



**REGIONAL DISTRICT OF BULKLEY-NECHAKO
SUPPLEMENTARY AGENDA**

THURSDAY, APRIL 28, 2022

<u>PAGE NO.</u>	<u>ADMINISTRATION REPORT</u>	<u>ACTION</u>
2-13	Taddea Kunkel, First Nations Liaison – TRC Justice Calls to Action Discussion Paper	Receive
<u>ELECTORAL AREA PLANNING (All Directors)</u>		
<u>Bylaw for 3rd Reading and Adoption</u>		
14	Rezoning Application RZ G-01-22 Public Hearing Report Board Agenda Pages 36-44	Receive
15	Rezoning Application RZ G-01-22 School District 57 Referral Response Board Agenda Pages 36-44	Receive
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<u>ALR Application</u>		
16-18	Subdivision in the ALR Application No.1242 Ministry of Agriculture and Food Referral Response Board Agenda Pages 51-62	Receive
<u>NEW BUSINESS</u>		
<u>ADJOURNMENT</u>		

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

TO: Chair Thiessen and Board of Directors

FROM: Taddea Kunkel, First Nations Liaison

DATE: April 28, 2022

SUBJECT: TRC Justice Calls to Action Discussion Paper

RECOMMENDATION: (all/directors/majority)

For Receipt.

BACKGROUND

On February 10, 2022, the Board requested that staff bring back a discussion paper that conducts an environmental scan of the region's services and programs that address the justice-related Calls to Action from the Truth and Reconciliation Commission's (TRC) report. These Calls focus on the legacy of Residential Schools, continued relationship between Indigenous Peoples and the Canadian Justice System, victimization of Indigenous women and girls, and the recognition of Fetal Alcohol Spectrum Disorder (FASD).

The attached paper provides a high-level introduction into the Calls to Action, a discussion on the provincial and federal government commitments, local Indigenous Justice, victim, and mental health services.

Attachments:

1. TRC Justice Calls to Action Discussion Paper

TRC Justice Calls to Action – Local Services Scan

Executive Summary

On February 10, 2022, the Board requested that staff bring back a discussion paper that conducts an environmental scan of the region's services and programs that address the justice-related Calls to Action from the Truth and Reconciliation Commission's (TRC) report. These Calls focus on the legacy of Residential Schools, continued relationship between Indigenous Peoples and the Canadian Justice System, victimization of Indigenous women and girls, and the recognition of Fetal Alcohol Spectrum Disorder (FASD). The paper will provide a high-level introduction into the Calls to Action, a discussion on the provincial and federal government commitments, local Indigenous Justice, victim, and mental health services.

Introduction

The justice-related Calls to Action from the Truth and Reconciliation Commission (TRC) flag the historic and continued impact of "...colonialization and related policies that eroded cultural practices, violently suppressed language and religion, and dismantled Indigenous families and communities" across Canada¹. These Calls to Action display socio-economic, historic, and cultural disparities between Indigenous and non-Indigenous peoples and seek to raise awareness and demand change to address the overrepresentation in the judicial system, systemic biases, lack of awareness of intergenerational trauma, little consideration of Fetal Alcohol Spectrum Disorder (FASD) during police encounters and criminal sentencing, missing and murdered Indigenous Women and Girls (MMIWG) and other perpetuated victimization of Indigenous women, and upholding the articles set out in the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP).

Overrepresentation of Indigenous Peoples in the Canadian legal system has been widely reported on. Published reports from the Provincial and Federal governments indicate that while only representing 5% of the population in British Columbia (BC), Indigenous Peoples represent over 30% of those within our justice system² and they are more likely to experience violent victimization than non-Indigenous Peoples³. Research has shown that there are many factors that have led to the overrepresentation of Indigenous Peoples, one key finding stated that they often times experience both over and under policing, meaning that they are both targeted by police as suspects and also neglected when they require assistance as they are not always considered to be a priority⁴. Despite identifying the barriers

¹ Heidinger, 2021.

² Office of the Correctional Investigator, 2020.

³ Heidinger, 2021.

⁴ Clark, 2019, 2-4.

and causes of overrepresentation and higher rates of violent victimization⁵ of Indigenous peoples; changes in legislation and the criminal justice system, along with improved funding and training to help understand the complex histories that have created, and perpetuated growing inequities still need to occur.

While criminal justice falls under federal jurisdiction, the impacts of crimes and reintegration fall onto communities, families, and local support services. These justice Calls to Action focus greatly on providing Indigenous communities, governments, and Nations with self-determination over their own legal systems and support regarding reintegrating offenders back into the communities. Many studies have shown that reintegration programs and community support that are grounded in traditional, cultural practices have higher success rates⁶. By having self-determination over their own criminal justice system, Nations can provide greater in-community support for offenders and look at ways to address the root causes of problems. Through incorporating traditional, cultural practices into justice and reintegration programs, it helps to advance cultural revitalization and healing.

Following the Regional District of Bulkley-Nechako's Board request, on February 10, 2022, this discussion paper conducts an environmental scan on services and programs that address the justice-related Calls to Action available in the region.

TRC Justice Calls to Action

25. We call upon the federal government to establish a written policy that reaffirms the independence of the Royal Canadian Mounted Police to investigate crimes in which the government has its own interest as a potential or real party in civil litigation.

26. We call upon the federal, provincial, and territorial governments to review and amend their respective statutes of limitations to ensure that they conform to the principle that governments and other entities cannot rely on limitation defences to defend legal actions of historical abuse brought by Aboriginal people.

27. We call upon the Federation of Law Societies of Canada to ensure that lawyers receive appropriate cultural competency training, which includes the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.

28. We call upon law schools in Canada to require all law students to take a course in Aboriginal people and the law, which includes the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.

⁵ Defined by Adam Cotter's "Criminal victimization in Canada, 2019" violent victimization includes sexual assault, robbery, and physical assault; however, victimization also includes theft of personal property, break and entering, and vandalism.

⁶ Allen et al, 2020, E208.

29. We call upon the parties and, in particular, the federal government, to work collaboratively with plaintiffs not included in the Indian Residential Schools Settlement Agreement to have disputed legal issues determined expeditiously on an agreed set of facts.

30. We call upon federal, provincial, and territorial governments to commit to eliminating the overrepresentation of Aboriginal people in custody over the next decade, and to issue detailed annual reports that monitor and evaluate progress in doing so.

31. We call upon the federal, provincial, and territorial governments to provide sufficient and stable funding to implement and evaluate community sanctions that will provide realistic alternatives to imprisonment for Aboriginal offenders and respond to the underlying causes of offending.

32. We call upon the federal government to amend the Criminal Code to allow trial judges, upon giving reasons, to depart from mandatory minimum sentences and restrictions on the use of conditional sentences.

33. We call upon the federal, provincial, and territorial governments to recognize as a high priority the need to address and prevent Fetal Alcohol Spectrum Disorder (FASD), and to develop, in collaboration with Aboriginal people, FASD preventive programs that can be delivered in a culturally appropriate manner.

34. We call upon the governments of Canada, the provinces, and territories to undertake reforms to the criminal justice system to better address the needs of offenders with Fetal Alcohol Spectrum Disorder (FASD), including:

- i. Providing increased community resources and powers for courts to ensure that FASD is properly diagnosed, and that appropriate community supports are in place for those with FASD.
- ii. Enacting statutory exemptions from mandatory minimum sentences of imprisonment for offenders affected by FASD.
- iii. Providing community, correctional, and parole resources to maximize the ability of people with FASD to live in the community.
- iv. Adopting appropriate evaluation mechanisms to measure the effectiveness of such programs and ensure community safety.

35. We call upon the federal government to eliminate barriers to the creation of additional Aboriginal healing lodges within the federal correctional system.

36. We call upon the federal, provincial, and territorial governments to work with Aboriginal communities to provide culturally relevant services to inmates on issues such as substance abuse, family and domestic violence, and overcoming the experience of having been sexually abused.

37. We call upon the federal government to provide more supports for Aboriginal programming in halfway houses and parole services.

38. We call upon the federal, provincial, territorial, and Aboriginal governments to commit to eliminating the overrepresentation of Aboriginal youth in custody over the next decade.

39. We call upon the federal government to develop a national plan to collect and publish data on the criminal victimization of Aboriginal people, including data related to homicide and family violence victimization.

40. We call on all levels of government, in collaboration with Aboriginal people, to create adequately funded and accessible Aboriginal-specific victim programs and services with appropriate evaluation mechanisms.

41. We call upon the federal government, in consultation with Aboriginal organizations, to appoint a public inquiry into the causes of, and remedies for, the disproportionate victimization of Aboriginal women and girls. The inquiry's mandate would include:

- i. Investigation into missing and murdered Aboriginal women and girls.
- ii. Links to the intergenerational legacy of residential schools.

42. We call upon the federal, provincial, and territorial governments to commit to the recognition and implementation of Aboriginal justice systems in a manner consistent with the Treaty and Aboriginal rights of Aboriginal peoples, the *Constitution Act, 1982*, and the *United Nations Declaration on the Rights of Indigenous Peoples*, endorsed by Canada in November 2012.⁷

Provincial and Federal Government Commitments

The Province of BC and the Government of Canada both have made progress on advancing reconciliation with Indigenous Peoples, communities, and governments in the last decade, with both orders passing legislation to implement the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) as a framework for reconciliation and aligning laws and policies. Given the differing areas of jurisdiction, particularly in relation to criminal justice⁷, much work is still required.

Federal Commitment:

Since 2015, the federal government endorsed *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) and committed to implementing and addressing the TRC Calls to Action. In 2021, the federal government passed legislation to implement and align federal laws with UNDRIP and committed to working with Indigenous Peoples and national organizations that represent Indigenous communities and governments to develop a national action plan.

In 2017, the federal government committed to implementing the 94 Calls to Action and has since taken action to address many of the 17 justice-related Calls to Action, with two completed and only four not started⁸. Several Calls require changes to legislation and the legal processes undertaken by the courts and police when interacting with Indigenous Peoples⁹. Indigenous Services Canada provides funding support and mentorship to Indigenous community coordinators to target healthy child development and

⁷ Government of British Columbia. "Provincial and federal corrections agencies."

⁸ CBC News. Beyond 94.

⁹ Crown-Indigenous Relations and Northern Affairs Canada. 2022. "Delivering on Truth and Reconciliation Commission Calls to Action – Justice."

improve health outcomes for Nations, children, families, and communities¹⁰. In February 2021, the federal government introduced Bill C-22, *An Act to amend the Criminal Code and the Controlled Drug and Substances Act*, which amends sentencing policies that have contributed to the overrepresentation of marginalized people in the criminal justice system, including people with FASD.

As part of their efforts to address the 94 Calls to Action, in 2017, the federal government announced \$120.7 million to fund initiatives that would address overrepresentation of Indigenous Peoples in the criminal justice system and fix the systemic imbalances that were in place. The \$120.7 million would be spread out over the course of five years and be divided into three different program streams: (1) Indigenous Justice program (previously called the Aboriginal Justice Program), (2) “to help previously incarcerated Indigenous Peoples heal, rehabilitate, and find good jobs,” and (3) to help fund the Indigenous Community Corrections Initiative¹¹. This approach looks to find community-based and culturally relevant solutions that are alternatives to incarceration, provide reintegration supports, and seek to stop repeat offenses. Despite the funding commitment, measuring the effectiveness and reach of these programs and initiatives remains unclear. Much of this funding was already committed to addressing these issues, and many of these programs had already existed.

These programs require organizations, or Indigenous governments, to apply to receive funding to create these Justice Programs. The language is unclear whether the funding is a one-off or continuous. As such, utilizing these funding programs to provide Indigenous Justice Programs may place a significant burden on Nations and communities to continue to finance and staff these programs.

Provincial Commitment:

In 2019, the Province of BC passed the *Declaration on the Rights of Indigenous Peoples Act* (DRIPA or *Declaration Act*), which establishes the *United Nations Declaration on the Rights of Indigenous Peoples* as a framework for reconciliation for the Province. Since its implementation, all provincial minister mandate letters now have language directing them to work to align laws and processes with the Act and use it and its principles as a framework for building relationships with Nations and creating a more inclusive BC. The Government of BC has publicly committed to working in partnership with First Nations governments and communities to create a joint vision of social, economic, and environmental reconciliation.

In 2022, the Province of BC released the DRIPA Action Plan that provides objectives, goals, and intended outcomes for the province to work collaboratively with Indigenous Peoples, First Nation governments and organizations to realize¹². The Plan is broken down into four themes: (1) Self-determination and inherent right to self-government, (2) title and rights of Indigenous Peoples, (3) ending Indigenous-specific racism and discrimination, and (4) social, cultural, and economic well-being. The Plan has 89 action items that have different ministries responsible for their implementation, and several action items that directly relate to the justice related Calls to Action. These items include the following:

¹⁰ Ibid.

¹¹ CBC News. Beyond 94 – Call 31.

¹² Government of British Columbia. 2022.

3.9 Identify and implement multi-modal transportation solutions that provide support and enable the development of sustainable, safe, reliable and affordable transportation options for First Nations communities. (Ministry of Transportation and Infrastructure)

3.11 Develop and implement comprehensive policing reforms to address systemic biases and racism. This will include: updating the Police Act, BC Provincial Policing Standards and mandatory training requirements; enhancing independent oversight; clarifying the roles and responsibilities of police officers in the context of complex social issues such as mental health, addiction and homelessness; and contributing to the modernization of the federal First Nations Policing Program. (Ministry of Public Safety and Solicitor General, Ministry of Attorney General, Ministry of Mental Health and Addictions)

3.12 Prioritize implementation of the First Nations Justice to reduce the substantial overrepresentation of Indigenous Peoples involved in and impacted by the justice system. This includes affirming First Nations self-determination and enabling the restoration of traditional justice systems and culturally relevant institutions. (Ministry of Attorney General, Ministry of Public Safety and Solicitor General)

3.13 Prioritize endorsement and implementation of the Métis Justice Strategy to reduce the substantial overrepresentation of Métis Peoples in and impacted by the justice system. This includes affirming Métis self-determination, and enabling the restoration of traditional justice systems and culturally relevant institutions. (Ministry of Attorney General, Ministry of Public Safety and Solicitor General)

The Province will be reporting on the implementation of these action items annually.

Local Indigenous Justice Services

These justice-related Calls to Action touch upon needed reform to the criminal justice system, recognition of colonial legacies, institutional biases, and disproportionate victimization rates of Indigenous Peoples. Below is an overview of the various justice programs funded by the federal \$120.7 Million commitment. The funding has been divided into three streams: (1) Indigenous Justice Program, (2) Indigenous Community Corrections Initiative, and (3) to “help previously incarcerated Indigenous Peoples heal, rehabilitate and find good jobs”¹³.

1. Indigenous Justice Program

With \$55.5 million over the course of five years¹⁴, the *Indigenous Justice Program* supports Indigenous community-based justice programs that offer alternatives to mainstream justice processes when appropriate. As per the Government of Canada website, the program’s objectives are to assist Indigenous people in assuming greater responsibility for the administration of justice in their communities, reflect and include Indigenous values in the justice system, and contribute to decreasing the rates of victimization, crime, and incarceration among Indigenous peoples¹⁵. The program is broken down into two funding components: the capacity-building fund and the community-based justice fund.

¹³ CBC News. Beyond 94 – Call 31.

¹⁴ Ibid.

¹⁵ Government of Canada. “Indigenous Justice Program.”

The Capacity-Building Fund is designed to support capacity-building efforts in Indigenous communities, particularly as they relate to building increased knowledge and skills for the establishment and management of community-based justice programs¹⁶. The Community-Based Justice Fund supports community-based justice programs in partnership with Indigenous communities and share costs with provincial and territorial governments¹⁷. They are designed to reflect the culture and values of the communities in which they are situated.

- Wet’suwet’en Unlocking Aboriginal Justice Program, located in Smithers, provides prevention, pre- and post-charge diversion, alternative measures, sentence advisory, rehabilitation, and victim support within the Wet’suwet’en territory and Gitksan nation. The program allows the community to assume greater responsibility for the administration of justice and assists the justice system to improve its relevance and effectiveness with First Nations communities. This is accomplished through regular meetings with the Elders Advisory Board, protocol development with local justice agencies, cultural activities, workshops, and training, as well as conflict resolution and support agency referrals.
- Healing Circle Program, located in Tl’azt’en, imposes appropriate measures to ensure compensation for the victim, levies a consequence on the offender, delivers required services to families, and establishes a monitoring program to ensure compliance with agreed-upon restitution. The Program also provides an opportunity to resolve crime using traditional, alternative sentencing methods based on consensus by all parties involved.
- Nak’azdli Alternative Justice Program, located in Fort St. James, provides alternative dispute resolution, circle sentencing, diversion, mediation, and preventative education for members of the Nak’azdli First Nation in the Village of Fort St. James. The program deals with the harmful effects of the residential school system still afflicting the community and diverting young offenders and first-time offenders from the courts by using traditionally appropriate cultural approaches.
- The Prince George Urban Aboriginal Justice Society’s Restorative Justice Program provides pre- and post-charge diversions and prevention services for youth and adults in the Prince George area. The program reduces the number of Aboriginal people in contact with the law, reduces the recidivism rates of Aboriginal people in the justice system, particularly for minor offences; and focuses on reintegrating offenders back into their communities as active, productive members.

It should be noted that before 2017, an Aboriginal Justice Services program had existed since the early 2000s after research had reported that Indigenous incarceration rates were increasing at a rapid rate.

2. Indigenous Community Corrections Initiative

With \$65.2 million committed over the course of five years¹⁸, the *Indigenous Community Corrections Initiative* supports the development of custody and reintegration projects for Indigenous offenders and reduces the over-representation of Indigenous people in Canada's criminal justice system¹⁹. Since 2017, 16 organizations have received funding to implement culturally relevant community-based projects that

¹⁶ Government of Canada. “Capacity-Building Fund.”

¹⁷ Government of Canada. “Community-Based Justice Fund.”

¹⁸ CBC News. Beyond 94 – Call 31

¹⁹ Public Safety Canada. “Indigenous Community Corrections Initiative – Projects funded since 2017.”

focus on the healing and rehabilitation of Indigenous offenders, of these funded projects, the closest one is in Prince George:

- Prince George Urban Aboriginal Justice Society – Aboriginal Wellness Reintegration Program is an offender reintegration project that bridges offenders from the Prince George Regional Correctional Facility to the local community. Within the correctional facility, offenders receive support and guidance upon release, and the offender works with project staff who support the offender with successful reintegration.

These funded programs aim to decrease the overrepresentation of Indigenous Peoples in the criminal justice system and do not include any services or programs that specifically target mental health and addiction.

3. Actions/Programs to “help previously incarcerated Indigenous People heal, rehabilitate and find good jobs”

The federal government has committed \$65.2 million over five years but has yet not provided much detail on how the funding has and continues to be spent²⁰.

Victim Services

As noted in the Calls to Action, Indigenous women and girls experience a higher rate of victimization than their non-Indigenous peers. Below is an overview of services in the region that are designed to support people who have experienced any form of victimization.

1. Police Services

Across the region, the BC RCMP are working on developing and fostering relationships with Nations, incorporating linkages to cultural practices specific to Nations, and collaborating with Nations on victim services and policing. Where local alternative and Indigenous Justice Programs exist, RCMP will refer appropriate cases and collaborate with the Nations that oversee these programs.

In the Bulkley-Nechako region police victim services are included in the standard RCMP complement for municipalities. Fort St. James and Burns Lake’s RCMP have vacancies for their victim services. This service provides support to individuals who have witnessed or been the target of victimization. Many RCMP complements have Indigenous police officers that also support Nations and engage in programming that can range from MMIWG awareness/remembrance walks, advisory committees, offering support to Nations with the reintegration of offenders, and receiving cultural sensitivity training.

2. Community/locally funded programs

Team Gooze is a mobile team run by Lake Babine Nation that responds to emergency calls and connects vulnerable members to appropriate support services. They work closely with the local RCMP and health services to assist residents access temporary housing, counselling, victim support, food, transport, and more. The team provides culturally responsive and wrap around care for those facing domestic violence, substance use, depression, suicide attempts, human trafficking, assault, mental health incidences, youth

²⁰ CBC News. Beyond 94 – Call 31.

runaways, and more. The team works to extend their services through grant funding and aids other Lakes District Nations members.

*Unist'ot'en Healing Centre*²¹ was constructed in 2015 to provide a culturally safe healing program that uses the healing properties of the land. Constructed entirely from donated materials and volunteer labor, the building features a full kitchen, dining space, meeting rooms, and lodging for elders and participants. Programming began in 2016 with the first Wet'suwet'en Youth Art Camp and expanded to include treatment for addictions, women's groups, cultural workshops, and language schools. The centre is located on the land base, on the Morice West Forest Service Road.

Northern Society for Domestic Peace (NSDP) is a non-profit, social service agency that offers a continuum of support services to individuals and families in Northwest BC, they have offices in Smithers and Houston²². They provide crisis support, counselling, violence prevention, outreach, advocacy, education, and community development.

Nezul Be Hunuyeh (NBH) is a Delegated Aboriginal Agency established in 2002 to provide child and family services to the communities of Tl'azt'en and Nak'azdli²³. The head office is located in Fort St James with a satellite office located in Prince George. The Agency is governed by a Board of Directors appointed by the leadership of Tl'azt'en and Nak'azdli.

Dze L K'ant Friendship Centre provides a range of services in their Smithers, Houston, and Dease Lake office locations²⁴. These services range from alcohol and drug counselling to holistic Health to legal advocacy support to mental health outreach and MMIWG support.

Witset Healing Lodge a proposed project that is under construction²⁵. The Healing Lodge will be located just outside of the Regional District's boundaries, on Witset's reserve lands. It will provide a safe and accessible healing space for Indigenous youth with a programming focus on empowerment and encouraging positive change through healing, skill building, and strengthening connections to culture and land.

Mental Health Services

As noted in the Yellowhead Institute's *Calls to Action: A 2021 Status Update on Reconciliation* report, factors such as socioeconomic status and racism along with the legacy of colonialism play a role in the relationship and interactions Indigenous Peoples have with Canada's Criminal Justice system²⁶. Mental health and substance use services are available in northern communities via Northern Health. First Nations Health Authority supports First Nation governments and communities access a range of wellness programs that are grounded in the unique and distinct cultures of Nations and incorporate traditional healing practices with western practices.

This section will provide a brief overview of the mental health services offered in the region.

²¹ Unist'ot'en Camp. 2017. "Unist'ot'en Healing Centre."

²² Northern Society for Domestic Peace.

²³ Tl'azte'en Nation. "Nezul Be Hunuyeh."

²⁴ Dze L K'ant Friendship Centre Society.

²⁵ Witset First Nation. "Projects - Witset Healing Lodge."

²⁶ Yellowstone Institute. 2021, 20.

1. Northern Health

Northern Health provides mental health and substance use programs at hospitals and its medical facilities across the region. The exact services vary across towns and are available weekdays from 8:30 AM to 4:30 PM.

2. First Nations Health Authority

First Nations Health Authority (FNHA) provides support to Nations across the region to deliver a range of services, including mental health services, to members on and off reserve. In addition, FNHA supports the *Carrier Sekani Family Services'* healing centre that offers a range of programs on the land-base for Indigenous Peoples. *Carrier Sekani Family Services* is establishing a youth foundry in Burns Lake²⁷.

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²⁷ Foundry BC. "Foundry Burns Lake".

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REGIONAL DISTRICT OF BULKLEY-NECHAKO

REPORT OF THE PUBLIC HEARING FOR BYLAW NOS. 1972, 2022 and 1973, 2022

April 26, 2022

Report of the Public Hearing held at 7:00 pm, April 26, 2022, by Zoom conference call regarding "Houston, Topley, Granisle Rural Official Community Plan Amendment Bylaw No. 1972, 2022" and "Regional District of Bulkley-Nechako Rezoning Bylaw No. 1973, 2022".

ATTENDANCE:

Registered Attendees: Val Sketchley, Applicant, 11604 Cesford Hill Road

Unregistered Attendees: Steve Sherman, Applicant, 11604 Cesford Hill Road

Chairperson: Chris Newell, Director, Electoral Area G

RDBN Staff: Danielle Patterson, Senior Planner, Recording Secretary

CORRESPONDENCE: No written submissions to this Public Hearing.

CALL TO ORDER: The meeting was called to order by Chair Newell at 7:08 pm

BUSINESS:

Chair Newell Read a statement explaining bylaws 1972 and 1973 and the Public Hearing process. Chair Newell stated a link to the Public Hearing package, containing the application and referral responses, was posted in the Zoom chat and is available on the RDBN website.

Chair Newell Asked Val Sketchley if there were any comments.

Val Sketchley No comments.

Chair Newell Asked Steve Sherman if there were any comments.

Steve Sherman Everything sounds good.

Chair Newell Wants to confirm that there are no comments.

Chair Newell Asked a third time if there are any comments?

Chair Newell Closed the public hearing at 7:14 pm.

Chris Newell, Chairperson

Danielle Patterson, Recording Secretary

April 14, 2022

Danielle Patterson
Regional District of Bulkley-Nechako
PO Box 820
Burns Lake, BC
V0J 1E0

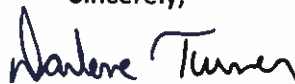
Dear Ms. Patterson,

RE: Official Community Plan (OCP) Amendment – Proposed Bylaw 1972, 2022

School District No. 91 (Nechako Lakes) received your letter dated April 4, 2022, requesting comments regarding a land use application for a property located within the area covered by "Houston, Topley, Granisle Rural Official Community Plan (OCP) Bylaw No.1622, 2011" to change the land use from Resource to Rural Residential. School District No. 91 (Nechako Lakes) has no specific questions or concerns at this time.

Thank you for the opportunity to provide input. Should you require any further clarification, please feel free to call me at 250-567-2284 or email at mmadhok@sd91.bc.ca.

Sincerely,


for: Manu Madhok
Superintendent of Schools

MM/ta

cc: Mrs. Darlene Turner, Secretary-Treasurer

RECEIVED
APR 22 2022
REGIONAL DISTRICT OF
BULKLEY-NECHAKO



Local Government File: ALR 1242

April 19, 2022

ATTN: Deneve Vanderwolf – Planning Technician
Regional District of Bulkley-Nechako
37 3rd Avenue
P.O. Box 820
Burns Lake, BC V0J 1E0

VIA EMAIL: deneve.vanderwolf@rdbn.bc.ca

Re: Subdivision Application – 5046 McLeod Road (PID 009-095-161)

Dear Deneve Vanderwolf:

Thank you for providing the Ministry of Agriculture and Food (Ministry) with the opportunity to comment on the proposed application for subdivision of the 259.1 ha subject parcel into two lots of 129.55 ha each. Ministry staff have reviewed the referral report and offer the following comments:

- The parcel is located entirely within the Agricultural Land Reserve (ALR), a provincial zone in which agriculture is recognized as the priority use and where farming is encouraged, and non-agricultural uses are restricted.
- The parcel is a contiguous, whole section providing a unique farming opportunity with regards to ease of operations, suitability for extensive agriculture and diversification of crops.
- Subdivision and the creation of smaller lots can erode long term agricultural and economic potential of agriculturally viable parcels, increase land cost per acre, which can limit farm business opportunities, and in some cases has been shown to increase conflict between adjacent land uses.
- It was stated in the applicant's submission that the parcel is currently in agricultural production supporting the grazing of 50 cow/calf pairs and producing 250 tonnes of oat green feed.
- The parcel overlaps several agricultural capability zones and the specific classes and subclasses are listed on page 5 of the technical agency referral.

- The subject parcel and surrounding area lies in an area of predominantly Vanderhoof soils with Pineview soils at the northern edge and in the riparian area. The combinations of Vanderhoof/Pineview soils and Agricultural Capability Class 4 and 5 (multiple sub-classes) are most often associated with forage and coarse grain production which are the predominant crops in the area. It is important to note that limitations do not preclude production but provide insight for management requirements.
- The application refers to the current owner retiring and wishing to split the parcel into two lots for estate planning purposes; due to the potential negative impact to agriculture, subdivision in the ALR should not be considered a succession/estate planning tool.
- A subdivision of the agricultural parcels can lead to a reduction of farm production in the long run, particularly when the land is sold in the future. Provincial data shows that smaller parcels are less likely to be farmed, as smaller size reduces the options for farm type.
- Ministry Staff note the proposed subdivision is supported by local Zoning and OCP designations and does not require any further applications to the RDBN should the application receive approval from the Agricultural Land Commission (ALC).
- If the subdivision is approved, the applicants and future occupiers must be aware that the parcel is located in an agricultural area and that many activities associated with the business of farming and ranching that may generate noise, dust, odours, or other disturbances. The [Farm Practices Protection \(Right to Farm\) Act](#) protects farmers right to farm provided they use normal farm practices and conform to any other pertinent acts and regulations.
- If the subdivision is approved, to help minimize the long-term impact to potential agriculture production on the parcel, siting all access points and structures that are to be established on the resulting parcels should be sited in a way that minimizes impact on most arable/productive areas and/or areas required for farming operations. Applicants/owners are advised to consult the "[Guide for Bylaw Development in Farming Areas](#)" for information on siting, size, and setback information.
- Farm Management Canada has released a guide to help farmers with farm transition and succession planning, the guide offers information, tools and resources, see the guide [here](#)
- Ministry staff note that East Murray Creek flows through the parcel. A number of restoration projects have occurred on Murray Creek through the support of the Nechako Environment and Stewardship Society. For further information on projects taking place on Murray Creek click [here](#)

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

Sincerely,

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