

AGENDA

MEETING NO. 8

May 22, 2025

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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”

2022-2026 Strategic Plan

1. Relationships with First Nations
2. Advocacy with the Province
3. Housing Supply
4. Community and Economic Sustainability



REGIONAL DISTRICT OF BULKLEY-NECHAKO

AGENDA

Thursday, May 22, 2025

<u>PAGE NO.</u>	<u>CALL TO ORDER</u>	<u>ACTION</u>
	<u>First Nations Acknowledgement</u>	
	<u>AGENDA – May 22, 2025</u>	Approve
	<u>SUPPLEMENTARY AGENDA</u>	Receive
	<u>MINUTES</u>	
9-25	Board Meeting Minutes – April 24, 2025	Approve
26-28	Board Meeting Minutes – May 8, 2025	Approve
29-34	Committee of the Whole Minutes – May 8, 2025	Receive
35-37	Rural Services Committee Meeting Minutes - May 8, 2025	Receive

DELEGATIONS

PACIFIC NORTHERN GAS LTD.

David Keir, Director, Business Development and
Stakeholder Relations

Amanda Ward, Vice President Regulatory (via-Zoom)
Re: Notification of 2025-2027 Revenue Requirements
Application for PNG-West

MINISTRY OF FORESTS

Shelby Oe, Land and Resource Coordinator– Wildfire Risk
Reduction, Stuart Nechako Forest District

Kris Garneau, Land and Resource Coordinator – Wildfire Risk
Reduction, Nadina Forest District
Re: Wildfire Risk Reduction

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<u>PAGE NO.</u>	<u>ELECTORAL AREA PLANNING</u>	<u>ACTION</u>
	<u>Applications</u>	
38-50	Danielle Patterson, Senior Planner Temporary Use Permit A-01-23 Electoral Area A (Smithers/Telkwa Rural)	Recommendation
51-60	Danielle Patterson, Senior Planner Parcel Frontage Exemption D-01-25 Electoral Area D (Fraser Lake Rural)	Recommendation
	<u>Other</u>	
61	Deneve Vanderwolf, Planning Technician Advisory Planning Commission Member Appointment Electoral Area A (Smithers/Telkwa Rural)	Recommendation
62	Advisory Planning Commission Minutes Electoral Area A (Smithers/Telkwa Rural)	Receive
	<u>DEVELOPMENT SERVICES</u>	
	<u>ALR Application</u>	
63-73	Cameron Kral, Planner ALR Non-Adhering Residential Use Application 1278 Electoral Area A (Smithers/Telkwa Rural)	Recommendation
	<u>Land Referral</u>	
74-76	Rowan Nagel, GIS/Planning Technician Crown Land Referral No. 7410336 Electoral Area D (Fraser Lake Rural)	Recommendation
77-78	Chloe Taylor, Planning Summer Student Crown Land Referral No. 7410361 Electoral Areas D (Fraser Lake Rural & C (Fort St. James Rural)	Recommendation

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<u>PAGE NO.</u>	<u>Other</u>	<u>ACTION</u>
79-81	Jason Llewellyn, Director of Planning and Development Services - Coastal GasLink Update	Receive
82-83	Jason Llewellyn, Director of Planning and Development Services – UBCM News Release Bill 15 – May 15, 2025	Receive
84-88	Jason Llewellyn, Director of Planning and Development Services - UBCM News Release Bill 15 – May 5, 2025	Receive
<u>BYLAW ENFORCEMENT</u>		
89-119	Jason Llewellyn, Director of Planning and Development Services - Bylaw Notice Enforcement Bylaw Adoption Report	Recommendation
<u>Other</u>		
120-131	Jason Llewellyn, Director of Planning and Development Services Bylaw Enforcement Policy	Recommendation
<u>REGIONAL TRANSIT</u>		
132-145	Jason Llewellyn, Director of Planning and Development Services - 2025/26 Annual Operating Agreement with BC Transit	Recommendation
<u>ENVIRONMENTAL SERVICES</u>		
146-147	Alex Eriksen, Director of Environmental Services – Purchase of Used Crawler Dozer	Recommendation

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<u>PAGE NO.</u>	<u>ADMINISTRATION REPORTS</u>	<u>ACTION</u>
148	Wendy Wainwright, Deputy Director of Corporate Services – Committee Meeting Recommendations – May 8, 2025	Recommendation
149	Cheryl Anderson, Director of Corporate Services – Union of BC Municipalities Convention 2025 – September 22-26, 2025 -Victoria, B.C. -Attendance Authorization -Resolution Deadline -Minister/Ministry Staff Meetings	Recommendation
150-151	John Illes, Chief Financial Officer/Krish Chandhok, Finance Summer Student – Climate Action Project Proposal – Solar Panel Installation	Recommendation
152-153	John Illes, Chief Financial Officer/Chelsey Fields, Asset Management and Procurement Clerk/Jason Blackwell, Regional Fire Chief -Posting of two Fire Truck RFP's	Recommendation
154	Nellie Davis, Manager of Strategic Initiatives and Rural Services/John Illes, Chief Financial Officer – Trail Lighting for Stella Road Walkway	Recommendation
155	Nellie Davis, Manager of Strategic Initiatives and Rural Services – Community Works Fund for District of Vanderhoof – Airport Turn Pads	Recommendation
156	Nellie Davis, Manager of Strategic Initiatives and Rural Services – Community Works Fund for Town of Smithers – Northern Edge Sports Association	Recommendation
157	Nellie Davis, Manager of Strategic Initiatives and Rural Services – Community Works Fund for Town of Smithers – Smithers Skate Park Phase 3	Recommendation

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<u>PAGE NO.</u>	<u>ADMINISTRATION REPORTS (CONT'D)</u>	<u>ACTION</u>
158	Nellie Davis, Manager of Strategic Initiatives and Rural Services – Community Works Fund for Village of Burns Lake – Solar Panel Project at Tom Forsyth Arena	Recommendation
159	Nellie Davis, Manager of Strategic Initiatives and Rural Services – Community Works Fund for Village of Granisle – Improved Wireless Service in Area G	Recommendation
160	Nellie Davis, Manager of Strategic Initiatives and Rural Services – Grant in Aid – Woodmere Emergency Services Society Wildfire Response Trailer	Recommendation
161	Shari Janzen, Community Development Coordinator – NDIT Resolution of Support -Omineca Ski Club	Recommendation
	Nellie Davis, Manager of Strategic Initiatives and Rural Services – Livestock Services Sustainability (Documents to be provided on Supplementary Agenda)	Receive
162-168	Shari Janzen, Community Development Coordinator – Go North RV – 2024/2025 Final Report	Receive
169-183	John Illes, Chief Financial Officer/Chelsey Fields, Asset Management and Procurement Clerk – Purchasing Policy Revision	Discussion

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<u>PAGE NO.</u>	<u>ADMINISTRATION CORRESPONDENCE</u>	<u>ACTION</u>
184-186	Minister of Environment and Parks - Illegal Dumping on Crown Land	Receive
187-188	Union of B.C. Municipalities – 2025 Community Emergency Preparedness Fund – Emergency Support Services Equipment and Training Approval Agreement	Receive

SUPPLEMENTARY AGENDA

VERBAL REPORTS AND COMMITTEE CHAIR UPDATES

NEW BUSINESS

IN-CAMERA MOTION

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

- Labour Relations
- Recycling
- Solid Waste
- Environmental Assessment
- Boundary Expansion

ADJOURNMENT

REGIONAL DISTRICT OF BULKLEY-NECHAKO**MEETING NO. 6****Thursday, April 24, 2025**

PRESENT:	Chair	Mark Parker
	Directors	Gladys Atrill Shane Brien Leroy Dekens Martin Elphee Judy Greenaway Clint Lambert – returned from lunch at 12:57 p.m. Linda McGuire Shirley Moon Kevin Moutray Chris Newell Michael Riis-Christianson Stoney Stoltenberg Sarrah Storey Henry Wiebe – left at 11:20 a.m., returned at 12:53 p.m.
	Staff	Curtis Helgesen, Chief Administrative Officer – via Zoom Cheryl Anderson, Director of Corporate Services - In-person and via Zoom Alex Eriksen, Director of Environmental Services – arrived via Zoom at 11:16 a.m. and in person at 11:36 a.m., left at 11:59 a.m., returned at 1:00 p.m., left at 1:03 p.m. John Illes, Chief Financial Officer Jason Llewellyn, Director of Planning – via Zoom – left at 11:46 a.m. Nellie Davis, Manager of Strategic Initiatives and Rural Services – left at 11:58 a.m., returned at 12:00 p.m. Wendy Wainwright, Deputy Director of Corporate Services
	Others	Lisa Krebs, Registered Professional Planner, Upper Fraser Fisheries Conservation Alliance – via Zoom – left at 10:47 a.m. Brian Toth, Executive Director, Upper Fraser Fisheries Conservation Alliance – via Zoom - left at 10:47 a.m. Andrea Sterling, M.Sc., RP.Bio. Upper Fraser Fisheries Conservation Alliance – via Zoom - left at 10:47 a.m. Rebecca Scott, Senior Director, Communications & Public Affairs, Western LNG – via Zoom - left at 11:24 a.m. Leah Caldwell, Senior Manager, Public Engagement and Communication, Western LNG – via Zoom - left at 11:24 a.m. Aaron Hunt, Project Manager, Western LNG –via Zoom – arrived at 10:09 a.m., left at 11:24 a.m. Steve Campbell, Senior Director, Lands, Western LNG – via Zoom – arrived at 10:13 a.m., left at 11:24 a.m.

Others (Cont'd)

Adair Rigney, Senior Director, Regulatory and Environment,
 Western LNG – via Zoom – arrived at 10:13 a.m., left at 11:24
 a.m.
 Dennis Kim, Regulatory Advisor, Regulatory and Environment,
 Western LNG – via Zoom – arrived at 10:08 a.m., left at 11:24
 a.m.
 Allan Martens, Vanderhoof – left at 11:20 a.m., returned at
 11:24 a.m., left at 12:04 p.m.
 Debra Martens, Vanderhoof – left at 12:04 p.m.
 Martin Tom, Skin Tyee First Nations – left at 12:04 p.m.

Media

Jake Wray, Lakes District News – left at 12:04 p.m.

CALL TO ORDER

Chair Parker called the meeting to order at 10:01a.m.

FIRST NATIONS ACKNOWLEDGEMENT

AGENDA

Moved by Director Lambert
 Seconded by Director Atrill

2025-6-1

“That the Board Meeting Agenda of April 24, 2025 be
 approved.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

MINUTES

Board Meeting Minutes
- March 27, 2025

Moved by Director Greenaway
 Seconded by Director Stoltenberg

2025-6-2

“That the Board Meeting Minutes of March 13, 2025 be
 adopted.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Committee Meeting Minutes
- April 10, 2025

Moved by Director Moutray
 Seconded by Director Storey

2025-6-3

“That the Committee of the Whole Meeting Minutes for April
 10, 2025 be received.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

MINUTES (CONT'D)

Rural Services Committee
Meeting Minutes
-April 10, 2025

Moved by Director Riis-Christianson
 Seconded by Director Stoltenberg

2025-6-4

"That the Rural Services Committee Meeting Minutes of April 10, 2025 be received."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

DELEGATION

UPPER FRASER FISHERIES CONSERVATION ALLIANCE – Lisa Krebs, Registered Professional Planner, Brian Toth, Executive Director and Andrea Sterling, M.Sc., R.P.Bio. Re: Endako Weir Project

Chair Parker welcomed Lisa Krebs, Registered Professional Planner, Brian Toth, Executive Director and Andrea Sterling, M.Sc. R.P.Bio, Upper Fraser Fisheries Conservation Alliance.

A PowerPoint presentation was provided.

UFFCA – The Endako Weir

- Project Review: Salmon Habitat Restoration on the Endako River
 - Endako River 2018, 2023 and 2024
- Implications for Burns Lake and Decker Lake
- Water Flow Before & After
- Burns Lake Water Levels Over Time
- Permitting progress to date
 - Federal permitting granted 2021
 - Provincial (Water Sustainability Act)
 - Licence of Occupation - granted
 - Water Licence – under review
 - Archaeology Permits (BC)
 - Alteration Permit (following Archaeology Impact Assessment) - granted
 - Lengthy process
- Supporting Work
 - Engagement
 - Monitoring
 - Engineering

DELEGATION (CONT'D)

UPPER FRASER FISHERIES CONSERVATION ALLIANCE (Cont'd)

- Assessments and Monitoring
 - Assessments completed ahead of construction
 - Groundwater Study (by Western Water and Associates)
 - Water Quality Risk Assessment (by Environmental Dynamics Inc.)
 - Erosion Assessment of Burns and Decker Lake
 - Results
 - Next Steps
 - Burns Lake: Areas of Existing Shoreline
- Baseline and Post-Construction Monitoring
 - Shoreline Erosion and Deposition
 - Water Levels and Quality
 - Weed Bed Monitoring
 - Sediment Deposition
 - Wave Height Measurements
- Primary Concerns
 - Erosion
 - Water Quality.

Discussion took place regarding:

- Design change from 2024
 - o Added baffles
 - o Geotechnical Study at the outlet
 - Drilled the sub surface and added sheet piles to stop sub surface percolation of water
- Nithi Weir
 - o Implemented in 2024 during the seasonal drought and it functioned as intended.

The following questions were posed to the delegation.

1. Reports note unintended negative consequences occurs as results of this project and the ability to lower the weir. Can you describe a situation where UFFCA would take action and who would make the decision?
 - a. Decisions would be made based on engineering firm advise
 - b. If UFFCA is not meeting objectives would look to make changes
 - c. Various monitoring provides reporting annually to the Province and if there are unintended consequences there is a process to follow with the possibility to adjust or remove the Weir
 - i. Provincial Water Licence requires yearly monitoring and reporting

DELEGATION (CONT'D)

UPPER FRASER FISHERIES CONSERVATION ALLIANCE (Cont'd)

2. Reports recommend establishing a monitoring and adaptive management strategy after the Weir is constructed, UFFCA has developed a monitoring program but there is no mention of an adaptive management process post construction, does the UFFCA see the need for this program and is there a budget for the work post construction?
 - a. Monitoring is adaptive
 - i. Continue to hear concerns and adapt
 - ii. Increase and decrease sampling where needed
 - Water Licence requires annual monitoring and reporting, and gaps can be addressed
 - iii. Funding set aside for two years post construction for monitoring
 - iv. UFFCA is owner of licensing and would need to secure funding post two year construction.
 - b. If relying on monitoring, how nimble the monitoring to address issues if it is based on annual reporting to the province.
 - i. Cowichan Lake Weir could be used as a president
 - c. Processes are slow moving – changes to water quality and erosion – change overtime and are at the low water mark which lakeshore owners are experiencing currently.
3. Suggested previously that the impacts of this project on lake, infrastructure and lake front properties will be minimal, yet information submitted to the Province in support of application clearly indicates that Weir's impact on hydrology, erosion and water quality are largely unknown. Given uncertainties of this project the residents of Electoral Area B are having a great deal of difficulty having any level of comfort in seeing the project moving ahead or not experience problems, or water quality problems, how do you expect people support application given the uncertainty?
 - a. Weir is not the only risk, other risks are:
 - i. Wave study showcasing wake boat waves
 1. Waves similar to a 12 km/hr winds
 - a. Wave study trial measured one day only – additional information can be collected if requested
 2. Existing water quality and erosion concerns
 3. Protecting shoreline from erosion
 4. Beaver dam at location where Weir is proposed
 - a. Crest of dam measured higher than Weir.

DELEGATION (CONT'D)

UPPER FRASER FISHERIES CONSERVATION ALLIANCE (Cont'd)

4. When does the UFFCA plan to present to a public meeting and how are they planning to engage residents at this stage and beyond?
 - Importance of communication and lack of communication in past two years
 - UFFCAin Archaeology study for past two years
 - Sent mailouts
 - Website
 - People have reached out
 - Require final engineering to meet with the public.
 - Options to provide engagement opportunities
 - On going through public meeting process
 - Water Licence is the final authorization required
 - Province requires fulsome engagement process
 - Will be opportunities to provide additional comment.

Chair Parker thanked the delegation for their presentation.

DELEGATIONS

WESTERN LNG - Rebecca Scott, Senior Director, Communications & Public Affairs
Leah Caldwell, Senior Manager, Public Engagement and Communication
Aaron Hunt, Project Manager, Steve Campbell, Senior Director, Lands, Adair Rigney,
Senior Director, Regulatory and Environment, Dennis Kim, Regulatory Advisor Re:
Prince Rupert Gas Transmission Project

Chair Parker welcomed the delegation.

Prince Rupert Gas Transmission Project

- Project Overview
- Project Updates
- Marine Route Alternative Amendment
- Eastern Route Alternative Amendment
- Regulatory Status
- Construction Status Schedule
- Associated Project Activities
- Management Plans
- Project Benefits
- Closing Comments.

DELEGATIONS (CONT'D)

WESTERN LNG (CONT'D)

The following was discussed:

- Mapping of the current route
- Communication with Electoral Area Directors as well as municipalities
- Priority for local employment
 - o As part of commitment to learning and adopting best practices from past projects – agreements with contractors will outline contractual obligation to draw on the local workforce and subcontractors
 - o Ensuring clear guidelines are implemented about employment requirements
- Sharing the proposed route including facility locations prior to construction
- Amending the route to Ksi Lisims LNG Facility will formally remove the route to Lelu Island through the BC Energy Regulator (BCER) and Environmental Assessment Office (EAO)
- Ksi Lisims LNG Facility and PRGT are two projects with separate partnerships
 - o PRGT is a partnership between the Nisga'a and Western LNG
 - Communicate with Ksi Lisims about interface and connection
- Opportunity for input
 - o Meet and conduct walk through of route map
 - Work with BCER regarding Section 2 of the amendment
 - o Comments regarding the existing approved route
 - o More substantive changes can be discussed
- Western LNG developing a workforce and procurement strategy that will be communicated and used to engage local providers
- More information will be provided over the next 6-8 months and moving forward
- Future site tours and detailed mapping
- RDBN staff encouraged early and ongoing engagement:
 - o Environmental Services regarding solid and liquid waste
 - o Protective Services regarding work camps, emergency planning and evacuation planning
 - o Sharing information regarding work camp/laydown yards close to communities as early as possible in the process.

Chair Parker thanked the delegation for attending the meeting.

DEVELOPMENT SERVICES

ALR Application

ALR Non-Farm Use
Application 1273 - Electoral
Area A (Smithers/Telkwa Rural)

Moved by Director Stoltenberg
 Seconded by Director Atrill

2025-6-5 "That Agricultural Land Reserve Non Farm Application No. 1273 be recommended to the Agricultural Land Commission for approval."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Land Referral

Crown Land Referral No.
6409512 – Electoral Areas A
(Smithers/Telkwa Rural), D
(Fraser Lake Rural), and G
(Houston/Granisle Rural)

Moved by Director Stoltenberg
 Seconded by Director Riis-Christianson

2025-6-6 "That the comment sheet be provided to the Province as the Regional District's comments on Crown Land Application No. 6409512."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Water Referral

Water Referral No. 7003313
– Electoral Area F (Vanderhoof
Rural)

Moved by Director Moon
 Seconded by Director Moutray

2025-6-7 "That the comment sheet be provided to the Province as the Regional District's comments on Water Referral No. 7003313."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Endako Weir Project

Moved by Director Riis-Christianson
 Seconded by Director Stoltenberg

2025-6-8 "That staff send a letter to the Province outlining the concerns and comments discussed in the April 24, 2025 staff report on the Endako Weir."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

PARKS AND TRAILS

Bylaw Adoption

Parks Use Bylaw Amendment Moved by Director Atrill
 Seconded by Director Moon

2025-6-9 "That Regional District of Bulkley-Nechako Parks Use Regulations Amendment Bylaw No. 2074, 2025 be adopted this 24th day of April, 2025."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

BYLAW ENFORCEMENT

Bylaw Adoption

Bylaw Notice Enforcement Bylaw Moved by Director Lambert
 Seconded by Director Brien

2025-6-10 "That Regional District of Bulkley-Nechako Bylaw Notice Enforcement Bylaw No. 2041, 2025 be deferred to the May 22, 2025 Board meeting."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Other

Draft Bylaw Enforcement Policy Moved by Director Riis-Christianson
 Seconded by Director McGuire

2025-6-11 "That the Board defer the Draft Bylaw Enforcement Policy to the May 22, 2025 Board meeting."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

REGIONAL TRANSIT

Letter from the Ministry of Transportation and Transit Moved by Director Riis-Christianson
 Seconded by Director Elphee

2025-6-12 "That the Board receive the letter from the Ministry of Transportation and Transit regarding Regional Transit Service Funding."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ENVIRONMENTAL SERVICES

Purchase of Two New Skid Steers

Moved by Director Stoltenberg
 Seconded by Director Moutray

2025-6-13

"That the Board approve the purchase of two (2) new 2024 Case SV280B skid steers for a total of \$220,891 plus applicable taxes."

Opposed: Dir. Greenaway CARRIED
 Dir. Newell

(All/Directors/Majority)

ADMINISTRATION REPORTS

Committee Meeting Recommendations – April 10, 2025

Moved by Director Stoltenberg
 Seconded by Director Brien

2025-6-14

"That the Board approve the April 10, 2025 Committee Meetings recommendations 1 and 2 as written:

Committee of the Whole Meeting – April 10, 2025

Recommendation 1:

Re: Lakes District Fair Association- Letter of Support Request

"That the Board provide a letter of support to the Lakes District Fair Association to support its funding application to the Destination Events Program."

Rural Services Committee – April 10, 2025

Recommendation 2:

Re: Degrading Cell Service on Hwy 16

"That a letter be sent to the Minister of Citizens' Services requesting that cell service be tested and monitored along Highway 16 due to degrading cell service."

(All/Directors/Majority) CARRIED UNANIMOUSLY

Telkwa Rural Fire Protection Service Area Boundary Amendment Bylaw No. 2073

Moved by Director Dekens
 Seconded by Director Stoltenberg

2025-6-15

"That Telkwa Rural Fire Protection Service Area Boundary Amendment Bylaw No. 2073, 2025 be adopted this 24th day of April, 2025."

(All/Directors/Majority) CARRIED UNANIMOUSLY

ADMINISTRATION REPORTS (CONT'D)

Telkwa Rural Fire Service
 Update

Moved by Director Dekens
 Seconded by Director Stoltenberg

2025-6-16

"That the Board authorize payment for the Regional District's share of the Fire Chief's Truck and that this proposed change be included in the next Fire-Year Financial Plan amendment"

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Break for lunch at 12:04 p.m.

Reconvened at 12:51 p.m.

Canada Community Building
 Fund Electoral Area C (Fort
 St. James Rural) – District of
 Fort St. James

Moved by Director Greenaway
 Seconded by Director Elphee

2025-6-17

1) "That the Board authorize contributing up to \$41,000 of Electoral Area C (Fort St. James Rural) Canada Community-Building Fund BC allocation monies to the District of Fort St. James for a Drinking Water Infrastructure project, and

(participants/weighted/majority)

2) That the Board authorize the withdrawal of up to \$41,000 from the Federal Gas Tax Reserve Fund."

(All/Directors/Weighted)

CARRIED UNANIMOUSLY

Neighbourlink Vanderhoof
 -Letter of Support Request

Moved by Director Moutray
 Seconded by Director Moon

2025-6-18

"That the Board provide a letter to Neighbourlink Vanderhoof to support its funding application for the Neighbourlink Building Purchase project."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ADMINISTRATION REPORTS (CONT'D)

Vanderhoof International
 Airshow Society-Letter of
 Support Request

Moved by Director Moon
 Seconded by Director Moutray

2025-6-19

"That the Board provide a letter to the Vanderhoof International Airshow Society for its funding applications for the 100 Years of Vanderhoof International Airshow."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Departmental Quarterly
 Reports – 1st Quarter

Moved by Director Storey
 Seconded by Director Stoltenberg

2025-6-20

"That the Board receive the Director of Corporate Services Departmental Quarterly Reports – 1st Quarter memorandum."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ADMINISTRATIVE CORRESPONDENCE

Bulkley Valley Amateur Radio
 Society – Implications of
 Possible withdrawal of Support
 For Rebroadcast Societies

Moved by Director Stoltenberg
 Seconded by Director Newell

2025-6-21

"That the Board receive the correspondence from the Bulkley Valley Amateur Radio Society regarding implications of Possible withdrawal of Support for Rebroadcast societies."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Minister of Energy and Climate
 Solutions – Environmental
 Assessment Process Exemptions

Moved by Director Stoltenberg
 Seconded by Director Wiebe

2025-6-22

"That the Board receive the correspondence from the Minister of Energy and Climate Solutions regarding Environmental Assessment Process Exemptions."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

VERBAL REPORTS AND COMMITTEE CHAIR REPORTS

<u>Smithers Skate Park</u>	Director Atrill announced that the Smithers Skate Park Society is planning the Grand Opening of the Expansion Project at the Smithers Skate Park in May 2025 with professional skateboarders in attendance to provide demonstrations. The Society has fundraised approximately \$1 Million for the project.
<u>Minerals North</u>	Director Newell commented that he is looking forward to attending Minerals North April 30 – May 2, 2025 in Prince George, B.C.
<u>New Hospital Grand Opening and Renaming Ceremony -Fort St. James</u>	Director Greenaway announced the new hospital Grand Opening and Renaming Ceremony in Fort St. James will take place on May 23 rd . Director Elphee spoke of the demolition of the old facility.
<u>New Subdivision – Telkwa</u>	Director Dekens reported that a new subdivision in the Village of Telkwa will open next week with 4-5 houses being built.
<u>Village of Burns Lake – Update</u>	Director Wiebe provided the following update: <ul style="list-style-type: none"> ○ Signed a Recreation MOU with Ts'il Kaz Koh ○ First official meeting for the Golf Course Design took place ○ Attended the COFI Conference April 2-4, 2025 in Prince George.
<u>Village of Granisle – Update</u>	Director McGuire spoke of the following; <ul style="list-style-type: none"> ○ Senior Housing project is on target and budget ○ Village of Granisle Audit Presentation ○ Council approved a 1.9% tax rate increase ○ RCMP monthly meeting <ul style="list-style-type: none"> ▪ Service calls were down ▪ Working to have a RCMP Member stay in the community in the housing provided a couple days a month ○ Bear Aware Presentation.
<u>District of Fort St. James -Update</u>	Director Elphee announced that Snotty Nose Rez Kids will be in Fort St. James on August 30 th .

VERBAL REPORTS AND COMMITTEE CHAIR REPORTS (CONT'D)

District of Vanderhoof-Update Director Moutray stated that the District of Vanderhoof has hired a new CAO, internal candidate Wil Wedel, Director of Public Works and Engineering.

Director Moutray reported planning is underway for the Vanderhoof Airshow and on July 28th there will be a Street Market and Concert in the Park.

Rural Services Committee Director Riis-Christianson noted that the challenges facing Community Halls and Resource Roads will be upcoming topics at the next Rural Services Committee meeting.

Electoral Area A – Update Director Stoltenberg mentioned the healthcare system in Northern BC. He is also working with community halls in his region to provide funding support and with two local emergency services societies preparing for the upcoming wildfire season.

Agriculture Update Director Moon noted that cattle prices are at the highest levels she has ever seen. She provided an overview of the current prices for bulls, feeder cows and calves.

Director Moon mentioned that next week the Consultant working on the RDBN Agriculture Water Assessment & Community Irrigation Study for the Vanderhoof Area will be in the Community and she is looking forward to working with them.

Chair Parker – Update Chair Parker and Director Storey attended the Nithi Mountain Wind Project Celebration on April 16th at Stellat'en First Nation with Tori Hallman, First Nations Liaison. He mentioned the scope of the project and that Stellat'en First Nation is a 51% equity partner in the project with Innergex.

Receipt of Verbal Reports Moved by Director Storey
 Seconded by Director Stoltenberg

2025-6-23 "That the Board receive the various Directors' verbal reports."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

NEW BUSINESS

Pacific Northern Gas Ltd. Submission – 2025-2027 Revenue Requirements Application for PNG-West

Director Storey brought forward Pacific Northern Gas (PNG) Ltd. submission of the 2025-2027 Revenue Requirements Application for PNG-West to the BC Utilities Commission and voiced concerns regarding the proposed rate increases. Discussion took place about the disparity in rates between PNG-West and PNG-Northeast customers.

Invitation to PNG to Present to the Board

Moved by Director Storey
 Seconded by Director Moutray

2025-6-24

“That the Board invite Pacific Northern Gas Ltd. to a future Board meeting to discuss the Regional District’s concerns regarding PNG’s 2025-2027 Revenue Requirements Application for PNG-West submission to the BC Utilities Commission; and further, that the letter be forwarded to the BC Utilities Commission, the Honourable Adrian Dix, Minister of Energy and Climate Solutions, the Honourable Brittny Anderson, Minister of State for Local Government and Rural Communities and John Rustad, MLA Nechako Lakes.

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Board Voting

Discussion took place regarding the voting structure of Regional Districts.

Telkwa Rural Fire Protection Service Area Boundary Amendment Bylaw No. 2073

Moved by Director Lambert
 Seconded by Director Newell

2025-6-25

“That the Board direct staff to bring forward a 1% and 3% interest rate option regarding the next Five-Year Financial Plan amendment for the Regional District’s share of the Village of Telkwa’s Fire Chief’s truck.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Equipment Procurement Process and Policy

The procurement process and policy for purchasing equipment was discussed. The Board also discussed exploring options to procure equipment. Staff will be bringing forward a report regarding procurement in relations to the U.S. tariffs and the RDBN Procurement Policy.

NEW BUSINESS (CONT'D)

Bylaw Review

Director Lambert spoke of staff conducting a bylaw review process and bringing forward a few bylaws each meeting for the Board to review. Discussion took place regarding the historical implementation of some bylaws and the process to make changes.

Bylaw Review Process

Moved by Director Lambert
 Seconded by Director Riis-Christianson

2025-6-26

"That the Board direct staff to conduct a Bylaw review process and that staff bring forward up to three bylaws per month for Board review."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Communication Policy

Discussion took place about ensuring that only Directors professional contact information is shared.

Quarterly Reports

Director Stoltenberg brought forward the inclusion of equipment pre-trip and maintenance inspection information in the quarterly reports. Discussion took place regarding the operations of the RDBN.

Property Compliance

Director McGuire asked for an update regarding a property compliance issue. Director Stoltenberg provided an update and CAO Helgesen will bring the item forward with Planning Staff.

IN-CAMERA MOTION

Moved by Director Brien
 Seconded by Director Stoltenberg

2025-6-27

"That this meeting be closed pursuant to Sections 90(1)(k), and 90(2)(d) of the *Community Charter* for the Board to deal with matters relating to solid waste."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by Director Greenaway
Seconded by Director Lambert

2025-6-28

"That the meeting be adjourned at 2:10 p.m."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Mark Parker, Chair

Wendy Wainwright, Deputy Director of Corporate
Services

REGIONAL DISTRICT OF BULKLEY-NECHAKO**MEETING NO. 7****Thursday, May 8, 2025**

PRESENT:	Chair	Mark Parker
	Directors	Gladys Atrill Shane Brien Leroy Dekens Martin Elphee Judy Greenaway Linda McGuire Shirley Moon Kevin Moutray Chris Newell Michael Riis-Christianson Stoney Stoltenberg Sarrah Storey – via Zoom Henry Wiebe
	Director Absent	Clint Lambert, Electoral Area E (Francois/Ootsa Lake Rural)
	Staff	Curtis Helgesen, Chief Administrative Officer Cheryl Anderson, Director of Corporate Services John Illes, Chief Financial Officer Jason Llewellyn, Director of Planning and Development Services – left at 10:13 a.m., returned at 10:18 a.m. Amy Wainwright, Deputy Director of Planning and Development Services Wendy Wainwright, Deputy Director of Corporate Services Scott Zayac, Director of Protective Services
	Others	Reg Blackwell, Lakes District Airport Society Susan Brookes, Bulkley Valley Lakes District Airshed Management Society – via Zoom Taylor Turkington, CPA, Beswick Hildebrandt Lund Chartered Professional Accountants – via Zoom
	Media	Jake Wray, Lakes District News – via Zoom – arrived at 10:12 a.m.

CALL TO ORDER

Chair Parker called the meeting to order at 10:01 a.m.

FIRST NATIONS ACKNOWLEDGEMENT

AGENDA

Moved by Director Stoltenberg
Seconded by Director McGuire

2025-7-1

"That the Board Meeting Agenda of May 8, 2025 be approved."

(All/Directors/Majority)

CARRIED UNANIMOUSLY**DELEGATION**

Beswick Hildebrandt Lund Chartered Professional Accountants – Taylor Turkington, CPA, Re: 2024 Financial Statements

Chair Parker welcomed Taylor Turkington, CPA Beswick Hildebrandt Lund Chartered Professional Accountants.

Mr. Turkington provided an overview of the 2024 Financial Statements.

- Management's Responsibility for the Financial Statements
- Independent Auditor's Report
- Statement of Financial Position – December 31, 2024
- Statement of Remeasurement Gains and Losses
- Statement of Operations
- Statement of Changes in Net Financial Assets
- Statement of Cash Flows
- Notes to the Financial Statements
- Schedule of Expenses by Object
- Schedule of Continuity of Reserve Funds
- Statement of Tangible Capital Assets
- Segmented Disclosure
- Year-End Audit Findings Report.

Chair Parker thanked Mr. Turkington for attending the meeting.

ADMINISTRATION REPORTS

2024 Financial Statements
and Audit Report

Moved by Director Riis-Christianson
Seconded by Director Moutray

2025-7-2

"That the Board accept and authorize the Chair and the Chief Financial Officer to sign the Financial Statements for the year ending December 31, 2024;

And That the Year End Audit Findings Report to the Board be received."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ADMINISTRATION REPORTS

Release of Reserves for
Lakes District Airport
Society

Moved by Director Riis-Christianson
Seconded by Director Wiebe

2025-7-3

"That the Board authorize the payment of \$250,000 from reserves to the Lakes District Airport Society and further that this release be included in the next budget amendment."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by Director Moon
Seconded by Director Stoltenberg

2025-7-4

"That the meeting be adjourned at 10:23 a.m."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Mark Parker, Chair

Wendy Wainwright, Director of Corporate Services

REGIONAL DISTRICT OF BULKLEY-NECHAKO**COMMITTEE OF THE WHOLE MEETING****Thursday, May 8, 2025**

PRESENT:	Chair	Mark Parker
	Directors	Gladys Atrill Shane Brien Leroy Dekens Martin Elphee Judy Greenaway Linda McGuire Shirley Moon Kevin Moutray Chris Newell Michael Riis-Christianson Stoney Stoltenberg Sarrah Storey – via Zoom – left at 10:43 a.m., returned at 10:44 a.m., left at 11:09 a.m., returned at 11:10 a.m., left at 11:11 a.m., returned at 11:13 a.m., left at 11:39 a.m., returned at 11:40 a.m. Henry Wiebe
	Director	Clint Lambert, Electoral Area E (Francois/Ootsa Lake Rural)
	Absent	
	Staff	Curtis Helgesen, Chief Administrative Officer Cheryl Anderson, Director of Corporate Services Cole Bender, FireSmart Coordinator – arrived at 10:27 a.m., left at 10:29 a.m. Krish Chandhok, Finance Summer Student – left at 10:29 a.m. Jordan Illes, Economic Development Summer Student – left at 10:29 a.m. John Illes, Chief Financial Officer – left at 10:41 a.m., returned at 10:46 a.m. Nellie Davis, Manager of Strategic Initiatives and Rural Services – arrived at 10:29 a.m., left at 10:59 a.m., returned at 11:03 a.m., left at 11:20 a.m. Jason Llewellyn, Director of Planning and Development Services Aryana Persson, FireSmart Summer Student – left at 10:29 a.m. Anusha Rai, Human Resources Advisor – left at 10:29 a.m. Chloe Taylor, Planning Summer Student – left at 10:29 a.m. Amy Wainwright, Deputy Director of Planning and Development Services Wendy Wainwright, Deputy Director of Corporate Services

Staff (Cont'd)	Grace Zayac, Emergency Management Technician – left at 10:29 a.m. Scott Zayac, Director of Protective Services – left at 11:50 a.m.
Other	Susan Brookes, Coordinator, Bulkley Valley Lakes District Airshed Management Society – via Zoom – left at 10:37 a.m.
Media	Jake Wray, Lakes District News

CALL TO ORDER

Chair Parker called the meeting to order at 10:25 a.m.

AGENDA

Moved by Director Brien
Seconded by Director Stoltenberg

C.W.2025-3-1

"That the Agenda of the Committee of the Whole meeting of May 8, 2025 be approved."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

MINUTES**Committee of the Whole Minutes –April 10, 2025**

Moved by Director McGuire
Seconded by Director Wiebe

C.W.2025-3-2

"That the Committee of the Whole Meeting Minutes of April 10, 2025 be approved."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

STAFF INTRODUCTIONS

The following Staff were introduced:

- Cole Bender, FireSmart Coordinator
- Krish Chandhok, Finance Summer Student
- Jordan Illes, Economic Development and Agriculture Summer Student
- Aryana Persson – FireSmart Summer Student
- Chloe Taylor, Planning Summer Student
- Amy Wainwright, Deputy Director of Planning and Development Services
- Grace Zayac –Emergency Management Technician

DELEGATION

BULKLEY VALLEY LAKES DISTRICT AIRSHED MANAGEMENT SOCIETY – Susan Brookes, Coordinator Re: Update Clean Air Plan

Chair Parker welcomed Susan Brookes, Coordinator, Bulkley Valley Lakes District Airshed Management Society.

Ms. Brookes provided a PowerPoint presentation.

- CLEANAIRPLAN.CA
 - o General Goals of the Plan
 - o PurpleAir Results
 - o The goals met
 - o PurpleAir Website live.

The following was discussed:

- Funding request sent to Granisle
- Monitors in Burns Lake
 - o Public Library
 - o Carrier Sekani Family Services
- Air quality impacts from wildfires
 - o Air scrubbers at Community Halls in the region
 - o Sharing information on BVLD AMS website of the location of air scrubbers in region.

Chair Parker thanked Ms. Brookes for the update.

BYLAW ENFORCEMENT

Enforcement Policy and Bylaw Notice Enforcement Bylaw

CAO Helgesen noted that the Board deferred Enforcement Policy and Bylaw Notice Enforcement Bylaw from the April 24th Board meeting due to the public feedback and concerns. He commented that the policy is a tool for staff to implement and enforce bylaws. The Bylaw Notice Enforcement Bylaw (ticketing) is for existing bylaws.

Jason Llewellyn, Director of Planning and Development Services along with Director Lambert attended two meetings in Electoral Area E. The Southside of Francois Lake meeting had approximately 60-70 attendees that were highly engaged and indicated opposition to visible enforcement. The meeting at Francois Lake Hall had approximately 20 attendees with fewer concerns after clarification was provided regarding the policy. At the Board's direction staff can visit other communities.

Mr. Llewellyn noted that staff provided a binder for each Director with the draft Enforcement Policy and draft Bylaw Notice Enforcement Bylaw with all relevant bylaws included. Staff reviewed each bylaw with the Board highlighting and cross referencing some aspects where misinformation was circulating with the public.

BYLAW ENFORCEMENT (CONT'D)

The Board discussed:

- Ability for Electoral Areas to remove themselves from the function
- Including Section 39 proposed wording allowing Electoral Areas to opt out of policy application on private lands with enforcement still applying to Regional District owned lands
- Exemption from individual bylaws
- Streamlining the process and making it more efficient for staff and the public
- Concerns regarding a ticketing system for some electoral areas
- Service provision to area residents
- Municipalities having Bylaw Notice Enforcement Bylaws pertaining to properties within municipalities

Director Riis-Christianson spoke of the importance of respecting the will of the Board and respecting those around the table and individuals right to vote however they determine is the best.

Enforcement Policy and
Bylaw Notice Enforcement
Bylaw

Moved by Director Moon
Seconded by Director Riis-Christianson

C.W.2025-3-3

"That the Board direct staff to bring forward to the May 22nd Board meeting the following wording in relation to Bylaw Enforcement Policy and Bylaw Notice Enforcement Bylaw Electoral Areas:

"In Electoral Area(s) (to be identified) Bylaw Notices may only be issued for contraventions of the Solid Waste Management Bylaw (Bylaw No. 1764, 2016) and the Parks Use Regulatory Bylaw (Bylaw no. 1989, 2023)."

Opposed: Dir. Moutray CARRIED

(All/Directors/Majority)

ADMINISTRATION REPORTS

Lakes District Arts and Culture Moved by Director Riis-Christianson
Funding – Lakes District Fair Seconded by Director Dekens
Association

C.W.2025-3-4

"That the Committee recommend that the Board approve entering into a funding agreement for \$10,500 per year for five years with the Lakes District Fair Association through the Lakes District Arts and Culture Fund."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ADMINISTRATION REPORTS (CONT'D)

Grant in Aid – Omineca
Ski Club

Moved by Director Riis-Christianson
Seconded by Director Wiebe

C.W.2025-3-5

"That the Committee recommend that the Board approve a grant of \$20,000 to Omineca Ski Club, split equally between Electoral Areas B (Burns Lake Rural), and E (Francois/Ootsa Lake Rural) from Regional Grant in Aid."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Bylaw Review Process

Moved by Director Stoltenberg
Seconded by Director Greenaway

C.W.2025-3-6

"That the Board receive the Director of Corporate Services' Bylaw Review Process memorandum."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Red Dress Day – May 5

Moved by Director Brienien
Seconded by Director Wiebe

C.W.2025-3-7

"That the Board receive the First Nations Liaison's Red Dress Day – May 5 memorandum."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ADMINISTRATION CORRESPONDENCE

Ministry of Agriculture and
Food – BC Agricultural Council
And BC Food & Beverage
Representation – Northern BC

Moved by Director Stoltenberg
Seconded by Director Greenaway

C.W.2025-3-8

"That the Board receive the correspondence from the Ministry of Agriculture and Food regarding BC Agricultural Council and BC Food & Beverage Representation – Northern BC."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Recess for lunch at 11:54 a.m.

Reconvened at 12:40 p.m.

**SPECIAL IN-CAMERA
BOARD MOTION**

Moved by Director Stoltenberg
Seconded by Director Dekens

C.W.2025-3-9

"That Under Section 220 of the *Local Government Act*, a special meeting has been called at the request of the Chair and that this meeting must be closed pursuant to Section 90(1)(g) of the *Community Charter* for the Board to deal with legal matters."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by Director Dekens
Seconded by Director Newell

C.W.2025-3-10

"That the meeting be adjourned at 12:40 p.m."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Mark Parker, Chair

Wendy Wainwright, Deputy Director of
Corporate Services

REGIONAL DISTRICT OF BULKLEY-NECHAKO**RURAL SERVICES COMMITTEE MEETING****Thursday, May 8, 2025**

PRESENT:	Chair	Michael Riis-Christianson
	Directors	Judy Greenaway Shirley Moon Chris Newell Mark Parker Stoney Stoltenberg
	Director Absent	Clint Lambert, Electoral Area E (Francois/Ootsa Lake Rural)
	Staff	Curtis Helgesen, Chief Administrative Officer Cheryl Anderson, Director of Corporate Services – via Zoom – left at 1:55 p.m. Nellie Davis, Manager of Strategic Initiatives and Rural Services John Illes, Chief Financial Officer Jason Llewellyn, Director of Planning and Development Services Amy Wainwright, Deputy Director of Planning and Development Services Wendy Wainwright, Deputy Director of Corporate Services
	Others	Linda McGuire, Granisle Shane Brienen, Houston – arrived at 1:36 p.m.
	Media	Jake Wray, LD News – via Zoom

CALL TO ORDER

Chair Riis-Christianson called the meeting to order at 1:27 p.m.

AGENDAMoved by Director Stoltenberg
Seconded by Director ParkerRSC.2025-5-1

“That the Rural Services Committee Agenda for May 8, 2025 be approved.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

MINUTES

Rural Services Committee
Meeting Minutes
-April 10, 2025

Moved by Director Stoltenberg
Seconded by Director Greenaway

RSC.2025-5-2

"That the minutes of the Rural Services Committee meeting of April 10, 2025 be approved."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

REPORTS

Electoral Area D Economic
Development Service Grant
Village of Fraser Lake
Resident Attraction Video
Project

Moved by Director Parker
Seconded by Director Stoltenberg

RSC.2025-5-3

"That the Committee recommend that the Board approve an Electoral Area D (Fraser Lake Rural) Economic Development Services Grant of up to \$8,000 to the Village of Fraser Lake for a resident attraction video project."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Rural Community Halls

Moved by Director Greenaway
Seconded by Director Stoltenberg

RSC.2025-5-4

"That the Committee receive the Manager of Strategic Initiatives and Rural Services Rural Community Halls memorandum."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

The Committee discussed:

- Changes to the new Community Works Funds agreement making it no longer possible to support third-party infrastructure
- Grant in Aid funding
- Forming service establishment bylaws for Community Halls
 - o Challenges in assuming ownership
 - o Preserving the character and integrity of Community Halls
 - o Community Halls retaining their autonomy
- Community Halls in each Electoral Area
 - o Condition of Infrastructure and volunteer participation
 - Challenges regarding volunteer capacity
 - Administration burden for volunteers
 - o Impacts of insurance costs
 - Lobbying for group Community Hall Insurance policies

REPORTS (CONT'D)

- Enabling Halls with a strong volunteer base to continue to be successful
- Regional District of Fraser Fort-George establishment of individual services for Halls that directly requested the option
- Past social importance of Halls
 - o Fabric that held communities together is changing
 - o Community Halls are an important asset
- Potential solutions for future uses of Halls such as Pickleball, Emergency Response etc.
- Supporting Community Halls to implement commercial kitchens for community food security and Farmer's Markets
- Evaluating halls based on whether it would be approved if proposed today, how the construction would be funded and how it would be funded in perpetuity.

NEW BUSINESS

Ellis Ross, MP Skeena-Bulkley Valley Director Stoltenberg extended an invitation to Elis Ross, MP Skeena-Bulkley Valley to attend a future Board meeting.

ADJOURNMENT

Moved by Director Stoltenberg
Seconded by Director Newell

RSC.2025-5-5

"That the meeting be adjourned 1:57 p.m."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Michael Riis-Christianson, Chair

Wendy Wainwright, Deputy Director of Corporate Services



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Danielle Patterson, Senior Planner
Date: May 22, 2025
Subject: Temporary Use Permit A-01-23

RECOMMENDATION:

(all/directors/majority)

That the Board approve the issuance of Temporary Use Permit A-01-23 to allow aggregate processing at 6165 Donaldson Road for a three-year duration, with operational hours from 8:00 am to 6:00 pm.

EXECUTIVE SUMMARY

Proposed Temporary Use Permit (TUP) A-01-23 would allow aggregate processing, including crushing, screening, and washing aggregate, for a three-year duration on the subject property according to the terms outlined in the TUP.

The applicant has requested that the Board consider approving their TUP with hours of operation from 7:00 am to 6:00 pm (or alternatively proposes hours of operation from 8:00 am to 6:00 pm, with 7:00 am operational starts times on days when the temperature is forecasted to be at least 25 degrees Celsius). However, should these hours not be acceptable to the Board they are willing to accept a TUP with hours of operation from 8:00 am to 6:00 pm.

Given concerns related to noise affecting nearby properties and properties across the Bulkley River, and the lack of a berm around the processing equipment, staff are not prepared to support the requested 7:00 am start time. Therefore, staff recommend the Board approve TUP A-01-23 with hours of operation from 8:00 am to 6:00 pm.

The Agricultural Land Commission (ALC) conditionally approved the aggregate processing. The TUP is not anticipated to create an adverse amount of traffic and includes decommissioning requirements from provincial agencies. The proposed temporary use will provide an important source of aggregate for concrete projects in the area, while utilizing a parcel of land previously used for aggregate processing. Staff do not recommend requiring security for site reclamation given the security requirements of the Agricultural Land Commission (ALC) and Ministry of Mines and Critical Minerals (MMCM).

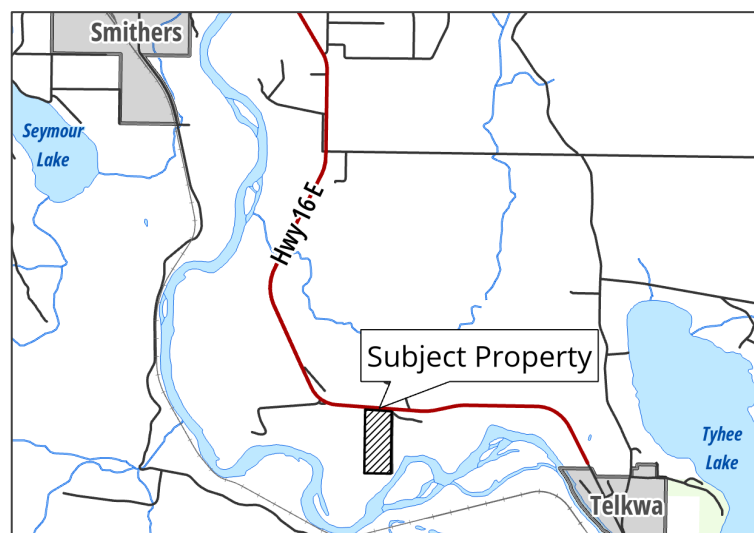
APPLICATION SUMMARY

Name of Agent/Owner:	Leigh Norton, West Fraser Concrete Ltd.
Electoral Area:	A (Smithers/Telkwa Rural)
Subject Property:	6165 Donaldson Road, Lot A, Section 4, Township 4, Range 5, Coast District, Plan 11348 Except Plan PRP14965 (PID 004-310-128)
OCP Designation:	Agriculture (AG) in the Smithers Telkwa Rural Official Community Plan, Bylaw No. 1704, 2014 (the OCP)
Zoning:	Agricultural (Ag1) in the Regional District of Bulkley-Nechako Zoning Bylaw No 1800, 2020 (the Zoning Bylaw)
ALR Status:	Within the ALR
Existing Land Use:	Gravel Pit
Location:	Corner of Highway 16 and Donaldson Road, approximately 2.3 km from the Village of Telkwa and 3.7 km from the Town of Smithers. To the north is Highway 16 and a dairy farm. To the south is vacant land and the Bulkley River. To the west is a gravel pit and to the east is the Smithers/Telkwa Transfer Station and Recycling Depot.
Property Area:	22.69 ha (56.06 ac)
TUP Areas:	<p><u>Proposed Site A:</u> approximately 1,300 m² (~13,995 ft²)</p> <p><u>Proposed Site B:</u> approximately 4,400 m² (~4,7360 ft²)</p> <p><u>Combined:</u> Approximately 5,700 m² (~6,140 ft²)</p>

Proposal:

The applicant is requesting a three-year Temporary Use Permit (TUP) to continue aggregate processing on two separate sites on the subject property, referred to as "Site A TUP Area" and "Site B TUP Area". The TUP sites have a combined area of approximately 5,700 m² (approximately 1,300 m² for Site A and 4,400 m² for Site B).

According to the applicant, aggregate extraction and processing has occurred on the subject property for at least 20 years. The applicant plans to remove



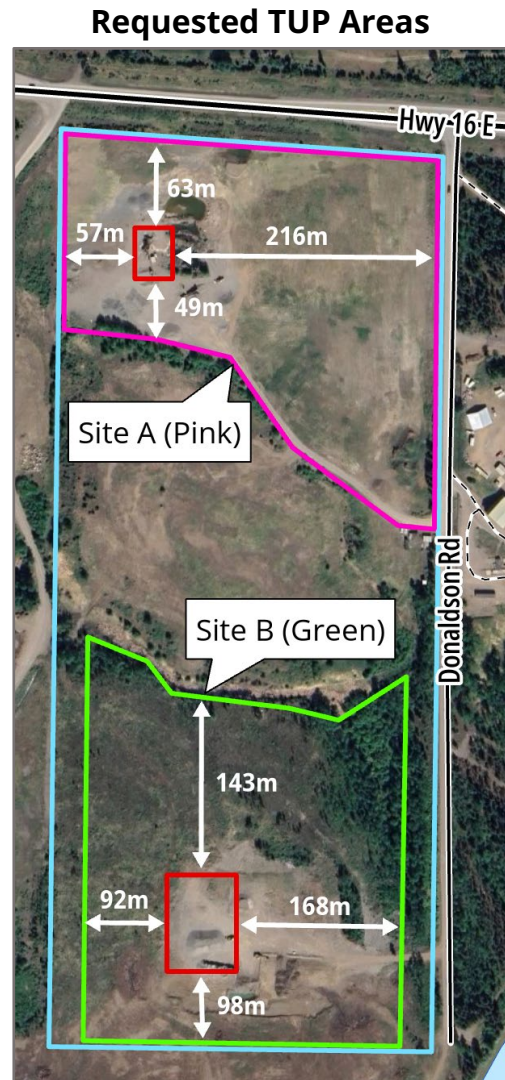
up to 6,000 m³ (~7,850 yd³) of material from the subject property. The applicant is requesting a TUP for three years for aggregate processing, including crushing, screening, and washing aggregate. The lands are in the Agricultural Zone (Ag1), which does not permit aggregate processing; therefore, a TUP is required. Aggregate extraction cannot be regulated by the RDBN.

The proposed TUP is summarized as follows.

- Aggregate crushing, screening, and washing from March to December of each year.
- A wash plant and wash pit on the Site A TUP Area, operating Monday to Saturday, for a maximum of 150 days per calendar year.
- The operation of a temporary crushing unit on the Site B TUP Area for up to 21 days per calendar year.
- The use of an excavator and loader in association with the aggregate processing.
- Hours of operation from 8:00 am to 6:00 pm

Note #1: The applicant requested a 7:00 am operation start time, with a willingness to reduce that to a 7:00 am start time on days when the temperature is forecasted to be at least 25 degrees Celsius to allow work crews to start early and an 8:00 am start time on all other days. Given concerns about noise being carried across the Bulkley River and no berm proposed for the project, staff recommend an 8:00 am start time with no special considerations for hot weather. This is reflected in the drafted permit (see Attachments for TUP A-01-23). The applicant has been informed the Board can amend the terms of the permit to incorporate the applicant's requested start time and while not ideal, can move forward with 8:00 am start times. The applicant does not wish to build a berm for this proposal.

Note #2: The applicant requested a change to the number of permitted wash plant operation days from 21 to 150 per calendar year after the referral process concluded. No referral agencies were aware of the increased request from 21 to 150 days for wash plant



- Two TUP sites (shown in red)
- Combined TUP area of 0.57 ha

operations. Given that the majority of noise and dust associated with these types of aggregate processing operations is typically associated with the temporary crushing unit rather than the wash plant, staff were comfortable including the additional wash plant operation dates in the permit without sending a third set of referrals for this proposal.

DISCUSSION

Site Details

Planning staff performed a site visit of the Site B TUP Area at the south end of the property in 2024 (see [link](#) for Site Visit Photos – Site B). The proposed processing area is level and sits at a lower elevation from the lands to the north containing a former landfill site. The Site B TUP Area is reasonably well screened by trees, except to the south towards the Bulkley River and some thinning of trees along the northwest side of the parcel. The south parcel boundary has some earthworks that act as an informal low berm. The Site B TUP Area is not visible from Highway 16 and has limited visibility from Donaldson Road.

The applicant provided photos of the existing wash pit and the wash plant for the Site A TUP Area situated at the north end of property (see [link for Applicant Photos](#)). Staff took additional photos of the Site A TUP Area from Highway 16 and the surrounding side roads (see [link for Site Visit Photos – Site A](#)). While the wash plant has some tree coverage, the site is mostly visible from Highway 16 and the side roads.

To the west of the subject property is a gravel pit. A total of four properties, including the Smithers/Telkwa Transfer Station and Recycling Depot are accessed from Donaldson Road. The nearest dwelling is approximately 400 m (1,312 ft) from the permit area. There are four dwellings within 500 m (1,640 ft), and approximately 20 dwellings within 1 km.

Official Community Plan

The subject property is designated Agriculture (AG) under the OCP. The intent of the AG designation is to preserve and encourage the utilization of land for agricultural purposes. OCP Policy 3.1.2(2) states “[t]he Provincial Ministry should ensure that agricultural lands used for aggregate extraction are adequately restored for agricultural purposes”. Additionally, OCP policies 3.1.2(6) states:

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

- (a) There is limited agricultural potential within the proposed area.*
- (b) Soil conditions are not suitable for agriculture.*
- (c) Neighbouring uses will not be compromised.*
- (d) Adequate provisions for fencing are provided, where a proposed development is adjacent to an existing agricultural use.*

(e) The application is in the best interest of the community.

(f) The proposed development considers and addresses potential impacts and potential improvements to recreational features and the environment, including wildlife habitat.

(g) And, traffic management issues will be considered and addressed appropriately”.

Temporary Use Permits Explained

A TUP allows a use not permitted by zoning to occur for up to three years, with the option for the applicant to request that the Board consider renewing the TUP for a maximum of three additional years. After the renewed TUP expires, the applicant can submit a new application to allow the use to continue.

The TUP must be in accordance with the policies identified in Section 6.2 of the OCP, which allows for the issuance of a Temporary Use Permit on the following basis:

“(a) The proposed temporary use will not create an amount of traffic that will adversely affect the natural environment, or rural character of the area;

(b) The environment would not be negatively affected by the proposed temporary use.

(c) The proposed temporary use will not have adverse effects on neighbouring land uses or property owners.

(d) The applicant has provided, for consideration as part of the application process, a decommissioning and reclamation plan, if the temporary use requires a significant amount of capital investment in a particular location, or otherwise results in the need for site reclamation.

(e) The need for security in the form of an irrevocable letter of credit with an automatic extension clause has been considered to ensure that required decommissioning and reclamation is completed.

(f) The proposed temporary use has the support of the Agricultural Land Commission if the land is within the Agricultural Land Reserve (ALR).”

ALC Process and Conditional Approval

In June 2023, the RDBN Board considered ALC Non-Farm Use (NFU) application 1253 for aggregate extraction and processing on the subject property (see [link](#) to ALR 1253 Board report). The Board recommended ALC approval and requested the ALC ensure appropriate phased remediation throughout the life of the gravel pit.

In 2024, planning staff sent the the applicant’s TUP request out for referral. At the time, the applicant had requested a 2.64 ha TUP area on the south end (Site B TUP Area) of the subject property for crushing and screening only. The property owner had a history of processing aggregate on the north end (Site A TUP Area) of the property. Regardless, the applicant wanted to move all aggregate processing to the south end of the property due to

its remote location; its proximity to the property owner's local concrete plant; and ongoing site remediation on the north end of the subject property.

In December 2024, the ALC approved an alternative site plan for the applicant's NFU application request, summarized as follows, with conditions:

- 10-year conditional approval requiring \$66,200 security to the ALC for reclamation.
- Reduced aggregate processing area.
- The applicant is required to keep the wash plant sited on the already disturbed lands at the north end (Site A TUP Area) of property.
- Every two years the owner must submit status reports to the ALC.
- Reclamation work is required to be overseen by a qualified registered professional.

Given this ALC approval, the applicant has modified their TUP request to include a wash plant at the Site A TUP Area and reduced the size of the Site B TUP Area. Given the prominent location of the proposed Site A TUP Area along Highway 16 and the addition of a wash plant to the proposal, planning staff re-referred the proposal in 2025.

Ministry of Mines and Critical Minerals Process

An amended Sand and Gravel Permit from the Ministry of Mining and Critical Minerals (MMCM) (Permit Number G-2-131; Mine Number 0200455) was issued to the property owner in 2014 for the north end of the subject property. The applicant will need a new permit to operate on the south end of the property at the Site B TUP Area. As of the writing of this report, the applicant has applied for a new permit and is waiting for permit issuance from MMCM.

The existing permit requires a maintenance of a 5 m (16.4 ft) vegetative buffer, remediation of lands to an "agriculture" standard, and gives direction on working around watercourses. There appears to be coverage gaps in the existing vegetation buffer that was required in the 2014 permit. Staff do not know if the vegetation buffer will be a condition of a new MMCM permit. The wash plant pit is regulated through the MMCM permitting process.

The applicant's existing reclamation plan includes mitigation measures for noise, dust, groundwater, invasive plants, erosion, and sediment control. Final reclamation use shall be for agriculture, examples including livestock grazing or crops such as alfalfa.

Staff Comments

Given concerns related to noise affecting nearby properties and properties across the Bulkley River, and the lack of a berm around the processing equipment, staff are not prepared to support the requested 7:00 am start time. Therefore, staff recommend the Board approve TUP A-01-23 with hours of operation from 8:00 am to 6:00 pm.

The Agricultural Land Commission (ALC) conditionally approved the aggregate processing. The TUP is not anticipated to create an adverse amount of traffic and includes decommissioning requirements from provincial agencies. The proposed temporary use will provide an important source of aggregate for concrete projects in the area, while utilizing a parcel of land previously used for aggregate processing. Staff do not recommend requiring security for site reclamation given the security requirements of the Agricultural Land Commission (ALC) and Ministry of Mines and Critical Minerals (MMCM).

APPROVAL PROCESS

Notice of this application was published on the Regional District's website, the Regional District's Official Facebook page, the RDBN's Public Notice Posting Place, and in the Interior News. The notices inform the public of the time and location of the Board's consideration of the application, and their ability to provide input to the Board in writing. Property owners and tenants within 100 m (328 ft) of the subject property were sent a similar notice. A sign was placed on the subject property on May 9, 2025. Comments received from the public or referral agencies will be presented to the Board for consideration.

REFERRAL RESPONSES

October 2024 - Original TUP proposal

At their October 7, 2024, meeting, the Electoral Area A (Smithers/Telkwa Rural) **Advisory Planning Commission (APC)** recommended the proposal for approval.

The **Town of Smithers** stated they have no concerns with the proposal, given its distance from Town boundaries and that *"the proposed project's impact on the residents [of Smithers] (arising from factors such as air quality, noise, traffic etc.) will be minimal."*

April 2025 – Re-Referral of Modified Request

Given the addition of the second "Site A" TUP area for a wash plant near Highway 16, the application was re-referred to the Village of Telkwa, the Town of Smithers, and the Electoral Area A Advisory Planning Commission in April 2025.

At their April 7, 2025 meeting, the Electoral Area A (Smithers/Telkwa Rural) **Advisory Planning Commission (APC)** recommended the proposal for approval, if amended to have operations start at 8:00 am rather than the applicant's requested 7:00 am start time (see Attachments for meeting minutes). There were discussions at the APC meeting about the impact of sound carrying across the Bulkley River at this location.

The **Town of Smithers** stated they have no concerns with the proposal and suggest requiring additional vegetation where there are gaps in the existing vegetation buffer for dust mitigation (see Attachments for letter).

2023 NFU Application 1253

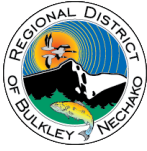
Below are the referral responses for the associated ALC NFU application 1253 for aggregate extraction and processing.

The **Ministry of Agriculture and Food** provided the attached referral letter (see Attachments for link).

The **Regional District Agriculture Coordinator** stated, *“this property has already been fundamentally altered from it’s [sic] natural state as a function of the activities that have already occurred (the reclaimed landfill site and existing gravel removal operation). A portion of Site B has already been prepared for mining (i.e., logged and the topsoil stripped off and piled); prioritizing both the monitoring of invasive plant species establishment and spread, and protecting ground water quality from deleterious substances should be considered as both environmental impacts could affect the future agricultural use of this property.”*

ATTACHMENTS:

- Draft permit TUP A-01-23
- [July 22, 2023 ALC 1253 Board report \(link\)](#)
- [Site visits photos \(link\)](#) for Site B (near Bulkley River)
- [Applicant photos for Site A \(link\)](#)
- [Site visit photos \(link\) for Site A \(near Hwy 16\)](#)
- [Ministry of Agriculture and Foods referral letter \(link\)](#)
- APC minutes
- Town of Smithers April 2025 referral response letter



**REGIONAL DISTRICT OF BULKLEY-NECHAKO
TEMPORARY USE PERMIT NO. A-01-23**

ISSUED TO: West Fraser Concrete Ltd.
PO Box 406
Telkwa, BC V0J 2X0

WITH RESPECT TO THE FOLLOWING LANDS:

**6165 Donaldson Road, legally described as Lot A, Section 4, Township 4,
Range 5, Coast District, Plan 11348 Except Plan PRP14965; PID 004-310-128**

1. This Temporary Use Permit authorizes the following temporary use:

Aggregate processing, which is limited to the operation of a temporary crushing unit, a wash plant, an excavator, and a loader in association with aggregate processing.
2. The temporary use identified in Section 1 may occur only in substantial accordance with the terms and provisions of this permit and the plans and specifications attached hereto as Schedule A.
3. The permit holder shall, as a condition of this permit, ensure the following:
 - a. Operations shall be limited to between March and December.
 - b. Hours of operation shall be limited to 8:00 am to 6:00 pm.
 - c. The temporary crushing unit shall operate for a maximum of 21 days per calendar year.
 - d. The wash plant days of operation shall be limited to Monday through Saturday, for a maximum of 150 days per calendar year.
 - e. The existing vegetation buffer bordering Highway 16 and Donaldson Road shall be maintained.
 - f. No permanent structures associated with Temporary Use shall be built or placed within the TUP Areas.
 - g. Gravel processing equipment shall not be set up on a permanent foundation.
 - h. The wash plant shall be limited to "Site A TUP Area" as identified in Schedule A.
 - i. Screening and crushing shall be limited to "Site B TUP Area" as identified in Schedule A.

4. This Permit authorizes the temporary use identified in Section 1 of this permit to occur only for a term of three years from the date of issuance of this permit.

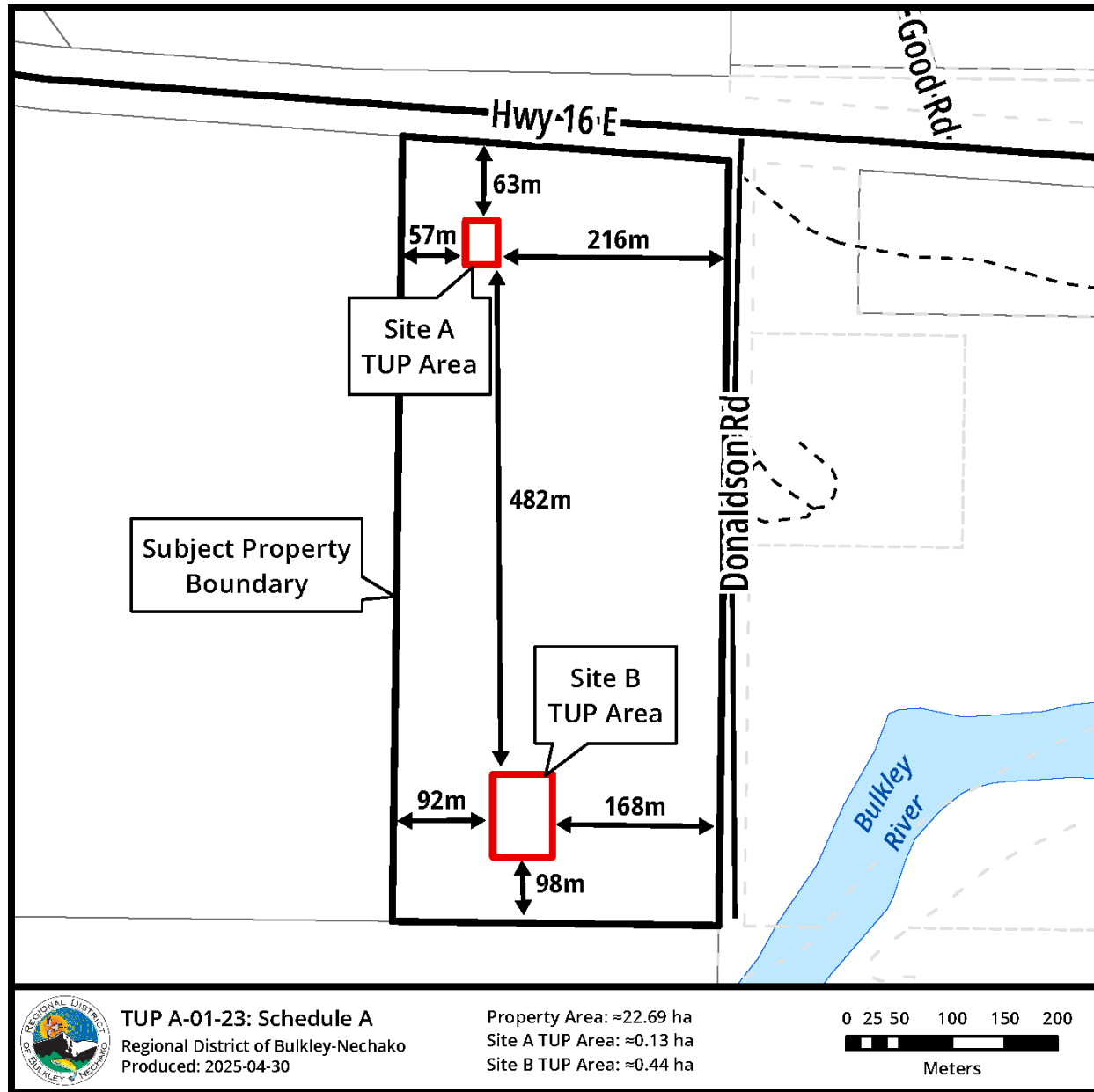
If a term or provision of this permit is contravened or not met, or if the Applicant or property owner suffers or permits any act or thing to be done in contravention of or in violation of any term or provision of this permit, or refuses, omits, or neglects to fulfill, observe, carry out or perform any duty, obligation, matter or thing prescribed or imposed or required by this permit the Applicant and / or property owner are in default of this permit, and the permit shall be void and of no use or effect.

5. As a term of this permit the owner of the land must remove the wash plant and crushing unit from the land upon which the temporary use is occurring or has occurred within two months of the expiration date of this permit unless this permit is renewed by the Board.
6. This permit is not a building permit, nor does it relieve the owner or occupier from compliance with all other bylaws of the Regional District of Bulkley-Nechako applicable thereto, except as specifically varied or supplemented by this permit.

AUTHORIZING RESOLUTION passed by the Regional Board on the _____ day
of _____, 2025.

PERMIT ISSUED on the ____ day of _____, 2025.

Corporate Administrator



**Advisory Planning Commission
Meeting Minutes**

Electoral Area A	Meeting Date: Monday April 7, 2024	Meeting Location: Virtually via Zoom		
Attendance				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <u>APC Members</u> <input checked="" type="checkbox"/> Natalie Trueit-MacDonald <input checked="" type="checkbox"/> Bob Posthuma <input checked="" type="checkbox"/> Sandra Hinchliffe <input type="checkbox"/> Andrew Watson <input checked="" type="checkbox"/> Alan Koopman <input type="checkbox"/> Darren Jakubec </td> <td style="width: 50%; vertical-align: top;"> <u>Electoral Area Director</u> <input checked="" type="checkbox"/> Director Stoney Stoltenberg <input type="checkbox"/> Alternate Trevor Krisher <u>Other Attendees</u> <input checked="" type="checkbox"/> Danielle Patterson, Senior Planner, RDBN <input checked="" type="checkbox"/> Leigh Purnell (7:15pm) <input type="checkbox"/> <input type="checkbox"/> </td> </tr> </table>			<u>APC Members</u> <input checked="" type="checkbox"/> Natalie Trueit-MacDonald <input checked="" type="checkbox"/> Bob Posthuma <input checked="" type="checkbox"/> Sandra Hinchliffe <input type="checkbox"/> Andrew Watson <input checked="" type="checkbox"/> Alan Koopman <input type="checkbox"/> Darren Jakubec	<u>Electoral Area Director</u> <input checked="" type="checkbox"/> Director Stoney Stoltenberg <input type="checkbox"/> Alternate Trevor Krisher <u>Other Attendees</u> <input checked="" type="checkbox"/> Danielle Patterson, Senior Planner, RDBN <input checked="" type="checkbox"/> Leigh Purnell (7:15pm) <input type="checkbox"/> <input type="checkbox"/>
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Chairperson: Sandra Hinchliffe		Secretary: Natalie Trueit-MacDonald		
Call to Order: 7pm				
<u>Agenda</u> 7:00 pm ALR 1278 7:15 pm TUP A-01-23 (2 nd Referral) 7pm				
<p>Applications (Include application number, comments, and resolution)</p> <p>TUP A-01-23 The APC supports the application with an amendment to the crushing not beginning before 8am</p> <p>ALR1278 The APC supports the application. The APC especially supportive of the applicant preserving the historically high quality, high yielding hay field where they are permitted to erect two homes and wanting to build on the portion of the property that is not practicable for agricultural purposes.</p>				
Meeting Adjourned: 7:30pm		Secretary Signature: <i>NCTM-MacDonald</i>		

May 02, 2025

File: TUP-1-01-23

EMAIL: Jason.llewellyn@rdbn.bc.ca

Jason Llewellyn, RPP, MCIP
Director of Planning
Regional District of Bulkley-Nechako,
37 3rd Avenue / PO Box 820,
Burns Lake, BC, V0J 1E0

Dear Jason Llewellyn,

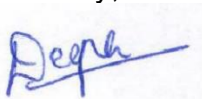
Re: Referral Response for Temporary Use Permit Application TUP A-01-23

Thank you for the opportunity to provide comment on the Temporary Use Permit application TUP A-01-23, initiated by Leigh Norton, West Fraser Concrete Ltd., for the property legally described as Lot A, Section 4, Township 4, Range 5, Coast District, Plan 11348 Except Plan PRP14965 (PID 004-310-128).

Based on the referral request and the staff report shared with the Town, the Town has no concerns regarding the subject TUP application. With an intent to control dust and to limit the view of Site A from the highway, the Town suggest that the Applicant add vegetation along those areas of the property line abutting Highway 16 where it fails to meet the vegetation buffer requirements as required by the Sand and Gravel Permit from MEMLCI (Permit Number G-2-131; Mine Number 0200455) issued in 2014.

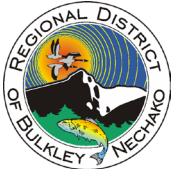
Should you have any questions on this letter, please contact the undersigned at 250-847-1600 or dchandran@smithers.ca.

Sincerely,



Deepa Chandran
Planner, Town of Smithers

CC: Mark Allan, Director of Development Services, Town of Smithers, mallen@smithers.ca
Danielle Patterson, Senior Planner, RDBN, danielle.patterson@rdbn.bc.ca



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Danielle Patterson, Senior Planner
Date: May 22, 2025
Subject: Parcel Frontage Exemption Application PF D-01-25

RECOMMENDATION:

(all/directors/majority)

That the Board exempt Proposed Lot 1 from the minimum 10 per cent perimeter parcel frontage requirement pursuant to Section 512 of the *Local Government Act* to permit a parcel frontage of no less than five per cent, subject to the subdivision layout being in general compliance with the proposed plan attached to this report as Schedule A.

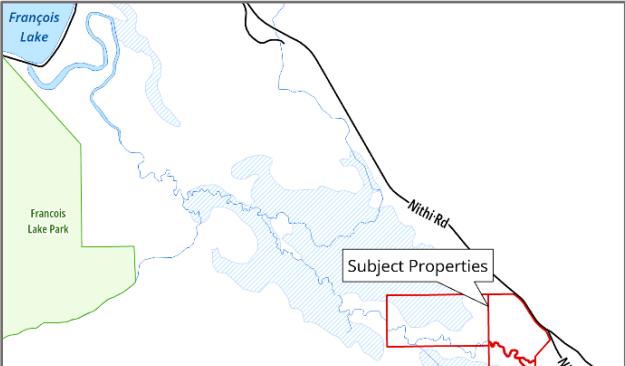
EXECUTIVE SUMMARY

The owner of both 10443 Nithi Pit Road and the abutting unaddressed parcel is requesting an exemption from Section 512(1)(a) of the *Local Government Act (LGA)* which requires parcels created by subdivision that front a highway to have a minimum highway frontage of 10 per cent of the perimeter of the parcel. This is commonly known as a "10 per cent parcel frontage exemption".

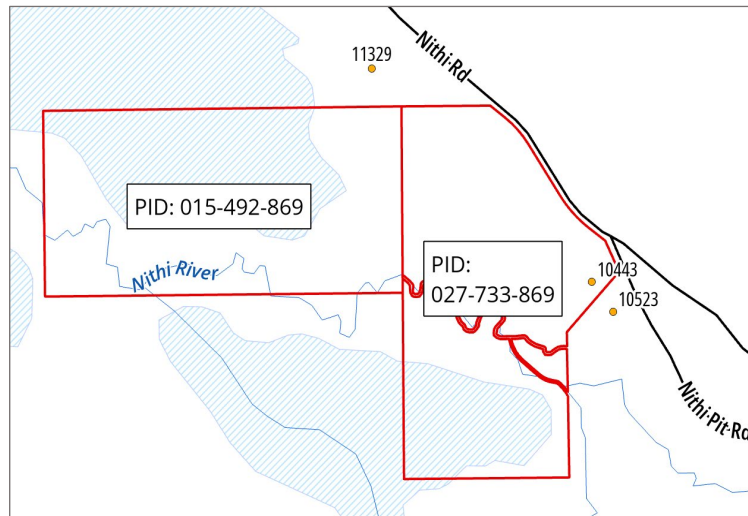
The property at 10443 Nithi Pit Road is approximately 32.38 ha and the abutting parcel with no address or developed road access, is approximately 29.4 ha. The property owner has a subdivision application with the Ministry of Transportation and Transit (MoTT) for a boundary adjustment of the two parcels. The boundary adjustment proposes creating Proposed Lot 1, with an approximate area of 32.5 ha and a highway frontage of approximately six per cent of the parcel perimeter and Proposed Lot 2, with an approximate area of 30.0 ha and an 11 per cent highway parcel frontage. To facilitate this subdivision, the applicant would require an exemption to Section 512(1)(a) of the *LGA*.

The applicant proposes a parcel layout that provides greater utility access, access to a developed road, and a reconfiguration to align with the natural terrain and floodplains, Planning Staff have no concerns with the proposed exemption request and recommend approval of the minimum parcel frontage exemption. Given the preliminary nature of the applicant's drawings, planning staff recommend approval of a reduction of no less than five per cent to account for any changes to measurements refined during the final subdivision process.

APPLICATION SUMMARY

Name Owner:	Lloyd Voth
Electoral Area:	D (Fraser Lake Rural)
Subject Property	<p>Unaddressed parcel, legally described as the North ½ of the Southwest ¼ of District Lot 77, Range 4, Coast District (PID 015-492-869)</p> <p>10443 Nithi Pit Road, legally described as Lot 1, District Lot 77, Range 4, Coast District, Plan BCP39103 (PID 027-733-165)</p>
Existing Parcel Sizes:	<p>N½ of SW¼: Approximately 32.38 ha (~80.02 ac)</p> <p>10443 Nithi Pit Road: Approximately 29.4 ha (~72.84 ac)</p>
Proposed Parcel Sizes:	<p>Proposed Lot 1: Approximately 32.5 ha (~80.3 ac)</p> <p>Proposed Lot 2: Approximately 30.0 ha (~74 ac)</p>
Existing Hwy Frontage:	<p>N½ of SW¼: Approximately 0.01 per cent (undeveloped road access)</p> <p>10443 Nithi Pit Road: Approximately 20 per cent</p>
Proposed Hwy Frontage:	<p>Proposed Lot 1: Approximately 6 per cent</p> <p>Proposed Lot 2: Approximately 11 per cent</p>
OCP Designation:	Resource (RE) pursuant to Endako, Fraser Lake and Fort Fraser Rural Official Community Plan, Bylaw No. 1865, 2019.
Zoning:	Rural Resource Zone (RR1) in "Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020" (the Zoning Bylaw)
Existing Land Uses:	Agricultural/Residential
Location:	<p>Approximately 4 km from Francois Lake, 8 km from Stellaquo 1 IR, and 11 km from the Village of Fraser Lake.</p> 

Existing Parcel Layouts

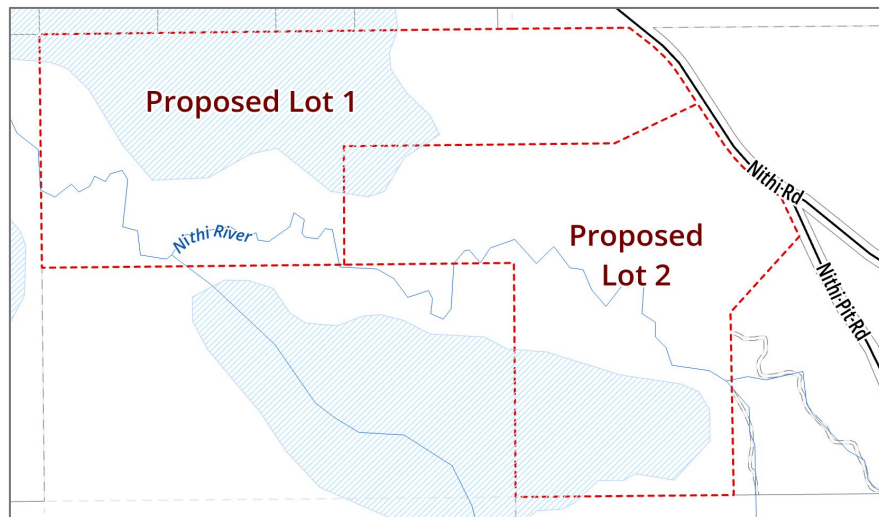


One parcel (west) is landlocked with no easement. Blue diagonal lines represent

PROPOSAL

The property owner has two adjoining parcels: an approximately 32.38 ha parcel with no developed access and an approximately 29.4 ha parcel. The property owner would like to adjust the boundaries between these parcels to roughly 32.5 ha and 30 ha (see map below for proposed parcel layout), with surveying to be finalized.

Proposed Parcel Layouts



Both proposed parcels would have access to Nithi Road. Blue diagonal lines represent wetlands.

Proposed Lot 1 would have an approximate road frontage of 6 per cent and Proposed Lot 2 would have an approximate road frontage of 11 per cent. Pursuant to Section 512 of the *Local Government Act*, 10 per cent of the total perimeter of each newly created parcel must front the highway (Nithi Road and/or Nithi Pit Road) or obtain an exemption from the RDBN Board. This is commonly known as a "10 per cent parcel frontage exemption".

The undersized road frontage for Proposed Lot 1 was discovered during the subdivision application stage and needs approval for the boundary adjustment to move forward.

The property owner's explains in their attached letter that the proposed boundary adjustment is wanted for the following reasons.

- The proposed parcel boundaries conform better to the natural terrain, as well as existing utilities, roads, and power lines.
- The layout provides both parcels with road access. Currently one parcel has no road access.
- The new layout would provide Proposed Parcel 1 access to level land to build a house, build a septic field, and access a driveway. The existing parcel is prone to flooding, making it difficult to find a site to install a septic field or house.

DISCUSSION

Parcel Frontage Reductions

Section 512(1) of the *Local Government Act* states the following:

"Minimum parcel frontage on highway

512 (1) *If a parcel being created by a subdivision fronts on a highway, the minimum frontage on the highway must be the greater of*

(a) 10% of the perimeter of the lot that fronts on the highway, and

(b) the minimum frontage that the local government may, by bylaw, provide.

(2) A local government may exempt a parcel from the statutory or bylaw minimum frontage provided for in subsection (1).

(3) As a limitation on section 229 [delegation of board authority] of this Act or section 154 [delegation of council authority] of the Community Charter, a local government may delegate its powers under subsection (2) only to an approving officer."

Property Details – Existing Property Layouts

The unaddressed parcel legally described as the North ½ of the Southwest ¼ of District Lot 77, Range 4, Coast District (N½ of SW¼) is approximately 32.38 ha and has no developed road access. There is a 24.38 metre wide undeveloped road Right-of-Way (RoW) to the parcel to the north that is 0.01 per cent of the total parcel perimeter. The road RoW is narrow, traverses down a hill, and cuts through a pasture. The unaddressed parcel is in a low-lying area. Approximately 52 per cent of the parcel is covered in wetland, dominated by black spruce. The Nithi River traverses through the length of the parcel ([see link for site visit photos](#)). There is a hayfield on a small portion of the parcel, nestled in a narrow strip between the wetlands and Nithi River. No structures are present.

10443 Nithi Pit Road is approximately 30.0 ha and approximately 20 percent of the parcel perimeter fronts Nithi Road and Nithi Pit Road. The north half of the parcel is relatively flat, sits at a higher elevation and has a hay field, farm outbuildings, and a single family dwelling. The south half of the parcel is low lying, and almost evenly covered with wetlands and trees, dominated by black spruce.

Official Community Plan

Land Use Designation

The area is designated Resource (RE) pursuant to the Endako, Fraser Lake and Fort Fraser Rural Official Community Plan.

The objectives of the RE designation are to support sound resource management while preserving lands for agriculture and grazing, mineral or aggregate extraction, fish and wildlife management, trapping, wilderness-oriented recreation and necessary institutional, public, utility or transportation services. The following RE OCP policy is relevant to this proposal.

“(3) 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.”

Additionally, OCP Section 4.2.2 - Natural Environment has the following relevant policy.

“(4) states, the “Regional District will support and encourage the retention of a greenbelt of natural vegetation along watercourses”.

Zoning Bylaw

The existing parcels and proposed parcels meet the Zoning Bylaw regulations for both the Rural Resource Zone (RR1) and the Natural Boundary setbacks of watercourses and marshes. The RR1 Zone does not have a zone-specific parcel frontage requirement.

Staff Comments

The applicant proposes a parcel layout that provides greater utility access, access to a developed road, and a reconfiguration to align with the natural terrain and floodplains, Planning Staff have no concerns with the proposed exemption request and recommend approval of the minimum parcel frontage exemption. Planning staff further note that the proposed boundary adjustment will result in most of the hay fields being consolidated onto Proposed Lot 2.

Given the preliminary nature of the applicant’s drawings, planning staff recommend approval of a reduction of no less than five per cent to account for any changes to measurements refined during the final subdivision process.

Referral Comments

At their May 6, 2025 meeting, the **Electoral Area D Advisory Planning Commission** recommended unanimously that the Board of Directors approve the requested exemption. The signed minutes were not available at the time of the writing of this report.

The **Ministry of Transportation and Transit** (MoTT) noted no concerns with the proposal and noted that should the subdivision layout change, the applicant needs to inform MoTT (see Attachments for email).

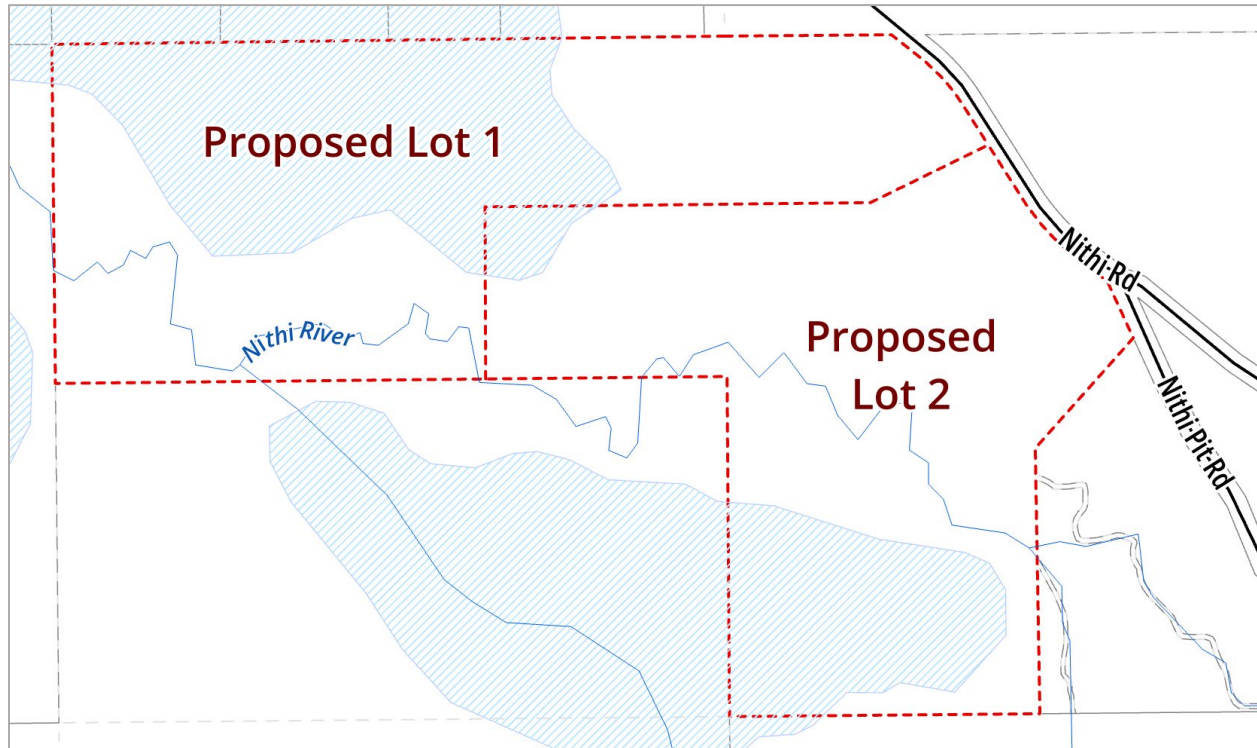
The **RDBN's Protective Services Department** had no comments.

ATTACHMENTS:

- Schedule A: Proposed boundary adjustment
- Applicant's request letter to the Board
- MoTT referral response email
- [Site visit photos \(link\)](#)
- [Proposed Lot 1 perimeter measurements map \(link\)](#)

Schedule A – Proposed Boundary Adjustment PF D-01-25

Proposed boundary adjustment layout for parcels legally described as the North ½ of the Southwest ¼ of District Lot 77, Range 4, Coast District and Lot 1, District Lot 77, Range 4, Coast District, Plan BCP39103



Lloyd Voth




February 5, 2025

Regional District Buckley- Nechako

To: Board of Directors

I am applying for a “Road Frontage Reduction,” as outlined in Section 512 of the Local Government Act, which your staff made reference to in your response **Subdivision Referral Comment Sheet File No. 2024-06258.** (My application was forwarded to your staff by MOTT recently.)

The object of this proposed, Boundary Adjustment/Subdivision is to provide a more suitable building site for the 80-acre, Unaddressed Lot, legally described as the North ½ of The Southwest 1/4 of District Lot 77 Range 4 Coast District; PID 015-492-869, which conform to the existing.

The new property lines better conform to natural boundaries and existing utilities, roads and hydro lines. My plan is to eventually sell one of the two properties. The proposed subdivision enhances both properties equally.

Thank you for your consideration.

Lloyd Voth

Based on this initial review, I would like to request additional information and some comments, described below.

1. It is not clear from reviewing your request what the exact reduction you are requesting the RDBN Board to consider. Please specify which proposed parcel you wish to see have a reduced highway frontage and the length of that proposed frontage.

The proposed parcel I wish to see have a reduced highway frontage is for the "Unaddressed Lot" highlighted in green on the attached drawing and the length of that proposed frontage is 175.4m.

On the green highlighted drawing locate the following lengths, which are circled in pencil to the far right of the map: A 42.00m, B 77.9m and C 55.5m. These total the proposed frontage of 175.4 m.

2. During our conversation, you had mentioned several reasons why you were requesting the reduction in highway frontage for one of your two parcels, which you described briefly in your letter.

Can you provide more details. For example, where do the existing utility lines run on the property?

The existing Hydro line runs along Nithi Road and are not on the proposed property.

There are no utilities.

What is it about the requested reduction that would provide a more suitable building site, as noted in your letter?

The existing "Unaddressed Lot" is subject to occasional Spring time flooding.

By exchanging property portions an excellent future building site will be available.

10443 Nithi Pit Road Lot would benefit by increased high yield hay fields.

Do you have any comments related to your septic system (which I remember discussing during our call)?

The new boundary adjustment would provide a better solution for a septic system for the proposed boundary adjustment on the "Unaddressed Lot" because the acquired portion is well above the creek level.

3. Please provide a new site plan for your request that includes the following:

- 3.1. The entire perimeter of both proposed parcels clearly marked.

Both lots are clearly marked as follows.

The "Unaddressed Lot" the perimeter is highlighted in green.

The "10443 Nithi Pit Road Lot" the perimeter is highlighted in yellow.

- 3.2. The length (including the unit of measurement) for all parcel lines for both proposed parcels clearly labelled. The measurements can be directly marked on the site plan.

The length for all parcel lines are clearly labelled and marked on the attached maps.

The unit of measure is meters.

Danielle Patterson (she/her), B.A., B.Pl.

Senior Planner

Regional District of Bulkley-Nechako | <https://www.rdbn.bc.ca>

danielle.patterson@rdbn.bc.ca

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

Office Phone: 250-692-3195 | 1-800-320-3339

I respectfully acknowledge that I live and work on the traditional territories of the First Nations in the Bulkley and Nechako watersheds.

This message is intended for the addressee(s) named and is confidential. The message must not be circulated or copied without the prior consent of the sender or the sender's representative Corporation.

From: Labarrere, Leah TT:EX [REDACTED] >
Sent: April 29, 2025 11:37 AM
To: Danielle Patterson <danielle.patterson@rdbn.bc.ca>
Subject: 2025-01788 - Request to waive 10% frontage application

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

Hi Danielle,

We've received your application regarding the request to waive the 10% frontage rule at Nithi Pit Rd. As the Regional District now has a Bylaw which speaks to the frontage rule, the Ministry does not need to be referred to on future frontage waiver applications. We have no concerns regarding this specific request. However, should there be a change to the proposed subdivision layout, please let the applicant know that they will need to update the Ministry with the new layout. Additionally, the Ministry's lack of concerns with the request to waive the frontage rule does not constitute approval of the subdivision application, file 2024-06258.

Thanks,



Léah Labarrère (she/her)

A/Senior Development Officer

Ministry of Transportation & Transit | Fort George District

Office: 250-649-7726 | leah.labarrere@gov.bc.ca

I am grateful to reside on unceded traditional Lheidli T'enneh territory, where I commit to the practice of Truth and Reconciliation in all areas of my life.



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Deneve Vanderwolf, Planning Technician
Date: May 22, 2025
Subject: **Advisory Planning Commission Member Appointment**

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

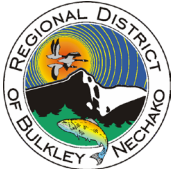
That the Board remove Darren Jakubec from the APC for Electoral Area A (Smithers/Telkwa Rural) and appoint Paul Murphy.

"Regional District of Bulkley Nechako Advisory Planning Commission Bylaw No. 1501, 2009" states in section 3.2 that the Regional District Board, by resolution, shall appoint members to an Advisory Planning Commission on the recommendation of the Electoral Area Director for a term of four years. The Board may at its sole discretion, upon recommendation of the Electoral Area Director, terminate the appointment of any member or appoint new members at any time.

The Director for Electoral Area A recommends that the Regional District Board removes Darren Jakubec from the Advisory Planning Commission for Electoral Area A (Smithers/Telkwa Rural) and adds Paul Murphy.

**Advisory Planning Commission
Meeting Minutes**

Electoral Area A	Meeting Date: Monday April 7, 2024	Meeting Location: Virtually via Zoom		
Attendance				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <u>APC Members</u> <input checked="" type="checkbox"/> Natalie Trueit-MacDonald <input checked="" type="checkbox"/> Bob Posthuma <input checked="" type="checkbox"/> Sandra Hinchliffe <input type="checkbox"/> Andrew Watson <input checked="" type="checkbox"/> Alan Koopman <input type="checkbox"/> Darren Jakubec </td> <td style="width: 50%; vertical-align: top;"> <u>Electoral Area Director</u> <input checked="" type="checkbox"/> Director Stoney Stoltenberg <input type="checkbox"/> Alternate Trevor Krisher <u>Other Attendees</u> <input checked="" type="checkbox"/> Danielle Patterson, Senior Planner, RDBN <input checked="" type="checkbox"/> Leigh Purnell (7:15pm) <input type="checkbox"/> <input type="checkbox"/> </td> </tr> </table>			<u>APC Members</u> <input checked="" type="checkbox"/> Natalie Trueit-MacDonald <input checked="" type="checkbox"/> Bob Posthuma <input checked="" type="checkbox"/> Sandra Hinchliffe <input type="checkbox"/> Andrew Watson <input checked="" type="checkbox"/> Alan Koopman <input type="checkbox"/> Darren Jakubec	<u>Electoral Area Director</u> <input checked="" type="checkbox"/> Director Stoney Stoltenberg <input type="checkbox"/> Alternate Trevor Krisher <u>Other Attendees</u> <input checked="" type="checkbox"/> Danielle Patterson, Senior Planner, RDBN <input checked="" type="checkbox"/> Leigh Purnell (7:15pm) <input type="checkbox"/> <input type="checkbox"/>
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Chairperson: Sandra Hinchliffe		Secretary: Natalie Trueit-MacDonald		
Call to Order: 7pm				
<u>Agenda</u> 7:00 pm ALR 1278 7:15 pm TUP A-01-23 (2 nd Referral) 7pm				
<p>Applications (Include application number, comments, and resolution)</p> <p>TUP A-01-23 The APC supports the application with an amendment to the crushing not beginning before 8am</p> <p>ALR1278 The APC supports the application. The APC especially supportive of the applicant preserving the historically high quality, high yielding hay field where they are permitted to erect two homes and wanting to build on the portion of the property that is not practicable for agricultural purposes.</p>				
Meeting Adjourned: 7:30pm		Secretary Signature: <i>NCTM-MacDonald</i>		



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Cameron Kral, Planner
Date: May 22, 2025
Subject: **ALR Non-Adhering Residential Use Application No. 1278**

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

That Agricultural Land Reserve Non-Adhering Residential Use Application No. 1278 be recommended to the Agricultural Land Commission for approval as proposed with a covenant prohibiting residential use on the property legally described as the Fractional Northwest ¼ of Section 35 Township 8 Range 5 Coast District Except Plan Attached to 5204-I and Plans 1450 PRP44452 EPP30393 and EPP36986.

EXECUTIVE SUMMARY

The applicant is requesting Agricultural Land Commission (ALC) approval for a Non-Adhering Residential Use (NARU) to construct an Additional Residence with a Total Floor Area (TFA) up to 186 m² (2,002 ft²) on the property at 15664 Quick Station Road (Property 1). The applicant is offering to amend an existing covenant to prohibit any residential use on the property legally described as that Portion of the Fractional Northeast ¼ of Section 34 Township 8 Range 5 Coast District Lying Northeast of the Bulkley River (Property 2) to mitigate any impacts associated with the increased size of the Additional Residence.

ALC regulations allow each of the subject properties to have up to two Single Family Dwellings. These dwellings may be:

1. a Principal Residence with a TFA up to 500 m² (5,381 ft²), and
2. an Additional Residence with a TFA up to 90 m² (968 ft²).

Property 1 contains an existing 107 m² (1,152 ft²) Single Family Dwelling and farm infrastructure. Property 2 is a hay field and is bound to Property 1 by restrictive covenant PN26305 (the Covenant). The requested TFA for the new dwelling is 96 m² (1,033 ft²) larger than permitted for an Additional Residence on a property 40 ha (98.8 ac) or less.

Staff recommend the application be forwarded to the ALC with a recommendation that the application be supported as proposed with a covenant prohibiting residential use on Property 2.

APPLICATION SUMMARY

Name of Agent/Owner: Jason McGrath

Electoral Area: A (Smithers/Telkwa Rural)

Subject Properties **Property 1:** 15664 Quick Station Road, legally described as the Fractional Northwest ¼ of Section 35 Township 8 Range 5 Coast District Except Plan Attached to 5204-I and Plans 1450 PRP44452 EPP30393 and EPP36986 (PID 011-923-881)
Property 2: legally described as that Portion of the Fractional Northeast ¼ of Section 34 Township 8 Range 5 Coast District Lying Northeast of the Bulkley River (PID 011-923-857)

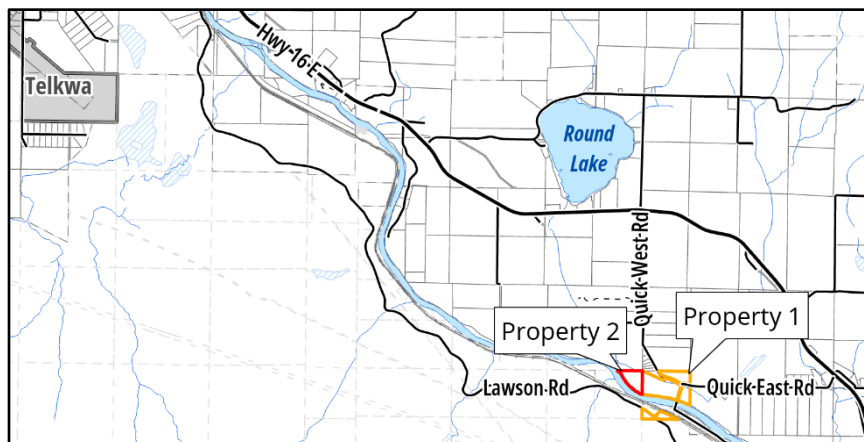
Property Sizes: **Property 1:** ≈37.9 ha (≈93.6 ac)
Property 2: ≈9.83 ha (≈24.29 ac)

OCP Designation: Agriculture (AG) in “Regional District of Bulkley-Nechako Smithers Telkwa Rural OCP Bylaw No. 1704, 2014” (the OCP)

Zoning: Agricultural (Ag1) in “Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020” (the Zoning Bylaw)

Existing Land Uses: **Property 1:** Agricultural and Residential
Property 2: Agricultural

Location: The subject properties are accessed from Quick West and Quick Station roads, approximately 10.5 km southeast of the Village of Telkwa. The surrounding lands consist of small residential parcels and large agricultural parcels to the north; large agricultural parcels to the east; and small residential parcels and large parcels of undeveloped Crown Land to the south of the Bulkley River. Property 1 is fragmented by multiple roads, the Bulkley River and CN railway. Two small segments of Property 1 lie south of the Bulkley River.

Location Map:

PROPOSAL

The applicant is requesting Agricultural Land Commission (ALC) approval for a Non-Adhering Residential Use (NARU) to construct an Additional Residence with a Total Floor Area (TFA) up to 186 m² (2,002 ft²) on Property 1. The applicant is offering to amend an existing covenant to prohibit any residential use on Property 2 to mitigate any impacts associated with the increased size of the Additional Residence.

ALC regulations allow each of the subject properties to have up to two Single Family Dwellings. These dwellings may be:

1. a Principal Residence with a TFA up to 500 m² (5,381 ft²), and
2. an Additional Residence with a TFA up to 90 m² (968 ft²).

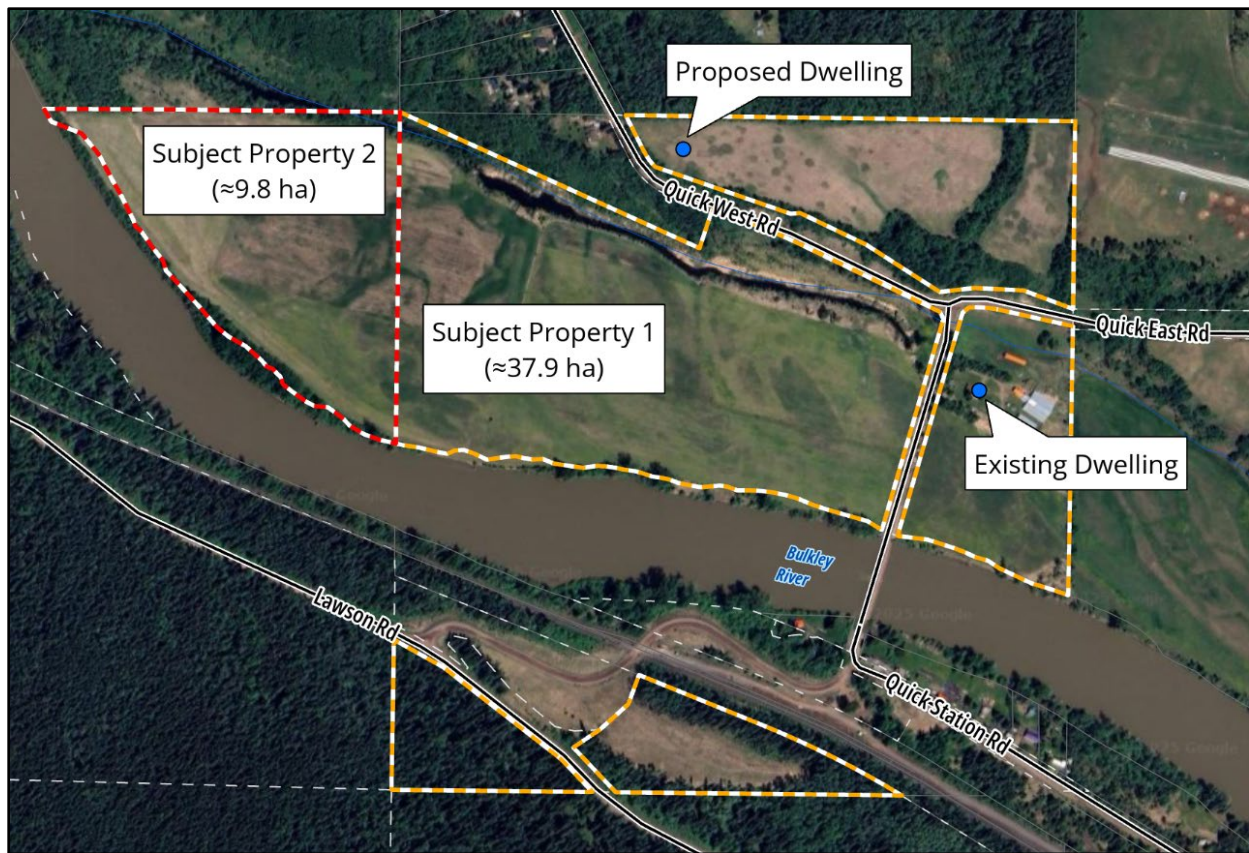
The requested TFA is 96 m² (1,033 ft²) larger than that permitted by the ALC for an Additional Residence on a property that is 40 ha (98.8 ac) or less.

The applicant operates a farm on the subject properties that consists of several hay fields, approximately 6 cows, a shop, a barn, multiple accessory farm buildings, and various farm equipment. Property 1 contains an existing 107 m² (1,152 ft²) Single Family Dwelling and all the farm infrastructure. Property 2 is a hay field and is bound to Property 1 by restrictive covenant PN26305 (the Covenant). The applicant and two of their children reside in the existing Single Family Dwelling as a single-parent household and the applicant's parents are temporarily residing in a nearby Camping Vehicle on Property 1.

The applicant purchased the subject properties in 2024 as part of their long-term plan to operate a multi-generational farm involving the applicant, their children, and the applicant's parents. The applicant wishes to construct a second Single Family Dwelling with a TFA up to 186 m² (2,002 ft²) on the northern section of Property 1 for use as the Additional Residence to accommodate their parents living and working on the farm (see Property Map on next page). Additional rationale for the proposal is provided in the Restrictive Covenant subsection on the next page. Preliminary building plans were provided by the applicant (see Attachments). Staff note the applicant intends to revise these plans based on the ALC's definition of TFA for an Additional Residence.

The applicant stated to staff the existing Single Family Dwelling is a 1977 manufactured home that will eventually need to be replaced by a new Principal Residence to better accommodate them and their children.

Property Map



DISCUSSION

Restrictive Covenant

In 1995, the ALC approved an application to subdivide a 2.2 ha (5.4 ac) parcel from Property 1 on the condition that Property 1 and Property 2 be bound by restrictive covenant. In 1998, the Covenant was registered on the subject properties as a condition by the ALC. The Covenant, attached as part of the applicant's submission, prohibits the transfer of the subject properties separately from each other, meaning they cannot be sold separately.

The applicant stated they have discussed the feasibility of consolidating the subject properties by subdivision with the Ministry of Transportation and Transit (MoTT) and several surveyors to meet the ALC's 40+ ha requirement to allow a 186 m² (2,002 ft²) Additional Residence. However, the time and cost of subdivision would be too prohibitive for the applicant due to the complex layout of the lands and lack of existing survey records.

As an alternative to consolidating the subject properties through subdivision, the applicant is offering to amend the Covenant to prohibit any residential use on Property 2.

Both staff and the applicant discussed this option with the ALC. ALC staff stated that the wording of Section 25(1.1)(b) of the ALC Act prohibits the ALC from approving an Additional Residence greater than 90 m² on a property 40 ha or less, unless it is necessary for farm

use, and that “necessary” generally means that the intensity of the current farm operation requires more labour than can be housed in what is permitted (the 90 m² Additional Residence). After speaking with the ALC, the applicant confirmed with staff their desire to continue with their ALC application.

Official Community Plan

The subject properties are designated Agriculture (AG) pursuant to the OCP. It is the intent of this designation to protect and preserve farm land and soil having agricultural capacity and facilitate the appropriate utilization of that land for agricultural purposes. OCP policy 3.1.2(6) states applications for NARUs may only be considered under the following circumstances:

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

Zoning

The subject properties are zoned Agricultural (Ag1) pursuant to the Zoning Bylaw. The Ag1 Zone permits a density of up to two Single Family Dwellings unless additional dwellings are permitted pursuant to the *Agricultural Land Commission Act*. The Ag1 Zone does not regulate the TFA of Single Family Dwellings and their size limits are determined by the ALC.

Agricultural Capability

Canada Land Inventory mapping indicates the subject properties have agricultural capability that is approximately 68 per cent Class 3C limited by adverse climate, 23.6 per cent Class 4TD limited by topography and undesirable soil structure, and 7.4 per cent Class 4D limited by undesirable soil structure. Class 3 soils are considered a prime soil class in B.C. (see Appendix A for more details).

Planning Department Comments

RDBN records indicate there have been three previous ALC applications involving the subject properties which have cumulatively contributed to a reduction in size of Property 1 from 47.5 ha (117.3 ac) in 1995 to its current size of approximately 37.9 ha (93.6 ac):

1. **RDBN File ALR 858 (1995):** In Resolution #927/95, the ALC approved an application to subdivide Property 1 into two lots of 2.2 ha (5.4 ac) and a 45.5 ha (112.3 ac) remainder, and to bind Property 1 and 2 by restrictive covenant.
2. **RDBN File: 896 (1998):** In Resolution #463/98, the ALC approved an application by CN Rail to exclude 12 ha (29.5 ac) of land from Property 1 and five other properties along Quick Station Road.
3. **ALC File: 53525 (2014):** In Resolution #83/2014, the ALC approved an application by the MoTT under Section 6 of BC Regulation #171/2002 to dedicate 2.06 ha (5.09 ac) of Property 1 as road after CN Rail purchased the land from Property 1 for rail siding purposes. Staff note this application encompasses a portion of road from Lawson Road to the CN Rail track.

Staff note the subject properties may have a total density of up to four Single Family Dwellings with a maximum combined TFA of up to 1,180 m² (12,701 ft²) without the need for ALC NARU approval. The applicant's proposal to amend the Covenant, to allow a larger Additional Residence on Property 1, would reduce the total density to two Single Family Dwellings with a maximum combined TFA of up to 686 m² (7,384 ft²) and prohibit residential development on approximately 9.83 ha (24.29 ac) of land with Class 3 soils.

In staff's opinion, the applicant's proposal aligns with the OCP and will ensure a net reduction in the potential impacts of residential development on the agricultural use of the subject properties. Staff recommend the application be forwarded to the ALC with a recommendation that the application be supported as proposed with a covenant prohibiting residential use on Property 2.

Referrals

The **RDBN Agriculture Coordinator** provided the attached comments.

The **Area A Advisory Planning Commission** supported the application at their April 7, 2025 meeting.

The **Ministry of Agriculture and Food** provided the attached letter unsupportive of the application.

At the time of writing this report, no response was received from the **Village of Telkwa**. Any response received will be included on the Supplemental Agenda.

ATTACHMENTS

- Appendix A – Agriculture Capability
- Appendix B – Surrounding ALR Applications
- [Applicant ALC Submission](#) (Link)
- [Referral Responses](#) (Link)
- [Site Visit Photos](#) (Link)

Appendix A

Agricultural Capability based on Canada Land Inventory Mapping

68.0% of the subject lands are Class 3C (limited by adverse climate)

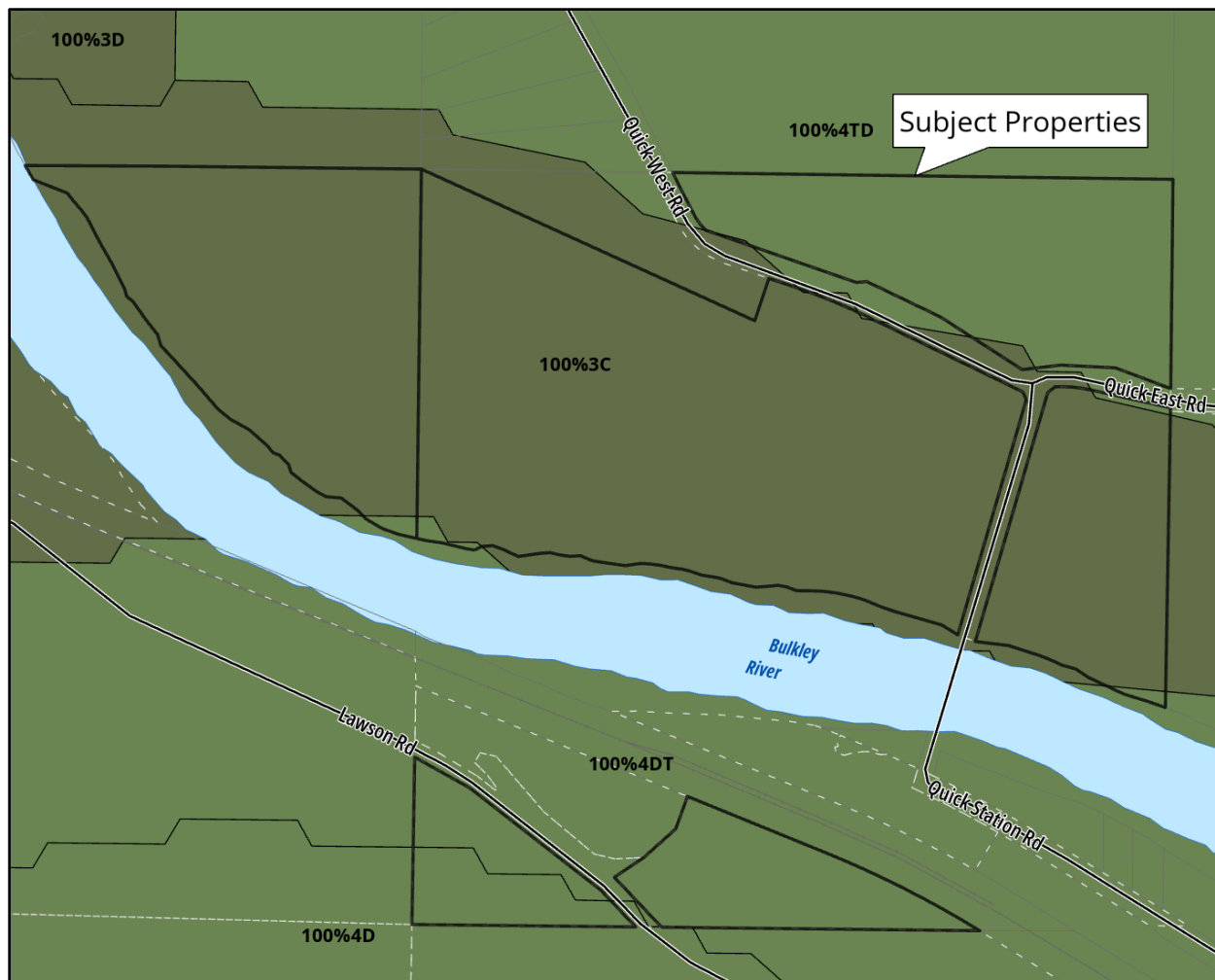
24.6% of the subject lands are Class 4TD (limited by topography and undesirable soil structure)

7.4% of the subject lands are Class 4D (limited by undesirable soil structure)

Class 3 Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both

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

Agricultural Capability Map



Appendix B

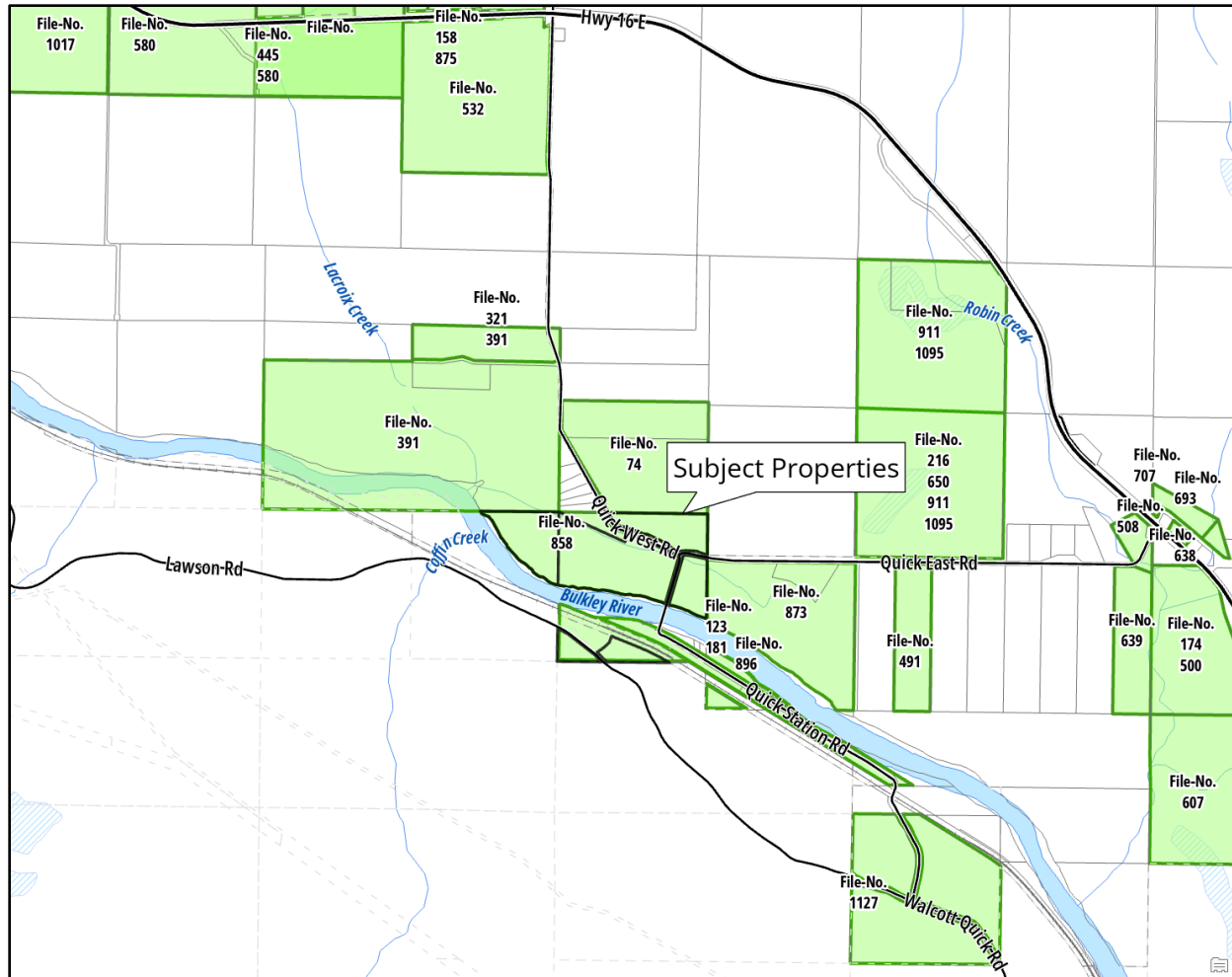
Surrounding Applications

ALR Application	Legal Description	Summary	Recommendation
74	The South ½ of the Southwest ¼ of Section 2, Township 6, Range 5, Coast District, Except Plan 6185	Application to subdivide off ±30 ac.	Staff: Denial
			Board: Denial
			ALC: Denied
123	That Part of District Lot 2125, Range 5, Coast District, Lying North of the Bulkley River and Except Plan 1165	Application to subdivide property.	Staff: Denial
			Board: Denial
			ALC: Denied
174	District Lot 2129, Range 5, Coast District, Lying West of Yellowhead 16 Highway	Application to subdivide property.	Staff: Denial
			Board: Denial
			ALC: Denied
181	That Part of District Lot 2125, Range 5, Coast District, Lying North of the Bulkley River and Except Plan 1165	Application to subdivide property into three parcels.	Staff: Denial
			Board: Approval
			ALC: Approved
216	District Lot 1233, Range 5, Coast District	Application to subdivide the south half of the property into 40 ac parcels	Staff: Denial
			Board: Denial
			ALC: Denied
321	The Fractional Northeast ¼ of Section 3, Township 6, Range 5, Coast District	Application to subdivide property.	Staff: Approval
			Board: Approval
			ALC: Denied
391	The Fractional Northeast ¼ of Section 3, Township 6, Range 5 Coast District; and That Portion of the South ½ of Section 3, Township 6, Range 5, Coast District, Lying to the North of the Bulkley River, Except Plans 9464	Application to subdivide off one 6.796 ha parcel.	Staff: Approval
			Board: N/A
			ALC: Approved (Conditions)
491	Lot 2, Plan 7211, District 2126, Range 5, Coast District	Application to allow a second dwelling on the property.	Staff: Denial
			Board: Denial
			ALC: Approved
500	District Lot 2129, Range 5, Coast District, Except Plan 7860	Application to subdivide 39.6 ha into six lots ranging from 4.7 to 8.3 ha.	Staff: Denial
			Board: Denial
			ALC: Denied

508	Lot A, District Lot 2126, Range 5, Coast District, Plan 10293; and Lot 6, District Lot 750, Range 5, Coast District Plan 7022, Except Plan 8435	Application to consolidate two parcels.	Staff: Approval
			Board: Approval
			ALC: Approved
532	District Lot 755, Range 5, Coast District, Except Plan 1639, 4188 and 9464	Application to subdivide off one 3-4 ha parcel from the 109.7 ha subject property.	Staff: Approval
			Board: Approval
			ALC: Approved
580	District Lot 771, Range 5, Coast District	Application to subdivide one parcel of 6.0 ha from 51.85 ha	Staff: Approval
			Board: Approval
			ALC: Approved
607	District Lot 2130, Range 5, Coast District	Application to allow three residences on the 56,65 ha property.	Staff: Approval
			Board: Approval
			ALC: Approved
638	District Lot 2131, Range 5, Coast District, Lying West of Highway 16 and South of Highways Road 341, known as West End Road	Application to subdivide subject property.	Staff: Approval
			Board: Approval
			ALC: Approved
639	Lot 8, District Lot 2126, Range 5, Coast District, Plan 7211, Except Plan 10293	Application to subdivide subject property into one 6.42 ha parcel and four 2.07 ha parcels.	Staff: Denial
			Board: Denial
			ALC: Denied
650	District Lot 1233, Range 5, Coast District	Application to subdivide the south half of the subject property into four parcels of 40 ac each.	Staff: Denial
			Board: Denial
			ALC: Denied
693	Block 7, District Lot 2124, Range 5, Coast District, Plan 5077	Application to subdivide subject property into to parcels of 0.4 ha each.	Staff: Denial
			Board: Denial
			ALC: Denied
707	Block 3, District Lot 2124, Range 5, Coast District, Plan 5077	Application to subdivide subject property.	Staff: N/A
			Board: Approval
			ALC: Denied
858 (Subject Properties)	The Fractional Northwest $\frac{1}{4}$ of Section 35, Township 8, Range 5, Coast District, Except Plan Attached to 5204-I and Plans 1450, PRP44452, EPP30393 and EPP36986	Application to subdivide a 2.2 ha lot from subject property and bind the subject property with That Part of the Northeast $\frac{1}{4}$ of Section 34 by restrictive covenant.	Staff: Approval
			Board: Approval
			ALC: Approved
873	That Part of District Lot 2125, Range 5, Coast District Lying North of the Bulkley River; and That Part	Application to subdivide 4.25 ha from District Lot 2125.	Staff: Approval
			Board: Approval

	of District Lot 2127, Range 5, Coast District Lying North of the Bulkley River		ALC: Approved
896 (Subject Properties)	Part of District Lot 2127, Plan 1165; Part of the Southeast ¼ of Section 35, Plan 1165; Part of District Lot 2125, Plan 1165, Except Plan 4003; Part of the Southwest ¼ of Section 35; and Part of the Northwest ¼ of Section 35, Township 8, Range 5, coast District	Application to exclude the subject properties from the ALR.	Staff: Approval
			Board: Approval
			ALC: Approved
911	District Lot 1233, Range 5, Coast District	Application to subdivide 129 ha subject property into two parcels of 64 ha each.	Staff: Denial
			Board: Denial
			ALC: Denied
1017	District Lot 773, Range 5, Coast District, Except Plan 4758	Application to subdivide subject property into two parcels of ±5.31 and ±57.6 ha each.	Staff: Approval
			Board: Approval
			ALC: Denied
1095	District Lot 1233, Range 5, Coast District, Except Plan 4758	Application to subdivide 16 ha off 128 ha subject property as a homesite severance.	Staff: Approval
			Board: Approval
			ALC: Approval (Conditions)
1127	That Part of the Northwest ¼ of Section 25, Township 8, Range 5, Coast District, Lying South of Plan 1165	Application to subdivide off three parcels as divided by Lawson and Quick Station Roads.	Staff: Denial
			Board: Denial
			ALC: Denied

Surrounding Applications Map





Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board

From: Rowan Nagel, Planning/GIS Technician

Date: May 22, 2025

Subject: Crown Land Application Referral No. 7410336

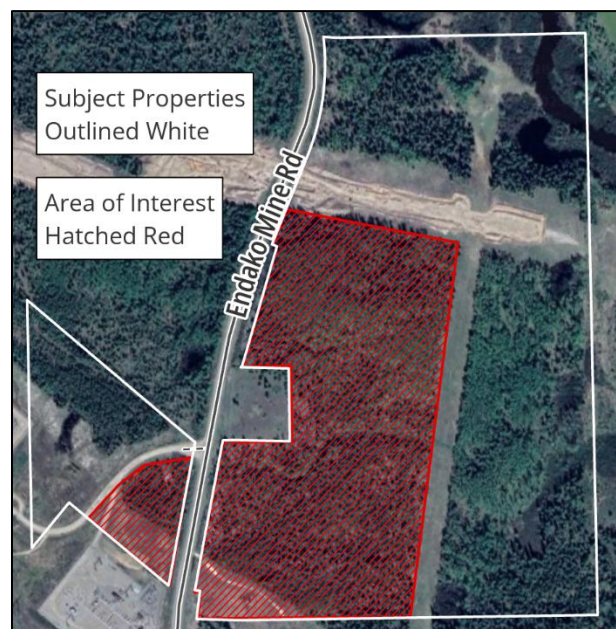
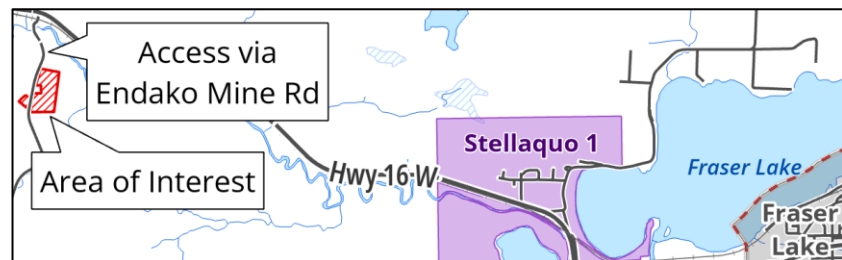
RECOMMENDATION:**(all/directors/majority)**

That the attached comment sheet be provided to the Province as the Regional District's comments on Crown Land Application No. 7410336.

BACKGROUND

The applicant, Innergex Renewable Energy Inc., has applied for a temporary Licence over Crown land for a planned Battery Energy Storage System (BESS) project. The area of interest includes portions of two Crown lots, one of which contains an electricity transmission line. The applicant plans to assess the viability of constructing an energy storage system adjacent to BC Hydro's Glenannan Substation. The substation and area of interest are located approximately 9.1 km west of Fraser Lake and 1.5 km east of Endako.

This Licence would grant Innergex the right to conduct exploratory studies on the subject properties. Minor soil disturbance will occur while digging test pits (four to five metres deep) to assess geotechnical conditions. Pits will be excavated using shovels or an excavator. If initial results are positive, they may conduct a borehole study. Where possible, the applicant will situate pits on cleared sections of the property. No additional vegetation removal is planned during the temporary Licence phase. If needed, they will obtain an Occupant Licence to Cut.



The system itself consists of several BESS units with related support and interconnection infrastructure. Individual units are approximately the size of a shipping container, and the exact number of units will be determined later in the project. Each unit works by storing excess grid energy during periods of low consumption, then discharging that energy during periods of higher demand.



Should the BESS be constructed, the applicant anticipates the company would likely retain ownership of the infrastructure and sell energy through a purchase agreement. The land required for the project would be secured through a Crown tenure application, which would typically involve a referral to the RDBN.

Given that the facility may be privately owned and not part of the BC Hydro transmission system, the use may be subject to RDBN land use regulations. A rezoning may be required to accommodate the proposed use.

ATTACHMENTS

- Comment Sheet
- [Applicant Information – “What is Energy Storage?” \(Link\)](#)



Electoral Area:	Electoral Area D, Fraser Lake Rural
Applicant:	Innergex Renewable Energy Inc.
Existing Land Use:	Unattended Utility and Forested
Zoning:	Rural Resource (RR1)
OCP Designation:	Resource (RE)
Proposed Use Comply with Zoning:	See Comments
If not, why?	N/A
Agricultural Land Reserve:	No
Access:	Endako Mine Rd
Building Inspection:	Yes
Fire Protection:	No
Other comments:	

Given that the facility may be privately owned and not part of the BC Hydro transmission system, the use may be subject to RDBN land use regulations. A rezoning may be required to accommodate the proposed use.



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Chloe Taylor, Planning Summer Student
Date: May 22, 2025
Subject: Crown Land Application Referral No. 7410361

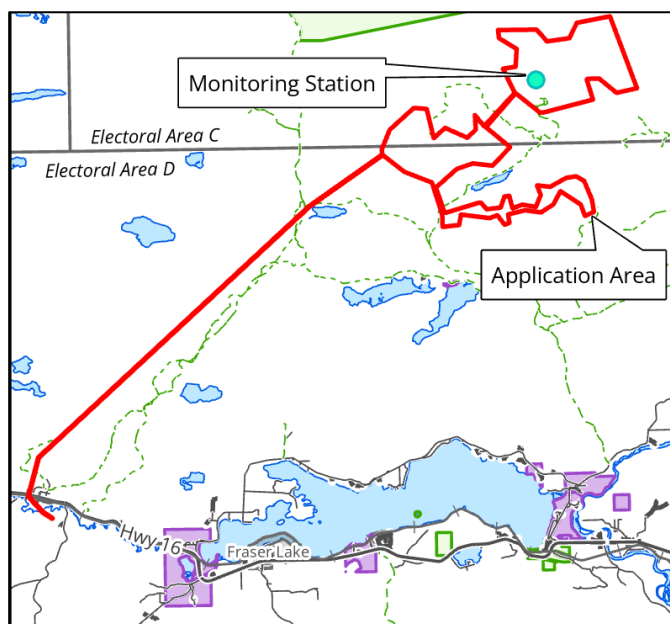
RECOMMENDATION:**(all/directors/majority)**

That the attached comment sheet be provided to the Province as the Regional District's comments on Crown Land Application No. 7410361.

BACKGROUND

0887581 B.C. LTD. has applied for a five-year investigative license covering 5000 ha of unsurveyed crown land located 20 km north of the Village of Fraser Lake. The nearest dwelling is 12 km from the monitoring site.

The applicant will install wind monitoring equipment to assess the area's wind power potential. The equipment consists of a LiDAR device and an 80-100 metre tall tower supported by guy wires. The site will be monitored for two years. Additionally, the applicant will perform monitoring and reviews of birds, water courses, fish habitat, ungulates, and other wildlife; as well as geotechnical, cultural, and survey studies. Except for the tower anchors, the applicant does not anticipate permanent soil disturbance from their activities.



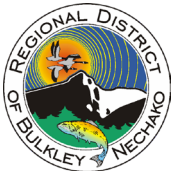
It is staff's understanding that the large panhandle shown in the map is to demonstrate land control back to the electrical grid, which is requirement of the 2024 BC Hydro Call for Power.

ATTACHMENTS

- Comment Sheet
- [Investigative Plan – Good Sir George Wind \(Link\)](#)



Electoral Areas:	Electoral Area D (Fraser Lake Rural) Electoral Area C (Fort St. James Rural)
Applicant:	0887581 B.C. LTD.
Existing Land Use:	Unsurveyed Crown Land
Zoning:	Aprox. 13.86 ha Rural Resource (RR1) Aprox. 3.84 ha Heavy Industrial (M2) Remainder Not Zoned
OCP Designation:	Aprox. 14.2 ha Resource (RE) (Area D) Aprox. 3.48 ha Industrial (I) (Area D) Remainder Not Designated
Proposed Use Comply with Zoning:	Zoned areas comply with the Zoning Bylaw as Utility. Potential future Wind Farm area is not zoned.
If not, why?	N/A
Agricultural Land Reserve:	No
Access:	Forest Service Roads via Hwy 16
Building Inspection:	Yes (Exempt)
Fire Protection:	No
Other comments:	None



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board

From: Jason Llewellyn, Director of Planning and Development

Date: May 22, 2025

Subject: **Coastal Gaslink Pipeline Electrification Environmental Assessment
Certificate Amendment**

RECOMMENDATION: (all/directors/majority)

Receipt

BACKGROUND

On March 11, 2014, Coastal Gaslink Pipeline Ltd. (Coastal Gaslink) submitted an Application for an Environmental Assessment Certificate (EAC) to the British Columbia Environmental Assessment Office (EAO) for the Coastal Gaslink Project. On October 23, 2014, Coastal Gaslink received an EAC for the Project. The recently constructed Coastal Gaslink Project consists of an approximately 670 kilometres (km) of 48-inch (nominal-pipe-size 48)-diameter natural gas transmission pipeline through the RDBN from the Dawson Creek area to the LNG Canada export facility near Kitimat. The project also includes up to eight natural gas-fired turbo-compressor stations along the Project route (four in the RDBN).

Coastal Gaslink proposed in their [March 25, 2024 report \(link\)](#) amending their EAC to include the option to install either natural gas-powered or electric-powered compressor units at compressor station locations.

The Board directed staff to participate in the Coastal GasLink Environmental Assessment Certificate Amendment review process as a full member of the Technical Advisory Committee (TAC). On May 23, 2024 the Regional District submitted, on Board direction, the following comment to the Environmental Assessment Office:

"The RDBN has no objection to the installation of electric-powered compressor units in place of natural gas-powered units for the Coastal Gaslink Pipeline provided that the Socio-economic Effects Management Plan (SEEMP) is amended to require consultation with stakeholders, including local governments, during the planning and development of transmission

lines and associated infrastructure required to supply power to compressor stations. The Regional District has concerns regarding the allocation of power and the decision to exclude the transmission lines from the Environmental Assessment Process and would like those issues addressed as part of the SEEMP implementation process.”

On June 21, 2024 Coastal Gaslink responded with:

The Amendment Application proposes optionality to install electric-powered compressor units or natural gas-powered compressor units within the footprints of the proposed compressor stations. Transmission lines therefore do not form part of the scope of the Amendment Application. Coastal GasLink would expect that if a scope is confirmed at a later date, the proponent responsible for that scope would conduct the appropriate Indigenous and stakeholder engagement as per the requirements of the applicable regulatory process.

On August 15, 2024 the RDBN Board directed staff to respond to the Environmental Assessment Office that:

“the Coastal GasLink Pipeline’s response does not address the RDBN’s comments and concerns and that the RDBN’s comments and concerns remain applicable.”

The concern expressed by the RDBN has been that the application does not include an evaluation or consideration of the transmission lines required to supply power to compressor stations. Reliance on the BC Energy Regulator (BCER) permitting process engagement requirements, as proposed by Coastal Gaslink was not considered adequate as the BCER does not use their permitting process to evaluate and address concerns raised by local governments or First Nations unless those concerns are backed up by regulations or conditions contained in the EA Certificate.

EAO ASSESSMENT REPORT AND APPROVAL

The EAO completed the attached document titled [“The EAO’s Assessment of an Application for Certificate Amendment: Amendment #5 – Compressor Station Electrification Optionality.” \(link\)](#) This assessment summarized the application review process and stated the following regarding the transmission lines on page 8 of the report.

The EAO acknowledges that omitting transmission lines in the scope of the amendment does result in limitations to the ability to assess the secondary effects resulting from electrification of the compressor stations in the assessment of this Amendment Application. However, CGL will be required to submit an additional amendment application(s) if they intend to build transmission lines to electrify any of the compressor stations, as the transmission lines would be an ancillary component to the Project not currently captured in the CPD. This assessment would consider the potential effects, and cumulative effects, to all potentially impacted VCs, which would vary based on the selected transmission line corridor(s), as well as impacts to First Nation interests. CGL would be required to consult with First Nations prior to proposing transmission line route(s) and the EAO would consult with First Nations throughout the assessment of this future proposed amendment(s).

[Amendment 5 \(link\)](#) was approved by the EAO on May 6, 2025.

ATTACHMENTS:

- [The EAO's Assessment of an Application for Certificate Amendment #5 \(link\)](#)
- [Amendment #5 to the CGL Environmental Assessment Certificate \(link\)](#)
- [EAC No. E14-03 Amendment: Compressor Station Electrification Optionality, March 25, 2024 \(link\)](#)



Update on Bill 15, Infrastructure Projects Act



Publishing Date: May 15, 2025

Earlier this week, Bill 15 (*Infrastructure Projects Act*) passed second reading. Since UBCM's initial **commentary**, Bill 15 continues to generate discussion concerning the powers it provides to the provincial cabinet to override local regulatory processes in order to fast-track permitting for major infrastructure projects that the Province designates as 'provincially significant'. UBCM has questioned the rationale for these additional powers and the lack of meaningful consultation prior the drafting of legislation.

Bill 15 has also received considerable pushback from the **First Nations Leadership Council** and **environmental groups**. Both the BC Green Party and BC Conservative Party MLAs voted against the Bill on second reading, with two independent MLAs abstaining from the vote.

Local government concerns have been featured in several news stories:

- Fran Yanor in the **Northern Beat** **responded** to the legislation by interviewing UBCM President Trish Mandewo, Minister of Infrastructure Bowinn Ma, and Mayors Brodie, Krog and Wilks.
- Vaughan Palmer in the **Vancouver Sun** canvassed the range of opposition to the bill.
- The May 12 edition of **The Jas Johal Show** starts with an interview with Keith Baldrey, who said that the government “opened a can of worms that they didn’t see coming and created a problem where one did not exist”.
- Doug Todd in the **Vancouver Sun** sets Bill 15 within a larger North American trend to deregulate development and centralize land use decisions.

Minister Ma has invited Mayors, Chairs and Area Association presidents to a virtual meeting Friday to respond to questions about Bill 15.

Bill 15 moved into committee yesterday and is anticipated to come to a third and final vote before the current legislative session ends on May 29.

Tags

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Bill 15 provides province with regulatory override powers for major capital projects

Publishing Date

May 5, 2025

The Province of BC has introduced legislation that would give greater powers to the Cabinet to expedite the approval of projects it deems a matter of provincial significance. If passed into law, **Bill 15** (*Infrastructure Projects Act*) will allow the minister responsible for a project – such as the building of a school – to make decisions to facilitate the completion and operation of a project as expeditiously as possible. For local governments, the Bill will also allow the Minister of Infrastructure to intervene in local regulatory processes to develop measures to address project delays when necessary.

The legislation was drafted by the Ministry of Infrastructure, which has been tasked with providing centralized planning for major capital projects such as schools and healthcare facilities.

The proposed legislation identifies two (2) classes of categories of Provincially Significant Projects to be considered for streamlining:

- Provincial Projects – All Ministry of Infrastructure Projects (vertical infrastructure providing provincial services) including schools, post-secondary housing, hospitals and health facilities, and
- Private Projects – On a project-by-project and tool-by-tool basis for projects designated by Order in Council as ‘provincially significant’ and projects delivered by other partners, such as crown agencies, local governments, First Nations and private proponents.

Provincial permitting processes are considered a significant barrier to the efficient delivery of significant projects. In part, the proposed legislation will support more effective and efficient provincial permitting implementation through prioritized provincial permitting and the development of a qualified professional reliance framework to expedite some provincial decisions where appropriate.

Environmental Assessment

The legislation provides two options to expedite the environmental assessment process. Both options are allowable on a case-by-case basis as approved by an Order in Council.

The first option will allow for automatic authorization of low-risk provincial permits following the issuance of an Environmental Assessment Certificate. For example, the issuance of a tree cutting permit on a mine site that has been issued an Environmental Assessment Certificate.

Secondly, the legislation provides an alternative and expedited Environmental Assessment process for designated projects to reduce the time involved with overlapping permit processes.

Consultation with First Nations

All designated projects under the legislation will be required to uphold the government's commitment to the Declaration of the Rights of Indigenous Peoples Act.

Local Government Impacts

Under the proposed legislation, local governments are empowered to request the delay of provincial requirements to update official community plans for designated projects. This power cannot be extended to requirements related to health and safety, such as building permits, occupancy permits and sewer/stormwater management.

Where a local government process creates a lengthy or unnecessary delay on a project as determined by the Cabinet, the Province will initiate a process to work with local government to resolve the issue. This includes:

1. Consultation with the local government
2. Seek written agreement with the local government, which could include creating a mutually agreed upon alternate authorization.
3. If no resolution is reached, the Minister of Infrastructure can intervene to develop measures to address delays for the designated project.

UBCM commentary on the legislation

UBCM met with staff from the Ministry of Infrastructure and with Minister Bowinn Ma to receive a briefing on provincial intentions through the legislation.

As B.C.'s population grows, communities require infrastructure such as schools, hospitals and care centres to support residents. Local governments have been calling on the province to accelerate the building of such facilities to ensure B.C. residents are living in complete communities. The focus on accelerating approval processes on the provincial side are needed and welcomed by UBCM.

UBCM notes that the process leading to the drafting of the legislation has been rushed, and did not include meaningful consultation with UBCM or member local governments. As has been proven in the past, a fast-tracked approach that skips over consultation is more likely to lead to unintended consequences.

Bill 15 provides the Cabinet with extraordinary powers to override regulations, including local government OCP, zoning bylaw amendment and subdivision approval processes. While the legislation is not designed to change the quality or rigour of the provincial permitting process, it remains unclear if the legislation equally protects the quality and rigour of the local government permitting process.

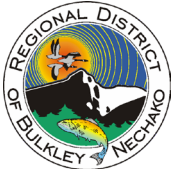
Local governments may have questions in instances when a decision by the Minister to overrule a local government process results in a direct financial impact on the local government. Specifically, will the local government be made whole by the Province?

UBCM also notes that local government processes often respond to provincial regulations or requirements. When a local government skips procedural steps to fast-track a project and a mistake is made, there is an increased liability for the local government. If the Province is to intervene with respect to local government regulatory decision-making, the legislation is not clear whether the Province will take on the liability of their intervention, and subsequent decisions. Local governments will want clarity from the Province on how liability risk will be managed if the legislation is passed into law.

The questions noted above were shared with Minister Ma during UBCM's briefing meeting.

UBCM asks its members to review Bill 15 and consider how this legislation may impact local regulatory processes with respect to the planning, construction and operations of projects captured under the legislation. Comments may be submitted to [Gary MacIsaac](#), Executive Director, UBCM and/or [Glen Brown](#), General Manager, Victoria Operations, UBCM.

(UBCM News Release)



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Jason Llewellyn, Director of Planning
Date: May 22, 2025 deferred from April 24, 2025
Subject: Bylaw Notice Enforcement Bylaw and Dispute Adjudication Registry

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

That "Regional District of Bulkley-Nechako Bylaw Notice Enforcement Bylaw No. 2041, 2025" be adopted.

DISCUSSION

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.

"Regional District of Bulkley-Nechako Bylaw Notice Enforcement Bylaw No. 2041, 2025" (the Bylaw) was given three readings on March 27th, 2025. Staff were also authorized to execute the Bylaw Notice Dispute Adjudication Registry Agreement with the Village of Burns Lake upon adoption of Bylaw No. 2041, 2025. Staff now recommend that "Regional District of Bulkley-Nechako Bylaw Notice Enforcement Bylaw No. 2041, 2025" be adopted.

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 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 the 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 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 bylaw that the RDBN operate the adjudication registry as the 'host local government', sharing the administration and overhead costs of bylaw notice dispute adjudication.

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 Officer's time, the provision of a public venue for the adjudication, and staff time administering the adjudication process. It is also noted that the Province has a limited number of adjudicators in the north. Therefore, there may be notable travel costs for adjudicators required to attend in person hearings.

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 participant and the number of bylaw notices challenged. The workload is not anticipated to result in the need for additional staffing in the Planning Department at this time. However, there will be an increase to the workload of existing staff which will have an incremental impact on future staffing needs. The fees to participating municipalities are designed to cover the cost of that municipality's participation in the service.

Public and First Nations Engagement

Following 3rd Reading of the Bylaw, as a result of a factually incorrect facebook post, a notable amount of public misinformation spread regarding the purpose of the Bylaw. This misinformation was centred primarily within Electoral Area E but made its way to other parts of the RDBN to a limited extent. RDBN staff posted correct information on social media, answered many phone calls, and held 2 public information meetings in Electoral Area E.

The RDBN also received communication from the Skin Tyee First Nation objecting to the Bylaw. At the time of the writing of this report staff are in the process of arranging a meeting to explain the Bylaw and correct any misinformation which may have led to the objections. At this meeting staff shall also offer to discuss whether any existing RDBN bylaws regulating the use of private property or crown land are having an unreasonable impact on indigenous rights or interests.

Given the limited potential for "Regional District of Bulkley-Nechako Bylaw Notice Enforcement Bylaw No. 2041, 2025" to impact an indigenous right or interest staff are not recommending delay of the Bylaws adoption. However, the Board may want to consider

further deferral of the Bylaw until the June 19, 2025 Board meeting to allow opportunity for a meeting with the Skin Tyee First Nation to occur prior to consideration of adoption.

Next Steps

Upon adoption of Bylaw No. 2041, 2025 the RDBN may issue Bylaw Notices for any infractions covered by the bylaw, subject to Board policy. Staff do not plan to issue tickets in the short term to allow the adjudication system to be fully established and in cooperation with participating municipalities.

Staff will work with the Village of Burns Lake to enter into the Dispute Adjudication Registry Agreement. Once this agreement is in place the Dispute Adjudication Registry will be established, and adjudications may occur pursuant to the agreement. Other municipalities may subsequently request joining when they are ready.

ATTACHMENTS:

- Regional District of Bulkley-Nechako Bylaw Notice Enforcement Bylaw No. 2041, 2025



REGIONAL DISTRICT OF BULKLEY-NECHAKO
BYLAW NOTICE ENFORCEMENT BYLAW NO. 2041, 2025

*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, 2025".

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, V0J 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 fourteen (14) 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 fourteen (14) 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 fourteen (14) 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 fourteen (14) 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 agreement 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.
- 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 27 day of March,

READ A SECOND TIME this 27 day of March,

READ A THIRD TIME this 27 day of March,

I hereby certify that the foregoing is a true and correct copy of "Regional District of Bulkley-Nechako Bylaw Notice Enforcement Bylaw No. 2041, 2025".

DATED AT BURNS LAKE this ___day of _____, 2025

Corporate Administrator

ADOPTED this ___day of _____, 2025

Schedule "A"
to Regional District of Bulkley-Nechako
Bylaw Notice Enforcement Bylaw No. 2041, 2025

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	Building without a building permit	\$400	\$500	No
6.2	Concealing uninspected work	\$400	\$500	No
6.3	Building contrary to permit	\$400	\$500	Yes
6.4	Occupying a building without an occupancy permit	\$300	\$400	Yes
6.5	Occupying a building contrary to terms of an occupancy permit			
6.6	Tampering with a building permit, notice or order	\$300	\$400	No
6.7	Obstructing a building official	\$400	\$500	Yes
6.8	Placing a manufactured or modular home without a building permit	\$400	\$500	No
6.9	Solid fuel stove, heater or chimney without a building permit	\$400	\$500	No
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	No
7 and 14(b)	Floor system below flood construction level	\$400	\$500	No
7 and 14(c)	Equipment below flood construction level	\$400	\$500	No
7 and 15	Fill or structural support within floodplain setback	\$400	\$500	No
7 and 18	Building within a non-standard flood area	\$400	\$500	No

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	No
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, disposing, 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	No
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	No
5.3	Connecting or draining clear-water waste, rainwater, roof drains, surface water or groundwater 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	No
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 installed in compliance with Schedule F	\$400	\$500	Yes
9.1.1 or 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
9.1.5 or 9.2.6	Failure to maintain a required alarmed monitoring device	\$300	\$300	Yes
9.2.1 or 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
9.3.1	Failure to take necessary measures 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	No

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	Yes
13.2	Discharge of hauled wastewater at an unapproved location	\$400	\$500	No
13.3	Discharger to a wastewater Treatment Facility without a required Waste Discharge Permit	\$400	\$500	No
14.1 or 14.3	Failure to notify and provide information to the Regional District regarding a spill to a wastewater works	\$400	\$500	No
14.2	Failure to notify other government agencies about a spill as required	\$300	\$400	No
14.4	Failure to do everything reasonably possible to contain the spill, protect safety, minimize damage, and protect the environment	\$400	\$500	Yes
14.5	Failure to pay the costs arising as a result of the spill.	\$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 Mobile Home Park Bylaw No. 740, 1993				
1.5(a) and 3.3 or 1.5(b) and 3.3	Development not in compliance with regulations and bylaws	\$400	\$500	Yes
1.5(a) and one of the following: 3.4(1); 3.4(2); 3.4(3); or 4.9	Unlawful location of mobile home	\$400	\$500	Yes
1.5(b) and one of the following: 3.4(1); 3.4(2); 3.4(3); or 4.9	Unlawful location of mobile home	\$400	\$500	Yes
1.5(a) and 3.5	Plans and bylaw not posted	\$300	\$400	Yes
1.5(a) and 3.6; or 1.5(b) and 3.6	Heating equipment and appliances not in accordance with regulations	\$400	\$500	Yes
1.5(a) and 3.7; or 1.5(b) and 3.7	Mobile home standards not met	\$400	\$500	Yes
1.5(a) and 3.8; or 1.5(b) and 3.8	Connections not to BC Building Code	\$400	\$500	Yes
1.5(a) and 4.1; or 1.5(b) and 4.1	Unlawful Use	\$400	\$500	Yes
1.5(a) and 4.2	Unlawful Sign	\$300	\$400	Yes
1.5(a) and 4.5(4)	Failure to Mark Off	\$300	\$400	Yes
1.5(a) and 4.5(5)(a)	Space not adequately drained	\$300	\$400	Yes
1.5(a) and 4.5(5)(b)	Space not numbered	\$300	\$400	Yes
1.5(a) and 4.5(5)(c)	Space not adequately surfaced	\$300	\$400	Yes
1.5(a) and 4.6; or 1.5(b) and 4.6	Site coverage exceeded	\$400	\$500	Yes
1.5(a) and 4.7(2)(c)	Building in a buffer area	\$300	\$400	Yes
1.5(a) and 4.7(2)(d)	Garbage or sewage disposal in buffer area	\$300	\$400	Yes
1.5(a) and 4.7(2)(e)	Removal of plant material in buffer area	\$300	\$400	Yes
1.5(a) and 4.7(2)(f)	Vehicle parking in buffer area	\$300	\$400	Yes
1.5(a) and 4.10; or 1.5(b) and 4.10	Skirtings not installed	\$300	\$400	Yes
1.5(a) and 4.12; or 1.5(b) and 4.12	Parking not provided	\$300	\$400	Yes
1.5(a) and 4.14; or 1.5(b) and 4.14	Recreation areas not properly surfaced or landscaped	\$300	\$400	Yes
1.5(a) and 4.14 (b) or 4.18 (a)	Inadequate number or type of solid waste containers	\$300	\$400	Yes
1.5(a) and 4.15.(3); or 1.5(b) and 4.15.(3)	Roads not properly surfaced, drained, or maintained	\$300	\$400	Yes
1.5(a) and 4.16 or 1.5(b) and 4.16	Failure to meet water supply requirements	\$400	\$500	Yes
1.5(a) and 4.17(1) or 4.17(2)	Failure to meet sewage disposal requirements	\$400	\$500	Yes
1.5(a) and 4.19	Fails to meet fire hydrant and reservoir requirements	\$400	\$500	Yes
1.5(a) and one of the following: 4.20(1), 4.20(2), 4.20(3), or 4.20(4)	Unlawful street lighting	\$400	\$500	Yes
1.5(a) and 4.21	Unclean or unsafe equipment	\$300	\$400	Yes
1.5(a) and 4.22	Unlawful flammable debris	\$400	\$500	Yes
1.5(a) and 4.23	Unlawful fires	\$400	\$500	Yes
2.2(1)	Development without permit	\$500	\$500	No

Column 1: Bylaw Section	Column 2: Contravention	Column 3: Penalty	Column 4: Late Penalty	Column 5: Compliance Agreement Authorized
Regional District of Bulkley Nechako Parks Use Regulation Bylaw No. 1989, 2023				
4.2	Authorized person interference	\$400	\$500	Yes
4.4	Failure to comply with an order from an Authorized Person	\$300	\$400	Yes
4.6	Failure of a person in charge of a minor to take control measures	\$400	\$500	Yes
7.1	Contravention of bylaw, park sign, traffic control device or park use permit	\$300	\$400	Yes
7.3	Allowing a minor to contravene the bylaw, park sign, traffic control device or park use permit	\$400	\$500	Yes
9.1.1	Noise disturbance	\$400	\$500	Yes
9.1.2	Sound amplification	\$400	\$500	Yes
9.1.3	Dangerous activity	\$400	\$500	No
9.1.4	Disorderly, violent, lewd, sexual or offensive activity	\$500	\$500	No
9.1.5	Advertising without a permit	\$300	\$400	Yes
9.1.6	Special use without a permit	\$400	\$500	Yes
9.1.7	Defecating in a park	\$400	\$500	No
10.1 or 10.2	Littering	\$300	\$400	Yes
10.3	Abandoning a chattel	\$400	\$500	Yes
11.1.1	Damaging vegetation or natural park feature	\$300	\$400	No
11.1.2	Building or altering a trail	\$400	\$500	Yes
11.1.3	Damaging a facility	\$400	\$500	No
11.1.4	Damaging a park sign or traffic control device	\$400	\$500	No
11.1.5	Building a structure	\$400	\$500	Yes
11.1.6	Release, feed, molest, disturb, frighten, injure, kill, catch, or trap any wildlife	\$400	\$500	Yes
11.1.7	Hunt or discharge a firearm	\$500	\$500	No
11.1.8	Removal or deposit of soil	\$400	\$500	Yes
12.1	Uncontrolled dog	\$400	\$500	Yes
12.2.1	Unleashed dog in on-leash area	\$300	\$400	Yes
12.2.2	Dog excrement deposit	\$400	\$500	Yes
12.2.3	Dog disturbing or molesting wildlife	\$400	\$500	Yes
12.3	Failure to remove a dog as ordered by an authorized person	\$400	\$500	No
13.1	Uncontrolled horse	\$400	\$500	No
13.2.1	Horse in area not identified for a horse	\$300	\$400	Yes
13.2.2	Horse riding in area not identified for riding	\$300	\$400	Yes

13.2.3	Horse riding contrary to a park sign or traffic control device	\$300	\$400	Yes
13.2.4	Horse riding or action that may injure or molest	\$500	\$500	No
14.1.1	Fire outside of a fire pit ring	\$400	\$500	No
14.1.2	Burning garbage or park vegetation	\$400	\$500	No
14.1.3	Leaving a fire or barbecue unattended	\$400	\$500	No
14.1.4	Discarding material that may start a fire	\$500	\$500	No
14.1.5	Fireworks or explosive materials without a permit	\$400	\$500	Yes
15.1.1	Operating a motor vehicle off road	\$300	\$400	Yes
15.1.2	Operating a motor vehicle in excess of 15 kilometers per hour	\$300	\$400	Yes
15.1.4	Operating a motor vehicle contrary to a park sign or traffic control device	\$300	\$400	Yes
15.1.5	Operating an unlicensed motor vehicle	\$300	\$400	Yes
15.1.6	Washing or repairing a motor vehicle	\$300	\$400	Yes
16.1.1	Camping in an area not designated for camping	\$300	\$400	Yes
16.1.2	Camping contrary to a park sign	\$300	\$400	Yes
17.1.1	Riding a bicycle or mobility aid in excess of 15 kilometers per hour	\$300	\$400	Yes
17.1.2	Riding a bicycle or mobility aid contrary to a park sign or traffic control device	\$300	\$400	Yes
18.1.1	Launching a boat outside of a boat launch	\$300	\$400	Yes
18.1.2	Operating a boat within a designated swimming area	\$400	\$500	No
18.1.3	Mooring a boat in a manner that impedes or endangers pedestrians	\$300	\$400	Yes
19.1.1	Remaining or entering into any park during nighttime hours	\$300	\$400	Yes
19.1.2	Enter any place where a park sign prohibits admittance or trespassing	\$300	\$400	Yes
20.3.1	Failure to produce a park use permit at the request of an authorized person	\$300	\$400	Yes
20.3.5	Failure to maintain liability insurance coverage for activities authorized under a park use 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 Solid Waste Management Facility and User Fee Bylaw No. 1764, 2016				
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 user fees	\$300	\$400	Yes
8.4(a) and 8.9	Not providing invoicing information	\$300	\$400	Yes
8.4(a) and 8.11(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)	Deposit of prohibited waste without authorization	\$500	\$500	No
8.4(a) and 8.11(c)	Deposit of industrial waste without authorization	\$500	\$500	No
8.4(b) and 8.11(d)	Deposit of municipal solid waste contrary to direction	\$500	\$500	Yes
8.4(a) and 8.11(e)	Deposit of out of region waste without authorization	\$500	\$500	Yes
8.4(a) and 8.11(f); 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(b) and 8.11(i)	Acting contrary to direction	\$300	\$400	Yes
8.4(a) and 8.11(j)	Removal or alteration of a sign	\$300	\$400	Yes
8.4(b) and 8.11(k)	Dangerous operation of motor vehicle	\$500	\$500	No
8.4(b) and 8.11(l)	Operation of a motor vehicle off road	\$400	\$500	Yes
8.4(a) and 8.11(m)	smoking	\$300	\$400	Yes
8.4(a) and 8.11(n)	Removal of salvage	\$400	\$500	Yes
8.4(a) and 8.11(o)	Release of ozone depleting substance	\$500	\$500	Yes
8.4(a) and 8.11(p)	Ignite a fire	\$500	\$500	No
8.4(a) and 8.11(q)	Discharge a firearm	\$500	\$500	No
8.4(a) and 8.11(r)	Children under 10 or pets outside of vehicle	\$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 Special Events Bylaw No. 1194				
4	Special Event without Board approval	\$500	\$500	No
5	Special Event without licence	\$500	\$500	No
6	Special event contrary to licence	\$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	\$500	\$500	Yes
4.1(b)	More than 2 derelict motor vehicles	\$500	\$500	Yes
4.2	Filth, discarded material and rubbish on a property	\$500	\$500	Yes
4.3	Unsightly property	\$500	\$500	Yes
6.3	Obstruct bylaw enforcement officer	\$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 Zoning Bylaw 1800, 2020				
2.0.2.1 and one of the following: 3.0.2.1; 3.0.2.2(a); 3.0.2.2(b); 3.0.2.2(c); 3.0.2.2(d)(i) to (xvii); 3.0.2.3(a) to (g); or 3.0.2.4(a) to (h)	Fails to meet home occupation requirements	\$300	\$400	Yes
2.0.2.1 and one of the following: 3.0.3.1(a) to (f)	Fails to meet portable sawmill requirements	\$400	\$500	Yes
2.0.2.1 and 3.0.4.1	Unlawful storage or parking of derelict motor vehicles	\$400	\$500	Yes
2.0.2.1 and one of the following: 3.0.5.1(a); or 3.0.5.1(b)	Unlawful accessory building	\$400	\$500	Yes
2.0.2.1 and one of the following: 3.0.8.1(a) to (e);	Failure to meet natural boundary setbacks	\$400	\$500	Yes
2.0.2.1 and one of the following: 3.0.14.1; 3.0.14.2; 3.0.14.3(a) to (c); or 3.0.1.14.44(a) to (c)	Unlawful wind turbine	\$400	\$500	Yes
2.0.2.1 and one of the following: 29.0.1.1; 29.0.1.2; 29.0.1.3 (a) to (e); 29.0.1.4; or 29.0.1.5	Fails to meet off-street parking requirements	\$400	\$500	Yes
2.0.2.1 and one of the following: 29.0.2.1; 29.0.2.2; 29.0.2.3(a) to (c); or 29.0.2.4	Failure to meet off-street loading requirements	\$400	\$500	Yes
2.0.2.3 and one of the following: 5.0.1; 6.0.1; 7.0.1; 8.0.1; 8.0.3; 9.0.1; 10.0.1; 11.0.1; 12.0.1; 12.0.3.1; 12.0.3.2; 12.0.3.3; 12.0.3.4; 12.1.1; 12.1.3.1; 12.1.3.2; 12.1.3.3; 12.1.3.4; 12.2.1; 12.2.3.1; 12.2.3.2; 12.2.3.3; 12.2.3.4; 12.2.3.5; 12.2.3.6; 13.0.1; 13.0.3.1; 13.0.3.2; 14.0.1; 14.0.3.1; 14.1.1; 14.1.3.1; 14.1.3.2; 14.1.3.3; 14.2.1; 14.2.3.1; 14.2.3.2; 15.0.1; 15.0.3.1; 15.0.3.2; 16.0.1; 17.0.1; 18.0.1; 18.1.1; 19.0.1; 19.1.1; 20.0.1; 21.0.1; 22.0.1; 22.1.1; 23.0.1; 24.0.1; 25.0.1; 25.1.1; 26.0.1; 26.1.1; 27.0.1; or 28.0.1	Unlawful use or development of land or structure for a use not permitted	\$400	\$500	Yes
2.0.2.4 and one of the following: 9.0.1.2; 10.0.1.2; 11.0.1.2; 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 permitted	\$400	\$500	Yes
2.0.2.5 and one of the following: 5.0.2; 6.0.2.1; 6.0.2.2; 7.0.2; 8.0.2; 9.0.2.1; 9.0.2.2; 10.0.2; 11.0.2.1; 11.0.2.2; 11.0.2.3; 12.0.2; 12.1.2; 12.2.2.1; 12.2.2.2; 12.2.2.3;	Exceeds maximum density	\$400	\$500	Yes

13.0.2.1; 13.0.2.2; 13.0.2.3; 14.0.2.1; 14.0.2.2; 14.0.2.3; 14.1.2; 14.2.2.1; 14.2.2.2; 14.2.2.3; 15.0.2.1; 15.0.2.2; 16.0.2.1; 16.0.2.2; 17.0.2.1; 17.0.2.2; 18.0.2; 18.1.2; 19.0.2; 19.1.2; 20.0.2.1; 20.0.2.2; 21.0.2.1; 21.0.2.2; 21.0.2.3; 21.0.2.4; 22.0.2; 22.1.2.1; 22.1.2.2; 23.0.2; 24.0.2; 25.0.2; 25.1.2; 26.0.2.1; 26.0.2.2; 26.1.2.1; 26.1.2.2; or 27.0.2				
2.0.2.5 and one of the following: 5.0.4; 6.0.5; 7.0.5; 8.0.6; 9.0.4; 12.1.5; 12.2.5; 13.0.5; 18.0.4; 18.1.4; 19.0.4; 19.1.4; 22.0.4; 22.1.4; 23.0.4; 24.0.4; 25.0.4; or 25.1.4	Exceeds parcel coverage restriction	\$400	\$500	Yes
2.0.2.5 and one of the following: 5.0.5.1(a) to (e); 6.0.6.1(a) to (e); 7.0.6.1(a) to (d); 8.0.7.1(a) to (d); 9.0.5.1(a) to (c); 11.0.4; 12.0.5.1(a) to (d); 12.1.6; 12.2.6.1 (a) to (c); 12.2.6.2; 13.0.6.1(a) to (b); 13.0.6.2; 14.0.5.1(a) to (c); 14.1.5.1 (a) to (c); 14.2.5.1(a) to (c); 15.0.5.1; 15.0.5.2(a); 16.0.4.1; 16.0.4.2(a); 17.0.4.1; 17.0.4.2(a); 18.0.5.1(a) to (e); 18.1.5.1(a) to (e); 19.0.5.1(a) to (f); 19.1.5.1(a) to (f); 20.0.4.1; 21.0.4.1; ; 21.0.4.2 (a) to (b); 21.0.4.3; 22.0.5.1(a) to (b); 22.1.5.1(a) to (b); 23.0.5.1(a) to (b); 23.0.5.2(a); 24.0.5.1(a) to (b); 24.0.5.2(a); 25.0.5.1(a) to (c); 25.1.5.1(a) to (c); 25.1.5.2(a) to (b); 26.0.4.1(a) to (c); 26.1.4.1(a) to (c); 27.0.4; or 28.0.2	Structure located within setback from parcel line	\$400	\$500	Yes
2.0.2.5 and one of the following: 5.0.6.1; 6.0.7.1; 7.0.7.1; 8.0.8.1; 11.0.5.2; 12.1.7.3; 12.2.7.2; or 13.0.7.2	Fence exceeds maximum height	\$400	\$500	Yes
2.0.2.5 and one of the following: 11.0.5.1; 12.0.6; 12.1.7.1; or 12.1.7.2; 12.2.7.1; or 13.0.7.1	Structure or building exceeds maximum height	\$400	\$500	Yes
2.0.2.5 and one of the following: 15.0.5.2(b); 16.04.2(b); 17.0.4.2(b) 23.0.5.2(b), or 24.0.5.2(b)	Failure to meet natural boundary setbacks in a zone	\$400	\$500	Yes
2.0.2.1 and 3.0.11	Unlawful placement within sight triangle	\$400	\$500	Yes
2.0.2.5 and one of the following: 3.0.13.1; 3.0.13.2; 3.0.13.3(a); 3.0.13.3(b); or 3.0.13.4	Unlawful livestock, poultry, and beekeeping	\$400	\$500	Yes
2.0.2.5 and 11.0.6	Fails to meet standards of manufactured home park bylaw	\$400	\$500	Yes
2.0.2.5 and one of the following: 11.0.7.1 or 11.0.7.2	Fails to meet minimum permitted separation	\$400	\$500	Yes

	between manufactured homes			
2.0.2.5 and 12.0.7.1	Unlawful fence	\$400	\$500	Yes
2.0.2.5 and one of the following: 12.2.8.1; or 12.2.8.2	Fails to meet parking requirements	\$400	\$500	Yes
2.0.2.5 and one of the following: 22.0.6; 22.1.6, or 23.0.6	Fails to meet screening requirements	\$400	\$500	Yes
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

Schedule "B"
to Regional District of Bulkley-Nechako
Bylaw Notice Enforcement Bylaw No. 2041, 2025

Compliance Agreement

pursuant to the **Regional District of Bulkley-Nechako Bylaw Notice Enforcement Bylaw No. 2041, 2025**

I, _____ of _____
 (Name) (Civic 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.

 Screening Officer Name (Printed)

 Screening Officer Signature

 Date signed

 Bylaw Notice Recipient Signature

 Date signed



**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, 2025

THIS AGREEMENT made this day of , 2025 (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 \$25.00 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 the Council or Board of each Party authorizing this Agreement.

"Parties" means the Regional District of Bulkley-Nechako, the Village of Burns Lake, and any additional local government that may be included later in Schedule A in accordance with Section 21 of this Agreement.

"Party" means any one of the Parties.

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

"Regulation" means the Bylaw Notice Enforcement Regulation.

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

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

The Registry

2. Subject to the *Act* and to the adoption of the Authorizing Bylaws, the Parties to this Agreement agree that the notice dispute adjudication system, to be known as the Bulkley-Nechako Bylaw Notice Dispute Adjudication Registry, is hereby established.
3. The RDBN will operate the Registry on behalf of the Parties.
4. 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.
5. The Registry will be located at the RDBN Offices at 37 3rd Avenue, PO Box 820, Burns Lake, BC, V0J 1E0.

Screening Officer

6. 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.
7. Each Party is responsible for appointing its Screening Officers in accordance with the Act, and for administering and funding the Screening Officer positions. The Screening Officer positions and responsibilities are in no way a function of the Registry.

Administrative Services

8. The RDBN will provide and supervise the administrative services required by the Registry, subject to Sections 10 and 11 of this agreement.
9. The collection of penalties will be the responsibility of the applicable Party if not collected by the Registry immediately following an in-person adjudication.
10. The RDBN will not present evidence on behalf of, or represent, any other Party in support of a Bylaw Notice issued by that Party.

Oversight Committee

11. The Parties agree to establish an Oversight Committee to advise the RDBN regarding administrative procedures and policy relating to the operation of the Registry.
12. Each Party will appoint one representative to serve on the Oversight Committee. The Parties agree that the representatives will be paid employees of the Parties they represent and will not be remunerated by the Registry.
13. The Oversight 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

14. The RDBN will prepare an annual operating budget for the Registry as part of the RDBN's corporate budgeting process and will fund the operation of the Registry from this budget.
15. The RDBN will recover its costs of operating the Registry from the 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.

16. 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.
17. Any fees or penalties collected by the Registry will be credited to the relevant Party and subtracted from the amount owing by that Party for their participation in the Registry.
18. 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 applicable 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

19. 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.
20. Subject to adoption of the required Authorizing Bylaw additional member municipalities of the RDBN may be added to this agreement in Schedule A without further modification of this Agreement by RDBN Board resolution, and execution of Section 28 of this Agreement by that municipality.
21. A Party may withdraw from this agreement by providing written notice to the other Parties 90 days in advance of that Party's withdrawal.

Dispute Resolution

22. 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 a Party, written notice may be provided by a Party to the Parties describing the nature of the breach or alleged breach, or the disagreement or dispute. In the event that such notice is given, the Parties will:

- 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 all Parties is not achieved within 60 (sixty) days of the first written notice being delivered to the other Parties, then either Party may serve a second written notice upon the other Parties 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 *Arbitration Act* to hear all Parties to the dispute and the decision of that arbitrator shall be final, conclusive and binding on all Parties, with costs payable in respect of the arbitration to be determined by the arbitrator.

Term

23. This Agreement comes into effect on _____ and continues in effect until December 31, 2030. 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, 2031, whichever comes first. Any Party may withdraw from this Agreement upon 30 days' written notice to the other Parties.

Law Applicable:

24. 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 will negate or fetter the legal authority of a Party to this Agreement.
25. 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.
26. 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.

- 27 Each Party must immediately inform the other Parties if the insurance coverage required herein is cancelled, expired or has otherwise lapsed.

Execution of Agreement

28. This Agreement may be executed in counterparts through original copies, facsimile copies, or by emailed PDF copies. Each counterpart will be deemed to be an original that, together with the other counterparts, constitutes one agreement having the same effect as if the parties had signed the same document.

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:

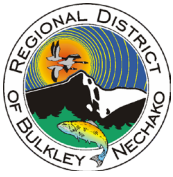
Local Government	Date Joined

SCHEDULE B (FEES)

Hearing Scheduling Fee	\$50.00 per hearing
Hearing Fee	\$50 per quarter hour of hearing time

BYLAW AMENDMENTS

Date Approved	RDBN Board Resolution	Description



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Directors
From: Jason Llewellyn, Director of Planning and Development
Date: May 22, 2025
Subject: **Draft Bylaw Enforcement Policy**

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

That the Board approve the Bylaw Enforcement Policy.

DISCUSSION

At the April 10, 2025 Committee of the Whole Meeting the draft Bylaw Enforcement Policy was reviewed. At that meeting the Committee directed that Section 39 (allowing electoral areas to be exempted from the issuance of Bylaw Notices) be removed from the Bylaw Enforcement Policy.

At the April 24 Board meeting the Board deferred the draft Bylaw Enforcement Policy to the May 8, 2025 Committee of the Whole Meeting. At that meeting the Committee directed that a new Section 39 be added to the policy allowing electoral areas to be exempted from the issuance of bylaw notices (with the exception of notices for contraventions of the Solid Waste Management Bylaw and the Parks Use Regulatory Bylaw (Bylaw no. 1989, 2023). Based on discussions with Board members staff have added Electoral Areas G and E to Section 39 in the draft policy presented to the Board for consideration.

This policy is a comprehensive guide for RDBN staff regarding the manner in which bylaw enforcement is undertaken in the RDBN. The policy deals with the receipt and investigation of bylaw complaints, the enforcement of bylaw infractions, and staff's engagement and information sharing with the public.

The intent is a bylaw enforcement process which is impartial, fair, efficient, reasonable, and predictable. The policy takes a progressive approach which recognizes that enforcement action is discretionary and complaint driven, and that a certain level of tolerance is necessary given the size of the region, the low density of development, community character, and the RDBN's limited bylaw enforcement capacity.

ATTACHMENTS:

Bylaw Enforcement Policy



REGIONAL DISTRICT OF BULKLEY-NECHAKO

BYLAW ENFORCEMENT POLICY

Approved: "date"

POLICY STATEMENT

1. This policy establishes the procedures and practices by which the Regional District of Bulkley-Nechako (RDBN) undertakes bylaw enforcement in the RDBN's electoral areas. This policy provides direction to staff, Board members, and the public regarding the following:
 - a. the RDBN's guiding principles for bylaw enforcement
 - b. how enforcement action may be initiated
 - c. the investigation and enforcement process
 - d. public communication regarding bylaw enforcement issues
2. The Chief Administrative Officer may waive this policy or authorize an exemption on a case-by-case basis.

DEFINITIONS

3. The following definitions apply to this policy:
 - a. "Complainant" means the person making a complaint regarding a potential bylaw infraction
 - b. "Alleged Offender" means a person who is under investigation for causing a bylaw infraction and / or the owner of a property on which a potential bylaw infraction may have occurred

BYLAW ENFORCEMENT OFFICERS

4. Bylaw Enforcement Officers for the RDBN include the persons employed in the following positions: Director of Planning and Development, Deputy Director of Planning and Development, Director of Environmental Services, Bylaw Enforcement Officer, Senior Building Inspector, Building Inspector, Planning and Parks Coordinator, Senior Planner, Planner, 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. The

following positions are authorized to perform the following bylaw enforcement duties:

- a. Director of Planning / Deputy Director of Planning
 - i. All bylaw enforcement activities including the issuance of Bylaw Notices
 - ii. Reporting to the Board on bylaw enforcement issues
- b. Bylaw Enforcement Officer Position
 - i. All bylaw enforcement activities including the issuance of Bylaw Notices
 - ii. Reporting to the Board on bylaw enforcement issues
- c. Director of Environmental Services
 - i. All bylaw enforcement activities related to Environmental Services Department operations including the issuance of Bylaw Notices
- d. Senior Building Inspector / Building Inspector
 - i. Investigation of compliance to bylaws adopted under the authority of Part 9 of the *Local Government Act*
 - ii. Issuance of written warnings regarding bylaw compliance to alleged offenders
 - iii. Issuance of a Stop Work Order or Do Not Occupy Notice pursuant to the Building Bylaw
- e. Planning and Parks Coordinator
 - i. Investigation of compliance to bylaws adopted under the authority of Part 14 of the *Local Government Act* and the Parks and Trails service
 - ii. Issuance of written warnings regarding bylaw compliance to alleged offenders
- f. Senior Planner / Planner
 - i. Investigation of compliance to bylaws adopted under the authority of Part 14 of the *Local Government Act*
 - ii. Issuance of written warnings regarding bylaw compliance to alleged offenders

BYLAW ENFORCEMENT GUIDING PRINCIPLES

- 5. The RDBN takes a progressive bylaw enforcement approach with a focus on achieving voluntary compliance through education and public awareness.
- 6. The RDBN has no duty to investigate complaints regarding potential bylaw infractions or take enforcement action to enforce bylaws. Given the size of the region, the low density of development, and the RDBN's limited bylaw enforcement capacity bylaw enforcement is discretionary.

7. Bylaw Enforcement Officers have the discretion to exercise judgement in determining when, where, and how to apply the RDBN's limited bylaw enforcement resources. This discretion is to be exercised in general compliance with this policy and in a manner which is impartial, fair, efficient, reasonable, and predictable.
8. The following factors will be considered by the Bylaw Enforcement Officers when setting enforcement priorities and making decisions regarding enforcement.
 - a. The impact to public safety
 - b. The impact to the environment
 - c. The impact to resident quality of life
 - d. The community standards
 - e. The potential for permanent change to the built or natural environment
 - f. The Alleged Offender's history of non-compliance
 - g. The scale of the infraction
 - h. The duration of the infraction
 - i. The available enforcement resources and associated enforcement costs
 - j. The probability of successful enforcement
 - k. Any general directives from the RDBN Board

COMPLAINTS

9. The RDBN bylaw enforcement process relies primarily on public complaints to identify bylaw infractions. However, a bylaw enforcement investigation may be initiated based on the following:
 - a. Direction from the RDBN Board of Directors or Chief Administrative Officer
 - b. A complaint from a member of the public
 - c. A complaint from a member of staff that has Bylaw Enforcement Officer responsibilities
 - d. A complaint from a Board member
 - e. A complaint from a third party such as a First Nation, municipality, RCMP, utility, or Provincial Ministry
10. All complaints must be provided in writing by letter or e-mail. Staff may use a bylaw enforcement complaint form to facilitate the complaint receipt process.

Bylaw Infraction Complaints from the Public

11. Complaints from a member of the public may not be accepted if the complainant refuses to provide their name, address, and telephone number.
12. An anonymous complaint may be acted upon at the discretion of a Bylaw Enforcement Officer if the bylaw infraction is a priority enforcement situation.
13. Complaints from a member of the public may not be accepted if the complainant does not provide a clear description of the location of the infraction and a description of the infraction.
14. A Bylaw Enforcement Officer will respond to a complainant to acknowledge receipt of a complaint. However, staff will not proactively update a complainant regarding the status of an investigation or enforcement action. General information regarding the active or inactive status of an enforcement situation, and reasons enforcement activity is not being pursued, may be shared when requested by a complainant.

Bylaw Infraction Complaints from Staff

15. Complaints can be made by any staff that have Bylaw Enforcement Officer responsibilities at their discretion based on consideration of the priority enforcement factors; however, there is no requirement that a staff member shall make a complaint if a bylaw infraction is observed.
16. A staff person processing a development application under Part 9 or 14 of the Local Government Act may initiate an investigation if a potential bylaw infraction is identified as part of the development application process.

Bylaw Infraction Complaints from a Board Member

17. Complaints can be made by any Board member to the Chief Administrative Officer, Director of Planning and Development, or Deputy Director of Planning and Development at their discretion based on consideration of the priority enforcement factors; however, there is no requirement that a Board member shall make a complaint if a bylaw infraction is observed.
18. Complaints from a Board member should not be made on behalf of an anonymous member of the public. Where a Board member is making a complaint on behalf of a member of the public the Board member should obtain that persons consent to

release their name and address to staff, and the complaint shall be treated as a complaint from a member of the public.

Bylaw Infraction Complaints from a Third Party

19. A complaint from a third party such as a First Nation, municipality, RCMP, utility, or Provincial Ministry must be made on behalf of that organization.
20. Where a member of that organization is making a complaint on their own behalf or on behalf of a member of the public that person's name and address should be provided (if their consent has been obtained), and the complaint shall be treated as a complaint from a member of the public.

Frivolous, Vexatious and Repeat Complaints

21. Complaints made for vexatious or retaliatory purposes may not be acted upon at the discretion of the Bylaw Enforcement Officer based on their evaluation of the situation including consideration of the priority enforcement factors.
22. Frivolous or repeat complaints may not be acted upon at the discretion of the Bylaw Enforcement Officer based on their evaluation of the situation including consideration of the priority enforcement factors and the results of previous investigations.

INVESTIGATIONS

23. Upon acceptance of a complaint an investigation will be initiated by a Bylaw Enforcement Officer. This investigation may include among other things a site visit, taking pictures, a conversation with the complainant, and a conversation with the alleged offender.
24. When conducting a site visit to investigate compliance to a bylaw the following procedure shall be followed (subject to compliance with the authority provided in the applicable bylaw).
 - a. Private property may be inspected from a public space or adjacent property at any time without notice to the property owner or occupant.
 - b. Private property may be entered at any reasonable time without advance notice if necessary to investigate a potential bylaw infraction. Upon entering a property, the Bylaw Enforcement Officer will proceed directly to any dwelling on the

property, or other building which may be occupied, to inform any occupant of the property of their presence and to request an inspection. The Bylaw Enforcement Officer should leave the property if requested.

- c. A drone may be used to investigate compliance to a bylaw or document a bylaw infraction provided that the property owner has been provided with notice at least 2 days in advance of the drones use.
 - d. Where the inspection requires entry into a building which is not open to the public the Bylaw Enforcement Officer shall endeavor to obtain consent to enter.
25. A Bylaw Enforcement Officer may end an investigation if the preliminary review shows that:
- a. There is no apparent bylaw infraction.
 - b. The complaint is vexatious, retaliatory, or frivolous.
 - c. The infraction is not significant, is not an enforcement priority, and spending resources on enforcement is not in the best interest of the RDBN.
26. Where a complaint is received regarding an issue which does not have the potential to be an infraction of an RDBN bylaw the Bylaw Enforcement Officer may investigate that complaint, at their discretion, to determine if it is appropriate to forward that complaint on to another agency. In this situation the investigation should not involve the entering of private property.
27. Prior to initiation of any enforcement action the Bylaw Enforcement Officer should confirm that a bylaw infraction has occurred with the Director of the Department responsible for the bylaw in question.

ENFORCEMENT

28. Should an investigation confirm that a bylaw infraction may have occurred, or continues to occur, and further enforcement action is required a Bylaw Enforcement Officer shall take the following progressive enforcement steps:
- a. Step 1: verbal education and request for compliance
 - b. Step 2: written warning and Stop work Orders
 - c. Step 3: Bylaw Notice
 - d. Step 4: Board directed action

Step 1: Verbal Education and Requests for Compliance

29. The first step in the enforcement process is to attempt to make contact with the alleged offender to explain the bylaw requirements, request compliance, or identify an acceptable path towards compliance. The Bylaw Enforcement Officer has discretion regarding the time spent at step 1 attempting to gain compliance where the bylaw infraction is not an enforcement priority.
30. Where the bylaw infraction is not an enforcement priority, and escalation to step 3 or 4 is unlikely given the nature of the infraction the enforcement process may be ended at step 1, and the situation may be monitored.

Step 2: Written Warnings and Stop Work Orders

31. The second step in the enforcement process is to provide the alleged offender with a letter detailing the bylaw infraction and explaining the remedy requested. The issuance of a Stop Work Order or Do Not Occupy Notice pursuant to the Building Bylaw is considered a step 2 enforcement action.
32. The Bylaw Enforcement Officer has discretion regarding the time spent at step 2 and the number of letters sent based on the level of enforcement priority given to the infraction.
33. Where the bylaw infraction is not enough of an enforcement priority to proceed to step 3 or 4 the enforcement process may be ended at step 2, and the situation may be monitored.
34. A written warning, Stop Work Order or Do Not Occupy Notice may be issued upon confirmation of a bylaw infraction without first proceeding through step 1 where appropriate. Examples of where this may be appropriate are:
 - a. An alleged offender cannot be contacted verbally
 - b. The alleged offender has a history of non-compliance with bylaws
 - c. The bylaw infraction is a high enforcement priority and there is a negative impact that may continue or worsen if the infraction continues
 - d. Issuance of a Stop Work Order or Do Not Occupy Notice

Step 3: Bylaw Notice

35. The third step in the enforcement process is to provide the alleged offender with a Bylaw Notice where an infraction has been confirmed and as authorized under the RDBN's Bylaw Notice Enforcement Bylaw.
36. A Bylaw Notice may be issued immediately upon confirmation of a bylaw infraction without first proceeding through steps 1 and 2. Examples of where this may be appropriate are:
 - a. The bylaw infraction is occurring at an RDBN facility such as a park, trail, or transfer station
 - b. The bylaw infraction is committed by a person with a history of non-compliance with bylaws, or by a person who knows or ought to have known that their actions contravene a bylaw.
 - c. The bylaw infraction is a high enforcement priority and there is a notable negative impact that may continue or worsen if the infraction continues
37. Where a bylaw infraction is a high enforcement priority and there is a negative impact that may continue or worsen if the infraction continues the Bylaw Enforcement Officer may issue a ticket each day over multiple days.
38. The registration of a notice on title under section 57 of the *Community Charter* is not a bylaw enforcement action subject to this policy.
39. In Electoral Area G (Houston / Granisle Rural) and Electoral Area E (Francois / Ootsa Rural) Bylaw Notices may only be issued for contraventions of the Solid Waste Management Bylaw (Bylaw No. 1764, 2016) and the Parks Use Regulatory Bylaw (Bylaw no. 1989, 2023).

Step 4: Board Directed Action

40. The Chief Administrative Officer or Director of Planning and Development may consider, at any time, recommending to the RDBN Board that the RDBN take the following enforcement actions:
 - a. An application for an injunction or court order requiring compliance with RDBN bylaws

- b. Long form prosecution asking the court to find a person guilty of an offence under the Offence Act
 - c. Remedial Action to address an unsafe condition or contravention of the Building Code or Building Bylaw
 - d. Direct action under the Unsightly Premises Bylaw.
41. Where court proceedings have been authorized by the Board staff shall proceed at their discretion in consultation with legal counsel. This discretion includes Chief Administrative Officer decisions regarding waiving of legal costs and agreeing to consent orders.
 42. To maintain impartiality members of the Board shall remain uninvolved in specific bylaw enforcement decisions until the matter is put before the Board for consideration. Board member inquiries relating to bylaw enforcement matters shall be directed to the Chief Administrative Officer, the Director of Planning and Development or the Deputy Director of Planning and Development.
 43. A Senior Building Inspector or Building Inspector may seek Board direction regarding enforcement action as part of the process to register a notice on title pursuant to Section 57 of the *Community Charter*.

CONFIDENTIALITY

44. Maintaining the confidentiality of members of the public making a complaint regarding a bylaw infraction helps to ensure that those persons are not subject to retaliatory action.
45. Subject to the *Freedom of Information and Protection of Privacy Act* and the provisions of this policy, the RDBN will not release to any alleged offender or member of the public the identity of a complainant who made their complaint as a member of the public, or personal information or other information which may help identify a complainant who made the complaint as a member of the public, except as required by law (see section 47).
46. The RDBN will release to any alleged offender or member of the public the name of a Bylaw Enforcement Officer or Board member who has made a complaint regarding a bylaw contravention.

47. Subject to the Freedom of Information and Protection of Privacy Act the response of an alleged offender and other information regarding their enforcement history shall not be disclosed to a complainant who is a member of the public. However, this information may become publicly available should staff report to the Board on the issue, or should enforcement proceed to court or an adjudication hearing for a Bylaw Notice (see section 47).
48. The situations in which complainant information or an offender's enforcement history may be disclosed include:
 - a. If required by Court Order
 - b. If required under the *Freedom of Information and Protection of Privacy Act*
 - c. If required as part of the disclosure process in the event of a prosecution or civil proceedings
 - d. If the person to whom the personal information pertains consents to the disclosure
49. A complainant may be requested to sign an affidavit and / or be prepared to stand as a witness should enforcement action proceed to court or an adjudication hearing for a Bylaw Notice.
50. A Bylaw Enforcement Officer will only collect personal information that is necessary for the investigation, or the monitoring and enforcement of an alleged bylaw infraction.
51. If a request is made under the *Freedom of Information and Protection of Privacy Act*, for the disclosure of the identity of a complainant or for other personal information the RDBN will refuse disclosure under Section 15 of the *Act*, unless consent is obtained from the persons who supplied the information and who would otherwise be assured of confidentiality under this policy and provided that the complaint has not been publicly disclosed by the complainant. The RDBN may disclose the substance of a complaint with redactions made in accordance with the *Freedom of Information and Protection of Privacy Act*. The RDBN is also subject to orders issued by a court and by the Information and Privacy Commissioner under the *Freedom of Information and Protection of Privacy Act* and the RDBN may decide to not appeal an order for disclosure of the complainant's information.

SAFETY

52. Staff safety is a priority. A Bylaw Enforcement Officer should not undertake any site visit where they believe an unsafe condition may exist and may request the presence of a second Bylaw Enforcement Officer at their discretion.
53. If a Bylaw Enforcement Officer is threatened verbally or physically while administering bylaws the Bylaw Enforcement Officer may take the following actions:
 - a. The Bylaw Enforcement Officer may refrain from verbal communication with the individual
 - b. The RDBN may be contacted and informed of the threat
 - c. Any required future site visits may be undertaken with an RCMP escort

ENFORCEMENT APPEALS

54. Discretionary decisions of a Bylaw Enforcement Officer may be appealed by members of the public to the Director of Planning and Development. An appeal must be made in writing by letter or email and must include a description of the situation, and the reasons for the appeal.
55. Appeals relating to Bylaw Notices are considered as outlined in the RDBN's Bylaw Notice Enforcement Bylaw. In those disputes the decisions of the screening officer and adjudicator are final.



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board

From: Jason Llewellyn, Director of Planning and Development

Date: May 22, 2025

Subject: 2025/26 Annual Operating Agreement with BC Transit

RECOMMENDATION: (all/directors/majority)

That the Board receive the 2025/26 Annual Operating Agreement and approve entering into the Agreement with BC Transit.

DISCUSSION

Attached is the 2025/26 Annual Operating Agreement (AOA) that formalizes the partnership with BC Transit to operate the Bulkley-Nechako Regional Transit Service. The table below shows the historical RDBN share of the costs indicated in Schedule "C" of the Annual Operating Agreements.

OPERATING YEAR	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Net RDBN Share (AOA Sch. "C")	\$100,410	\$92,259	\$109,981	\$102,077	\$139,609	\$146,916	\$162,036

The increase in the Net RDBN Share of Costs is largely due to an increase in vehicle maintenance. The Province has indicated that new buses are expected in 2025/26.

ATTACHMENTS:

- Cover Letter from BC Transit
- 2025/26 Annual Operating Agreement



April 16, 2025

BY EMAIL: jason.llewellyn@rdbn.bc.ca

Jason Llewellyn,
 Director of Planning
 Regional District of Bulkley-Nechako
 37 3rd Avenue
 Burns Lake, BC V0J 1E0

Dear Jason,

Re: 2025-26 Annual Operating Agreement – Regional District of Bulkley-Nechako

As we provide you with your 2025-2026 Annual Operating Agreement (AOA), we want to take the opportunity to update you on changes reflected in your agreement and highlight key pieces of information for your consideration.

BC Transit's approved 2025/26 operating budget will enable the continued delivery of safe and reliable public transit service to the more than 130 communities that we serve around the province. Our budget will also support service expansion in a number of transit systems, allowing improvements to service reliability, additional frequency and more capacity for handyDART customers. This investment in public transit across B.C. will help ensure that our customers can access their work, school and community services with an affordable and reliable transportation service that they can rely on.

Increasing ridership, as well as making investments into new and innovative projects to support this growth, will be key objectives for our organization. The introduction of new battery electric buses to our fleet in the coming months will be a significant milestone for BC Transit, while at the same time we pursue a broader fleet acquisition strategy to achieve GHG emissions targets and replace aging vehicles. Our Umo electronic fare collection system will begin offering customers the option of paying by tapping their debit or credit cards. Finally, we will begin to pursue opportunities to expand our OnDemand service to additional communities following a successful pilot program in Kelowna.

The language contained in the Annual Operating Agreement is regularly reviewed and updated to reflect any material changes to our funding model or other special circumstances. You will note that what was previously referred to as *Section 9: Safe Restart Contribution* has been removed as provisions outlined in our agreement with the Province for the Safe Restart Program are no longer in effect.

Finally, a reminder that the information contained in your Detailed AOA budget (which is distributed to you separately from your AOA) includes commercially confidential information from our operating company and is subject to protection afforded by the *Freedom of Information & Protection of Privacy Act*. Any reports to Council or Regional District Boards, or any discussions which may be made within the public realm must be limited to the line items showing Revenues, Total Operating Costs, Total Costs and Total Local Government's Share of Costs. The schedules attached to your Annual Operating Agreement have been modified accordingly.

As required by the Provincial Operating Contribution Agreement, all AOAs must be signed and returned to BC Transit **no later than June 30, 2025**.

If you have any questions regarding your agreement or the associated budget, please contact me at your earliest convenience so I can provide you with any additional information that you require.

Sincerely,



Elise Wren
Government Relations Manager

Enclosed: 2025-26 Annual Operating Agreement – Regional District of Bulkley-Nechako

ANNUAL OPERATING AGREEMENT

between

Regional District of Bulkley- Nechako

and

British Columbia Transit

Effective
April 1, 2025

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ANNUAL OPERATING AGREEMENT

April 1, 2025 – March 31, 2026

BETWEEN: **Regional District of Bulkley-Nechako**
(the "Municipality")

AND: **British Columbia Transit**
(the "Authority")

WHEREAS the Authority is authorized to contract for transit services for the purpose of providing and maintaining those services and facilities necessary for the establishment, maintenance and operation of a public passenger transportation system in the Transit Service Area;

WHEREAS the Municipality is authorized to enter into one or more agreements with the Authority for transit services in the Transit Service Area;

WHEREAS the parties hereto have entered into a Transit Service Agreement which sets out the general rights and responsibilities of the parties hereto;

WHEREAS the Municipality and the Authority are authorized to share in the costs for the provision of a Public Passenger Transportation System pursuant to the *British Columbia Transit Act*;

AND WHEREAS the parties hereto wish to enter into an Annual Operating Agreement which sets out, together with the Transit Service Agreement, the specific terms and conditions for the Public Passenger Transportation System for the upcoming term.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants hereinafter contained, the parties covenant and agree with each other as follows:

SECTION 1: DEFINITIONS

Unless agreed to otherwise in the Annual Operating Agreement, the definitions set out in the Transit Service Agreement shall apply to this Annual Operating Agreement including:

- a) *"Annual Operating Agreement"* shall mean this Annual Operating Agreement and any Annual Operating Agreement Amendments negotiated and entered into by the parties subsequent hereto;
- b) *"Transit Service Agreement"* shall mean the Transit Service Agreement between the parties to this Annual Operating Agreement, including any amendments made thereto;
- c) *"Incurred"* means an event or transaction has taken place for which an obligation to pay exists, even if an invoice has not been received, such that the underlying evidence indicates there is little or no discretion to avoid the obligation. The value of the obligation is to be calculated in accordance with recognized Canadian accounting standards.

SECTION 2: INCORPORATION OF SCHEDULES

All schedules to this agreement are incorporated into the agreement, and form part of the agreement.

SECTION 3: INCORPORATION OF TRANSIT SERVICE AGREEMENT

Upon execution, this Annual Operating Agreement shall be deemed integrated into the Transit Service Agreement and thereafter, the Transit Service Agreement and Annual Operating Agreement shall be read together as a single integrated document and shall be deemed to be the Annual Operating Agreement for the purposes of the *British Columbia Transit Act*, as amended from time to time.

SECTION 4: TERM AND RENEWAL

- a) The parties agree that the effective date of this agreement is to be April 1, 2025, whether or not the agreements have been fully executed by the necessary parties. Once this agreement and the associated Transit Service Agreement are duly executed, this agreement will replace all provisions in the existing Transit Service Agreement and Master Operating Agreement with respect to the rights and obligations as between the Authority and the Municipality.
- b) Upon commencement in accordance with Section 4(a) of this agreement, the term of this agreement shall be to March 31, 2026, except as otherwise provided herein. It is acknowledged by the parties that in the event of termination or non-renewal of the Annual Operating Agreement, the Transit Service Agreement shall likewise be so terminated or not renewed, as the case may be.
- c) Either party may terminate this agreement as follows:
 - i. Cancellation by the Authority: In the event that the Authority decides to terminate this Agreement for any reason whatsoever, the Authority shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 11.
 - ii. Cancellation by the Municipality: In the event that the Municipality decides to terminate this Transit Service Agreement for any reason whatsoever, and by extension, the Annual Operating Agreement, the Municipality shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 11.

SECTION 5: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

This Agreement and the parties hereto are subject to the provisions of the *Freedom of Information and Protection of Privacy Act* (FOIPPA). Any information developed in the performance of this Agreement, or any personal information obtained, collected, or stored pursuant to this Agreement, including database information, shall be deemed confidential and subject to the provisions of FOIPPA, including the handling, storage, access and security of such information. Confidential information shall not be disclosed to any third party except as expressly permitted by the Authority or pursuant to the requirements of FOIPPA.

SECTION 6: SETTLEMENT OF DISPUTES

In the event of any dispute arising between or among the parties as to their respective rights and obligations under this Agreement, or in the event of a breach of this Agreement, the parties agree to use their best efforts to find resolution through a mediated settlement. However, in the event that mediation is not successful in finding a resolution satisfactory to all parties involved, any party shall be entitled to give to the other notice of such dispute and to request arbitration thereof; and the parties may, with respect to the particular matter then in dispute, agree to submit the same to a single arbitrator in accordance with the applicable statutes of the Province of British Columbia.

SECTION 7: MISCELLANEOUS PROVISIONS

- a) Amendment: This agreement may only be amended in writing as signed by the Municipality and the Authority and specifying the effective date of the amendment.
- b) Assignment: This Agreement shall not be assignable without prior written consent of the parties.
- c) Enurement: This Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors.
- d) The parties agree that this agreement is in substantial compliance with all relevant legislative requirements to establish the rights and obligations of the parties as set out in the *British Columbia Transit Act*.

SECTION 8: LOCAL CONTRIBUTIONS AND RESERVES

British Columbia Transit service is provided using a cost-sharing model. Where any transit-related contributions are received and/or third-party revenues are earned that are in excess of expenses, the Authority is required to hold these excess funds in a reserve account for use against transit-related expenditures in future years. When unanticipated expenditures occur that were not included in the budget and cannot be covered by reserves, the Authority will seek to recover these based on the cost-sharing ratios between the Municipality and the Authority.

Eligible Operating Expenses

The Authority will invoice the Municipality and collect on monthly invoices based on incurred eligible operating expenses to provide Transit Service. Eligible operating expenses are comprised of the following costs of providing Public Passenger Transportation Systems:

- a) For *Conventional Transit Service*:
 - i. the operating costs for providing Conventional Transit Service excluding interest and amortization;
 - ii. the amount of any operating lease costs of BC Transit for Conventional Transit Services;
 - iii. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement;
 - iv. **an amount of the annual operating costs of the authority not exceeding those costs payable under an Annual Operating Agreement.**
- b) For *Custom and Paratransit Transit Service*:
 - i. the operating costs for providing Custom Transit Service excluding interest and amortization, but including the amount paid by the Authority to redeem taxi saver coupons issued under the Taxi Saver Program after deducting from that amount the amount realized from the sale of those coupons;
 - ii. the amount of any operating lease costs of the Authority for Custom Transit Service;
 - iii. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement; and
 - iv. an amount of the annual operating costs of the authority not exceeding those costs payable under an Annual Operating Agreement.
- c) Eligible operating expenses exclude the costs of providing third-party 100%-funded services.
- d) Annual operating costs of the Authority are operations, maintenance and administration costs that are for the shared benefit of all transit systems operated by the Authority. These costs are allocated to each transit system on a pro rata basis, based on the nature of the costs.

Lease Fees

The Authority will invoice the Municipality and collect on monthly invoices for lease fees on tangible capital assets owned by the Authority that are used in the provision of transit service. Lease fees are comprised of the following:

- a) The Municipality's fee for use of the asset, including for the costs of acquisition, construction, development and betterment of the asset and the costs of installing the asset at the location and condition necessary for its intended use;
- b) Debt financing and risk-related charges or costs payable on assets;
- c) Payment into a reserve fund for preventative maintenance and major repair of assets owned or leased by the authority;
- d) Amounts sufficient for the Authority to recover all other costs relating to the asset, including, but not limited to taxes and administrative charges.

Where lease fees are received that exceed actual asset-related expenses in any given period, these will be placed in a pooled reserve. This reserve will be used to offset against future lease fees as outlined above.

Reserve Funds

The Authority will establish the following for each transit system to record the contributions that have been received but not yet earned as follows:

- a) **Local Transit Fund:** Contributions by the Municipality towards eligible operating expenses that have been received but not matched with a Provincial share contribution will be deferred in the Local Transit Fund.
 - i. Any expenditure of monies from the Local Transit Fund will:
 - 1. only be credited towards the Municipality's share of expenses for the transit system for which it was collected.
 - 2. be applied to reduce Municipal invoices at the discretion of the Municipality as agreed to under the Annual Operating Agreement or amendments as required.
 - ii. The Local Transit Fund may be used towards lease fees.
 - iii. The Authority will provide a quarterly statement of account of the Local Transit Fund balance including contributions, amounts utilized and interest earned.

SECTION 9: GOVERNING LAW

This agreement is governed by, and shall be construed in accordance with, the laws of the Province of British Columbia, with respect to those matters within provincial jurisdiction, and in accordance with the laws of Canada with respect to those matters within the jurisdiction of the Government of Canada.

SECTION 10: COUNTERPARTS

This contract and any amendment hereto may be executed in counterparts, each of which shall be deemed to be an original and all of which shall be considered to be one and the same contract. A signed facsimile or PDF copy of this contract, or any amendment, shall be effective and valid proof of execution and delivery.

SECTION 11: NOTICES AND COMMUNICATIONS

All notices, claims and communications required or permitted to be given hereunder shall be in writing and shall be sufficiently given if personally delivered to a designated officer of the parties hereto to whom it is addressed where an electronic signed document is emailed to the parties or if mailed by prepaid registered mail to the Authority at:

British Columbia Transit
c/o Executive Assistant, Strategy, Planning and Public Affairs
PO Box 9861
520 Gorge Road East
Victoria, BC V8W 9T5

and to the Municipality at:

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

and, if so mailed, shall be deemed to have been received five (5) days following the date of such mailing.

IN WITNESS WHEREOF, the parties have hereunto set their hand this _____ day of _____, 2025.

Regional District of Bulkley-Nechako

British Columbia Transit

Vice President, Strategy, Planning and Public Affairs

Vice President, Finance and Chief Financial Officer

SCHEDULE A: TARIFF AND FARES

Passenger Categories: There shall be the following passenger categories:

- a) Child - a person who is under six (6) years of age.
- b) Student - a person, other than a child, who is:
 - a) under the age of 21 years; and
 - i. regularly attending classes at a public or private school at or below the level of Grade 12; and
 - ii. the holder of a current Student I.D. Card or other identification approved by the Municipality.
- c) Senior - a person who is sixty-five (65) years of age or over and the holder of valid identification.
- d) Adult - a person not defined as a child, student or senior.

Mode of Payment: There shall be the following modes of payment:

- a) Fare - an entitlement to ride upon the services of the Public Passenger Transportation System, as defined in terms of the Passenger Category, time and Zones of travel.
- b) Cash - legal tender issued by the authority of the Government of Canada for use as money, or the equivalent in legal tender issued by the authority of the Government of the United States of America for use as money
- c) Ticket - a prepaid form of fare, issued by the Municipality, for use in lieu of cash, for payment of a single fare.
- d) Single Fare - payment of a fare by means of cash or ticket, for individual travel within designated zones, and within a specified period of time.
- e) BC Bus Pass - a Pass available to BC residents who receive:
 - Federal Guaranteed Income Supplement with the Old Age Security Pension or Spouse's Allowance (60 years and older); or
 - Disability allowance under BC Benefits (18-64 years of age)
- f) Canadian National Institute of the Blind Pass – a pass available to those who are certified by the Institute and are residents of B.C.

Terms and Conditions: There shall be the following terms and conditions:

- a) Young Children - Not more than four children under five years of age who board a vehicle with, and who are at all times accompanied by an Adult, Student or Senior, shall be carried free.
- b) Proof of fare when boarding - Each passenger boarding a transit vehicle must present proof of a valid fare by means of either:
 - i) deposit of correct Fare in the farebox, plus presentation of any entitlement to a reduced fare; or
- c) BC Bus Pass - A Provincial Pass honoured only upon compliance with all of the following conditions:
 - i) valid only for year indicated;
 - ii) valid only when presented face-up and unfolded; void if mutilated or altered;
 - iii) valid only when presented with signature of bearer.
- d) CNIB Pass - A Canadian National Institute of the Blind pass will be honoured only upon compliance of the following conditions:
 - i) valid only for year indicated;
 - ii) valid only when presented face-up and unfolded; void if mutilated or altered;
 - iii) valid only when presented with signature of bearer.

Fares: For each one-way passenger trip

Effective as of September, 2021

TYPE	FARES
a) All Passengers – Cash	\$5.00
b) Tickets (10)	\$45.00
c) Children (12 and under)	Free

- d) BC Bus Pass valid for the current calendar year and available through the Government of British Columbia BC Bus Pass Program.
- e) CNIB Identification Card available from the local office of the CNIB.
- f) BC Transit Employee Bus Pass

Fares valid on Regional Service only.

SCHEDULE B: SERVICE SPECIFICATIONS

The Local Transit Service Area for the Bulkley-Nechako Regional Transit service shall be coterminous with the boundaries of the Town of Smithers, the Village of Telkwa, the District of Houston, the Village of Granisle, the Village of Burns Lake, the Village of Fraser Lake, the District of Fort St. James, and the District of Vanderhoof, as per Regional District of Bulkley-Nechako Bylaw No. 1790.

The Annual Service Level for Bulkley-Nechako Regional Transit Service shall be **2,600** Revenue Service Hours.

The Exception Days recognized annually for the Bulkley-Nechako Regional Transit Service are:

Exception Day	Service Level
Good Friday	No Service
Easter Monday	No Service
Victoria Day	No Service
Canada Day	No Service
BC Day	No Service
Labour Day	No Service
Truth and Reconciliation Day	No Service
Thanksgiving Day	No Service
Remembrance Day	No Service
Christmas Day	No Service
Boxing Day	No Service
New Year's Day	No Service
Family Day	No Service

SCHEDULE C: BUDGET

BULKLEY-NECHAKO	
	OFFICIAL AOA 2025/26
TOTAL REVENUE	29,696
TOTAL OPERATING COSTS	593,703
TOTAL COSTS (including Local Government Share of	594,747
NET LOCAL GOVERNMENT SHARE OF COSTS	162,036



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Alex Eriksen, Director of Environmental Services
Date: May 22, 2025
Subject: Purchase of a Used Crawler Dozer

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

That the Board approve the purchase of a used 2023 John Deere 700L Crawler Dozer from Brandt Tractor Ltd. for a total of \$382,500 plus applicable taxes.

BACKGROUND

The 2025 Environmental Service Capital Budget includes the purchase of a used medium-sized Dozer to be shared between the Landfills. The Landfills currently have small Dozers that suffice for most routine tasks; however, a medium-heavy dozer will provide support for landfill expansions and other department projects. In addition, this dozer will be important as a back-up landfill compactor as our current compactors are ageing and require increased maintenance and repairs (down-time).

The current fleet of Dozers and Compactors is shown in the table below.

Unit	Type	Make/Model	Site	Hours	Condition	Replace
M4	Dozer	2015 Komatsu D37PX-23	KLF	5200	Good	2027
M7	Compactor	2015 Cat 816F2	KLF	5900	Good	2025
M14	Dozer	2015 Komatsu D37PX-23	CLF	3300	Good	2029
M16	Compactor	2015 Cat 816F2	CLF	3900	Good	2027

The 10-year capital plan included the replacement of one landfill compactor in 2025, and this purchase will fulfill this plan.

The proposed 2025 budget allocation for this purchase is \$400,000.

EVALUATION

The RDBN received six (6) quotes. One (1) was disqualified for not providing all of the mandatory information and five (5) were evaluated. The quotes were evaluated based on the specifications, cost, delivery date, service package and the quality of quote. Staff issued the RFQ on BC Bid based on the following points/criteria for evaluation.

Specifications	30
Service Package	10
Delivery Date	20
Quote Quality	10
Price	30
Total Points	100

Staff familiar with the heavy equipment operation evaluated and ranked the quotes.

Four (4) of the evaluated dozers were larger than required by the RDBN and thus scored significantly lower than the winning bid.

Used Dozer Quote Ranking			
Company	Model	Score	Rank
Brandt Tractor Ltd.	2023 John Deere 700L (500hr)	79.29	1
Inland Truck & Equipment	2012 John Deere 850K (6457hr)	71.70	2
Inland Truck & Equipment	2025 Case 2050M (New)	53.26	3
Brandt Tractor Ltd.	2022 John Deere 850L (3700hr)	48.59	4
Brandt Tractor Ltd.	2024 John Deere 850L (1700hr)	46.19	5

ATTACHMENTS - None



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Wendy Wainwright, Deputy Director of Corporate Services
Date: May 22, 2025
Subject: **Committee Meeting Recommendations – May 8, 2025**

RECOMMENDATION: (all/directors/majority)

Recommendations 1 to 3 as written.

BACKGROUND

The following are the recommendations from the May 8, 2025 Committee Meetings for the Board's consideration and approval.

Committee of the Whole Meeting – May 8, 2025

Recommendation 1:

Re: Lakes District Arts and Culture Funding – Lakes District Fair Association

"That the Board approve entering into a funding agreement for \$10,500 per year for five years with the Lakes District Fair Association through the Lakes District Arts and Culture Fund."

Recommendation 2:

Re: Grant in Aid – Omineca Ski Club

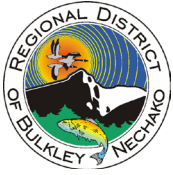
"That the Board approve a grant of \$20,000 to Omineca Ski Club, split equally between Electoral Areas B (Burns Lake Rural), and E (Francois/Ootsa Lake Rural) from Regional Grant in Aid."

Rural Services Committee – May 8, 2025

Recommendation 3:

Re: Electoral Area D Economic Development Service Grant Village of Fraser Lake Resident Attraction Video Project

"That the Board approve an Electoral Area D (Fraser Lake Rural) Economic Development Services Grant of up to \$8,000 to the Village of Fraser Lake for a resident attraction video project."



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board

From: Cheryl Anderson, Director of Corporate Services

Date: May 22, 2025

Subject: Union of BC Municipalities Convention 2025 – September 22-26, 2025 –
Victoria, B.C.
- Attendance Authorization
- Resolution Deadline
- Minister/Ministry Staff Meetings

RECOMMENDATION: (all/directors/majority)

That the Board authorize attendance of Rural Directors at the UBCM Convention from September 22-26, 2025 in Victoria, B.C.

BACKGROUND

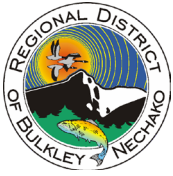
This year's UBCM Convention is being held in Victoria, B.C. from September 22-26, 2025. At this time, as per RDBN policy, formal authorization is being requested for Rural Directors to attend. The CAO and Deputy CAO will also be attending this event as per past practice.

The UBCM resolution deadline is June 15, 2025. If the Board wishes to submit any resolutions, the topics and background information should be submitted to staff by May 31st for staff to draft and include on the June 5th agenda for approval.

The June 5th Committee of the Whole Agenda will also include a discussion item in regard to Minister/Ministry Staff Meeting requests. We have not yet received information in regard to the deadline for submitting these requests.

ATTACHMENTS:

None.



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board

From: John Illes, CFO
Krish Chandhok, Summer Student

Date: May 22, 2025

Subject: Climate Action Project Proposal – Solar Panel Installation

RECOMMENDATION: (all/directors/majority)

That the Board authorize staff to proceed with a feasibility study to determine the potential for the installation of solar panels at RDBN facilities.

BACKGROUND

This memo outlines the preliminary research, potential benefits, and financial estimates associated with installing solar panels on our facilities.

LOCAL GOVERNMENT CLIMATE ACTION PLAN

As part of the Regional District of Bulkley-Nechako's climate action efforts a Local Government Climate Action Plan grant has been allocated to implement sustainable upgrades to our infrastructure. Currently the Regional District has \$348,951 in reserves for these types of projects. These funds must be utilized by March 31, 2028. Short term extensions may be sought for projects that are substantially complete by that date.

SOLAR PANELS

According to ratios derived from a third-party proposal for a 150kW solar installation at the arena in Burns Lake, the cost of solar panel installation averages approximately \$1,225 per kilowatt (kW). With our \$250,000 budget, we could install an estimated 204.1 kW system. This system would generate approximately 214,551 kWh annually, translating to an estimated \$28,984 in annual electricity bill savings, or approximately \$2,415 per month based on a savings rate of \$0.1352 per kWh. Given that our average monthly electricity bill is approximately \$2,153.64, this solar installation would cover about 112% of our current usage. The exact location and orientation of the solar panels will be determined through a detailed feasibility and site assessment – there may be several suitable locations at

properties throughout the Regional District. The electricity costs for the administration building are provided to create a frame of reference for cost savings.

This installation would significantly reduce our dependence on non-renewable energy sources, contribute to climate targets, and provide long-term utility savings. Maintenance costs are generally low, and the panels have a lifespan of 25–30 years.

OTHER CLIMATE CHANGE OPTIONS

We also considered upgrading the existing windows in the administration building to more environmentally friendly and energy-efficient models. While this retrofit offers benefits such as improved insulation, reduced winter heating costs, and enhanced occupant comfort, it may still present challenges such as workplace disruptions and spatial limitations during installation. Additionally, improved insulation could reduce the need for heating but may require careful ventilation planning to avoid overheating during summer months.

Fully electric vehicles are also considered an option under this program. Staff are recommending that because of the long distances that field staff may drive and the colder temperatures during the winter months that these vehicles be considered when newer battery technology is readily available for passenger vehicles.

RECOMMENDATIONS

Our analysis concludes that the solar panel option aligns more closely with the goals of long-term energy savings, emissions reduction, and sustainability leadership. However, direct vendor quotes and structural assessments are required to proceed responsibly.

We recommend that the Board receives this report and authorizes the team to move forward with a feasibility study for solar energy within the Regional District. This may involve soliciting formal quotes and site evaluations from certified solar installation providers. The feasibility study will be brought back to the Board with a recommendation.

ATTACHMENTS

Natural Resources Canada – Photovoltaic System Performance

<https://natural-resources.canada.ca/energy-sources/renewable-energy/photovoltaic-potential-solar-resource-maps-canada>

BC Hydro Self-Generation – Net Metering Program <https://www.bchydro.com/accounts-billing/electrical-connections/self-generation.html>

Natural Resources Canada –Introduction to Solar Energy

<https://natural-resources.canada.ca/energy-sources/renewable-energy/solar-energy>



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board

From: John Illes, Chief Financial Officer
Chelsey Fields, Asset Management and Procurement Clerk
Jason Blackwell, Regional Fire Chief

Date: May 22, 2025

Subject: **Posting of two Fire Truck RFP's**

RECOMMENDATION: (all/directors/majority)

That the Regional District move forward with posting a Request for Proposal for two firetrucks (one for Cluculz Lake and one for Topley Regional Fire Departments).

BACKGROUND:

Currently the approved five-year financial plan has the purchase of a fire truck for Topley Fire Department in 2027 and for Cluculz Lake Fire Department in 2028. The funding for these two fire trucks is currently proposed to be from the Northwest Revenue Sharing Agreement (RBA). Staff are seeking approval to post an RFP for these two fire apparatuses.

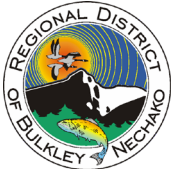
In order to lock in a purchase price before tariffs may take effect and to guarantee delivery on or before these years, it is prudent to move forward with earlier procurement. An initial estimate of cost including unrecoverable taxes is \$650,000 each which is approximately \$100,000 less than the \$750,000 amount which is the current budget in 2027 and 2028.

The current fleet for both Topley and Cluculz Lake are as follows:

Topley	Cluculz Lake
2006 International Fire Engine	1997 Freightliner Fire Engine
1986 Ford Fire Engine	2025 Water Tender (June 2025 delivery)
2007 International Water Tender	

Discussion has taken place with the two fire departments about the appropriate design of the fire trucks. They will be a standard four door, five seat chassis with a rated pump with foam capabilities and a water tank with a minimum capacity of 800 imperial gallons.

If the recommendation is approved, staff will bring back a memo with a purchase recommendation summarizing the results from the RFP process. Depending upon delivery dates, a budget amendment may be required.



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board

From: Nellie Davis, Manager of Strategic Initiatives and Rural Services
John Illes, Chief Financial Officer

Date: May 22, 2025

Subject: Trail Lighting for Stella Road Walkway

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

- 1) That the Board authorize contributing \$21,250 in Resource Benefits Alliance funding to the this First Nations Outreach Capital Project.
- 2) That the Board authorize contributing up to \$21,250 in Canada Community Building Fund BC monies from Electoral Area D (Fraser Lake Rural) to Stellat'en First Nation for a Recreation Infrastructure project and further,

(participants/weighted/majority)

- 3) That the Board authorize the withdrawal of up to \$21,250 from the Federal Gas Tax Reserve Fund.

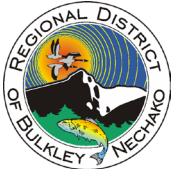
BACKGROUND

This project will see the installation of seven caretaker lights along the Stella Rd. Pedestrian Walkway to increase safety for trail users. The trail significantly reduces foot and bicycle traffic along Stella Rd, allowing safer access and active lifestyle opportunities for the surrounding community. This request is for 100% of the \$42,500 project. The Stella Road Walkway represents an investment of \$450,000 to date, this investment will raise the project value to \$500,000.

If approved, the \$21,250 contribution from RBA will be reflected as a budget amendment to the RDBN's Long Term Capital Plan.

The Area D allocation of Community Works Funds (CWF) is \$271,058.

Director Parker is supportive of the request. A Board resolution is required to contribute CWF to this project.



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Nellie Davis, Manager of Strategic Initiatives and Rural Services
Date: May 22, 2025
Subject: **CWF for District of Vanderhoof – Airport Turn Pads**

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

- 1) That the Board authorize contributing up to \$27,000 in Canada Community Building Fund BC monies from Area F (Vanderhoof Rural) to the District of Vanderhoof for a Local and Regional Airport Infrastructure project and further,

(participants/weighted/majority)

- 2) That the Board authorize the withdrawal of up to \$27,000 from the Federal Gas Tax Reserve Fund.

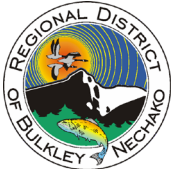
BACKGROUND

The District of Vanderhoof is upgrading the runway to include turn pads. Turn pads will improve the function of the airport by making it possible for larger aircraft to turn around at the ends of the runways. Turn pads will improve airport safety, provide economic benefits and support the use of the airport for services such as medevac and larger aircraft used in emergency situations, such as wildfires.

This request is for \$27,000 towards a \$607,495 total project budget.

The available Area F CWF allocation is \$325,584.

Director Moon is supportive of this application and of contributing CWF to the project.



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Nellie Davis, Manager of Strategic Initiatives and Rural Services
Date: May 22, 2025
Subject: **CWF for Town of Smithers – Northern Edge Sports Association**

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

- 1) That the Board authorize contributing up to \$150,000 in Canada Community Building Fund BC monies from Area A (Smithers Rural) to the Town of Smithers for a Recreation Infrastructure project and further,

(participants/weighted/majority)

- 2) That the Board authorize the withdrawal of up to \$150,000 from the Federal Gas Tax Reserve Fund.

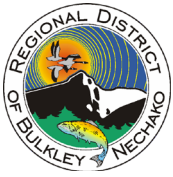
BACKGROUND

The Northern Edge Sports Association (NESA) operates out of the LB Werner Building, owned by the Town of Smithers at 1027 Aldous Street. The group is planning several phases of upgrades to the building. This phase includes replacing the aging, second-hand heat recovery ventilator system that is not serving the needs of the building.

This request is for \$150,000 towards a \$268,000 total project budget.

The available Area A CWF allocation is \$1,310,451.

Director Stoltenberg is supportive of this application and of contributing CWF to the project.



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Nellie Davis, Manager of Strategic Initiatives and Rural Services
Date: May 22, 2025
Subject: **CWF for Town of Smithers – Smithers Skate Park Phase 3**

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

- 1) That the Board authorize contributing up to \$200,000 in Canada Community Building Fund BC monies from Area A (Smithers Rural) to the Town of Smithers for a Recreation Infrastructure project and further,

(participants/weighted/majority)

- 2) That the Board authorize the withdrawal of up to \$200,000 from the Federal Gas Tax Reserve Fund.
-

BACKGROUND

The Smithers Skate Park Society (SSPS) and the Town of Smithers have an ongoing partnership for the implementation of the Smithers Skate Park Expansion Project which started in 2022. The current project, Phase 3, include lighting (11 light poles, 33 fixtures), a wired shaded structure, an asphalt path, landscaping and signage.

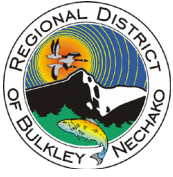
Smithers' Skate Park is in Heritage Park (Town of Smithers property), located at the corner of Manitoba and Hwy 16. At the time of building the initial facility in 1996, this was the only dedicated skate park north of Kamloops. Over the years, it has seen thousands of hours of use. Town Staff have ongoing discussions with SSPS volunteers providing advice and assistance throughout the project. The Park has been expanded significantly in size and has received a high level of community support. SSPS is well run, organized and has the capacity to manage the project.

Area A supported Phase 2 of the Skate Park project with a \$100,000 grant in 2023/24.

This request is for \$200,000 towards a \$523,000 total project budget.

The available Area A CWF allocation is \$1,310,451.

Director Stoltenberg is supportive of this application and of contributing CWF to the project.



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Nellie Davis, Manager of Strategic Initiatives and Rural Services
Date: May 22, 2025
Subject: CWF for Village of Burns Lake – Solar Panel Project at Tom Forsyth Arena

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

- 1) That the Board authorize contributing up to \$100,000 in Canada Community Building Fund BC monies, \$83,000 from Area B (Burns Lake Rural) and \$17,000 from Area E (Francois/Ootsa Lake Rural) to the Village of Burns Lake for an Energy System Infrastructure project and further,

(participants/weighted/majority)

- 2) That the Board authorize the withdrawal of up to \$100,000 from the Federal Gas Tax Reserve Fund.
-

BACKGROUND

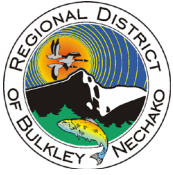
The Village of Burns Lake is planning the addition of a solar energy system to the roof of the Tom Forsyth Memorial Arena. This grid-tie-in system is proposed to have 300 panels which are estimated to generate over 150,000kwh of electricity for the facility annually. The impact to operational cost savings is estimated at over \$20,000 per year. These savings allow the Municipality to keep costs to taxpayers down and to invest in other projects to improve the service offered at the arena.

This request is for \$100,000 towards a \$200,000 total project budget. The split between Electoral Areas reflects the same share as per the Burns Lake Arena requisitions for Areas B and E.

The available Area B CWF allocation is \$574,085.

The available Area E CWF allocation is \$245,650.

Directors Riis-Christianson and Lambert are supportive of this application and of contributing CWF to the project.



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Nellie Davis, Manager of Strategic Initiatives and Rural Services
Date: May 22, 2025
Subject: **CWF for Village of Granisle – Improved Wireless Service in Area G**

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

- 1) That the Board authorize contributing up to \$30,850 in Canada Community Building Fund BC monies, from Area G (Houston/Granisle Rural) to the Village of Granisle for a Broadband Infrastructure project and further,

(participants/weighted/majority)

- 2) That the Board authorize the withdrawal of up to \$30,850 from the Federal Gas Tax Reserve Fund.

BACKGROUND

This off-grid tower segment serves approximately 30 residential customers and three high-use public hotspots in the Regional District. As the fiber build-out will not extend to this segment or the public hotspots, it's essential that we implement a reliable, stand-alone wireless solution capable of delivering 50 Mb/s down and 10 Mb/s up.

This request is for \$30,850 towards a \$61,700 total project budget.

The available Area G Community Works Fund (CWF) allocation is \$596,000.

Director Newell is supportive of this application and of contributing CWF to the project.



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Nellie Davis, Manager of Strategic Initiatives and Rural Services
Date: May 22, 2025
Subject: **Grant in Aid – Woodmere Emergency Services Society
Wildfire Response Trailer**

RECOMMENDATION: (all/directors/majority)

That the Board approve a grant of \$55,000 to the Woodmere Emergency Services Society from the Area A (Smithers/Telkwa Rural) allocation of Regional Grant in Aid.

BACKGROUND

Please see the attached application for further detail.

Director Stoltenberg is supportive of the \$55,000 contribution from Electoral Area A.

The Regional Grant in Aid balance tracked for Electoral Area A is \$238,103



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board

From: Shari Janzen, Community Development Coordinator

Date: May 22, 2025

Subject: **NDIT Resolution of Support – Omineca Ski Club**

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

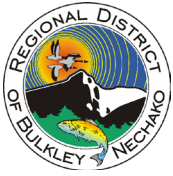
That the Regional District of Bulkley-Nechako supports the application to Northern Development Initiative Trust from the Omineca Ski Club for the Wax and Ski Rental Cabin Project.

BACKGROUND

The Omineca Ski Club is applying to Northern Development Initiative Trust's Recreation Infrastructure fund for the Wax and Ski Rental Cabin Project and requires a resolution of support to accompany the application. The club is requesting \$100,000 from NDIT to support project expenses.

The Omineca Ski Club has been a cornerstone of recreation and social opportunities in the area since 1927, providing residents with recreation opportunities. With the existing cabin building dating back to 1974, the structure is no longer meeting the needs of the club. Despite the club's efforts to maintain the current building, the cost of necessary upgrades now outweighs the benefits, making new construction the most viable and sustainable solution.

Funding Organization	Amount	Status
NDIT	100,000	Pending
Bulkley Valley Credit Union	5,000	Pending
Nechako-Kitamaat Development Fund	31,080	Pending
Burns Lake Community Forest	20,000	Pending
Chinook Community Forest	10,000	Pending
Drax	10,000	Pending
RDBN (Area B and E) Grant in Aid	20,000	Confirmed
Omineca Ski Club	126,732	Confirmed
Total	\$322,812	



Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board
From: Shari Janzen, Community Development Coordinator
Date: May 22, 2025
Subject: **Go North RV – 2024/25 Final Report**

RECOMMENDATION: (all/directors/majority)

Receive.

BACKGROUND

The RDBN is a partner in Go North RV (GN RV) - a consortium of Northern BC communities and regional districts, community destination marketing organizations, the BC Lodging and Campgrounds Association, Northern BC Tourism Association, and Destination BC. This project aims to promote RV travel into and throughout the Northern BC region through a variety of marketing initiatives.

To help grow awareness and encouraging exploration of Northern BC's iconic routes, including the Great Northern Circle Route, Route 16, and the Alaska Highway and their off-shoots, Go North RV's marketing initiatives include digital advertising campaigns, content development, visitor education, website development, email marketing, influencer marketing, and earned media opportunities. The budget for this program includes partner contributions and matching funds from Destination BC's Cooperative Marketing Partnerships program.

2024/25 campaign highlights include:

- Impressions – 722,679 (the total number of times the content is displayed to users)
- Reach – 216,979 (the number of users who have seen the content at least once)
- Social Engagement – 98,075 (likes, comments, shares, and other actions)
- Webpage Views – 25,888
- Verified Summer Visits – 514
- Newsletter Subscriptions – 2,117 with a 50.4% open rate

GN RV partners meet monthly for planning, monitoring, and final review of the project.

ATTACHMENTS

Highlight slides from the Go North RV 2024/25 Final Report

163

GO
NORTH
RV

2024/25 REPORT



ABOUT GO NORTH RV

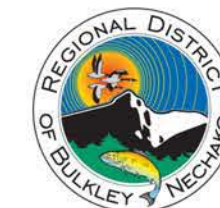
Established in 2021, Go North RV is a consortium of 12 communities and regional districts and Destination Management Organizations working together to encourage RV travel and responsible wilderness recreation in Northern British Columbia.

12	5	\$196,882	\$20,000	\$74,700
Community Partners + BCLCA	Years in Partnership	Community & BCLCA Contributions 2021-2025	Misc. Grant Funding 2021-2025	NBCTA Contributions 2021-2025

Since 2021, by working together, Go North RV has been able to deploy

\$291,582

to promote the tourism economy in the region.



Paid Ads/Digital Campaigns

- Campaign Strategy
- Campaign Development
- Programmatic Advertising
- Google Advertising
- Instagram Advertising
- Facebook Advertising
- YouTube Advertising
- Email Marketing

Content Development

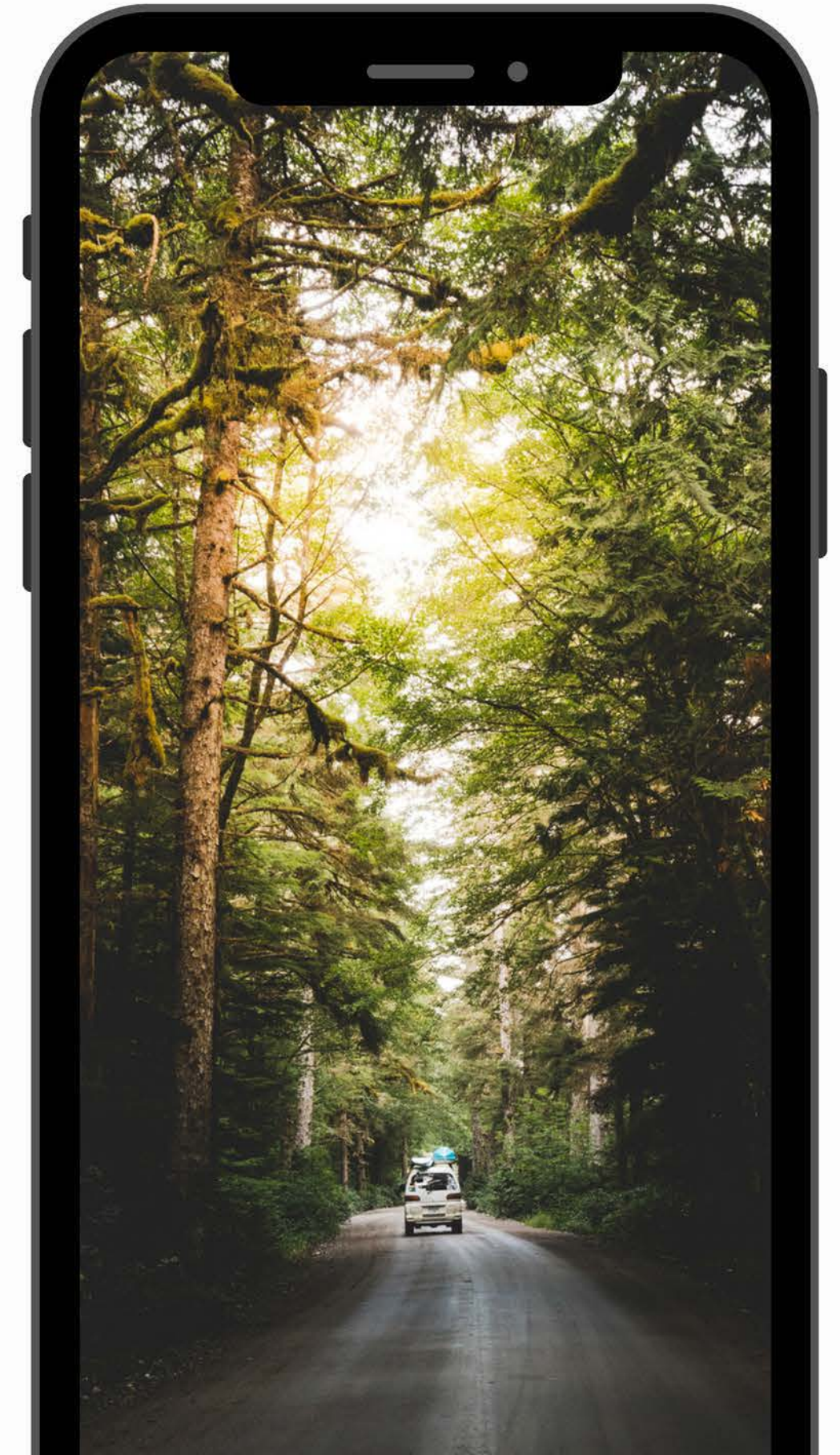
- Acquired assets to fill gaps
- Rights usage, model release and licensing agreement management
- Asset uploads and meta-tagging for the Destination BC Content Hub

Website Development

- Content updates & fact check
- Ongoing maintenance & security
- SEO & Plug-in updates

Administrative

- Project management
- Communications
- Reporting
- Budget tracking and reconciliation
- Contract & supplier management



SUMMER SOCIAL MEDIA CAMPAIGN SUMMARY

722,679

Impressions

216,979

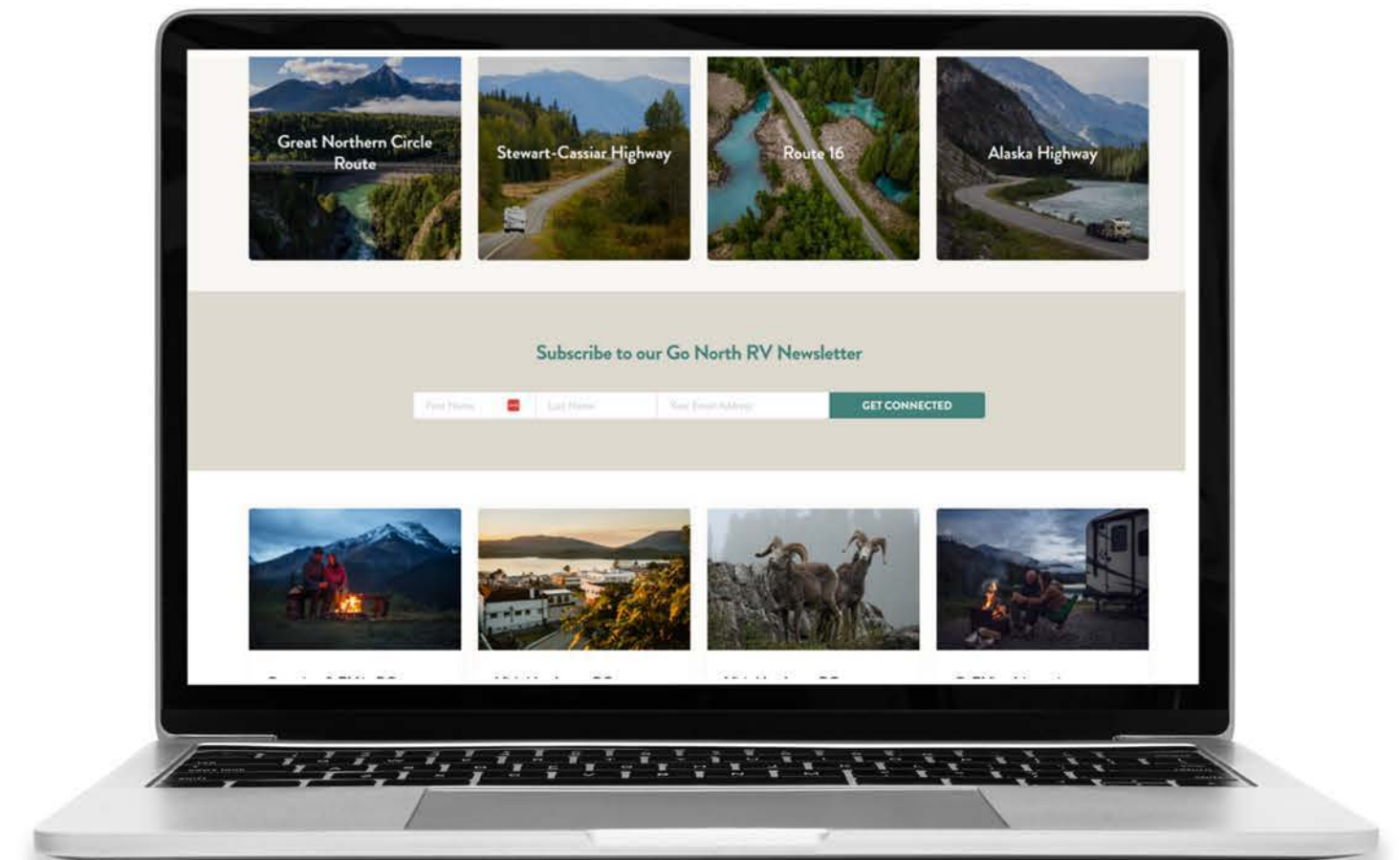
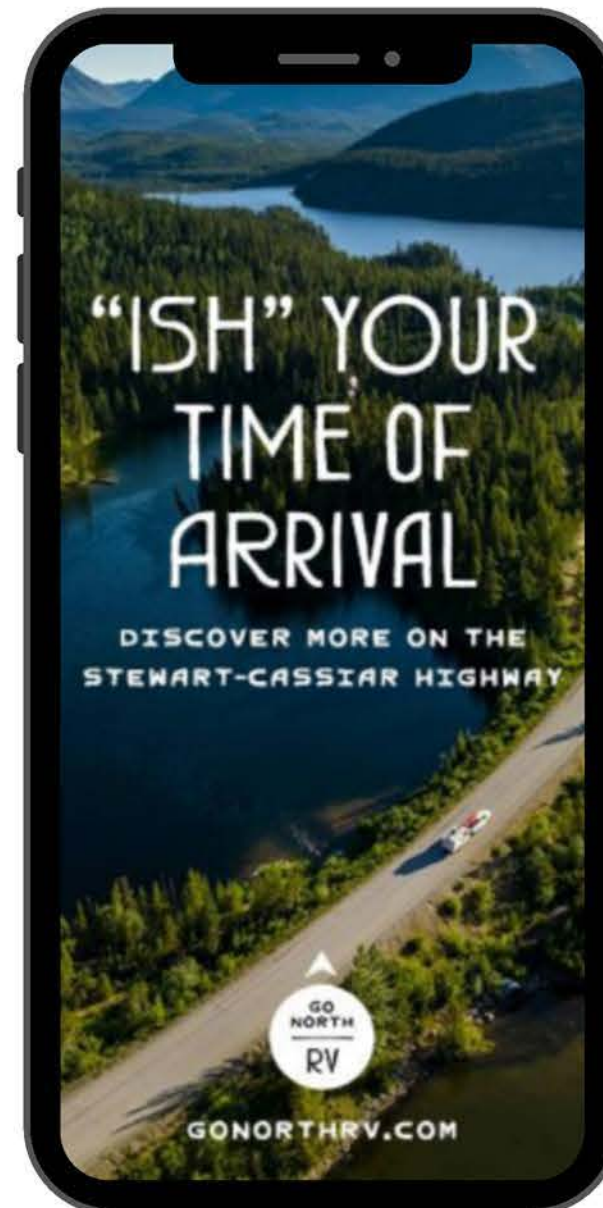
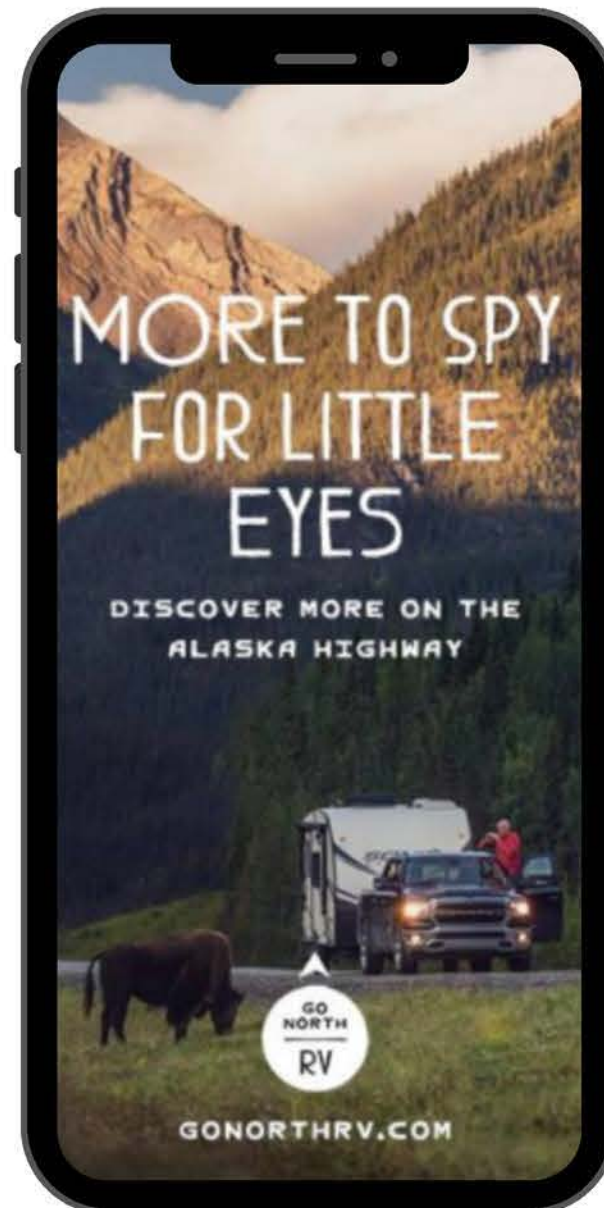
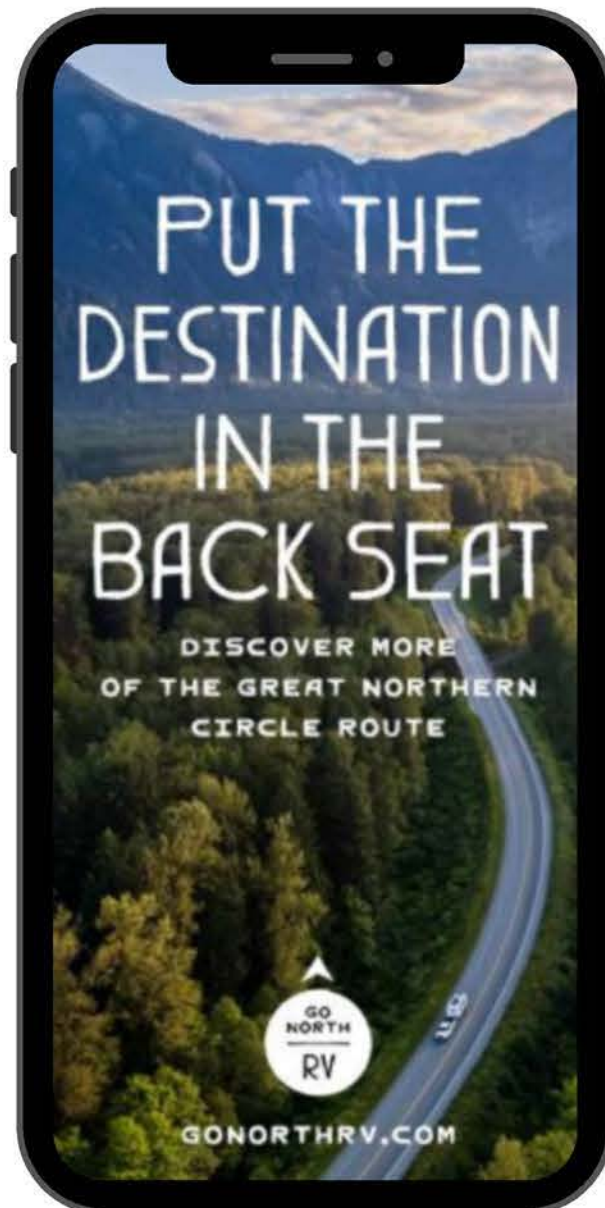
Reach

98,075

Engagements

1.52%

Click Through Rate



VERIFIED VISITS - SUMMER

In 2024/25 the co-op used data tracking through Verified Visits. While data gained is an incomplete snapshot due to longer planning periods often associated with travel to Northern BC, over time we expect to gain valuable research to inform future campaigns

The campaign generated 514 Clicked Verified Visits, those who clicked on an ad and visited NWBC at a cost of \$26.84 per visit

\$9.82 per person, travel party of two

\$4.91 per person, travel party of four



Verified Visits are counted when the following three criteria are met:

- A user (device) with location services enabled has clicked on a paid ad
- User is based in target region
- The user physically makes its way to the region via assigned entry points

Verified Visits have 2 metrics from which we measure:

1. Those that clicked on one of your ads and then physically was tracked into our target zone.
2. The number of people that saw your ads, clicked or didn't click, but ended up in your geographical target area during your target campaign window.

Verified Visits only represent “trackable traffic” served digital display advertising. Those smart phones with enabled ‘Do Not Track’ features turned on will not be represented in these numbers.

WEBSITE

Website Traffic

April 1, 2024 - Mar 31, 2025

Users: 20,000

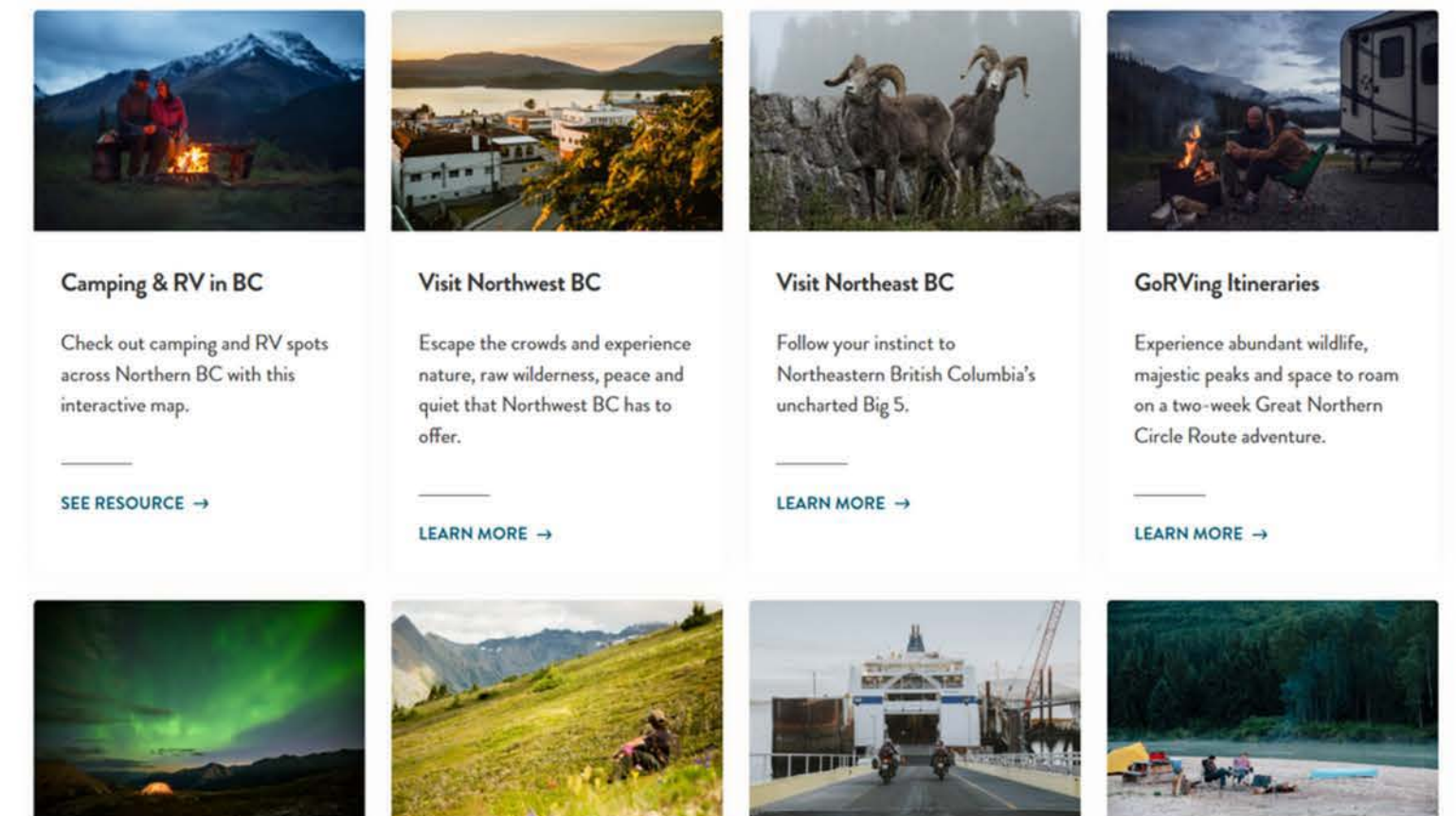
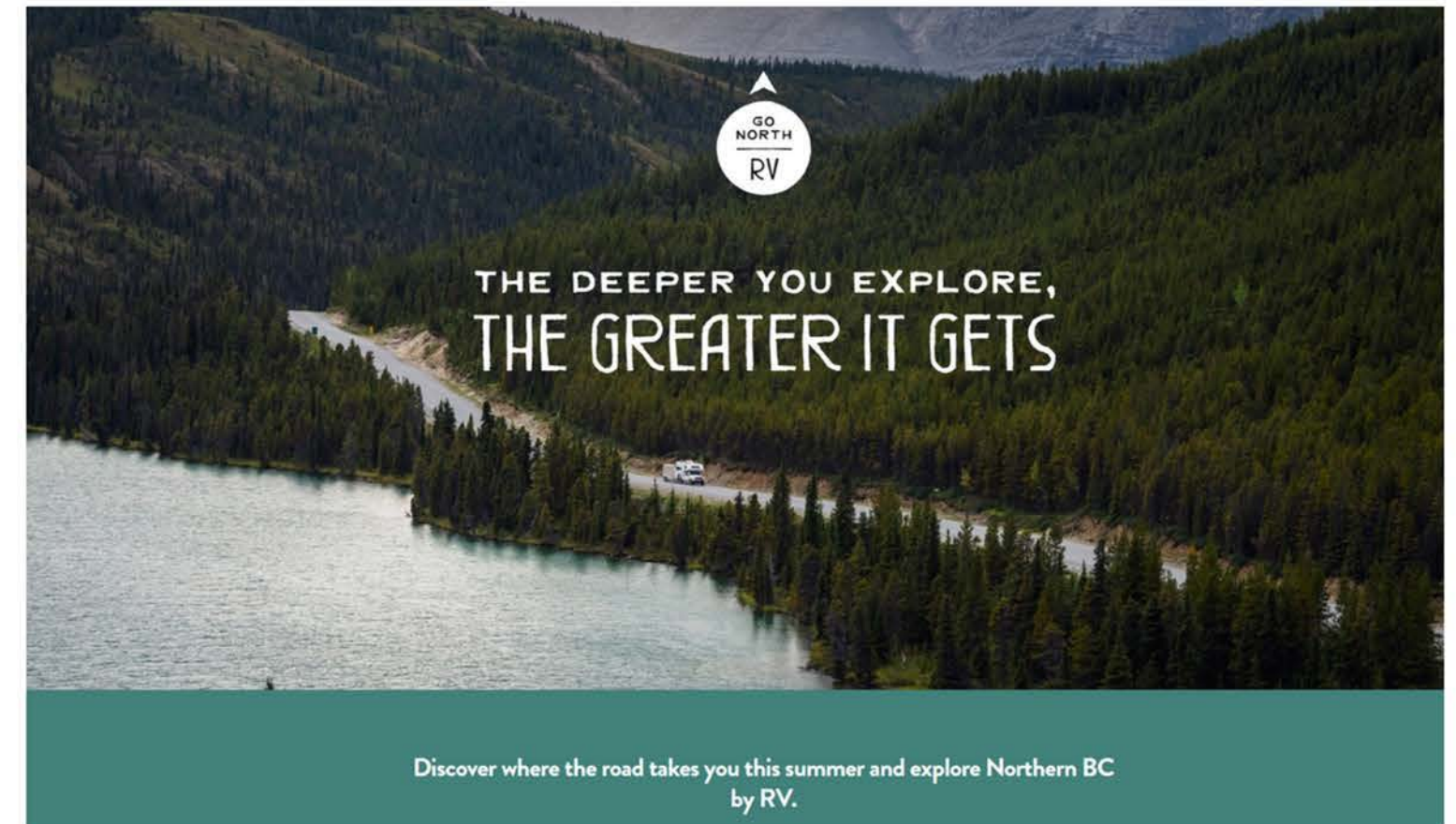
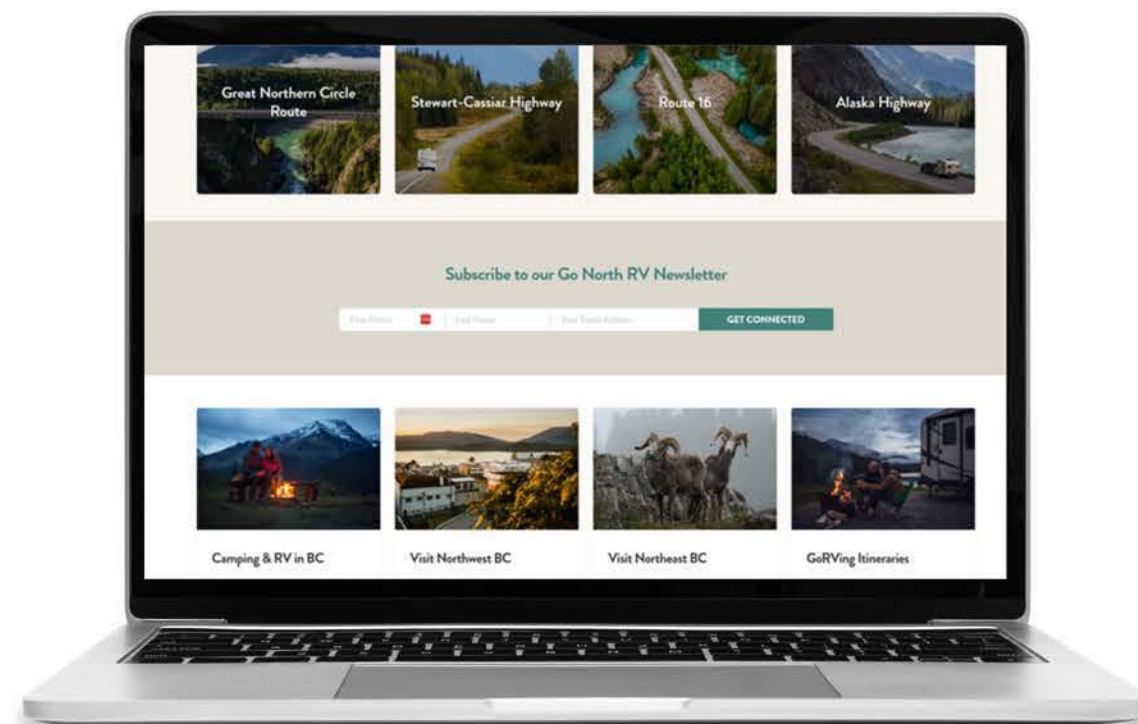
Page Views: 33,000 (Campaign + Organic)

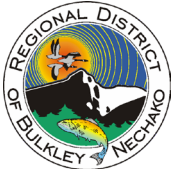
Sessions: 22,000

Outbound Clicks: 4,400

Page Views Per Session: 1.5

Average Session Duration: 1:32





Regional District of Bulkley-Nechako Board of Directors

To: Chair and Board

From: John Illes, Chief Financial Officer
Chesley Fields, Asset Management and Procurement Clerk

Date: May 22, 2025

Subject: **Purchasing Policy Revision**

RECOMMENDATION: (all/directors/majority)

Discussion.

BACKGROUND:

The Board has requested that staff bring forward recommendations to the purchasing policy that will encourage the purchase of Canadian goods and services.

Local Governments in BC have considerable procurement flexibility as long as the cost of items (construction or service contract) are below the thresholds of federally recognized trade agreements. For example, under the most restrictive agreement, the ***New West Partnership Trade Agreement***, local governments have full discretion for procurement of all those goods and services with a total cost less than \$75,000 and all construction costs less than \$200,000. However, this flexibility must be balanced with obtaining the best value for money for taxpayers.

Under the current ***Canada-United States-Mexico Free Trade Agreement***, the local government can restrict Goods and Service less than \$237,700 to Canadian Companies. Similarly, local governments can restrict construction contracts to those with a value less than \$8.8 million to Canadian Companies.

It is important to note that the costs of goods (or services) include any shipping, import taxes, non-recoverable taxes, and tariffs that may be included in the delivery of the goods to the Regional District.

CANADIAN GOODS AND SERVICE

Defining exactly what is a Canadian good or service can be difficult. Staff are proposing that in this context the definition of Canadian is:

A Canadian Supplier is defined as a supplier, manufacturer, or distributor that conducts its activities on a permanent basis in Canada. The business either has its headquarters or principal place of business in Canada, has at least 70% of its employees in Canada, or is a Canadian Business Subsidiary.

A Canadian good is defined as a product that, if exported outside of Canada, qualifies as a good of Canada according to the appropriate rules of origin.

A Canadian service is a service provided by a natural person based in Canada. If a single service is provided by multiple natural persons, it will be considered Canadian if at least 70% of the total tender price is contributed by individuals based in Canada. Similarly, if a requirement consists of multiple services and is certified on an aggregate basis, it will be considered Canadian if 70% of the total tender price comes from natural persons based in Canada.

These definitions are listed in the **Canadian Free Trade Agreement** (that governs inter-provincial trade).

In addition to the above definition, staff are proposing that a Canadian good is a good created predominately in Canada but may have some of its components imported from another country. Where this is the case, the majority of components by value, must be produced in Canada.

This additional definition attempts to remove those goods that may be “drop shipped” and then relabelled, or that are imported into Canada and then slightly altered (such as logos being printed onto imported T-shirts) being classified as Canadian goods.

GENERAL UPDATES TO THE POLICY

The sections dealing with requisitions and purchase orders are proposed to be removed. As part of the procurement process for the Regional District standardized contracts are being utilized in place of purchase orders.

The procurement limit for goods before a formal public competitive process is required is being proposed to be increased to \$10,000. Staff will still be expected to fully research all purchases to get the best price and value. Obtaining formal standardized quotes for items (or multiple items with a total value) between \$5,000 and \$10,000 is becoming more difficult; however, it is now much easier to obtain prices for goods and services in this range through online sources. This change will mean that both goods and services have a threshold value of \$10,000.

ATTACHMENTS:

Proposed Policy – changes highlighted in yellow

Current Policy

UBCM – Advice to Municipalities



Regional District of Bulkley-Nechako

Board Policy

SUBJECT: Procurement Policy
 CATEGORY: Financial
 LAST REVIEW: **DRAFT (Revision)**

1. PURPOSE

The purpose of this policy is to set out the responsibilities and accountability associated with the effective, efficient, and economical acquisition of goods and services.

2. CONTEXT

Bylaw: The Board has delegated the authority to execute contracts and purchase agreements to staff as outlined in Bylaw No. 1926, being the Regional District of Bulkley-Nechako Delegation of Purchasing Authority Bylaw No. 1926, 2020. This bylaw allows for the establishment of a procurement policy and the formal delegation of authority.

Policy: This Policy sets out the financial controls to be put in place to manage risk and further sets out the roles, responsibilities and accountabilities of the delegations set out in the bylaw. The Board by resolution has adopted this policy and has not delegated its alteration or amendment.

Procedures: This policy enables procedures that are approved jointly by the Chief Administrative Officer and the Chief Financial Officer that describes the steps that must be undertaken by staff to maintain financial control, protect Regional District assets and manage risk.

3. POLICY STATEMENT

It is the policy of the RDBN to acquire goods and services through a public process whenever practical that results in supply arrangements that offer best value with consideration towards total cost, quality, expertise, as well

as environmental and social sustainability.

To ensure the need for a clear and transparent separation of political and administrative functions, the Board has established this policy.

4. THE ROLE OF THE BOARD

For greater clarity, all purchases of supplies, goods and services, including items or projects of a capital nature are approved by the Board in the Financial Plan approval process and the adoption of the annual Five-Year Financial Plan.

To remove any potential or perceived appearance of political influence or bias, the Board recognizes the need to be removed from the procurement processes except where the Board is presented with a recommendation to approve a purchase or contract award in accordance with this policy.

When recommending a purchase or contract award, staff shall provide the Board with the ranking of each compliant response, the number of responses received, the value of the award, and a description of the procurement process.

5. EXEMPTIONS

All exemptions that exist in the New West Trade Partnership Agreement, Canadian Free Trade Agreement, The Canada-European Union Comprehensive Economic and Trade Agreement or their successors shall apply to this policy.

6. EMERGENCIES

Any unforeseen circumstance that requires immediate action as designated by an Emergency Operations Centre Director in a *state of local emergency* is not bound by this policy so much as practicable for the protection of life and property.

7. BUY LOCAL PROGRAM

Where procurement is less than \$75,000 for goods or services, or less than

\$200,000 for construction, staff are encouraged to select BC-based or local suppliers for such work, always with a view to obtain "best value" on purchases for the RDBN.

Staff may include up to 20% of the total points awarded for an RFP or similar process for the provision of local employment, for local service (in the case of machinery or vehicles), security of confidentiality, business continuity, confidence in continued pricing (for items that may be continuously sourced), and for the sourcing of local products.

8. FINANCIAL CONTROL MEASURES

A. RECEIVING OF GOODS AND SERVICES

- a. A Regional District employee shall confirm the quality, quantity and receipt of all goods and services.
- b. This employee shall confirm that the goods and services received are those that have been ordered.

B. AUTHORIZING THE PAYMENT FOR GOODS AND SERVICES

- a. A Regional District employee shall authorize the payment of goods and services before payment is made.
- b. The employee to authorize payment must not be the same employee that receives the goods or services as in Section 7. a above.
- c. The employee to authorize payment must have a sufficient commitment authority threshold as listed in Section 8 below.

~~C. REQUISITIONS AND PURCHASE ORDERS REQUIRED~~

- ~~a. A procedure will be developed to detail the utilization of requisitions and purchase orders.~~
- ~~b. Purchase orders must be utilized for all purchases above \$10,000.~~
- ~~c. For this section a purchase is considered the sum of the cost of one or more like items to be purchased, or the cost of the sum of all supplies, services, or goods for an identified project.~~
- ~~d. Purchase orders must be approved by an employee with the appropriate authority threshold before an employee enters into an agreement to purchase a good or service.~~

9. COMMITMENT AUTHORITY THRESHOLDS

- a. In this section an officer of the Regional District refers to an officer appointed by the Board under Section 233 of the ***Local Government Act***.
- b. All Regional District employees - \$250
- c. All Regional District employees with prior permission from an officer for specific purchases - \$2,500
- d. Notwithstanding (b) and (c) above, any officer has an authority threshold of \$50,000.
- e. Notwithstanding (b) to (d) above, the Chief Administrative Officer has an authority threshold of \$100,000.
- f. Notwithstanding (b) to (e) above, any two Officers may authorize payroll; any payment or portion of a payment on a contract or project that was previously approved by the Board; and any payment or portion of a payment for an agreement for the purchase of goods and/or services previously approved by the Board.
- g. All commitments that exceed \$100,000 not listed in (f) above shall be approved by the Board

10. SUBDELEGATION OF AUTHORITY

- a. Only the Chief Administrative Officer may subdelegate their threshold of authority. The delegation must be in writing by name and to the maximum of:
 - i. \$50,000 to any senior manager,
 - ii. \$25,000 to any manager,
 - iii. \$10,000 to any supervisor, or
 - iv. \$2,500 to any employee.

11. BOARD REVIEW

- a. The Chair, Vice Chair, or an appointed cheque signer shall review all payments made by Regional District staff and indicate the review by signing Regional District cheques, signing printed copies of electronic fund transfer batches, and/or printed copies of cheque and payment summaries.

12. PROCUREMENT THRESHOLDS AND METHODS

a. Categories of Procurement:

- i. For all goods under \$5,000 and services under \$10,000 no formal public competitive process is required.
- ii. For goods from \$5,000 to \$25,000 or services from \$10,000 to \$25,000 three quotes or estimates (including those from online published sources) are required.
- iii. For purchases from \$25,000 to \$75,000 three formal written quotes are required.
- iv. For all purchases over \$75,000 a full public competitive process is required.

b. Notwithstanding (a) above, with the approval of the Chief Administrative Officer, a direct award for procurement is an option for:

- i. All goods and services less than \$25,000
- ii. All professional services less than \$50,000
- iii. All construction contracts less than \$75,000

If the purposes is to support the local economy, decrease pollution or carbon emissions, is required for the sake of expediency, or other factor determined by the Chief Administrative Officer.

For clarity, the purchase of construction supplies is considered a general good, the hiring of construction equipment (and operator) is considered a general service.



Regional District of Bulkley-Nechako

Board Policy

SUBJECT: Procurement Policy
CATEGORY: Financial Services
LAST REVIEW: January 26, 2023

1. PURPOSE

The purpose of this policy is to set out the responsibilities and accountability associated with the effective, efficient, and economical acquisition of goods and services.

2. CONTEXT

Bylaw: The Board has delegated the authority to execute contracts and purchase agreements to staff as outlined in Bylaw No. 1926, being the Regional District of Bulkley-Nechako Delegation of Purchasing Authority Bylaw No. 1926, 2020. This bylaw allows for the establishment of a procurement policy and the formal delegation of authority.

Policy: This Policy sets out the financial controls to be put in place to manage risk and further sets out the roles, responsibilities and accountabilities of the delegations set out in the bylaw. The Board by resolution has adopted this policy and has not delegated its alteration or amendment.

Procedures: This policy enables procedures that are approved jointly by the Chief Administrative Officer and the Chief Financial Officer that describes the steps that must be undertaken by staff to maintain financial control, protect Regional District assets and manage risk.

3. POLICY STATEMENT

It is the policy of the RDBN to acquire goods and services through a public process whenever practical that results in supply arrangements that offer best value with consideration towards total cost, quality, expertise, as well as environmental and social sustainability.

To ensure the need for a clear and transparent separation of political and administrative functions, the Board has established this policy.

4. THE ROLE OF THE BOARD

For greater clarity, all purchases of supplies, goods and services including items or projects of a capital nature are approved by the Board in the Financial Plan approval process and the adoption of the annual Five-Year Financial Plan.

To remove any potential or perceived appearance of political influence or bias, the Board recognizes the need to be removed from the procurement processes except where the Board is presented with a recommendation to approve a purchase or contract award in accordance with this policy.

When recommending a purchase or contract award, staff shall provide the Board with the ranking of each compliant response, the number of responses received, the value of the award, and a description of the procurement process.

5. EXEMPTIONS

All exemptions that exist in the New West Trade Partnership Agreement, Canadian Free Trade Agreement, The Canada-European Union Comprehensive Economic and Trade Agreement or their successors shall apply to this policy.

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Any unforeseen circumstance that requires immediate action as designated by an Emergency Operations Centre Director in a *state of local emergency* is not bound by this policy so much as practicable for the protection of life and property.

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- c. The employee to authorize payment must have a sufficient commitment authority threshold as listed in Section 8 below.

C. REQUISITIONS AND PURCHASE ORDERS REQUIRED

- a. A procedure will be developed to detail the utilization of requisitions and purchase orders.
- b. Purchase orders must be utilized for all purchases above \$10,000.
- c. For this section a purchase is considered the sum of the cost of one or more like items to be purchased, or the cost of the sum of all supplies, services, or goods for an identified project.
- d. Purchase orders must be approved by an employee with the appropriate authority threshold before an employee enters into an agreement to purchase a good or service.

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- e. Notwithstanding (b) to (d) above, the Chief Administrative Officer has an authority threshold of \$100,000.
- f. Notwithstanding (b) to (e) above, any two Officers may authorize payroll; any payment or portion of a payment on a contract or project that was previously approved by the Board; and any payment or portion of a payment for an agreement for the purchase of goods and/or services previously approved by the Board.
- g. All commitments that exceed \$100,000 not listed in (f) above shall be approved by the Board

9. SUBDELEGATION OF AUTHORITY

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 - ii. \$25,000 to any manager,
 - iii. \$10,000 to any supervisor, or
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10. BOARD REVIEW

- a. The Chair, Vice Chair, or an appointed cheque signer shall review all payments made by Regional District staff and indicate the review by signing Regional District cheques, signing printed copies of electronic fund transfer batches, and/or printed copies of cheque and payment summaries.

11. PROCUREMENT THRESHOLDS AND METHODS

- a. A procedure will be developed to determine the most appropriate procurement methods.
 - i. For all goods under \$5,000 and services under \$10,000 no formal public competitive process is required.
 - ii. For goods from \$5,000 to \$25,000 or services from \$10,000 to \$25,000 three quotes or estimates (including those from online published sources) are required.
 - iii. For purchases from \$25,000 to \$75,000 three formal written quotes are required.
 - iv. For all purchases over \$75,000 a full public competitive process is required.
- b. Notwithstanding (a) above, with the approval of the Chief Administrative Officer, a direct award for procurement is an option for:
 - i. All goods and services less than \$25,000
 - ii. All professional services less than \$50,000
 - iii. All construction contracts less than \$75,000If the purposes is to support the local economy, decrease pollution or carbon emissions, is required for the sake of expediency, or other factor determined by the Chief Administrative Officer.
- c. For clarity, the purchase of construction supplies is considered a general good, the hiring of construction equipment (and operator) is considered a general service.



Email Transmission

April 10, 2025

File No.: 626 002

Mr. Gary MacIsaac
Executive Director
Union of British Columbia Municipalities
525 Government Street
Victoria, BC V8V 0A8

Dear Mr. MacIsaac:

Re: Local Government Response to U.S. Tariffs

We understand that a number of local governments have requested guidance from UBCM about potential amendments to their procurement policies in response to the tariffs on Canadian goods recently imposed by the United States Trump administration. We also understand that some local governments are considering "Buy Canadian" policies, while others may be considering policies which exclude United States (US) good and suppliers from consideration.

This letter provides general information that UBCM may find helpful as it works with local governments in B.C. to develop responses to the current US-Canada trade situation. However, local governments considering amendments to their procurement policies or bylaws should be encouraged to obtain their own legal advice.

Procurement decisions by B.C. local governments are affected by statute law, contract law, and administrative law principles, as well as regional, national and international trade agreements. Each has a bearing on the options available to local governments in the current trade environment, and the associated risks, and we will discuss each in turn.

1.0 Legislative Powers

The power to purchase goods and services is delegated to local governments by the Province of B.C. through the natural person powers given to municipalities under the *Community Charter*, and through the corporate powers given to regional districts under the *Local Government Act*. The *Community Charter* and *Local Government Act* do not require that local governments use competitive procurement practices when purchasing goods and services. However, to ensure value for money, and compliance with trade agreements, local government procurement policies typically establish purchasing thresholds beyond which some form of competitive procurement is required, which may range from a request for quotations from multiple suppliers for smaller purchases, to formal processes such as an invitation to tender or request for proposals for large-value procurements.

The courts have interpreted local government procurement powers as including the power to "discriminate" against specific suppliers or categories of suppliers¹, as long as the decision is based on valid business or commercial reasons, or is otherwise for a purpose that is within the local government's powers.

¹ See for example *J Cote & Son Excavating Ltd. v. Burnaby*, 2018 BCSC 1491

Municipalities and regional districts may exercise their statutory powers for municipal/regional district purposes², which include *fostering the economic, social and environmental well-being of their communities*. This means that obtaining “best value for money” need not be the sole deciding factor when purchasing goods and services, and many local governments have incorporated “social procurement” principles into their procurement policies. However, given that this discussion is taking place in the context of an international trade dispute, it is worth noting that in several cases Canadian courts have struck down local government decisions that were found to have been made in an attempt to influence matters outside of the local government's boundaries, without any apparent benefit to the local community.³

The imposition of US tariffs and the countervailing tariffs imposed by Canada will clearly have an economic impact on local communities in B.C., and will increase the cost of US goods imported to Canada. To ensure that their decisions are clearly grounded in concerns that are within their jurisdiction, Councils and Boards reviewing their procurement policies in response to US tariffs should consider and be prepared to articulate how any proposed change in policy – including the adoption of a policy which either discriminates against or prefers specific categories of suppliers - responds to the financial and economic effects that tariffs are expected to have on their community, and how the policy is intended to foster the economic, social and environmental well-being of their community.

2.0 Contract and Procurement Law

Canadian courts have consistently held that hidden or undisclosed procurement preferences violate the requirement for *fairness* that is usually an implied term of the "Contract A" that is formed between an owner who has issued an invitation to tender, and each supplier who submits a bid that complies with the terms of the tender. It is a well-established principle of contract and procurement law that local governments who invite bids or proposals from suppliers through a process that gives rise to Contract A obligations must clearly state any "local preference" or similar policy that will apply to the evaluation of bids or proposals. Local governments considering a "Buy Canadian" policy in response to US tariffs would need to ensure that the policy is clearly reflected in their front-end procurement documents.

3.0 Administrative Law

Even where Contract A obligations do not arise, courts may apply administrative law principles of procedural fairness - including the principle of "legitimate expectations" - to the review of local government procurement decisions⁴. Local governments seeking proposals or offers through a more informal request for proposals process can best ensure that they comply with the requirement for procedural fairness by clearly stating, and then following, the rules that will be applied to the evaluation of proposals or offers and the choice of suppliers, including any “Buy Canadian” preferences.

4.0 Trade Agreements

Regional, national and international trade agreements that the Canadian provinces and the federal government are parties to have been negotiated and ratified on the basis that Canada, the provinces, and their subsidiary organizations, including local governments, will provide open, transparent and non-discriminatory access to procurements covered by those agreements. The procurement thresholds that local governments in B.C. are expected to comply with under current trade agreements are set out in the following table:

² *Community Charter* s. 7; *Local Government Act* s. 185

³ For example, *Labrecque v. City of Toronto*, 2023 ONSC 4616

⁴ See for example *Murray Purcha & Son Ltd. v. Barriere (District)*, 2019 BCCA 4

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New West Partnership Trade Agreement (NWPTA)		Canadian Free Trade Agreement (CFTA)		Canada-European Union Comprehensive Economic and Trade Agreement (CETA)/Canada-UK Trade Continuity Agreement	
Goods and Services	Construction	Goods and Services	Construction	Goods and Services	Construction
\$75,000	\$200,000	\$133,800	\$334,400	\$353,300	\$8,800,000

The *Community Charter* and *Local Government Act* do not make compliance with trade agreements mandatory for local governments. However, a bid protest mechanism has been established by agreement among the four western provinces, under the *New West Partnership Trade Agreement*. Under that agreement, suppliers who believe that a local government's procurement process was inconsistent with the requirements of the NWPTA, the CFTA or CETA, and who are unable to resolve their concerns with the procuring entity, may request that the dispute be submitted to arbitration. If a supplier is successful, an arbitrator may award up to \$5,000 in costs, plus up to \$50,000 in bid preparation costs.

The *Canada-United States-Mexico-Agreement* (CUSMA) does not include government procurement obligations between Canada and the US. Both Canada and the US are parties to the World Trade Organization *Agreement on Government Procurement* (GPA), but the procurement provisions of the GPA do not apply to Canadian local governments. Accordingly, there are no trade agreements in place which require B.C. local governments to provide US suppliers with access to procurement opportunities.

Given trade agreements requirements, a preference for *local* suppliers could only be considered by a local government for the purchase of goods and services below the NWPTA thresholds.

Purchasing policies that give preference to Canadian goods, services and suppliers, or accord a preference to "Canadian value-added", are expressly authorized under the CFTA, provided such policies are consistent with Canada's international trade obligations, and are not implemented for the purpose of avoiding competition, or discriminating against another party to the CFTA. While this means that a "Buy Canadian" policy is permissible for the purchase of goods and services below the CETA thresholds, we note that the CFTA defines a "Canadian supplier" as a "supplier that has a place of business in Canada". A "place of business" is defined under CETA as "an establishment where a supplier conducts activities on a permanent basis that is clearly identified by name and accessible during normal business hours". In a highly globalized trade environment where companies operate in multiple countries, this highlights the potential complexities of defining who qualifies as a "Canadian" supplier. Any "Buy Canadian" policy would need to define in clear terms which suppliers and which goods qualify as "Canadian", and should be reviewed for consistency with the CFTA.

All trade agreements include exceptions and carve-outs which allow a departure from the agreement's procurement rules in certain defined circumstances. The exceptions and carve-outs vary from agreement to agreement, and local governments considering whether a particular exception or carve-out would apply in any given case should seek legal advice.

5.0 Options for BC Local Governments

The economic turmoil that is expected as a result of current US trade policies may have serious consequences for local communities in British Columbia. The Province of B.C. recently introduced Bill 7 – the *Economic Stabilization (Tariff Response) Act* - to the Legislature, and while it appears certain

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provisions of the Bill are being reconsidered, it is worth noting that the current trade situation, and the Canadian response, is evolving on to day basis, and that local government responses to the current situation may be affected by, and in some case may require, Provincial legislation.

With that in mind, as it stands we expect that local governments considering a change to their procurement policies in response to the current US-Canada trade situation would be considering the following options:

1. **Excluding US suppliers:** A procurement policy that excludes US goods and US suppliers from consideration would likely not violate a local government's trade agreement obligations, but the rationale for such a policy would need to be carefully considered to ensure that it is within the local government's powers. Additionally, it may not be a simple matter in any case to decide whether a particular supplier or good is a "US supplier" or a "US good". Legal advice should be sought, and the parameters and reasons for such a policy would need to be carefully considered.
2. **Local preference policies:** Purchasing policies that give preference to *local* suppliers should only be applied below the procurement thresholds established by the NWPTA, to avoid challenges under the trade agreements that local governments are expected to comply with.
3. **Buy Canadian policies:** A "Buy Canadian" policy that applies below the CETA thresholds may be consistent with the CFTA, but as suggested above the policy would need to define in clear terms which suppliers and which goods qualify as "Canadian" and should be reviewed for consistency with the CFTA.

Yours truly,

STEWART McDANNOLD STUART

Per:

A handwritten signature in blue ink, appearing to read 'John', with a stylized flourish at the end.

Peter Johnson*

PJ/sa

*Law Corporation



Reference: 415385

May 6, 2025

Mark Parker, Chair
and Directors
Regional District of Bulkley-Nechako
37 – 3rd Avenue – PO Box 820
Burns Lake BC V0J 1E0

Sent via email: mark.parker@rdbn.bc.ca

Dear Chair Parker and Directors:

Thank you for your letter of March 28, 2025, regarding illegal dumping concerns in your region, as well as your kind words of congratulations on my recent appointment as British Columbia's Minister of Environment and Parks.

We know illegal dumping is a growing issue for many communities across B.C. We share your frustration as well as your desire to protect our landscape from unauthorized activities that impact our environment, fish and wildlife.

Conservation Officers proactively patrol recreation and backcountry areas to help deter unlawful activity such as illegal dumping. Conservation Officers also respond to violation reports as necessary.

Illegal dumping on Crown land can be reported to the Province through the [Report All Poachers and Polluters \(RAPP\) hotline](#). Once reported, the Conservation Officer Service (COS) will determine whether to investigate; however, Conservation Officers do not conduct clean-up activities.

Where illegal dumping creates a hazard or nuisance, local and regional governments, or volunteer organizations, may step in to mitigate risks by collecting debris and posting signs as part of efforts to deter dumping.

...2

Depending on the location or type of material being discarded, Conservation Officers, Natural Resource Officers with the Ministry of Forests, or municipalities may have a role in responding.

As I am sure you can imagine, it can also be challenging to identify suspects in illegal dumping cases. I can tell you the COS welcomes public awareness and assistance to help identify and report illegal dumping sites and suspects. Conservation Officers can also work with local bylaw officers on investigations, as appropriate.

I can assure you the COS will continue to review, respond and take action as necessary regarding reports of illegal dumping. We must all work together to help keep B.C.'s backcountry as pristine as possible.

Thank you again for taking the time to write. I hope you find this information helpful.

Sincerely,

A handwritten signature in black ink, appearing to read "Tamara Davidson". The signature is fluid and cursive, with the first name "Tamara" written in a larger, more prominent script than the last name "Davidson".

Tamara Davidson
Minister of Environment and Parks

cc: Cheryl Anderson, Director of Corporate Services, Regional District of
Bulkley-Nechako



March 28, 2025

Honourable Tamara Davidson
Minister of Environment and Parks
Parliament Buildings
Victoria, BC V8V 1X4

Via email: ENV.Minister@gov.bc.ca

Dear Minister Davidson:

Illegal Dumping on Crown Land

Congratulations on your recent appointment as Minister of Environment and Parks. The Board of the Regional District of Bulkley-Nechako would like to bring to your attention the issue of illegal dumping on Crown land. We are seeing an increase in illegal dumping in the region despite our efforts to provide cost effective recycling and waste disposal options for residents. We are not able to independently address this issue, which is having a notable impact on the environment, and the experience of the users of Crown land.

The Ministry of Environment and Parks through the Conservation Officer Service has the jurisdiction to take enforcement action where illegal dumping is occurring. However, the financial or human resources necessary to improve the situation do not appear to be in place. The Regional District Board asks that your Ministry make illegal dumping site clean up, and enforcement of regulations against illegal dumping on Crown land, a financial and human resource priority. The RDBN is willing to partner with the Province to resolve the illegal dumping challenges in our region. This could include assistance with investigations, public awareness of regulations and enforcement activity, and identification of illegal dumping sites.

Our license plates say "Beautiful British Columbia", and our provincial motto is "Splendor sine occasu" (Splendour without Diminishment). The RDBN Board looks forward to working together to ensure we continue to live up to these statements.

Sincerely,

Mark Parker
Chair, Regional District of Bulkley-Nechako Board



March 11, 2025

Christopher Walker, Emergency Services Manager
Regional District of Bulkley-Nechako
37 Third Avenue
Burns Lake, BC V0J 1E0

Reference: LGPS-11521

**Re: 2025 Community Emergency Preparedness Fund - Emergency Support
Services Equipment and Training – CONFIDENTIAL Approval Agreement**

Dear Mr. Walker,

Thank you for submitting an application, dated January 22, 2025, for the 2025 Emergency Support Services Equipment and Training funding stream under the Community Emergency Preparedness Fund.

I am pleased to inform you **in confidence** that the Evaluation Committee has recommended your project, *Regional ESS training, laptops and volunteer PPE*, for funding. A grant in the amount of \$33,710.56 has now been approved.

As outlined in the *Program and Application Guide*, grant payments will be issued when the approved project is complete and UBCM has received and approved the required final report and financial summary.

The Ministry of Emergency Management and Climate Readiness has provided funding for this program. In addition, and in order to satisfy the terms of the contribution agreement, the following requirements must be met in order to be eligible for grant payment:

- (1) This approval agreement is required to be signed by the Band Manager, CAO, CFO, or designate and returned to UBCM within 30 days of the date of this letter;
- (2) To provide the Province of BC with the opportunity to make announcements of funding approvals under this program, please keep information regarding this funding approval **in confidence until April 11, 2025.**
- (3) The funding is to be used solely for the purpose of the above-named project and for the expenses itemized in your approved application and budget;
- (4) All expenditures must meet eligibility and funding requirements as defined in the *Program and Application Guide* (refer to Sections 4, 5, and 6);

The Community Emergency Preparedness Fund is funded by the Province of BC

- (5) All project activities must be completed within one year and no later than March 31, 2026;
- (6) The final report is required to be submitted to UBCM within 30 days of project end date and no later than April 30, 2026;
- (7) Any unused funds must be returned to UBCM within 30 days following the project end date.

In addition, local governments are encouraged to engage with local First Nations and Indigenous organizations. Engagement by local governments both locally and regionally can help build relationships with First Nations, benefit both communities, and enhance reconciliation. More information on engagement best practices is available [here](#).

Please note that descriptive information regarding successful applicants and projects will be posted on the UBCM and/or provincial government websites, or shared through provincial governments news releases or events, and all interim, progress, and/or final report materials will be made available to the provincial government and the First Nations' Emergency Services Society.

On behalf of the Evaluation Committee, I would like to congratulate you for responding to this opportunity to support emergency preparedness and resiliency in your community.

If you have any questions, or if I can provide any assistance, please contact me at 250-387-4470 or rbishop@ubcm.ca.

Sincerely,



Rebecca Bishop, Senior Program Officer

cc. Scott Zayac, Director of Protective Services