



"A WORLD OF OPPORTUNITIES WITHIN OUR REGION"

PLANNING DEPARTMENT

ADVISORY PLANNING COMMISSION

MANUAL 2022

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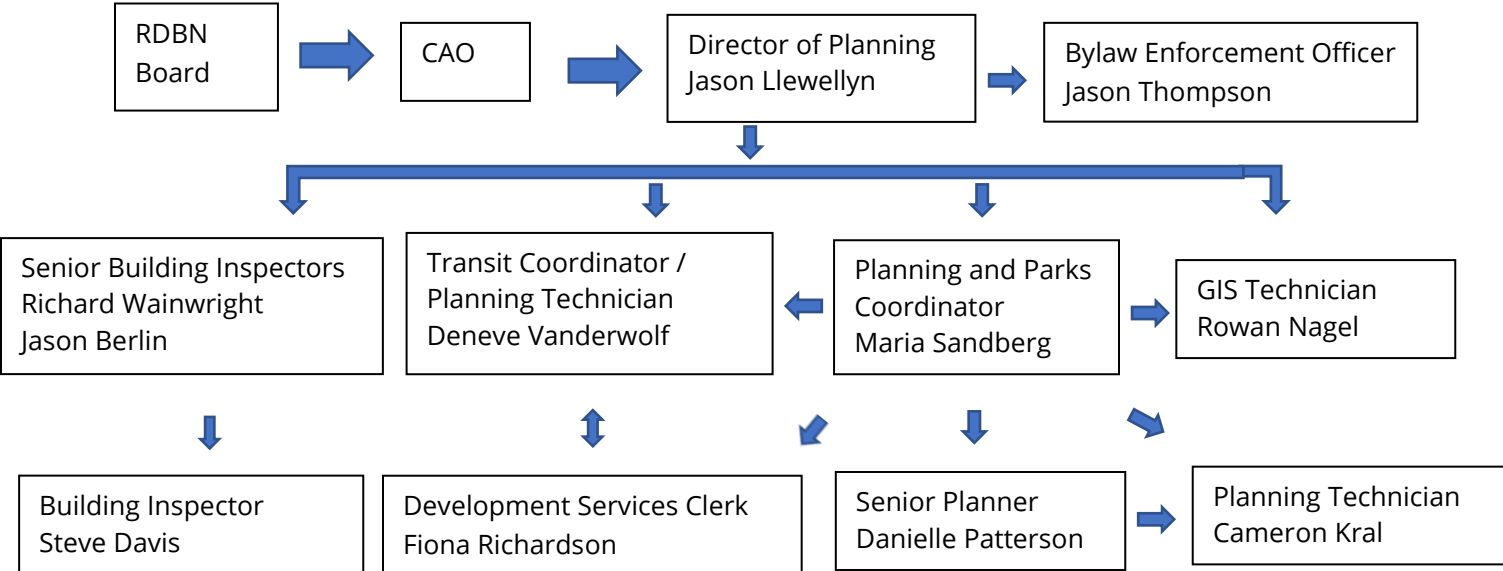
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PLANNING DEPARTMENT OVERVIEW

This document provides the Advisory Planning Commissions (APC) with information regarding the structure and function of the Planning Department of the Regional District of Bulkley-Nechako, and the role of APCs in the Development approval process.

Planning Department Staff and Reporting Relationships



The Planning Department’s core function is to provide for the orderly and strategic use and development of land as necessary to achieve the goals and objectives of the region. These goals and objectives are established by the Regional District Board in consultation with the community through the Official Community Plan (OCP) development process. Land use and development are regulated by the zoning bylaw, and various other bylaws established by the Regional District Board.

The Planning Department plays key referral and oversight roles relating to several Provincial processes and regulations. These include involvement in the Agricultural Land Reserve regulation process, the Contaminated Site Regulation, the Crown Land referral process, implementation of the sewerage system regulations, and the Provincial environmental assessment review process.

The Planning Department also has several associated responsibilities which meet a variety of service needs. The Planning Department’s interconnected activities and responsibilities are divided into the following categories.

- Long Range Planning
- Current Planning
- Geographic Information Systems
- Building Inspection
- Special Projects
- Bylaw Enforcement
- Parks and Trails
- Regional Transit

Long Range Planning

Long Range Planning includes the preparation, review, and administration of the Regional District's seven Official Community Plans (OCPs) which are located in Appendix C.

The primary work in long range planning involves the creation and maintenance of OCPs. These plans are the tools used by the Regional District Board and the local community to create their vision for the future of an area. The community vision is in the form of goals and objectives for the plan area which are supported through policy statements and land use map designations to guide decisions on planning and development.

Given the changing nature of the economy, lifestyle expectations, development patterns, and political expectations it is critically important to maintain up to date OCPs. During the development and review of OCPs the Planning Department works closely with the Regional District Board, the Electoral Area Directors, the Advisory Planning Commissions, and the community to develop a public input process that is meaningful and captures the community vision for the area.

An OCP serves the community in the following manner. An OCP:

- provides direction to staff when processing and evaluating various land use and development applications;
- provides direction to the Regional District Board in their decision making roles;
- provides a basis for staff to answer public inquiries regarding land use and development in an efficient and effective manner;
- provides direction to developers and business regarding investments and locations choices; and
- provides an indication to homeowners of the future character of an area.

The maintenance of the region's official community plan is a priority for the Planning Department. It is recommended that OCPs be reviewed every 7 to 10 years. The region's OCPs are listed below (see Appendix C).

- Smithers Telkwa Rural OCP Bylaw No. 1701, 2014
- Houston, Topley, Granisle Rural OCP Bylaw No. 1622, 2011
- Fort St James Rural OCP Bylaw No. 1578, 2010 (currently under review)
- Vanderhoof Rural OCP Bylaw No. 1963, 2021
- Burns Lake Rural and Francois Lake (North Shore) OCP Bylaw No. 1785, 2017
- Endako, Fraser Lake, Fort Fraser Rural OCP Bylaw No. 1865, 2019
- Omineca Settlement corridor OCP Bylaw No. 1260, 2003

Current Planning

Current planning work involves the following activities:

- Processing of the following development applications and referrals
 - Rezoning and OCP amendment applications
 - ALR exclusion, subdivision, and non-farm use applications
 - Provincial and municipal referrals
 - Temporary use permit applications
 - Development variance permit applications
 - Board of variance applications
 - Special events applications
 - Cannabis and liquor license applications
- Developing recommendations to the Regional District Board regarding land use applications and development.
- Responding to public inquiries regarding Regional District and Provincial regulations and processes, and land use and development potential.

Current Planning activities involve a significant amount of day-to-day involvement with the general public (businesses and residents), as well as a range of community groups, committees, and Provincial ministries. It is a statutory function effecting private investments and interests and has close ties with economic development initiatives. Property owners and other investors often base financial and other decisions on the information provided by Planning Department staff. Consequently, careful attention must be directed toward accuracy of information and meeting legislative, legal, and procedural protocols in the management of this service.

Most of this work occurs behind the scenes as staff assist residents with their building and development projects. Only a small percentage of development proposals require an application that must be considered by the Board.

Current Planning involves the administration of the following land use and development related bylaws (see Appendix B).

- Regional District of Bulkley-Nechako Advisory Planning Commission Bylaw No. 1501, 2009
- *Regional District of Bulkley-Nechako Board of Variance Bylaw No. 1623, 2012
- Regional District of Bulkley-Nechako Development Procedures Bylaw No. 1898, 2020
- Regional District of Bulkley-Nechako Floodplain Management Bylaw No. 1878, 2020
- *Regional District of Bulkley-Nechako Mobile Home Park Bylaw No. 740, 1993
- *Regional District of Bulkley-Nechako Unsightly Premises Bylaw No. 1649, 2012
- Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2021
- *Special Events Bylaw No. 1194, 2002

*Bylaws not included with this manual are available on request.

Further information regarding the various application processes, and services provided by the Planning Department, are outlined in the information brochures contained in Appendix A.

Bylaw Enforcement

Bylaws enforcement issues can often be complex given the associated legal and liability issues. Also, bylaw enforcement can be politically sensitive and may have a negative impact within the community if enforcement is perceived to be heavy handed, or alternatively ineffective.

The challenge is to balance the required efforts and costs against the likelihood of finding an effective solution, and the implications of the offence. It is also important to maintain the Regional District's credibility with respect to enforcement issues, otherwise further and more serious contraventions are encouraged. Investigation of an enforcement issue can be initiated by a public complaint, staff, or a Regional District Board member. The bylaw enforcement process is generally guided by several policy documents.

The RDBN's Bylaw Enforcement Officer works half time for the District of Houston under contract.

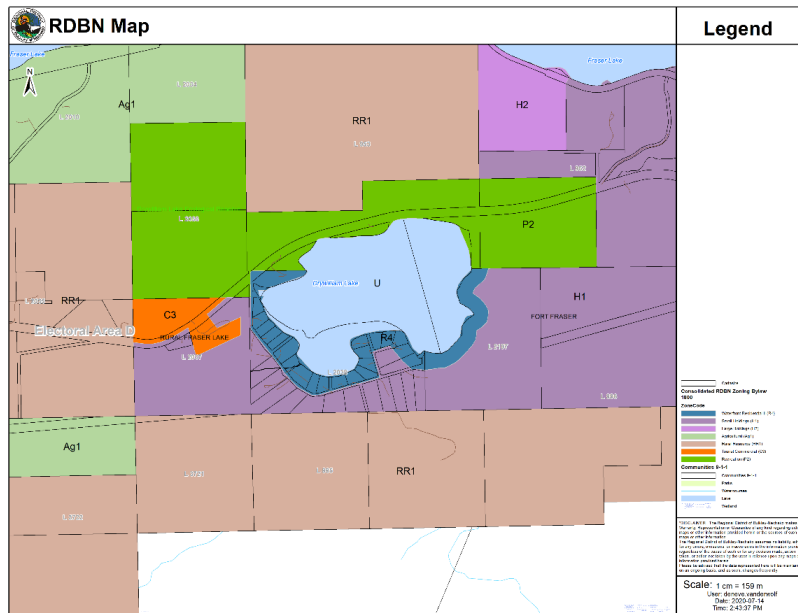
Geographic Information Systems (GIS)

GIS involves the digital storage, management, and mapping of spatial and other data. Examples of the information managed includes the cadastral base, roads, water features, topography, aerial photos, legal descriptions, right of ways, addresses, house locations, service areas, zoning, utilities, etc. The GIS system stores and maintains ownership, assessment, and other data. This information is critical to the work of the Regional District's planning, administration, and financial services departments.

The Regional District of Fraser Fort George plays a role collecting and processing data from Provincial sources for the RDBN's use. They also host the RDBN's web based GIS delivery

system which allows for greater access to mapping information by staff and the public over the internet. The mapping tool is accessed through the Regional District's web page or by going to www.propertymap.ca (see Appendix A for Web Mapping Instructions)

Example Map Created by GIS System



Building Numbering

The Regional District of Bulkley-Nechako assigns building numbers to developed properties, and vacant properties on request of the owner. The Ministry of Transportation and Infrastructure is responsible for road naming. The primary purpose of building numbering is to allow emergency service vehicles to find a specific location. Utility companies also rely on house numbering for their records management and billing systems. Maintaining accurate records of house numbers and road names is a critical component of the delivery of 911 services to residents.

It is noted that the Regional District also collects house numbering and road name data from municipalities and First Nations reserves as part of the 911 service.

Building Inspection

Building Inspection primarily involves implementation and enforcement of "Regional District of Bulkley-Nechako Building Bylaw No. 1634, 2012" (available by request) to assist residents in building according to the BC Building Code. The building permit review process involves significant involvement with Planning staff as this process triggers the need for compliance to multiple other Provincial regulations (Agricultural Land Reserve, home owner protection regulations, sewerage system regulations, contaminated sites

regulations, and archaeological issues. This saves residents from significant potential problems in the future.

The Regional District of Bulkley-Nechako provides Building Inspection services to most rural areas and provides building inspection services to the Village of Burns Lake, the Village of Fraser Lake, the District of Fort St James, and the Village of Granisle on a contract basis. The Building Inspectors also provide short term building inspection back up to other municipalities as required.

Special Projects

Special Projects includes a wide variety of projects that do not fit within the regular work program of the Department and typically relate to unique or irregularly occurring activities undertaken by staff on the direction of the Regional District Board. An example of this is Planning Department participation in a Provincial environment assessment review process.

Currently the Planning Department is involved in the Provincial environment assessment review process for the Telkwa Coal Project.

Definitions of Planning Terminology

Advisory Planning Commissions (APC)

APCs are established for regional districts under Section 461 of the *Local Government Act*. An APC is an advisory body which provides recommendations and advice to staff and the Regional District Board on those planning matters referred to it by the Board and the Area Director, including Official Community Plans, rezoning applications, and Agricultural Land Reserve applications.

Each Electoral Area within the Regional District of Bulkley-Nechako has an APC, the members of which are selected by the local Electoral Area Director and are appointed by the Regional District Board. The principal objective of the APC is to represent the community viewpoint and to evaluate and provide comment on individual development proposals. As such, there is benefit from APC members representing a broad cross-section of the community. The input provided by an APC is valuable given their understanding of the community and consideration of the direction provided in the OCP. The recommendations of the APC are provided to the Board along with the recommendations of the Planning Department.

The APC should appoint a chair and a recording secretary. The Electoral Area Director and Alternate Director may attend the meetings, but the legislation does not allow them to vote or be members of the Commission. Staff provides the APCs with a standardized form to help record comments, recommendations, and attendance. Staff may attend the meetings if an application is complicated or controversial, or if they are requested to do so by the Electoral Area Director or APC Chair.

Agricultural Land Commission (ALC)

The ALC is established under the Agricultural Land Commission Act and reports to the Minister of Agriculture. The ALC is empowered to preserve agricultural land for farm use through the establishment of the Agricultural Land Reserve (ALR). Applications for subdivision, exclusion, or nonfarm uses within the ALR are considered for approval by the ALC's Northern Panel. Its primary objective is to preserve agricultural land for future generations. Subdivision and non-farm use applications initially processed by the RDBN Planning Department and are forwarded to the ALC with a recommendation from the RDBN Board. The Board may refuse to forward application to the ALC for consideration in certain circumstances.

Agricultural Land Reserve (ALR)

The Agricultural Land Reserve is best described as a form of Provincial zoning which protects certain land, identified as having agricultural potential, from the encroachment of non-agricultural development and limits the use of land within the reserve to agricultural

and other uses that do not diminish the capability of the land for crop production. Agricultural activities are protected uses within the ALR but may be subject to regulation by Regional District zoning. Certain non-farm activities may be permitted in the ALR subject to Regional District zoning. And certain non-farm activities and subdivision may only be permitted with Agricultural Land Commission approval. The AL

A notable implication of the ALR is to restrict the subdivision of land within the ALR. The subdivision of land and an increase in residential use in agricultural areas is seen, by the ALC, as being detrimental to farming. (See ALR Application Brochure).

Board of Variance

Under Section 536 of the *Local Government Act*, where a local government has adopted a zoning bylaw it must also establish a Board of Variance (BOV) by bylaw. The "Regional District of Bulkley-Nechako Board of Variance Bylaw No. 1623, 2012" sets out the procedures to be followed when receiving and considering applications. There is also a Board of Variance Policy which deals with administrative and process issues not dealt with in the Bylaw.

The Board of Variance (BOV) consists of three members appointed by the Regional District Board. Members are appointed for a 3-year term; however, the local government may rescind an appointment to the BOV at any time. The BOV members appoint a Chairperson among themselves.

The BOV is authorized to consider three types of applications:

1. Applications requesting a "minor variance" from persons who allege they are caused "undue hardship" by:
 - a. enforcement of the zoning bylaw regulation concerning the siting, size or dimension of a building or the siting of a manufactured home;
 - b. enforcement of subdivision servicing requirements related to water, sewage and drainage services in areas zoned for agricultural or industrial use; or
 - c. the prohibition on structural alterations or additions to a building or structure while a "non-conforming use" is continued in all or part of it.
2. Applications from persons who allege that the Building Inspector made an error in determining the amount of damage to a building, which is, in whole or part, a "non-conforming use". If a building or structure, which is non-conforming to a bylaw, is damaged or destroyed to the extent of 75% or more of its value above its foundations, as determined by the Building Inspector (section 534 of the *Local Government Act*) the repair or reconstruction of that building or structure may not occur. The BOV may set aside the decision of the Building Inspector on the extent of damage and make its own determination.

3. Where a local government has terminated a land use contract the Board of Variance may extend the date set in the early termination bylaw for reasons of hardship.

Staff note that the Board has not appointed any members to sit on a Board of Variance.

Section 219 Covenants

Regional Districts are authorized to utilize covenants that are registered on title of a property, with the authorization of the property owner. They are a tool by which the Regional District may restrict the use of a piece of land or require that it is used only in a certain manner.

Common law restrictive covenants are entirely negative in nature. That is, they can simply restrict a landowner from doing something. They cannot require an action to be taken by the landowner. Covenants registered under Section 219 of the Land Title Act, however, can be either negative or positive in nature. Such covenants can restrict landowners from actions specified in the covenant (eg. subdivision, construction of buildings, etc.) or they can, in a positive manner, require the land owner to take certain actions (eg. require buildings to be demolished, open space to be provided, parking to be provided, etc.). Both types of covenant are registered on the title of the property and continue to apply to the property regardless of ownership.

Crown Land Referrals

The Ministry of Forests is responsible for the administration of land tenures on Crown land. When the Ministry is considering an application for Crown land tenure (license, lease, right-of-way, Crown grant) the Ministry usually refers the application to the Regional District to determine whether there are any local government concerns relating to the application. Upon receiving such a referral, the Regional District Planning Department reviews the application in relation to the applicable official community plan, the zoning bylaw, the Agricultural Land Reserve regulations, and general planning principles. The Planning Department presents the referral to the Rural Directors Committee for consideration. APCs do not typically comment on Crown Land Referrals.

The Planning Department also receive the following other types of referrals from the Province:

- Addition of land to a First Nations reserve
- Water Act application
- Subdivision application
- Gravel pit or mining application
- Recreational sites and trails applications
- Oil and Gas Commission applications

Development Permits

A development permit is a land use regulation tool which may be employed to protect a value such as the natural environment, or the character of a certain area. In such cases the Regional Board may, in an official community plan or zoning bylaw, designate areas of land as development permit areas and provide that an owner of land within the designated area obtain a permit prior to the commencement of development. The property owner make application to the Regional District for a permit, and the development plans provided for review must conform to certain guidelines to the satisfaction of the Board.

Development permits require a notable amount of staff time to administer and enforce. Also, development permits designed to restrict vegetation disturbance are challenging to enforce. At present the Regional District of Bulkley Nechako has only 1 property, in Electoral Area A, designated as a development permit area.

Development Services

For budgeting purposes the services provided by the Planning Department are categorized into seven functions: Electoral Area Planning, Development Services, House Numbering, Building Inspection, Parks and Trails, Transit, and Unsightly Premises Bylaw. The Development Services function is considered to be a "general service" as defined under the *Local Government Act*, meaning that all electoral areas and municipalities participate in the function. In this case all Directors can vote on Development Services issue.

The Development Services functions consist of the coordination, research, regulation, and analytical services relating to the development of the regional district, excluding the activities included under Part 14 of the *Local Government Act* (see "Electoral Area Planning" definition). Development Services includes the following functions:

- GIS services
- ALR applications
- Provincial referrals
- general public enquiries not related to Part 14
- special projects / Provincial initiatives

Development Procedures Bylaw

Section 460 of the *Local Government Act* requires a local government to adopt a bylaw that defines procedures regarding the receiving and processing of applications to amend an official community plan or zoning bylaw, or the issuance of a permit. Section 462 of the *Local Government Act* requires a local government to establish fees by bylaw. Also, Section 498 of the *Local Government Act* allows local governments to establish, by bylaw, notification distances associated with applications for official community plan or zoning bylaw amendments, or the issuance of a permit.

“Regional District of Bulkley-Nechako Development Procedures Bylaw No. 1898, 2020” does all the above.

Development Variance Permits

As the term implies, a development variance permit may be issued to vary certain regulations of a zoning bylaw or a subdivision servicing bylaw. It cannot be used, however, to vary use, density, or floodplain specifications. The purpose of a development variance permit application is essentially the same as an application to the Board of Variance. However, the property owner is not required to demonstrate "undue hardship" as a reason for the variance. Further, a development variance permit application is submitted directly to the Regional District Board and is approved or rejected by resolution (see Development Variance Permit brochure).

Easements

An easement is a privilege acquired by a landowner for the benefit of his land over the land of another. The land receiving the benefit is the dominant tenement, and the land over which the right is exercisable is the servient tenement.

There must be two parcels of land affected by each and every easement. A property owner cannot grant an easement over his property to another owner, unless the dominant tenement (benefiting land) is adjacent to or sufficiently near the servient tenement (land giving up benefit).

It is the land that must benefit from the easement, not merely the landowner. If the owner alone obtains the benefit, then it is not an interest in land and is not an easement. The test applied by the Courts to determine whether an easement or a license has been created, is whether or not the right makes the dominant tenement a better and more usable piece of property.

Electoral Area Planning

As noted the services provided by the Planning Department are categorized into seven functions. Electoral Area Planning is, according to the *Local Government Act*, all those planning activities in which a regional district is involved that fall under Part 14 of the *Local Government Act*. Part 14 includes work relating to:

- Official Community Plans;
- Zoning Bylaws;
- The Advisory Planning Commissions;
- Floodplain Management Bylaws
- The Board of Variance;
- Development Variance Permits;

- Temporary Use Permits; And
- Land Use Contracts.

Municipalities have the authority under the *Local Government Act* to "opt out" of this function. Municipalities which opt not to participate in the function lose their voting rights relating to Electoral Area planning matters. There is also a "limited participation option" under the *Local Government Act* whereby municipalities may make an agreement with the Board to enter into a limited cost sharing agreement. Using this provision of the *Local Government Act*, the Regional District of Bulkley-Nechako has provided municipalities with a reduced cost for participation in this function. All municipalities in the Regional District of Bulkley-Nechako contribute to Electoral Area Planning.

Environmental Assessment Process

An Environmental Assessment is the Provincial Government led process required under the Environmental Assessment Act. Proposals for major projects require an Environmental Assessment review before the project can proceed. The assessment process considers the potential effects of proposed projects and ways to minimize or avoid adverse effects. A decision on whether the project should be approved is made by the Minister of Environment and the Minister designated as responsible for that category of project.

An Environmental Assessment is required if the project is of a type and size as set out in the Reviewable Projects Regulation; or if the Minister of Environment designates the project as reviewable; or if the proponent applies to the Environmental Assessment Office (EAO) for the project to be designated as reviewable.

The Regional District commonly received requests from the Environmental Assessment Office to participate in the assessment process. The Regional District Planning Department becomes involved in the Environmental Assessment processes when directed to do so by the Regional District Board.

Floodplain Management Bylaw

The primary purpose of a Floodplain Management Bylaw is to reduce or prevent injury or the loss of life, and to minimize property damage, during flood events or as a result of erosion of land by water. The Floodplain Management Bylaw manages this risk by directing new development away from flood prone areas, pursuant to Section 524 of the *Local Government Act*.

"Regional District of Bulkley-Nechako Floodplain Management Bylaw No. 1878, 2020" establishes floodplain areas, setbacks from water courses, and minimum elevation requirements in floodplain areas.

Geographic Information System (GIS)

GIS is a computer technology that combines mapping and information stored as data to generate maps and reports. It provides a planned and systematic approach to collecting and managing location-based information. This integration of data and maps greatly improves the Regional Districts ability to use and interpret information. This greatly assists the planning and decision-making process.

Legal Non-Conforming Use and Siting

A term commonly used to describe the situation where a property is used or built in a manner that is contrary or non-conforming to the existing zoning bylaw but is not illegal pursuant to Section 528 of the *Local Government Act* because the use or structure legally existed or was sufficiently contemplated at the time of enactment of the zoning bylaw. It is noted that the Courts have expanded the circumstances in which non-conforming uses may be considered legal beyond those specifically listed in Section 528.

Those uses are permitted to continue subject to several conditions. There are, however, restrictions on the expansion of legal non-conforming uses and buildings. It is noted that different rules apply to the non-conforming uses and building non-conforming to siting and height regulations.

Official Community Plan (OCP)

An official community plan is a comprehensive land use plan which contains statements of broad social, economic and environmental objectives and establishes land use policies to guide future development. It serves as a guide to the day-to-day decision-making of the Regional District Board, private citizens, business, and government agencies. The *Local Government Act* requires that an OCP must deal with the following issues.

- The location, amount, type and density of residential development.
- The location, amount and type of commercial, industrial, institutional, agricultural, recreational, and public utility land uses.
- The location and area of sand and gravel deposits that are suitable for future sand and gravel extraction.
- Restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development.
- The location and phasing of any major road, sewer and water systems.
- The location and type of present and proposed public facilities, including schools, parks and waste treatment and disposal sites.
- Housing policies of the local government respecting affordable housing, rental housing and special needs housing.

An OCP can contain policy statements on the following:

- Social needs, social well-being and social development.
- The maintenance and enhancement of farming on land in a farming area or in an area designated for agricultural use in the community plan.
- The preservation, protection, restoration and enhancement of the natural environment, its ecosystems and biological diversity.

An issue which is not within the jurisdiction of the local government (forestry, mining, crown land issues etc.) cannot be directly addressed through policy in an OCP. However, the plan may state broad objectives with respect to those matters.

(See the OCP Brochure).

Public Hearing

A Public Hearing is a quasi-judicial statutory requirement during the process to adopt or amend an OCP or zoning bylaw. Pursuant to Section 464 of the *Local Government Act*, a Public Hearing is an opportunity for all persons who deem their interest in property to be affected by the bylaw to be heard and present their comments. The advertising of a Public Hearing is outlined in the legislation and the Regional District's Development Procedures Bylaw. The Public Hearing for an official community plan amendment or a rezoning is usually chaired by the Director of the Electoral Area within which the subject property is located. The major responsibilities of the chairperson are to:

- Run the meeting and ensure an overview of the facts relating to the proposed bylaw are made available to the persons attending the public hearing;
- Ensure that the process is fair and persons are not discouraged from stating their opinions (no booing or cheering certain positions, etc.)
- Ensure that all persons present have an opportunity to provide input
- Report on the proceedings at the Public Hearing to the Regional District Board prior to consideration of third reading of the bylaw.

Planning Department staff attend Public Hearings, provide a written overview of the facts relating to the proposed bylaw to be read at the public hearing, make all background materials available at the hearing, take notes of the proceedings, and prepare a report of the Public Hearing for the Director to provide to the Regional District Board.

Recent changes to the *Community Charter* and *Local Government Act* provides increased flexibility regarding newspaper advertising for Public Hearings. Staff expect to present a bylaw for the Board's consideration in 2023 which allows alternative public notice requirements in place of the standard requirement for publication in 2 consecutive issues of a newspaper.

Right of Way

A statutory right of way resembles a common law easement. Both tools permit someone who is not the owner of a piece of land to acquire the right to cross over the land. Both common law easements and statutory rights of way can run with the land and, therefore, bind future owners of the piece of property.

The difference between a common law easement and a statutory right of way is that a statutory right of way does not require a dominant tenement, where the easement holder has property adjoining or close to the land over which the easement passes. Statutory rights of way can be held by anyone entitled to hold them under Section 214 of the *Land Title Act*, including the Regional District. Section 214 is designed to make it possible for the Crown, local governments, some utilities and agencies, some industries, and "any other person designated by the Minister " to acquire a right of way across a parcel of land.

A statutory right of way is created in writing, specifying what rights the holder of the right of way has over the landowner's land. These might include:

- The right to pass over specified parts of the land for specified purposes.
- The right to erect buildings on a portion of the land.
- The right to enter to inspect compliance with restrictive covenants or section 215 covenants.

The statutory right of way is then registered in the land title office as a charge on the landowner's land.

Subdivision

The Ministry of Transportation and Infrastructure is the approving authority for subdivisions in the rural areas. When the Ministry receives an application to subdivide land, the application is referred to the Regional District. The Planning Department reviews the application to determine whether it meets requirements relating to the zoning bylaw, the Agricultural Land Reserve, floodplain restrictions, minimum road frontage, etc. A response, including any objections or suggestions, is returned to the Ministry by staff. As this is largely a technical process, involving little or no discretionary judgement or decision making, the Regional District Board is not involved in this process.

Subdivision Servicing Bylaw

Although regional districts are not the approving authorities with regard to the subdivision of land (the Approving Officer of the Ministry of Transportation has this responsibility), a regional district may impose certain requirements through the imposition of a subdivision servicing bylaw to achieve certain standards for subdivision of land. By using Section 938 of the *Local Government Act*, a regional district may impose regulations which require the

installation of services within subdivisions such as street lighting, community sewer and/or water systems, sidewalks, or a drainage system. Subdivision servicing bylaws are intended to provide minimum standards which conform to local or regional land use strategies.

At present the Regional District does not have a subdivision servicing bylaw and relies on the standards set by the Ministry of Transportation and the Provincial Approving Officer.

Temporary Use Permits

The purpose of temporary use permits is to allow a less lengthy approval process for temporary land uses. Pursuant to Section 493 of the *Local Government Act*, a Regional District Board may allow commercial or industrial uses for a period of up to three years or less, extendable for up to another three years, through the issuance of permits by a Regional District Board resolution. The permit can only apply to land identified for such purpose in an OCP. The permit takes precedence over a zoning bylaw and may apply to any property.

Unightly Premises Bylaw

“Regional District of Bulkley-Nechako Unightly Premises Bylaw No. 1649, 2012” is a bylaw that places restrictions on a property owners right to have an unsightly property because of the storage or collection of items such as garbage, waste, and derelict vehicles. The bylaw allows for the RDBN to clean up a property and charge the cost to the property owner in certain situations, where bylaw compliance is not voluntary.

Zoning

Zoning is the most important regulation regarding the regulation of land use and development, and the implementation of an OCP. In very general terms, it is a set of regulations which details how people can use land, what they can build, and where they can build on a property. Most of the developed areas of the Regional District of Bulkley-Nechako are zoned, with each zone having specific regulations governing the use and development of land. The Regional District of Bulkley-Nechako has a single zoning bylaw titled “Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020.”