Regional District of Bulkley-Nechako) has a significantly longer growing season than much of other parts of the Regional District.
- In addition, rock picking and cultivation practices, for example, have improved these Class 4 and 5 soil capability ratings on many other agricultural properties nearby. Ministry staff are available to discuss viable agricultural opportunities with landowners considering pursuing farming activities on ALR land. For more information on [B.C.'s Land Matching Program](#), please visit the [Agrarians Foundation](#) organization website.

For your information, on July 21, 2021, the Ministry announced new rules under the *Agricultural Land Commission Act* Use Regulation which allow, under specific conditions, both a principal residence and a small secondary residence, without application to the ALC. These new ALR rules come into effect December 31, 2021. For more information on these changes, including house and parcel size specifications, please review the Ministry's [News Release](#) and the [Order-in-Council](#).

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

Sincerely,

Gregory Bartle, Land Use Planner
B.C. Ministry of Agriculture, Food and Fisheries
Phone: (778) 974-3836
Email: Gregory.Bartle@gov.bc.ca

John Stevenson, Regional Agrologist – Smithers
B.C. Ministry of Agriculture, Food and Fisheries
Phone: 1-888-221-7141
Email: John.J.Stevenson@gov.bc.ca

Email copy: Sara Huber, ALC Regional Planner, Sara.Huber@gov.bc.ca

Provincial Agricultural Land Commission

Annual Report 2020-2021



Agricultural Land Commission

201- 4940 Canada Way Burnaby, BC, V5G 4K6
604-660-7000 | www.alc.gov.bc.ca

Honourable Lana Popham, Minister of Agriculture
Parliament Buildings, Victoria, BC V8V 1X4

Dear Minister:

I respectfully submit the Annual Report for the Provincial Agricultural Land Commission for the period April 1, 2020, to March 31, 2021. This report has been prepared in accordance with Section 12 of the Agricultural Land Commission Act, Section 40 of the Agricultural Land Reserve General Regulation and Section 59.2 of the Administrative Tribunals Act.

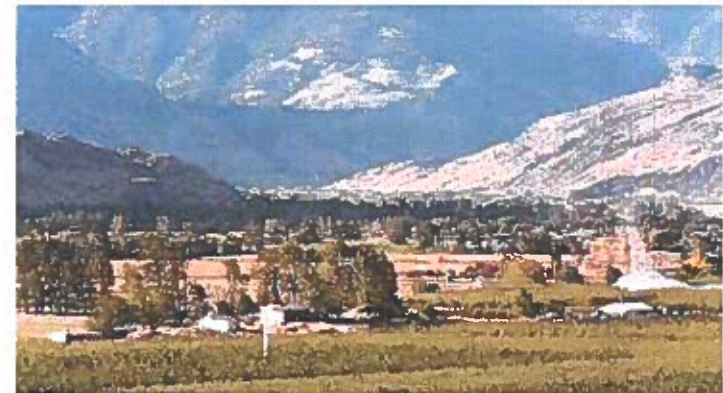
Yours truly,



Jennifer Dyson, Chair
PROVINCIAL AGRICULTURAL LAND COMMISSION

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Message from the Chair

Jennifer Dyson

On behalf of the Board and Commission staff, I present the 2021-2021 Annual Report of the Agricultural Land Commission. It is my privilege to work with this team and serve the province as Chair of the Agricultural Land Commission (ALC).

As a result of topography dominated by mountain ranges, less than 5% of the province's total land base has the soil, climate, and topography suitable to support agriculture. These lands are located in valley bottom areas that have, and continue to be, under tremendous settlement pressure for irreversible

conversion to urban, industrial, residential, recreation, and infrastructure uses.

This intensive and unrelenting pressure on agricultural land (an estimated loss of 6,000 acres a year prior to 1973) was the driving force behind the creation of the Land Commission Act and the Provincial Agricultural Land Reserve (ALR) in 1973.

After almost 50 years, BC's ALR program remains the most successful program of its kind in North America. It was and continues to be visionary land-use planning legislation that has played a significant role in sustaining the commercial agricultural sector, providing economic and social benefits to every region of the province. Additionally for almost 50 years, the ALR has contributed to more compact and sustainable communities by serving as an effective urban growth boundary.

Without the ALR, it is unlikely that commercial agriculture would exist in some communities in the Lower Mainland and parts of the Island or the Okanagan.

In 2018 this Government took a leadership role and directed a review to revitalize and strengthen the ALC and ALR. A nine-member group of volunteers (the "Minister's Advisory Committee for Revitalizing the ALR and the ALC) including Indigenous representation prepared a report ([Revitalizing the Agricultural](#)

[Land Reserve and the Agricultural Land Commission](#)) to protect the future of agriculture in BC to ensure that BC citizens don't wake up one day and ask ourselves where did the farmland and our farmers and ranchers go?

In its report, the Revitalization Committee encouraged the Provincial Government to adopt an "Agriculture First" agenda in the ALR consistent with the mandate of the ALC Act. The ALC and the Ministry of Agriculture, Food and Fisheries is working to champion this agenda across government.

The report also stressed the need for all governments to shift their focus away from activities that limit, damage, and alienate land from farming and ranching towards activities that utilize the agricultural potential of the land and protect valuable soils for the future. Refocusing on these priorities would be consistent with recent (2019) amendments to the ALC Act that requires priority to be given to the size, continuity, and integrity of the ALR in all decision-making.

A protected, productive ALR is a vital component of BC's agricultural fabric and food security. It requires a legislative and regulatory preference for agricultural activities with provincial rules and limits for non-farm use.

Unfortunately, after all these years the ALC

is still considered by some as a rationing board to facilitate urban and industrial expansion.

As we have seen throughout this pandemic agriculture is an important, stable, and sustainable economic driver in this province. Agriculture is also a key part of local culture and regional community development. All levels of government must be encouraged to enable and accommodate farm use on land in the ALR in their plans, policies, and bylaws.

The ALR continues to be perceived as an attractive option for development because farmland costs less than other types of land. ALR restrictions on land uses and subdivision has achieved a measure of success by keeping farmland values in check, not for development, but for long-term food security in BC and to develop a healthy local food system. To keep the agricultural sector vital and increase land utilization within the ALR we must stay the course.

The recent legislative and regulatory changes to the ALC Act and its regulations over the past two years were meant to strengthen the legislative framework and prevent further erosion of the land base.

This past fiscal year, the ALC's 15 Commissioners made well-reasoned and legally defensible written decisions for approximately 400 applications, reviewed

69 requests for reconsideration of those decisions; decided on approximately 200 notices for soil or fill use a year, and managed over 500 active Compliance and Enforcement files.

The job is intense and there continues to be unrelenting pressure to facilitate more development on the ALR land base.

Experience indicates that development increases speculation and drives up the value of ALR land, which ultimately limits farm expansion or prevents the next generation of farmers from accessing ALR land. This constant craving for residential, commercial, and industrial development to consume the ALR is the great challenge for agriculture in BC.

The COVID-19 pandemic has shown us the vital importance of local food production and forced society to think more critically about the importance of local food production and how fragile our reliance on an integrated global food system is.

In a report by Vancity [Home on the Range: Cost pressures and the price of farmland in Metro Vancouver](#) (2018), one of the findings was that BC is highly dependent on food imports. The National Post, in an [article published in 2020](#) stated: "... that Canada needs to become more secure by becoming more self-sufficient...". The article examined how a country made wealthy by globalization and trade needs



Did you know?

BC's population is 4.9 million and the land area of the province is 944,735 km².

Only 47,236 km² of the province, half of which is Crown land, is set aside for agriculture. This constitutes only 5% of the provincial land base.

to protect itself against pandemics (and other unknown future shocks) by safeguarding its primary resources and local economy for its own citizens.

While globalization has been beneficial for some agricultural commodities, the pandemic has also demonstrated that the most secure countries in the world are those countries that can provide for themselves first.

BC is in an extraordinary position given the amazing diversity created by our climate and geography. This sets us apart from other provinces; support for BC agriculture is on the rise.

Our farms, people, and diversity are as varied as our geography. The land, and more importantly, the soil, not only serves as the foundation for agriculture, but also provides ecosystem services that benefit society such as water filtration, carbon sequestration in soil and plants, pollination, and habitat for plants and animals.

The Commission also recognizes the important work that needs to be undertaken to support meaningful reconciliation to implement the United Nations Declaration on the Rights of Indigenous Peoples and the Declaration on the Rights of Indigenous Peoples Act passed by the Provincial Government in November 2019.

Indigenous agriculture in BC is growing and there are many examples of Indigenous communities working to produce for domestic and international markets in a manner that is consistent with their spiritual and cultural values.

There is a tremendous opportunity for collaboration to preserve farmland, encourage farming, and advance indigenous food sovereignty in the ALR.

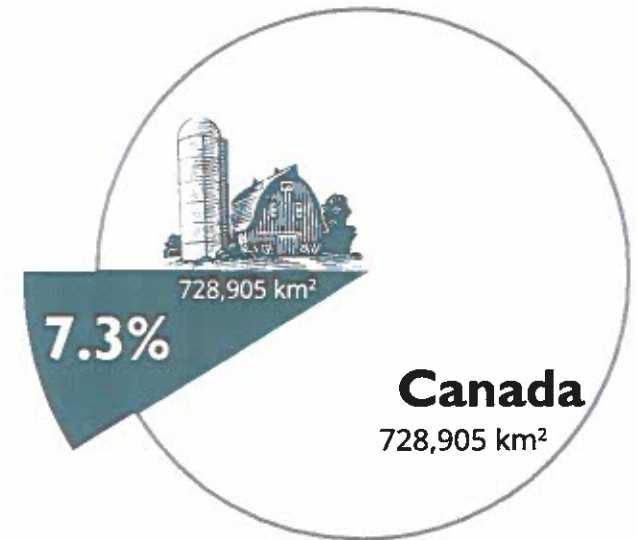
Agricultural land is a finite resource that requires careful stewardship that can only be achieved through collaboration.

In this report, you can learn more about the work that we do at the ALC. More than ever, we remain committed to delivering and improving upon our mandate, to preserve agricultural land and encourage farming in collaboration with other communities of interest.

Thank you for taking the time to review our 2020-2021 Annual Report.

Jennifer Dyson

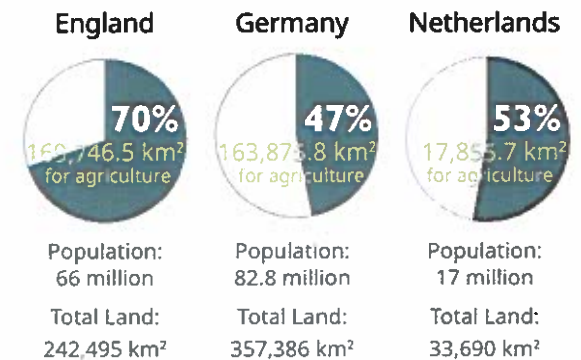
Chair of the Agricultural Land Commission



Did you know?

Canada's population is 37 million and the land base of the country is 9,985,000 km². Only 628,905 km² of the country is used for agriculture.

For comparison:



2020/2021 Fast Facts

62

LOCAL GOVERNMENTS ENGAGED IN THE ALC'S EXCLUSION PROCESS SEMINARS

103

HECTARES OF LAND INCLUDED IN THE ALR



5%

OF PROVINCE IN ALR

150+

LOCAL GOVERNMENTS WITH AGRICULTURAL LAND RESERVE IN THEIR JURISDICTION

100%

SOIL AND FILL NO'S RESPONDED TO BY OFFICE OF THE CEO IN 60 DAYS

137

HECTARES OF LAND EXCLUDED FROM THE ALR

95%

OF APPLICATIONS PROCESSED WITHIN 90 BUSINESS DAYS

2

ORDERS IN COUNCIL AMENDED THE ALC ACT AND ITS REGULATIONS

82%

APPROVAL RATE FOR NON-ADHERING RESIDENTIAL USE APPLICATIONS FOR ADDITIONAL HOMES

373

APPLICATIONS DECIDED*

42%

OF COMPLIANCE AND ENFORCEMENT COMPLAINTS ARE RELATED TO UNAUTHORIZED FILL

378

APPLICATIONS RECEIVED

54%

OF THE ALR IS CROWN LAND

*Applications decided Includes carry over from the previous fiscal year.



Lepidoptera
Chrysoc

Changes to the Legislation 2020/2021

On January 4, 2018, the BC Minister of Agriculture, the Honourable Lana Popham, appointed an independent Advisory Committee to lead a public consultation that would provide Government with strategic advice and policy guidance for revitalizing the Agricultural Land Reserve (ALR) and the Agricultural Land Commission (ALC). In response to the recommendations for legislative change put forward by the Minister's Advisory Committee, new legislation was brought into force by the Provincial Government in 2019 and 2020.

Bill 15 Amendments

On May 30, 2019, Bill 15 received Royal Assent, pending associated regulatory changes to bring the Bill into force and effect. On March 12, 2020, Order-in-Council (OIC) #131/2020 brought Bill 15 partially into force, created a new ALR General Regulation, and renamed the existing ALR General Regulation, the ALR Transitional Regulation. The remaining portions of both Bill 15 and the new ALR General Regulation were brought into force on September 30, 2020, at which point the ALR Transitional Regulation was repealed.

- **Exclusions:** The exclusion process was changed to no longer allow private landowners to make application to exclude their land from the ALR. Only local governments, First Nations governments, the province, and other prescribed public bodies (as defined in s. 16(2) of the ALR General Regulation) may make exclusion applications.
- **Reconsiderations:** The reconsideration process was amended to clarify the circumstances under which reconsiderations can be requested, and to only permit one reconsideration request for each application.
- **Enforcement Provisions:** The CEO of the ALC was given the authority to register a remediation notice on a property's certificate of title as an advisory to potential purchasers.
- **Notice of Statutory Rights-of-Way:** Anyone wanting to register a statutory right of way under s. 218 of the Land Title Act must notify the ALC and the ALC must issue a form confirming this notice was received before the Land Title Survey Authority can register the statutory right-of-way plan in the ALR. Anyone wishing to construct non-farm works (e.g. roads and infrastructure) in a right of way of any kind must still make an application under s. 22 of the ALR General Regulation.
- **Fees:** Application fees have been changed to split the overall fee amount equally (50/50) between the local government and the ALC. The fee for non-adhering residential use applications, submitted to the local government after September 30, 2020, has been reduced from \$1,500 to \$900.
- **Soil and Fill:** The amount of fill permitted to maintain an existing farm road was increased to 50 m³ per 100 m of existing farm road per year. For maintaining an existing farm road, the definition of prohibited fill was amended to permit recycled concrete aggregate and recycled asphalt pavement (OIC #353/2020 in June 2020).

Manufactured Homes:

The deadline permitting the placement of a manufactured home for a family member that has received all of the necessary authorizations (e.g. building permit) was extended from July 31, 2021, to December 31, 2021, by OIC #254/2020.



The Commission



The Commission

The ALC is an administrative tribunal, independent of the Provincial Government, that is responsible for exercising its decision-making authority under the Agricultural Land Commission Act, in compliance with certain sections of the Administrative Tribunals Act. As set out in the legislation, the Commission and its decision-makers must remain neutral and faithfully, honestly, and impartially perform their duties. They cannot have an interest or bias in a case or towards the people in the case.

Purpose and Legislative Framework

1. The purposes of the ALC as set out in s. 6 of the Agricultural Land Commission Act (ALC Act) are:
 - (a) to preserve agricultural land;
 - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and,
 - (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.
2. The commission, to fulfill its purposes under subsection (1), must give priority to protecting and enhancing all of the following in exercising its powers and performing its duties under this Act:
 - (a) the size, integrity and continuity of the land base of the agricultural land reserve; and,
 - (b) the use of the agricultural land reserve for farm use.

The ALC Act sets out the processes to be followed when making applications for exclusion, inclusion, non-farm use, non-adhering residential use, soil and fill use, subdivision, and transportation and utility uses in the ALR. The new ALR General Regulation sets out procedures for applications to the ALC. The ALR Use Regulation sets out permitted uses in the ALR.

Governance Structure

The work of the ALC is carried out by a Commission of not less than 11 and no more than 19 members from six administrative regions around the province who serve collectively as the board of directors of the ALC. The Chair is appointed by Order and Council of the Lieutenant Governor in Council, and Commission members are appointed by Ministerial Order of the Ministry of Agriculture, Food, and Fisheries. The Chair has the authority to appoint one or more Vice-Chairs from the members appointed by the Minister. Candidates are appointed by the Minister after a merit-based process and consultation with the Commission Chair based on their knowledge in matters related to agriculture, land-use planning, local government, and First Nations government as set out in s. 5(1) of the ALC Act.

Full Commission

The Full Commission, consisting of all members of the board, meet at least twice a year, either in person or electronically to carry out a variety of duties, including developing policies governing ALC operations, the interpretation of legislation, and passing resolutions and bylaws regarding the conduct of its affairs.

Panels

Applications for exclusion, inclusion, non-farm use, non-adhering residential use, soil and fill use, subdivision, and transportation and utility uses are adjudicated by a group of Commissioners (a panel).

- In response to legislative change (Bill 15-2019) that took effect March 12, 2020, the Chair of the Commission directed the establishment of a panel for each of the six administrative regions of the province, consisting of two or three members, to make decisions on all application types received from the region, with the exception of soil or fill use applications.
- In 2020-2021, a five-member Soil and Fill Use Panel was established by the Chair to decide on all soil and fill use applications.
- The flexibility provided in Bill 15-2019 allows the Chair to appoint Commission members to more than one panel and the Chair of the Commission may also serve on a panel.

A panel of the Commission has all the powers, duties, and functions of the Commission to adjudicate on applications. Decisions of a panel are for all purposes, a decision of the Commission, and may only be reconsidered as per s. 33 and 33.1 of the ALC Act.

Executive Committee

The Executive Committee, consisting of the Chair and five Vice-Chairs of the Commission meet monthly as needed and are responsible for: deciding applications delegated by the Full Commission, making reconsideration determinations on reconsiderations pursuant to s. 33(1) for decisions decided by the Executive Committee, and exercising any other functions delegated by the Full Commission.



The Commission

Chair of the Commission

Jennifer Dyson, *Port Alberni*

Vice-Chairs

Richard Mumford, *Alexis Creek*

Gerald Zimmermann, *Kelowna*

Janice Tapp, *Fraser Lake*

Ione Smith, *Sechelt*

Linda Michaluk, *North Saanich*

David Zehnder, *Invermere*
(expired November 2020)

Commissioners

Bob Haywood-Farmer, *Savona*

Honey Forbes, *Duncan*

Satwinder Bains, *Abbotsford*
(expired October 2020)

Susie Gimse, *Pemberton*

Joe Deuling, *Lumby*

Ian Knudsen, *Creston*

Jerry Thibeault, *Cranbrook*

Andrew Adams, *Willow River*

Karen McKean, *Peace River*
(appointed April 20, 2020)

The Commission is supported by a professional staff secretariat working in four functional areas:

Application Processing (Adjudication) and Notices of Intent

ALC staff research and administer the processing of all applications received pursuant to the ALC Act and its regulations. Staff also administer, where delegated the authority to do so under the ALC Act, make decisions for all notices of intent to remove soil or place fill.

Policy and Planning

ALC staff actively participate with Commissioners in developing strategies, plans, and policies to assist with the interpretation and implementation of the ALC Act and its regulations. As well, staff review plans, policies, and bylaws of local governments and other agencies to ensure they are consistent with the legislative and regulatory requirements of the ALC Act and its regulations.

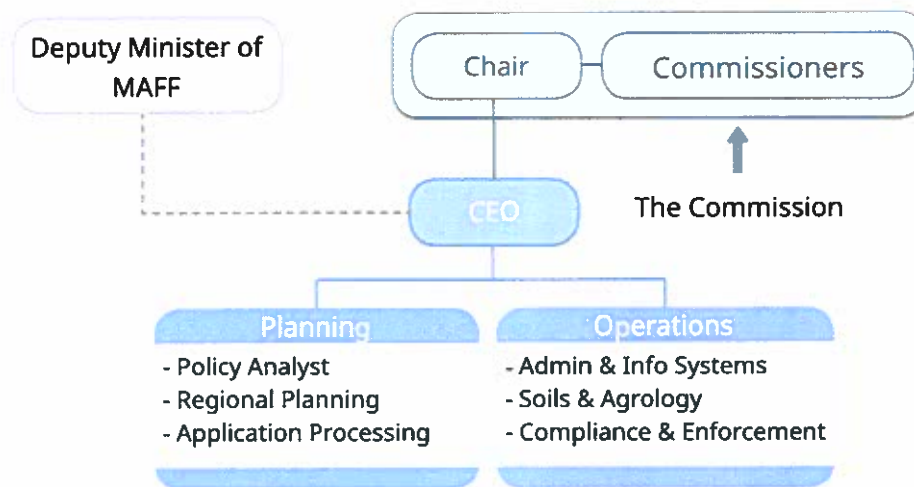
Compliance and Enforcement

Designated staff officials respond to reports of suspected contravention, carry out site inspections, investigate alleged contraventions, and take enforcement actions, when necessary, to ensure activities in the ALR are consistent with the ALC Act, its regulations, and orders of the ALC.

Administration and Information Systems

The previous three functions are supported by an administration, records management, and geospatial information systems unit.

Agricultural Land Commission Organizational Chart



The Agricultural Land Reserve

The Agricultural Land Reserve Designation History

Under the 1973 Land Commission Act (the precursor to the ALC Act), the 28 Regional Districts in the province of BC were required to submit an agricultural reserve plan to the ALC for consideration.

To aid Regional Districts and provide guidance, the provincial Ministry of Agriculture prepared suggested ALR maps that identified lands having the soil and climate combination to support agriculture.

These maps were based on soil surveys and the Canadian Land Inventory (CLI) agricultural capability data, combined with proposed urban expansion areas on lower capability lands.

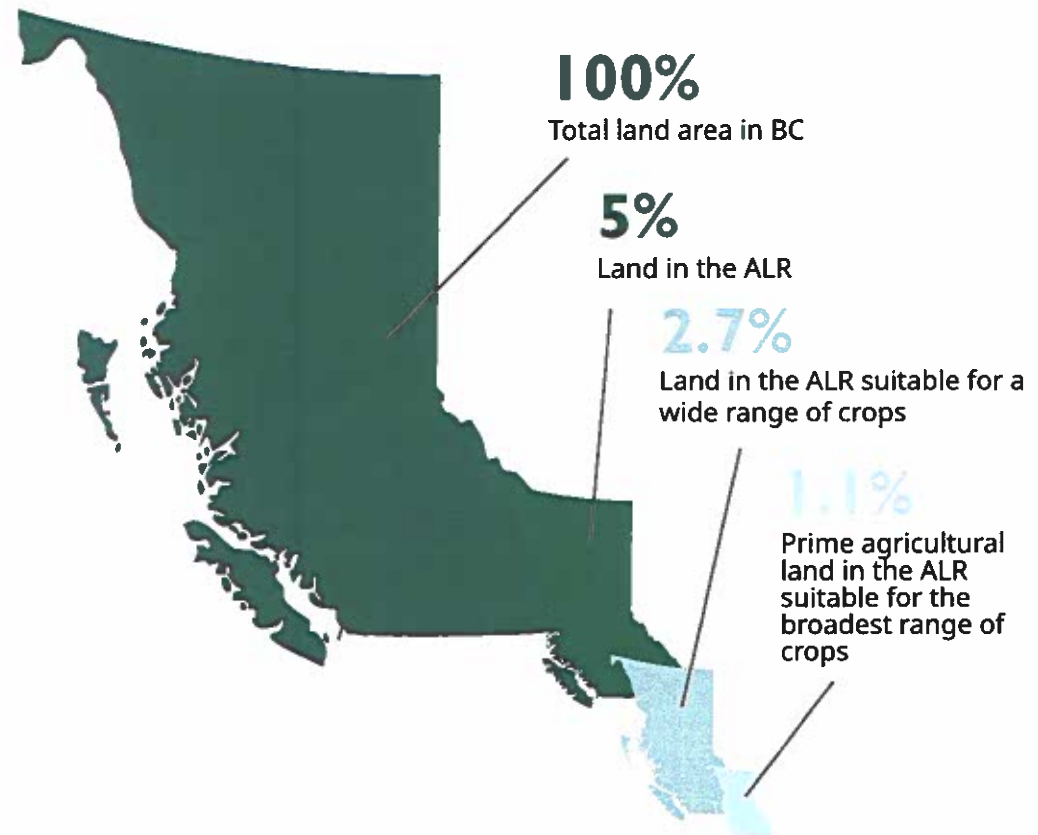
Regional Districts made recommendations to the ALC and the maps were reviewed to ensure technical consistency with the reserves across the province. In general, the following methodology was applied:

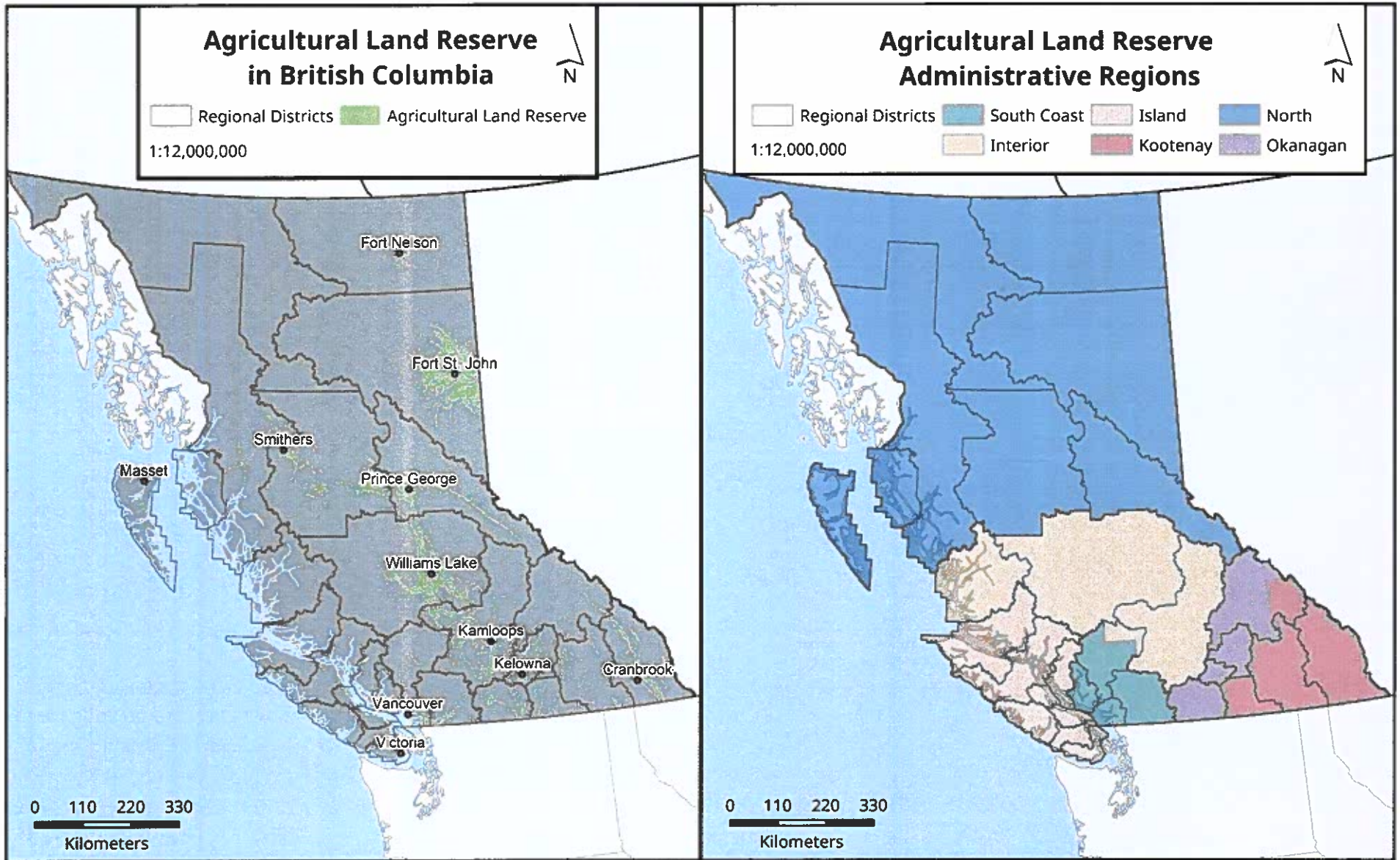
- All Class 1 to 4 land (CLI) that were not already developed were included in the ALR, both Crown and private land;
- If non-agricultural land was not immediately available for urban expansion, enough land was excluded to allow for about 5 years of community growth to ensure local governments had a reasonable amount of time to re-direct future growth patterns;
- Class 5 and 6 lands (CLI) where historic land use patterns indicated that such land could effectively be used for agriculture in conjunction with Class 1 to 4 land, including the spring and summer grazing ranges in ranching areas

of the province, were included; and,

- Small pockets of Class 7 land where exclusion of such land might have allowed undesirable intrusion or incompatibles uses into agricultural areas were included.

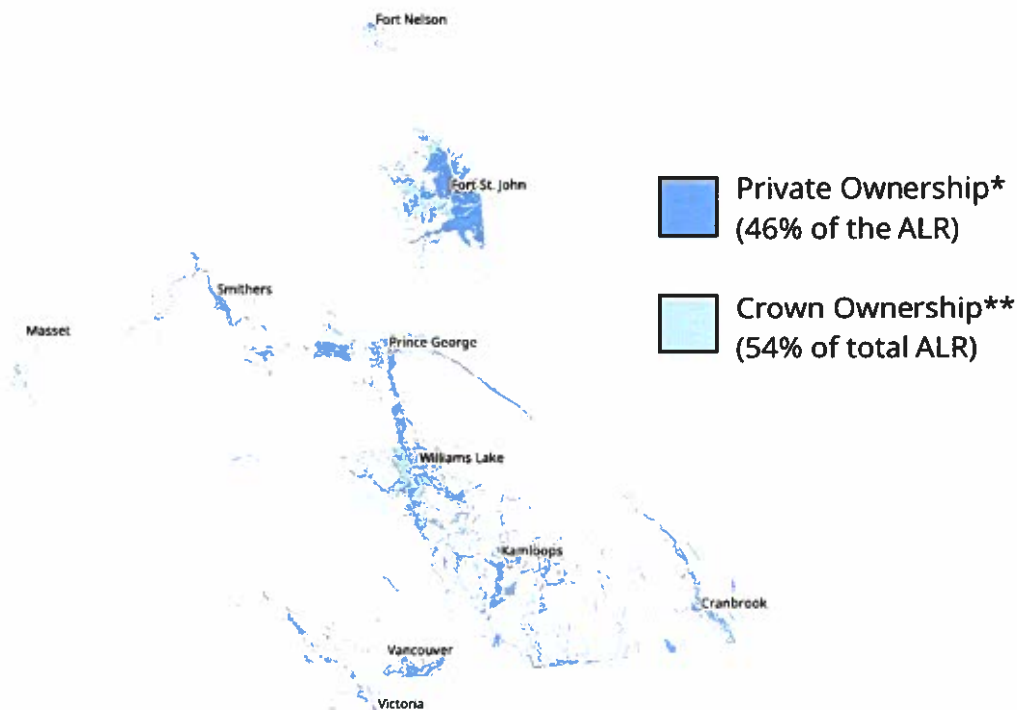
Following the ALC's review, the plans along with the ALC's recommended changes were approved by Cabinet. The process of establishing the ALR took 1 ½ years.



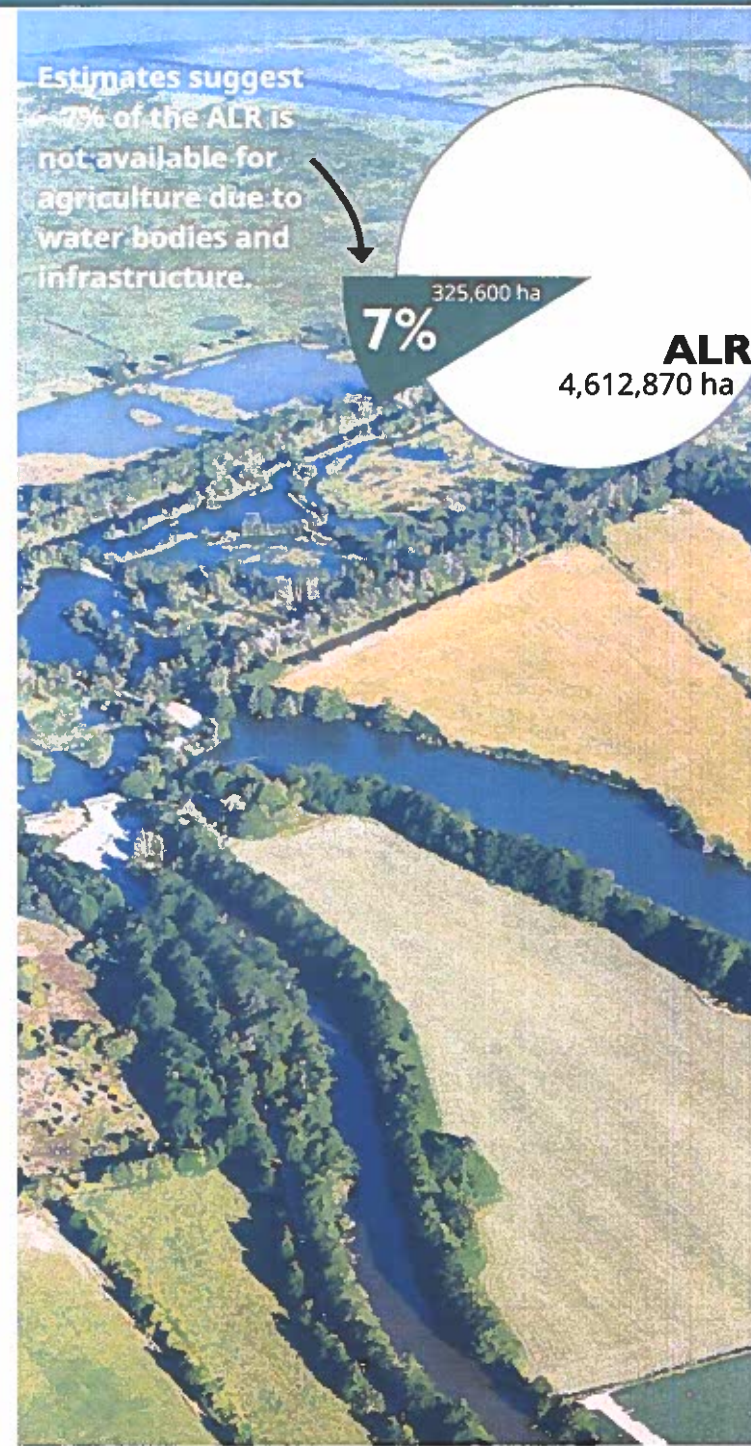


Agricultural Land Reserve: Private vs Crown Ownership

Five percent (~4.6 million ha) of the land base in BC is designated as ALR. Within this five percent, approximately 54% is Crown ALR and 46% is privately owned. Access to this land base is further limited by landscape features (such as wetlands, rivers, streams, lakes), infrastructure (including airports, roads, rail lines, utility corridors, oil and gas infrastructure, sewage and water treatment facilities), forestry and mining, trails, parks, and other non-farm uses such as schools, churches, firehalls, sports fields, and resorts.



*Private Ownership = Properties in the Integrated Cadastral Fabric (ICF) where the Ownership Class is defined as Private, First Nations, or Municipal
 **Crown Ownership = Unsurveyed crown land, or properties in the ICF where the Ownership Class is defined as Crown Federal, Crown Provincial, Crown Municipal, None, or Unknown.
 Data sources: ALC, Integrated Cadastral Information Society, and BC geographic warehouse.
 Contains information licensed under Open Government License - British Columbia. Map for reference only. Accuracy not guaranteed. Map created June 2021.



Interior Administrative Region

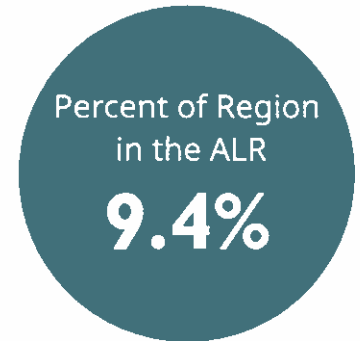


The Interior region extends from the Central Coast (Bella Coola Valley) to the community of Chase at the western end of Shuswap Lake.

The region includes the Central Coast, Cariboo, Squamish-Lillooet (Lillooet area only), and Thompson-Nicola Regional Districts.

Major Settlements

- 100 Mile House
- Bella Coola
- Kamloops
- Merritt
- Quesnel
- Williams Lake



Total ALR area in Region

1,529,043 hectares

Island Administrative Region



The Island region encompasses Vancouver Island, most of the Gulf Islands, and a number of coastal mainland areas that are part of Regional Districts headquartered on Vancouver Island or are more readily accessed from the Island than from mainland centres.

The region includes the Alberni Clayoquot, Capital, Comox Valley, Cowichan Valley, Mount Waddington, Nanaimo, qathet, and Strathcona Regional Districts.

Major Settlements

- Campbell River
- Comox
- Duncan
- Nanaimo
- Port Alberni
- Powell River
- Saanich



Total ALR area in Region

115,449 hectares

Kootenay Administrative Region

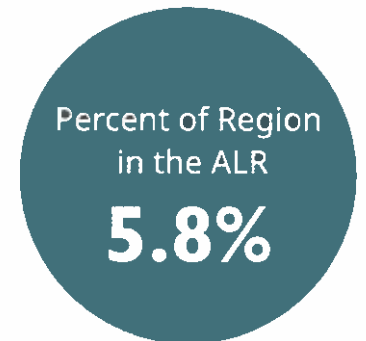


The Kootenay region encompasses the southeasterly portion of BC extending from the BC/Alberta border in the east to the Grand Forks and Kootenay Boundary area in the west.

The region includes the Central Kootenay, East Kootenay, and Kootenay Boundary Regional Districts and a portion of the Columbia Shuswap Regional District (Golden area only).

Major Settlements

- Creston
- Cranbrook
- Grand Forks
- Kimberly
- Invermere
- Sparwood



Total ALR area in Region

388,377 hectares

North Administrative Region



The North region encompasses north-east, north-central and north-west BC, from Prince George to the BC/Yukon border.

The region includes Bulkley-Nechako, Fraser-Fort George, Kitimat-Stikine, Peace River, and Skeena-Queen Charlotte Regional Districts and the Northern Rockies Regional Municipality.

Major Settlements

- Fort Nelson
- Fort St. John
- Prince George
- Telkwa
- Terrace
- Smithers
- Vanderhoof



Total ALR area in Region

2,207,029 hectares

Okanagan Administrative Region

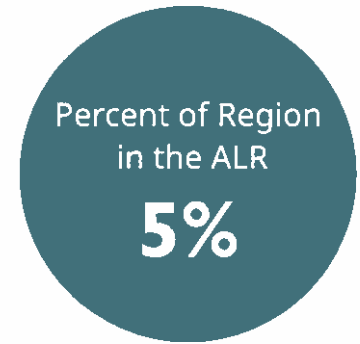


The Okanagan region encompasses the Okanagan and Similkameen Valleys, the Columbia Shuswap, and Princeton areas.

The region includes the Central Okanagan, Columbia Shuswap (except Golden area), North Okanagan, and Okanagan Similkameen Regional Districts.

Major Settlements

- Kelowna
- Osoyoos
- Oliver
- Penticton
- Princeton
- Revelstoke
- Salmon Arm
- Vernon



Total ALR area in Region

224,702 hectares

South Coast Administrative Region

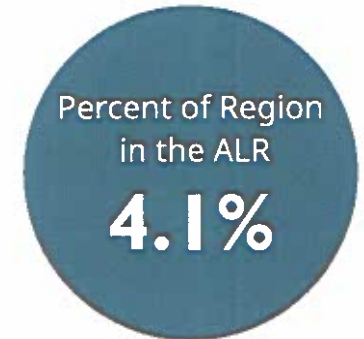


The South Coast region encompasses the lower mainland region of BC from Hope to the Fraser River delta and north to the Sunshine Coast and the Squamish River and Pemberton valleys.

The region includes the Fraser Valley, Metro Vancouver, Squamish Squamish-Lillooet (except the Lillooet area), and Sunshine Coast Regional Districts.

Major Settlements

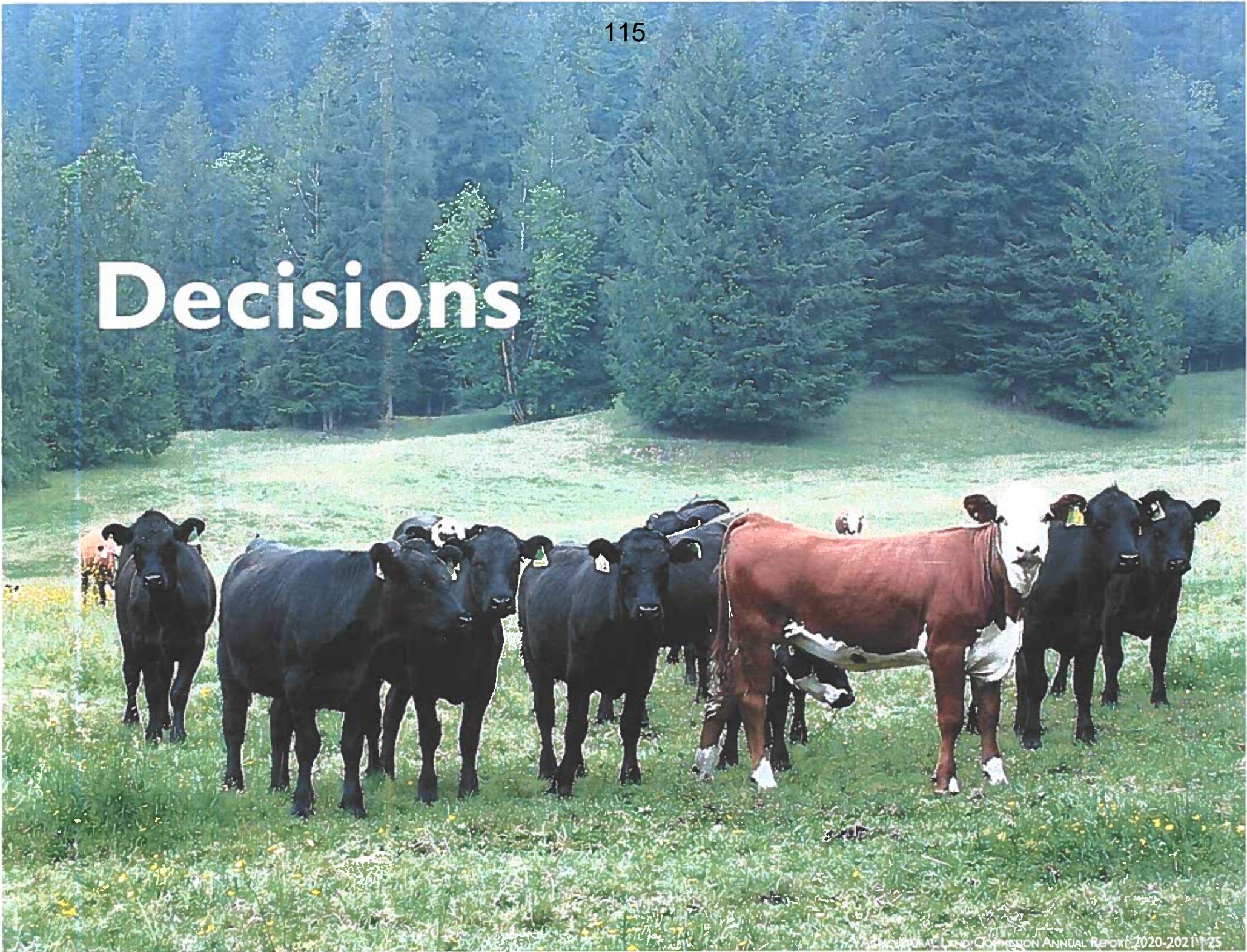
- Abbotsford
- Chilliwack
- Langley
- Mission
- Pitt Meadows
- Richmond
- Surrey
- Vancouver



Total ALR area in Region

148,294 hectares

Decisions

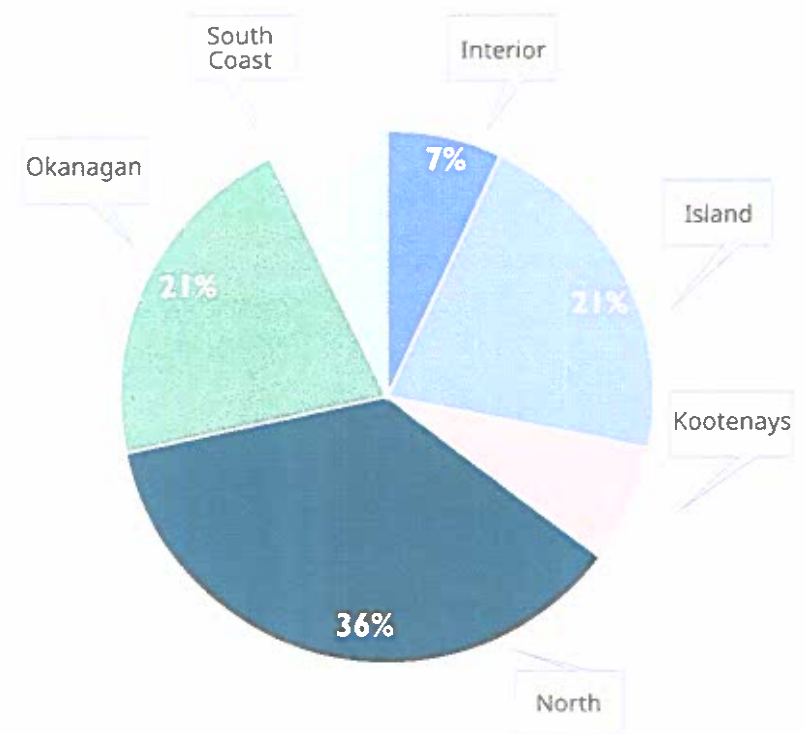


Inclusion Applications

Inclusion applications made under s. 17(3) of the ALC Act for the addition of land into the ALR may be initiated by the Commission, a local government, a First Nation government, or a landowner. To be included in the ALR, land must have the capability for agricultural uses, based on soils and climate, or a combination of both. Local governments and First Nations may comment on an inclusion application but are required to forward all applications for inclusion to the ALC for consideration. There is no fee (\$0) required for applications to include land into the ALR.

4%
OF 2020-2021
APPLICATIONS

Region	Approvals	Refusals	Total Decisions
Interior	0	1	1
Island	2	1	3
Kootenay	0	1	1
North	5	0	5 (RDBN:0)
Okanagan	2	1	3
South Coast	1	0	1
Totals	10	4	14



Decisions by Region

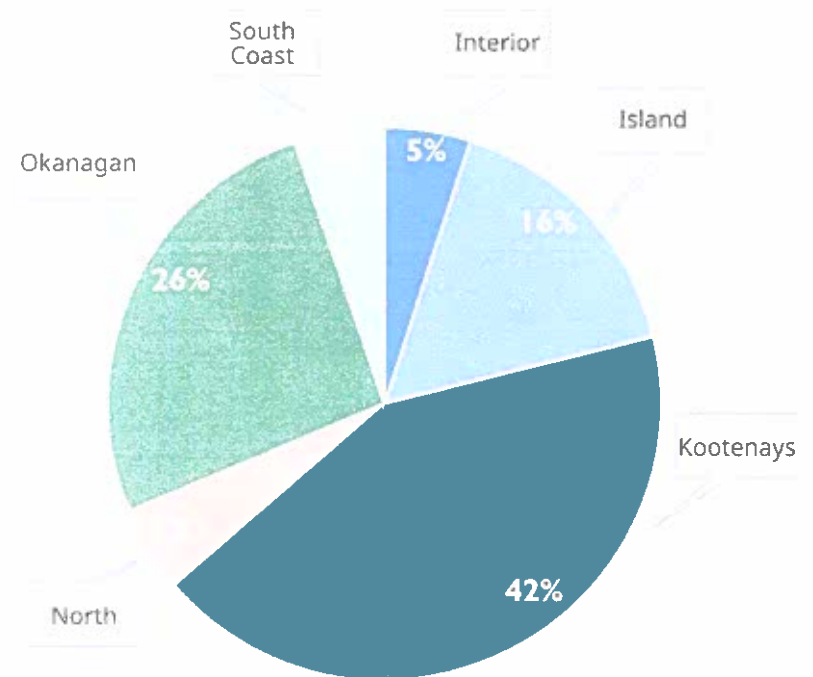
Seventy-one percent of inclusion applications decided in 2020-2021 were approved.

Exclusion Application

Exclusion applications made under s. 29, or 30 of the ALC Act to remove land from the ALR may only be initiated by the Commission, a local government, a First Nation government, or a prescribed public body. All exclusion applications must first be considered by the local or First Nation government who then, by resolution, must determine whether to forward an application to the ALC for its consideration. A local government or First Nation government is not compelled to forward an application to the Commission (except in certain circumstances). The ALC may approve or refuse an exclusion application or approve an alternative application type but retain the land within the ALR.

10%
OF 2020-2021
APPLICATIONS

Region	Approvals	Refusals	Total Decisions
Interior	2	0	2
Island	2	4	6
Kootenay	16	0	16
North	0	2	2 (RDBN:0)
Okanagan	4	6	10
South Coast	1	1	2
Totals	25	13	38



Decisions by Region

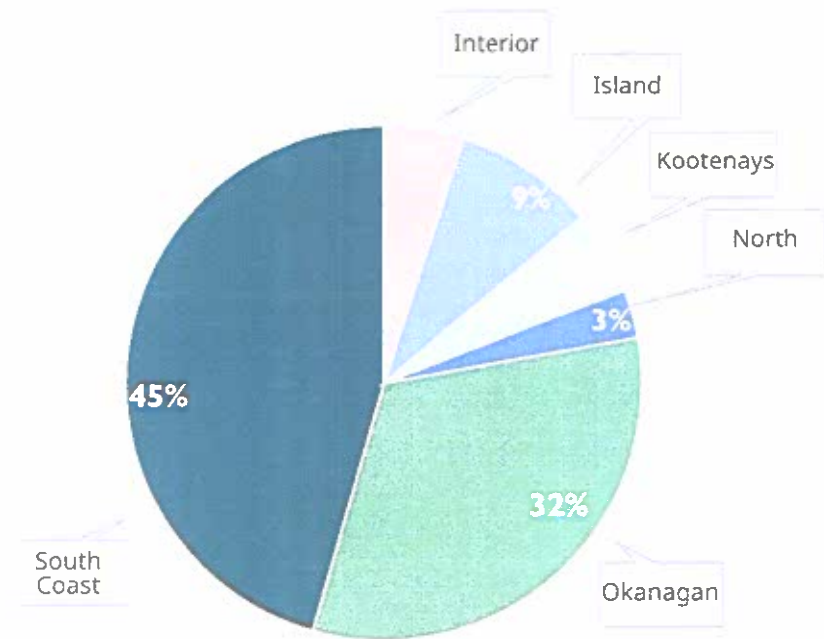
Sixty-six percent of exclusion applications decided in 2020-2021 were approved.

Non-Adhering Residential Use Applications

Non-adhering residential use applications made under s. 20.1 of ALC Act to permit the construction of more than one residence, or a principal residence with a total floor area greater than 500 m², or an accommodation use that doesn't comply with Part 4 of the ALR Use Regulation may be initiated by a landowner. All non-adhering residential use applications must first be considered by the local or First Nation government who must, by resolution, agree to forward an application to the Commission for consideration. A local government or First Nation government may also elect to refuse to forward an application to the Commission.

30%
OF 2020-2021
APPLICATIONS

Region	Approvals	Refusals	Total Decisions
Interior	6	0	6
Island	4	6	10
Kootenay	5	1	6
North	3	0	3 (RDBN=0)
Okanagan	30	6	36
South Coast	35	15	50
Totals	83	28	111



Seventy-five percent of non-adhering residential use applications decided in 2020-2021 were approved.

Non-Adhering Residential Use Applications Statistics

Number of Non-Adhering Residential Use Applications Decided by Sub-type

Application sub-type	Number of decisions	Percentage of decisions
Additional residence	90	81%
Principal residence larger than 500m ²	18	16%
Tourist accommodation	3	3%
Total	111	100%



Approval Rate of Non-Adhering Residential Use Applications Decided by Sub-type

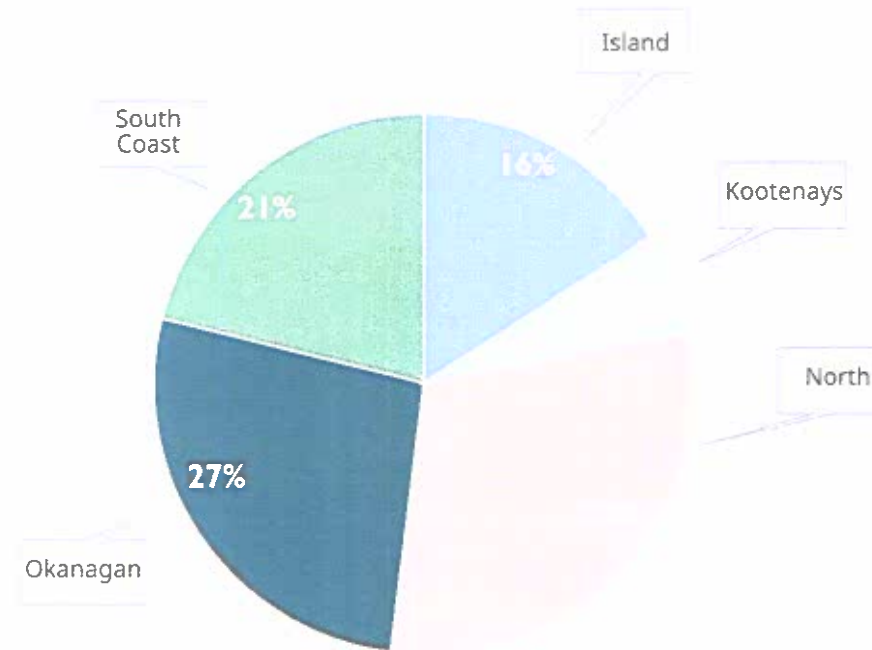
Application sub-type	Number of decisions	Number approved	Number refused	Approval rate (%)
Additional residence	90	74	16	82%
Principal residence larger than 500m ²	18	7	11	39%
Tourist accommodation	3	2	1	67%
Total	111	83	28	75%

Non-Farm Use Applications

Non-farm use applications made under s. 20(2) of the ALC Act for a use that exceeds the thresholds permitted by the ALR Use Regulation or for a use not expressly permitted by regulation, such as commercial or industrial business uses, may be initiated by a landowner. All non-farm use applications must be reviewed by the local or First Nation government who must, by resolution, agree to forward an application to the Commission for consideration. A local or First Nation government may elect to refuse to forward an application to the Commission.

19%
OF 2020-2021
APPLICATIONS

Region	Approvals	Refusals	Total Decisions
Interior	0	0	0
Island	9	2	11
Kootenay	4	0	4
North	16 (RDBN 2)	5	21
Okanagan	11	8	19
South Coast	13	2	15
Totals	53	17	70



Decisions by Region

Seventy-six percent of non-farm use applications decided in 2020-2021 were approved.

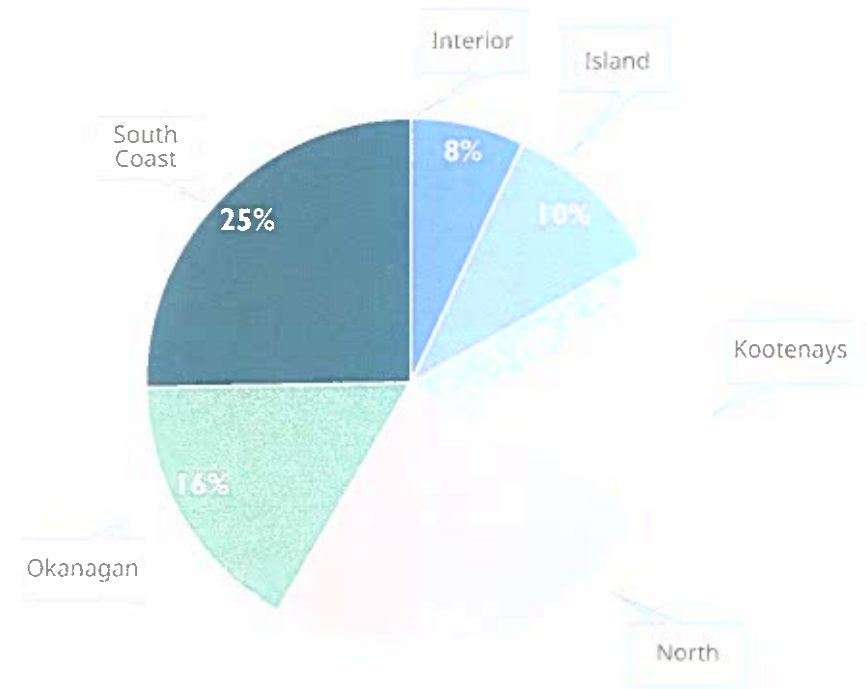
DECISIONS

Subdivision Applications

Subdivision applications made under s. 21(2) of the ALC Act may be initiated by a landowner. All subdivision applications must be reviewed by a local or First Nation government who must, by resolution, agree to forward an application to the Commission for consideration. A local or First Nation government may elect to refuse to forward an application to the Commission.

16%
OF 2020-2021
APPLICATIONS

Region	Approvals	Refusals	Total Decisions
Interior	2	3	5
Island	1	5	6
Kootenay	5	5	10
North	13	2	15 (RDBN: 0)
Okanagan	3	7	10
South Coast	10	5	15
Totals	34	27	61



Fifty-six percent of subdivision applications decided in 2020-2021 were approved.

Decisions by Region

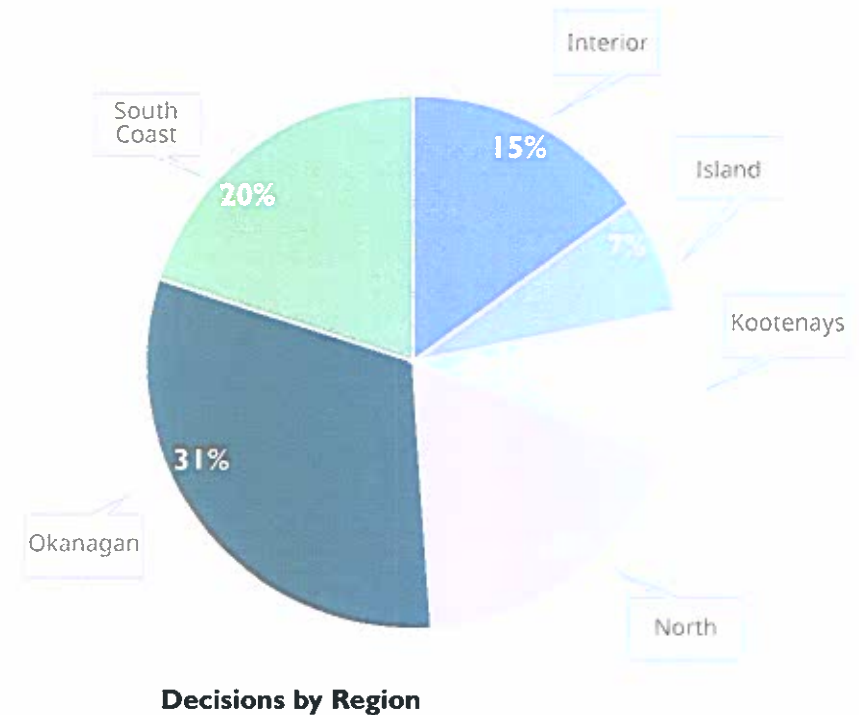
DECISIONS

Transportation and Utility Applications

Applications made under s. 22 of the Agricultural Land Reserve General Regulation for the construction of transportation, utility and trail infrastructure in the ALR are submitted directly to the ALC, without a resolution from a local or First Nation government or landowner consent. These applications may be made by a landowner or person with a right of entry under another enactment, provided the landowners have been notified and advised that they may submit their comments or concerns with the application directly to the Commission.

15%
OF 2020-2021
APPLICATIONS

Region	Approvals	Refusals	Total Decisions
Interior	8	0	8
Island	4	0	4
Kootenay	4	1	5
North	10 (RDBN:4)	0	10
Okanagan	16	1	17
South Coast	11	0	11
Totals	53	2	55



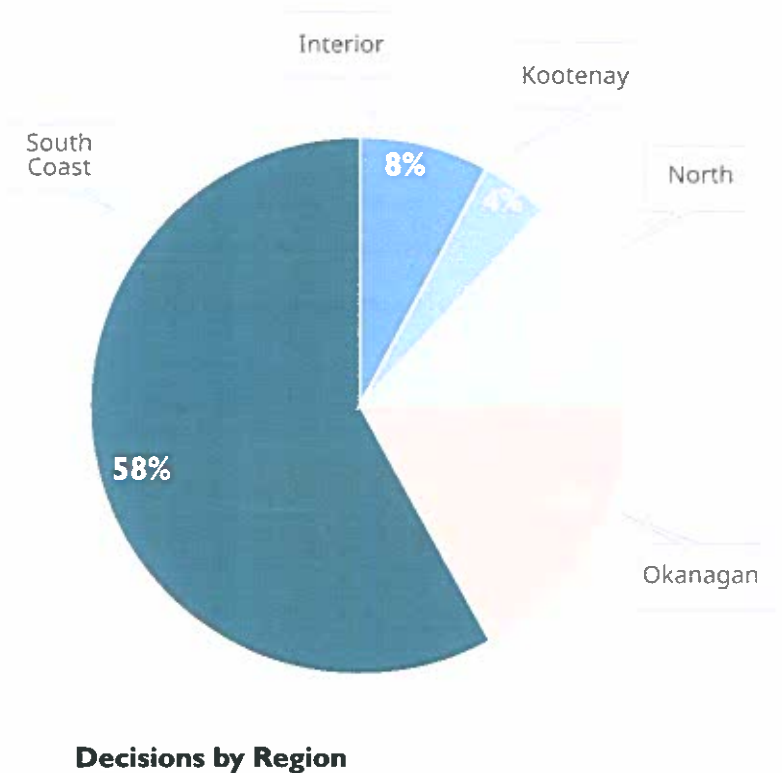
Ninety-six percent of transportation and utility applications decided in 2020-2021 were approved.

Soil or Fill Use Applications

Soil or Fill Use applications made under s. 20.3(5) of the ALC Act to place fill or remove soil or aggregate for area-wide filling, large scale projects, or projects directed to do so after a review of a Notice of Intent (NOI) by the office of the CEO (see page 35 for a description of the NOI process). All soil or fill use applications must be reviewed by local or First Nation government and may not proceed to the Commission unless authorized by a resolution of the local or First Nation government. A local or First Nation government may elect to refuse to forward an application to the Commission. In 2020/21, the Chair of the ALC appointed a 5-member panel to decide on all soil and fill use applications. The panel was provided with additional training to assist them with the review and analysis of the technical information submitted with this application type.

6%
OF 2020-2021
APPLICATIONS

Region	Approvals	Refusals	Total Decisions
Interior	2	0	2
Island	0	0	0
Kootenay	1	0	1
North	1	2 (RDBN:1)	3
Okanagan	4	0	4
South Coast	9	5	14
Totals	17	7	24



Seventy-one percent of soil or fill use applications decided in 2020/21 were approved.

Soil or Fill Use in the ALR

Placing fill or removing material from a property requires authorization from the ALC unless it is listed as an Exempted Activity under s. 35 of the ALR Use Regulation. Additionally, some types of fill are prohibited under s. 36 of the ALR Use Regulation and cannot be approved by the Commission. A person who intends to place fill or remove soil or aggregate in the ALR for any use not exempt under s. 35 of the ALR Use Regulation may not do so without a Notice Intent or Soil or Fill Use Application being approved by the Commission.

Exempted Activities

Maximum placement of fill for the following:

- Cranberry berms: 10 m base width and 2 m high
- Flood protection dikes, drainage, irrigation, and livestock watering: 320 m³ / 16 ha annually
- Farm structures: 1,000 m² area each
- Principal residence: 1,000 m² area
- Maintaining an existing farm road: 50 m³ per 100 m annually
- Top-dress for berries: 100 m³ / ha clean sand annually
- Soil amendments: to a depth of 30 cm

Aggregate removal (up to a maximum of 500 m³)

- Cultivable surface layer of soil must be salvaged, stored on the parcel, and be made available for rehabilitation; and,
- Disturbed area must be rehabilitated.

Soil research and testing, limited to the amount necessary

Permitted Outright

ALC Authorization Required

A Notice of Intent (NOI) or Soil or Fill Use Application is required to place fill or remove soil or aggregate for reasons other than an Exempted Activity.

- NOI's are generally for small, routine proposals.
- \$150 fee
- No retroactive approvals
- Decisions made by the office of the CEO
- More complicated proposals may require an application. If an NOI is not approved, a landowner may be directed to submit an application. A landowner may also choose to directly submit an application instead of an NOI.
- An application has a fee of \$1,500, however, if it is a rejected NOI, the Applicant pays \$1,350 to account for the \$150 NOI fee
- Application decisions are made by the Commission

NOI or Application

Prohibited

Placing fill or removing soil or aggregate (other than an Exempted Activity) without completing an NOI or application is prohibited.

The following must not be used as fill on ALR land:

- Construction or demolition waste (incl. masonry rubble, concrete, cement, rebar, drywall and wood waste)
- Asphalt
- Glass
- Synthetic polymers (e.g., plastic drainage pipe)
- Treated wood or unchipped lumber

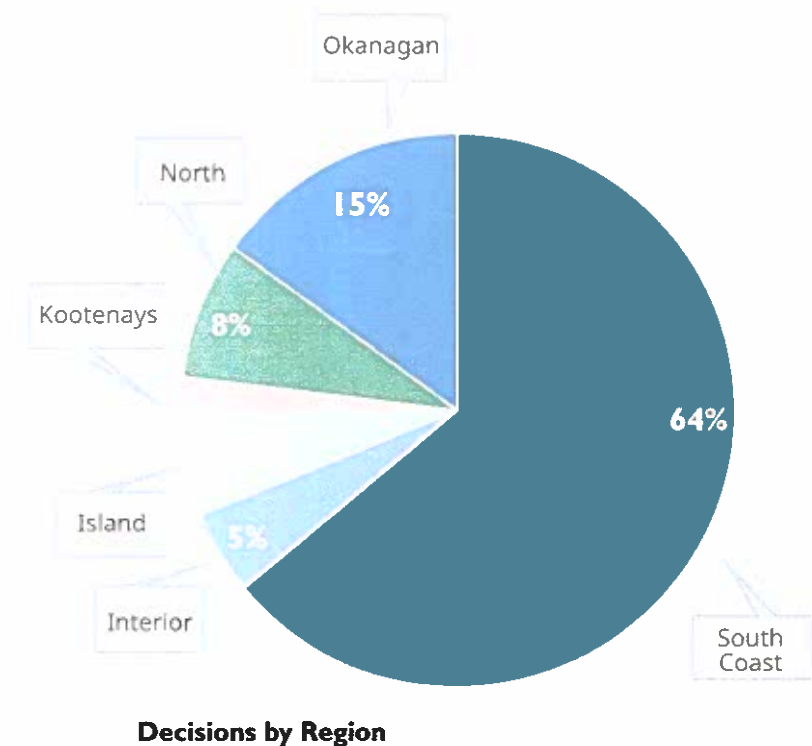
Not Permitted

Notice of Intent for Soil Removal or Fill Placement

A Notice of Intent (NOI) to remove soil (including mineral extraction projects) or place fill may be submitted directly to the ALC for consideration of the CEO and/or their delegate. Once all of the information necessary to make a decision has been received, the ALC has 60-days to respond to an NOI. If the CEO and/or their delegate refuses to approve an NOI, applicants must submit a soil or fill use application to the local or First Nation government and ALC before any soil removal or fill placement activities can take place.

Local or First Nation governments may not permit the placement of fill or removal of soil unless it is first approved by the Commission (NOI or Soil or Fill Use application) or is a permitted activity in s. 26 or s. 35 of the ALR Use Regulation.

Region	Approvals	Refusals	Total Decisions
Interior	7	3	10
Island	9	3	12
Kootenay	3	1	4
North	11	4	15
Okanagan	24	5	29
South Coast	89	32	121
Total	143	48	191

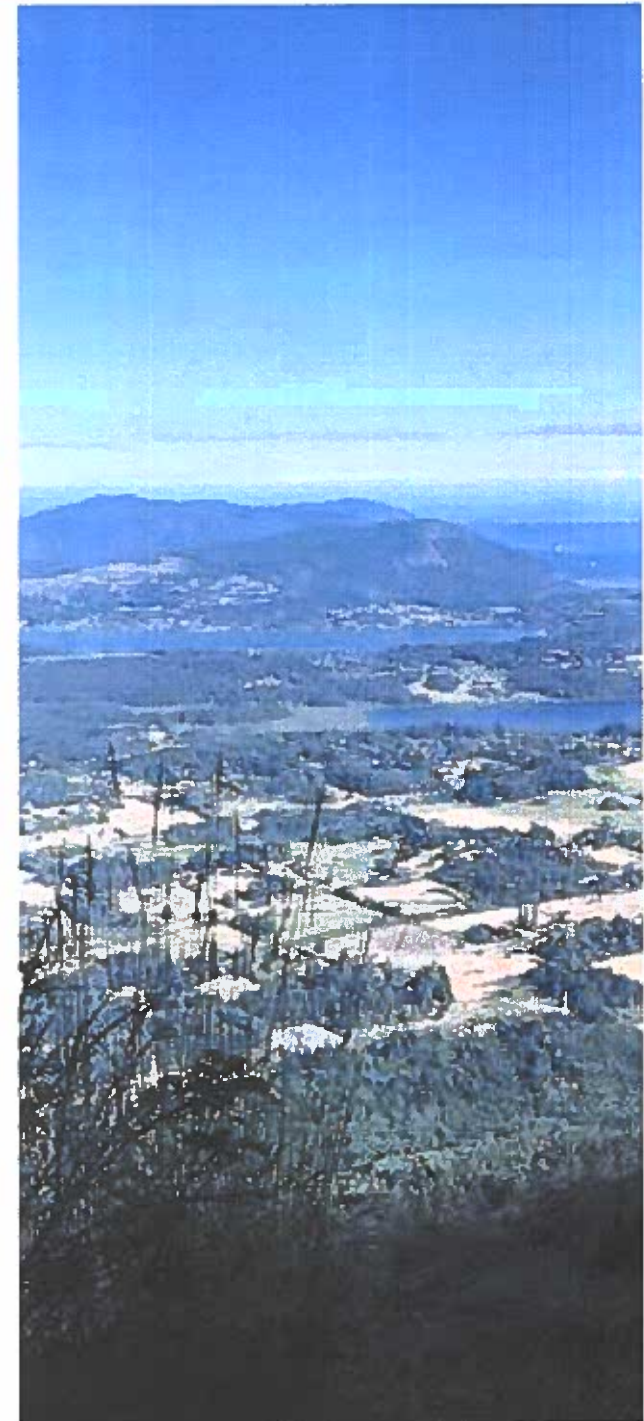
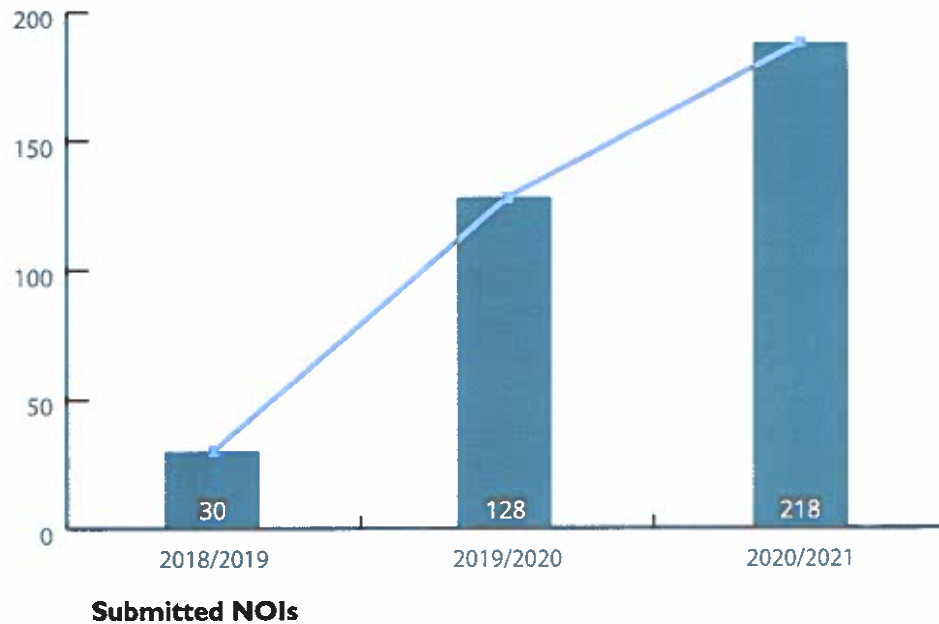


Please note: NOIs are not considered applications under the ALC Act and are not included in the application statistics referred to elsewhere in this report.

Notice of Intent Submissions

Following the adoption of Bill 52-2019 on February 22, 2019, the number of NOIs submitted to the ALC increased significantly. Between the 2019/2020 fiscal year and the 2020/2021 fiscal year, the number of NOIs submitted increased from 128 to 218, which represents a 70% increase in NOIs submitted to the Commission, as illustrated in the chart below.

In response to this, the hiring of additional staff resources was necessary to ensure the ALC was able to meet the legislated 60-day timeline for response to NOI submissions.



Percent of Decisions by Type by Administrative Region April 1, 2020, to March 31, 2021

Interior Region

- 33% Transportation and Utilities
- 25% Non-Adhering Residential Use
- 21% Subdivision
- 8% Exclusion
- 8% Soil or Fill
- 4% Inclusion
- 0% Non-Farm Use

Island Region

- 28% Non-Farm Use
- 25% Non-Adhering Residential Use
- 15% Exclusion
- 15% Subdivision
- 10% Transportation and Utilities
- 8% Inclusion
- 0% Soil or Fill

Kootenay Region

- 37% Exclusion
- 23% Subdivision
- 14% Non-Adhering Residential Use
- 12% Transportation and Utilities
- 9% Non-Farm Use
- 2% Inclusion
- 2% Soil or Fill

North Region

- 36% Non-Farm Use
- 25% Subdivision
- 17% Transportation and Utilities
- 9% Inclusion
- 5% Non-Adhering Residential Use
- 5% Soil or Fill
- 3% Exclusion

Okanagan Region

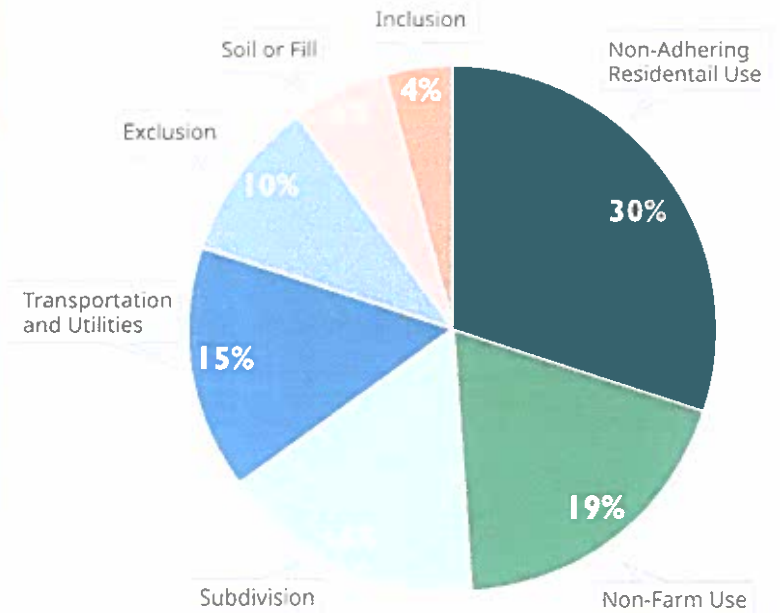
- 36% Non-Adhering Residential Use
- 19% Non-Farm Use
- 17% Transportation and Utilities
- 10% Subdivision
- 10% Exclusion
- 4% Soil or Fill
- 3% Inclusion

South Coast Region

- 46% Non-Adhering Residential Use
- 14% Non-Farm Use
- 14% Subdivision
- 13% Soil or Fill
- 10% Transportation and Utilities
- 2% Exclusion
- 1% Inclusion

Percent of Decisions by Type

April 1, 2020, to March 31, 2021



Number of Applications Received and Decided (2020/2021- 2016/2017)

ADMINISTRATIVE REGION	NUMBER OF APPLICATIONS RECEIVED ¹ BY REGION				
	2020/2021	2019/2020	2018/2019	2017/2018	2016/2017
Interior Region	26	24	25	20	30
Island Region	33	38	45	37	44
Kootenay Region	52	35	34	34	61
North Region ³	62	81	100	123	91
Okanagan Region	91	93	80	65	51
South Coast Region	114	109	81	94	81
TOTALS	378	380	365	373	358

ADMINISTRATIVE REGION	NUMBER OF APPLICATIONS DECIDED ² BY REGION				
	2020/2021	2019/2020	2018/2019	2017/2018	2016/2017
Interior Region	24	31	26	22	36
Island Region	40	63	31	34	63
Kootenay Region	43	52	35	49	71
North Region ³	59	97	91	125	95
Okanagan Region	99	87	96	53	42
South Coast Region	108	116	83	103	108
TOTALS	373	446	362	391	415

¹ Forwarded to the ALC by a local government or submitted directly to the ALC for a Transportation and Utility Use application or to the Oil and Gas Commission (OGC) in the North Administrative Region.

² Applications decided includes applications carried forward from the previous fiscal year.

³ Applications submitted and decided in the North Administrative Region includes applications submitted to and decided by the OGC, acting on behalf of the ALC. The number of decisions made by the OGC this past fiscal year were substantially lower than in previous years. Please see page 44 for more information on Delegated Decision-making by the OGC.

Number of Applications Received by Region and Application Type (2020/2021- 2016/2017)

ADMINISTRATIVE REGION	NUMBER OF APPLICATIONS RECEIVED ¹ BY REGION				
	2020/2021	2019/2020	2018/2019	2017/2018	2016/2017
Interior Region	26	24	25	20	30
Island Region	33	38	45	37	44
Kootenay Region	52	35	34	34	61
North Region	62	81	100	123	91
Okanagan Region	91	93	80	65	51
South Coast Region	114	109	81	94	81
TOTALS	378	380	365	373	358

APPLICATION TYPE	NUMBER OF APPLICATIONS RECEIVED ¹ BY TYPE				
	2020/2021	2019/2020	2018/2019	2017/2018	2016/2017
Inclusion	9	10	14	20	12
Exclusion	51	38	23	41	42
Non-Farm Use ³	77	89	120	127	122
Non-Adhering Residential Use ²	112	90	10	-	-
Subdivision	62	83	127	118	133
Transportation and Utilities	45	43	55	49	38
Soil or Fill	22	27	16	18	11
TOTALS	378	380	365	373	358

¹ Forwarded to the ALC by a local government or submitted directly to the ALC for a Transportation and Utility Use application or to the Oil and Gas Commission (OGC) in the North Administrative Region.

² This application type was introduced February 22, 2019 by Bill 52-2018.

³ Includes non-farm use applications decided by the OGC.

2020/2021 Notification and Decision Processing Targets

The following performance indicators regarding the timely processing of applications were established effective April 1, 2016, to evaluate the performance of the ALC under s. 12 (2) (b) of the ALC Act.

PERFORMANCE INDICATOR	ACTUAL				TARGET
	2020/2021	2019/2020	2018/2019	2017/2018	
Performance Indicator 1: Notification to applicant within 5 business days (once payment is received) that the Application is: (a) complete, or (b) not complete and specify what additional information is required.					
Notification of Complete Application within 5 business days of receipt of application	94%	69%	95%	94%	100%
Notification of Deficient Application within 5 business days of receipt of Application	91%	52%	95%	99%	100%
Performance Indicator 2: Notification to applicant of the ALC decision within 5 business days of the decision being finalized.					
Notification of Commission decision within 5 business days of decision being finalized	100%	100%	100%	100%	90%
Performance Indicator 3: Percent of Applications processed within the 60 business day period.					
Percentage of Applications processed within 60 business days	86%	57%	47%	72%	90%
Performance Indicator 4: Percent of Applications processed within the 90 business day period.					
Percentage of Applications processed within 90 business days	95%	81%	94%	95%	90%

Please note: the application processing period commences on the date the ALC receives both the application documentation from the local government and the application fee from the applicant and the application processing period is paused when waiting for the submission of additional information from the applicant, for a scheduled site visit of exclusion meeting to occur or at the request of the applicant.



ALR Change Approved by Commission Decision

April 1, 2020 to March 31, 2021 | All figures are in hectares (ha)

Area Approved for Inclusion and Exclusion

Region	Inclusion		Exclusion		Net Change
	Approved	Refused	Approved	Refused	
Interior	0.0	1.9	12.2	0.0	-12.2
Island	10.2	0.5	6.8	56.4	3.4
Kootenay	0.0	0.6	71.6	9.9	-71.6
North	175.2 ¹	0.0	0.0	9.1	175.2
Okanagan	4.6	0.1	7.8	9.6	-3.2
South Coast	0.3	0.0	0.3	2.0	0.0
Total	190.3	3.1	98.7	87.0	91.6

¹ The ALC and Ministry of Forests, Lands, Natural Resource Operations, and Rural Development (MFLNRORD) have an agreement that requires Crown land receiving an agricultural grant to be included into the ALR. There were three inclusion applications submitted under this agreement in the 2020/2021 fiscal, totalling 160.3 ha included into the ALR.

See page 64 for the cumulative statistics on lands included and excluded from the ALR this fiscal (Cumulative GIS ALR Change).

Agricultural Capability of Areas Approved for Inclusions

Region	Inclusion Area	Agricultural Capability			
		Prime	Mixed	Secondary	Unclassified
Interior	0.0	-	-	-	-
Island	10.2	-	10.2	-	-
Kootenay	0.0	-	-	-	-
North	175.2	14.9	-	160.3	-
Okanagan	4.6	-	1.3	3.3	-
South Coast	0.3	0.3	-	-	-
Total	190.3	15.2	11.5	163.6	0.0

Agricultural Capability of Areas Approved for Exclusions

Region	Exclusion Area	Agricultural Capability			
		Prime	Mixed	Secondary	Unclassified
Interior	12.2	-	7.7	4.5	-
Island	6.8	-	6.4	0.4	-
Kootenay	71.6	10.5	54.0	7.1	-
North	-	-	-	-	-
Okanagan	7.8	2.3	0.4	5.1	-
South Coast	0.3	0.3	-	-	-
Total	98.7	13.1	68.5	17.1	0.0

ALR Change Approved by Commission Decision by Regional District

Area Included and Excluded by Commission decision – April 1, 2020 to March 31, 2021 | All figures are in hectares (ha)

Regional Districts	Outright and Conditional Decisions		Net Change Include/Exclude
	Application Type		
	Inclusion Area	Exclusion Area	
Capital	0.0	6.4	-6.4
Central Kootenay	0.0	36.5	-36.5
Central Okanagan	0.0	0.4	-0.4
Columbia Shuswap	0.0	29.9	-29.9
Cowichan Valley	9.8	0.0	9.8
East Kootenay	0.0	10.3	-10.3
Fraser-Fort George	138.6	0.0	138.6
Islands Trust	0.4	0.4	0.0
North Okanagan	4.6	0.5	4.1
Okanagan Similkameen	0.0	1.8	-1.8
Peace River	36.6	0.0	36.6
Sunshine Coast	0.3	0.3	0.0
Thompson Nicola	0.0	12.2	-12.2
Total	190.3	98.7	91.6

Only Regional Districts that had change in the ALR are listed in the table above.

Delegated Decisions

Delegated Decisions

Following the partial enactment of Bill 15 on March 20, 2020, the ALC no longer has the ability to enter into an agreement with a local government granting them the authority to decide on non-farm use and subdivision applications in the ALR. The ALC can still enter into delegation with a First Nation government or an authority. The following is a summary of delegated decisions for the 2020/21 fiscal. Under s. 26 (5) of the ALC Act, a decision made by a delegated authority had the same legal effect as a decision of the ALC.

Delegated Decisions Statistics:

BC Oil and Gas Commission (OGC)

In 2004, the ALC delegated conditional decision-making authority to the OGC for specified non-farm uses associated with oil and gas production facilities, such as well sites, borrow pits, access roads, pipelines, power lines, subject to certain thresholds. The premise of the 2004 ALC/OGC Delegation Agreement was that oil and gas facilities were temporary and would be reclaimed and returned to agricultural uses once the resource had been extracted. While the Delegation Agreement has been amended over the years to try and strengthen the agricultural considerations, the current agreement establishes a 20 ha per section threshold up to which oil and gas facilities are permitted in the ALR without application, and beyond the 20 ha threshold, to the OGC, acting on behalf of the ALC. Below is a summary of OGC approvals. The ALC notes that the number of oil and gas related applications approved by the OGC were substantially lower this fiscal than previous years as shown in the table below.

OGC Application Summary	2020/21	2019/20	2018/19	2017/18	2016/17
Applications Submitted	12	28	25	38	28
Applications Approved	11	28	24	38	28
Total Area of Non-Farm Use Approved (ha)	37.5	153.5	180	302.3	159
Applications Triggering Item 2 of Appendix I1	10	17	19	-	-
Applications Triggering Item 4 of Appendix I1	0	5	4	-	-
Applications Triggering Item 5 of Appenwdix I1	10	12	7	-	-
Applications Triggering Item 6 of Appendix I1	0	0	0	-	-

Please note: Information regarding Appendix I1 was not reported out on by the OGC prior to 2018/19.

Deputy Minister Task Force – Agriculture and Oil & Gas in Northeast BC

The Minister of Agriculture's Independent Advisory Committee on the revitalization of the Agricultural Land Reserve and the Agricultural Land Commission expressed concern that the development and expansion of provincial oil and gas resources in the ALR in Northeast BC has exceeded the capacity of the current regulatory environment to protect farmland and recommended the establishment of a Deputy Minister level task force to try and correct the policy imbalance they believed was threatening the future viability of agriculture in this part of the region and province.

The Revitalization Report can be found [here](#).

The Deputy Minister Task Force was established in 2019 to consider Recommendation 25 from the Revitalization Report. The Task Force is comprised of the:

- Deputy Minister of Agriculture
- Deputy Minister of Energy Mines and Petroleum Resources;
- Chief Executive Officer, Agricultural Land Commission; and,
- Commissioner and Chief Executive Officer, BC Oil and Gas Commission.

The Deputy Minister Task Force is charged with developing a comprehensive and factual report to provide both the history and current context in Northeast BC with respect to oil and gas and agricultural land use, as well as examining existing policy and regulatory frameworks for both sectors. The report will guide additional work including:

- determining any regulatory or legislative enhancements that may be warranted;
- consideration of available information deemed appropriate, including from the Farmington Landowners Group trials, the Peace River Regional District and local farmers/ ranchers; and;
- consultation as appropriate with Indigenous communities, landowners, local governments, industries, and others.

The Deputy Minister Task Force will provide any findings or recommendations arising from their work to the Deputy Minister Committee for Natural Resources (DMCNR) for review and discussion prior to advancing any recommendations to Government.



Reconsiderations

Reconsideration of Decisions

There are two types of reconsiderations that can be initiated under the ALC Act:

1. Requests by an affected person under s. 33

The Commission may reconsider a decision pursuant to s. 33 upon written request of an affected party or at the Commission's own initiative if the Commission determines that:

- (a) evidence not available at the time of the original decision has become available that could not have been made available had the person affected exercised due diligence,
- (b) all or part of the original decision was based on evidence that was in error or was false.

This is a discretionary authority that provides the Commission with a mechanism to revisit a decision if found to be flawed due to the consideration of incorrect information or, if compelling information is provided that would have significantly contributed to the Commission's understanding of the facts at the time of its original deliberation. Upon reconsideration, a decision maker may confirm, reverse, or vary the decision.

2. Reconsiderations directed by the Chair under s. 33.1

Pursuant to s. 33.1 of the ALC Act, the Chair may direct the Executive Committee to reconsider an application decision made by a panel if the Chair finds that the application decision may not fulfill the purposes of the Commission as set out in s. 6 of the ALC Act. The purpose of s. 33.1 is to provide the Chair with oversight to ensure consistency of decision considerations according to the ALC Act.

Subsequent to a decision being released to the applicant, the Chair is given 60-days to review a decision and direct the Executive Committee to reconsider the application. The Executive Committee must review the application and then may confirm, reverse, or vary the decision.



Requests by an affected person under s. 33

Region	Requests Submitted				Requests Reconsidered			
	2020/21	2019/20	2018/19	2017/18	2020/21	2019/20	2018/19	2017/18
Interior	5	5	9	9	4	1	3	0
Island	11	13	13	13	2	5	4	5
Kootenays	7	18	13	13	3	6	3	2
North	8	8	8	8	4	1	2	2
Okanagan	16	14	16	16	6	6	3	2
South Coast	26	29	31	31	14	14	8	7
Total	73	87	90	90	33	33	23	18

52% (36) of the 66 reconsiderations reviewed this fiscal did not meet the requirements of s. 33 of the ALC Act. Of the 33 decisions reconsidered this fiscal, 12% (4) of the decisions were reversed, 6% (2) were confirmed (decision remained unchanged), and 82% (27) were varied.

33.1 Chair Directed Reconsiderations

Region	Requests			
	2020/21	2019/20	2018/19	2017/18
Interior	0	0	1	0
Island	0	0	1	1
Kootenays	0	0	0	8
North	0	0	8	5
Okanagan	0	0	3	1
South Coast	2	2	3	4
Total	2	2	16	19

50% of the decisions reconsidered at the direction of the Chair were reversed and 50% were confirmed (decision remained unchanged).

A photograph of two white lambs in a field of green grass and plants. The lambs are the central focus, with one in the foreground looking towards the camera and another slightly behind it. The background is a soft-focus green field.

Policy, Regional Planning, and Engagement

Regional Planning

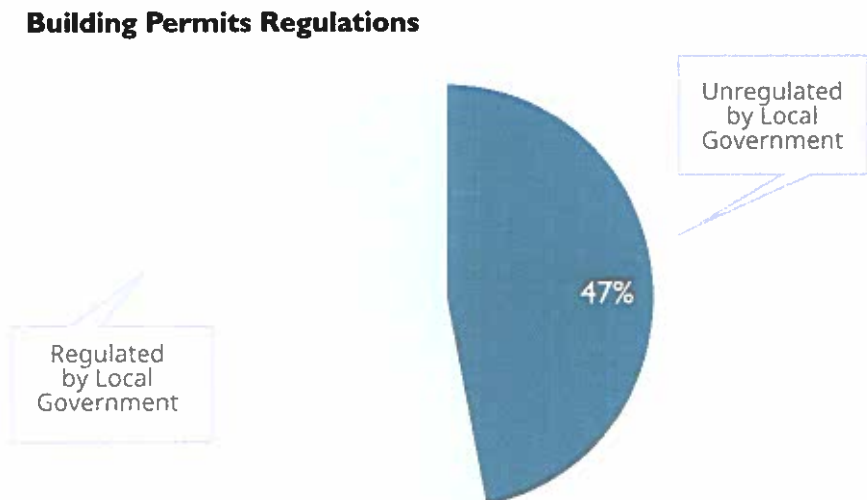
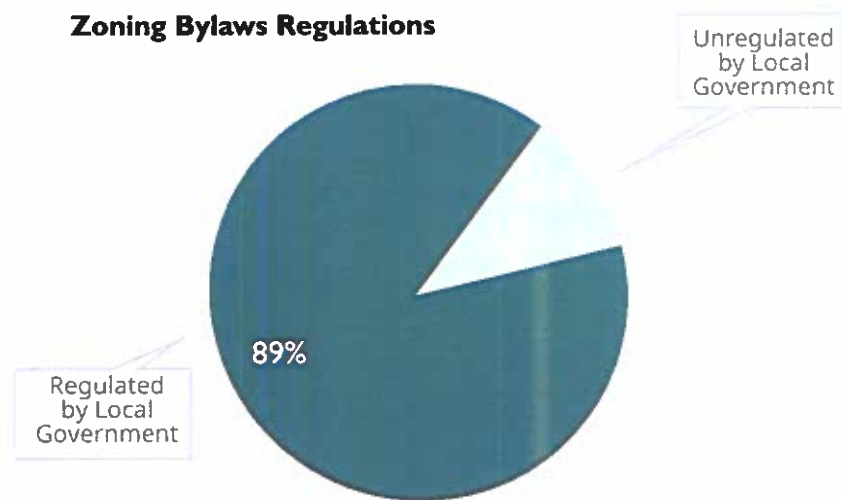
To avoid inconsistencies between local and First Nation government bylaws, plans and policies and the ALC Act, its regulations, or any resolution of the Commission, the ALC works with local and First Nation governments to undertake a coordinated and cooperative planning review process.

Section 46(2) of the ALC Act requires that a local or First Nation government must ensure consistency between adopted bylaws and the ALC Act, its regulations, or any resolutions of the Commission. Should any inconsistencies exist between adopted bylaws and the ALC Act, the regulations, or any resolutions of the Commission, the bylaws are of no force or effect, to the extent of the inconsistency (s. 46(4) ALC Act). Notwithstanding s. 46(4) ALC Act, a local government is still required to comply with s. 46(2) ALC Act.

Given these legislative requirements, it is the responsibility of local and First Nation governments to consult with the ALC early on in the bylaw development or planning process by referring draft bylaws to the ALC for review. The adoption of a bylaw that is inconsistent with the ALC Act, the regulations, or any orders of the Commission contravenes s. 46 (2) ALC Act and may expose the local government to legal challenge.

Unregulated Areas of the ALR

Starting in late 2019, the ALC sought to determine the percentage of the ALR in local government jurisdictions unregulated by bylaw (both zoning and building permit regulation). In July 2019 it was determined that 11% of the ALR is unregulated by local government zoning, and 47% of the ALR is unregulated for building construction (e.g. requires no building permits or inspection). This work was calculated with the assistance of local government planning and geoinformational staff.



Regional Planning Highlights

Section 475 of the Local Government Act requires that local governments refer draft bylaws and amendment bylaws to the Commission when they might affect agricultural land. Each year, the ALC reviews hundreds of referrals affecting the ALR and adjacent areas. These include, but are not limited to, Official Community Plans (OCPs), Neighbourhood Plans, Zoning Bylaws, Agricultural Area Plans, Transportation Plans, and Parks and Open Space Plans. There were two large OCPs commented on by the Commission in 2020/2021:

Village of Midway's Official Community Plan (Planning Review File 46703)

In August 2020, the Commission reviewed the Village of Midway's Official Community Plan. The OCP affects 748.6 ha of the ALR, of which approximately 40.5 ha of ALR was proposed to be designated for non-agricultural uses and excluded from the ALR. The 40.5 ha proposal area included lands in the already developed downtown core, scattered existing light industrial uses and residential enclaves, and unspecified economic development areas. In review of the OCP, the Commission confirmed the existing and historic non-farm use of the downtown core and endorsed the non-agricultural designation and future exclusion of 15.9 ha. The areas of existing light industrial uses and residential enclaves had either previously received non-farm use approval from the Commission or their uses pre-dated the ALR. The Commission did not endorse the exclusion of the existing non-farm uses (10.4 ha) on the basis that if these lands were excluded their current uses could change or intensify, to the detriment of adjacent and surrounding agricultural lands. The Commission did not endorse the 14.4 ha of undeveloped lands for exclusion for unspecified economic development because the lands had good agricultural capability, and could be utilized for agriculture, consistent with the ALC's mandate to preserve farmland and encourage farming.

Steamboat-Jubilee Official Community Plan (Planning Review File 46751)

In December 2020, the Commission reviewed the Regional District of East Kootenay's Electoral Area "G" Steamboat-Jubilee Mountain Official Community Plan. The OCP affects approximately 22,707 ha of ALR and contained policies that generally support the protection of the agricultural land base and directed future development into established settlement areas. Within five of these settlement areas, (Dry Gulch and Radium Resort, Edgewater, Spillimacheen, Wilmer and Spur Valley) the OCP identified 770.2 ha of ALR, comprising ~216 properties, for future settlement and exclusion from the ALR. In the Commission's review of the OCP, it supported the future exclusion of 191 properties, totaling 218.4 ha, including some partial properties and rights-of-way in the identified settlement areas. The rationale for the exclusion included historic subdivision patterns that pre-dated the ALR and previous approvals for residential use. The Commission did not support the policies supporting future exclusion of 25 properties, totaling 527.8 ha due to their good agricultural capability.

Policy and Information Bulletins

The ALC's policies and information bulletins provide clarification and interpretation of the ALC Act and its regulations, as well as provide guidance on courses of action consistently taken or adopted by the Commission. All ALC policies and information bulletins are available on the ALC's [Policies & Bulletins](#) page of the website.

The ALC issued two policies: *ALC Policy L-26 Non-Adhering Residential Use Applications* in April 2020 which outlines general guidelines for the ALC's considerations of non-adhering residential use applications, and *ALC Policy P-11 Expert Opinion*, in October 2020, which is intended to provide guidance on what is expected of an expert whose opinion is submitted as evidence before the Commission.

Regional Seminars on Exclusion Process Changes Post Bill 15-2019

Regional Seminars

In July 2020, the ALC hosted six webinars, one in each administrative region, for local government planning staff to discuss changes to the exclusion process scheduled to take effect September 30, 2020. The regional seminars focused on how the changes would affect local governments and how they could best manage and process applications.

While the sessions were intended to be regionally based, local government staff had the ability to attend any session based on their availability.

Session Attendance

Region	ALC Staff	AGRI Staff	Local Government Staff	Number of Local Governments
Interior	5	1	8	6
Island	7	1	23	14
Kootenay	5	0	15	9
North	6	0	14	11
Okanagan	7	1	15	10
South Coast	6	1	16	12
TOTAL	-	4	91	62

ALC Engagement & Outreach

Ministerial Meetings

Minister of Energy, Mines and Low Carbon Innovation (EMLI) The ALC met with the Honorable Minister Ralston to discuss the need for a better balance between oil and gas development and agriculture in the ALR in northeastern BC and to support the work of the Joint Deputy Minister's Task Force reviewing the current situation.

Minister of Forests, Lands, Natural Resources and Rural Development (FLNRORD) The ALC met with the Honorable Minister Conroy to discuss the extent of Crown ALR (Crown ALR makes up 54% of the total ALR land base), its importance for agriculture in BC, the need for increased utilization of Crown ALR for agriculture, and challenges with tenure and land use authorizations in Crown ALR.

Minister of State for Lands and Natural Resource Operations: The ALC made a submission about the importance of Crown ALR to agriculture in BC, to the Minister of State responsible for assessing whether land use objectives that support economic activity, environmental sustainability, and reconciliation with Indigenous Peoples can be more effectively achieved through restructuring of the Ministry of FLNRORD.

Working Groups

FLNRORD Land and Resource Management Plan (LRMP) Update: The ALC is participating in the update to the Fort St. John LRMP that will provide a set of strategic policies and objectives for the long-term management of provincial public lands and resources in and around the Fort St. John area to provide long-term land management direction and increased certainty for all land users. There is approximately 149,151 hectares of ALR in the LRMP area.

Crown Trails Working Group: The ALC and FLNRORD's Recreation Sites and Trails of BC (RSTBC) Division staff have a joint working group to help improve communication between the two agencies, discuss recreation impacts on agriculture in Crown ALR, and discuss ways to improve the process for recreational trail applications to the ALC, with the ultimate goal of creating a Memorandum of Understanding.

ALC/Ministry of Transportation (MOTI) Working Group on Infrastructure Applications: The ALC and MOTI established a joint working group to help improve communication and understanding of issues impacting the ALR and the application process.

BC Hydro Working Group: Given the issues and challenges with overlapping legislation (ALC Act and BC Hydro Authority Act), ALC and BC Hydro staff established a joint working group to help improve communication and understanding of issues impacting the ALR and the application process, and discuss ways the two agencies can engage more effectively in advance of applications to help improve the process.

LTSA Working Group: ALC and Land Titles Survey Association established a working group to identify ways to improve the current process for the registration of documents and notices on title.

Ducks Unlimited Canada (DUCs): ALC and DUCs staff have been meeting to discuss the impacts of new legislation on DUCs operations and are working to develop processes to help address/navigate the issues within the legislative framework available to the Commission.

Filming in the ALR Working Group: The ALC has been working collaboratively with Creative BC (BC's Film Commission) to develop a streamlined process for the consideration of non-farm use applications for temporary filming in the ALR.

Meetings and Presentations

- Chilliwack Agricultural and Rural Advisory Committee
- BC Land Surveyor's Conference
- Comox Valley Regional District Chair and Chief Administrative Officer Forum
- The Inter-Ministry Invasive Species Working Group (IMISWG)
- Fraser Valley Agri-tourism Strategy Meeting
- BC Agriculture Council (BCAC)
- Maple Ridge Agricultural Advisory Committee
- Regional District of Central Okanagan Planning Lab ALR Exclusion Process
- University of Fraser Valley
- Qathet Regional District Agricultural Advisory Committee
- UBC Land and Food Systems Program
- Salmon Arm Agricultural Advisory Committee
- Ministry of Forest, Lands, Natural Resource Operations and Rural Development (FLNRORD) District Managers meeting
- Ministry of Forest, Lands, Natural Resource Operations and Rural Development (FLNRORD) Directors of Authorization meeting
- Metro Vancouver Industrial Lands Task Force
- Simon Fraser University Resource and Environment Management Program
- Union of BC Municipalities (UBCM) 2020 Convention Meetings

Judicial Review



Judicial Review

The legislation does not provide for appeals of tribunal decisions. Instead, a party may apply for judicial review in BC Supreme Court. A judicial review is not a re-trial or a rehearing of an application. In this type of review, a sitting Supreme Court judge will review a decision that has been made by an administrative tribunal or an administrative decision maker. The judge does not focus on whether they would have made a different decision than that of the original decision maker. Instead, the judge focuses on determining whether the decision maker's decision was, in all the circumstances, reasonable, or whether the applicant was afforded procedural fairness. In fiscal year 2020/2021, BC courts issued three judgments related to the Agricultural Land Commission. A summary of the courts' findings is provided below.

Whitehead v. British Columbia (Agricultural Land Commission), 2021 BCSC 31

This judicial review proceeding was commenced in BC Supreme Court in November 2018 challenging a refusal of a subdivision application which was combined with an offer to apply for inclusion in the ALR of land on an adjacent parcel. The matter was set down multiple times but was finally heard on October 8, 2020. The court released its decision in January 2021, finding in favour of the ALC. Madam Justice Wilkinson found that the ALC was not bound to grant permission for the proposed subdivision on the basis of the inclusion proposal, and that the ALC's decision overall was reasonable.

R.N.L. Investments Ltd. v. Provincial Agricultural Land Commission, 2019 BCSC 1191, affirmed 2021 BCCA 67

The owner of a Surrey golf property applied to exclude the property from the ALR for development. A judicial review was commenced in BC Supreme Court in November 2018 challenging the ALC's decision, on reconsideration, to deny the application for exclusion. After a February 2019 hearing, the BC Supreme Court decided the matter in the ALC's favour. The petitioner appealed to the BC Court of Appeal and a hearing was held in that court in March 2020. The Court of Appeal released its decision in February 2021, finding in favour of the ALC. Madam Justice Dickson, writing for the Court of Appeal, found that the Chair is not required to give reasons for ordering a s. 33.1 reconsideration, and further that there was no requirement for a site visit or oral hearing in the circumstances of this case.

Sanstor Farms Ltd. v. Provincial Agricultural Land Commission, 2019 BCSC 1191

The ALC refused permission for an owner to engage in a non-farm use, specifically the operation of a sand depot, on a property in Richmond. A judicial review proceeding was commenced in BC Supreme Court in December 2019 challenging a Chair referral under s. 33.1 of the Agricultural Land Commission Act and a later refusal by the Executive Committee to reconsider, under s. 33, a decision unfavourable to the petitioner. This proceeding was heard on September 22, 2020. As the petition raised an issue that was before the Court of Appeal in R.N.L. Investments, the judge in Sanstor waited for a decision in R.N.L. Investments before ruling in this matter. On March 16, 2021, after the R.N.L. Investments decision was issued, Mr. Justice Myers ruled in favour of the ALC on both grounds. He found that the ruling in R.N.L. Investments disposed of the challenge to the Chair referral and that the Executive Committee's refusal to reconsider was reasonable as the applicant bore the burden of demonstrating that the grounds for a s. 33 reconsideration were made out and the applicant had not demonstrated that the evidence it relied on was not available at the time of the original decision.

Compliance & Enforcement

Compliance and Enforcement Program

Escalating population growth in BC has increased the pressure for other uses on BC’s agricultural land base which has led to an increase, year over year, in the number of reports of non-compliant activities in the ALR. The ALC’s Compliance and Enforcement (C&E) Program was brought into effect in 2007 out of concern that damage from activities not permitted in the ALR would continue to occur unless further protective measures were taken. The C&E program’s main purpose is to strengthen delivery of the ALC’s legislative mandate to ensure that activities taking place within the ALR are consistent with the ALC Act and its regulations. This is achieved by using a combination of education, compliance assessment, and enforcement.

Officials designated under the ALC Act have legislated authority to enforce provisions of the ALC Act on ALR lands for the purposes of administering the ALC Act. Their authority includes entering and inspecting land, requesting records, and issuing orders to stop work that contravenes (or has potential to contravene) provisions of the ALC Act, its regulations, or orders of the commission.

The ALC C&E Program currently consists of six officers (two of those positions were vacant for the majority of 2020-2021), one Intake Advisor and one Supervisor/Officer. At full complement, a total of seven Officers are responsible for the province-wide program. The C&E Officer’s key functions include:

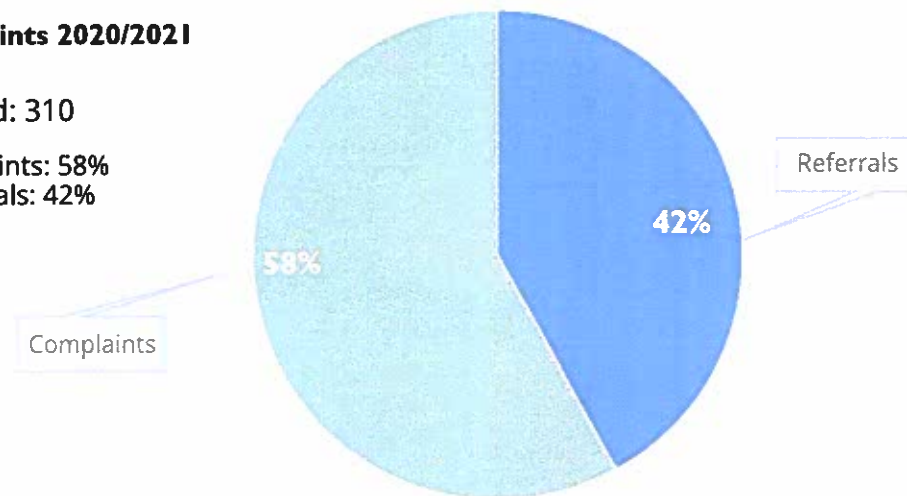
- Responding to reports of alleged ALC contraventions on private or public ALR land, for residential, commercial or industrial-based activity;
- Conducting inspections;
- Seeking voluntary compliance when contraventions are found and taking enforcement actions when needed; and
- Developing and maintaining partnerships with municipalities and regional districts & other Provincial agency staff on collaborative enforcement.

New Complaints 2020/2021

Total received: 310

Public Complaints: 58%

Agency Referrals: 42%



Compliance & Enforcement Workload

As of April 1, 2020, there were 477 active C&E files (e.g. non-resolved complaints and referrals) carried forward from the previous fiscal year. The C&E team closed 200 files (e.g. compliance gained) during the 2020/2021 fiscal year, which is a decrease of 18% over the previous fiscal. There were 587 active files at the end of this fiscal, which is an increase of 23% over the previous fiscal. Property inspections and enforcement actions were down from the previous year due to officer vacancies (two positions were held vacant for most of the fiscal due to budget constraints), Provincial Health Orders on travel restrictions, and the dedication of ALC staff resources to temporary foreign worker housing inspections for compliance with COVID-19 Provincial Health Orders for four months.

Enforcement actions taken by the ALC C&E Program are publicly posted in the Natural Resources Compliance & Enforcement Database <https://nrcecd.gov.bc.ca/>

C&E Statistics

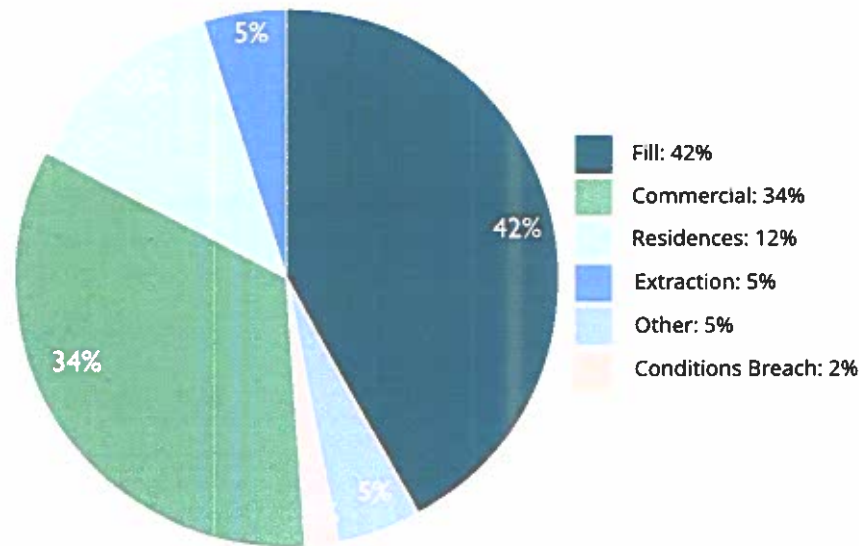
C&E Activity	2020/2021	2019/2020	Percent Change from Previous Fiscal
Active Files at Beginning of Year (April 1) ¹	477	340	+40%
Incoming Complaints/Referrals	310	381	-19%
Files Closed	200	245	-18%
Active Files at End of Year (March 31)	587	477	+23%
Property Inspections	194	310	-37%
Compliance Actions ²	234	239	-2%
Enforcement Actions - Orders Issued ³	17	30	-43%

¹ Number of active files at the beginning of the fiscal; includes files from the previous fiscal years.

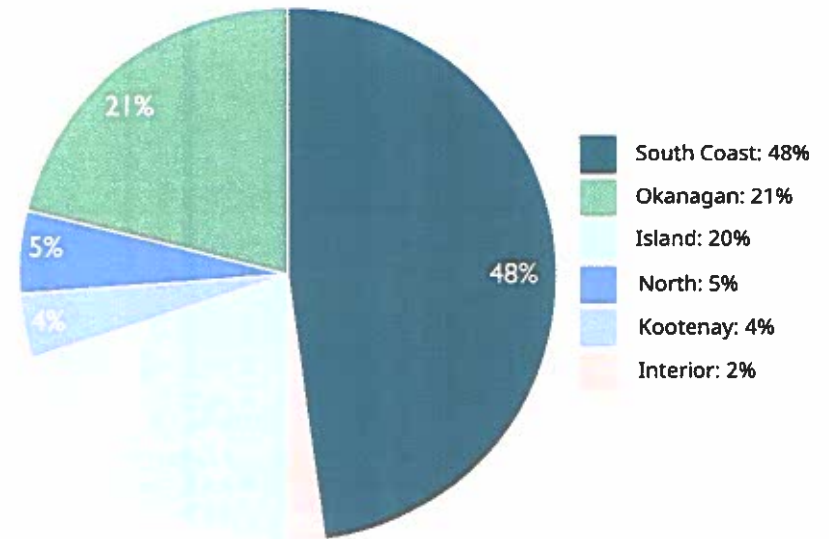
² Compliance actions include compliance notices and notices of contravention.

³ Orders include stop-work orders, remediation orders and penalty orders.

C&E Files by Type



C&E Files by Region



Total 2020-2021 Active Files = 787

Appeals under s. 55 of the ALC Act

A person who is the subject of a determination, decision, order or penalty by an ALC official under s. 50, 52 and 54 of the ALC Act may appeal to the board of the Commission. The ALC Rules of Practice and Procedure for Appeals under s. 55 of the ALC Act, provides further guidance with regard to appeals. On an appeal, the Commission may confirm, reverse or vary the determination, decision, order or penalty, or refer the matter back to the official with or without direction. In 2020-2021, two appeal hearings were held. A summary of appeal outcomes for the current fiscal is provided below and details of appeal decisions are available on the ALC website at: <https://www.alc.gov.bc.ca/alc/content/alc-act-alr-regulation/compliance-and-enforcement>.

Outcome of Appeal	Number
Confirmed	2
Reversed	0
Decision Pending	1
Withdrawn	1
Total	4



Financial Report



2020/2021 Agricultural Land Commission Financial Report

Description	2020/21 Budget	2020/21 Actual	2019/20 Budget
Salaries	2,809,000	2,816,373	2,634,000
Benefits	713,000	710,757	668,000
Commission	536,000	310,128	536,000
Staff Travel	88,000	3,571	88,000
Prof Services - Contracts	30,000	12,703	30,000
Legal Contracts	413,000	333,141	413,000
IT expenses	137,000	203,558	137,000
Office Supplies & Business Expenses	60,000	15,380	60,000
Statutory Advertising & Publications	0	0	0
Materials & Supplies	5,000	11,560	5,000
Vehicle Expenses	15,000	331	15,000
Amortization	11,000	14,534	11,000
Building Occupancy Charges	8,000	91,818	8,000
Shared Cost Arrangements	-	0	150,000
Recoveries	(1,000)	0	(1,000)
Overhead Allocation	38,000	420,000	38,000
Other Misc Revenues	0	(32,767)	0
TOTAL	\$4,826,000	\$4,911,087	\$4,792,000

Appendix



I. Cumulative GIS ALR Change - Included & Excluded April 1, 2012 - March 31, 2021

FISCAL YEAR	INCLUSIONS (ha)	EXCLUSIONS (ha)	NET CHANGE	CURRENT TOTAL ALR (ha)
April 1, 2012				4,623,289
2012/13	238	1,709	-1,471	4,621,818
2013/14	1,296	1,957	-662	4,621,156
2014/15	792	1,090	-298	4,620,858
2015/16	79	4,283 ¹	-4,204	4,616,654
2016/17	198	943 ²	-745	4,615,909
2017/18	223	2,970 ³	-2,747	4,613,162
2018/19	65	212	-147	4,613,015
2019/20	127	238	-111	4,612,904
2020/21	103	137	-34	4,612,870
Total	3,121	13,539	-10,419	

Cumulative GIS ALR Change Notations

All figures calculated using GIS data are based on final completion date for the boundary change. These figures reflect application and non-application related ALR boundary changes. Application changes resulting from the completion of conditions of approval and non-application related boundary changes resulting from changes made by the Provincial government via legislation or regulation, cadastre changes and other associated amendments to the ALR boundary that are not tracked due to their nature and frequency.

Non-Application Related Boundary Changes of Note

¹In April 2015, Order in Council 148 'permanently' excluded 2,775 hectares and 'temporarily' excluded an additional 941 hectares of land from the ALR for Site C Dam. The total area excluded from the ALR is 3,716 hectares. The excluded area is reflected in the GIS ALR Change table statistics for 2015/16 but is not recorded as a decision of the ALC Region or the Commission.

²In accordance with paragraph 30 of the Lands Chapter of the Tla'amin Final Agreement and s. 9 of the Tla'amin Final Agreement Act, 835.8 hectares of land was excluded from the ALR effective April 5, 2016. The excluded area is reflected in the Cumulative GIS ALR Change table statistics for 2015/16 but is not recorded as a decision of the ALC Region or the Commission.

³In October 2017, the ALC completed the East Kootenay ALR Boundary Review Project that excluded 2875.6 hectares from the ALR; 1284.8 ha was excluded from Electoral Area B and 1590.8 ha was excluded from Electoral Area E. The excluded area is reflected in the GIS ALR Change table statistics for 2017/2018.

Archived ALC Cumulative Statistics Table 1974 – March 31, 2012

Please see the following page for ALC cumulative inclusion and exclusion statistics by calendar year.



CALENDAR YEAR	INCLUSIONS	EXCLUSIONS	NET FIGURE	CURRENT ALR area
AT DESIGNATION				4,717,519
1974	0	628	-628	4,716,891
1975	2,561	3,193	-632	4,716,259
1976	517	2,365	-1,848	4,714,411
1977	4,300	18,924	-14,624	4,699,787
1978	19,141	10,524	8,617	4,708,403
1979	3,252	9,758	-6,507	4,701,897
1980	242	6,131	-5,889	4,696,008
1981	1,275	16,474	-15,199	4,680,809
1982	3,634	6,212	-2,578	4,678,231
1983	6,233	4,228	2,005	4,680,235
1984	7,545	5,047	2,498	4,682,733
1985	19,440	9,229	10,211	4,692,944
1986	1,807	4,662	-2,855	4,690,089
1987	5,152	2,868	2,283	4,692,373
1988	6,714	1,238	5,476	4,697,848
1989	947	1,180	-233	4,697,615
1990	10,680	2,195	8,485	4,706,100
1991	768	2,075	-1,306	4,704,794
1992	3	1,081	-1,078	4,703,716
1993	5,843	823	5,020	4,708,736
1994	2,877	1,642	1,235	4,709,971
1995	1,095	1,171	-75	4,709,896
1996	1,868	1,574	294	4,710,190
1997	869	5,252	-4,383	4,705,808
1998	678	2,861	-2,184	4,703,624
1999	1,961	1,864	97	4,703,721
2000	23,204	5,797	17,407	4,721,127
2001	973	553	420	4,721,548
2002	41,792	1,530	40,262	4,761,809
2003	428	746	-318	4,761,491
2004	1,559	1,497	62	4,761,553
2005	1,670	2,241	-572	4,760,981
2006	977	531	446	4,761,428
2007	1,263	1,628	-365	4,761,063
2008	801	1,457	-655	4,760,408
2009	1,385	2,172	-787	4,759,620
2010	658	555	103	4,759,723
2011	682	632	50	4,759,773
March 31, 2012	16	6	10	4,759,783

**2. ALR Included
and Excluded by
Calendar Year
(Database)**

1974 – March 31, 2012

1. All figures between 1974 and 2008 include both final decided and conditionally approved decisions.
2. Figures from 2009 forward include only final approved and completed conditions decisions.
3. ALR area at designation is based on manual mapping method (dot Matrix or electronic planimeter 1974).

Photo and icon credits

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REGIONAL DISTRICT OF BULKLEY-NECHAKO
STAFF REPORT

TO: Chair Thiessen and Board of Directors
FROM: Darrell Hill, Bylaw Enforcement Officer
DATE: September 23, 2021
SUBJECT: RDBN Bylaw Ticketing System

RECOMMENDATIONS

1. That the Board direct staff to prepare bylaws, policies, and agreements for the implementation of the BDA system provided for in *the Local Government Bylaw Notice Enforcement Act*, for the Board's consideration.
2. That the Board direct staff to work with the Court Services Branch of the Ministry of Attorney General to request the Lieutenant Governor in Council of the Province of British Columbia enact a Regulation under section 29 of the *Local Government Bylaw Notice Enforcement Act*, applying the Act to the RDBN.

VOTING

All / Directors / Majority

EXECUTIVE SUMMARY

At the May 27, 2021, RDBN Board meeting the Board passed the following resolution:

"That the Board direct staff to work with member municipalities to explore interest in establishing a Bylaw Dispute Adjudication (BDA) system, and report back to the RDBN Board with an implementation strategy and budget implication."

Staff have consulted with the RDBN's member municipalities and confirmed that several are interested in implementing their own BDA system and becoming a member of a Regional Registry administered by the RDBN.

BACKGROUND

In 2003, the Province adopted the *Local Government Bylaw Notice Enforcement Act*, creating a framework for a streamlined non-judicial system for local governments to deal with bylaw ticket disputes. The Act was developed to create a simple, fair, and cost-effective system for dealing with minor bylaw infractions.

The *Local Government Bylaw Notice Act*, and the authority it provides to establish an adjudication system, applies to both municipalities and regional districts by regulation. Currently more than 100 jurisdictions in BC are using the system.

The BDA system improves local government bylaw enforcement by providing an accessible venue for determining simple bylaw contraventions. It also reduces the demands on the court system, is less expensive to administer than the court process, and there is a better balance between the amount of the penalty imposed (limited by regulation to a maximum of \$500) and the cost of pursuing the bylaw contravention in court. Having this BDA system in place will not remove the RDBNs ability to pursue more serious bylaw matters through injunctive relief or higher fines from the courts where deemed appropriate by the Board.

Bylaw Notices (tickets) issued under this system do not require personal service. Unless the Bylaw Notice is delivered in person, it is presumed to have been received, and allowances are made if the person claims not to have received it. Once the Bylaw Notice is received or presumed to be received, it becomes legally effective, and the recipient has a fixed period of time in which to take action. The person may pay the fine or notify the local government that they wish to dispute the allegation. If the person does neither, the amount will be due and owing.

SCREENING OFFICERS

Screening officers are one of the unique features of a BDA system and are meant to help reduce the number of Bylaw Notices forwarded to adjudication. A screening officer does not need to be a bylaw officer (can not be the bylaw officer who wrote the Bylaw Notice) but they should have some familiarity with the bylaws and be available to respond to Bylaw Notice recipients in a timely manner. It is anticipated that each jurisdiction would appoint their own screening officer.

A screening officer may conduct their review based on discussion or correspondence with the disputant and will typically explain the process and potential consequences of dispute adjudication. The screening officer has the authority to cancel a Bylaw Notice if they believe that the infraction did not occur, or that required information is missing from the Notice.

With compliance always being the goal, the Board may also authorize the screening officer to enter into compliance agreements with a person who has received a Bylaw Notice. A compliance agreement will include acknowledgment of the bylaw contravention and may set out remedies or conditions on actions to be taken within a designated period of time, and potentially with a reduction or waiving of the fine at the conclusion of the allotted time.

If the screening officer determines that cancellation or a compliance agreement are not possible and the person still wishes to dispute the allegation, the disputant must confirm this and indicate if they plan to appear at the adjudication hearing in person, in writing or by telephone. The disputant is then advised of the date and time of the next adjudication session.

ADJUDICATORS

Adjudicators are another unique feature of the BDA system. Adjudicators are chosen on a rotating basis from a list established by the Ministry of Attorney General. While the adjudicator is paid by the local government, having them selected by the Province ensure greater objectivity and system credibility. Local Governments decide how many adjudication hearings to hold in a year and set the schedule themselves. All adjudication hearings must be open and accessible to the public.

At the adjudication hearing the adjudicator hears from both the disputant and the local government to decide whether they are satisfied that the contravention occurred as alleged. When considering the matter, the adjudicator can review documents submitted by either party or hear from the parties or witnesses in person, or over the telephone. The function of the adjudicator is strictly to confirm or cancel the Bylaw Notice. The adjudicator has no discretion to reduce or waive the fine amount or jurisdiction to deal with challenges to the bylaw or other legal issues. The standard of proof at adjudication is based on a balance of probabilities (civil as opposed to criminal scale).

MUNICIPAL COOPERATION

Local governments are responsible for the costs of setting up and administering the BDA system within their jurisdiction. The Act allows local governments to jointly administer a BDA system over multiple jurisdictions allowing for combined adjudication hearings. If implemented within the RDBN, the RDBN would have the option of creating an adjudication registry system that would act as the 'host local government', sharing the administration and overhead costs of Bylaw Notice dispute adjudication.

The municipalities of the regional district were sent a copy of the previous report to the Board, from May 27, 2021, and were invited to an information session. The information session revealed broad support for the RDBN to implement a Regional Registry for adjudications and

administer the adjudication process from Burns Lake. The Town of Smithers, the District of Houston, Village of Burns Lake, Village of Fraser Lake and the District of Vanderhoof have expressed an interest in exploring the option of adopting their own BDA bylaw and then joining a Regional Registry. It is expected that other municipalities may choose to participate in the Regional Registry in the future.

FINANCIAL IMPLICATIONS

Adjudicators are scheduled for either a half day (~\$175) or full day (~\$350) hearing. Other costs associated with the adjudication system are the screening officers time, the provision of a public venue for the adjudication, staff time administering the adjudication process, and security. The hiring of a part time adjudications clerk may be necessary depending on workload. The *Local Government Bylaw Notice Enforcement Act* allows for a \$25.00 surcharge, on top of the regular fine amount, to be applied to all Bylaw Notices upheld by the adjudicator to help offset the costs associated with the process.

At this time staff anticipates requiring 1 adjudication hearing a year to handle any disputes related to Bylaw Notices potentially issued by RDBN staff. If the RDBN implemented a Regional Registry and had multiple member municipalities sending disputes in for adjudication, we would need to assess the need for adding additional adjudication dates.

Setting up and running a BDA system Regional Registry would not add any additional costs to the RDBN as all member municipalities would cover any associated cost of their participation in the system. This cost sharing agreement would be established as part of the adoption of new bylaws required to implement this BDA system and would include a cost breakdown schedule.



REGIONAL DISTRICT OF BULKLEY-NECHAKO

MEMORANDUM

TO: Chairperson Thiessen and Board of Directors

FROM: Wendy Wainwright, Executive Assistant

DATE: September 23, 2021

SUBJECT: Committee Meeting Recommendations
– September 9, 2021

RECOMMENDATION: (ALL/DIRECTORS/MAJORITY)

Recommendations 1 to 5 as written.

The following are the recommendations from the September 9, 2021 Committee Meetings for the Regional Board's consideration and approval.

Committee of the Whole Meeting – September 9, 2021

Recommendation 1:

Re: Northern BC Solid Waste Management Forum – October 12 & 13, 2021 (Virtual)

“That the Rural Directors be authorized to attend the Virtual Northern BC Solid Waste Management Forum on October 12 & 13, 2021.”

Recommendation 2:

Re: Coast Waste Management Association 2021 Conference

“That Director Fisher be authorized to attend the Coast Waste Management Association 2021 Conference to be held October 20-22, 2021 in Victoria, B.C.”

Recommendation 3:

Re: National Day for Truth and Reconciliation

“That the Board approve the amended Statutory and Legal Holidays Policy.”

Rural/Agriculture Committee – September 9, 2021

Recommendation 4:

Re: Veterinary Shortages in the RDBN

“That the Board write letters to the Ministers of Advanced Education and Agriculture, Food and Fisheries in support of the request made to the Province by the Canadian Veterinary Medical Association (CVMA) – Society of BC Veterinarians (SBCV) Chapter to make veterinary training a funding priority and increase the number of seats available to BC students at the Western College of Veterinary Medicine.”

Rural/Agriculture Committee – September 9, 2021 (CONT'D)

Recommendation 5:

Re: COVID-19 Relief Funds – Remaining Allocation

“That the Board approve \$12,740.89 of the COVID-19 Relief Funds to the Community Group Allocations:

- Lake Kathlyn Protection Society – COVID – related contract work
- \$8,430.61
- Colleymount Recreation Society – Insurance, Hydro, Propane
- \$2,710.28
- Arocha (Houston Hatchery) – Outdoor Meeting Space - \$1,600.00.”

**REGIONAL DISTRICT OF BULKLEY-NECHAKO****MEMORANDUM**

TO: Chair Thiessen and Board of Directors

FROM: Cheryl Anderson, Director of Corporate Services

DATE: September 23, 2021

SUBJECT: Code of Conduct

RECOMMENDATION: (all/directors/majority)

That the Board adopt the Regional District of Bulkley-Nechako Code of Conduct.

BACKGROUND

At the August 12, 2021 Board Meeting, the Board reviewed a draft Code of Conduct. Direction was provided to remove the first sentence of Section 5.1 which is reflected in the attached document.

In addition, the draft included a section on gifts. Due to the complexity of this topic and given that provision for gifts is included in the *Community Charter*, this section has also been removed.

The final change that was made was to adapt the Code of Conduct to apply to staff as well as the Board of Directors. This change has been made throughout the document.

Attachment:
Draft Regional District of Bulkley-Nechako Code of Conduct



ADOPTED:

REGIONAL DISTRICT OF BULKLEY-NECHAKO BOARD OF DIRECTORS CODE OF CONDUCT POLICY

PURPOSE

To set out shared expectations for conduct and behaviour for how Board members and staff shall conduct themselves while carrying out their responsibilities and in the Board's work as a collective decision-making body for the region.

1. KEY VALUES

- i. ***Integrity*** – Board members and staff are keepers of the public trust and must uphold the highest standards of ethical behaviour and are expected to:
 - make decisions that benefit the community/region;
 - act lawfully and within the authorities of the Regional District;
 - be free from undue influence and not act, or appear to act, in order to gain financial or other benefits for themselves, family, friends or business interests
- ii. ***Leadership*** – Board members and staff must demonstrate and promote the key principles of the Code of Conduct through their decisions, actions and behaviour. Their behaviour must build and inspire the public's trust and confidence in local government;
- iii. ***Responsibility*** – Board members and staff must act responsibly, within the law and within the authorities of the *Local Government Act*. They must follow the letter and spirit of policies and procedures, and exercise all conferred power strictly for the purpose for which the powers have been conferred;
- iv. ***Respect*** – Board members and staff must conduct public business efficiently, with decorum and with proper attention to the Regional District's diversity. They must treat each other and others with respect at all times. This means not using derogatory language towards others, respecting the rights of other people, treating people with courtesy and recognizing the different roles others play in local government decision making.

2. General Conduct

- 2.1 Board members and staff must adhere to the key values and provisions of the Code of Conduct.
- 2.2 Board members and staff must comply with all applicable federal, provincial, and local laws in the performance of their public duties. These laws include, but are not limited to:
- *the Constitution Act of Canada*
 - *the Provincial Human Rights Code,*
 - *Declaration on the Rights of Indigenous Peoples Act*
 - *the Criminal Code,*
 - *the Local Government Act,*
 - *the Community Charter,*
 - laws pertaining to financial disclosures and employer responsibilities, and
 - all relevant Regional District bylaws and policies.
- 2.3 Board members and staff have an obligation to consider issues consistently and fairly;
- 2.4 Board members and staff will treat one another and the public with dignity and respect. They must also refrain from abusive conduct, intimidating or demeaning behaviour, or verbal attacks upon the character, professionalism or motives of others;
- 2.5 Board members and staff are obliged to question any request to act or make a decision that they think may be unethical or unlawful;

3. Meetings

Board members and staff shall prepare themselves for meetings, listen courteously and attentively to all discussions before the body, and focus on the business at hand. Cell phones should be turned off during meetings, however, if an urgent matter necessitates that a Director be interrupted during the meeting, the cell phone shall be kept on silent or vibrate.

Board members and staff shall not interrupt other speakers, make personal comments or comments not germane to the business of the body, or otherwise disturb a meeting. Meetings shall provide an environment for transparent and healthy debate on matters requiring deliberation by the Board.

4. Communication and Media Relations

The Regional Board Chair is the spokesperson for the Regional District on Board matters. The CAO or his/her designate is the spokesperson for the Regional District on administrative and operational matters.

Board members and staff will accurately communicate the decisions of the Board, even if they disagree with the majority decision of the Board. A Director may state that he/she voted against a decision but will refrain from making disparaging comments about other Directors or the Board's decision itself. By doing so will affirm the respect for and integrity of the decision making process of the Regional Board.

5. Use of Social Media

- 5.1 Board members and staff will use caution in reporting decision-making by way of their social media profiles and websites ensuring that any material they publish is accurate, precise, and communicates the intent of the Board.
- 5.2 Board members and staff will include an "in my opinion" or similar disclaimer, either within the banner of their individual social media site(s) or separately when making follow up posts to the RDBN's social media postings and when creating original posts pertaining to RDBN related business.
- 5.3 Board members and staff will refrain from using or permitting use of their social media accounts for purposes that include generating or recirculating:
 - Defamatory remarks, obscenities, profane language or sexual content;
 - Negative statements disparaging other members of the Board;
 - Negative statements disparaging staff or calling into question the professional capabilities of staff;
 - Content that endorses, promotes, or perpetuates discrimination or mistreatment on the basis of race, religion or belief, age, gender, marital status, national origin, physical or mental disability, or sexual orientation;
 - Statements that indicate an actual attitudinal bias in relation to a matter that is to be the subject of a statutory or other public hearing;
 - Promotion of illegal activity;
 - Information that may compromise the safety or security of the public or public systems.

6. Conflict of Interest

- 6.1 Board members and staff are expected to make decisions that benefit the community/region. They are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends or business interests;
- 6.2 A conflict exists when an individual is, or could be, influenced or appear to be influenced, by a personal interest, financial (pecuniary) or otherwise, when carrying out their public duty. Personal interest can include direct or indirect pecuniary interest, bias, pre-judgement, closemindedness or undue influence;
- 6.3 Board members and staff must appropriately resolve any conflict or incompatibility between their personal interests and the impartial performance of their public or professional duties in accordance with statutory requirements. When considering whether or not a conflict of interest exists, it is important to consider whether there are any grounds for a reasonable person to think that a conflict exists;
- 6.4 Board and staff members must not use Confidential Information gained through their official position for the purpose of securing a private benefit for themselves or for any other person;

7. Interactions of Board Members and Staff

- 7.1 The Regional Board is the governing body of the Regional District of Bulkley-Nechako. It has the responsibility to govern the Regional District in accordance with the *Local Government Act*, *Community Charter*, and other relevant legislation;
- 7.2 The Regional Board of Directors must act in accordance with the Board's Procedure Bylaw and the conduct guidelines outlined in this document;
- 7.3 Board members must not direct or influence, or attempt to direct or influence any staff or advisory body member in the exercise of their duties or functions;
- 7.4 Board members are not to contact or issue instructions to any of the Regional District's contractors, tenderers, consultants or other service providers;
- 7.5 Board members must not make public statements attacking or reflecting negatively on Regional District staff or invoke staff matters for political purposes;
- 7.6 The Chief Administrative Officer is responsible for the efficient and effective operation of the Regional District organization and for ensuring the implementation of the decisions of the Board;
- 7.7 The Regional Board operates under a single employee model. That single employee is the Chief Administrative Officer (CAO). Requests for information from the Board other than over the counter inquiries must be addressed to the CAO who will refer the inquiry to the appropriate staff member to respond;
- 7.8 The Board as a whole, not individual Directors, gives direction to staff through Board resolutions. The Chief Administrative Officer directs administrative staff and

oversees the implementation of those Board resolutions. Accordingly, Directors shall not request staff to undertake work that has not been expressly authorized by the Board. Directors shall submit such requests directly to the Board or, where the Director believes the request is of a minor nature consistent with corporate policies, to the Chief Administrative Officer who shall determine if the request can be accommodated without compromising other Board-approved directives or if the request needs to be referred to the Board for consideration of resource allocation.

8. Confidential Information

- 8.1 Board members shall be aware of their responsibilities under Section 205 of the *Local Government Act* and Section 117 of Division 1 of Part 5 of the *Community Charter* and shall fulfill the requirements of the legislation;
- 8.2 Board members and staff shall not disclose or release to anyone, confidential information acquired by virtue of their office or position, in either oral or written form except when required by law or authorized by the Board to do so;
- 8.3 Board members and staff shall not disclose the substance of deliberations of an in-camera meeting until the Board approves a resolution to bring formerly confidential information to a meeting that is open to the public or releases the information to the public;
- 8.4 Confidential information includes documents and discussions regarding all matters described under Section 90 of the Community Charter affecting the business affairs of the Region as well as information provided by a third party on a confidential basis. Confidential information also includes, but is not limited to information:
 - 8.5 Disclosed or discussed at an In-Camera or Confidential Meeting of the Board;
 - 8.6 That is circulated to Directors and marked “Confidential”; or
 - 8.7 That is given verbally in confidence in preparation for or following an in-camera meeting.

9. Advocacy

- 9.1 It is recognized that Directors play a dual role of representing the interests of their respective taxpayers, while recognizing the benefits of regional collaboration and cooperation within the democratic process of decision making as a regional entity. All members of the Board shall respect the diverse interests of its citizenry and the role of Directors to balance the views of their respective jurisdictions with that of other jurisdictions. As such, a Director needs to consider all aspects of an issue including applying the Board’s Key Values prior to making decisions that support the Board’s strategic objectives. While it is not anticipated that all decisions will be unanimous, it is recognized that the

decisions of the Board will be the only position portrayed as a corporate decision;

- 9.2 When presenting their individual opinions and positions, Directors shall expressly state that the views are their own and do not represent the views of the Regional District. Directors shall not use Regional District letterhead for personal matters or to convey an opinion on any matter not specifically approved by the Board.

10. Implementation

- 10.1 The Regional District's Code of Conduct is intended to be self-enforcing. Directors and staff should view the Code as a set of guidelines that express collectively the standards of conduct expected of them. It, therefore, becomes most effective when Directors and staff are thoroughly familiar with the Code and embrace its provisions.

For this reason, the Code of Conduct will be provided to candidates for Regional District elections. Persons elected to the Regional District will be requested to sign the Director's Statement affirming they have read and understand the Regional District's Code of Conduct. The Code of Conduct will be reviewed in detail at orientation sessions for new and returning directors following each election or by-election.

11. Compliance and Enforcement

- 12.1 The Regional District's Code of Conduct expresses standards of ethical conduct expected for Board members and staff. They themselves have the primary responsibility to assure that these ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of the governance of the Regional District.

12. Review

- 13.1 This policy shall be brought forward for review at the beginning of each term and at any other time that the Board considers appropriate to ensure that it remains current and continues to accurately reflect the standards of ethical conduct expected of members.



Regional District of Bulkley-Nechako Memo

TO: Chair and Board of Directors

FROM: Cheryl Anderson, Director of Corporate Services

DATE: September 23, 2021

SUBJECT: Fort Fraser Community Hall Grant Local Establishment Amendment
Bylaw No. 1962, 2021

RECOMMENDATION (all/directors/majority)

“That “Fort Fraser Community Hall Grant Local Service Establishment Amendment Bylaw No. 1962, 2021” be given first, second and third reading this 23rd day of September, 2021.”

BACKGROUND

Under Regulation 113/2007 Regional Districts may increase the requisition limit of a bylaw by 25% over a five-year period. The Fort Fraser Community Hall Grant Local Service Establishment Bylaw requisition has not been increased since it was adopted in 1995. Director Parker has requested an increase to the requisition limit for this bylaw.

ATTACHMENT

Fort Fraser Community Hall Grant Local Service Establishment Amendment
Bylaw No. 1962, 2021

REGIONAL DISTRICT OF BULKLEY-NECHAKO**BYLAW NO. 1962****A bylaw to amend the tax limit of the Fort Fraser Community Hall Grant
Local Service**

WHEREAS the Regional District of Bulkley-Nechako has established by Bylaw No. 887, the Fort Fraser Community Hall Grant Local Service for the purpose of contributing to the Fort Fraser Community Hall Society;

AND WHEREAS the Regional Board wishes to increase the tax limit for the service from TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500) per annum to THREE THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS (\$3,125) per annum;

AND WHEREAS under Section 802(1)(b) of the *Local Government Act*, the sole participant has consented to the adoption of this bylaw.

AND WHEREAS under Regulation 113/2007, the approval of the Inspector is not required because the increase in the tax limit is not greater than 25% of the baseline amount five years previous;

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

1. Section 4 of Bylaw No. 887 is hereby repealed and replaced with the following:
4. The maximum amount that may be requisitioned for this service is THREE THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS (\$3,125) per annum;
2. This bylaw may be cited as "Fort Fraser Community Hall Grant Local Service Establishment Amendment Bylaw No. 1962, 2021."

READ A FIRST TIME this day of , 2021.

READ A SECOND TIME this day of , 2021.

READ A THIRD TIME this day of , 2021.

CONSENT OF ELECTORAL AREA "D" DIRECTOR RECEIVED this day of
, 2021

ADOPTED this day of , 2021

Chairperson

Corporate Administrator

I hereby certify that the foregoing is a true and correct copy of Bylaw No. 1962 as adopted.

Corporate Administrator



Regional District of Bulkley-Nechako Memo

TO: Chair and Board of Directors

FROM: Cheryl Anderson, Director of Corporate Services

DATE: September 23, 2021

SUBJECT: Fort Fraser Fire Protection Service Establishment
Amendment Bylaw No. 1961, 2021

RECOMMENDATION (all/directors/majority)

“That “Fort Fraser Fire Protection Service Establishment Amendment Bylaw No. 1961, 2021” be given first, second and third reading this 23rd day of September, 2021.”

BACKGROUND

Under Regulation 113/2007 Regional Districts may increase the requisition limit of a bylaw by 25% over a five-year period. The last increase to the Fort Fraser Fire Protection Service was in 2015. Director Parker has requested an increase to the requisition limit for this bylaw.

ATTACHMENT

Fort Fraser Fire Protection Service Establishment Amendment Bylaw No. 1961, 2021

REGIONAL DISTRICT OF BULKLEY-NECHAKO**BYLAW NO. 1961****A bylaw to amend the tax limit of the Fort Fraser Fire Protection Service**

WHEREAS the Regional District of Bulkley-Nechako has established by Bylaw No. 624, the “Fort Fraser Fire Protection Local Service” for the provision of fire prevention, fire suppression, first response to medical emergencies, rescue operations and response to hazardous material incidents;

AND WHEREAS the Regional Board wishes to increase the tax limit for the service from FIFTY-SIX THOUSAND TWO HUNDRED FIFTY DOLLARS (\$56,250) per annum to SEVENTY THOUSAND THREE HUNDRED TWELVE DOLLARS (\$70,312) per annum;

AND WHEREAS under Section 802(1)(b) of the *Local Government Act*, the sole participant has consented to the adoption of this bylaw.

AND WHEREAS under Regulation 113/2007, the approval of the Inspector is not required because the increase in the tax limit is not greater than 25% of the baseline amount five years previous;

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

1. Section 4 of Bylaw No. 624 is hereby repealed and replaced with the following:
 5. The maximum amount that may be requisitioned for this service is SEVENTY THOUSAND THREE HUNDRED TWELVE DOLLARS (\$70,312) per annum.
2. This bylaw may be cited as “Fort Fraser Fire Protection Service Establishment Amendment Bylaw No. 1961, 2021.”

READ A FIRST TIME this day of , 2021.

READ A SECOND TIME this day of , 2021.

READ A THIRD TIME this day of , 2021.

CONSENT OF ELECTORAL AREA "D" DIRECTOR RECEIVED this day of
, 2021

ADOPTED this day of , 2021

Chairperson

Corporate Administrator

I hereby certify that the foregoing is a true and correct copy of Bylaw No. 1961 as
adopted.

Corporate Administrator



REGIONAL DISTRICT OF BULKLEY-NECHAKO

MEMORANDUM

TO: Chair Thiessen and Board of Directors

FROM: Cheryl Anderson, Director of Corporate Services

DATE: September 23, 2021

SUBJECT: Regional Broadband Infrastructure Service Establishment

RECOMMENDATION: (all/directors/majority)

1. That “Regional Broadband Infrastructure Bylaw No. 1951, 2021” be given third reading as amended this 23rd day of September, 2021.
2. That, for the purpose of obtaining approval for the “Regional Broadband Infrastructure Bylaw No. 1951, 2021” using the Alternative Approval Process, 1,218 be used as the fair determination of 10% of the total number of eligible electors within the service area;
3. That the deadline for receiving elector responses for Bylaw No. 1951 be Monday, February 21, 2022.
4. That the attached Elector Response Form be approved as the Elector Response Form for Bylaw No. 1951.

BACKGROUND

The Board gave first and second readings to Bylaw No. 1951 on June 24, 2021. At that time, the Board also approved obtaining elector assent through the Alternative Approval Process (AAP). Following first and second reading, the bylaw was forwarded to municipalities to determine their participation in the service. The Village of Fraser Lake and the Village of Telkwa have declined participation, however, the Village of Telkwa has requested participation via an agreement similar to their agreement with the RDBN for the Parks and Trails Service. As a result, the attached bylaw has been amended to remove these municipalities.

Following third reading of the bylaw, the bylaw must be forwarded to the Ministry of Municipal Affairs for approval prior to beginning the AAP. Ministry approval typically takes 6-12 weeks.

Determination of Number of Eligible Electors

The *Community Charter* requires the Regional District to make a fair determination of the number of eligible electors of the area to which the AAP applies to form the basis of the 10% threshold. For the purpose of this AAP, data was derived from the 2016 Census as follows:

	Area A	Area B	Area C	Area D	Area E	Area F	Area G	TOTAL
Population 2016	5256	1938	1415	1472	1593	3665	903	
Under 18 years	1165	410	240	250	365	890	155	
Not Canadian Citizens	175	85	35	35	130	115	10	
Total	3916	1443	1140	1187	1098	2660	738	12,182

Total Number of Eligible Voters 12,182

10% of Eligible Voters 1,218

Alternative Approval Process Timeline

The following is a revised timeline for the AAP which will allow enough time for the service to be included in the 2022 budget should the bylaw receive elector assent.

Schedule	Action
September 24, 2021	Bylaw is forwarded to the Ministry of Municipal Affairs for approval
January 12, 2022	First publication of AAP notice
January 19, 2022	Second publication of AAP notice
February 21, 2022	Deadline for Elector Response Forms
March 2022 (date tbd)	If elector approval is received, Board adopts bylaw

REGIONAL DISTRICT OF BULKLEY-NECHAKO**BYLAW NO. 1951****A bylaw to establish a service for providing broadband infrastructure throughout the Regional District of Bulkley-Nechako**

WHEREAS Regional District may, pursuant to the *Local Government Act*, operate any service that it considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Regional Board wishes to establish a service for providing broadband and infrastructure for communities within the Regional District;

AND WHEREAS participating area approval has been obtained in accordance with the *Local Government Act*;

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

Service Established

1. There is hereby established a service to be known as the “Regional Broadband Infrastructure Service.”

Definition

2. In this bylaw, unless the context otherwise requires, “**broadband infrastructure**” means infrastructure that supports or enables access to high-speed internet and other communication or telecommunication networks.

Service Described

3. The service hereby established includes the design, development, construction, operation and maintenance of broadband infrastructure within the service area.

Boundaries

1. The boundaries of the service area are the Town of Smithers, District of Houston, District of Vanderhoof, Village of Burns Lake, District of Fort St. James, Village of Granisle, Electoral Areas A (Smithers Rural), B (Burns

Lake Rural), C (Fort St. James Rural), D (Fraser Lake Rural), E (Francois Ootsa Lake Rural), F (Vanderhoof Rural), and G (Houston Rural).

Participating Areas

2. The participating areas are the Town of Smithers, District of Houston, District of Vanderhoof, Village of Burns Lake, District of Fort St. James, Village of Granisle, Electoral Areas A (Smithers Rural), B (Burns Lake Rural), C (Fort St. James Rural), D (Fraser Lake Rural), E (Francois Ootsa Lake Rural), F (Vanderhoof Rural), and G (Houston Rural).

Cost Recovery

3. The annual cost of operating the service shall be recovered by one or more of the following methods:
 - a. Property value taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
 - b. Revenues received by way of agreement, enterprise, gift, grant or otherwise;
 - c. Revenues raised by other means authorized by the *Local Government Act* or another act.

Requisition

4. The maximum amount that may be requisitioned annually for the service is the equivalent of \$0.01 per \$1,000 of the net taxable value of land and improvements in the service area.

Apportionment

5. The cost of the Service shall be apportioned among the Participating Areas on the basis of the converted value of land and improvements in the service area.

Citation

6. This bylaw may be cited for all purposes as “Regional Broadband Infrastructure Service Establishing Bylaw No. 1951, 2021.”

READ A FIRST TIME this 24th day of June, 2021

READ A SECOND TIME this 24th day of June, 2021

READ A THIRD TIME AS AMENDED this day of , 2021

I hereby certify that the foregoing is a true and correct copy of “Regional Broadband Infrastructure Service Establishing Bylaw No. 1951, 2021” at third reading.

Corporate Administrator

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this day of
, 2021

APPROVAL OF THE ELECTORS RECEIVED ON THE DAY OF
, 2021

ADOPTED this day of , 2021.

Chairperson

Corporate Administrator

I hereby certify that the foregoing is a true copy of Bylaw No. 1951 as adopted.

Corporate Administrator



REGIONAL DISTRICT OF BULKLEY-NECHAKO

ALTERNATIVE APPROVAL PROCESS

ELECTOR RESPONSE FORM

Regional Broadband Infrastructure Service Establishment Bylaw No. 1951, 2021

Electoral Areas "A" (Smithers Rural), "B" (Burns Lake Rural), "C" (Fort St. James Rural), "D" (Fraser Lake Rural), "E" (Francois/Ootsa Lake Rural), "F" (Vanderhoof Rural), "G" (Houston Rural)

As an elector of the Regional District of Bulkley-Nechako, I am **OPPOSED** to the adoption of "Regional Broadband Infrastructure Service Establishment Bylaw No. 1951, 2021" which establishes a service within Electoral Areas A, B, C, D, E, F, and G of the Regional District of Bulkley-Nechako for the purpose of providing broadband and infrastructure for communities within the Regional District."

I CERTIFY THAT I MEET THE FOLLOWING REQUIREMENTS:

- 18 years of age or older;
- Canadian citizen;
- resident of BC for at least 6 months immediately before signing this Elector Response Form;
- resident of OR registered owner of real property in the defined portion of the Regional District of Bulkley-Nechako for at least 30 days immediately prior to signing this Elector Response Form; and
- not otherwise disqualified by law from voting.

FULL NAME OF ELECTOR:

_____ (Please Print Full Name)

ELECTOR'S RESIDENTIAL ADDRESS:

_____ (State Full Civic Address)

SIGNATURE OF ELECTOR:

DATE:

To be completed by Non-Resident Property Electors Only

I am entitled to register as a non-resident property elector as an owner of the property located at the following address:

- ❖ A person must not sign more than one elector response form in relation to the same Alternative Approval Process.
- ❖ A person may only submit one elector response form, regardless of the number of properties owned.

Unless Alternative Approval Electoral Response Forms petitioning against the adoption of this bylaw have been received from 10% (1,218) of the eligible electors within the defined boundaries of the Regional District of Bulkley-Nechako, Bylaw No. 1951 will be deemed to have received approval of the electors.

The deadline for submitting this elector response form is **4:30 p.m. on Monday, February 21, 2022.**

The address for submission by mail or in person is:

Regional District of Bulkley-Nechako
Director of Corporate Services
Box 820, 37, 3rd Avenue
Burns Lake, B.C., V0J 1E0

Postmarks WILL NOT be accepted as the date of submission, ORIGINAL SIGNATURES ARE REQUIRED, therefore the Elector Response Forms may not be returned by fax or email.

Resident Electors:

- age 18 or older;
- a Canadian citizen;
- a resident of British Columbia for at least 6 months immediately before signing this Elector Response Form;
- a resident of the defined portion of the Regional District of Bulkley-Nechako for at least 30 days before signing this Elector Response Form; and
- not disqualified by any enactment from voting in an election or otherwise disqualified by law.

Non-resident property electors:

- not entitled to register as a resident elector in the Regional District of Bulkley-Nechako;
- age 18 or older;
- a Canadian Citizen;
- a resident of British Columbia for at least 6 months immediately before signing this Elector Response Form;
- a registered owner of real property in the defined portion of the Regional District of Bulkley-Nechako for at least 30 days before signing this Elector Response Form;
- not disqualified by any enactment from voting in an election or otherwise disqualified by law.

****If there is more than one registered owner of the property, only one of those individuals, with the written consent of the majority of the owners, may register as a non-resident property elector in relation to one parcel of real property in a jurisdiction. A consent form may be obtained by contacting the Regional District of Bulkley-Nechako or at www.rdbn.bc.ca.**

****Properties registered in company/corporation names do not qualify under the *Local Government Act* to vote.**

Copies of this form may be utilized, provided that only Elector Response Forms with original signatures are submitted. Forms may also be obtained by contacting the Regional District of Bulkley-Nechako at 1-800-320-3339 or at www.rdbn.bc.ca.

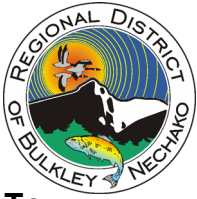
INSTRUCTIONS

OPPOSED – If you are opposed to the adoption of "Regional Broadband Infrastructure Service Establishment Bylaw No. 1951, 2021" you can sign and submit an elector response form if you qualify as elector of the participating service area. All elector response forms **must** be received in the office of the RDBN no later than the deadline of **4:30 p.m. on Monday, February 21, 2022**. If you are submitting your form by mail, be advised that postmarks will not be accepted as the date of submission.

NOT OPPOSED – If you are not opposed, you need to do nothing.

A copy of the bylaw, a staff report summarizing this initiative and elector response forms are available on the RDBN website at www.rdbn.bc.ca and at the RDBN office (37, 3rd Avenue, Burns Lake, BC) Monday to Friday from 8:30 a.m. to 4:30 p.m., excluding statutory holidays.

For further information contact: Cheryl Anderson, Director of Corporate Services or Wendy Wainwright, Executive Assistant at (250) 692-3195 or 1-800-320-3339.



Regional District of Bulkley-Nechako Board of Directors Supplemental Memorandum

To: Chair and Board of Directors
From: Nellie Davis, Manager of Regional Economic Development
Date: September 23, 2021
Subject: Grant in Aid Request – Lake Kathlyn Protection Society

RECOMMENDATION

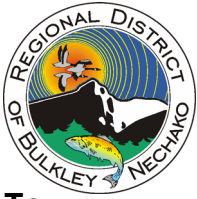
(all/directors/majority)

That the Lake Kathlyn Protection Society be given \$8,800.00 in Grant in Aid monies, from Electoral Area "A" (Smithers Rural) to support weed harvesting activities.

BACKGROUND

Due to mechanical issues with the weed harvester impacting harvesting, the Smithers Rural Residential Assessment for Lake Kathlyn was not taxed in 2021. This was a one-time initiative to reflect some concerns raised by the participants and allow time for the RDBN to meet with the Society to discuss the service.

In order to support the Lake Kathlyn Protection Society with ongoing equipment repairs and harvesting activities, Director Fisher is supportive of allocating the equivalent of 2021's parcel tax allocation via Grant in Aid.



Regional District of Bulkley-Nechako Board of Directors Supplemental Memorandum

To: Chair and Board of Directors
From: Nellie Davis, Manager of Regional Economic Development
Date: September 23, 2021
Subject: Grant in Aid Request – School District #54 – Walnut Park Totem Pole Project

RECOMMENDATION

(all/directors/majority)

That School District #54 be given \$30,000.00 in Grant in Aid monies, from Electoral Area “A” (Smithers Rural) to support a Totem Pole project at the new Walnut Park School.

BACKGROUND

Please see the attached application for further details.

Director Mark Fisher is supportive of the \$30,000.00 request.



REGIONAL DISTRICT OF BULKLEY-NECHAKO

**ELECTORAL AREA GRANT IN AID APPLICATION
COMPLETION GUIDE**

SUBMIT APPLICATIONS TO:

Regional District of Bulkley-Nechako
37-3rd Avenue
Burns Lake, B.C. V0J 1E0

**APPLICATIONS MUST BE SUBMITTED ON THE FORM
PROVIDED.**

NOTE TO APPLICANTS:

- Industrial, commercial, individuals, and business undertakings ARE NOT eligible for assistance under this program;
- Please use the attached RDBN Board policies and Application Completion instructions as a guideline and be advised that the Regional Board of the Regional District of Bulkley-Nechako reserves the right to amend the said policies from time to time as it deems appropriate;
- Please make sure that your application is clearly legible and will photocopy with good results.
- If you have any questions or require assistance, please contact the Economic Development Department of the Regional District of Bulkley-Nechako at the above address, or:

Phone: (250) 692-3195 or toll free at 1-800-320-3339
Fax: (250) 692-3305 email: economic.development@rdbn.bc.ca

**REGIONAL DISTRICT OF BULKLEY-NECHAKO
ELECTORAL AREA GRANT IN AID ASSISTANCE POLICY**

PURPOSE

To provide grants to community groups, non-profit registered societies, organizations, and Recreation Commissions, for cultural, charitable, sporting, recreational, service activities and special events for the purpose of benefiting the community.

APPLICATION

This policy shall apply to all electoral area Grant In Aid requests being considered for funding from the individual Grant In Aid budgets.

AUTHORITY

Local Government Act Sec. 263(1)(c): The Regional District may provide assistance for the purpose of benefiting the community or any aspect of the community.

Local Government Act Sec. 380(2)(g): A grant may be charged to the electoral area benefiting from the assistance.

PROCEDURE

1. Applications will be referred to the applicable Electoral Area Director to conduct a preliminary review. The RDBN has both statutory and budgetary limitations on Rural Grant in Aid and wishes to ensure that these funds are disbursed as fairly and equitably as possible. The Board delegates the authority to approve grant in aid applications of \$2,500 or less to the Chief Administrative Officer or designate in consultation with the Electoral Area Director. Applications in excess of \$2,500 will be referred to the Board.
 - a) Applications must be submitted on the form provided by the Regional District, with all supporting documentation attached. Applicants must clearly indicate the amount of assistance requested; provide evidence of how the applicant benefits the community generally and how the assistance being requested from the Regional District would benefit the community specifically; and, provide financial information sufficient to identify all other funding sources and to justify the need for financial assistance.
 - b) Applications that are not submitted on the required form will be returned to the applicant.

2. The following factors shall be used in evaluation and prioritizing the Applications for Assistance under Section 263(1)(c) of the Local Government Act.
 - a) Purpose for which the funding is required.
 - b) What funding opportunities have been considered, (ie. fundraising, grants from senior levels of government, etc.).
 - c) Benefits to the community as a whole.
 - d) Amount of grant requested.
 - e) Whether or not the applicant has previously received assistance from the Regional District of Bulkley-Nechako.
 - f) Whether or not there is an opportunity for individuals to make direct contributions.

3. If a grant in aid is approved the following will apply:
 - a) A cheque will be issued to the requesting organization. A letter documenting the grant approval will be sent under the signature of the Electoral Area Director.
 - b) If the grant exceeds \$1,000, a report must be submitted to the Regional District inclusive of satisfactory evidence that the goods or services have been obtained (ie. a report from the organization inclusive of receipts and/or a report of the expenditures).

4. The Chief Administrative Officer and/or Electoral Area Director may at the time of grant approval:
 - a) Impose additional requirements to be met by an organization prior to receipt of grant funds;
 - b) Reduce or modify the requirements to be met for an organization prior to receipt of grant funds.

5. Applications for Assistance under Section 263(1)(c) of the Local Government Act will NOT be approved for:
 - a) Purposes identified as potentially exposing the Regional District of Bulkley-Nechako to risk of unacceptable liability;
 - b) Purposes disallowed by the Local Government Act.
Section 273 – As a limitation on section 263(1)(c), a Board must not provide assistance to an industrial, commercial or business undertaking.
 - c) No grants shall be approved for individuals or for privately-owned businesses.

**REGIONAL DISTRICT OF BULKLEY-NECHAKO
ELECTORAL AREA REQUEST FOR GRANT IN AID
APPLICATION**

APPLICATION SUBMITTED BY:

Applicant Name: School District #54 - Bulkley Valley

Mailing Address: PO Box 758,
Smithers, B.C. V0J 2N0

E-mail Address: _____

Contact(s): Mike McDiarmid, (250) 877-6820

Name, Telephone/Fax Number

Name, Telephone/Fax Number

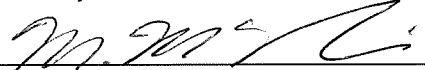
APPLICATION SUMMARY

Project or purpose for which you require assistance: _____

Walnut Park Totem Pole Projects

Amount of Grant Requested \$ 30,000

To the best of my knowledge, all of the information that is provided in this application is true and correct. Furthermore, I hereby certify that this application for assistance is NOT being made on behalf of an individual, industry, commercial or business undertaking.


(signature of authorized signatory)

Superintendent of Schools
(title)

Amount Approved: _____

Date: _____

Signature of Electoral Area Director

APPLICANT PROFILE

- 1. Please describe the services/benefits that your organization provides to the community. Are these services/benefits available to the community from another organization or agency?

School District No. 54 is in the process of building a new Walnut Park school. The land it occupies has an interesting and complicated history. The School District wishes to capture and share this history through the commissioning of a totem pole and the creation of several educational art installations. These art pieces will not only allow us to share this history of the land but also support reconciling local history with a colonial past. The District hopes to create partnerships to reconcile relationships and move forward together, side by side.

- 2. Describe the geographic area that receives services or benefits from your organization.

Walnut Park Elementary School provides education for grades K through 7 for the community of Smithers and the surrounding area.

- 3. Is your organization voluntary and non-profit? YES X NO

Please detail any remuneration paid, or funds otherwise made available to members, officers, etc. of your organization.

N/A

Please comment on the number of members/volunteers in your organization and how long your organization has been in operation.

N/A

PROJECT/PROPOSAL PROFILE

1. Assistance is being requested for:

- capital project and/or equipment
- special event
- other purpose (_____)

2. Please describe the proposal for which you are requesting assistance. If you are applying for an exemption from fees and/or charges or other consideration, please provide details or your request here. Attach additional information if required.

Please see attachment

3. Describe how this proposal will benefit the community.

Please see attachment

Funding and Financial Information

1. Attach supporting financial information, ie., budget/financial report. Ensure the following information is clearly itemized:
 - Total cost of project/proposal;
 - Grants/funding from other sources;
 - Funding contributed by applicant through funding raising activities or other sources of revenue;
 - Total expenses for the fiscal year, including any monies and/or benefits paid to members or officers.

2. Have you applied for a grant/funding from other source(s)?
 YES NO

If yes, complete the following chart. **If not**, please comment.

Name of Grant or Funding Agency	\$ Amount Applied for	Status of Grant Application		
		Approved (Y)	Denied (Y)	Pending (Y)
Town of Smithers	\$100,000.00	Y		

3. Have you received assistance (grant in aid/waiving of fees, etc.), from the Regional District of Bulkley-Nechako in previous years?

_____ YES NO **If yes, complete the following chart.**

Year:	\$ Amount	Purpose for which assistance was used

4. Does your organization:

a) Offer direct financial assistance to individuals or families? _____ YES NO

b) Duplicate services that fall within the mandate of either a senior government or a local service agency? _____ YES NO

c) Provide an opportunity for individuals to make direct contributions? YES _____ NO

OR, is your organization:

d) Part of a provincial or national fundraising campaign? _____ YES NO

Don't forget to attach the required financial report.

Walnut Park School Totem Pole

Introduction:

School District No. 54 is in the process of building a new Walnut Park school. The land it occupies has an interesting and complicated history. The School District wishes to capture and share this history through the commissioning of a totem pole and the creation of several educational art installations. These art pieces will not only allow us to share this history of the land but also support reconciling local history with a colonial past. The District hopes to create partnerships to reconcile relationships and move forward together, side by side.

Goal:

Our goal is to create a pole that shares the story of importance of education and to create learning opportunities that is specific to the lands that encompass and surround the school. We hope to create a partnership with a few of our stakeholders as the prospect of carving a 45-foot totem pole is a very costly project.

Master Carver:

Ron Austin, Chief Dziggot (dzee got), is a man of many talents. Witsuwit'en hereditary chief, drummer, singer and orator. He has been community leader for many years. His most notable mark on society is as a Master Witsuwit'en Carver who trained at the Fraser Valley College in Chilliwack in 1982 to 1986. Over the years, Ron has developed his artistic impressions on paper, canvas and become a sought-after master carver. He has carved many objects and carved many poles a few of which are in other countries around the world. Ron lives with his wife Gail in Hagwilget BC.

Our Educational Vision will have three main components:

The Witsuwit'en

The Witsuwit'en have lived in this vast and bountiful river valley for thousands of years. Witsuwit'en ancestors knew this great watershed as "Widzin Kwah" (the name refers to a body of water larger than a stream, now known as the Bulkley River). Witsuwit'en is believed to mean "the people of the lower drainage" and Dze L K'ant means "foot of the mountain" is where Smithers is located. This area has only been known as the Bulkley Valley in recent history: about 150 years. The story of this beautiful valley is much older, spanning the thousands of generations that it was inhabited by "Niwhts'ide'nī," the

Witsuwit'en ancestors. Since time immemorial, this place has been called "yin tah," Witsuwit'en territory.

Witsuwit'en people see the land as a living, breathing being filled with spirit. Animals, trees, and mountains, like humans, are interconnected and alive with physical and spiritual power; every creature is an intelligent being to be learned from. The Witsuwit'en created harmonious relationships with the natural world based on respect and understanding: they belong to the land and have a duty to protect it. The yin tah is in the memory of the Witsuwit'en: their ancestors are forever present, watching over the new generation of Witsuwit'en peoples.

Witsuwit'en people sustain themselves from the land. Their wisdom of the land was gathered from thousands of years of observation and experience. This traditional ecological knowledge is deeply rooted in respect and expressed in stories and rituals. Witsuwit'en c'idede, or teaching stories, focus on respectful relationships with animals and the spirit world. Witsuwit'en agreements with all creation are considered law. These laws include responsibilities kept by clans and house systems. This is reflected in how they harvest, dispose waste, use the territory, and how they speak about and treat creatures. Today, this knowledge is still used to maintain the delicate balance between the human and animal worlds, to ensure that all would survive and prosper for generations to come.

The Story of Indian Town:

To honour and nurture reconciliation and relationships, the community is encouraged to recognize the contributions, as well as the challenges, of the history and inhabitants of this land, including Indigenous Peoples and settlers. In this recognition, the community can engage in ongoing learning and continuous action that cultivates healthy relationships between community members, as well as with the land, animals, plants, and the ancestors.

The totem pole resides on land with a complicated history. The site once accommodated many Witsuwit'en families, which became known as the community of "Indian Town", from the 1920s to the 1970s. Indian Town residents established their homes along the former Fifth Avenue of early Smithers; today, this area is a frontage road that runs along Highway 16 – specifically between the Sandman Inn and the Aspen Inn.

In the 1930s, a number of Witsuwit'en residents participated in a tax revolt, fighting for the right for their children to attend public school along with the children of other Smithers tax payers. This movement came after the daughter of Witsuwit'en leader Jack Joseph died in a residential school. However, the Indigenous children were refused entrance to public schools. In response, most Witsuwit'en peoples in Indian Town refused to pay their taxes. As a result, the municipality took away the deeds to their homes, and the residents were not provided with services other town residents received, such as electricity and water lines. Indian Town residents were treated like squatters. Eventually, the residents of Indian Town were forced to leave their homes and relocate. All the homes in Indian town burned to the ground due to no water.

The displacement and removal of the Witsuwit'en people from their homes in the town of Smithers is part of the larger colonial history of the Bulkley Valley. Knowing and understanding this history is the first of many steps toward reconciling relationships within Smithers, Witsuwit'en territory, and Canada.

Totem Pole:

A description of the story, meaning and themes that make up the pole. i.e. The image of the pole will have a bear that represents the territory that the pole sits on. The bear will have two faces: bear and wolf. On the back of the wolf-bear, there will be a walnut open with a child climbing out of its center. The child will grow and change into other creatures – crests. As they grow, they will become wise until they reach their potential of an eagle. All knowing and all seeing.



School District No. 54 (BULKLEY VALLEY)

"To empower all learners to live the challenges of a diverse and changing world."

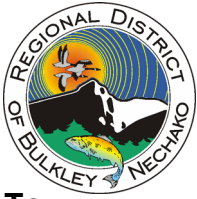
PO Box 758
 Smithers, BC
 V0J 2N0
 Ph (250) 877-6820
 Fax (250) 877-6835

June 14th, 2021

School District 54 is proposing to erect a totem pole at the entrance of the new Walnut Park Elementary School. The estimated cost of the totem project has been outlined below:

42' Totem Pole at Walnut Park Cost

Carver & apprentices fees	\$ 200,000
Foundation construction, labour materials, pole connection, power	\$ 60,000
Erecting and dismantling Totem pole Carving Shed	\$ 40,000
Log purchase, transportation, poles raising	\$ 19,000
Engineering and architecture	\$ 16,000
<u>Signage and Story Boards</u>	<u>\$ 15,000</u>
Total Cost	<u>\$ 350,000</u>



Regional District of Bulkley-Nechako Board of Directors Supplemental Memorandum

To: Chair and Board of Directors
From: Nellie Davis, Manager of Regional Economic Development
Date: September 23, 2021
Subject: COVID-19 Relief Funds

RECOMMENDATION

(all/directors/majority)

That the Board approve the following Applications for COVID-19 Relief Funds.

Background:

As per Rural Directors Committee direction, requests from community groups for support through COVID-19 Relief funds continue to be processed through the Rural Directors Committee allocation of those funds.

Community Group	Project	Amount
Area 'A' (Smithers Rural)		
Smithers Zone Canadian Ski Patrol	Insurance and Fees	\$3,949.44
Area 'B' (Burns Lake Rural)		
Decker Lake Recreation Commission	Insurance and Hydro	\$2,462,08
Area 'C' (Fort St; James Rural)		
Area 'D' (Fraser Lake Rural)		
Area 'E' (Francois/Ootsa Rural)		
Area 'F' (Vanderhoof Rural)		
Area 'G' (Houston Rural)		

The Rural Directors Committee allocation is currently \$340,019.33, which includes requests on this agenda.



Regional District of Bulkley-Nechako Board Meeting

To: Board of Directors
From: John Illes, Chief Financial Officer
Date: September 23, 2021
Subject: Amendment to the Remuneration Bylaw

Recommendation:

“That the Board give the ‘Regional District of Bulkley-Nechako Directors’ Remuneration and Expenses Bylaw Amendment No. 1960, 2021’, be given first, second and third reading this 23rd day of September 2021.”

Background:

In the September 9, 2021 Committee of the Whole meeting, the committee recommended that the current remuneration bylaw be amended with the proposed changes presented (with wording changes for section 4 (C) that has been included in this proposal) at the next Board meeting. This amendment includes updates to the per diem rate for meal expenses, extended health and dental benefits, and updated wording for Electoral Area Directors meeting expenses.

Discussion:

The main amendment to this bylaw is to provide extended health and dental benefits for Directors. Using current coverage rates from the Regional District staff, the cost estimated for this benefit is \$27,000 per year with a maximum possible cost of \$45,000 if all 15 Directors received benefits at the family with children rate. The surplus created by having virtual meetings and conferences will be used to cover the additional cost for this benefit for the remainder of 2021 and, at the discretion of the Board to move this surplus forward into 2022, will cover the costs associated with this benefit in 2022 as well.

As proposed, meal per diems have been updated with current information from Revenue Canada. In addition, a sentence has been added to allow Directors to be reimbursed actual meal costs in those rare situations that have not been contemplated by the bylaw. Some Directors have also asked for clarity when and for what type of event a lunch may be claimed (within the Regional District). The intent of the bylaw is to allow Directors to claim for a noon time meal within the Regional District when they are receiving a meeting allowance.

**REGIONAL DISTRICT OF BULKLEY-NECHAKO
BYLAW 1960**

A Bylaw for Amending Directors' Remuneration

WHEREAS, pursuant to the provisions of the *Local Government Act*, a Board may adopt procedures, conditions and amounts for Directors' remuneration and expenses;

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

1. **TITLE:**

This bylaw shall be cited as the "Regional District of Bulkley-Nechako Directors' Remuneration and Expenses Bylaw Amendment No. 1960, 2021"

2. Bylaw 1837, 2018 "A Bylaw for Directors' Remuneration" is hereby amended by:

Section 4. (C) is repealed and replaced with the following:

(C) Disputes regarding Directors' Remuneration and Expense Reports shall be forwarded to the Chair, Vice-Chair, and CAO for resolution.

Section 8. (C) is repealed and replaced with the following:

(C) Meal Expenses:

In lieu of reimbursement of actual expenses for meals and incidentals while on Regional District business, a Director may claim the following allowances:

For Meals and Incidentals within the Regional District

Full Day	Breakfast	Lunch	Dinner
\$69	\$23	\$23	\$23

For Meals and Incidentals Outside the Regional District

Full Day	Breakfast	Lunch	Dinner
\$86	\$23	\$23	\$40

A claim for meals can only be made if it has not been provided by the Regional District or as part of a convention or other event. Where meals are provided, there is no reimbursement if the Director chooses to eat elsewhere. Exceptions would include where

there are special dietary needs or the inability to take advantage of paid meals because of a timing conflict with other Regional District business. To claim meals, the following conditions must apply:

- Begin before 7 am on the date of departure to claim breakfast
- Begin before 12 pm on the date of departure (and end after 1 pm on the date of return) to claim lunch
- End after 6 pm on the date of return to claim dinner

The actual cost of any meal may be reimbursed if a receipt is provided and the CAO, Chair, or Vice-Chair determines that reimbursement is warranted.

Section 10. (B) and (C) are repealed and replaced with the following:

- (B) Electoral Area Directors will be reimbursed up to \$125 per month for home internet service upon the provision of receipts. A one-time fee of up to \$200 may be reimbursed for the installation costs associated with the provision of new or higher speed internet service.
- (C) Electoral Area Directors will be reimbursed up to \$2,000 per term for a tablet or portable laptop computer upon receipt. Municipalities will be provided 50% of the costs associated with providing their municipal Director with a tablet or portable lap top computer to a maximum of \$1,000. Electoral Area Directors will be provided technical support and business software that is determined by the Regional District's Information Officer (or similar position) as required to support their role as Director.

Section 11. (A) is repealed and replaced with the following:

- (A) Electoral Area Directors will be allocated no less than \$10,000 (to be increased by CPI annually beginning in 2023) to attend conventions and meetings related to their work as an Electoral Area Director including meetings with Elected Officials or officials of other governments including Indigenous Governments.

This amount includes costs associated with attendance at UBCM and NCLGA. This amount may be used for convention costs, travel and remuneration.

Costs will be reimbursed at the regular expense rate described in this bylaw. Remuneration rates will be either at the ½ day or full day meeting rates listed in Schedule B.

Section 7 is added to Schedule A as follows:

7) Extended Health and Dental Benefits

Extended Health and Dental Benefits will be provided to all Directors. Directors that can provide proof of other coverage can waive this benefit.

The Table for Schedule B is repealed and replaced as follows:

See the following Page:

Meeting Type	Allowance *		Notes
	Half Day < 3.5 hrs	Full Day 3.5 hrs+	
Regular Board and Committee Meetings	\$235	\$235	Travel time may be claimed (if applicable)
Other Special Board or Committee Meetings approved by Board motion	\$118	\$235	Travel time may be claimed (if applicable)
<p>For the Chair, the Vice Chair acting as Chair, Committee Chairs (acting in their role of Committee Chair) and for Electoral Area Directors:</p> <p>Attendance and travel to political conventions or similar events, for attendance at meetings between the Regional District and other levels of government including with Indigenous Governments, and for the attendance at ceremonial events.</p> <p>Attendance by virtual means is included.</p>	\$118	\$235	<p>Includes time spent travelling to these events.</p> <p>Additional travel time is not applicable.</p> <p>All costs are charged to rural government except for costs associated with travel and remuneration of the chair or committee chair are charged to general government.</p>
<p>* to be increased annually on January 1st, based on the previous year's consumer price index (yearly average for the Province of B. C. as published by Statistics Canada), for completion of his or her duties of office. In the event that there is no increase to the consumer price index, or if it were to decline, the basic remuneration rate would remain the same as in the previous year.</p>			

Certified a true and correct copy of "Regional District of Bulkley-Nechako Directors' Remuneration and Expenses Amendment Bylaw No. 1960, 2021."

Corporate Administrator

READ A FIRST TIME this day of , 2021.

READ A SECOND TIME this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CHAIRPERSON

CORPORATE ADMINISTRATOR



Regional District of Bulkley-Nechako Committee of the Whole

To: Chair Thiessen and Board of Directors
From: John Illes, Chief Financial Officer
Date: September 9, 2021
Re: 2021 Remuneration Bylaw Update

Recommendation (All/Directors/Majority):

That staff bring back a bylaw to amend Bylaw No. 1837 “A Bylaw for Directors’ Remuneration” to a future Board Meeting with the proposed updates.

Background:

At the May 13th Rural/Agriculture committee meeting, the committee reviewed the current remuneration bylaw and made recommendations to bring back proposed bylaw changes to the Committee of the Whole for discussion. These changes were further discussed at the June 10th committee meeting, and at that meeting staff received direction to bring the changes back to a future Committee of the Whole for discussion with a recommendation of including extended health and dental benefits for Directors without impacting taxation, and wording changes to clarify the directors rural travel and remuneration allowance.

In addition, at the April 23rd 2020 Board meeting, the Board made a recommendation to increase the monthly internet reimbursement fees to Rural Directors. The proposed bylaw update includes this change.

Medical and Dental Benefits

The current benefit provider, has agreed to include all elected officials as a “staff member” in terms of providing extended health and dental benefits. The estimated cost is \$3,000 per director per year. Extended health and dental benefits are a “non-taxable” benefit similar to the elected officials’ allowance that made ½ of an elected official’s remuneration tax free in the past. The rural directors requested that staff bring back ways to implement this benefit in a cost neutral manner.

The most straight forward manner to implement this change would be to reduce the director’s basic remuneration from approximately \$775 to \$525 per month. The provision of the \$250 in benefits to each director is considered a non-taxable benefit making approximately 1/3 of the directors’ basic remuneration tax free again.



Directors that would be receiving only single benefits would be given a top up of \$125 per month and directors that weren't enrolled in the benefit package because they already have coverage from another source would receive a top up of \$250 per month. These top up amounts would be taxable. All directors, both municipal and electoral area, would be automatically enrolled in the benefit plan unless they provided proof of alternate coverage.

The inclusion of the directors in the benefit package for staff has valuable intangible benefits as compared with other options of providing these benefits to directors. This includes the simplification of payroll and benefits accounting and reporting, and an overall reduction in costs per individual as the number of covered members on the benefit package will allow for further savings as the Regional District would be moved to a "larger organization" category with respect to our insurance provider.

Payments for Meeting Days

Currently the bylaw only allows for Directors to claim a per diem meeting rate for Board and Committee meetings. The bylaw currently does not allow per diem meeting rate claims for meetings with other levels of government including First Nations governments, meetings with provincial staff, or days when a director attends a function or a ceremony on behalf of the Regional District.

The proposed bylaw amendment includes both a half day claim and a full day claim option for these types of meetings and functions.

Provision of Computer Services

The scope of what is provided has increased and will include software such as Microsoft 365, Adobe Acrobat, and systems support. Currently systems support is being provided but charged to staff administration. The cost for these services is estimated to be less than \$200 per year per director and will also allow for extra computer security.

Rural Directors Travel and Remuneration Allowance

The proposed language in the bylaw is simplified and clarified. Any unused funds remain in the Rural Government Legislative budget after the end of the year to reduce taxes in the following year's budget. This proposed change will not have a taxation impact for future budgets. While not explicit in these proposed changes, the Electoral Area Directors can always pool a portion of their funds as well as transfer funds to each other by a committee motion.

Clarification of Meal Expense Claims

Many directors are claiming meal expenses for important director travel within the Regional District that are not "sanctioned events" or are "authorized" by the board.

Regional District of Bulkley-Nechako**Action List - May 2021 Board Meetings**

MOTION #	AGENDA ITEM	ACTION REQUIRED	RESPONSIBILITY	STATUS	DATE COMPLETED
2021-7-3 Special Board Meeting May 13, 2021	Financial Statements for the Year End 2020	The Chair and Chief Financial Officer be authorized to sign the statements and management representation letter.	John	Completed	
2021-7-4 Special Board Meeting May 13, 2021	Electoral Area Housing Reports Contract	Staff to enter into a contract with M'akola Development Services for the completion of Electoral Area Housing Needs Reports for each electoral Area.	Jason L	Completed	
Committee of the Whole May 13, 2021	Delegation Thank You Letters	Write a thank you letter to Gaëtane Carignan, Community Energy Manager, Community Energy Association regarding BC Energy Step Code.	Geraldine	Completed	
C.W.2021-5-3 Committee of the Whole May 13, 2021	Chinook Community Foundation NDIIT Matching Funds Application	Provide notification of the Board's support the Grant Application from the Chinook Community Society to Northern Development's Community Foundation Matching Grant program for \$30,000 with the communities to be identified with the grant application as Area "B" and Area "E".	John	Completed	
Natural Resources Committee May 13, 2021	Delegation Thank You Letters	Write a thank you letter to Hans Erasmus, RPF – Licensed Authorizations Officer – Skeena Region, Garth O'Meara, RPF – Licensed Resource Specialist & Fire Rehab Lead – Nadina Natural Resource District, Patrick Ferguson, RPF – Wildfire Risk Reduction Officer – Skeena Stikine District and Wes Bender, Wildfire Technician, Ministry of Forests, Lands, Natural Resource Operations and Rural Development regarding Wildfire Mitigation.	Geraldine	Completed	
RDC.2021-5-3 Rural/Agriculture Committee May 13, 2021	Agriculture Newsletter	Produce a subscription-based Agriculture Newsletter.	Nellie	Completed	
2021-8-14 Board Meeting May 27, 2021	2021/2022 Annual Operating Agreement with BC Transit	Enter into the 2021-2022 Annual Operating Agreement with BC Transit.	Deneve	Completed	
2021-8-15 Board Meeting May 27, 2021	Purchase of a New Tractor Truck for Eastern Waste Hauling	Purchase of a 2022 Peterbilt 367 SBFA Tandem Axle Tractor Truck for \$209,000 plus applicable taxes.	Alex	Completed	

Regional District of Bulkley-Nechako

Action List - May 2021 Board Meetings

MOTION #	AGENDA ITEM	ACTION REQUIRED	RESPONSIBILITY	STATUS	DATE COMPLETED
2021-8-17 Board Meeting May 27, 2021	Board Room Technology Upgrade	Staff to enter into a contract with PJS Systems Inc for the Board Room Technology Upgrade project.	John	Completed	
2021-8-18 Board Meeting May 27, 2021	Lakes District Arts and Culture Fund Request - Lakes District Museum Society	Write a letter and provide \$5,000 in Lakes District Arts and Culture Fund monies for a Burns Lake Centennial Book Publishing Project.	Nellie	Completed	
2021-8-19 Board Meeting May 27, 2021	BC Provincial Nominee Program Entrepreneur Immigration-Regional Pilot Extension	Provide notification of the Board's approval of continued participation in the extension of the BC Provincial Nominee Program - Entrepreneur Immigration Regional Pilot.	Nellie	Completed	
2021-8-20 Board Meeting May 27, 2021	COVID-19 Relief Funds	Write a letter to notify the following approved Applicants for COVID-19 Relief Funds: Electoral Area "A" (Smithers Rural) -Smithers Multicultural Society – Virtual Festival - \$1,250.00 -Round Lake Community Hall – Hall Insurance - \$3,014.00 -Friends of the Smithers Library – Operational - \$2,500.00 -BV Search and Rescue – Equipment Replacement - \$2,500.00 Electoral Area "B" (Burns Lake Rural) -Burns Lake Legion – Operating Expenses - \$3,045.09 Electoral Area "C" (Fort St. James Rural) -Fort St. James Curling Club – Hydro - \$6,326.16 -Stuart Lake Seniors Association – Kitchen Improvements for Sanitization - \$3,500.00 Electoral Area "D" (Fraser Lake Rural) -Fraser Lake Public Library – Meeting Expenses - \$150.00 -Fort Fraser Community Hall – Hall Insurance - \$2,920.00 Electoral Area "F" (Vanderhoof Rural) -Vanderhoof Children's Theater – Insurance and Rental - \$3,000.00.	Nellie	Completed	
2021-8-21 Board Meeting May 27, 2021	Landfill Closure Reserve	That \$350,000 be transferred from the Operational Reserves for Environmental Services to the Land Fill Closure Reserve for Environmental Services.	John	Completed	
2021-8-22 Board Meeting May 27, 2021	NDIT Application Resolution Request - Lakes District Airport Society	Provide notification to NDIT of the Board's support of the Lakes District Airport Society's application to Northern Development Initiative Trust's Economic Infrastructure Program for the Baker Airport Automated Refueling Station Project.	Jordanna/Nellie	Completed	

Regional District of Bulkley-Nechako**Action List - May 2021 Board Meetings**

MOTION #	AGENDA ITEM	ACTION REQUIRED	RESPONSIBILITY	STATUS	DATE COMPLETED
2021-8-23 Board Meeting May 27, 2021	NDIT Application Resolution Request - Fort St. James Snowmobile Club	Provide notification to NDIT of the Board's support of the Fort St. James Snowmobile Club's application for the Fort St. James Snowmobile Clubhouse Phase II Project.	Shari/Nellie	Completed	
2021-8-24 Board Meeting May 27, 2021	Federal Gas Tax - Area "A" (Smithers Rural) Smithers-Telkwa Transfer Station	Write a letter and contribute up to \$27,000 of Electoral Area "A" (Smithers Rural) Federal Gas Tax allocation monies to a Solid Waste Infrastructure Project at the Smithers-Telkwa Transfer Station; and further, that \$27,000 be withdrawn from the Federal Gas Tax Reserve Fund.	Nellie	Completed	
2021-8-25 Board Meeting May 27, 2021	Federal Gas Tax - Area "A" (Smithers Rural) Village of Telkwa - Woodland Park Rink	Write a letter and contribute up to an additional \$7,140 of Electoral Area "A" (Smithers Rural) Federal Gas Tax allocation monies to the Village of Telkwa for a Recreation Infrastructure Project at the Woodland Park Rink; and further, that up to \$7,140 be withdrawn from the Federal Gas Tax Reserve Fund.	Nellie	Completed	
2021-8-26 Board Meeting May 27, 2021	Federal Gas Tax - Area "B" (Burns Lake Rural) Lakes District Airport Society - Automated Refueling Station Project	Write a letter and contribute up to \$27,117 of Electoral Area "B" (Burns Lake Rural) Federal Gas Tax allocation monies to a Regional Airport Infrastructure Project at the Baker Airport; and further, that up to \$27,117 be withdrawn from the Federal Gas Tax Reserve Fund.	Nellie	In Progress	

Regional District of Bulkley-Nechako**Action List - June 2021 Board Meetings**

MOTION #	AGENDA ITEM	ACTION REQUIRED	RESPONSIBILITY	STATUS	DATE COMPLETED
Committee of the Whole June 10, 2021	Delegation Thank You Letters	Write a thank you letter to David Luggi, Stelat'en First Nation regarding Lejac Residential School.	Cheryl	Completed	
C.W.2021-6-4 Committee of the Whole June 10, 2021	Canada's Residential School System	Staff to bring forward to the June 24, 2021 Board Meeting Director Riis-Christianson's draft resolution in regard to Canada's residential school system for consideration.	Cheryl	Completed	24-Jun-21
BBC.2021-3-3 Connectivity Committee June 10, 2021	Regional Broadband Infrastructure Service Establishment	Provide the Regional Broadband Infrastructure Service Bylaw to municipalities for consideration..	Cheryl	Completed	24-Jun-21
Natural Resources Committee June 10, 2021	Delegation Thank You Letters	Write a thank you letter to Garth Thorough good, Executive Director, Major Projects, BC Oil and Gas Commission for an update.	Cheryl	Completed	
RDC.2021-6-8 Rural/Agriculture Committee June 10, 2021	COVID-19 Safe Re-start Grant - Additional Allocation	Defer the COVID-19 Safe Re-start Grant - Additional Allocation.	John	Completed	
2021-9-17 Board Meeting June 24, 2021	2021 Virtual UBCM Convention - RDBN Tour/Dinner	Directors Greenaway, Fisher, Newell and Parker to form a working group to bring forward a plan for an RDBN tour and/or dinner for the 2021 UBCM Convention.	Cheryl	Cancelled due to scheduling	
2021-9-18 Board Meeting June 24, 2021	2021 UBCM Minister Meeting Requests	Submit the RDBN request for meetings with Premier Horgan, Provincial Cabinet Ministers, Ministry Staff and BC Hydro at the virtual 2021 UBCM Convention as outlined in the Executive Assistant's 2021 UBCM Convention Meeting Requests –Premier/Minister/Ministry Staff & BC Hydro memorandum.	Wendy	Completed	
2021-9-20 Board Meeting June 24, 2021	Grant in Aid Request - Lakes District Family Enhancement Society	Write a letter and provide the Lakes District Family Enhancement Society \$9,668.21 in Grant in Aid monies, \$4,834.11 (50%) from Electoral Area "B" (Burns Lake Rural) and \$4,834.10 (50%) from Electoral Area "E" (Francois/Ootsa Rural) for a heat pump installation project.	Nellie	Completed	

Regional District of Bulkley-Nechako

Action List - June 2021 Board Meetings

MOTION #	AGENDA ITEM	ACTION REQUIRED	RESPONSIBILITY	STATUS	DATE COMPLETED
2021-9-21 Board Meeting June 24, 2021	COVID-19 Relief Funds	<p>Write a letter to notify the following approved Applicants for the COVID-19 Relief Funds:</p> <p>Electoral Area “A” (Smithers Rural) -Paul Lychak Community Hall – Hydro - \$2,290.57 -Glenwood Community Hall – Hydro - \$2,077.22 -Bulkley Valley Farmers' Market – COVID Health & Safety & Recovery Plan Implementation- \$2,490.00</p> <p>Electoral Area “B” (Burns Lake Rural) -Lakes District Film Appreciation Society (Beacon Theatre) – Operating Expenses (split with Area E) - \$6,654.53 -Tweedsmuir Rod and Gun Club - Insurance - \$2,980.00 -Lakes District Museum Society - Plexiglass and Touchless payment - \$1,587.66 -Lakes Literacy W.O.W Bus - Sanitizing supplies and PPE - \$200.00</p> <p>Electoral Area “C” (Fort St. James Rural) -Fort St. James Curling Club – Insurance - \$4,275.00</p> <p>Electoral Area “E” (Francois/Ootsa Lake Rural) -Lakes District Film Appreciation Society (Beacon Theatre) – Operating Expenses (split with Area E) - \$6,654.53</p> <p>Electoral Area “F” (Vanderhoof Rural) -Cluculz Lake Community Hall – Hall Insurance - \$3,979.47 -Mapes Blackwater Community Club - Hydro for Hall - \$1,949.00</p> <p>Electoral Area “G” (Houston Rural) -Topley Community Club - Hall Insurance - \$2,510.00.</p>	Nellie	Completed	
2021-9-22 Board Meeting June 24, 2021	Letter of Support - BC Wine Grape Council Grant Application	Send the Letter of Support for the BC Wine Grape Council's application to the Agricultural Climate Solutions Program for a Carbon Capture and Greenhouse Gas Reduction in Perennial Crops in British Columbia Project.	Nellie	Completed	
2021-9-24 Board Meeting June 24, 2021	2020 Statement of Financial Information	That the Chief Financial Officer and the Chair authorize the approval of the 2020 SOFI.	John	Completed	

Regional District of Bulkley-Nechako

Action List - July 2021 Board Meetings

MOTION #	AGENDA ITEM	ACTION REQUIRED	RESPONSIBILITY	STATUS	DATE COMPLETED
2021-10-10 Board Meeting July 15, 2021	Sponsorship for 2022 Regional Business Forum in Telkwa	Pre-approve \$10,000 in the 2022 Regional Economic Development Budget for payment to the Village of Telkwa for costs associated with facilitating and hosting the 2022 Regional Business Forum.	John/Nellie	In Progress	
2021-10-11 Board Meeting July 15, 2021	COVID-19 Relief Funds	Write a letter to notify the following approved Applicants for the COVID-19 Relief Funds: Electoral Area "B" (Burns Lake Rural) -The Link (COVID-19 Support Committee) - Community Support (deliveries) - \$454.05 Electoral Area "G" (Houston Rural) -Granisle and District Seniors Assoc. - Facility Insurance - \$5,500.00.	Nellie	Completed	
2021-10-12 Board Meeting July 15, 2021	Chinook Comfor Limited Appointment of Directors and AGM	Provide notification of the Board of the Regional District, a shareholder of Chinook Comfor Limited, appointment of Mr. Miles Fuller and Ms. Cindy Shelford to the Chinook Comfor Limited Board of Directors. And that the Director for Electoral Area E and Electoral Area B to be designated proxies to attend the Annual General Meetings of Chinook Comfor Limited and that the Chief Financial Officer be designated as proxy for Chinook Comfor Limited Partnership.	John	Completed	
2021-10-15 Board Meeting July 15, 2021	Letter of Support Request - Village of Telkwa for NDIT Application and Canada Revitalization Fund	Write a letter of support for the Village of Telkwa's application to Northern Development Initiative Trust and the Canada Community Revitalization Fund for the Barbeque Grounds Bleacher project.	Jordanna/Nellie	Completed	

Regional District of Bulkley-Nechako

Action List - August 2021 Board Meetings

MOTION #	AGENDA ITEM	ACTION REQUIRED	RESPONSIBILITY	STATUS	DATE COMPLETED
2021-11-12 Board Meeting August 12, 2021	Federal Gas Tax - Area "F" (Vanderhoof Rural) Cluculz Lake Community Hall Association - Septic System Upgrade	Write a letter and contribute up to \$18,585.00 of Electoral Area 'F' (Vanderhoof Rural) Federal Gas Tax allocation monies to a Recreation Infrastructure Project at the Cluculz Lake Community Hall Association, and further, That the RDBN Board of Directors authorize the withdrawal of up to \$18,585.00 from the Federal Gas Tax Reserve Fund.	Nellie/John	Completed	
2021-11-12 Board Meeting August 12, 2021	COVID-19 Relief Funds	Write a letter to notify the following approved Applicants for the COVID-19 Relief Funds: Electoral Area "A" (Smithers Rural) -Bulkley Valley Research Center – Insurance - \$2,183.00 -Bulkley Valley Gymnastics – Physical Distancing Equipment - \$8,318.06 Electoral Area "B" (Burns Lake Rural) -Lakes District Fair Association – Operational Expenses at Fairgrounds - \$3,167.57 -Rose Lake Community Club – Insurance, Hydro Expenses - \$2,652.74 -Rose Lake Community Club – Equipment Replacement (Theft) - \$2,707.03 -Burns Lake Public Library – Physical Distancing Equipment - \$2,959.77 Electoral Area "D" (Fraser Lake Rural) -Fraser Lake Historical Society – Facility Maintenance - \$1,500.00 Electoral "E" (Francois/Ootsa Lake Rural) -Grassy Plains Community Hall – Insurance (2021/22) - \$4,363.00 -Burns Lake Public Library – Physical Distancing Equipment - \$2,959.77 Electoral Area "F" (Vanderhoof Rural) -Vanderhoof Farmers' Market – COVID Supplies - \$775.39 -Nechako Valley Exhibition Society – Insurance - \$15,154.00 -Cluculz Lake Community Hall – Flood Repair in Bathroom - \$3,254.89.	Nellie	Completed	
2021-11-13 Board Meeting August 12, 2021	Regional District of Bulkley-Nechako Evacuation Route Planning	Staff to enter into a contract with Calian Ltd. as the successful proponent for the Regional Evacuation Route Planning project.	Jason Blackwell/DebJM	Completed	