

AGENDA

MEETING NO. 15

October 10, 2024

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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, October 10 2024

First Nations Acknowledgement

<u>PAGE NO.</u>	<u>CALL TO ORDER</u>	<u>ACTION</u>
	<u>AGENDA - October 10, 2024</u>	Approve
	<u>SUPPLEMENTARY AGENDA</u>	Receive
	<u>MINUTES</u>	
6-18	Board Meeting Minutes - September 26, 2024	Approve
	<u>ELECTORAL AREA PLANNING</u>	
19-36	Danielle Patterson, Senior Planner Rezoning Application C-01-24 Electoral Area C (Fort St. James Rural)	Recommendation
	<u>DEVELOPMENT SERVICES</u>	
	<u>Land Referral</u>	
37-41	Rowan Nagel, GIS/Planning Technician Crown Land Application Referral No. 6409504 Electoral Area A (Smithers/Telkwa Rural)	Recommendation
	<u>Pipeline Referral</u>	
42-44	Cameron Kral, Planning Technician Gosnell Creek South Multi-Use Site Permit Extension	Recommendation

<u>PAGE NO.</u>	<u>Other</u>	<u>ACTION</u>
45-82	Jason Llewellyn, Director of Planning Fraser Lake Foreshore Integrated Management Plan (FIMP)	Receive
<u>BYLAW ENFORCEMENT</u>		
83-113	Jason Llewellyn, Director of Planning Bylaw Notice Enforcement Bylaw and Dispute Adjudication Registry	Recommendation
<u>PARKS AND TRAILS</u>		
114-117	Maria Sandberg, Planning and Parks Coordinator - Round Lake Project Update	Recommendation
<u>ADMINISTRATION REPORTS</u>		
118	Nellie Davis, Manager of Regional Economic Development - Lakes District Legacy Grant - Lakes District Museum Society	Recommendation
119-124	Nellie Davis, Manager of Regional Economic Development- Grant in Aid for Areas B (Burns Lake Rural) and E (Francois/Ootsa Lake Rural) - Lakes District Family Enhancement Society	Recommendation
125	Shari Janzen, Economic Development Assistant - Ride Burns Mountain Biking Association - Letter of Support Request	Recommendation
126	Shari Janzen, Economic Development Assistant Smithers Golf and Country Club - Letter of Support Request	Recommendation
127-129	Wendy Wainwright, Deputy Director of Corporate Service - Items to be brought forward to the public agenda from Special (In-Camera) Meeting	Receive

<u>PAGE NO.</u>	<u>ADMINISTRATION CORRESPONDENCE</u>	<u>ACTION</u>
130-132	Ministry of Tourism, Arts, Culture and Sport -Name Change of Geographical Features in the Regional Districts of Bulkley-Nechako and Kitimat-Stikine – Deadline Extension	Receive

SUPPLEMENTARY AGENDA

NEW BUSINESS

IN-CAMERA MOTION

That this meeting be closed to the public pursuant to Section 90(1)(c), 90(1)(e), 90(1)(k) and 90(2)(b) of the *Community Charter* for the Board to deal with matters relating to the following:

- Labour Relations
- Land Acquisition
- Future Service Provision
- Connectivity

ADJOURNMENT

REGIONAL DISTRICT OF BULKLEY-NECHAKO**MEETING NO. 14****Thursday, September 26, 2024**

PRESENT:	Chair	Mark Parker
	Directors	Shane Brien Leroy Dekens Martin Elphee Judy Greenaway Clint Lambert – left at 10:48 a.m., return at 10:55 a.m. Linda McGuire Shirley Moon Kevin Moutray Chris Newell Michael Riis-Christianson Stoney Stoltenberg Sarrah Storey Henry Wiebe
	Alternate Director	Gladys Atrill, Town of Smithers
	Director Absent	Frank Wray, Town of Smithers – left at 11:04 a.m., returned at 11:07 a.m.
	Staff	Cheryl Anderson, Director of Corporate Services John Illes, Chief Financial Officer Nellie Davis, Manager of Regional Economic Development -arrived at 11:48 a.m., left at 1:29 p.m. Alex Eriksen, Director of Environmental Services – arrived at 11:42 a.m., left at 12:57 p.m. Jason Llewellyn, Director of Planning – left at 12:11 p.m. Wendy Wainwright, Deputy Director of Corporate Services Scott Zayac, Director of Protective Services – arrived at 10:41 a.m., left at 12:11 p.m.
	Others	Quinten Beach, Superintendent, Nechako Watershed, Rio Tinto – left at 11:32 a.m. Andrew Czornohalan, Director, Energy and Watershed Partnerships, Rio Tinto – left at 11:32 a.m. Allan Kindrat, P.Eng, PMP, WSP – via Zoom – left at 11:01 a.m. Aman Parhar, Advisor, Communities and Social Performance, Rio Tinto – left at 11:32 a.m. Curtis Saunders, Regional Manager, Project Delivery, Ministry of Transportation and Infrastructure – Northern Region – via Zoom – arrived at 10:32 a.m., left at 11:01 a.m.
	<u>CALL TO ORDER</u>	Chair Parker called the meeting to order at 10:30 a.m.

FIRST NATIONS ACKNOWLEDGEMENT

AGENDA

Moved by Director Stoltenberg
 Seconded by Director Dekens

2024-14-1

"That the Board Meeting Agenda of September 26, 2024 be approved."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

MINUTES

Board Meeting Minutes
-September 12, 2024

Moved by Director McGuire
 Seconded by Director Greenaway

2024-14-2

"That the Board Meeting Minutes of September 12, 2024 be adopted."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

DELEGATIONS

WSP – Allan Kindrat, P.Eng. PMP – Re: Conceptual Design Highway 35 Multi-Use Path (MUP)

Chair Parker welcomed Allan Kindrat, P.Eng. PMP, WSP.

Mr. Kindrat provided a PowerPoint presentation.

Highway 35 MUP Conceptual Design Study

Project Scope:

- Data Collection
 - o LIDAR & Photogrammetry
- Stakeholder Engagement
 - o Engagement Strategy & 3 Phases of Engagement
 - Phase 1 – Project introduction, discussion, preliminary input and feedback
 - Phase 2 – Meetings and review after 90% design was completed
 - Phase 3 – Open House & Online Survey
- Conceptual Design – Alignment Selection, Conceptual Drawing Development
 - o Design Criteria
 - o Concept Design
 - Segment 1 – Gerow Island to Frame Road (Road Crossing at Frame Road)
 - Alignment option 1
 - Alignment option 2
 - Segment 2 – Frame Road to Ski Club Road
 - Segment 3 – Ski Club Road to Tchesinkut Road East

DELEGATIONS

WSP – Allan Kindrat, P.Eng. PMP – Re: Conceptual Design Highway 35 Multi-Use Path (Cont'd)

- Conclusion
 - o Property Acquisition
 - o Alignment Option 2 Opinion of Cost Summary
 - o Next Steps
- Final report- Conceptual Design Summary, Class D Estimate, Stakeholder Report.

Discussion took place regarding:

- Number of properties and property acquisition along the conceptual design
 - o Curtis Saunders, Ministry of Transportation and Infrastructure noted that in most circumstances the minimal amount of property is acquired
- Ministry of Transportation and Infrastructure's funding supports a detailed design to provide better cost certainty, impacts to stakeholders and construction plans.

Chair Parker thanked Mr. Kindrat for attending the meeting.

DELEGATIONS (CONT'D)

RIO TINTO – Andrew Czornohalan, Director – Energy and Watershed Partnerships, Quinten Beach, Superintendent, Nechako Watershed and Aman Parhar, Advisor, Communities and Social Performance Re: Update

Chair Parker welcomed Andrew Czornohalan, Director – Energy and Watershed Partnerships, Quinten Beach, Superintendent, Nechako Watershed and Aman Parhar, Advisor, Communities and Social Performance, Rio Tinto.

Mr. Czornohalan provided a PowerPoint presentation.

- Drought and hydrology
 - o Provincial Advisories – Drought – level 5
 - o Weather forecast
 - o Drought response
 - o Flows – Last 30 days
 - o Reservoir Elevation – Last 20 days
 - o Nautley River Flows, Forecast
 - o Observed Inflows and Discharge vs Historical
 - o Observed Spring Freshet Inflow
 - o Reservoir Level Projection
 - o Skins Lake Spillway Release – Forecast
 - o Flow Forecast at Vanderhoof
 - o Summer Temperature Management Program Summary
- Water engagement initiative
- Research projects
- Social Investment 2024
- Dam Safety.

DELEGATIONS (CONT'D)

RIO TINTO – Andrew Czornohalan, Director – Energy and Watershed Partnerships, Quinten Beach, Superintendent, Nechako Watershed and Aman Parhar, Advisor, Communities and Social Performance Re: Update (Cont'd)

The following was discussed:

- Consideration of wind generation along the reservoir
 - o Rio Tinto has conducted a desktop study and prior to potentially conducting a larger study will work with First Nations communities in the area
- Cold Water Release Facility
 - o Rio Tinto conducted an Order of Magnitude Study at Kenney Dam
 - o Currently engaging with the federal and provincial governments as well as First Nations to build a pathway to progress and a process to move forward
 - o Savings and possible benefits to the ecosystem of the watershed with a cold-water facility at Kenney Dam
 - o Determining feasibility with First Nations Coalition to determine viability
 - o Releasing large quantities of water without creating electricity because of the need for temperature control under the legislative Summer Temperature Management Program
 - o Dredging Tahtsa Narrows
 - Included in Order of Magnitude study
 - Extensive stakeholder engagement is required prior to moving forward with a feasibility study
- Maintaining water temperatures of the Nechako reservoir in drought conditions when all water bodies are warmer
 - o Summer Temperature Management Program is required as part of Rio Tinto's water licence
 - o Consideration is being given to improvements moving forward.

Chair Parker thanked Messrs. Czornohalan, Beach and Ms. Parhar for attending the meeting.

ELECTORAL AREA PLANNING

Bylaws for 1st and 2nd Reading

Fort St. James Rural OCP
1st and 2nd Reading Report
Bylaw 2054

Moved by Director Greenaway
 Seconded by Director Elphee

2024-14-3

1. That the Board further considered the consultation options identified on the consultation checklist for Fort St. James Rural Official Community Plan Bylaw No. 2054, 2024 and confirm that the consultation undertaken is adequate.
2. That the Board considered Fort St. James Rural Official Community Plan Bylaw No. 2054, 2024 in conjunction with the RDBN's financial plan and waste management plan.
3. That Fort St. James Rural Official Community Plan Bylaw No. 2054, 2024 be given first and second reading this 26th day of September, 2024 and proceed to Public Hearing once the OCP Bylaw has been referred to the Agricultural Land Commission.
4. And, that the Public Hearing on Fort St. James Rural Official Community Plan Bylaw No. 2054, 2024 be delegated to the Director or Alternate Director for Electoral Area C."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

DEVELOPMENT SERVICES

Other

ALC Annual Report
2023-2024

Moved by Director Moon
 Seconded by Director Lambert

2024-14-4

"That the Board receive the Senior Planner's Agricultural Land Commission Annual Report 2023-2024 memorandum."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

BUILDING INSPECTION

Section 57 Notice on Title
2900 Kelway Rd. – Electoral
Area B (Burns Lake Rural)

No comments from the gallery.

Moved by Director Riis-Christianson
Seconded by Director Stoltenberg

2024-14-5

“That the Corporate Officer be directed to file a Notice in the Land Title Office stating that a resolution has been made under Section 57 of the *Community Charter* relating to land legally described as Lot 12, District Lot 4170, Range 5, Coast District, Plan PRP10529 (2900 Kelway Road).”

(All/Directors/Majority) CARRIED UNANIMOUSLY

Section 57 Notice on Title
4990 Jackpine Rd. – Electoral
Area A (Smithers/Telkwa Rural)

No comments from the gallery.

Moved by Director Stoltenberg
Seconded by Director Dekens

2024-14-6

“That the Corporate Officer be directed to file a Notice in the Land Title Office stating that a resolution has been made under Section 57 of the *Community Charter* relating to land legally described as Lot B, District Lot 408, Range 5, Coast District, Plan EPP1736 (4990 Jackpine Rd).”

(All/Directors/Majority) CARRIED UNANIMOUSLY

Discussion took place regarding potential options moving forward. At a past UBCM Convention the Board brought forward the suggestion that the BC Safety Authority does not issue an electrical permit without a Building Permit being issued by a local government. Chair Parker mentioned following up regarding the issue.

BUILDING INSPECTION (CONT'D)

Section 57 Notice on Title No comments received from the gallery.
4882 Jackpine Rd. – Electoral
Area A (Smithers/Telkwa Rural)

Moved by Director Stoltenberg
Seconded by Alternate Director Wray

2024-14-7

“That the Corporate Officer be directed to file a Notice in the Land Title Office stating that a resolution has been made under Section 57 of the *Community Charter* relating to land legally described as Lot A, District Lot 408, Range 5, Coast District, Plan EPP1736 (4882 Jackpine Rd).”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

PARKS AND TRAILS

Highway 35 Multi-use Trail Moved by Director Riis-Christianson
Conceptual Design Report Seconded by Director Lambert

2024-14-8

“That the Board receive the Planning and Parks Coordinator’s Highway 35 Multi-use Trail Conceptual Design Report.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Next steps were discussed. The Ministry of Transportation and Infrastructure has indicated that it will move forward with funding a detailed design. Staff indicated it is unknown at this time who will be responsible for the maintenance, ownership and operation of the Trail if it is built.

REGIONAL TRANSIT

Transit Service Amendment Moved by Director Wiebe
Seconded by Director Storey

2024-14-9

“That Regional District of Bulkley-Nechako Regional Public Transit and Para-Transit (Highway 16) Service Establishment Amendment Bylaw No. 2055, 2024 be given 1st, 2nd, and 3rd reading this 26th day of September, 2024.”

Opposed: Director Moutray CARRIED

(All/Participants/2/3 Majority)

The following was discussed:

- Staff will bring forward a comprehensive report regarding funding to a future Board meeting

REGIONAL TRANSIT (CONT'D)

- BC Transit and Hospital District funding in the lower mainland vs. the northern part of the province
- Bylaw process
 - Staff will forward the bylaw to municipalities
 - Staff indicated their ability to attend municipal council meetings if needed
- Funding information to municipalities if electoral areas determine funding support
- Maximum requisition of \$115,000
 - Tax requisition remaining at \$90,000 until an agreement is finalized with the province in Spring of 2025.

Break for lunch at 12:11 a.m.

Reconvened at 12:50 p.m.

ENVIRONMENTAL SERVICES

Vanderhoof Transfer Station Floor Resurfacing – Contract Award Moved by Director Dekens
Seconded by Alternate Director Wray

2024-14-10 "That the Resurfacing Contract for the Vanderhoof Transfer Station Tip Floor be awarded to Vector Restorations Ltd. for \$295,900 plus applicable taxes."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ADMINISTRATION REPORTS

Director Greenaway removed herself from the meeting at 12:57 p.m. due to a conflict of interest regarding Bylaw 2062 Fort St. James Library due to her position on the Fort St. James Library Board of Directors.

Bylaw 2062 Fort St. James Library Moved by Director Elphee
Seconded by Director Riis-Christianson

2024-14-11 "That the Electoral Area "C" Public Library Contribution Service Area Establishment Amendment Bylaw No. 2062, 2024 be given first, second and third reading this 26th day of September, 2024."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Director Greenaway returned at 12:58 p.m.

ADMINISTRATION REPORTS (CONT'D)

Regional Grant in Aid
-Increased 2024 Allocation

Moved by Director Stoltenberg
 Seconded by Director Riis-Christianson

2024-14-12

1) "That the Board authorize spending \$150,000 of Electoral Area B (Burns Lake Rural) Northern Capital and Planning Grant in the Environmental Services capital budget in 2024.

2) That the Board authorize allocating \$80,000 in Area A (Smithers/Telkwa Rural) and \$35,000 in Area F (Vanderhoof Rural) Community Works Funds to Solid Waste Infrastructure projects in the 2024 Environmental Services capital budget.

3) That the Board authorize amending \$265,000 from special projects in the administration budget to Regional Grant in Aid in the 2024 Budget.

(participants/weighted/majority)

4) That the Board authorize the withdrawal of up to \$115,000 from the Federal Gas Tax Reserve Fund."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Regional Grant in Aid
-Driftwood School Restoration
Committee

Moved by Director Stoltenberg
 Seconded by Alternate Director Wray

2024-14-13

"That the Board approve allocating \$80,000 in Regional Grant in Aid monies to the Driftwood School Restoration Committee for a foundation and roof repair project."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ADMINISTRATION CORRESPONDENCE

Ministry of Tourism, Arts
Culture and Sport

Moved by Director Storey
 Seconded by Director Brien

2024-14-14

"That the Board receive the correspondence from the Ministry of Tourism, Arts, Culture and Sport regarding Name Change of Geographical Features in the Regional District of Bulkley-Nechako and Kitimat-Stikine."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ADMINISTRATION CORRESPONDENCE (CONT'D)

Concerns were brought forward regarding Lake Babine Nation not being included in the distribution list outlined in the August 19, 2024 letter from the Ministry of Tourism, Arts, Culture and Sport.

Moved by Alternate Director Wray
 Seconded by Director Lambert

2024-14-15

"That the Board write a letter to the Ministry of Tourism, Arts, Culture and Sport outlining the importance of ensuring that Lake Babine Nation and Nedut'en Hereditary Chiefs have been consulted regarding the proposed name change of the Geographical Features outlined in the Ministry's August 19, 2024 letter."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

VERBAL REPORTS AND COMMITTEE CHAIR REPORTS

Electoral Area E (Francois/Ootsa Lake Rural) – Update

Director Lambert spoke of the young person that went missing in his area and was found. He noted the incredible response from local residents and Search and Rescue as well as those that came from outside the region. On one of the days of the search more than 1,000 people were on site. He expressed gratitude and appreciation and spoke of the importance of Search and Rescue Teams.

Electoral Area F (Vanderhoof Rural) – Update

Director Moon thanked the District of Vanderhoof for the invitation to attend its Community Transition meeting regarding Canfor's announcement it will be closing its Plateau Sawmill. She also thanked Vanderhoof for including Agriculture in its meetings at the 2024 UBCM Convention.

Village of Fraser Lake – Update

Director Storey spoke of the impacts facing the Village of Fraser Lake with the closure of West Fraser Sawmill and the recent announcement by Canfor with the closure of its sawmill in Vanderhoof. She noted the importance of working together collectively moving forward.

VERBAL REPORTS AND COMMITTEE CHAIR REPORTS (CONT'D)

- Village of Granisle – Update Director McGuire provided the following update:
- The foundation for the new seniors housing project has been poured
 - Received grant funding to upgrade the beach campsite
 - Successful meetings at the 2024 UBCM Convention
 - Thank you to Director Brienen for attending the meeting with the RCMP
 - Granisle will now have RCMP patrol in the community 4-5 nights consecutively.
- District of Vanderhoof -Update Director Moutray mentioned that Vanderhoof has been busy with the recent announcement from Canfor regarding the closure of Plateau Sawmill. He thanked everyone for their support.
- Village of Burns Lake – Update Director Wiebe reported that three main projects are nearing completion: the new Burns Lake Volunteer Fire Department, Government Street improvements and the Richmond Loop intersection.
- Director Wiebe noted that three long-standing volunteers and dedicated community members have recently passed away: Lyle Graham, Gordon McFee and George Hamp.
- Electoral Area C (Fort St. James Rural) – Update Director Greenaway provided a brief update:
- Extreme weather shelter is scheduled to open November 1, 2024
 - Working with Nak'azdli Whut'en and the District of Fort St. James to have warming stations.
- District of Houston – Update Director Brienen spoke of the impacts of mill closures and commented that in 2014 Houston lost its mill which amounted to a loss of ~\$7million in taxation and \$300 million in local wages. He noted the importance of meeting with the newly elected government after the October 19th Provincial Election. Director Moutray mentioned that with the most recent mill closure in Vanderhoof that seven contractors from Houston would also be impacted. Mill closures impact residents across the region.

VERBAL REPORTS AND COMMITTEE CHAIR REPORTS (CONT'D)

Chair Parker – Electoral D
 (Fraser Lake Rural) – Update

Chair Parker provided an update regarding:

- the impact of mill closures in Fraser Lake, Vanderhoof and neighbouring communities across the region
 - Imperative to meet the newly elected government to advocate for the communities in the region.
- Recognizing September 30th National Day for Truth and Reconciliation
- Recognized the support that the region and those outside the region that came together to help locate the missing child this past weekend.

2024 Union of B.C.
 Municipalities Convention
 -Vancouver, B.C.
 -September 16-20, 2024

Members of the Board provided a brief overview of the Minister and Ministry Staff meetings they attended. The Board thanked staff for their support and UBCM Packages that were provided. Director Storey noted the announcement regarding a new micro-credential program in the province. She also participated in a session regarding the *Pay Transparency Act*. Director Wiebe mentioned that the Village of Burns Lake meeting with the Minister of Post Secondary Education and Future Skills was a good meeting. Director Greenaway attended the Community-to-Community forum and spoke of the great networking that took place with Binche Whuet'en.

Chair Parker spoke of his presentation regarding the *Emergency and Disaster Management Act* and noted that in the last 10 years the RDBN has lost 1.2 million hectares of forest due to wildfire which is equivalent to two Vancouver Islands. He noted the difference between the losses in the north and losses in areas such as Sooke that had a wildfire in the summer of 2024. Chair Parker spoke of the importance of support in the north.

Receipt of Verbal Reports

Moved by Director Lambert
 Seconded by Director Newell

2024-14-15

"That the Board receive the various Directors verbal reports."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

NEW BUSINESS

Search and Rescue Recognition and Support

Director Lambert noted that the RDBN had a meeting with the Honourable Bowinn Ma, Minister of Emergency Management and Climate Readiness to discuss Search and Rescue capabilities at UBCM. He noted the importance to emphasize the need for training and SAR groups to have the capabilities to operate searches such as the one for the young child on the Southside of Francois Lake. Director Lambert spoke of encouraging people to join SAR. Discussion took place regarding the various skill sets required to assist in a search from on the ground searching to planning, mapping and data collection.

Director Lambert expressed gratitude to the many Search and Rescue groups that came to assist in the search efforts over the past weekend and requested that a thank you be provided. Staff will follow-up.

IN-CAMERA MOTION

Moved by Director Storey
 Seconded by Director Newell

2024-14-16

"That this meeting be closed to the public pursuant to Section 90(1)(c) of the *Community Charter* for the Board to deal with matters relating to the following:

- Labour Relations."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by Director Greenaway
 Seconded by Director Lambert

2024-14-17

"That the meeting be adjourned at 1:36 p.m."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Mark Parker, Chair

Wendy Wainwright, Deputy Director of Corporate Services



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Danielle Patterson
Date: October 10, 2024
Subject: **OCP Amendment and Rezoning Application C-01-24**

RECOMMENDATIONS: **(all/directors/majority)**

That Official Community Plan/Rezoning Application C-01-24 be denied.

EXECUTIVE SUMMARY

The applicant has submitted a combined Official Community Plan/Rezoning application for 13267 and 13308 Sowchea Road. The owner of 13308 Sowchea Road has built their driveway and utilities through their neighbours property at 13267 Sowchea Road. They wish to do a boundary adjustment to gain ownership on the land on which their driveway is built. This subdivision can not occur without the proposed rezoning.

The request to rezone to Large Holdings (H2) to allow the proposed subdivision would create a large L shaped parcel which may impact long term subdivision in the area, and increase waterfront development potential in an area which may have some sensitive features. Given the long term land use implications staff recommend the application be denied.

APPLICATION SUMMARY

Name of Agent / Owner: Andrew Contumelias (agent) / William Heaton / Andrew Contumelias and Danielle Contumelias (owners)

Electoral Area: Electoral Area C (Fort St. James Rural)

Subject Properties: **13267 Sowchea Road**, legally described as Block A, District Lot 651, Range 5, Coast District, Except the South 20 Chains (PID 015-074-421), and

13308 Sowchea Road, legally described as District Lot 1087, Range 5, Coast District (PID 007-846-207)

Property Sizes: **13267 Sowchea Road:** approximately 31.4 ha (~77.6 ac)
13308 Sowchea Road: approximately 11.0 ha (~27.4 ac)

OCP Designations: **13267 Sowchea Road:** Resource (RE) and Parks and Recreation (P) in the Fort St. James Rural Official Community Plan, Bylaw No. 1578, 2010 (the OCP).

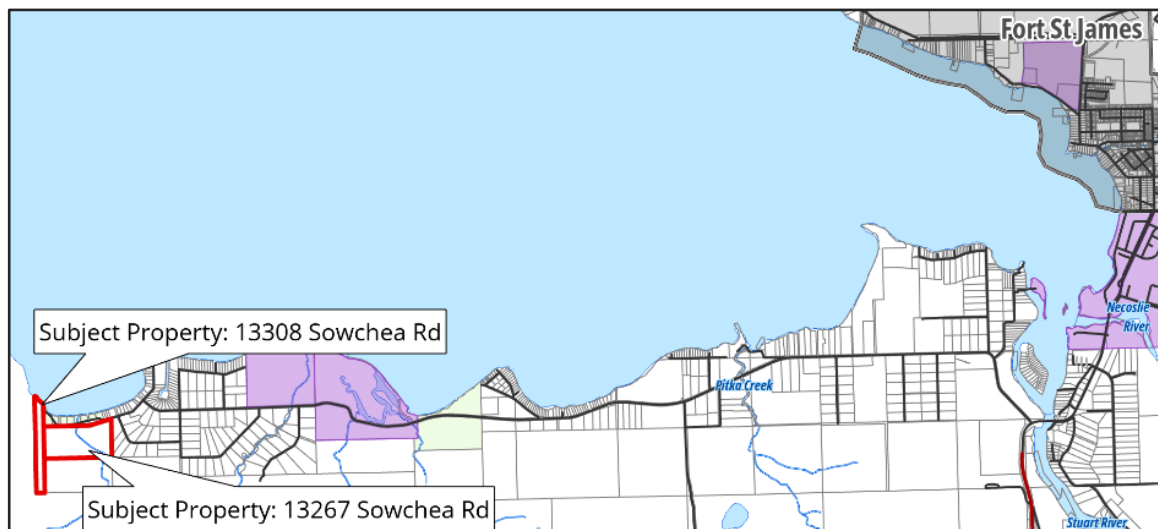
13308 Sowchea Road: Resource (RE) in the OCP.

Zoning: **13267 Sowchea Road:** Recreation Zone (P2) and Rural Resource Zone (RR1) pursuant to "Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020" (the Zoning Bylaw).
13308 Sowchea Road: RR1 and Waterfront Residential II (R4).

Existing Land Uses: **13267 Sowchea Road:** Residential
13308 Sowchea Road: Recreation

Location: Adjacent to Sowchea Bay Provincial Park, located approximately 2-2.5 km from Sowchea 3A & 3 Reserves and 12 km from the District of Fort St. James.

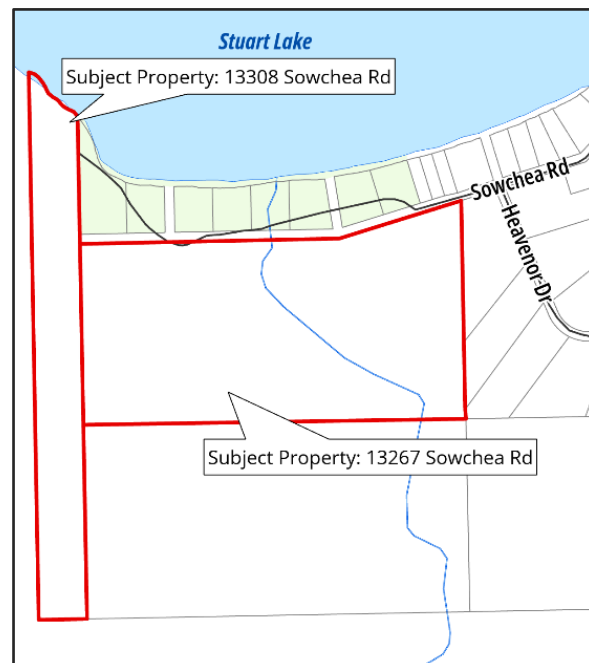
Location Map:



Proposal

The application is for the following:

- 1) Change the Official Community Plan (OCP) designation for an approximate 3.5 - 4.0 ha portion of 13267 Sowchea Road from the Parks and Recreation (P) designation to the Resource (RE) designation (see next page for mapping).
- 2) Rezone an approximately 3.5 - 4.0 ha portion of 13267 Sowchea Road from Rural Resource Zone (RR1) and the Recreation Zone (P2) to the Large Holdings Zone (H2).

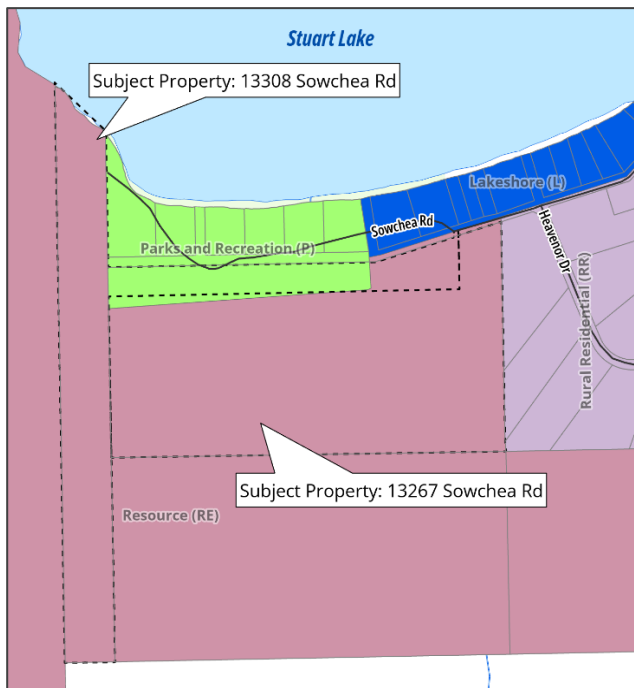


- 3) Rezone 13308 Sowchea Road from the Waterfront Residential II Zone (R4) and Rural Resource Zone (RR1) to the Large Holdings Zone (H2).
- 4) Add a site-specific text amendment to 13308 Sowchea Road to allow a Single Family Dwelling in addition to the Two Family Dwelling that is under construction.

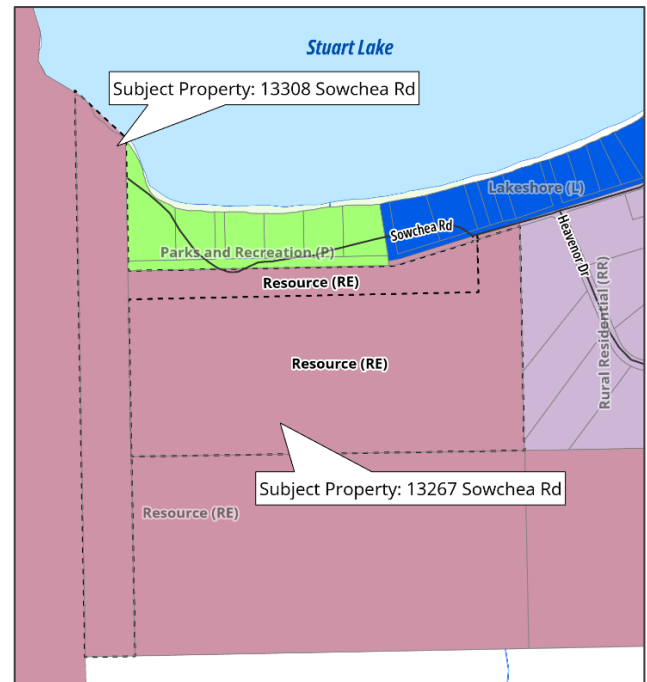
The owners of 13308 Sowchea Road have submitted a subdivision application for a boundary adjustment to the Ministry of Transportation and Infrastructure (MoTI) to allow the owner of 13308 Sowchea Road to gain ownership of a strip of land from a neighbouring property which contains a relocated driveway to 13308 Sowchea Road. The subdivision does not meet RDBN zoning regulations for minimum parcel size. Therefore, this application was submitted to facilitate the proposed parcel boundary adjustment (see Applicant's submission).

OFFICIAL COMMUNITY PLAN AND ZONING

Existing OCP



Proposed OCP



Official Community Plan

The property at 13308 Sowchea Road and the majority (approximately 27.4 ha of 31.4 ha) of the property at 13237 Sowchea Road are designated RE in the OCP (see map above).

The intent of the RE designation is to protect the resource values of the RE area and to minimize resource conflicts among recreation, grazing, mining and wildlife with other uses

by discouraging settlement on RE designated lands. These lands are also valued for their environmental attributes and as wildlife habitats.

Section 5.2 of the OCP states that in areas designated RE, the Regional District may consider rezoning to the RR1, H2, Agricultural Zone (Ag1), Recreation Zone (P2), or new zones. Section 3.8.2 contains the following RE policies related to the application:

“(1) Only residential uses, and uses directly associated with agriculture and grazing, mineral or aggregate extraction, fish and wildlife management, wilderness oriented recreation, and necessary institutional, public, utility or transportation services use will be permitted in the Resource (RE) designation, subject to Section 3.3.2 (6) [staff note: Section 3.3.2(6) references considerations for industrial development only].

(2) A very limited amount of low density residential use may be permitted within this designation, where appropriate.

(3) The minimum parcel size within the Resource (RE) designation shall be 8 hectares (19.77 acres). However, rezoning applications to allow increased residential density shall not be supported if the proposed development can be expected to:

(a) lead to a conflict with, or otherwise negatively impact forestry, agriculture and grazing, mineral or aggregate extraction, fish and wildlife management, trapping, or wilderness oriented recreation;

(b) unnecessarily increase community greenhouse gas emissions;

(c) or, provide increased demand for provision of Regional District service into a new or remote area.

(4) Wherever possible established routes used by cattle or wildlife; recreation lands; and rare or unique fish and wildlife habitats will be protected from incompatible land uses.

(5) Access to timber and recreation lands will be preserved wherever possible.”

The existing OCP designation for a portion of 13267 Sowchea Road is P. This designation appears to have been applied to the property as a mapping error. The proposed new Official Community Plan for Electoral Area C is proposing to correct this error.

Zoning – existing

13267 Sowchea Road

The property is zoned both RR1 (approximately 27.4 ha), shown in brown and P2 (approximately ± 3.49 ha), shown in green (see map on next page)

13308 Sowchea Road

The property is zoned RR1 (approximately 9.85 ha), shown in brown and R4 (approximately 1.15 ha), shown in blue (see map on next page)

Zoning – proposed

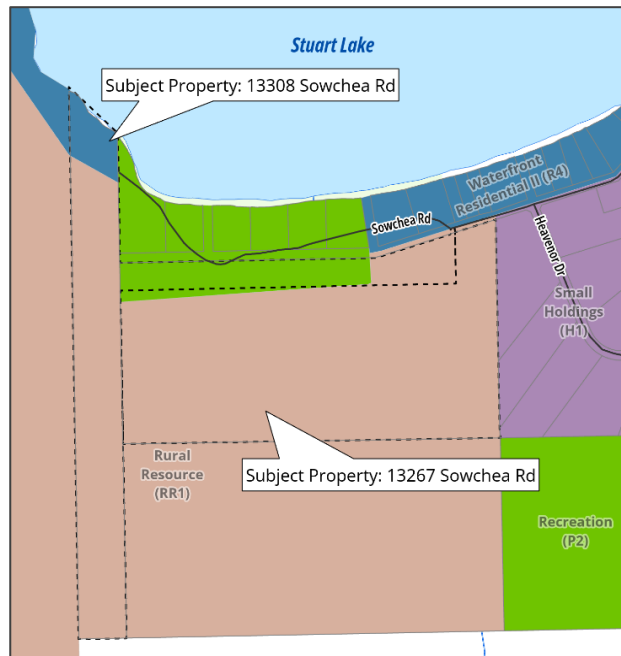
13267 Sowchea Road

The applicant proposes rezoning an approximately ± 3.49 ha portion of 13267 Sowchea Road to H2. The rest of the parcel is proposed to remain RR1.

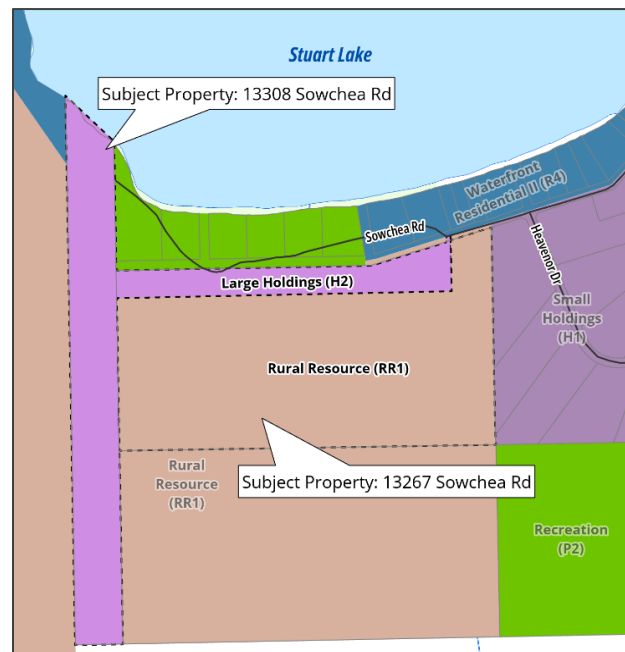
13308 Sowchea Road

The applicant proposes rezoning 13308 Sowchea Road to H2.

Existing Zoning



Proposed Zoning



Zone comparisons

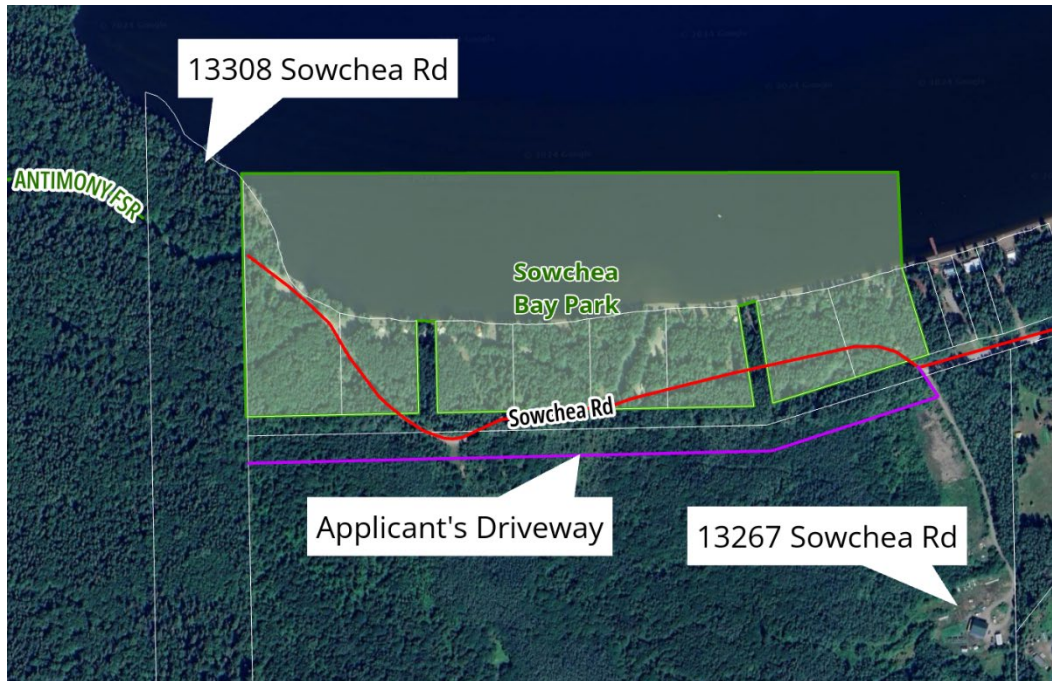
Planning staff note that the applicant's proposal to rezone 13308 Sowchea Road and a portion of 13267 Sowchea Road for a parcel boundary adjustment will reduce the permitted maximum density for Single Family Dwellings, Two Family Dwellings, and some types of Cabins, when the cabins are not used in conjunction with Primitive Campground or Rural Retreat uses.

The difference can be generally described as follows (see Attachments for [link](#) zoning comparison tables).

ACCESS ISSUES

This application is associated with the legal status of Sowchea Road and Antimony FSR through the subject property and Provincial Park. The closure of public access through 13308 Sowchea Road to Crown lands beyond has generated much public interest in the

situation and this rezoning application. Therefore, staff have spent some time attempting to understand the situation.



13308 Sowchea Road Vehicle and Utility Access

The applicant states that they have entered into a written agreement with the owners of 13267 Sowchea Road to use a portion of 13267 Sowchea Road for a private road and utility corridor. The applicant states that this agreement provides them with the option to buy these lands or alternatively enter an easement agreement. The applicant and owner of 13308 Sowchea Road stated their preferred option is to own the land where they have installed a driveway, gate, and utilities.

Sowchea Road / Antimony FSR Legal Status

As noted, the public and industry have been using the road through the park and 13308 Sowchea Road to Antimony FSR for approximately 50 years. This road appears to have been provincially recognized in the past as they are in the Provincial road databases as roads. When the owners of 13308 Sowchea Road installed a fence along their parcel boundary with the park, and decommissioned the portion of road through their property, they removed the public's ability to access Antimony FSR beyond their property.

Despite the long term use of the property as a publicly used road the Province appears to have taken the position that the road through the property is not a forest service road or a Ministry of Transportation Road. Staff are not fully understanding of the Province's position regarding the closure of the long standing publicly used road through the subject property and their lack of action to maintain this access given that the language in Crown Grant (G09386797001) for 13308 Sowchea Road contains the following:

"... Us [the Crown], Our heirs and successors, or for any person or persons acting in that behalf by Our or their authority, to resume any part of the said lands which it may be deemed necessary to resume for making roads, canals, bridges, towing-paths or other works of public utility or convenience; so nevertheless that the lands so be resume shall not exceed one-twentieth part of the whole of the lands aforesaid."

"Provided also that this Grant is issued on the understanding, that the Grantor, Her Successors and [sic] assigns [sic] assumes no obligation whatsoever to provide access to said land."

Sowchea Road was built outside of the dedicated road Right of Way (RoW) through the Provincial Park, which is not unique in the region. The unique aspect of the situation is that the Province is refusing to accept the road through the park as being a public road in their jurisdiction. When questioned regarding the long term public use of the road, MoTI indicated that if someone wanted to challenge the Province's position they may approach the Courts with a request that they declare the road as a highway in accordance with Section 42 of the *Transportation Act*:

- "42 (1) Subject to subsection (2), if public money is spent on a travelled road that is not a highway, the travelled road is deemed and declared to be a highway.*
- (2) Subsection (1) does not apply to any road or class of roads, or to any expenditure or class of expenditures, that is prescribed by the regulations."*

Formal Road Right of Way

BC Parks is not able to grant utility access through the park for 13308 Sowchea Bay Provincial Park (see referral responses for details). However, BC Parks has a Land Use Occupancy Permit for up to a 10-year duration for vehicular access. They are considered on a case-by-case basis, require First Nations and other consultations, are not guaranteed, and do not permit winter road maintenance by the permit holder.

There is an undeveloped RoW that leads from Sowchea Road to the applicant's property at 13308 Sowchea Road. As discussed in the referral response, MoTI stated that if the owners of 13308 Sowchea Road wished to build a road or service their property through the RoW, they would require a Road Works/Access Permit.

The property owners of 13308 Sowchea Road would be responsible for the costs associated with developing the RoW, if they chose that option. In MoTI's referral response, there was no objection to the applicant's proposed panhandle for access to 13308 Sowchea Road or any reference to a requirement to develop the RoW. Not enough information is available to comment on whether development of the RoW would be viable (terrain, etc.).

PLANNING STAFF COMMENTS

Site visit and Building Permit Non-compliance

On August 20, 2024 staff performed a site visit of 13308 Sowchea Road. It was determined that a total of 6 buildings had recently been built on the subject property contrary to the Zoning Bylaw and without the required building permits (see Attachment for site visit photos). Since that time, the property owner has applied for and been issued building permits for the large shipping container and a Two Family Dwelling. To date, the required building permit applications have not been submitted for the other structures.

Proposed Second Single Family Dwelling

The applicant has requested a site-specific text amendment to 13308 Sowchea Road to allow the parcel to have a Single Family Dwelling in addition to the Two Family Dwelling that is currently under construction.

A density of three dwelling units is currently under consideration as part of the RDBN-initiated housing Bylaw No. 2040, 2024. Bylaw No. 2040, 2024 received first and second reading on September 12, 2024 and is scheduled for a Public Hearing on October 10, 2024. Given that the applicant's request aligns with Bylaw No. 2040, 2024, planning staff recommend the requested density change be denied at this time as this is being evaluated as part of the Bylaw No. 2040, 2024 consideration process.

Proposed Rezoning to H2

When reviewing the H2 rezoning request, planning staff's major considerations were land subdivision best practices and the impact of the proposed parcel on long term development options in the area; the affects of changes to use on community character and the environment; and reasonable access options to 13308 Sowchea Road.

Staff are concerned that the proposed parcel boundary adjustment results in an oddly shaped lot which may have long term implications to development in the area. The proposed subdivision would create an atypical parcel layout with a long and wide panhandle, which would create a T-shaped parcel. Some foreseeable challenges with the proposed rezoning for subdivision include:

- the panhandle increasing maximum density calculations for Rural Retreat use,
- the creation of a long narrow panhandle of land that could be developed for Rural Retreat abutting the undeveloped MoTI RoW, which could create land use conflicts, and
- the boundary adjustment would result in 13267 Sowchea Road no longer being compliant with the Section 512 of the *Local Government Act* requirement for 10 per cent or more of the parcel perimeter to front a highway.

While the existing zoning of 13308 Sowchea Road allows Primitive Campground use on the portion of property south of the deactivated Antimony FSR and would allow approximately 110 camping vehicle or tenting sites, the R4 portion of the property acts as a use buffer between a Primitive Campground and the shore of Stuart Lake.

Rezoning to H2 would remove the Primitive Campground use but allow a Rural Retreat with approximately 130-140 sleeping units, in the form of cabins or camping vehicle sites. The Rural Retreat use would be permitted on the entire property, without a buffer between the Rural Retreat use and the shore of Stuart Lake.

It is planning staff's opinion that maintaining the existing RR1 zoning has the potential to mitigate potential negative impacts on Stuart Lake from the impacts of sewerage systems, land clearing, building construction, and the pressure that could come with allowing approximately 130-140 sleeping units adjacent to a busy provincial park.

While the applicant states they prefer to own the portion of the land used for their driveway and utilities they have the option of an easement. As the driveway is already built and appears to be an effective means for accessing 13308 Sowchea Road. Planning staff do not see a compelling reason to facilitate the creation of the proposed parcel.

Bylaw Preparation and Site Plan

The dimensions and areas provided by the applicant are approximations. Staff have communicated to the applicant that prior to Board consideration of any bylaws for first and second reading, detailed measurements would be required. These more detailed measurements are required to create accurate rezoning map schedules.

If the Board wishes to proceed with consideration of the application staff should be directed to prepare the required bylaws for consideration.

REFERRAL RESPONSES

The applicant amended their original application to request a site-specific text amendment for a Single Family Dwelling at 13308 Sowchea Road. Staff did not re-send referral requests to include this new information.

At their July 9, 2024 meeting, the **Electoral Area C Advisory Planning Commission** (APC) received consensus on a resolution to recommend the Board of Directors approve the proposal (see Attachments for meeting minutes).

Ministry of Transportation and Infrastructure (MoTI) Referral Response

MoTI provided a letter with information on storm drainage requirements, setback requirements, and that if the owner of 13308 Sowchea Road chooses to construct a road

through **MoTI's** unconstructed road RoW a Road Works/Access Permit would be required (see Attachments for letter).

Planning staff requested clarification on what the language "reviewed and approved" meant in the **MoTI** letter and asked if MoTI had comments regarding Sowchea Road and/or Antimony FSR. MoTI provided the following response:

"The application is reviewed and approved, meaning that MoTI does not have any concerns with the zoning bylaw changes EXCEPT for the comments we provided. Assuming those are met and/or considered, we have no concerns with the application.

As per the concerns with Sowchea Road, we did not provide comment on the road as that is not something that is considered (in our eyes) when doing zoning bylaw applications. The concerns with the road are being addressed through a Subdivision Application and through our Properties Group at the Regional level and, therefore, we did not feel we needed to provide any comments on these issues. Antimony FSR, is not under our jurisdiction, those concerns would be managed by BC Parks, Ministry of Forest [sic] or Water Land Resource Stewardship."

BC Parks Referral Response

BC Parks provided the following initial referral response:

"BC Parks does not have any authority over the land included in the subdivision application. As adjacent land managers, we have no concerns with the re-zoning or subdivision of the adjacent properties. The road is not blocked in the park, it is gated at the boundary between park and private land by the private landowner. The owners were not prohibited from using Sowchea Road, nor did we require them to build an alternative road, they elected to do this for the purposes of servicing their lot with gas/power. We have no authority over the road beyond the park boundary, therefore we have nothing to do with allowing public access past the boat launch."

Planning staff responded to the referral response by asking if it was correct that stating BC Parks could not allow natural gas and electricity access through the park for 13308 Sowchea Road and that A BC Parks permit would be required for vehicular access. BC Parks' response was as follows.

Natural gas and electricity response:

"Correct. We would not be able to issue a park use permit because the activity would not be allowed under Section 9 (1) and (2) of the Park Act:

Natural resources protected

9 (1) A natural resource other than fish and wildlife taken, hunted or killed in accordance with the Wildlife Act and fish, game or wildlife stalked or pursued for

observation or for photographic or study purposes, in a Class A or Class C park must not be granted, sold, removed, destroyed, damaged, disturbed or exploited except as authorized by a valid and subsisting park use permit.

(2) A park use permit referred to in subsection (1) must not be issued unless, in the opinion of the minister, it is necessary for the preservation or maintenance of the recreational values of the park involved.

BC Parks let the property owners know that we could not allow them to run gas/hydro through the park when they initially reached out to us about it. I believe that is why they made alternate plans to service their lot."

Vehicular access permit response:

"Correct, access to private property through the park would have to be permitted (if that is possible). Each case is different [...] but in some cases under the Park Act we aren't able to issue permits for private access. Either way, the campground is seasonal [sic] and the road is not plowed in the winter so that would also have been a problem for the property owner."

"- If a property owner wanted to use a road in a park to access their property, they could apply for a Land Use Occupancy Permit for up to a 10-year duration.

- The permit application would then start the consultation process, including First Nations consultation. The permit application process would also result in reviewing the application and proposed use to see whether the proposal is feasible under the BC Parks permitting process.

- There is no guarantee a permit would be approved. Permits that are approved require payment of annual fees.

- A permit holder would be unlikely to be granted the ability to maintain an access road in the winter on a parks [sic] road, so would need to look at access options such as snowmobile use or seasonal access only."

Ministry of Forests (MoF)/ Ministry of Water, Land and Resource Stewardship (MoWLRs) Referral Response

Planning staff were advised that the referral sent to **MoF** should be directed to **MoWLRs**.

Maureen Tait, Authorization Team Lead – Lands Division provided the following comments on the portion of road going through the property addressed 13308 Sowchea Road.

"My Ministry, and in particular, the Lands program is not responsible for the Antimony FSR. As DL 1087 is private property, with no easement for the road that I can see, the owners are within their rights to remove that portion of the road as it is private property.

The road is not depicted on the Crown grant sketch for DL1087. I am not a lawyer though and if there are questions, legal advice may be the appropriate avenue.

I am aware this has created a lot of concern for the people who had used to the road to access their recreational properties. Those properties are water access only lots. There is no guarantee of road access.

I will have someone from Lands review the referral and if we have any comments, we will respond. Likely, if you did not receive anything from the district office, they may not have had any comments[...]"

In response to the full referral request **MoWLRS** provided the following.

"We had a look at your referral regarding the Antimony FSR (FILE No. RZ C-01-24), and it is our understanding that there is no legal access through the 13308 property [sic] as no roads were indicated on the original Crown Grant. We would strongly recommend contacting LTSA to confirm both the access, and the language surrounding the "one-twentieth of the property" portion."

Land Title and Survey Authority (LTSA) Response

As recommended by MoWLRS, planning staff contacted the **LTSA** regarding the access language that is part of the Crown Grant for 13308 Sowchea Road and received the following response from Azjahly Edwards, Manager of Customer Operations.

"Unfortunately [sic] we don't offer any sort of interpretation of documents, so I'm not sure that I can help with the question about the language surrounding the one-twentieth of the property.

I will note that the Crown Grant calls out that the parcel of land is 27 & 20/100 acres more or less as shown on the attached sketch, however the LTO does not make any determinations around this when raising a title by way of Crown Grant.

Additionally the Crown Grant notes "this grant is issued on the understanding that the Grantor, Her Successors and assigns assumes [sic] no obligation whatsoever to provide access to the said land".

I can't see any evidence that a further application was filed to dedicate road, so from a land title perspective the parcel does not appear to have legal access.

You may want to speak to your legal counsel to get an interpretation of the contents of the crown grant."

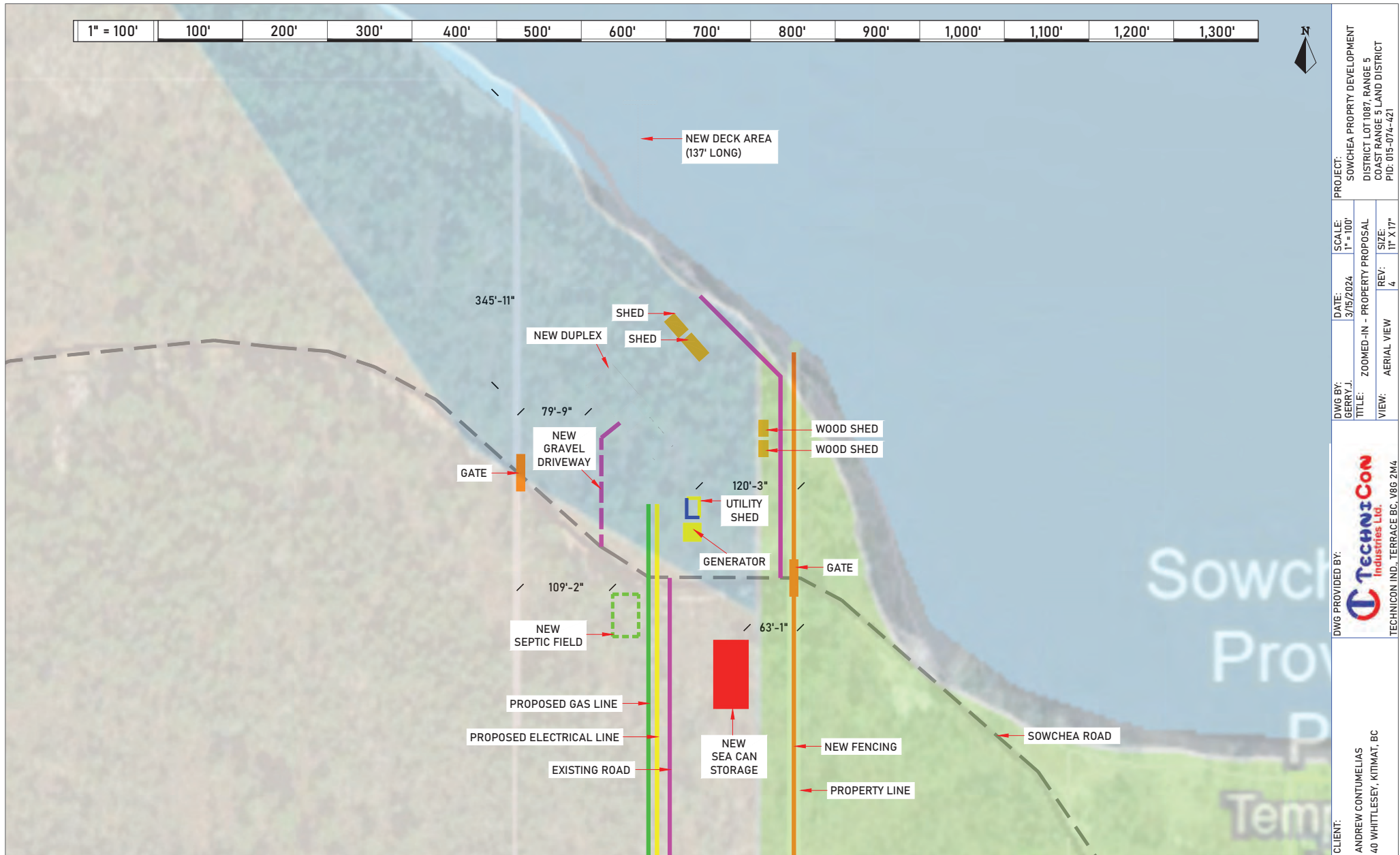
Other Referral Responses

Responses were not received by **Yekooche First Nation**, the **District of Fort St. James**, **School District No. 91 – Nechako Lakes** or the **Nak'azdli Band** as of the writing of this

report. Planning staff anticipate a referral response from the **Nak'azdli Band** prior to the October 10, 2024 Board meeting.

ATTACHMENTS:

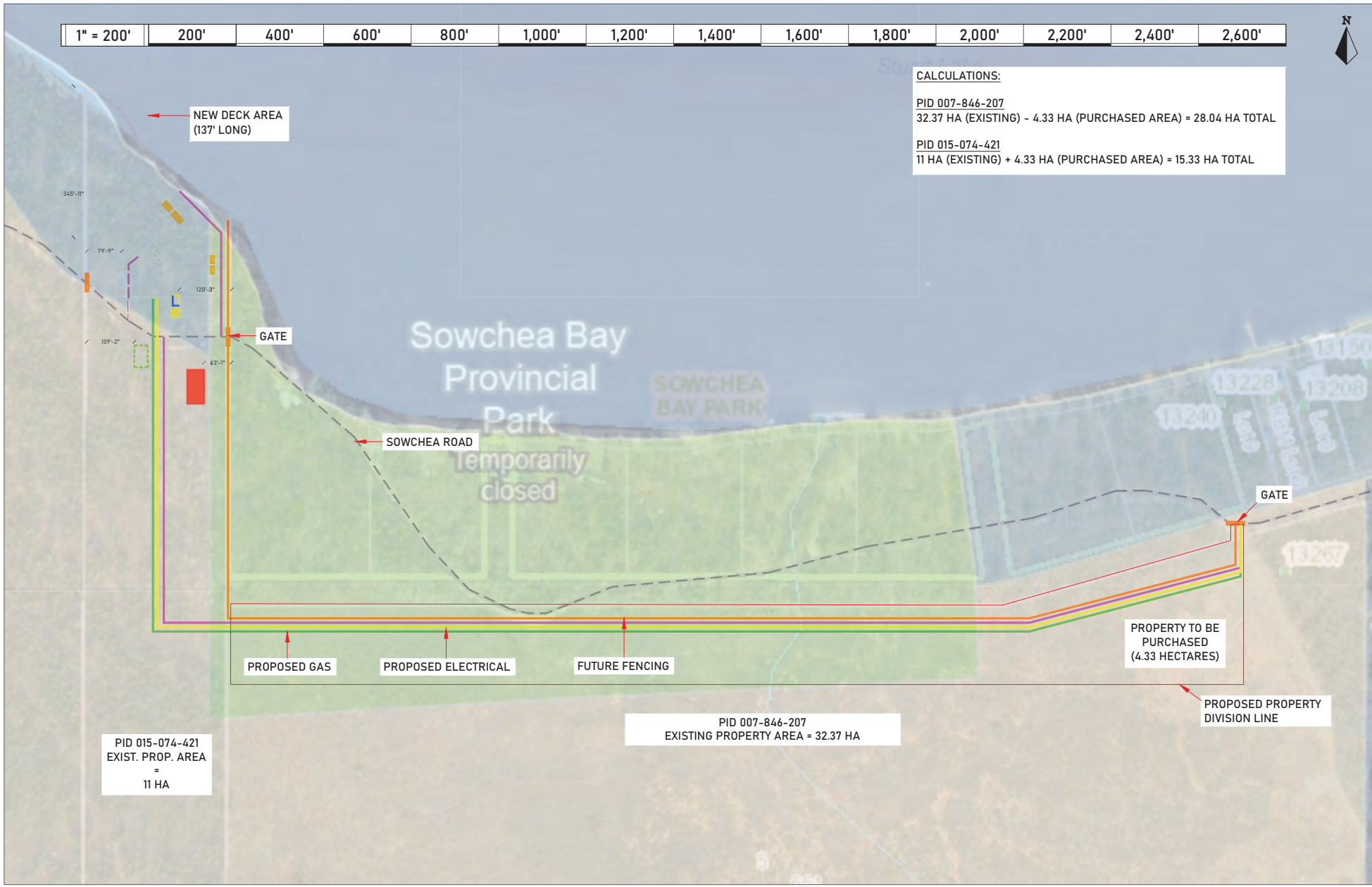
- Applicant's submission
- [R4, H2, RR1, and P2 zones](#) (link)
- [Zoning comparison tables](#) (link)
- [Site visit photos](#) (link)
- Electoral Area C APC meeting minutes – July 9, 2024
- MoTI referral response letter



PROJECT:	SOWCHEA PROPERTY DEVELOPMENT	
	DISTRICT LOT 1087, RANGE 5 COAST RANGE 5 LAND DISTRICT PID: 015-074-421	
DWG BY:	DATE:	SCALE:
GERRY J.	3/15/2024	1" = 100'
TITLE:	VIEW:	SIZE:
ZOOMED-IN - PROPERTY PROPOSAL	AERIAL VIEW	11" X 17"
REV:	REV:	REV:
4	4	4
DWG PROVIDED BY:		
TECHNICON IND., TERRACE BC, V8G 2M4		
CLIENT:	ANDREW CONTUMELIAS 40 WHITTLESEY, KITIMAT, BC	



CALCULATIONS:
 PID 007-846-207
 32.37 HA (EXISTING) - 4.33 HA (PURCHASED AREA) = 28.04 HA TOTAL
 PID 015-074-421
 11 HA (EXISTING) + 4.33 HA (PURCHASED AREA) = 15.33 HA TOTAL



NEW DECK AREA
(137' LONG)

GATE

SOWCHEA ROAD

Sowchea Bay Provincial Park
temporarily closed

GATE

PROPOSED GAS

PROPOSED ELECTRICAL

FUTURE FENCING

PROPERTY TO BE PURCHASED
(4.33 HECTARES)

PROPOSED PROPERTY DIVISION LINE

PID 015-074-421
EXIST. PROP. AREA
= 11 HA

PID 007-846-207
EXISTING PROPERTY AREA = 32.37 HA

CLIENT:
ANDREW CONTUMELIAS
40 WHITTLESEY, KITIMAT, BC

DWG PROVIDED BY:
TechniCon Industries Ltd.
TECHNICON IND., TERRACE BC, V8G 2M4

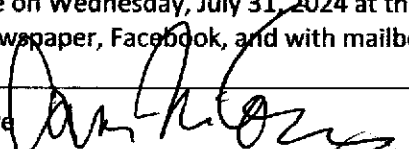
DWG BY: GERRY J.	DATE: 3/15/2024	SCALE: 1" = 200'
TITLE: SERVICES AND ROADS	VIEW: AERIAL VIEW	REV: 4
		SIZE: 11" X 17"

PROJECT:
SOWCHEA PROPERTY DEVELOPMENT
DISTRICT LOT 1087, RANGE 5
COAST RANGE 5 LAND DISTRICT
PID: 015-074-421



CLIENT:		DWG PROVIDED BY:		PROJECT:	
ANDREW CONTUMELAS 40 WHITTLESEY, KITIMAT BC		TECHNICON IND., TERRACE BC, V8G 2M4		SOWCHEA PROPERTY DEVELOPMENT	
DWG BY:		DATE:		SCALE:	
GERRY J.		3/15/2024		1" = 300'	
TITLE:		REV:		SIZE:	
ZOOMED OUT - PROPERTY PROPOSAL		4		11" X 17"	
VIEW:		REV:		DISTRICT LOT 1087, RANGE 5	
AERIAL VIEW		4		COAST RANGE 3 LAND DISTRICT	
				PID: 015-074-421	

**Advisory Planning Commission
Meeting Minutes**

Electoral Area C	Meeting Date: July 9, 2024	Meeting Location: Zoom video/phone		
Attendance				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <u>APC Members</u> <input checked="" type="checkbox"/> Cam McCormick <input checked="" type="checkbox"/> Carrie Constantine <input type="checkbox"/> Morgan Davis <input type="checkbox"/> Jonathan Ouellette <input type="checkbox"/> Dalphena Snively <input checked="" type="checkbox"/> Bob Grill </td> <td style="width: 50%; vertical-align: top;"> <u>Electoral Area Director</u> <input checked="" type="checkbox"/> Director Judy Greenaway <input type="checkbox"/> Alternate Director Lionel Conant <u>Other Attendees</u> <input checked="" type="checkbox"/> Andrew Contumelias, applicant/owner (left at 7:57 pm) <input checked="" type="checkbox"/> Danielle Contumelias, owner (left at 7:57 pm) <input checked="" type="checkbox"/> Dave Burgess, member of the public (left at 7:59 pm) <input checked="" type="checkbox"/> Danielle Patterson, Senior Planner, RDBN <input checked="" type="checkbox"/> Chloe Taylor, Planning Summer Student (Co-op), RDBN </td> </tr> </table>			<u>APC Members</u> <input checked="" type="checkbox"/> Cam McCormick <input checked="" type="checkbox"/> Carrie Constantine <input type="checkbox"/> Morgan Davis <input type="checkbox"/> Jonathan Ouellette <input type="checkbox"/> Dalphena Snively <input checked="" type="checkbox"/> Bob Grill	<u>Electoral Area Director</u> <input checked="" type="checkbox"/> Director Judy Greenaway <input type="checkbox"/> Alternate Director Lionel Conant <u>Other Attendees</u> <input checked="" type="checkbox"/> Andrew Contumelias, applicant/owner (left at 7:57 pm) <input checked="" type="checkbox"/> Danielle Contumelias, owner (left at 7:57 pm) <input checked="" type="checkbox"/> Dave Burgess, member of the public (left at 7:59 pm) <input checked="" type="checkbox"/> Danielle Patterson, Senior Planner, RDBN <input checked="" type="checkbox"/> Chloe Taylor, Planning Summer Student (Co-op), RDBN
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Acting Chairperson: Carrie Constantine		Secretary: Cam McCormick (Danielle Patterson as note-taker)		
Call to Order: 7:15 pm				
<p>RZ C-01-24</p> <p>Andrew Contumelias provided a summary of their proposal as follows:</p> <ul style="list-style-type: none"> - A. Contumelias stated that they bought the property next to Sowchea Bay Provincial Park at 13308 Sowchea Road, and that BC Parks would not permit utilities through the park or vehicular access without a parks permit. They found that the MoTI right of way to their property was not surveyed and surveying the area would take a long time. - To develop their property, they made a 10 year agreement with neighbour for road and utility access over about 4 ha of the neighbour's property at 13267 Sowchea Road. A. Contumelias would like to subdivide to own this 4 ha portion of the neighbour's land. A. Contumelias said entering into an easement agreement would be a back up plan. They have building permits for a duplex, a well, are planning for septic, and have built a road across their neighbour's property to their own. <p>D. Patterson provided a summary of the requested OCP/rezoning proposal for the purposes of facilitating a parcel boundary adjustment (subdivision). D. Patterson noted that the applicant's request to redesignate part of 13267 Sowchea Road from Parks and Recreation to Resource is proposed in the draft Area C OCP.</p> <p>APC members discussed backcountry recreational and industry access, road quality, First Nation interests, and the proposed shape of subdivision. APC members commented that Antimony FSR access issues and the OCP/rezoning application are two separate matters.</p> <p>APC members made a resolution to recommend the Board of Directors approve the proposal (consensus).</p> <p>Area C OCP Open House</p> <p>Director Greenaway stated there is an OCP open house on Wednesday, July 31, 2024 at the Fort St. James Community Centre. Chloe Taylor stated it is being advertised by newspaper, Facebook, and with mailbox notices.</p>				
Meeting Adjourned: 8:37 pm	Secretary Signature 			



Our File: 2024-03510

Date: August 7, 2024

Response To: **Regional District of Bulkley Nechako - Deneve Vanderwolf**
 Item Referred: **Rezoning**
 Legal Description: **PID 007-846-207**
 Application Reviewed By: **Terrell Balan**

RESPONSE SUMMARY

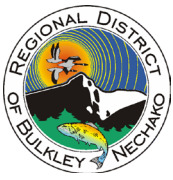
The Ministry of Transportation & Infrastructure (MoTI) has received the above noted referral from the Regional District of Bulkley Nechako regarding the proposed rezoning. The application has been reviewed and approved. Please note the following:

- It appears this application is outside of the 800m Controlled Area radius, so if the proposal is to move forward under a zoning bylaw amendment, Ministry sign off on the bylaw will not be required.
- No storm drainage shall be directed to MoTI drainage system. This includes but is not limited to collection and run-off of the internal road system.
- MoTI setback requirements to be followed as per Section 12 of the Provincial Undertakings Regulation ([here](#))
Restriction on placement of buildings or other structures
12 An owner, occupier or lessee of land must not, without the consent of the minister, place or cause or allow to be placed any building, trailer, mobile home or other structure within the following distance from the property line fronting on any arterial highway within a municipality or on any highway in unorganized territory:
(a) if a public lane or alley provides secondary access to the property, 3 m;
(b) in any other case, 4.5 m.
- Should the applicant choose to construct access through the unconstructed road right of way adjacent to PID 007-846-207 on the North side, they must apply to MoTI for a Road Works/Access Permit. Applications can be made online, a BCeID is required, which they can register for [here](#) and then they can apply for the permit [here](#).
- The proposed zoning boundaries are consistent with the current proposed subdivision layout; however, the proposed subdivision layout is not guaranteed as it is dependant on review and approval by the Provincial Approving Officer. The applicant may wish to confirm the subdivision layout prior to completing the rezoning as any change to the proposed subdivision layout may require adjustments to the zoning boundaries. MoTI subdivision file # is 2023-05110.

If you have any questions, please feel free to contact myself at 250-645-9606, or by email at terrell.balan@gov.bc.ca.

Sincerely,

Terrell Balan
 Development Officer
 Fort George District



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Rowan Nagel, GIS/Planning Technician
Date: September 18, 2024
Subject: **Crown Land Application Referral No. 6409504**

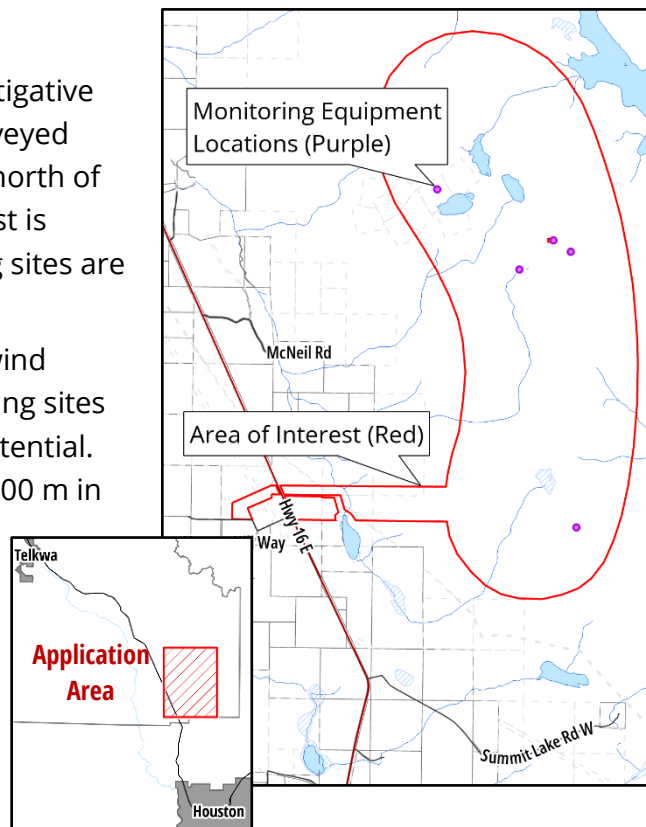
RECOMMENDATION: (all/directors/majority)

That the attached comment sheet be provided to the Province as the Regional District's comments on Crown Land Application No. 6409504.

BACKGROUND

0887581 B.C. Ltd. has applied for an investigative license covering 2,707 ha of mostly unsurveyed crown land located approximately 17 km north of the District of Houston. The area of interest is partially within the ALR, but no monitoring sites are in the ALR.

The applicant plans to install unmanned wind monitoring equipment in the five monitoring sites shown to assess the area's wind power potential. The equipment consists of a tower up to 100 m in height and a portable LiDAR scanner less than 2 m in height (See attached). These devices will remain through 2026. Additionally, they plan to perform in-person monitoring and surveying to better understand the local wildlife and terrain. Work will occur from late 2024 through late 2025.



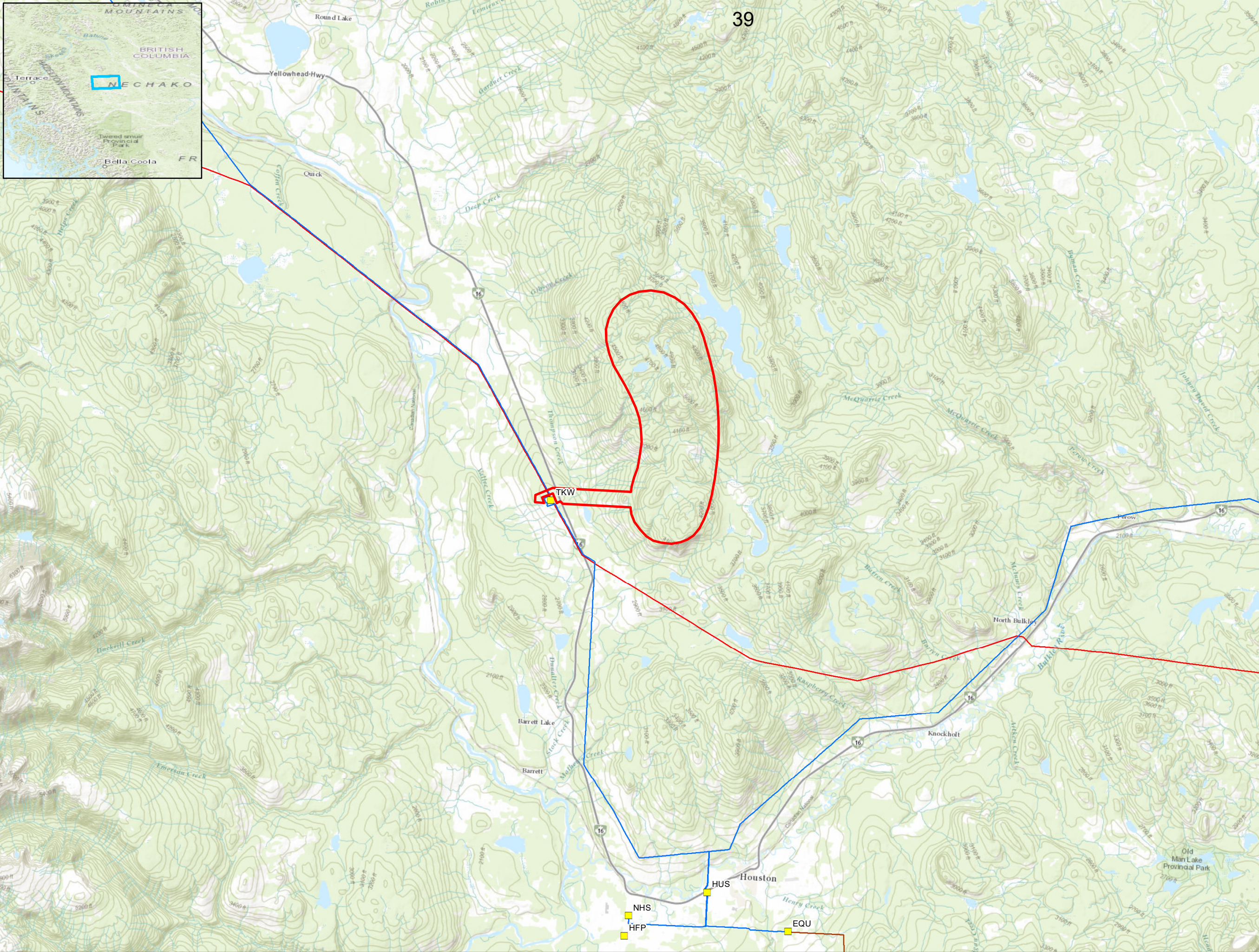
The nearest dwelling is approximately 2.5 km from a monitoring site. The applicant anticipates no permanent site disturbance from any of their proposed activities.

ATTACHMENTS

- Comment Sheet
- Applicant Maps
- Applicant Photos



Electoral Area:	Electoral Area A (Smithers Rural)
Applicant:	0887581 BC LTD.
Existing Land Use:	Unsurveyed Crown Land
Zoning:	Agriculture (Ag1), Large Holdings (H2), Resource (RR1), unzoned
OCP Designation:	Agriculture (Ag), Resource (RE), undesignated
Proposed Use Comply with Zoning:	N/A
If not, why?	N/A
Agricultural Land Reserve:	Partial
Access:	Summit Lake West Road, McNeil Road, and helicopter access
Building Inspection:	Partial
Fire Protection:	No
Other comments:	None



39

Project

Morice Wind

Title

General Location Map

Version

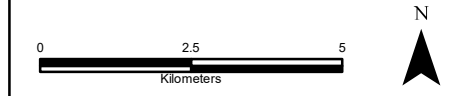
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Legend

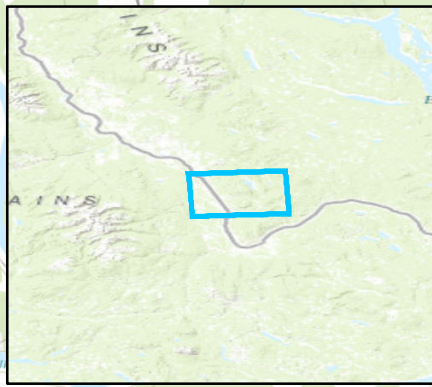
- ▭ Morice Wind IL Area
- ▭ British Columbia BC Hydro Substation Points
- 69 kV
- 138 kV
- 230/287 kV
- 360 kV
- 500 kV
- DC
- Other Utilities Private Future Other Utilities Private Future

Map Details

Scale: 1:125,000
 Reference: NAD_1983_BC_Albers
 Date: August 14, 2024

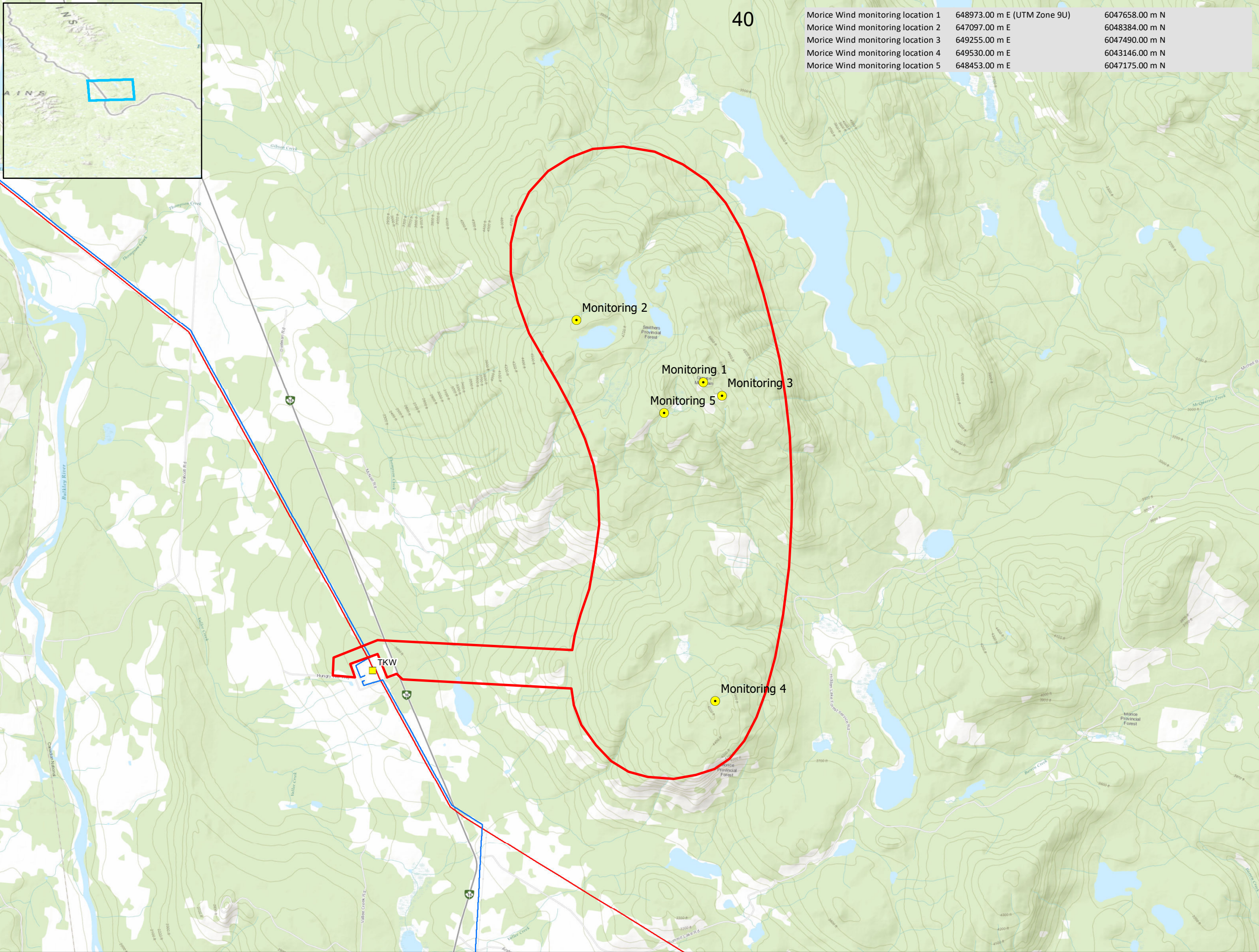


Credits



40

Morice Wind monitoring location 1	648973.00 m E (UTM Zone 9U)	6047658.00 m N
Morice Wind monitoring location 2	647097.00 m E	6048384.00 m N
Morice Wind monitoring location 3	649255.00 m E	6047490.00 m N
Morice Wind monitoring location 4	649530.00 m E	6043146.00 m N
Morice Wind monitoring location 5	648453.00 m E	6047175.00 m N



Project

Morice Wind

Title

Site Plan Map

Version

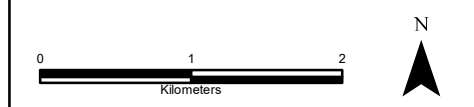
1

Legend

- ▭ Morice Wind IL Area
- Monitoring Locations
- ▭ British_Columbia_BC_Hydro_Substation_Points
- 69 kV
- 138 kV
- 230/287 kV
- 360 kV
- 500 kV
- DC
- Other Utilities_Private_Future
- 69 kV
- 138 kV
- 230 kV & 287 kV
- 360 kV
- 500 kV
- DC
- Other Utilities_Private_Future

Map Details

Scale: 1:50,000
 Reference: NAD_1983_BC_Albers
 Date: August 14, 2024



Credits

Appendix A

Example of an 80m lattice met-tower



Example of a LiDAR device





Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Cameron Kral, Planning Technician
Date: October 10, 2024
Subject: Gosnell Creek South Multi-Use Site Permit Extension Notification

RECOMMENDATION: (all/directors/majority)

That staff be directed to inform Enbridge that the Board's January 26, 2018 letter remains valid and contains the RDBN's comments in regard to Pacific Trails Pipeline Projects permit extension applications notifications for Pacific Trails Pipeline Project facilities.

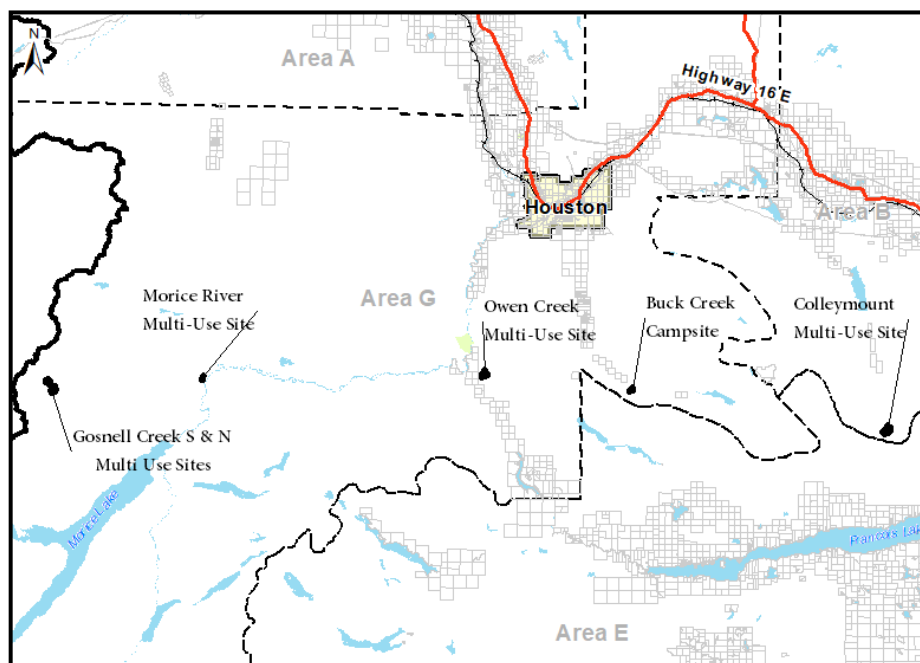
DISCUSSION

The RDBN has received a referral from Enbridge Inc., regarding their intention to apply to the BC Energy Regulator (formerly the BC Oil and Gas Commission) for an extension to their permit for the proposed Gosnell Creek South Campsite. This facility is proposed for the construction of the Pacific Trails Pipeline. Similar referrals for Pacific Trails Pipeline Project (PTP Project) facilities have been considered by the Board in previous years and staff expect to receive additional permit extension referrals for the remaining PTP facilities.

The following is an overview of the known PTP Project facilities (see map below) and recommendations regarding responses to PTP Project permit extension application notification letters.

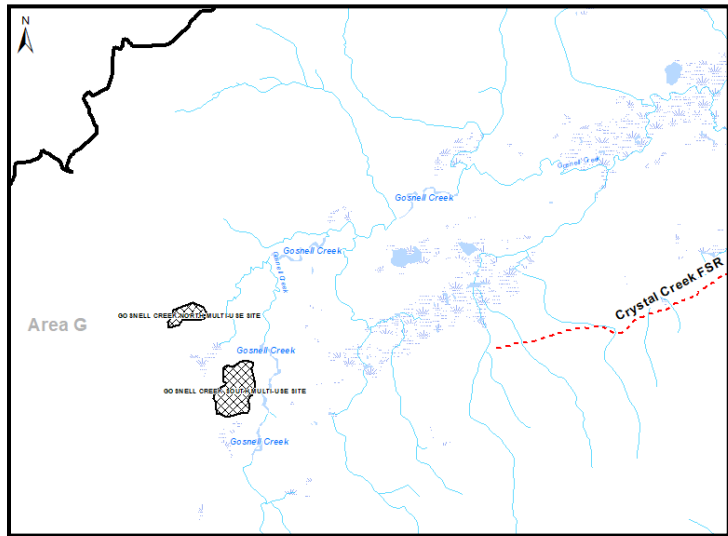
Multi-Use Sites

Multi-use sites may contain infrastructure such as temporary construction camps, contractor yards, and refuelling areas to support pipeline construction activities. Multi-use sites are subject to zoning regulations.



Gosnell Creek North & South Multi-Use Sites

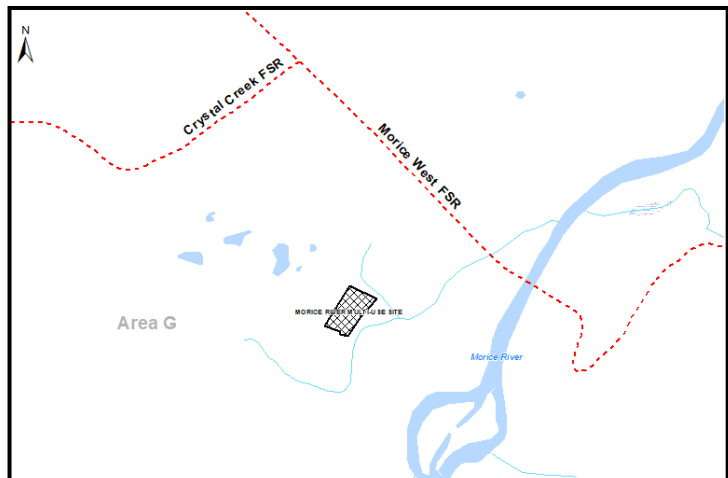
The proposed Gosnell Creek South Multi-Use Site is the subject of the attached notification letter. Both proposed Gosnell Creek Multi-Use Sites are located in the remote southwest area of Electoral Area G (Houston/Granisle Rura). Both sites are accessed off Crystal Creek FSR, approximately 65 km southwest of the District of Houston.



Gosnell Creek North’s application area is 12.46 ha (30.78 ac) in size and Gosnell Creek South’s application area is 37.88 ha (93.60 ac) in size. Both proposed sites are not zoned or located within the RDBN Building Inspection Area.

Morice River Multi-Use Site

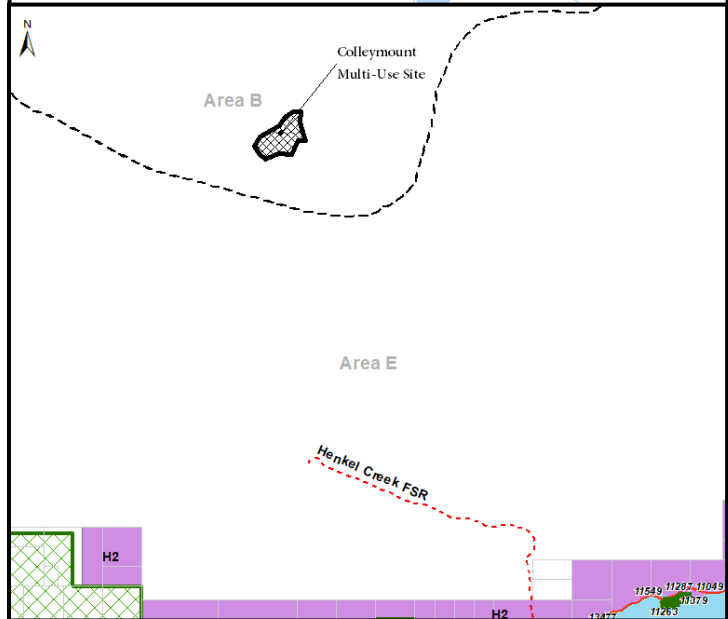
The proposed Morice River Multi-Use Site is located in Electoral Area G. It is accessed off the Morice West FSR, approximately 45 km southwest of the District of Houston. The proposed site is 2.68 ha (6.62 ac) in size and is not zoned or located within the RDBN Building Inspection Area.



Colleymount Multi-Use Site

The proposed Colleymount Multi-Use Site is located in Electoral Area B (Burns Lake Rural). It is accessed off the Henkel Creek FSR, approximately 45 km east of the District of Houston. The size of the proposed site is 48.23 ha (119.17 ac)

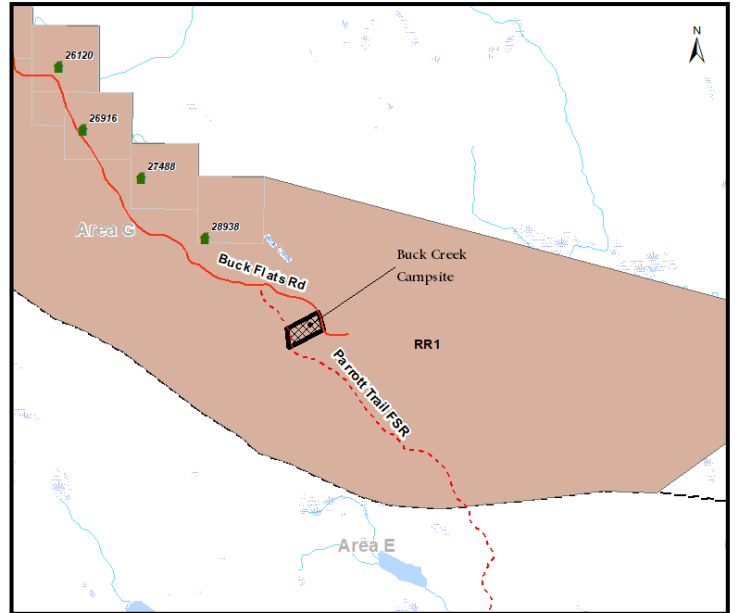
The area is not zoned but is located within the RDBN Building Inspection Area. Therefore, building on this site may require a building permit.



Buck Creek Campsite

The proposed Buck Creek Campsite is located in Electoral Area G. It is accessed off Buck Flats Road and Parrott Trail FSR, approximately 22 km south of the District of Houston. The size of the proposed site is 8.44 ha (20.85 ac).

The proposed site is zoned Rural Resource (RR1) and is outside the RDBN Building Inspection area. The proposed uses are not permitted in the RR1 and may not occur on the site without the issuance of a Temporary Use Permit (TUP) or approved rezoning application by the RDBN Board.



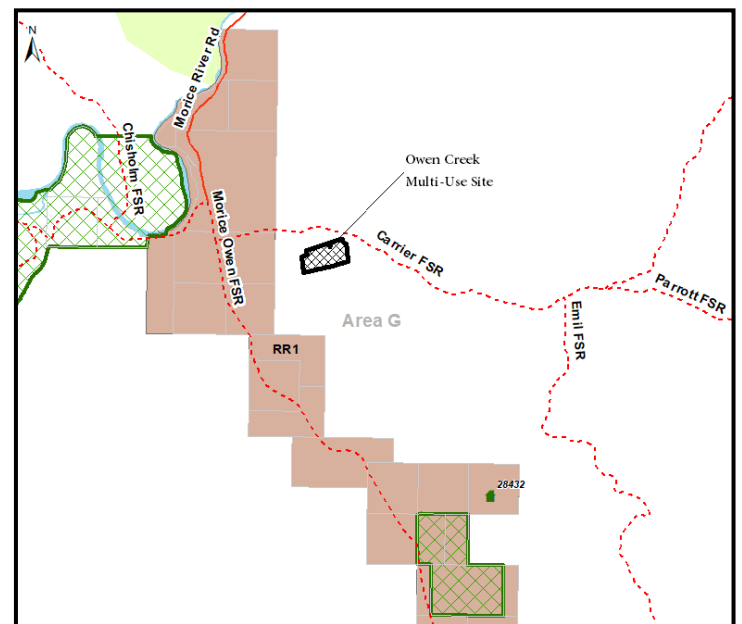
Owen Creek Multi-Use Site

The proposed Owen Creek Multi-Use Site is located in Electoral Area G. It is accessed off the Carrier FSR, approximately 20 km south of the District of Houston. The size of the proposed site is 25.47 ha (62.93 ac).

The area is not zoned and is found outside the RDBN Building Inspection Area.

Staff Comments

On January 26, 2018 the RDBN sent a letter (attached) to the BC Oil and Gas Commission and Chevron Canada Ltd. (now Enbridge) outlining the pipeline development issues the RDBN would like addressed. Several similar letters have been sent over the years. In staff's opinion the positions contained in the January 26, 2018 letter remain valid, and the letter should be re-submitted as the RDBN's comment on PTP Project permit extension application notifications.



ATTACHMENTS

- [Notification letter from Enbridge Inc. Dated September 25, 2024 regarding a permit extension application for the Gosnell Creek South Campsite](#) (Link)
- [Letter from the RDBN to the BC Oil and Gas Commission and Chevron Canada Ltd. Dated January 26, 2018 regarding pipeline development issues](#) (Link)



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Jason Llewellyn, Director of Planning
Date: October 10, 2024
Subject: **Fraser Lake Foreshore Integrated Management Plan (FIMP)**

RECOMMENDATION: (all/directors/majority)

Receipt

BACKGROUND

Living Lakes Canada recently released the document titled [“Fraser Lake Foreshore Integrated Management Plan – 2023.” \(FIMP\)](#). This document contains a detailed inventory of the foreshore of Fraser Lake, discusses foreshore habitat values and habitat sensitivities, and impacts from existing foreshore developments. The plan also identifies the change along the lake shoreline since the previous inventory conducted in 2011, and makes recommendations regarding future development.

This project was supported by a \$5,000 Grant in Aid from Electoral Area D to the Nechako Environment Water Stewardship Society (NEWSS) and Living Lakes Canada. NEWSS has facilitated numerous restoration projects on Murray Creek, and other damaged stream ecosystems within the Nechako Watershed. Living Lakes Canada is a non government organization that “facilitates collaboration in monitoring, restoration, and policy development initiatives for the long-term protection of lakes, rivers, aquifers, wetlands and watersheds across Canada.”

This report discusses the findings and the recommendations contained in the plan, discusses the RDBN’s approach to waterfront development, and outlines the actions proposed to be undertaken by staff in response to the plan.

It is noted that Living Lakes Canada has expressed interest in completing a Foreshore Integrated Management Plan for Francois Lake and maybe seeking financial contributions for that study.

FIMP FINDINGS AND RECOMMENDATIONS

Staff note the following from the FIMP.

- More than half of the shoreline is in a natural condition (65%, 46,453 m), while the remainder is disturbed (35%, 24,475 m). Disturbed shoreline includes areas with any disturbance to the natural condition within 50 m of the high water mark of the lake.
- Disturbance area by land use.
 - Road and rail 12.3%
 - Rural / residential 18.6%
 - Park 2.4%
 - Agriculture 1.6%
 - Industrial 0.5%
- Type of shoreline modification within 5 m of high water mark (linear %).
 - Rail 12.7%
 - Road 2.1%
 - Erosion protection 1.3%
 - Docks 128 from 115 in 2011
 - Boat launches 19 from 9 in 2011
 - Groynes (breakwater) 18 from 17 in 2011

Comparison between the 2011 and 2023 surveys indicated that the total length of disturbed shoreline increased by 2.6% representing an annual increase of 155 m or 0.2%. The FIMP identifies that the “main pressures include development impacts from single family and rural properties,” and “phosphorus and sediment loading from septic systems and grey water, stormwater runoff from lawns and agricultural areas, tree removal, and inputs from upstream Stellako-Endako systems.”

The plan states on pages 63 and 64 that:

‘It is evident from this survey that recent shoreline development, both within and beyond the current setback areas stipulated by the RDBN, and sometimes even extending below the lake high water mark, is impacting sensitive ecosystems and lowering the habitat value of riparian areas along the Fraser Lake shoreline. This was most evident in residential and rural areas. It is not known whether these developments were reviewed and approved by the appropriate regulatory bodies prior to occurring. A more stringent review

process, through the implementation of a formal Waterfront Development Permit Area, as well as enforcement of policies are recommended.”

The FIMP makes 16 recommendations which are listed below and detailed on pages 64-67 of the FIMP.

1. Protection of zones of sensitivity (ZOS);
2. Designation of conservation areas;
3. Update the RDBN and Village of Fraser Lake OCPs with the results of the FIMP;
4. Establish a Waterfront Development Permit Area under the RDBN and Village of Fraser Lake OCPs, and any Land Planning Processes within Stellat'en and Nadleh Whut'en reserves;
5. Implement a collaborative permitting process for the WDPs;
6. Conduct a formalized archaeological assessment and develop a local Chance Find Procedures document;
7. Implement a co-governed compliance and enforcement committee;
8. Consider climate change during foreshore planning;
9. Educate landowners regarding waterfront property protection, permitting processes, and stewardship;
10. Post signage around the lake encouraging responsible boat use;
11. Encourage communal boat launches and shared docks;
12. Prohibit the placement of mooring buoys and docks in wetland and stream mouth ZOS;
13. Manage livestock access in front of waterfront properties;
14. Encourage riparian restoration efforts in disturbed areas;
15. Protection of freshwater mussels; and
16. Complete a lake wide mussel survey to determine the extent and distribution of mussels throughout the lake.

REGULATORY FRAMEWORK AND AREAS OF RESPONSIBILITY

The following is a list of the Federal, Provincial, and local government legislation identified in the plan as applying to the use and development of waterfront land (from Appendix 7 to the FIMP).

Federal Acts:

The Department of Environment Act
Fisheries Act

Federal Regulations:

Canada Environmental Protection Act Regulations
Migratory Birds Regulations

<i>Species at Risk Act (SARA)</i>	<i>Fisheries Act Regulations</i>
<i>Migratory Birds Convention Act</i>	<i>Wildlife Area Regulations</i>
<i>Canada Wildlife Act</i>	
<i>Navigable Waters Protection Act</i>	
<i>Pesticides Act</i>	
<i>Canadian Environmental Assessment Act (CEAA)</i>	
<i>Indian Act</i>	

Provincial Acts:

Water Sustainability Act
Fish Protection Act
Wildlife Act
Land Act
Weed Control Act
Environmental Management Act, Contaminated Sites Regulations
Local Government Act
Heritage Conservation Act
Health Act, Sewerage System Regulation

Local Government:

Official Community Plans
 Development Permit Areas
 Zoning Bylaws
 Subdivision Servicing Bylaw
 Floodplain Management Bylaw
 Building Bylaw

The above noted Federal and Provincial legislation and associated regulations apply predominantly to the environmental and wildlife protection, and heritage conservation issues, which are the subject of the FIMP. Several of the recommendations clearly fall within the jurisdiction of the Provincial or Federal Governments to address. However, some recommendations relate to RDBN regulatory authority. In many cases these regulations would provide a second layer of RDBN regulation in a Provincially regulated area or be designed to help enforce existing Provincial regulations.

RDBN REGULATIONS

The following is a discussion of the legislative and regulatory tools available to local governments to regulate shoreline development and the way these tools are used by the RDBN.

Official Community Plans and the RDBN's Shoreline Development Strategy

In 2009 the RDBN completed a [Shoreland Development Strategy \(link\)](#). This document detailed the status of the developed lakes in the Regional District and outlines the Regional District's approach to the subdivision and use of waterfront property. This document was used to inform the content of the RDBN Official Community Plans (OCPs), and provides direction regarding the Regional District's communications with waterfront property owners.

This Shoreland Development Strategy (pg 63-65) identified that Fraser Lake had reached its maximum development capacity. Therefore, the opportunity for subdivision of additional new waterfront development is limited in the OCP and through zoning. However, the right to develop existing parcels was not further restricted.

The information, recommendations, and mapping included in the FIMP is of great value and will be considered during the next OCP review for Electoral Area D. The sensitive area mapping is of notable importance and will be recommended for including in the OCP's "Ecological and Wildlife Values" map (Schedule "C").

The RDBN brochure "Guidelines for Responsible Waterfront Development" (attached) was developed as a recommendation of the Shoreline Development Strategy. The RDBN has also developed a "Sustainable Rural Land Development Checklist" brochure (attached) which addressed waterfront development and archaeological issues.

Waterfront Development Permit (WDP) Areas

Recommendation 4, 5 and 7 relate to the establishment and implementation of WDP requirements for Fraser Lake. In staff's opinion Cluculz Lake, Francois Lake, Lake Kathlyn, Seymour Lake, Tyhee Lake, Round Lake, Burns Lake, Decker Lake, Tchesinkut Lake, Francois Lake, and Fraser Lake may all benefit to some degree from WDP regulations. A WDP regulation would allow the Board greater authority over the development of land and removal of vegetation within a specified setback from a lake. The process would allow the RDBN to regulate vegetation removal and soil disturbance; the location of works such as docks, boat launches and retaining walls; and play a role in enforcing Provincial Government permitting and approvals.

WDP regulations require property owners to submit detailed development plans to the RDBN for approval along with information regarding the environmental impacts associated with the proposed development and vegetation removal. The RDBN would then review the development plans for compliance with prescribed guidelines and other RDBN and Provincial Government regulations. If the development plans are acceptable a permit would be approved by the Board (or authority delegated to staff) and issued with conditions which may include financial security.

The implementation costs to residents associated with plan development and environmental assessments would be relatively high, and some level of property owner objections can be expected. Staff estimate that region wide implementation of WDP regulations for the above noted lakes would require the hiring of an additional FTE RDBN Planner position. Lesser staffing implications would result from selective implementation on areas of high environmental sensitivity.

There are enforcement challenges associated with DPA regulations, particularly with regard to vegetation removal and soil disturbance, resulting in potentially high levels of non-compliance. These high costs, in relation to benefits, are the reason staff have not yet recommended WDP implementation in the rural area, and have focused on a public awareness approach.

If the Board wishes to consider the establishment of WDPs in the rural area the Board should provide staff direction to prepare a staff report on the topic with additional information and a proposed implementation process.

Zoning

“Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2022” (the Zoning Bylaw) regulates the waterfront areas that may be considered for future subdivision through the establishment of minimum parcel size regulations. Waterfront land in the RDBN is not commonly zoned to allow new rural residential subdivision. Therefore, rezoning is typically required, and would only be supportable where increased waterfront development is allowed by the applicable OCP. As noted the OCP policy is informed by the RDBN’s “Waterfront Development Strategy.” The RDBN’s OCPs do not support the creation of additional small waterfront parcels which are the main concern in the FIMP.

As noted in the FIMP the Zoning Bylaw was changed in 2020 to increase the setback required for structures from lakes from 7 m. to 15 m. The FLFIMP suggests a 30 m. setback is the “provincial standard.” Staff disagree with this assessment. A 15 m setback for

structures from the high watermark of a lake is typical. However, setbacks of 30 metres or more for industrial and agricultural buildings is not uncommon.

The RDBN can regulate use and development above the surface of the water through Zoning. This would allow the RDBN to directly regulate docks, mooring buoys, and other structures and uses that occur above the water. However, as the surface of water is considered Crown Land the Province has regulations and requirements that control this use and development. Staff have not previously recommended that the Zoning Bylaw apply a second level of regulation to the surface of water on RDBN lakes as the Provincial regulations are considered adequate, if enforced, in staff's opinion.

If the Board wishes to consider increased setback regulations from lakes, or regulate the use and development of land above the water (docks, boathouses, decks, boathouses, etc.) the Board should provide staff direction to prepare a Zoning Bylaw amendment bylaw for consideration.

Subdivision Servicing and Sewage System Maintenance Bylaws

In the rural area the Ministry of Transportation and Infrastructure, and the Provincial Approving Officer, is responsible for processing and approving applications for the subdivision of land. As part of this process the Ministry has water supply, sewage disposal, and other servicing requirements and standards that must be met to the Ministry's satisfaction. Once a parcel is created the property owners are expected to comply with Northern Health regulations regarding sewage disposal and water supply.

The RDBN could adopt a bylaw to establish additional servicing requirements for waterfront subdivision which provides added protection to the environment. However, in staff's opinion the Ministry's subdivision servicing standards are appropriate and reasonable and additional RDBN regulation in this area is not recommended.

The RDBN could also adopt a bylaw which established maintenance and reporting requirements for the operation of on-site sewage disposal systems for waterfront property. Northern Health regulations require that new development be serviced by an on-site sewage disposal system which meets certain standards as determined by a qualified professional. The RDBN's building permitting and inspection process plays a notable role in implementing these requirements. However, once a on-site sewage disposal system is built there is little Northern Health oversight of the operation of that system. Unless raw sewage is openly flowing on the ground, intervention by Northern Health to ensure proper system operation is unlikely.

Failing on-site-sewage disposal systems on waterfront property result in bacteria, viruses, phosphorus, and nitrogen entering lakes which can result in an overabundance of weeds and algal blooms and reduced water quality impacting fish, wildlife, and people. A bylaw which established minimum maintenance and reporting requirements for on-site sewage disposal systems for waterfront property could make a notable difference in water quality in the region's developed lakes. Increased setbacks for pit privies on on-site sewage disposal systems could also be established by bylaw.

If the Board wishes to regulate the operation and maintenance of on-site sewage systems the Board should provide staff direction to prepare a staff report on the topic with additional information and a proposed implementation process.

Floodplain Management Bylaw

"Regional District of Bulkley-Nechako Floodplain Management Bylaw No. 1878, 2020" regulates development in flood prone areas of the RDBN including lands adjacent to lakes. This bylaw establishes minimum flood construction levels and setback which help reduce environmental as well as social impacts during times of high water flow. There are no specific recommendation in the FIMP relating to this bylaw and no changes are recommended by staff. It is noted that enforcement of this bylaw is limited in areas of the RDBN which do not receive building permitting and inspection service.

Building Bylaw

"Regional District of Bulkley-Nechako Building Bylaw No. 1634, 2012" regulates building, primarily in relation to the BC Building Code, in most populated areas of the RDBN. There are no specific recommendations in the FIMP relating to this bylaw and no changes are recommended by staff.

RDBN ACTION IN RESPONSE TO THE FIMP

Several recommendations in the FIMP relate to non-regulatory action that the RDBN can undertake. These actions are discussed and highlighted below. Unless specific direction is received from the Board staff will incorporate the italicized actions into the Planning Department's work plan. The Board may provide additional direction at their discretion.

Recommendation 1 - Protection of zones of sensitivity. There is nothing specifically recommended on which to comment.

Recommendation 2 - Designation of conservation areas. The recommendation that property owners be encouraged to take steps to conserve lands which are particularly

sensitive is supported by staff. This may include selling or donating their land to a conservation organization or registering a conservation covenant on title of the land. Staff certainly support this action where property owners are interested in voluntarily taking these actions.

Staff will reach out to the Nature Trust of BC and Nature Conservancy of Canada to gauge their interest in investment in our region. Staff will also amend the RDBN brochures "Guidelines for Responsible Waterfront Development" and "Sustainable Rural Land Development Checklist" to promote conservation covenants to the public.

Recommendation 3 - Update the RDBN and Village of Fraser Lake OCPs with the results of the FIMP. The information, recommendations, and mapping included in the FIMP is of value and the FIMP is expected to have an impact of OCP policy moving forward. The sensitive area mapping is of notable value.

Staff will include consideration of the FIMP in future OCP reviews. The sensitive area mapping is of particular value and will be recommended for inclusion in the Electoral Area D OCP's "Ecological and Wildlife Values" map (Schedule "C").

Recommendation 4 - Establish a Waterfront Development Permit Area under the RDBN and Village of Fraser Lake OCPs, and any Land Planning Processes within Stellat'en and Nadleh Whut'en Reserves.

Recommendation 5 - Implement a collaborative permitting process for the WDPs.

Recommendation 7 - Implement a co-governed compliance and enforcement committee.

Recommendations four, five, and seven are discussed in the Development Permit Area section earlier in this report.

Recommendation 6 - Conduct a formalized archaeological assessment and develop a local Chance Find Procedures document. Staff would support archaeological assessment work by First Nations or the BC Archaeological Branch. The development of local procedures for the chance discovery of archeological materials separate from the procedures established by the BC Archaeological Branch is not advisable in staff's opinion. Archaeological resources are heavily regulated under the *Heritage Conservation Act* and the BC Archaeology Branch has a brochure which clearly describes their preferred procedure if potential archaeological materials are discovered. The Archaeology Branch directs residents to not disturb the site further, and call the Archaeology Branch immediately. This brochure (attached) is made readily available by the RDBN.

The challenge with the BC Archaeological Branch process is that phone calls are met with a recorded message directing the public to send an email, and that a response to that email can be expected to be in excess of four months. Residents who find a potential artifact or archeological site may also reach out to an Archeologist for direction. Unfortunately, the required permit from the Archaeological Branch to allow the Archeologist to do on-site work has a wait time in excess of a year. These timelines do not encourage public compliance with the *Heritage Conservation Act*.

Staff will amend the RDBN brochure "Guidelines for Responsible Waterfront Development" and "Sustainable Rural Land Development Checklist" to include archaeological issues and Heritage Conservation Act requirements.

Recommendation 8 - Consider climate change during foreshore planning. This is standard practice for all planning.

Recommendation 9 - Educate landowners regarding waterfront property protection, permitting processes, and stewardship. The RDBN's document titled "Guidelines for Responsible Waterfront Development" has previously been distributed to all RDBN residents through a bulk mailout, and it is provided to all residents engaging with the RDBN on waterfront development project. As noted this document will be reviewed and updated based on information in the FIMP.

Staff will undertake another bulk mailout of the amended "Guidelines for Responsible Waterfront Development" and "Sustainable Rural Land Development Checklist" brochures, and renew efforts to distribute the brochures at every opportunity.

Recommendation 10 - Post signage around the lake encouraging responsible boat use. The public boat launches on Fraser Lake are at the Peterson's Beach Campground which is operated by Recreation Sites and Trails BC (RSTBC), and Beaumont Park which is a Provincial Park. Staff support the use of signage at these boat launches to increase responsible boating. The implementation of a non motorized boating zone and/or restricted speed zones is within the jurisdiction of the Ministry of Environment and Climate Change Strategy.

Staff will work with RSTBC and BC Parks to explore opportunity for signage. Staff will also make sure the Ministry of Environment and Climate Change Strategy is aware of the FIMP recommendations regarding boating restrictions.

Recommendation 11 - Encourage communal boat launches and shared docks. This issue is discussed in the Zoning section earlier in this report. A boat launch can not typically be built without first obtaining a permit under Section 9 of the *Water Act* for works

in or about a stream. Also, a boat launch may also require a licence of occupation or lease from the Province.

Staff will make sure the Province is aware of the FIMP recommendations so that they may be considered as part of the approval process for boat launches on lakes in the RDBN. Staff will also ask the Province to determine which boat launches, if any, have been constructed in the RDBN without the required Provincial approvals.

Recommendation 12 - Prohibit the placement of mooring buoys and docks in wetland and stream mouth. Docks are currently regulated according to the Province's "Private Moorage Policy." A dock can be located at a property without application provided that the dock complies with the requirements outlined in the document titled "Provincial General Permission for the Use of Crown Land for Private Moorage." If a dock does not comply an application to the Province is required.

Mooring Buoys are discussed in the Zoning section earlier in this report.

Staff will update the RDBN document titled "Guidelines for Responsible Waterfront Development" to promote the idea of shared docks.

Recommendation 13 - Manage livestock access to waterfront properties. The federal *Fisheries Act* prohibits the deposit of deleterious substances in water frequented by fish, and the harmful alteration, disruption or destruction of fish habitat without a permit. Provincially, under the *Environmental Management Act, Agricultural Waste Control Regulation* a waste storage facility must be located at least 15 metres from a watercourse and 30 metres from a domestic water source. It also prohibits the application of agricultural waste to land if runoff or the escape of the waste would result in pollution of a watercourse or groundwater. It does not appear that there is active enforcement of these regulations. RDBN regulation in this area using WDPs is discussed in the Development Permit Area section earlier in this report.

Staff will advise the Cattleman's Associations throughout the region of the FIMP recommendations applicable to livestock and request that they work with their members to promote best management practices for livestock access to the waterfront.

Recommendation 14 - Encourage riparian restoration efforts in disturbed areas.

Staff will update the RDBN document titled "Guidelines for Responsible Waterfront Development" to strengthen the existing content relating to restoration.

Recommendation 15 Protection of freshwater mussels.

Recommendation 16 Lake wide Mussel Survey.

Staff will make sure the Province is aware of the FIMP recommendations regarding the need for a lake wide mussel survey, and a mussel survey as part of any Water Act Section 9 permitting.

ATTACHMENTS:

[Fraser Lake Foreshore Integrated Management Plan – 2023](#) (link)

[Shoreland Development Strategy - 2009](#) (link)

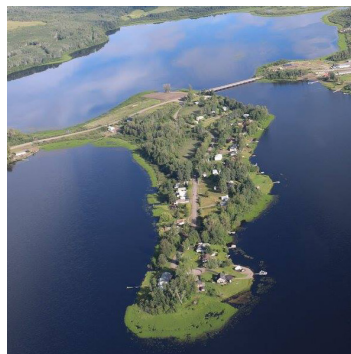
Guidelines for Responsible Waterfront Development – updated 2024

Sustainable Rural Land Development Checklist – updated 2024

BC Archaeology Branch Brochure



Guidelines for Responsible Waterfront Development



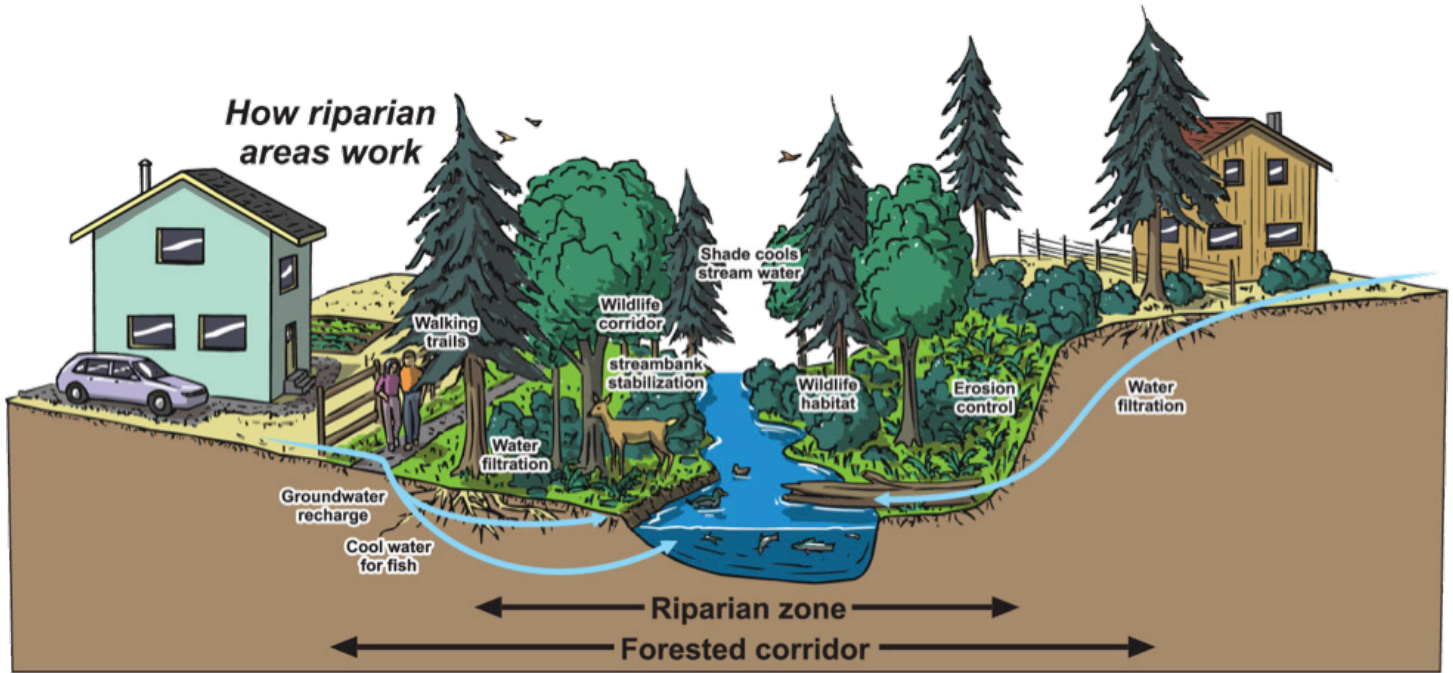
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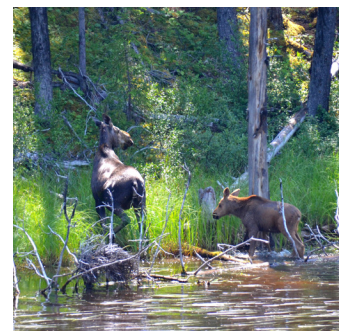
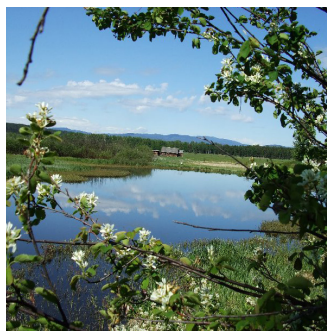
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Riparian Areas

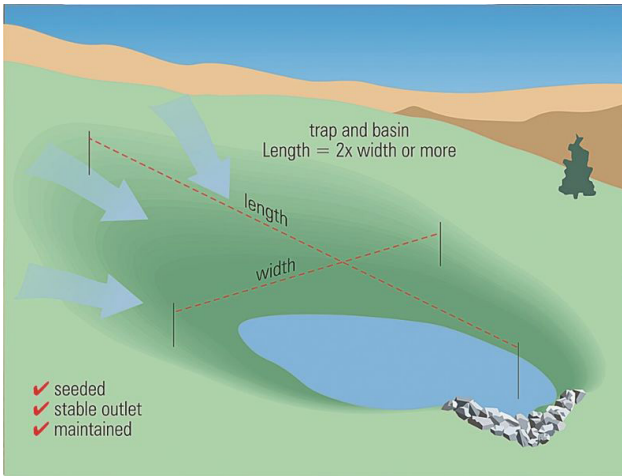
This brochure is designed to provide information for responsible waterfront development and waterfront living. Owners of waterfront property have a unique opportunity to serve as environmental stewards. By following simple guidelines, these properties can become more enjoyable, see an increase in value, and be preserved for future generations. It is important to note that both the BC Ministry of Environment and the Federal Department of Fisheries and Oceans (DFO) have legislation that restricts the modification of the natural environment in and near lakes and watercourses. These agencies should be contacted prior to the commencement of any works near a lake or watercourse.



“Leave Strips” are areas of undisturbed vegetation next to watercourses that are intended to protect the riparian zone, which is critical to the maintenance of a healthy aquatic environment. The required extent of a leave strip can vary depending on the nature of the lake or watercourse and surrounding land use. The Ministry of Environment and DFO recommend leave strips of a minimum of 15 metres from the high water mark of the watercourse. Leave strips also protect property from flooding, erosion, and bank instability.



Increased sediment loads in lakes and watercourses is a significant contributor to the degradation of water quality and aquatic habitat. Many land development activities can contribute to the erosion of sediments into lakes and watercourses. Simple methods can be employed to control erosion and sediment transport when developing land.

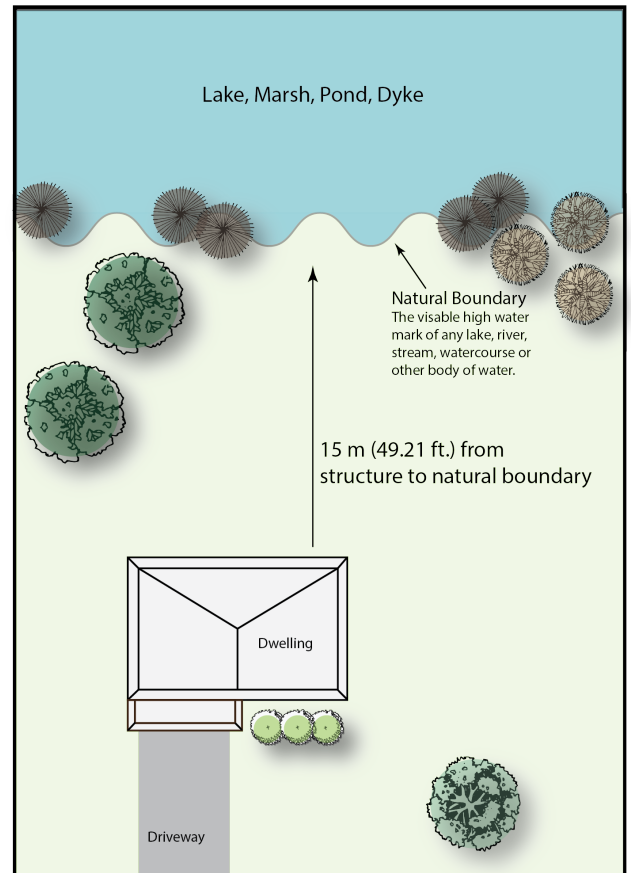


- Maximize the distance between water features and construction sites, and retain as much vegetation as possible
- Minimize soil excavation and soil disturbance, and seed or re-vegetate bare soils as soon as possible
- When soils are exposed, use sediment control structures such as sediment traps and silt fences
- Schedule development during dry months of the year when possible
- Consider the topography of the site and its effect on the drainage of the property

Building Setbacks

Section 3.08 of RDBN Zoning Bylaw No. 1800 prescribes setbacks for all buildings and structures from the natural boundary of a lake or watercourse. Flood prone rivers and creeks are identified and prescribed a specific setback, and unspecified watercourses are prescribed a 15 metre setback. Lakes, marshes and ponds are prescribed a minimum 15 metre setback, except where a property is less than 2,025 m² in area, the setback is 7.5 metres. The 15 metre setback may also be required to meet Ministry of Environment and DFO regulations. Locating a building or structure closer than 15 metres from the natural boundary of a lake may require a variance from the Zoning Bylaw.

The RDBN Floodplain Management Bylaw No. 1878 also affects the placement of buildings and structures on waterfront properties. This Bylaw specifies both elevation and setback requirements for certain buildings, structures and equipment to protect them from flood damage.



On-Site Sewage Disposal Systems

In the rural areas of the RDBN, sewage disposal is commonly treated on-site. Many existing residential lakeshore properties were created without consideration for future on-site sewage disposal requirements. As these systems age and approach the end of their life-span, property owners may find replacing these systems to be challenging and expensive.

Existing on-site sewage disposal systems should be continually monitored to ensure that they are functioning properly. Poorly maintained septic systems are more likely to fail than systems which are inspected regularly and pumped out as required.

Septic tanks should have the accumulated solids pumped out by an approved sewage hauler every three to five years. The malfunctioning or failure of an on-site sewage system is usually not obvious until it is expelling untreated sewage, which can be catastrophic to the delicate waterfront ecosystem. This can also cause a significant health hazard, contaminate drinking water and reduce water quality.

The following Best Management Practices from the Environmental Protection Division of the Ministry of Environment are designed for homeowners and will help ensure that their systems function properly and maximize the lifetime of the system:

- Make sure that your system meets legal requirements before installing, repairing or upgrading an onsite sewage system. In BC, the Ministry of Health Planning is responsible for septic systems and installation is permitted under the Sewage Disposal Regulation of the Health Act. Contact your local public health authority for permits for repairs, improvements, installations and further information.
- Sketch a map of your septic system showing the location of all components and keep it with your maintenance and repair records. This will make maintenance easier and be useful to future owners.
- Keep your septic tank cover accessible for inspections and pumping. Install risers if necessary.
- Have your system inspected annually to ensure that it is working properly and to determine when it should be pumped out. By inspecting and pumping your system regularly you can prevent high repair or replacement costs. A professional can do a thorough inspection of the entire system including the disposal field and individual components of the system.
- Use low-phosphate or phosphate free detergents.
- Pump out the tank regularly to prevent accumulating solids and clogging the disposal field. The frequency of pump outs will depend on the size of your system, the number of people in the house and the habits of those individuals. A general rule is once every three to five years.
- Upgrade your system when you upgrade your home (i.e. when you add a bedroom or suite).
- Divert roof drains, surface water and sump pumps away from the disposal field. Don't saturate your disposal field with automatic sprinklers.
- Avoid using garburators - this will reduce the amount of solids and grease you put into the system.
- Don't put toxic chemicals (paints, varnishes, thinners, waste oils, photographic solutions, or pesticides) down the drain because they can kill the bacteria at work in your system and can contaminate water bodies.



- Use biodegradable household cleaners instead of bleach or other hazardous products (which will kill the good bacteria in your system), and do not use toilet cleaners that are placed in the tank.
- Don't drive, pave or put heavy objects or machinery over the septic system and disposal field. Don't cover the disposal field with a hard surface such as concrete or asphalt since evaporation will be prevented. This area should only have a grass cover which will prevent erosion and help remove excess water.
- Don't plant trees or shrubs near the drain field because their roots can damage or plug the pipes. Plant grass instead.
- Don't use septic tank 'starters', additives or similar products. These products usually do not help and can sometimes harm your system. Allow bacteria to act on their own.

An appropriate and effective on-site sewage disposal system is very important for waterfront properties. Domestic sewage is an important contributor of phosphorous to lakes and watercourses because primary and secondary treatment removes only a portion of the element from sewage. Excess phosphorous causes accelerated aquatic plant and algae growth, which degrades water quality and aquatic habitat.

It is vital that owners of waterfront property install sewage systems that comply with Provincial legislation. Property owners must ensure that new on-site sewage disposal systems are designed and installed by a Registered On-site Wastewater Practitioner or engineer following the Sewerage System Regulation and Sanitary Regulations under the Health Act. The Northern Health Authority is responsible for the enforcement of these regulations, and is available to advise and provide information to individuals about on-site sewage treatment. The Sewerage System Regulations require on-site sewage disposal systems be set back a minimum of 100 feet (30 metres) from lakes and watercourses.

Northern Health is the regulating body for on-site sewage disposal systems. For more information go to northernhealth.ca/services/environmental-health

Don't Use Toilets as Trash Cans!

Excess solids can clog your drain field which will cost you money for more frequent pumping. Items that shouldn't be flushed include:

- Coffee grounds
- Disposable diapers
- Sanitary napkins
- Cigarette butts
- Fat, grease, or oil
- Dental floss
- Kitty litter
- Tampons
- Condoms
- Paper towel and facial tissue

Signs of a Failing Septic System

- Unusually green or spongy grass over the system.
- Toilets, showers and sinks back up or take a long time to drain.
- Sewage surfacing on your lawn or in a nearby ditch.
- Sewage odours around your yard, especially after rain.

None of these warning signs can be considered a sure indication that a system has failed, but the appearance of one or more should prompt homeowners to have their system inspected. Septic system failures can occur without any of these warning signs, thus a yearly inspection of systems is recommended.

Docks⁶ & Boating

Docks are a standard feature on many waterfront properties and are an important part of the recreational use of lakes. Docks and swimming platforms can be alternatives to creating a beach. The location and construction of docks must be done in compliance with all provincial and federal legislation, including legislation dealing with fish habitat, water quality and navigation.

In most instances in BC the area of land between the normal high and low water marks is owned by the Crown. Any permanent construction on this land requires approval from the Provincial Government, contact your local Front Counter BC Office for more information. Construction may be required to adhere to best management practices related to size, environmental impacts, conflicts with neighbours, and impediments to public access.

The Department of Fisheries and Oceans and the Ministry of Environment Water Stewardship Division require notification prior to the commencement of any foreshore construction activities.



The use of motorized boats is an integral part of common recreational activities such as fishing and swimming. In some areas of the RDBN they are also important for transportation. Motorized boats can have a number of negative impacts on a lake. These include oil and fuel leaks, spread of aquatic plants, dumping of litter, churning up of bottom sediments and shoreline erosion due to wave action. It is up to each boat operator to be aware of these impacts and act accordingly. Simple measures can prevent these impacts both on shore and on the water.

Dock Construction Tips

- Use existing trails, roads, or cut lines when possible to avoid disturbance to vegetation. If removal of vegetation is necessary, keep it to a minimum.
- Avoid construction or placement of your dock or boathouse in areas of known fish spawning habitat.
- Locate your dock to avoid vegetation. Minimize disturbance to the lakebed and surrounding vegetation by positioning the dock in water deep enough to avoid grounding of the dock and/or impacts by prop wash.
- Use untreated materials (e.g. cedar, tamarack, hemlock, rocks, plastic, etc.) as supports for dock structures that will be submerged in water. Treated lumber may contain compounds that are released into the water and are toxic to the environment.
- Cut, seal and stain all lumber away from the water using environmentally-friendly stains.
- Ensure plastic barrel floats are free of chemicals inside and outside of the barrel before they are placed in water.
- Avoid the use of rubber tires or metal barrels as they are known to release compounds that are toxic to fish.
- Do not take materials (e.g., rock, logs) to build the dock from the shoreline, from below the high water mark or from any water body.
- Install effective sediment and erosion control measures before starting work to prevent the entry of sediment into the watercourse. Inspect them regularly during the course of construction and make repairs if any damage occurs. In addition, avoid working during rainy periods.
- Prevent harmful substances such as uncured concrete, grout, paint, sediment and preservatives from entering the water body.

Invasive Plants in our Water

Invasive species are threatening BC's aquatic and riparian ecosystems, such as streams, lakes, and wetlands, and the species that rely on them. Water-based recreation activities such as angling, boating, diving, and hunting, can spread aquatic invasive species to new locations. Plants, animals, and microscopic creatures can cling to clothing, equipment, and boats. If not cleaned, these species can be introduced into new bodies of water.



- Drain water from boat (including motor, live well, bilge, and transom wells), trailers, tackle, and gear (including waders) before leaving an area.
- Inspect your boat, motor, trailer, and equipment and remove all aquatic plants and visible debris before leaving the area. Dispose of plant material responsibly.
- Empty your bait bucket on land before leaving any waterbody.
- Inspect your equipment and remove all aquatic plants and visible debris before leaving the area. Dispose of plant material responsibly.

Landscaping and Lawn Care

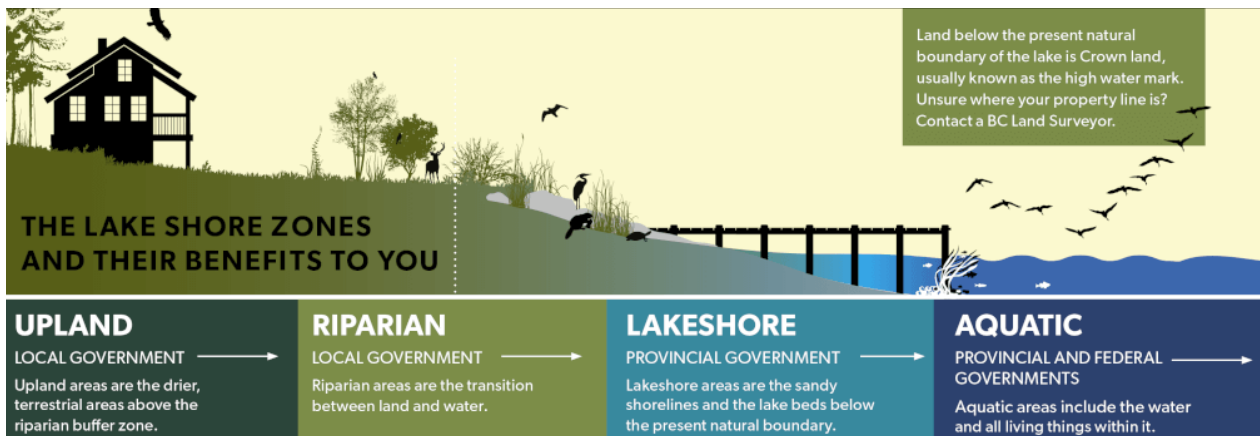
It is important to recognize that traditional landscaping with large manicured lawns that extend to the shore or an erosion protection structure can cause serious problems for the adjacent lake. Many of the pleasurable aspects of lakeshore living are dependent on a healthy, well-vegetated shore.

Shorelines should be protected by a “Leave Strip” of natural vegetation at least 15 metres wide. Shoreline buffers have the added benefit of deterring Canada Geese from lawns. If a view to the lake is desired, consider selectively removing a small width of the tops of vegetation only. Minimize the area required to be cleared for beach access, and keep disturbances near the water to a minimum. Also, consult the BC Ministry of Environment and the federal Department

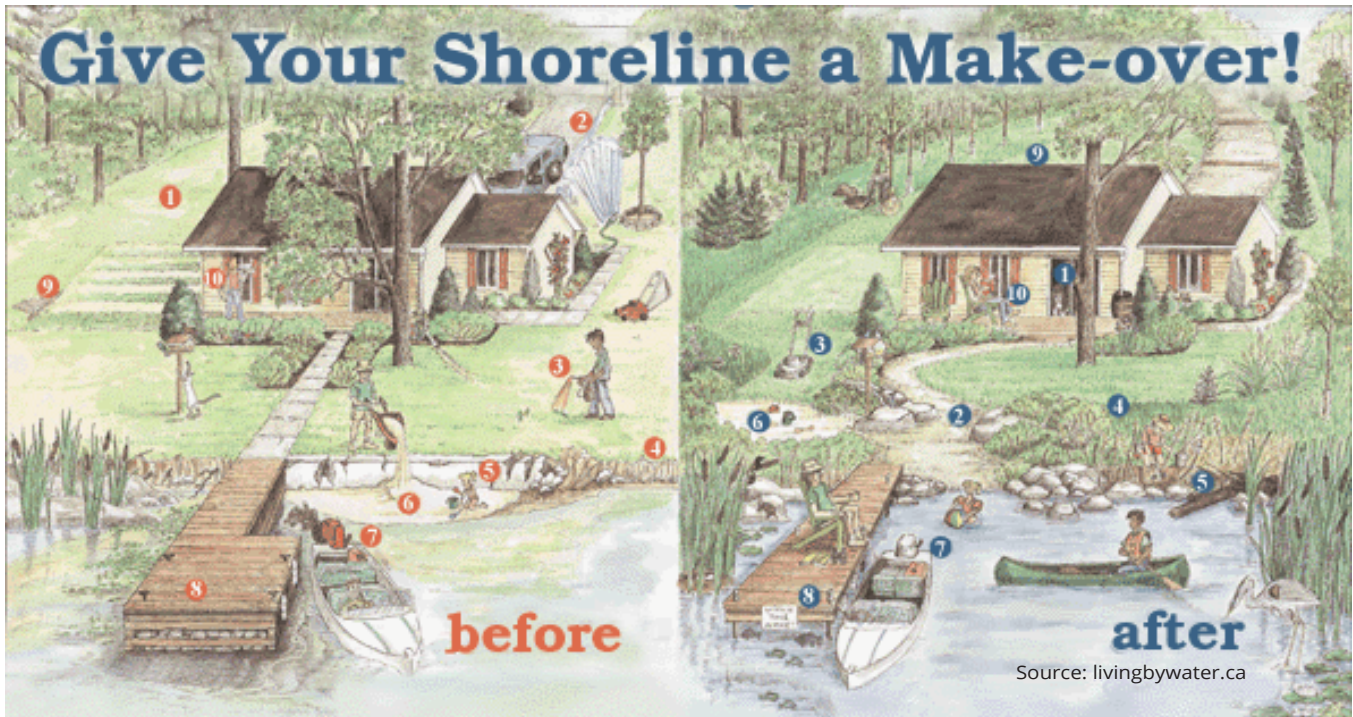
of Fisheries and Oceans (DFO) before undertaking any work near or in a lake.

Maintaining a natural landscape can be aesthetically pleasing and require less maintenance. Consider smaller lawns with shrub borders or native plantings. Lawn height should be maintained to about 2.5 to 3 inches and mowing should only be done when necessary. Long grass requires less watering and can be self-fertilized by leaving grass clippings on the lawn. The use of fertilizers and pesticides should be limited or eliminated altogether. Fertilizers flow into the lake from runoff where they fertilize aquatic plants and algae. Pesticides can be toxic to people, wildlife and fish.

- Minimize disturbance by leaving as much natural vegetation as possible.
- Avoid trimming vegetation along shoreline properties. If you want to reduce fuels near your home, consider alternate practices like cutting lower limbs.
- Avoid using chemicals for landscaping (fertilizers, pesticides, and herbicides).
- Allow native vegetation to grow and establish a natural buffer around the lake.
- Avoid development and turf lawns in riparian zones.
- Design a single, unpaved access to the shoreline. Riparian areas offer connectivity to upland habitats for wildlife.
- Limit disturbance to the shoreline and lakebed by foot and boat traffic. Never grade or move soils around the lakeshore.
- Leave logs and leaves untouched, as these provide food and habitat for fish and wildlife.
- Do not add fill, sand, or gravel to the natural shoreline.



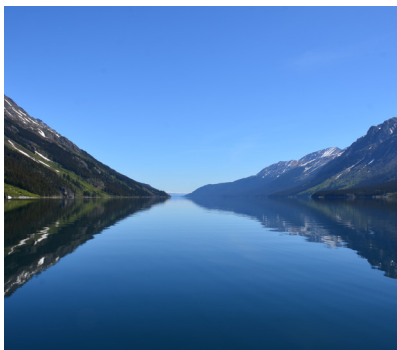
The shorelines of many lakeshore properties have already been significantly altered from their natural state. The important habitats that were lost can be rehabilitated through careful planning and planting. The primary goal of shoreline rehabilitation is to reestablish a natural vegetated buffer between the terrestrial and aquatic ecosystems. The easiest and least expensive method of rehabilitation is to simply stop mowing along the shoreline. If you wish to replant native vegetation, consult with DFO or the Ministry of Environment to determine which plants are suitable.



1. Cleared, manicured lot
2. Runoff
3. Chemical fertilizers and pesticides
4. Lawn to the water's edge
5. Hardened shoreline
6. Artificial beach
7. Old 2-stroke engine
8. Solid crib dock
9. Malfunctioning septic system
10. Harmful household chemicals and cleaners

1. Native trees and shrubs
2. Replace solid surfaces with porous materials
3. Mow it high and let it lie
4. Buffer of uncut grass and replanted native plants
5. Softened shoreline with native plants
6. Dry land beach above the high water mark
7. Well maintained 4 or 2-stroke engine
8. Cantilevered or floating dock
9. Properly installed and maintained septic system
10. Environmentally friendly products

Resources



There are a vast number of resources available to property owners that are interested in protecting water quality and aquatic habitat. The organizations listed below provide detailed information that is available online free of charge.

Department of Fisheries and Oceans

The Fisheries and Oceans Canada (DFO) Library provides information, tools and services that support the management of Canada's fisheries and the safety of our waterways. You can download, request or borrow items from the library's collection of publications in marine, freshwater and nautical sciences.

science-libraries.canada.ca/eng/fisheries-oceans/



BC Ministry of Environment

Information on water licencing, living water smart initiative, ground water well and water conservation.

www2.gov.bc.ca/gov/content/environment/air-land-water/water

Environment Canada

Information on water quantity, freshwater quality, cleaning up our lakes and rivers, water science, sustainability indicators, marine water quality, protecting water.

www.canada.ca/en/environment-climate-change/services/water-overview.html



The Partnership for Water Sustainability in BC

The Partnership for Water Sustainability in British Columbia is the hub for a "convening for action" network in the local government setting, is responsible for delivering the *Water Sustainability Action Plan* through partnerships and collaboration, and embraces a vision for shared responsibility where all the players align their efforts for the greater common good.

waterbucket.ca/



The Living By Water Project

Working towards healthier human and wildlife habitat along the shorelines of Canada.

www.livingbywater.ca

BC Lake Stewardship Society

Promotes stewardship and understanding of Lakes, Reservoirs, and Watersheds.

www.bclss.org

Watersheds BC

We work to strengthen BC's watershed security by equipping & supporting local people and decision-makers like you with the knowledge, training, and networks you need to restore and secure your home watersheds. Explore our curated collection of resources published by the BC freshwater community to expand the breadth and depth of your knowledge of watershed governance and security.

watershedsbc.ca/

The Stewardship Centre for British Columbia

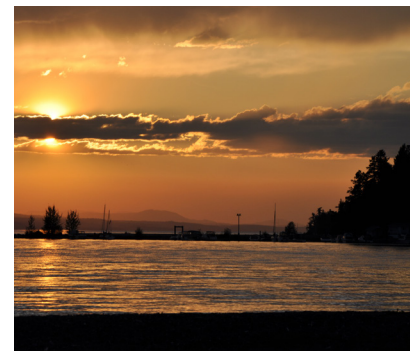
The Stewardship Centre for BC Promotes and delivers stewardship education. Develops and champions science-based stewardship practices for land and water in BC.

www.stewardshipcentrebc.ca/resources

Invasive Species Council of BC

Information on invasive plants and animals in British Columbia. The online publication page contains best management practices, factsheets, reports, field guides, and other reference books which can be downloaded at no cost as PDFs.

bcinvasives.ca/resources/





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Sustainable Rural Land Development Checklist



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What is a Sustainable Rural Land Development Checklist?

This Sustainable Rural Land Development Checklist is offered to people applying for any type of development approval from the Regional District of Bulkley-Nechako. The checklist is intended to inform residents of development and building options that:

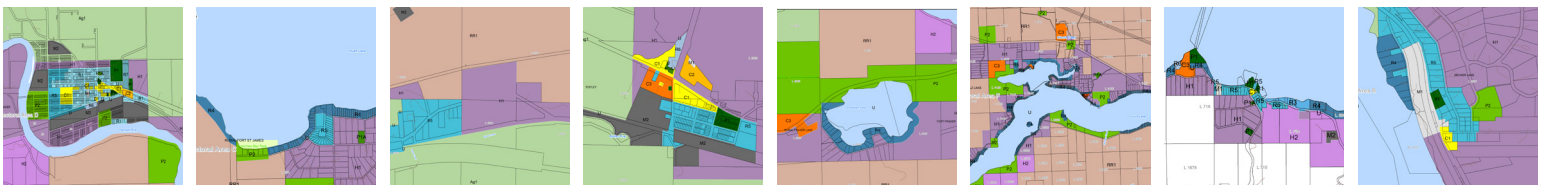
- support and advance community sustainability objectives;
- can result in long term reductions in energy use and maintenance costs;
- may reduce the risk from natural hazards, and reduce negative impacts on the natural environment.

The Regional District's intent is to raise public awareness of important considerations that can improve the quality of development in the region. The goal is to encourage residents to develop their land in the most responsible and effective manner possible, for both their own benefit and the benefit of the greater community.

What is Sustainable Development?

Sustainability relates to our ability to maintain or sustain a certain way of living for the long term.

When considered at the local level, increased sustainability requires that we find a way of developing that results in reduced negative social, economic, and environmental impacts on our land and our community.





Why is Sustainable Development Important?

Sustainable development is vital to the continued health of our communities, especially within the context of environmental impact and climate change. There are significant personal benefits such as savings from energy efficiency, improved public health, and reduced threat from natural hazards.

Local governments play an important role in creating more sustainable communities. Land use and development patterns that result in more complete and self-reliant communities are important considerations. However, many sustainable and smart development practices cannot be effectively regulated. It is up to each property owner to voluntarily do what they can to improve their community, reduce their impact on the environment, and protect their property and themselves from hazards.

A sustainable community is a resilient, energy efficient, self sufficient, and healthy community.

It is up to you!



Development Regulations

When considering land development or building construction in the rural area, remember that there are multiple regulations that may apply.

Official Community Plans (OCP) and Zoning

The long term vision or plan for a community's development is contained in the Area's OCP. Zoning is a tool used to implement the goals contained in the OCP. In most areas of the RDBN land use is regulated by a Zoning Bylaw. Zoning regulations control, among other things, use, lot size, density, and setback regulations.

Agricultural Land Reserve (ALR)

Lands within the ALR are subject to strict Provincial land use and subdivision regulations. Certain proposed non-farm use, soil deposit or removal, or subdivision must undergo an application process to ensure that the Electoral Area's agricultural interests are protected. Applications are processed by the RDBN and sent to the Agricultural Land Commission for a decision.



Sewage Disposal

Residential on site sewage disposal systems must be designed by a person authorized under the Provincial Sewerage System Regulation. Property owners may install certain types of systems provided that a number of conditions are met. Be sure to contact Northern Health before you proceed.

Archaeological Sites

In BC archaeological sites are protected by legislation. The Regional District can check a provincial database to see if there is an identified site on a property. An archaeological site does not automatically mean you can't develop, however, a permit may be required from the Province.

Building Permits

In most areas, new construction or building alteration requires a building permit from the Regional District. Building permits are not required if the property is outside the service area or if a storage building is smaller than 25 square meters (269.1 ft²) in size. To find out if your property is within the building regulation service area, please contact the RDBN Building Inspectors or the Planning Department.

Regulation Checklist



Have you checked that the proposed use is consistent with Regional District Zoning and ALR regulations?



Have you checked if building permits are required?



Have you contacted Northern Health for a list of qualified sewage system designers/installers?



Have you checked with the Regional District for identified archaeological sites (if present, follow up with the BC Archaeology Branch)?





Land Use Considerations

The land use decisions made today will have long lasting consequences and will determine the future shape of the built environment. The mistakes we make today will be paid for by future generations. We need to be smart and strategic. We need to use land efficiently. We need to protect the environment.

Infill development or redevelopment of existing residential areas reduces sprawling land use patterns. Reduced sprawl results in less impact on the environment, and reduces our need to drive longer distances on a daily basis. Infill can help preserve the character of our rural and natural areas, and our quality of life.

Carefully diversifying the uses in existing residential areas can reduce transportation costs and enhance liveability.

Land Use Checklist



Is the development consistent with OCP?



Does the development fill in or redevelop pre-existing vacant or underutilized parcels of land?



Does the development improve the mix of compatible uses within an area?



Does the development provide services or an amenity in close proximity to a residential area?



Does the development contribute to the positive character and function of a rural area?



Environmental Considerations

Developing property effectively is important to the environment and the long term vitality of the community. By incorporating these suggestions into your development plan you protect your investment and prevent delays.



Identify ecological and archaeological values before starting a land development project. These features may be protected or regulated, which can significantly impact the development proposal. Ecological and wildlife values are identified in an area's OCP. Archaeological values are protected and regulated by the BC Archaeology Branch.

Clustering development to one area of the property can minimize site disturbance and reduce infrastructure costs. Locate the driveway, septic system, house and outbuildings away from riparian areas. Where possible, retain natural buffers between the development and sensitive features such as riparian areas and important wildlife habitats. Runoff from disturbed soil has a significant negative impact on the watershed.

If vegetation near lakes or watercourses is already disturbed, replant native species to improve the habitat and help stabilize the shore. This protects the property from erosion. Removing invasive plant species such as Canada thistle also improves native habitat and the aesthetics of the property.

Farms need to be carefully managed to make sure they do not harm the environment. Domestic animals that use a creek, pond or lake for drinking water can increase sedimentation and trample plants that are important to that ecosystem. When possible, try to limit water access to a few small areas. Manure management is also important because manure runoff can contaminate water sources including groundwater. Manure should be collected, stored and composted in a covered place away from drainage or runoff areas.

Environmental Checklist



Does your site plan cluster development to one area of the property?



Do you plan to protect vegetation near lakes or watercourses or other designated environmentally sensitive features?



Do you provide for native species habitat restoration or improvement?



Do you plan to remove invasive plant species?



Will your proposal redevelop/revitalize an environmentally contaminated site?



Do you plan to use natural, water efficient landscaping with a reduced lawn area?



Renewable Energy Sources

Renewable energy is energy derived from natural sources that are replenished at a higher rate than they are consumed. Sunlight and wind, for example, are sources that are constantly being replenished. Ground and air source heat pumps offer a sustainable source of heat for residences.

Wind

Wind is a clean and plentiful source of energy. Small wind turbines can be installed at homes as a source of backup electricity or to offset utility power and reduce electricity bills. A small wind energy system may be a practical and economical source of electricity for your home. Contact the RDBN to make sure your wind turbine is compliant with zoning.

Ground and Air Source Heat Pumps

Ground and air source heat pumps use the difference in air and ground temperature to heat or cool and then circulate a liquid through pipes. The heat generated is then transferred into the building. This is a clean, renewable energy source that reduces GHG emissions. Heat pump systems cost little to maintain and reduce or eliminate the need for other costly heat sources. In addition, rebates and incentives are often available to help offset installation costs.

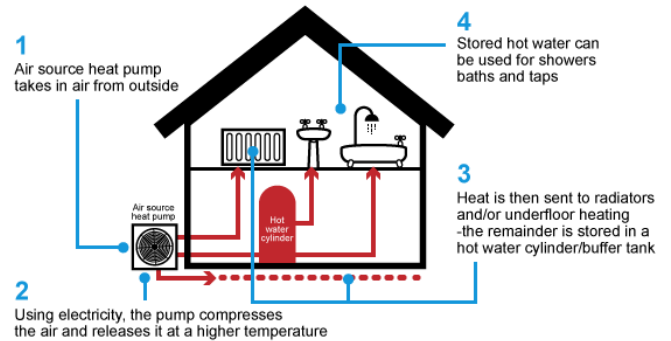
Solar

Solar energy can be used for active heating or electricity production. Solar heating applications include radiant floor heating systems and solar air heating systems. Photovoltaic solar panels convert the sun's energy into electricity, which can then be used to offset dependence on utilities. Modern solar water heaters are well suited for the Canadian climate because they can produce energy when the outside temperature is well below freezing.

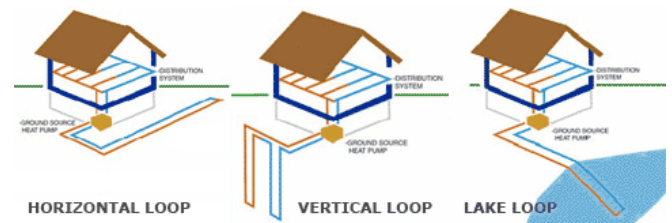
Wood Heating Systems

Ensure that any wood burning appliances, pellet stoves, or gas fireplaces are high efficiency. They use less wood, and don't smoke out your neighbours.

Air Sourced Heat Pump



Ground Sourced Heat Pump



Energy Checklist



Can you utilize onsite renewable energy generation such as solar or wind power?



Can you use a ground or air heat pump for heating or cooling?



Do you have a high efficiency wood burning appliance, pellet stove or efficient gas fireplace?

Natural Hazards

People living in a rural area may be subject to increased risks associated with flooding, wildfire, snowstorms, and loss of access and communications. These risks can be reduced by careful consideration of how land is used and developed.

Floodplains are lowland areas that are susceptible to flooding. The best precaution against flooding is to avoid building in flood prone areas.



Floodplain Management Bylaw

The Regional District's Floodplain Management Bylaw applies to all areas of the Regional District. This Bylaw specifies both elevation and setback requirements for certain buildings and structures to protect them from flood damage.

Erosion from running water or waves can cause serious property and building damage. Protect shorelines by retaining natural vegetation. If an erosion problem exists, have it evaluated by an expert that can prescribe an appropriate remediation and protection strategy.

Geotechnical Hazards include slope instability, sinking of the ground, and weak soils. Check with the RDBN to determine if your property lies within a known hazard area. If a hazard is suspected, consider hiring a geotechnical engineer to evaluate the site. It is critical to manage these risks through appropriate site investigation, good building practices, and professional input. Protect your investments!

Wildfires

Wildfires pose a significant threat to our homes and livelihoods in this region. We can take actions that will drastically reduce the threat of wildfires to our homes, properties, and communities. FireSmart is a program that promotes building and landscaping designs and materials that reduce fuel availability and increase wildfire resiliency.

The wildfire threat has increased due to dead timber associated with the Mountain Pine Beetle infestation, historic wildfire suppression practices, and climate change. Development standards play a significant role in reducing the potential impact a wildfire will have on a community. The potential for damage intensifies when flammable building, landscaping, and fuel materials around your home are not managed. The following summarizes recommendations from the FireSmart Canada Home Development Guide. The complete guide can be found online at firesmartcanada.ca.

ROOFING MATERIAL AND DESIGN

The roof is the most vulnerable component of your home. Sparks and burning embers from a wildfire can travel long distances and quickly ignite flammable roofing material.

SIDING, VENTS AND OPENINGS

With the exception of the roof, siding material is the structural component most vulnerable to wildfire. Combustible debris can accumulate at the vents and openings on your home and be ignited by embers during a wildfire.

GUTTERS AND EAVES

The gutters on your home provide a place for



combustible debris to accumulate and open eaves create an entry point for sparks and embers.

DECKS AND PORCHES

The materials used to build the deck, combustible materials you store under your deck, and the vegetation around it all contribute to how vulnerable your deck will be.

FENCING

Wooden fences and boardwalks create a direct line to your home and can contribute to the spread of wildfire.

LANDSCAPING

A FireSmart yard includes making smart choices for your plants, shrubs, grass and mulch. Selecting fire resistant plants and materials can increase the likelihood of your home surviving a wildfire. Ensure there is a 1.5 metre horizontal noncombustible surface perimeter along the outer walls of the primary structure (house).

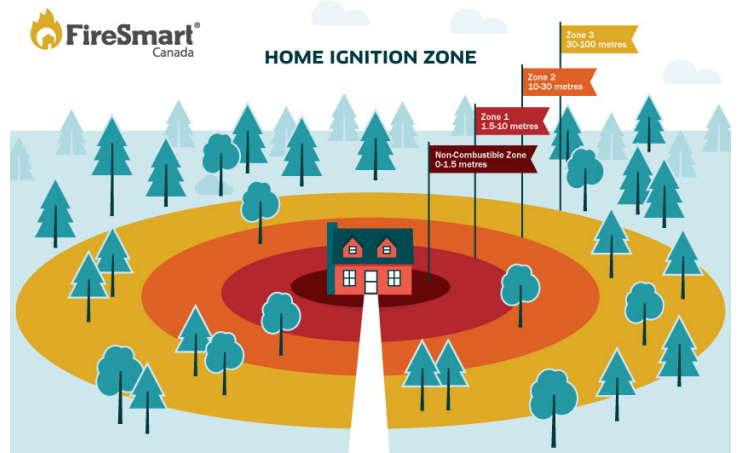
FIRESMART HOME PARTNERS PROGRAM

FireSmart Home Partners is a voluntary property assessment program that helps residents identify specific actions they can take on their property to reduce wildfire hazards.

FireSmart Home Partners property assessments provide residents:

- An in-depth, on-site assessment conducted by experienced fire professionals;
- An opportunity for property owners to identify mitigation actions unique to your property;
- A detailed follow up report with customized mitigation actions designed to measurably reduce the wildfire risk to your property;

For more information about the FireSmart Home Partners Program, rebate program, or to request an assessment contact the RDBN at 250-692-3195.



Resources on the Fire Smart Program are available at firesmartcanada.ca/resources/

Natural Hazard Checklist



Is the new development designed to provide adequate emergency vehicle access and alternate escape routes?



Are your house and outbuildings located away from the top of sloped lands?



Have you removed combustible materials within 10m of your house and outbuildings?



Are you using non-combustible roofing and siding materials, and are you keeping your roof clear of combustible materials?



Have you had your property examined for signs of a geotechnical hazard or erosion?



Have you contacted the Regional District to determine if your building is subject to the Floodplain Management Bylaw regulations?

Building Considerations

The greatest opportunity for energy savings can be realized during the planning and design stages of a construction project. A home constructed with energy efficiency in mind is more comfortable to live in year round. An energy efficient home may have higher initial costs, but over time these costs can be recuperated due to lower energy and maintenance costs.

Building Site Selection

An assessment of a property prior to the commencement of a construction project is critical.

Remember to identify any archaeological sites, riparian areas, environmentally sensitive features, and natural hazards. Also, look for game trails or unique animal habitat that can be left in its natural state.

Leave the natural vegetation adjacent to any water feature undisturbed. The RDBN brochure titled "Responsible Waterfront Development" should be consulted if you have a water feature.

Carefully observe the way that water flows over the property. Be sure to not negatively impact natural drainage patterns or drainage on a neighbour's property.

Consider the location of the sun, prevailing winds, shade and other site features that can be utilized to increase your energy efficiency and your enjoyment of your property.



Site Management

During construction it is important to plan for waste and soil disturbance. Where possible, recycle construction waste, or truck it to a transfer station instead of burning. If treed areas are cleared, avoid outdoor burning in populated areas. Large trees may be suitable for future use as firewood, or wood waste may be chipped and dispersed on your property. Replant any areas of disturbed soil immediately to prevent the establishment of invasive plant species and to reduce erosion and sedimentation. Use erosion control measures such as silt fences to prevent sedimentation of watercourses from disturbed soils. When possible, use local materials and labour to reduce transportation related GHGs.

Building Checklist



Do you have a construction waste recycling plan and a no-burn policy on site?



Do you have a plan in place to reduce erosion and sedimentation during construction?



Do you have a drainage plan for the house and property?



Have you avoided environmentally sensitive or high value areas?



Energy Efficient Design

A combination of energy efficient design features including building orientation, thicker walls, reduction in thermal bridging, additional insulation, air tightness and proper ventilation can significantly reduce the energy demands of a home. To let the sun inside the house in winter, most windows should be on the southern side. Windows on the east and west tend to lose more heat than they gain in winter and they can cause overheating in summer since they receive hot morning and afternoon sun. A roof overhang over southern windows shades the windows in summer while allowing sunshine in during the winter.

Small and compact buildings are generally better suited for a winter climate. The longer side of the house should be orientated so that it faces south to ensure that the house receives the maximum amount of sunlight throughout the day. Internal rooms should be planned in such a way that the rooms generally used during the day, such as the living room and kitchen are situated on the south side of the house. Also, build on southern slopes to maximize exposure to the sun.

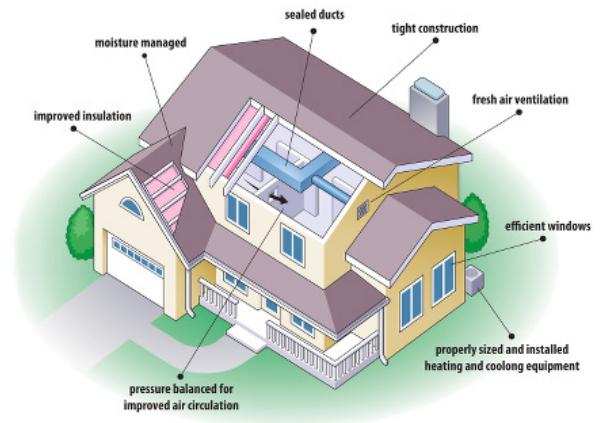
Landscaping can have a significant impact on building energy efficiency. Planting of deciduous trees on the south side of a building allows the sun through in winter and provides shade in the summer. Planting coniferous trees and vegetation on the north side of a building can provide a buffer from the wind in order to reduce heat loss in cold weather.

The BC Energy Step Code requires builders to do an energy model of the building at the design phase and conduct on-site testing to demonstrate that both their design and the constructed building meet the requirements of the standard. The regulation sets performance targets for new construction and groups them into “steps” that apply across various building types and regions of the province.

Better Homes BC is British Columbia’s online hub for

homeowners and businesses to access information, incentives and support to reduce energy use and greenhouse gas emissions in new and existing homes and buildings. Better Homes BC incentives are administered by BC Hydro, FortisBC and BC Housing.

Better Homes BC keeps an up to date list of Energy Advisors who can help you with your project. For more information, please visit their website at betterhomesbc.ca



Construction Methods and Materials Checklist



Is your building orientated towards open space, views and/or daylight?



Have you contacted an Energy Advisor? and will you use materials with recycled content?



Do you plan to install dual flush toilets, low flow shower heads and faucet aerators?



Will you install energy efficient windows?



RDBN Planning Department

37 3rd Ave, PO Box 820
 Burns Lake, BC V0J 1E0
 planning@rdbn.bc.ca
 www.rdbn.bc.ca

Call us at: 250-692-3195
 Toll free 1-800-320-3339
 Fax 250-692-3305

Points to consider before improvements and renovations:

1. Why should I be concerned about archaeological sites on my property?

Damaging a site without a heritage permit is unlawful. In many cases archaeological sites are our only link to our past. They provide us with a wealth of knowledge about our heritage, and a fragile link to our origins and the nature of our early history in B.C. If we fail to preserve them we risk losing their cultural and historic value forever. Therefore, the Province controls damaging activities within these sites by protecting them by law and requiring a heritage permit to develop within site boundaries.

2. What can I expect from my municipality, regional district and the BC Archaeology Branch?

Local governments may access the Provincial database to determine if these records show a site located within your property. You can also request archaeological information about a property yourself. If you are considering property improvements and find you have a site on your property, you must consult with a qualified archaeologist to determine the next steps. If archaeological studies are required, the BC Archaeology Branch will work with you to avoid or minimize site damage during property improvements.

3. Are there any costs involved?

The property owner is responsible for the costs of required archaeological studies. However, by taking early action, you can minimize the cost of managing impacts to the archaeological site.

What are archaeological sites?

An archaeological site is a location where there is evidence of past human activity.

Archaeological site examples include stone carvings, remains of ancient houses and campsites, shell middens, culturally modified trees, and early trading posts. These sites provide information about indigenous life during the last 12,000 years and non-indigenous life for the past 200 years.

Archaeological sites are fragile. The information contained in an archaeological site comes from the context in which artifacts are found as much as from the artifacts themselves.

Once this context is destroyed through construction or landscaping, this information is lost, even if the artifacts are still there.

Archaeological sites, like mineral deposits, arable land, forests, fish and wildlife, are an important part of the environment.

The *Heritage Conservation Act* is the legislation that protects archaeological sites in B.C.

B.C.'s Archaeology Branch can help you to ensure that improvements made to your property don't do unnecessary harm to archaeological sites below the surface.

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Cover and inside page photo: Fort Victoria 1858, #PDP03885
– courtesy of British Columbia Archives.

Back page photo: Kitwanga, by J.S. O'Dwyer, no. 101588
– courtesy of the Canadian Museum of Civilization.

Where can you get more information?

Request archaeological information about a property:

www.archdatarequest.nrs.gov.bc.ca

Visit our website:

<https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology>

Phone us:

(250) 953-3334



PLANNING TO DEVELOP OR RENOVATE YOUR PROPERTY?

Know your role in protecting B.C.'s archaeological sites.

82 THREE STEPS TO INCLUDE ARCHAEOLOGY IN PROPERTY IMPROVEMENTS

B.C.'s archaeological heritage is a precious non-renewable resource.

British Columbia's heritage includes archaeological sites – the physical evidence of how and where people lived in the past.

For most of the time that people have lived in B.C., no written records were made. Archaeological sites and oral tradition are the only vestiges of a rich history, and protecting and conserving this fragile legacy and non-renewable natural resource is valuable to First Nations, local communities and the general public. Archaeological sites in B.C. may also be of regional, provincial, national or international significance, and may be as much as 14,000 years old.

There are over 50,000 known archaeological sites in B.C. including ancient stone carvings, remains of ancient houses and campsites, shell middens, and culturally modified trees.

The scientific, cultural, and historical study of the physical remains of past human activity is essential to understanding and appreciating cultural development in B.C., and the Provincial Government recognizes the importance of archaeological sites through the *Heritage Conservation Act*.

Plan ahead before you dig.

You may not be aware, but damaging an archaeological site without a heritage permit is unlawful, and the property improvements you are planning could destroy important archaeological sites.

Any project that alters the land – such as excavations for building an addition, or installing a pool or pond – can damage and sometimes destroy valuable records of our past

Planning ahead before renovating or building a new home, and integrating the management of archaeological sites at the outset can help ensure associated costs are kept to a minimum, and damage to the site is reduced or avoided.



Find out if your property contains an archaeological site.

Your municipality or regional district is usually the first stop you'll make to obtain a building or development permit. Many of these offices can access provincial records of known archaeological site locations within their jurisdictions.

You can also request the archaeological information about your property here: <https://www.archdatarequest.nrs.gov.bc.ca/>

If you are told that your property may contain an archaeological site, you should hire a qualified archaeologist to confirm the site location. The archaeologist can also assess if the proposed project will damage archaeological deposits and discuss the steps to take.

Qualified archaeologists can be contacted through the British Columbia Association of Professional Archaeologists (www.bcapca.bc.ca) or listings in the yellow pages.



If you find something in the ground – stop digging!

There are numerous archaeological sites in British Columbia. Many are recorded, but some are not. Sometimes artifacts and other archaeologically sensitive material, or even human remains, can be discovered accidentally.

If you think you have uncovered an archaeological site during a building project or renovation, **please do not disturb the site further** and call B.C.'s Archaeology Branch immediately at (250) 953-3334.

Branch archaeologists will review your project plans and make recommendations to manage site impacts and secure the required permitting.





Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Jason Llewellyn, Director of Planning
Date: October 10, 2024
Subject: Bylaw Notice Enforcement Bylaw and Dispute Adjudication Registry

RECOMMENDATION: **(all/directors/majority)**

1. That the Board receive the attached draft Bylaw Notice Enforcement Bylaw and Dispute Adjudication Registry Agreement.
 2. That the Board direct staff to refer the draft bylaw and agreement to RDBN member municipalities for comment, and report back to the Board with recommendations regarding adoption of the Bylaw Notice Enforcement Bylaw.
-

BACKGROUND

The RDBN Board has previously directed staff to prepare the bylaw and associated documents required to implement a bylaw notice and dispute adjudication system for the Board's consideration. The Board also directed that 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 *Local Government Bylaw Notice Enforcement Act* to the RDBN.

The Lieutenant Governor in Council enacted Order in Council 167 applying the *Local Government Bylaw Notice Enforcement Act* to the RDBN. This allows the RDBN to enact a bylaw under the act to establish a bylaw notice and adjudication system. A draft Bylaw Notice Enforcement Bylaw and Dispute Adjudication Registry Agreement are attached for the Board's consideration and comment.

If directed by the Board, staff will provide this draft bylaw and agreement to municipalities for consideration and comment prior to presenting the bylaw to the Board for readings and adoption.

A BYLAW NOTICE ADJUDICATION SYSTEM

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 notice (ticket) disputes. The Act was developed to create a simple, fair, and cost-effective system for dealing with minor bylaw infractions. Currently more than 100 jurisdictions in BC are using the system.

The bylaw notice system reduces demands on the court system, is less expensive to administer, 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 adjudication system in place will not remove the RDBN's ability to pursue more serious bylaw matters through the courts where necessary.

Bylaw notices issued under this system do not require personal service and are presumed to have been received when mailed or posted. 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 bylaw notice and adjudication system designed to reduce the number of bylaw notices forwarded to adjudication. The draft bylaw identifies RDBN senior staff as screening officers. A screening officer would typically explain the adjudication process to the notice recipient and conduct a review of the notice. The screening officer has the authority to cancel a bylaw notice if they believe that the infraction did not occur, or that the notice was otherwise not justified. It is required in the agreement that each jurisdiction appoint their own screening officer.

To gain future compliance, the screening officer may 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 to achieve future compliance. There is also the ability of the Screening Officer to reduce or waiving the fine as part of a compliance agreement.

If the screening officer does not agree to cancellation of a bylaw notice or a compliance agreement, and the person still wishes to dispute the notice, the disputant must confirm

this and indicate if they plan to appear at the adjudication hearing in person, in writing or electronically. The disputant is then advised of the date and time of the next adjudication hearing. 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.

Adjudicators

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, they are appointed by the Province to ensure greater objectivity and system credibility. Local Governments decide how many adjudication hearings to hold in a year and set the schedules in consultation with the adjudicator. 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 electronically. 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).

Regional Cooperation

Local governments are responsible for the costs of setting up and administering the dispute adjudication system within their jurisdiction. The Act allows local governments to jointly administer a bylaw notice dispute system to allow for greater efficiency and cost effectiveness. It is proposed in the draft bylaw and agreement that the RDBN operate the adjudication registry as the 'host local government', sharing the administration and overhead costs of bylaw notice dispute adjudication.

Staff have determined that there is adequate interest by member municipalities to cooperate in a joint adjudication system. The Village of Burns Lake has adopted a Bylaw Notice Enforcement Bylaw, and the District of Vanderhoof may be considering a bylaw shortly. The Village of Burns Lake and District of Vanderhoof have expressed a serious interest in considering the proposed Dispute Adjudication Registry Agreement with the RDBN should the Board adopt a Bylaw Notice Enforcement Bylaw. It is expected that most member municipalities will join the RDBN's adjudication system in the long term.

FINANCIAL IMPLICATIONS

Adjudicators are scheduled for either a half day (\$293) or a full day (\$585) of hearings, which may be held in person or electronically. 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 for in-person adjudications. The workload is not anticipated to result in the need for a part time adjudications clerk; however, this may change depending on the number of bylaw notices disputed, and other workload considerations.

At this time, staff do not anticipate more than a handful of adjudication hearings a year. However, this number is dependent on the number of notices issued by each participating municipality and the number of bylaw notices challenged. The fees to participating municipalities are designed to cover the cost of that municipality's participation in the service.

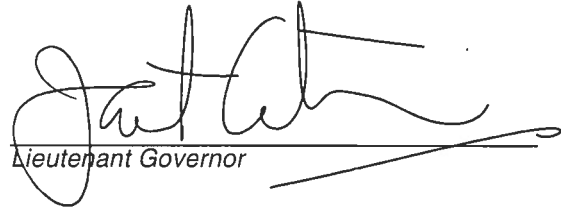
ATTACHMENTS:

- Order in Council 67
- Draft Regional District of Bulkley-Nechako Bylaw Notice Enforcement Bylaw No. 2041, 2024
- Draft Regional District of Bulkley Nechako Bylaw Notice Dispute Adjudication Registry Agreement

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 67

, Approved and Ordered February 14, 2022



Lieutenant Governor

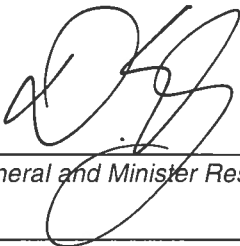
Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective February 16, 2022, the Bylaw Notice Enforcement Regulation, B.C. Reg. 175/2004, is amended by adding the following to Schedule 1 as indicated:

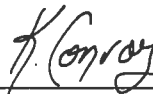
Column 1 Date Act Applies	Column 2 Local Government
February 16, 2022	Regional District of Bulkley-Nechako

DEPOSITED

February 14, 2022

B.C. REG. 23/2022


Attorney General and Minister Responsible for Housing



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Local Government Bylaw Notice Enforcement Act*, S.B.C. 2003, c. 60, s. 29

Other: OIC 392/2004

R20574043



REGIONAL DISTRICT OF BULKLEY-NECHAKO
BYLAW NOTICE ENFORCEMENT BYLAW NO. 2041, 2024

*A bylaw to regulate
the enforcement of Bylaw Notices
in the Regional District of Bulkley-Nechako*

WHEREAS under section 415(1) of the *Local Government Act* the Regional District of Bulkley-Nechako may enforce by bylaw notice in accordance with the *Local Government Bylaw Notice Enforcement Act*;

AND WHEREAS the Lieutenant Governor in Council enacting Order in Council No. 167, made under section 29 of the *Local Government Bylaw Notice Enforcement Act* has added the Regional District of Bulkley-Nechako as a local government to which the Act applies;

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

1. CITATION

1.1 This bylaw may be cited as "Regional District of Bulkley-Nechako Bylaw Notice Enforcement Bylaw No. 2041, 2024".

2. TERMS

2.1 Unless otherwise defined, the terms used in this bylaw have the same meaning as the terms defined in the Act

3. DEFINITIONS

3.1 In this Bylaw, unless the context otherwise requires:

"Act" means the *Local Government Bylaw Notice Enforcement Act*, as amended, or replaced from time to time.

"Regional District" means the Regional District of Bulkley-Nechako;

"Registry" means the Regional District of Bulkley-Nechako Registry established pursuant to this bylaw.

4. BYLAW NOTICE DISPUTE ADJUDICATION REGISTRY

- 4.1 The Registry is established as a bylaw notice dispute adjudication system in accordance with the Act to resolve disputes in relation to Bylaw Notices.
- 4.2 The civic address of the Registry is 37 3rd Avenue, Burns Lake, British Columbia, V20J 1E0.
- 4.3 The Regional District is authorized to enter into, and its Chief Administrative Officer is authorized to execute a Bulkley Nechako dispute adjudication registry agreement with one or more local authorities, in substantially the form attached as Schedule C to this bylaw. A registry established under this agreement becomes the Registry for the purposes of this Bylaw.

5. DESIGNATED BYLAW CONTRAVENTIONS

- 5.1 The bylaws and bylaw contraventions designated in Schedule A of this bylaw may be dealt with by Bylaw Notice in addition to and without limiting other enforcement options available to the Regional District under the *Local Government Act, Community Charter* and all other applicable legislation, including legislation referenced within the *Local Government Act* and *Community Charter*.
- 5.2 If a bylaw contravention specified in Schedule A is a continuing contravention, each day that the contravention is continued constitutes a separate and distinct contravention.
- 5.3 Whether or not a bylaw contravention has occurred shall be determined based on the wording of the bylaws referred to in Schedule "A", rather than the summary description of the contravention in Schedule "A" of this bylaw.

6. PENALTIES

- 6.1 The penalties for a bylaw contravention referred to in Section 5 are as follows:
- a) the amount set out in Column 3 of Schedule A if payment of the penalty is received by the Regional District within thirty (30) days of the person receiving, or being presumed to have received, the Bylaw Notice; or
 - b) the amount set out in Column 4 of Schedule A if payment of the penalty is received by the Regional District more than thirty (30) days after the person received, or is presumed to have received, the Bylaw Notice.

7. PERIOD FOR PAYING OR DISPUTING BYLAW NOTICE

- 7.1 A person who receives a Bylaw Notice must, within (30) days of the Bylaw Notice being received or being presumed to have been received:
- a) pay the penalty to the Regional District in any manner prescribed on the Bylaw Notice; or
 - b) request Bylaw Notice dispute adjudication by completing the appropriate portion of the Bylaw Notice and delivering it to the Registry, either in person during regular office hours or by mail.

8. NO DISPUTES ACCEPTED AFTER TIME LIMIT

- 8.1 Subject to Section 9 of this bylaw, no person may request Bylaw Notice dispute adjudication after thirty (30) days of the Bylaw Notice being received or being presumed to have been received.

9. TIME LIMITS IF BYLAW NOTICE NOT RECEIVED

- 9.1 Where a person is not served personally with a Bylaw Notice and advises the Regional District in accordance with Section 25 of the Act that the person did not receive the Bylaw Notice, the time limits for paying and disputing the Bylaw Notice shall not begin to run until the Bylaw Notice is redelivered to the person in accordance with the Act.

10. SCREENING OFFICERS

- 10.1 The position of screening officer is established.
- 10.2 The following positions are appointed as Screening Officers:
- a) Director of Planning;
 - b) Director of Environmental Services;
 - c) Director of Finance;
 - d) Director of Corporate Services;
 - e) Deputy Director of Corporate Services; and
 - f) Chief Administrative Officer
- 10.2 No person may act as a Screening Officer in respect of a Bylaw Notice if that person:

- a) issued or signed the Bylaw Notice;
- b) is a complainant in respect of the Bylaw Notice;
- c) is or is likely to be a witness in respect of the Bylaw Notice; or
- d) is or is likely to provide evidence in respect of the Bylaw Notice

11. POWERS, DUTIES AND FUNCTIONS OF SCREENING OFFICERS

11.1 The powers, duties and functions of Screening Officers are as set out in the Act, and include, but are not limited to, the following.

- a) Where requested by the person against whom the contravention is alleged, communicate information respecting:
 - i. the nature of the bylaw contravention;
 - ii. the provision of the bylaw contravened;
 - iii. the facts on which the bylaw contravention allegation is based;
 - iv. the penalty for the bylaw contravention;
 - v. the opportunity to enter into a compliance agreement;
 - vi. the opportunity to proceed to the Bylaw Notice dispute adjudication system; and
 - vii. the fees payable in relation to the Bylaw Notice enforcement process.
- b) Communicate with any person relevant to the performance of their powers, duties and functions under this bylaw or the Act, including but not limited to:
 - i. the person against whom a bylaw contravention is alleged or their representative;
 - ii. the person who issued the Bylaw Notice;
 - iii. the complainant or their representative; and
 - iv. Regional District staff and other advisors regarding bylaw interpretation, applicable enactments, and records regarding the disputant's history of bylaw compliance.
- c) Cancel a notice, or prepare and enter into a compliance agreements pursuant to the Act with persons who dispute Bylaw Notices where allowed under Column 5 of Schedule A. An example compliance agreement is provided in Schedule B.
- e) Reduce the penalty for a bylaw contravention in a compliance agreement by up to one half of the amount shown in Column 3 of Schedule A.
- f) The maximum duration of a compliance agreement is one year.

12. FEE FOR UNSUCCESSFUL DISPUTES

12.1 In addition to any penalty imposed, every person who is unsuccessful in dispute adjudication in relation to a Bylaw Notice or compliance agreement must pay the Regional District an additional fee of twenty-five dollars (\$25.00) for the purpose of recovering the costs of the adjudication system.

13. BYLAW ENFORCEMENT OFFICER

13.1 Persons acting as any of the following are designated as Bylaw Enforcement Officers for the purpose of this bylaw and the Act:

- a) Members of the Royal Canadian Mounted Police; and
- b) Bylaw Enforcement Officers, Building Inspectors, the Regional Fire Chief, the Planning and Parks Coordinator, and any other person acting in an official capacity on behalf of the Regional District for the purpose of enforcing one or more of its bylaws.

14. SCHEDULES

14.1 Any schedules attached to this bylaw form a part of this bylaw.

15. SEVERABILITY

15.1 If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, then the portion shall be severed, and the severance shall not affect the validity of the remainder of this bylaw.

16. FORMS

16.1 The Regional District may, from time to time, provide forms of Bylaw Notices and compliance agreements.

READ A FIRST TIME this ___ day of _____,
 READ A SECOND TIME this ___ day of _____,
 PUBLIC HEARING HELD this ___ day of _____,
 READ A THIRD TIME this ___ day of _____,

I hereby certify that the foregoing is a true and correct copy of "Regional District of Bulkley-Nechako Bylaw Notice Enforcement Bylaw No. 2041, 2024".

DATED AT BURNS LAKE this ___ day of _____, 2024

Corporate Administrator

ADOPTED this ___ day of _____, 2024

Schedule "A"
to Regional District of Bulkley-Nechako
Bylaw Notice Enforcement Bylaw No. 2041, 2024

Column 1: Bylaw Section	Column 2: Contravention	Column 3: Penalty	Column 4: Late Penalty	Column 5: Compliance Agreement Authorized
Regional District of Bulkley Nechako Building Bylaw No. 1634, 2012				
6.1 or 6.8	Building without a building permit	\$400	\$500	Yes
6.2	Concealing uninspected work	\$400	\$500	No
6.3	Building contrary to permit	\$400	\$500	Yes
6.4 or 6.5	Occupying a building without, or contrary to, an occupancy permit	\$300	\$400	Yes
6.6	Tampering with a building permit, notice or order	\$200	\$300	Yes
6.7	Obstructing a building official	\$400	\$500	Yes
6.9	Solid fuel stove, heater or chimney without a building permit	\$400	\$500	Yes
6.10	Submitting false information	\$400	\$500	Yes
6.11	Changing occupancy without permit	\$300	\$400	Yes

Column 1: Bylaw Section	Column 2: Contravention	Column 3: Penalty	Column 4: Late Penalty	Column 5: Compliance Agreement Authorized
Regional District of Bulkley Nechako Floodplain Management Bylaw No. 1878, 2020				
8	Obstructing an authorized representative	\$400	\$500	Yes
7 and 14(a)	Habitable area below Flood Construction Level	\$400	\$500	Yes
7 and 14(b)	Floor system below Flood Construction Level	\$400	\$500	Yes
7 and 14(c),	Equipment below Flood Construction Level	\$400	\$500	Yes
7 and 15	Fill or structural support within Floodplain Setback	\$400	\$500	Yes
7 and 18	Building within a non-standard flood area	\$400	\$500	Yes

DRAFT

Column 1: Bylaw Section	Column 2: Contravention	Column 3: Penalty	Column 4: Late Penalty	Column 5: Compliance Agreement Authorized
Regional District of Bulkley Nechako Fort Fraser Water Service Regulatory Bylaw No. 1575, 2011				
5.1	Obstructing the RDBN from carry out bylaw provisions or inspecting water works	\$400	\$500	Yes
5.2	Unauthorized person connecting to a water system	\$500	\$500	Yes
5.3	Interfering with water system appurtenances without authority	\$400	\$500	Yes
5.4	Increasing water pressure in Service lines without permission	\$400	\$500	Yes
5.5	Selling water or using water on another lot	\$400	\$500	Yes
5.6	Unauthorized work on a water system	\$400	\$500	Yes
5.7	Additional connection to a service without permission	\$400	\$500	Yes
5.8	Connection to an external water source without permission	\$400	\$500	Yes
5.9	Swimming pool without recirculation and filtration system	\$400	\$500	Yes
5.10	Change to fixtures for a commercial or industrial enterprise without permission	\$400	\$500	Yes
5.11	Installation of a device introducing substance into water without permission	\$400	\$500	Yes
5.12	Use of water for livestock in excess of 5 animals	\$400	\$500	Yes
5.13	Use of water for filling swimming pool or reservoirs contrary to the bylaw	\$400	\$500	Yes
5.14	Use of water for unreasonable sprinkling	\$400	\$500	Yes
5.15	Installation of any water connection, fixture or fitting not in accordance with the bylaw	\$400	\$500	Yes

Column 1: Bylaw Section	Column 2: Contravention	Column 3: Penalty	Column 4: Late Penalty	Column 5: Compliance Agreement Authorized
Regional District of Bulkley Nechako Fort Fraser Water Sewer Service Regulatory Bylaw No. 1576, 2011				
5.1	Release of any matter other than wastewater into the sanitary sewer system	\$400	\$500	Yes
5.2	Release of prohibited waste	\$500	\$500	Yes
5.3	Connecting or draining clear-water waste, rainwater, roof drains, or storm water into the sanitary sewer system	\$400	\$500	Yes
6.1	Discharge of wastewater diluted for the purpose of compliance with Section 5.2	\$400	\$500	Yes
7.1	Connection to the sewer system without written approval	\$400	\$500	Yes
8.1	Plumbing system not in compliance with the BC Building Code	\$400	\$500	Yes
8.3	Covering service pipes or fittings not inspected and approved by the Regional District	\$400	\$500	Yes
8.5	Service pipes not in compliance with Schedule F	\$400	\$500	Yes
9.1.1, 9.1.3	Oil and grease interceptor not installed, operated or maintained as required	\$400	\$500	Yes
9.1.2	Discharge of emulsifiers	\$400	\$500	Yes
9.1.4	Failure to keep proof of interceptor cleanout on request	\$300	\$400	Yes
9.2.1, 9.2.2	Oil and grease interceptor not installed, operated or maintained as required	\$400	\$500	Yes
9.2.3	Discharge of emulsifiers	\$400	\$500	Yes
9.2.4	Failure to provide a maintenance schedule and record of maintenance	\$300	\$400	Yes
9.2.5	Failure to keep proof of interceptor cleanout on request	\$300	\$400	Yes
9.1.5, 9.2.6	Failure to install a required alarmed monitoring device	\$300	\$300	Yes
9.3.1	Failure to take necessary measures requested to prevent sediment from entering the drain or sewer.	\$400	\$500	Yes
9.3.2	Failure to maintain and regularly test sediment interceptors	\$300	\$400	Yes
9.3.3	Failure to provide a maintenance schedule and record of maintenance for a sediment interceptor	\$300	\$400	Yes

9.4.1	Failure to install a required back-water valve.	\$400	\$500	Yes
11.1	Failure to pay rates established in Schedule A for the service	\$300	\$400	Yes
13.1	Discharge of hauled wastewater contrary to conditions for discharge	\$400	\$500	
13.2	Discharge of hauled Wastewater at an unapproved location	\$400	\$500	
13.3	Discharger to a Wastewater Treatment Facility without a required Waste Discharge Permit	\$400	\$500	
14.1, 14.3	Failure to notify and provide information to the Regional District regarding a spill to a Wastewater works	\$400	\$500	
14.2	Failure to notify other government agencies about a spill as required	\$300	\$400	
14.4	Failure to do everything reasonably possible to contain the spill, protect safety, minimize damage, and protect the environment	\$400	\$500	
14.5	Failure to pay the costs arising as a result of the spill.	\$400	\$500	

Column 1: Bylaw Section	Column 2: Contravention	Column 3: Penalty	Column 4: Late Penalty	Column 5: Compliance Agreement Authorized
Regional District of Bulkley Nechako Mobile Home Park Bylaw No. 740, 1993				
1.5(a) or 1.5(b) 2.2(1),	Development without permit	\$400	\$500	Yes
1.5(a) or 1.5(b) and 2.2.(7),	Authorized work not commenced or completed	\$200	\$300	Yes
1.5(a) or 1.5(b) and 3.3,	Development not in compliance with regulations and bylaws	\$400	\$500	Yes
1.5(a) or 1.5(b) and 3.5	Plans not posted	\$200	\$300	Yes
1.5(a) or 1.5(b) and 3.6	Heating equipment not in accordance with regulations	\$400	\$500	Yes
1.5(a) or 1.5(b) and 3.7	Manufactured home standards not met	\$400	\$500	Yes
1.5(a) or 1.5(b) and 3.8	Connections not Building Code	\$400	\$500	Yes
1.5(a) or 1.5(b) and 4.1	Unlawful Use	\$400	\$500	Yes
1.5(a) or 1.5(b) and 4.2	Unlawful Sign	\$200	\$300	Yes
1.5(a) or 1.5(b) and 4.5(4)	Failure to Mark Off	\$200	\$300	Yes
1.5(a) or 1.5(b) and 4.5(5)(a)	Space not adequately drained	\$200	\$300	Yes
1.5(a) or 1.5(b) and 4.5(5)(b)	Space not numbered	\$200	\$300	Yes
1.5(a) or 1.5(b) and 4.5(5)(c)	Space not adequately surfaced	\$200	\$300	Yes
1.5(a) or 1.5(b) and 4.6	Site coverage exceeded	\$400	\$500	Yes
1.5(a) or 1.5(b) and 4.10	Skirtings not installed	\$200	\$300	Yes
1.5(a) or 1.5(b) and 4.12	Parking not provided	\$200	\$300	Yes
1.5(a) or 1.5(b) and 4.14	Recreation areas not properly surfaced or landscaped	\$200	\$300	Yes
1.5(a) or 1.5(b) and 4.15.(3)	Roads not properly surfaced, drained, or maintained	\$200	\$300	Yes
1.5(a) or 1.5(b) and 4.16	Failure to meet water supply requirements	\$400	\$500	Yes
1.5(a) or 1.5(b) and 4.17(1) or 4.17(2)	Failure to meet sewage disposal requirements	\$400	\$500	Yes
1.5(a) or 1.5(b) and 4.18 (a) or 4.14 (b)	Inadequate number or type of solid waste containers	\$200	\$300	Yes
1.5(a) or 1.5(b) and 4.19(1)(a), 4.19(1)(b), or 4.19(2)	Fails to meet fire hydrant and reservoir requirements	\$400	\$500	Yes
1.5(a) or 1.5(b) and 4.20(1), 4.20(2), 4.20(3), or 4.20(4)	Unlawful street lighting	\$400	\$500	Yes
1.5(a) or 1.5(b) and 4.21	Unclean or unsafe equipment	\$200	\$300	Yes
1.5(a) or 1.5(b) and 4.22	Unlawful flammable debris	\$400	\$500	Yes
1.5(a) or 1.5(b) and 4.23	Unlawful fires	\$400	\$500	Yes
1.5(a) or 1.5(b) 1.5(b) and 3.4(1), 3.4(2), 3.4(3), or 4.9,	Unlawful parking of manufactured home	\$400	\$500	Yes

Column 1: Bylaw Section	Column 2: Contravention	Column 3: Penalty	Column 4: Late Penalty	Column 5: Compliance Agreement Authorized
Regional District of Bulkley Nechako Solid Waste Management Facility and User Fee Bylaw No. 1764, 2016				
8.4(a)	Non-compliance with bylaw	\$300	\$400	Yes
8.4(b)	Non-compliance with posted or verbal rules or instruction	\$300	\$400	Yes
8.4(a) and 8.5	Refusal to provide identification	\$300	\$400	Yes
8.4(a) and 8.8	Not paying of user fees	\$300	\$400	Yes
8.4(a) and 8.9	Not providing invoicing information	\$300	\$400	Yes
8.4(a) or 8.4(b) and 8.11(a),	Deposit of materials contrary to bylaw or posted rules	\$300	\$400	Yes
8.4(a) and 8.11(b) or 8.11(c)	Deposit of prohibited waste without authorization	\$500	\$500	Yes
8.4(a) and 8.11(e)	Deposit of out of region waste without authorization	\$500	\$500	Yes
8.4(a) or 8.4(b) and 8.11(f)	Deposit of waste outside of hours of operation	\$500	\$500	Yes
8.4(a) and 8.11(g)	Verbal abuse of a person	\$500	\$500	Yes
8.4(a) and 8.11(h)	Threatening or reckless act	\$500	\$500	Yes
8.4(a) and 8.11(j)	Removal or alteration of a sign	\$300	\$400	Yes
8.11(k) or 8.11(l)	Improper operation of a motor vehicle	\$400	\$500	Yes
8.4(a) and 8.11(m)	smoking	\$300	\$400	Yes
8.4(a) and 8.11(n)	Removal of salvage	\$300	\$400	Yes
8.4(a) and 8.11(o)	Release of ozone	\$500	\$500	Yes
8.4(a) and 8.11(p)	Ignite a fire	\$500	\$500	Yes
8.4(a) and 8.11(q)	Discharge a firearm	\$500	\$500	Yes
8.4(a) and 8.11(r)	Children under 10 or pets outside of vehicle	\$200	\$300	Yes
8.14	Not declaring Work Camp Waste	\$500	\$500	Yes

Column 1: Bylaw Section	Column 2: Contravention	Column 3: Penalty	Column 4: Late Penalty	Column 5: Compliance Agreement Authorized
Regional District of Bulkley Nechako Special Events Bylaw No. 1194				
4 and 5	Unapproved Special Event	\$500	\$600	Yes
6	Special event contrary to license	\$500	\$500	Yes

Column 1: Bylaw Section	Column 2: Contravention	Column 3: Penalty	Column 4: Late Penalty	Column 5: Compliance Agreement Authorized
Regional District of Bulkley Nechako Unsightly Premises Bylaw No. 1649, 2012				
4.1(a)	Automobile Wreck on property	\$300	\$400	Yes
4.1(b)	More than 2 derelict vehicles	\$300	\$400	Yes
4.2	Filth, discarded material and rubbish	\$400	\$500	Yes
4.3	Unsightly	\$400	\$500	Yes
6.3	Obstruct bylaw enforcement officer	\$400	\$500	Yes

Column 1: Bylaw Section	Column 2: Contravention	Column 3: Penalty	Column 4: Late Penalty	Column 5: Compliance Agreement Authorized
Regional District of Bulkley Nechako Zoning Bylaw 1800, 2020				
2.0.2.3 and 5.0.1.1; 6.0.1.1; 7.0.1.1; 8.0.1.1, 8.0.3.1; 9.0.1.1; 10.0.1.1; 11.0.1.1 , 12.0.1; 12.0.3.1; 12.0.3.2; 12.1.1.1; 12.2.1.1; 12.2.3.3; 13.0.1.1; 13.0.3.1; 13.0.3.2; 14.0.1.1; 14.1.1; 14.2.1; 15.0.1.1; 15.0.2.1; 16.0.1.1; 17.0.1.1; 18.0.1.1; 18.1.1; 19.0.1.1; 19.1.1.1; 20.0.1.1; 21.0.1.1; 22.0.1.1; 22.1.1.1; 23.0.1.1; 24.0.1.1; 25.0.1.1; 25.1.1.1; 26.0.1.1; 26.1.1.1; 27.0.1.1; or 28.0.1.1	Unlawful use or development of land or structure for a use not listed in a zone	\$400	\$500	Yes
2.0.2.3 and 2.0.2.4 and 9.0.1.2; 10.0.1.2; 13.0.1.2; 14.0.1.2; 14.1.1.2; 14.2.1.2; 15.0.1.2; 16.0.1.2; 17.0.1.2; 18.0.1.2; 18.1.1.2; 19.0.1.2; 19.1.1.2; 20.0.1.2; 21.0.1.2; 22.0.1.2; 22.1.1.2; 23.0.1.2; 24.0.1.2; 25.0.1.2; 25.1.1.2; 26.0.1.2; 26.1.1.2; or 27.0.1.2	Unlawful use or development of land or structure for a secondary use not listed in a zone	\$400	\$500	Yes
2.0.2.5	Unlawful use or development of land or structure contrary to the provisions of a zone	\$400	\$500	Yes
2.0.2.5 and 6.0.2.2; 8.0.2.1; 9.0.2.1; 10.0.2.1; 12.2.2.2; 12.2.2.3; 13.0.2.3; 18.0.2.1; 18.1.1.2; 19.0.2.1; 20.0.2.2; 21.0.2.4; 22.0.2.1; 22.1.2.1; 23.0.2.1; 24.0.2.1; 25.0.2.1; 25.1.2.1; 26.0.2.1; 26.1.2.1; 27.0.2.1	Exceeds maximum Dwelling Units	\$400	\$500	Yes
2.0.2.1 and 2.0.3.1	Unlawful use or development of land or structures contrary to bylaw	\$300	\$400	Yes
2.0.3.2	Obstructing an authorized representative	\$400	\$500	Yes
3.0.2.1	Exceeds Permitted Home Occupation	\$400	\$500	Yes
3.0.2.2(a), 3.0.2.2(b), 3.0.2.2(c), 3.0.2.2(d)(i), 3.0.2.2(d)(ii); 3.0.2.2(d)(iii); 3.0.2.2(d)(iv); 3.0.2.2(d)(v); 3.0.2.2(d)(vi); 3.0.2.2(d)(vii); 3.0.2.2(d)(viii); 3.0.2.2(d)(ix); 3.0.2.2(d)(x);	Fails to Meet Home Occupation Requirements			Yes

3.0.2.2(d)(xi); 3.0.2.2(d)(xii); 3.0.2.2(d)(xiii); 3.0.2.2(d)(xiv); 3.0.2.2(d)(xv); 3.0.2.2(d)(xvi); 3.0.2.2(d)(xvii); 3.0.2.3(a) to 3.0.2.3(g); 3.0.2.4(a) to 3.0.2.4(h)				
3.0.3.1(a) to 3.0.3.1(f)	Fails to Meet Portable Sawmill Requirements	\$400	\$500	Yes
3.04.1	Unlawful Storage or Parking of Derelict Motor Vehicles	\$400	\$500	Yes
3.0.5.1(a); 3.0.5.1(b), 12.1.3.3	Unlawful Accessory Building	\$400	\$500	Yes
3.0.8.1(a) to 3.0.8.1(e); 15.0.5.2(b); 16.04.2(b); 17.0.4.2(b) 23.0.5.2(b), 24.0.5.2(b)	Failure to Meet Natural Boundary Setbacks	\$400	\$500	Yes
3.0.8.1(a) to 3.0.8.1(e); 15.0.5.2(b); 16.04.2(b); 17.0.4.2(b) 23.0.5.2(b), 24.0.5.2(b)	Failure to Meet Natural Boundary Setbacks	\$400	\$500	Yes
3.0.11	Unlawful Placement within Sight Triangle	\$400	\$500	Yes
3.0.12	Unlawful Short Term Accommodation	\$400	\$500	Yes
3.0.13.1; 3.0.13.2; 3.0.13.3(a); 3.0.13.3(b); 3.0.13.4(a) to 3.0.13.4(c)	Unlawful Livestock and Poultry	\$400	\$500	Yes
3.0.14(1); 3.0.14(2); 3.0.14(3)(a) to 3.0.14(3)(c); 3.0.1.14(4)(a) to 3.0.1.14(4)(c)	Unlawful Wind Turbine	\$400	\$500	Yes
5.0.6.1; 6.0.7.1.1;12.1.7.3 7.0.7.1; 8.0.8.1; 11.0.5.2; 12.1.7.1 to 12.1.7.3; 12.2.7.2; 13.0.7.2	Fence Exceeds Maximum Height	\$400	\$500	Yes
7.0.4.1	Fails to Meet Minimum Water Frontage	\$400	\$500	Yes
11.0.5.1; 12.1.7.1	Exceeds Maximum Building Height	\$400	\$500	Yes
11.0.6	Fails to Meet Standards of Manufactured Home Park Bylaw	\$400	\$500	Yes
11.0.7.1 and 11.0.7.2	Fails to Meet Minimum Permitted Separation Between Manufactured Homes	\$400	\$500	Yes
12.0.7.1	Unlawful Fence	\$400	\$500	Yes
12.0.6.1; 12.1.7.2; 12.2.7.1; 13.0.7.1	Exceeds Maximum Structure Height	\$400	\$500	Yes
12.1.3.1, 12.2.3.3, 13.0.3.2	Unlawful Secondary Suite	\$400	\$500	Yes
12.2.3.2	Unlawful Temporary Accommodation	\$400	\$500	Yes
12.2.8.1; 12.2.8.2	Fails to Meet Parking Requirements	\$400	\$500	Yes
12.2.9.1	Fails to Meet Minimum Separation Between Principal Buildings	\$400	\$500	Yes
13.0.3.1	Fails to Meet Parcel Servicing	\$400	\$500	Yes

14.2.3.1	Fails to Meet Contracting or Light Manufacturing Use	\$400	\$500	Yes
		\$400	\$500	
22.0.6.1; 22.1.6.1, 23.0.6.1	Fails to Meet Screening Requirements	\$400	\$500	Yes
29.0.1.1; 29.0.1.2; 29.0.1.3(a) to 29.0.1.3(e); 29.0.1.4; 29.0.1.5	Fails to Meet Off-Street Parking Requirements	\$400	\$500	Yes
29.0.2.1; 29.0.2.2; 29.0.2.3; 29.0.2.4	Failure to Meet Off-Street Loading Requirements	\$400	\$500	Yes

DRAFT

Schedule "B"
to Regional District of Bulkley-Nechako
Bylaw Notice Enforcement Bylaw No. 2041, 2024

Compliance Agreement

pursuant to the **Regional District of Bulkley-Nechako Bylaw Notice Enforcement Bylaw No. 2041, 2024**

I, _____ of _____
(Name) (Address)

acknowledge receipt of Bylaw Notice(s) # _____ (the "Bylaw Notice"), and wish to enter into this Compliance Agreement whereby I agree to fulfill certain conditions in exchange for a reduced penalty of \$ _____, which I have now paid.

Specifically, I agree to comply with the following terms and conditions of this Agreement:

1. On or before _____ I will: _____

and

2. On or before _____ I will: _____

I understand that this Agreement is binding upon me for one year from the date of this Agreement. I also understand that if I breach a term of this Agreement, or fail to observe or perform the above terms and conditions, the Regional District's Screening Officer may rescind this Agreement.

I understand that if this Agreement is rescinded, I will have 14 days to dispute the Screening Officer's decision to rescind the Agreement and that, if I do not dispute this decision in that time, the balance of the penalty stated in the Bylaw Notice(s) in the amount of \$ _____ will be immediately due and payable and subject to all fees and penalties as if the Bylaw Notice was not disputed.

Signature of Bylaw Notice Recipient

Signature of Screening Officer

Date

Date



**REGIONAL DISTRICT OF BULKLEY-NECHAKO
BYLAW NOTICE DISPUTE ADJUDICATION
REGISTRY AGREEMENT**

BETWEEN

REGIONAL DISTRICT OF BULKLEY-NECHAKO

AND

VILLAGE OF BURNS LAKE

Schedule C to Bylaw No. 2041, 2024

THIS AGREEMENT made this day of , 2024 (the "Agreement").

BETWEEN:

REGIONAL DISTRICT OF BULKLEY-NECHAKO (RDBN)

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

AND:

VILLAGE OF BURNS LAKE

Box 570
Burns Lake, British Columbia, V0J 1E0

AND:

ADDITIONAL LOCAL GOVERNMENTS (to be included in Schedule A, without further modification of this Agreement)

(hereinafter called the "Parties")

WHEREAS the Local Government Bylaw Enforcement Act (the "Act") provides that a local government may, by bylaw, deal with a bylaw contravention by bylaw notice in accordance with the Act;

WHEREAS the Act also provides that two or more local governments may enter into an agreement adopted by a bylaw of each local government that is party to it, to provide for the joint administration of a local government bylaw notice dispute adjudication system and the sharing of costs.

NOW THEREFORE in consideration of the mutual promises contained herein, the Parties agree as follows:

Definitions

1. In this Agreement, the following definitions apply:

"Act" means the *Local Government Bylaw Notice Enforcement Act*.

"Adjudication" means the process where the Disputant and the local government are provided opportunity to present evidence to the adjudicator who will decide whether they are satisfied that the contravention occurred as alleged.

"Adjudication Fee" means the sum of \$50.00 payable to the applicable Party should the disputant be unsuccessful in the dispute adjudication.

"Agreement" means this Agreement.

"Authorizing Bylaw" means a bylaw adopted by each Party authorizing this Agreement.

"Bylaw Notice" has the same meaning as in the Act.

"Disputant" has the same meaning as in the Regulation.

"Registry" means the Bulkley-Nechako Dispute Adjudication Registry established by this agreement.

"Parties" means all of the Regional District of Bulkley-Nechako, the Village of Burns Lake, and any additional local governments that may be included later in Schedule A.

"Party" means any one of the Parties.

"Regulation" means the Bylaw Notice Enforcement Regulation.

"Roster Organization" has the same meaning as the Regulation.

"Screening Officer" has the same meaning as in the Act.

"Terms" means the terms of this Agreement as set out herein.

The Registry

2. The Parties to this Agreement agree to jointly operate a local government bylaw notice dispute adjudication system, which is hereby established, to be known as the Bulkley Nechako Bylaw Notice Dispute Adjudication Registry. It is further agreed that the RDBN will operate the Registry on behalf of the Parties.
3. The RDBN will establish, fund and operate the Registry, and will recover its costs of operating the Registry by charging the other Parties on a per-adjudication basis and their proportional use of the Registry's services as outlined in this Agreement.
4. The Registry will be located at the RDBN Offices at 37 3rd Avenue, PO Box 820, Burns Lake, BC, V0J 1E0.

Screening Officer

5. A Bylaw Notice must be reviewed by the Screening Officer for the Party that issued the Bylaw Notice before a dispute adjudication may be scheduled.
6. Each Party is responsible for appointing its Screening Officer in accordance with the Act, and for administering and funding the Screening Officer position. The Screening Officer positions and responsibilities are in no way a function of the Registry.

Administrative Services

7. The RDBN will provide all administrative services required by the Registry, including:
 - (a) providing the venue and facilities to hear dispute adjudications in accordance with the Act;
 - (b) enter into a contract with a designated Roster Organization for the purpose of providing dispute adjudication services to the Registry.
 - (c) submitting requests to the Roster Organization for the assignment of an adjudicator.
 - (d) providing venue security;
 - (e) providing for the collection of Adjudication Fees and any penalties payable to a Party for a bylaw contravention provided immediately following an adjudication.
 - (f) obtaining legal advice and services to ensure the Registry is operating pursuant to the Act.
 - (g) Issuing payment to the applicable Party for penalty amounts collected with the Bylaw Notice number(s); and
 - (h) Issuing invoices to the applicable Party in accordance with this Agreement.
7. Despite section 7 (e), the collection of penalties will be the responsibility of the applicable Party if not collected by the Registry immediately following the adjudication.
8. The administrative services do not include the RDBN presenting any evidence on behalf of, or representing, any other Party in support of a bylaw notice issues by that Party.

Advisory Committee

9. The Parties agree to establish an advisory committee to advise the RDBN regarding administrative procedures and policy relating to the operation of the Registry.
10. Each Party will appoint one representative to serve on the advisory committee. The Parties agree that the representatives will be paid employees of their respective local governments and will not be remunerated.
11. The advisory committee representative appointed by a Party shall serve as that Party's contact person for RDBN staff with respect to this agreement and the provision of administrative services required by the Registry.

Payments and Disbursements

12. The RDBN will prepare an annual operating budget for the Registry within the RDBN corporate budgeting process and will fund the operation of the Registry from this budget. The RDBN will recover its costs of operating the Registry from the other Parties by charging the fees outlined in Schedule B, and by each Party paying their proportionate costs of the fees charged by the Roster Organization based on the number of adjudications for each Party.
13. The RDBN will issue an invoice to the applicable Party within 60 days of service being rendered. Amounts owing are due and payable within 60 days of receipt of the invoice.
14. Any fees or penalties collected by the Registry pursuant to Section 7.(e) will be credited to the relevant Party and subtracted from the amount owing by that Party for their participation in the Registry.
15. All costs relating to legal services, witnesses, Screening Officers and bylaw enforcement officers as they pertain to the dispute adjudication process, and to the activities of the Registry more generally, will be borne by the relevant Party which issued the bylaw notice in question and will not be borne by the Registry or by the RDBN on behalf of the Registry.

Municipal Participation and Agreement Amendments

16. The Parties will negotiate in good faith any proposed amendments to this Agreement upon request of any Party. All amendments must be in writing, approved by a two-

thirds majority of the Parties in writing and executed by each party and listed as an itemized Amendment in Schedule C.

17. Additional Local Governments can be added to this agreement in Schedule A at their request, without further modification of this Agreement, by RDBN Board resolution, and the Local Governments execution of Section 24 of this agreement.
18. A Local Governments can withdraw from this agreement by providing written notice to the other Parties 3 months in advance of withdrawal.

Dispute Resolution

19. In the event of any dispute or disagreement arising from the interpretation or application of this Agreement, or in the event of any breach or alleged breach by either party first written notice may be provided by either party to the other party describing the nature of the breach or alleged breach, or the disagreement or dispute. In the event that such notice is given, the parties shall:
 - a. immediately proceed to negotiate in good faith to resolve the matter to the mutual satisfaction of both parties; and
 - b. if a resolution satisfactory to both parties is not achieved within 60 (sixty) days of the first written notice being delivered to either party, then either party may serve a second written notice upon the other party that the matter is to be referred to binding arbitration; and
 - c. a single arbitrator shall be appointed by agreement of the parties within 90 (ninety) days of the second written notice being delivered, and failing such agreement, the arbitrator shall be appointed pursuant to the *Commercial Arbitration Act* to hear both parties to the dispute and the decision of that arbitrator shall be final, conclusive and binding on both parties, with costs payable in respect of the arbitration to be determined by the arbitrator.

Term

20. This Agreement comes into effect upon adoption of the authorizing bylaw. and continues in effect until December 31, 2027. With the consent of a two-thirds majority of the Parties, the effect of this agreement can be extended until a new agreement is in place or until December 31, 2028, whichever comes first. Any Party may withdraw from this Agreement upon 30 days' written notice to the other Parties.

Law Applicable:

21. This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia. Nothing in this Agreement shall negate or fetter the legal authority of either party.
22. The Parties agree that in the event that the RDBN is named in a legal action arising in any way, directly or indirectly, from the operation or administration of the Registry or any adjudication conducted pursuant to this Agreement, then the Party who issued the Bylaw Notice associated with or giving rise to the legal action will indemnify the RDBN for all of its costs, including staff time and solicitors and professional fees and disbursements, for responding to and defending against such legal action except in the case of dishonesty, gross negligence or malicious or wilful misconduct by the RDBN. Such costs will be paid within 30 days of receipt of an invoice for same from the RDBN.
23. Each Party is responsible for maintaining its own liability insurance in respect of its participation in this Agreement. Such insurance must cover any liability that may arise from the negligence of such Party related directly or indirectly to or arising in any way from participation in this Agreement. Each Party must immediately inform the other Parties if the insurance coverage required herein is cancelled, expired or has otherwise lapsed.
24. Execution of Agreement

IN WITNESS WHEREOF the parties hereto have hereunto affixed their seals on the day and year first above written.

The Corporate Seal of the
RDBN was affixed hereto in the
presence of:

Chairperson

Chief Administrative Officer

The Corporate Seal of the
VILLAGE OF BURNS LAKE
was affixed hereto in the
presence of:

Mayor

Chief Administrative Officer

SCHEDULE A (ADDITIONAL LOCAL GOVERNMENTS)

The following local governments have been added as parties to this Agreement as additional local governments:

Local Government	Date Joined

SCHEDULE B (FEES)

Hearing Scheduling Fee	\$50.00 per hearing
Hearing Fee	\$200 per hour of hearing time
Maintenance and Hospitality Fee	\$15.00 per person in person at hearing

BYLAW AMENDMENTS

Date Approved	RDBN Board Resolution	Description



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Maria Sandberg, Planning and Parks Coordinator
Date: October 10, 2024
Subject: Round Lake Park Project Update

RECOMMENDATION: **(all/directors/majority)**

That the Board support the allocation of up to \$50,000 of Growing Communities Funds towards the Archaeological Impact Assessment for the Round Lake Park project, and that the work be directly awarded to WSP Canada Ltd.

BACKGROUND

This report is to update the Board on the Round Lake Park project and associated budget implications for the project moving forward.

In 2022, the Round Lake Community Association (RLCA) approached the Regional District with proposed improvements to the waterfront on Round Lake across from the community hall. The proposal included creating a larger beach area for public use, relocating the boat launch, and improving overall accessibility for all users. The intent is that the RDBN will obtain a license of occupation from the Ministry of Transportation and Infrastructure and operate the park in the Highway right of way under the Electoral Area A Parks and Trails service.

In June 2022 the Board authorized contributing up to \$50,000 of Electoral Area A Canada Community – Building Fund BC funds to the Round Lake Community Association (RLCA) for the project. An additional \$10,000 was added to this project budget as a contingency in 2024. This funding was for phase 1 of the project, which is nearing completion, as discussed below.

ROUND LAKE PARK – PHASE 1 (PRELIMINARY DESIGN)

The Community Association asked the Planning Department to administer the funds and manage the project on their behalf. WSP Canada Ltd. was awarded the Round Lake Park

Design Project contract in March 2023. The consultant is nearing completion of a preliminary design based on close consultation with the RLCA, the Regional District and MoTI. The draft Round Lake Park Preliminary Development Plans (attached) are being formally reviewed by MoTI and will be presented to the public at a community open house this fall. This is an opportunity for the Board to review and comment on the draft preliminary park plans.

The park area is within the provincial road right-of-way adjacent to Round Lake. Parking associated with the park is proposed to be on the Round Lake Community Hall property. The main features of the proposed improvements for the park area are:

- Relocating the boat launch to new location further east and to reclaim the old boat launch site.
- Clearing and grubbing the lakeshore to original beach extent.
- Increasing parking spaces by extending the parking area along Round Lake Road from the existing car park by the hall to the gravel access driveway to the east. This may include changing the property boundary to incorporate the parking area into the road right-of-way.
- Increasing accessibility by building two beach accesses – one as a ramp and one as a set of stairs.
- Constructing a retaining wall along the beach.
- Installing a pedestrian road crossing and barriers to separate the road from the public use area.
- Completing a gravel loop road by extending the existing access road on the eastern end of the property around the hall to create another access to Round Lake Rd on the western side of the hall.
- Installing traffic calming signs.

Surveying and Archaeological Assessment

A legal survey existing RLCA property and park area in the spring of 2023 as part of the project indicated that there is a strip of accreted land between the road right-of-way and the lake boundary which may belong to District Lot 782 (the parent parcel of land located north and east of the Round Lake Hall property). The owner of District Lot 782 is prepared to provide the strip of land for inclusion into the road right-of-way.

MoTI noted that the land does not automatically get returned to the parent parcel and that there is a chance that it could be part of the adjacent road right of way presently. They are requiring that the RDBN have this accreted land surveyed and that the ownership status of

the land be determined in consultation with the Surveyor General. The cost of this work is estimated at \$10,000 and can be accommodated with the existing Canada Community – Building Fund BC budget. If the land is determined to be privately owned a process to transfer ownership to the Province and make the land part of the road right of way will be required.

MoTI requires that an Archaeological Impact Assessment be completed for the park area in the Highway right of way prior to the license of occupation being granted and initiation of park construction. Archeologists from WSP Canada Ltd. are planning to undertake archaeological work for phase 3 of the Cycle 16 trail in late October 2024. Staff are hoping to have the Round Lake archaeological work done at the same time as the Cycle 16 work resulting in time and cost savings for the Round Lake project. The cost for the work is quoted at \$44,386.

Previously \$285,000 of the Growing Communities Fund had been allocated to rural parks and trails projects. Staff recommend that up to \$50,000 of these funds be used for the Archaeological Impact Assessment for the Round Lake Park project, and that the work be directly awarded to WSP Canada Ltd. This leaves \$235,000 remaining for other projects in the region.

Agricultural Land Commission Approval

The proposed park, and Round Lake Community Hall property, are in the Agricultural Land Reserve (ALR). Therefore, ALC approval is required for the park use, and the soil deposit to develop the park. The Planning Department is processing this application which is expected to be before the Board this fall.

ROUND LAKE PARK – PHASE 2 (PRELIMINARY DESIGN)

Phase 2 of the project includes the following actions, which will not occur without further direction from the Board.

- Identification of funding for detailed design and construction of the park as part of the 2025 budgeting process.
- Completion of detailed design and associated environmental permitting for the work in and adjacent to the lake.
- Formal approval of the development plans by MoTI and issuance of a license of occupation to the RDBN.
- Registration of a parking easement / statutory RW for parking on the RLCA property.

- Construction

ATTACHMENTS:

[Draft Round Lake Park Preliminary Development Plans – July 5th, 2024.](#) (link)



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Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Nellie Davis, Manager of Regional Economic Development
Date: October 10, 2024
Subject: **Lakes District Legacy Grant - Lakes District Museum Society**

RECOMMENDATION: **(all/directors/majority)**

That the Lakes District Museum Society be given \$13,000 in Lakes District Legacy funding for a permanent art collection.

BACKGROUND

In 2023 Electoral Areas B (Burns Lake Rural) E (Francois/Ootsa Lake Rural) and the Village of Burns Lake jointly received a contribution of \$13,000 from Coastal Gas Link employees through their bottle donation program. The funding is intended to support a legacy (permanent) project in the Lakes District.

Staff recommend providing the legacy funding as a grant to the Lakes District Museum Society for the creation of a permanent art collection at the Gallery.

Directors Wiebe and Lambert are supportive of the recommendation.



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Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Nellie Davis, Manager of Regional Economic Development
Date: October 10, 2024
Subject: **Grant in Aid for Areas B (Burns Lake Rural) and E (Francois/Ootsa Lake Rural) - Lakes District Family Enhancement Society**

RECOMMENDATION: **(all/directors/majority)**

That the Board approve allocating \$3,544 in Electoral Area B (Burns Lake Rural) and E (Francois/Ootsa Lake Rural) Grant in Aid monies (split 50/50) to the Lakes District Family Enhancement Society for repairs to the freezer at The Link food center.

BACKGROUND

Please see the attached application for further detail.

The Grant in Aid Balance for Area B is \$24,680.

The Grant in Aid Balance for Area E is \$16,258.

Directors Lambert and Riis-Christianson are supportive of the application in the amount of \$3,544 (\$1,772 each).

ATTACHMENTS:

- 1) Grant in Aid Application Form

Nellie Davis

From: website@rdbn.bc.ca
Sent: September 18, 2024 1:30 PM
To: Nellie Davis; andy@abcweblink.ca
Subject: Website Form Submission – Online Grant in Aid Application Form

[EXTERNAL EMAIL] Please do not click on links on open attachments from unknown sources.

There has been a submission of the form Online Grant in Aid Application Form through your concrete5 website.

Organization Legal Name:
Lakes District Family Enhancement Society

Contact Email Address:
NDeLury@TheLink-LD.ca

Contact Phone Number:
250-692-0316

Organization Mailing Address:
Box 777 Burns Lake, BC

Project or purpose for which you require assistance:

Our walk-in freezer at the Food Centre recently broke, and we are asking for assistance to cover the cost associated with its repair. The walk-in freezer is critical in our ability to retain food bank services at the established level. The large capacity of the freezer allows us to accept donations from local grocery stores (which helps reduce food waste in the region) as well as from local farmers, such as the recent donation from Rio Tinto of local 4H beef. These recovered and donated food items are a major part of our food hamper program, providing much needed food to some of the most vulnerable people in our region. We rely on these food donations which provide 100% of the meat and bread included in hampers.

Distribution of food hampers has increased significantly. We have experienced more than a 40% increase since December 2023 (December is typically our busiest month of the year), which has put our budget under significant pressure. Assistance to help cover this unexpected equipment repair cost would be greatly appreciated. Copies of the invoices/receipts are attached.

Amount of Grant Requested:
3543.69

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:
Yes

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?:

The Lakes District Family Enhancement Society is a community-based organization that offers services that facilitate the advancement of families, individuals, children, and youth in the Lakes District and, as such, the society is responsive to the diverse needs of residents and the community. This hub of services is called The Link. The

primary services provided are related to food security, senior supports and early years programming. Although The Link partners with many other organizations/agencies, the services provided by The Link are unique and not available through another organization.

Is your organization voluntary and non-profit?:

Yes

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

Members and officers are all voluntary. The Link currently employs 35 people, including those who are part-time or on-call.

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

The Lakes District Family Enhancement Society operates The Link and has been providing services in the Lakes District for 35 years.

In 2023, approximately 1100 people received services through Link programs. There are 40-50 volunteers who help out with Link programs and services every year.

Assistance is being requested for.:

Capital project and/or equipment

Other Purpose:

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

The Link is requesting assistance to cover the repair cost of our walk-in freezer at our Food Centre, where we offer the only community-wide emergency food hamper program, providing food to people experiencing food insecurity. Cost details are attached.

Describe how this proposal will benefit the community.:

As mentioned above, the walk-in freezer is critical in our ability to retain food bank services at the established level. The large capacity of the freezer allows us to recover food from grocery stores, as well as accept donations. Food waste in the region is reduced, and we are able to provide food to some of the most vulnerable people in our region.

Furthermore, food we have recovered which is not fit for human consumption is donated to local farmers as animal feed, thereby further reducing the amount of food ending up in local landfills.

Also mentioned above is the disheartening reality that the number of food hampers distributed on a monthly basis has increased significantly. We are seeing more households struggling with food security on a regular basis. Helping people to feed themselves and their families when they are struggling has countless benefits to a community.

Have you applied for a grant/funding from other source(s)?:

No

Name of Grant or Funding Agency:

Amount applied for:

Status of application:

Name of Grant or Funding Agency:

Amount applied for:

Status of application:

Name of Grant or Funding Agency:

Amount applied for:

Status of application:

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

Yes

If yes, please provide the year, the amount, and the purpose for the assistance.:

2024 / \$7,100 / computer upgrades across several Link programs, and a vacuum replacement for our daycare
2021 / \$7,946.26 / purchase of heat pump for cooling the Food Centre building (Gas Tax)

Does your Organization: (Please check all that apply):

Provide an opportunity for individuals to make direct contributions?

Is your organization part of a provincial or national fundraising campaign?

Contact Name:

Nancy DeLury

Attach supporting financial information, ie: budget/financial report. Ensure all information is clearly itemized, including: total cost of project, grants/funding from other sources, funding contributed by applicant, total expenses for the fiscal year.:

8442,8440,8441

Contact Name:

Zoë Gray

Contact Phone Number:

250-251-1466

Contact Email Address:

ZGray@TheLink-LD.ca

Which RDBN electoral area(s) receive services or benefits from your organization?:

Electoral Area B (Burns Lake Rural)

Electoral Area E (Francois/Ootsa Lake Rural) Electoral Area G (Houston/Granisle Rural)

To view all of this form's submissions, visit

https://protect.checkpoint.com/v2/r03/___https://www.rdbn.bc.ca/index.php/dashboard/reports/forms/view/2315___YzFjOnJkYm46YzpvOmYwZGFiZGI2ZmEzNzA5ZGI3M2FkMGQ1Nzg5NTNhNjQ0Ojc6YTk5MzpmM2Y3Y2JhNDhjZDBiOGYxMjl1M2I5ODYzMTRkMTRhZjhkY2E3OWJhYmVjMDcyODViNDdjNDViMzUzZWEwMTZlOnA6VDpO

RDBN - Grant In Aid- Budget

Area E and B

Food Centre Freezer Repair

Item		Cost	Supplier
Invoice #6692	Initial assessment of broken freezer. Includes labour and travel. Invoice attached.	\$ 1,028.58	Hunterbilt Industries Ltd.
Invoice #6730	Replacement of broken freezer condenser. Includes labour, travel, condenser, and other materials required. Invoice attached.	\$ 2,515.11	Hunterbilt Industries Ltd.
	TOTAL Request	\$ 3,543.69	



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Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Shari Janzen, Economic Development Assistant
Date: October 10, 2024
Subject: Ride Burns Mountain Biking Association – Letter of Support Request

RECOMMENDATION: **(all/directors/majority)**

That the Board provide a letter to the Ride Burns Mountain Biking Association to support its application to the Rural Economic Diversification and Infrastructure Program.

BACKGROUND

The Ride Burns Mountain Biking Association is applying to the Rural Economic Diversification and Infrastructure Program for its Beginner Mountain Biking Trail Project and has requested a letter of support.

While the top of the extensive trail network surrounding Boer Mountain can be easily reached by beginner riders via an uptrack, the trails coming down the mountain are currently limited to intermediate and advanced riders. The project aims to increase the number of beginner local and non-local riders accessing the extensive trail system, by providing a safe environment for skill development for riders of all ages. The project will include 7 kms of downhill, keeping within the 8% grade requirements for a beginner trail.



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Shari Janzen, Economic Development Assistant
Date: October 10, 2024
Subject: **Smithers Golf and Country Club – Letter of Support Request**

RECOMMENDATION: **(all/directors/majority)**

That the Board provide a letter to the Smithers Golf and Country Club to support its funding applications for the Smithers Golf Course Clubhouse Renovation project.

BACKGROUND

The Smithers Golf and Country Club, a non-profit run golf course, is applying to the Rural Economic Diversification and Infrastructure Program and Northern Development Initiative Trust for funding to support its Smithers Golf Course Renovation project.

The renovation project will improve functionality in the clubhouse and create a permanent indoor golf simulator space open through the winter. The renovation will replace outdated and worn materials and redefine the spaces to support year-round operations.

The project is intended to increase golf course revenues and create employment through the winter months, providing a winter recreation program that supports a vibrant and attractive recreation opportunity. This project will also support the Smithers Golf Course Winter Walking Trails Program established in 2021.



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Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Wendy Wainwright, Deputy Director of Corporate Services
Date: October 10, 2024
Subject: **Items to be brought forward to the public agenda from Special (In-Camera) Meeting**

RECOMMENDATION: (all/directors/majority)

Receive.

BACKGROUND

As per the Regional Board recommendation, the following motion is being brought forward from the Special (In-Camera) meeting of September 26, 2024:

Proposed Amendment to the Employee Welfare Benefits Policy

I.C.2024-11-4

"That the Board approve the proposed amendments to the Employee Welfare Benefits Policy as presented and rename it to the Employee Benefits policy."

ATTACHMENTS:

Employee Benefits Policy



REGIONAL DISTRICT OF BULKLEY-NECHAKO

EMPLOYEE BENEFITS POLICY

Eligibility:

Permanent full-time and part-time employees are eligible for the Regional District's comprehensive benefits plan. Eligibility is based on minimum scheduled hours worked per week and upon successful completion of the probationary period. The eligibility for the benefit classes are as follows:

- (1) **Unionized employees:** Normal regularly scheduled working hours must be a minimum of 28 hours per week (based on 40 hours per week).
- (2) **Non-unionized employees:** Normal regularly scheduled working hours must be a minimum of 25 hours per week (based on 35 hours per week).
- (3) **Board of Directors:** Normal regular working hours must be a minimum of 20 hours per week. *Note: Only Extended Health and Dental Care Benefits are available to Board Members.*

Probationary Period:

The Employee Benefits outlined shall be provided to employees who have satisfactorily completed a probationary period of no less than three (3) months with the Regional District.

At the discretion of the Chief Administrative Officer, the waiting period for eligibility of benefits may be waived.

Benefits Provided:

The following benefits will be provided as part of the Regional District's comprehensive benefit plan when a carrier can be found:

(a) **Extended Health Care Benefits:**

The Regional District will pay 100% of the premiums for an extended health care benefits plan. Coverage terminates at retirement.

(b) Dental Care Plan:

The Regional District will pay 100% of the premiums for a group dental care plan. Coverage terminates at retirement.

(c) Basic Life Insurance:

The Regional District will pay 100% of the premiums for a group life insurance policy. Individual employee coverage is two and one-half (2.5) times that employee's salary to non-evidence maximum of \$500,000. Coverage terminates at age 70 or earlier retirement.

(d) Accidental Death and Dismemberment:

The Regional District will pay 100% of the premiums for an AD&D plan. Coverage terminates at age 70 or earlier retirement.

(e) Basic Critical Illness:

The Regional District will pay 100% of the premiums for basic critical illness. Coverage terminates at age 65 or earlier retirement.

(f) Long Term Disability Insurance:

The Employee will pay 100% of the premiums for a long-term disability insurance policy. Individual employee coverage is 66.67% of monthly earnings to non-evidence maximum of \$6,500 per month (non taxable). Coverage terminates at age 65 (less 3 months) or earlier retirement.

(g) Employee and Family Assistance:

The Regional District will pay 100% of the premiums for an employee and family assistance program. Coverage terminates at retirement.

(h) Benefit Top-Up:

The Regional District will provide an equivalent benefit top-up (salary) to cover any of the above benefit costs borne by the employee. Optional benefits paid by the employee are not included in the benefit top-up amount. Coverage terminates at age 65 or earlier retirement.



August 19, 2024

File: 10280-60 (93L/16, 93M/2, 93M/3,
93M/6, 93M/7, 93M/11, 93M/12,)

Chair and Directors
Bulkley-Nechako Regional District
37 - 3rd Avenue, Burns Lake, BC, V0J 1E0
Sent by email to: info@rdbn.bc.ca

Dear Chair and Directors:

The BC Geographical Names Office has received a request from Dr. M. Jane Smith (Xsiwis) from the Gitksan Nation, with support from the Gitksan Huwilp Government and the Regional District of Kitimat-Stikine, to change the official name of several geographical features located in the Bulkley-Nechako and Kitimat-Stikine Regional Districts. At this time, we are inviting comments on three proposed names as detailed in Appendix A and shown on the attached map.

In accordance with the BC Geographical Naming Policy and Procedures, before any naming decisions are made, it is important to ascertain a) if there are other known traditional names for these features, and b) that the proposed name reflects the heritage values in the area. Requesting input from governments, communities and relevant organizations potentially impacted by a feature's official name is a vital step in the geographical naming. Please note that if there are any official name changes, online name records will continue to include the history of all previous official names.

As an identified government, we are requesting any comments you have on behalf of your communities on the proposed place name changes.

Official adoption of these names would not prejudice legitimate claims to the land.

Please redirect this request to the appropriate contact in your government as needed or let me know if it should be sent elsewhere. Feel free to contact me directly if you have any questions. Thank you in advance for your comments; your response before ~~October~~ **November 30, 2024**, would be appreciated.

Kind regards,

Trent Thomas
Provincial Toponymist
BC Geographical Names Office

Enclosure

cc: Distribution

Appendix A: Proposed Names

1. Change the official name of **Babine River** to “**Xsi Lik’i’nsxw**” for the river that flows west into Skeena River, north of Hazelton, Bulkley-Nechako Regional District.
 - “**Xsi Lik’i’nsxw**” is a Gitxsanimx name for this river and means "river of grizzly bear" (information provided by Dr. M. Jane Smith (Xsiwis) from the Gitxsan Nation, 2024).
 - The mouth of this river is located at: 55.6974, -127.6936.
 - “**Xsi Lik’i’nsxw**” name record: <https://apps.gov.bc.ca/pub/bcgnws/names/76319.html>
 - **Babine River** name record: <https://apps.gov.bc.ca/pub/bcgnws/names/10395.html>

2. Change the official name of **Babine Lake** to “**T’aham Lik’i’nsxw**” for the lake west of Stuart Lake, Bulkley-Nechako Regional District.
 - “**T’aham Lik’i’nsxw**” is a Gitxsanimx name for this lake and means "lake of grizzly bear" (information provided by Dr. M. Jane Smith (Xsiwis) from the Gitxsan Nation, 2024).
 - The centre of this lake is located at: 54.7763, -126.0138.
 - “**T’aham Lik’i’nsxw**” name record: <https://apps.gov.bc.ca/pub/bcgnws/names/76299.html>
 - **Babine Lake** name record: <https://apps.gov.bc.ca/pub/bcgnws/names/11034.html>

3. Change the official name of **Babine Range** to “**Anlisinsxwhl Lik’i’nsxw**” for the range between Babine Lake and River and Bulkley and Skeena Rivers, Kitimat-Stikine Regional Districts.
 - “**Anlisinsxwhl Lik’i’nsxw**” is a Gitxsanimx name for this mountain range and means "grizzly bear mountain range" (information provided by Dr. M. Jane Smith (Xsiwis) from the Gitxsan Nation, 2024).
 - The center of this mountain range is located at: 55.2664, -127.2516.
 - “**Anlisinsxwhl Lik’i’nsxw**” name record: <https://apps.gov.bc.ca/pub/bcgnws/names/76339.html>
 - **Babine Range** name record: <https://apps.gov.bc.ca/pub/bcgnws/names/10396.html>

Audio of the name being spoken is available on the name records linked above.

Distribution List:

Alpine Club of Canada	Gitxsan Simogyet (Chief) Spookw
Association of Canadian Mountain Guides	Kitimat-Stikine Regional District
Avalanche Canada	Lake Babine Nation
BC Parks	Office of the Wet'suwet'en Hereditary Chiefs
Binche Whut'en	Recreation Sites and Trials BC
British Columbia Mountaineering Club	Skeena Wild Conservation Trust
Bulkley-Nechako Regional District	Stellat'en First Nation
District of New Hazelton	Tl'azt'en Nation
Federation of Mountain Clubs of BC	Town of Smithers
Gitxsan Simogyet (Chief) Gutginuxw	Ts'il Kaz Koh First Nation
Gitxsan Simogyet (Chief) Guxsan	Village of Granisle
Gitxsan Simogyet (Chief) Gwis Gyen	Village of Hazelton
Gitxsan Simogyet (Chief) Gyetm Galdoo	Water Authorization
Gitxsan Simogyet (Chief) Hanamuxw	Yekooche First Nation
Gitxsan Simogyet (Chief) Nikate'en	



BC Geographical Names Office

Name Information

"Xsi Lik'i'nsxw"

Current Name: Babine River
Location: 55.6974, -127.6936

"T'aham Lik'i'nsxw"

Current Name: Babine Lake
Location: 54.7763, -126.0138

"Anlisinxwhl Lik'i'nsxw"

Current Name: Babine Range
Location: 55.2664, -127.2516



1: 2,311,162

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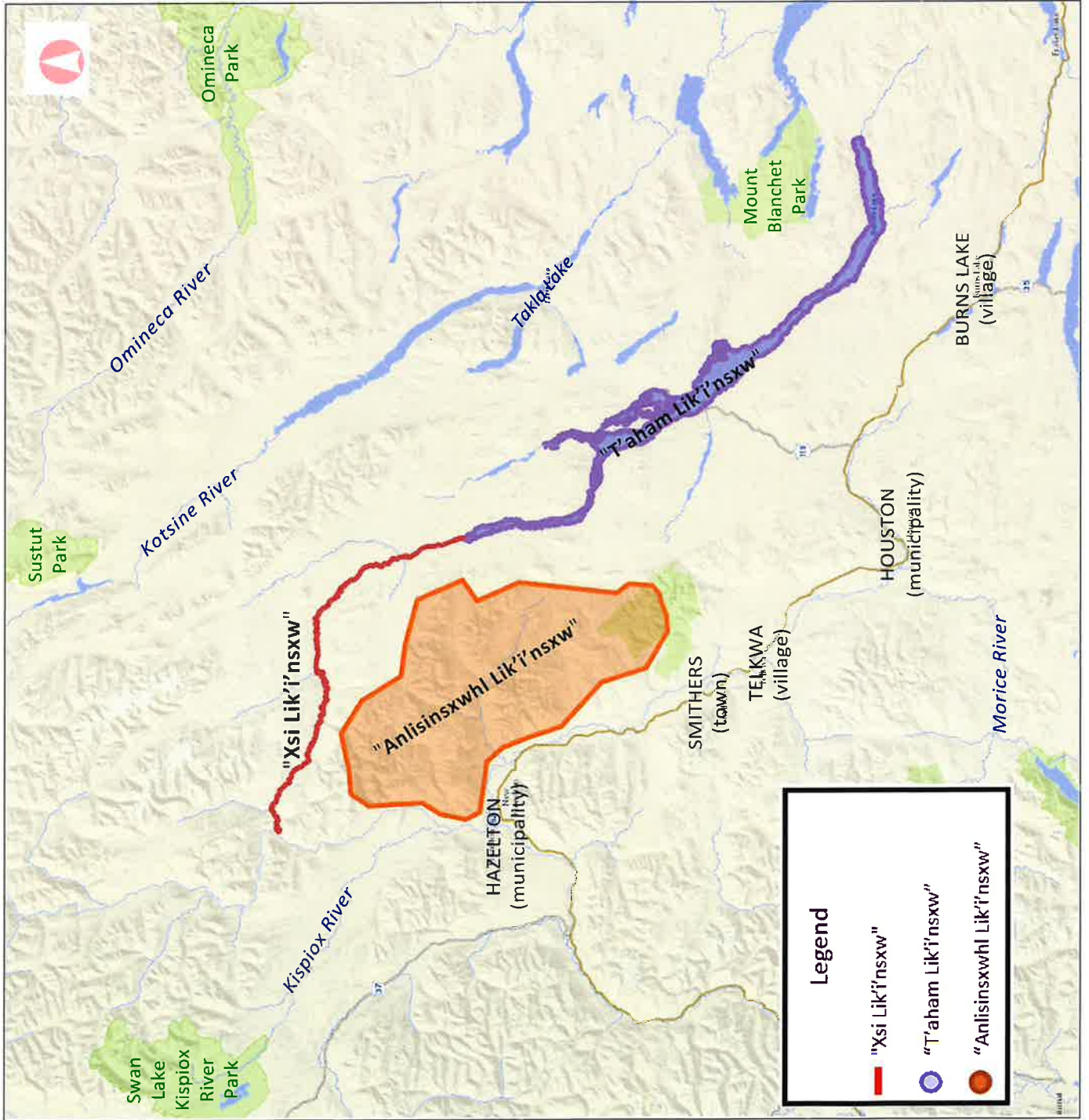
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Datum: NAD83

Projection: WGS_1984_Web_Mercator_Auxiliary_Sphere

Key Map of British Columbia



Legend

- "Xsi Lik'i'nsxw"
- "T'aham Lik'i'nsxw"
- "Anlisinxwhl Lik'i'nsxw"