



REGIONAL DISTRICT OF BULKLEY-NECHAKO DEVELOPMENT PROCEDURES BYLAW NO. 2076, 2025

*A bylaw to establish procedures for
land use and development applications*

WHEREAS Section 460 of the *Local Government Act* requires that a local government define by bylaw the procedures under which an Owner of land may apply for an amendment to the official community plan or zoning bylaw, or for the issuance of a permit under Part 14 of the *Local Government Act*;

AND WHEREAS under Section 462 of the *Local Government Act* a local government may adopt a bylaw which imposes certain application, administration, inspection, and other fees;

AND WHEREAS the *Local Government Act* provides local governments with various authorities pertaining to matters dealt with in this Bylaw;

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

1. TITLE

- 1.1. This Bylaw may be cited as "Regional District of Bulkley-Nechako Development Procedures Bylaw No. 2076, 2025".

2. REPEAL

- 2.1. "Regional District of Bulkley-Nechako Development Procedures Bylaw No. 1898, 2020" and any amendments thereto are hereby repealed.

3. GENERAL PROVISIONS

- 3.1. This Bylaw shall apply to all lands within the Regional District of Bulkley-Nechako.
- 3.2. Any person wishing to do any of the following must make an application to the Regional District in accordance with this Bylaw.
 - 3.2.1 Amend an official community plan bylaw or zoning bylaw.
 - 3.2.2 Receive a land use permit (development permit, development permit amendment, temporary use permit, temporary use permit renewal, or development variance permit).
 - 3.2.3 Receive an exemption to the minimum frontage on a highway required pursuant to Section 512 of the *Local Government Act*.



- 3.2.4 Obtain Board approval for a strata conversion, or the marketing of a shared interest in land.
- 3.2.5 Obtain an exemption from a flood plain specification pursuant to Section 524 (7) of the *Local Government Act*.
- 3.2.6 Obtain the Board's approval for an amendment to, or discharge of, a Covenant.
- 3.3. In this Bylaw the following definitions apply:
 - "Applicant"** means the property Owner(s), or the property Owner's agent, making application pursuant to this Bylaw.
 - "Board"** means the elected and appointed Directors of the Regional District of Bulkley-Nechako acting as the Regional District of Bulkley-Nechako Board of Directors in assembled meetings thereof.
 - "Director"** means the Director or Deputy Director of Planning and Development for the Regional District of Bulkley-Nechako, the deputies of the Director of Planning and Development as appointed by the Director of Planning and Development, or another person appointed by the Regional District of Bulkley-Nechako to act in place of the Director or Deputy Director of Planning and Development.
 - "Owner"** means the registered owner of land as verified by the Regional District through a title search, state of title certificate or the BC Assessment Roll.
 - "Regional District"** means the Regional District of Bulkley-Nechako.
- 3.4. Unless otherwise defined in this Bylaw, all words and phrases in this bylaw shall have the meaning given to them in the *Local Government Act* and the *Community Charter*.

4. APPLICATION PROCEDURES

- 4.1. Applications must be made using the application form prescribed by the Director.
- 4.2. The application form must be signed by all Owner(s) of the land involved or an agent acting on behalf of the Owner(s) provided that the agent has written authorization to represent the Owner(s) regarding the application. All joint tenants and tenants in common must sign the application form or provide written authorization to an agent acting on their behalf. Sections 4.1. and 4.2. do not apply to application forms submitted by the Regional District.



- 4.3. The following information shall be submitted, at the property Owner's expense, with an application form, where applicable. The Director or the Board may waive the requirement to provide information if the Director or the Board determines the information is not necessary to assist in evaluation or consideration of the application.
 - 4.3.1 A copy of the certificate of title or state of title certificate dated within 30 days of the date the application is submitted, and copies of applicable charges on title.
 - 4.3.2 A complete application form.
 - 4.3.3 Documents and site plans that clearly describe the application, and any proposed use or development.
 - 4.3.4 Documents and plans that clearly demonstrate compliance with the existing or proposed regulations, as applicable.
- 4.4. A complete Site Disclosure Statement shall accompany applications where required pursuant to Section 40 (1) (b) of the *Environmental Management Act*.
- 4.5. The Director or the Board may request additional information determined to be necessary to assist the Director or the Board in their consideration of the application.
- 4.6. Every application shall be made to and be processed under the direction of the Director.
- 4.7. Where an Owner is registering a Covenant or other charge involving the Regional District on the title of a property in association with an application, the Regional District must sign the Covenant prior to registration, and it shall be the Owner's responsibility to prepare and file the document and provide proof of Land Title registration to the satisfaction of the Regional District. The Owner shall reimburse the Regional District for its legal fees to prepare or review these legal documents.

5. OFFICIAL COMMUNITY PLAN AND ZONING AMENDMENT NOTICE REQUIREMENTS

- 5.1. Where notice of a public hearing is required to be mailed or otherwise delivered in accordance with Section 466 (4) of the *Local Government Act* that notice must be delivered to parcels within a distance of 200 metres of the area that is subject to the bylaw alteration.
- 5.2. Where a public hearing is not being held pursuant to Section 464 (2) or Section 464 (3) of the *Local Government Act* and notice is required to be



mailed or otherwise delivered in accordance with Section 467 of the *Local Government Act*, that notice must be delivered to parcels within a distance of 200 metres of the area that is subject to the bylaw alteration.

- 5.3. Where notice of a public hearing is required in accordance with Section 466 (4) of the *Local Government Act* the Applicant shall post, and maintain, in accordance with Section 7.1. of this Bylaw, a sign at least ten days before the public hearing.
- 5.4. If no members of the public attend a public hearing at the time and location of the public hearing, the public hearing shall be adjourned after 15 minutes and the public hearing shall be considered to have been held as required.

6. LAND USE PERMIT NOTICE AND SECURITY

- 6.1. Where notice relating to a land use permit is required to be mailed or otherwise delivered in accordance with Section 494 or 499 of the *Local Government Act* that notice must be delivered to parcels within 100 metres of the area that is subject to the permit.
- 6.2. Where an application for a development variance permit proposes to reduce a minimum parcel area requirement the Applicant shall post and maintain, in accordance with Section 7.1. of this Bylaw, a sign at least ten days before the Board considers the permit.
- 6.3. Where an application for a temporary use permit is made, the Applicant shall post and maintain, in accordance with Section 7.1. of this Bylaw, a sign at least ten days before the Board considers the permit.
- 6.4. Security required by permits shall be in the form of a certified cheque, or an irrevocable letter of credit that is clean and unconditional, automatically renewing, and redeemable at a bank or credit union located within the boundaries of the Regional District of Bulkley-Nechako. The letter of credit may be subject to additional conditions specified by the Director of Planning and Development, Chief Administrative Officer or the Board.

7. SIGNAGE REQUIREMENTS

- 7.1. A sign required under Sections 5.3., 6.2., and 6.3. must be posted and removed, in accordance with the following:
 - 7.1.1 The sign shall be a minimum of 1.2 x 0.9 metres in dimension.
 - 7.1.2 The sign shall be constructed of plywood, corrugated plastic, or other such durable material.



- 7.1.3 The sign shall have clearly visible lettering that is not less than 5.5 centimetres in height.
- 7.1.4 The sign shall contain the following wording.

"This site is the subject of an application that may impact the use or development of land. For further information please contact the Regional District of Bulkley-Nechako at (insert Regional District phone number)."
- 7.1.5 The sign shall be located within three metres of a property line of a property that is subject to the application and the sign shall be located on a property line abutting a public road in a location facing and clearly visible from the road.
- 7.1.6 The sign shall be placed so as not to interfere with pedestrian or vehicle traffic flow, or obstruct visibility from a highway, lane, walkway, or driveway.
- 7.1.7 If the placement of the notice in accordance with Section 7.1.5 or 7.1.6. is not feasible, the sign shall be located on the nearest abutting road or in another location approved by the Director.
- 7.1.8 The sign shall be installed in a safe and sturdy manner and be capable of withstanding typical wind and other weather conditions. When applicable, effort shall be made to ensure the sign is not obstructed by snow.
- 7.1.9 If the application involves more than one subject property, a second sign may be required, at the discretion of the Director.
- 7.1.10 Failure to post and keep posting the sign in accordance with this Bylaw may result in the postponement of the relevant public hearing or consideration of the land use permit.
- 7.1.11 Any additional notification costs incurred by the Regional District resulting from a failure to post, and keep posted, a sign shall be paid by the Applicant prior to the advertising of the applicable public hearing or consideration of the land use permit.
- 7.1.12 Prior to the Board's consideration of the related bylaw amendment or land use permit, the Applicant shall provide the Director with a letter signed by the Applicant stating the sign has been posted in accordance with this Bylaw, and a photograph of the posted sign.
- 7.1.13 Where a sign required under this Bylaw is removed, destroyed, or altered due to vandalism or theft the validity of any bylaw or land use permit that is the subject of the relevant application shall not



be impacted.

7.1.14 The sign shall be removed as follows:

- i. For official community plan and zoning bylaw amendment applications subject to a public hearing, within five days of the conclusion of the related public hearing(s).
- ii. For land use permits, within five days of the consideration of the related land use permit.

8. APPLICATION LAPSE AND RE-APPLICATION

- 8.1. Where the Board has considered an application that is subject to this Bylaw, and that application is denied or defeated, the Board shall not consider another application that is the same or similar for a period of 365 days after the date of the Board's consideration of that application.
- 8.2. The time limit specified in Section 8.1. may be varied in relation to a specific re-application by an affirmative vote of at least two-thirds (2/3) of Board Members eligible to vote.
- 8.3. If a bylaw amending an official community plan or zoning bylaw is not adopted within a period of 36 months after the date of first reading of that bylaw, the bylaw shall lapse and will be of no force or effect and the application shall be cancelled. A new application and fee shall be required to proceed with the amendment that was the subject of the lapsed bylaw.

9. FEES

- 9.1. Applications shall include the fees identified in Schedule 'A', which forms part of this Bylaw. Fees are not required for applications submitted by the Regional District.
- 9.2. The application fees prescribed in Schedule 'A' may be waived or reduced by an affirmative vote of at least two-thirds (2/3) of Board members eligible to vote.
- 9.3. An application shall be deemed not to have been made until the required application fees and information required pursuant to Sections 4.1. to 4.4. of this Bylaw have been received by the Regional District.
- 9.4. Where an Applicant uses a sign provided by the Regional District, a sign fee is required as prescribed in Schedule 'A'.
- 9.5. Where a public hearing is required prior to the amendment of a Covenant, an "Additional Public Hearing" fee is required as prescribed in Schedule 'A'.



- 9.6. The application fee for an official community plan bylaw amendment or zoning bylaw amendment includes the holding of one public hearing in association with the application, where applicable. Where another public hearing is required, as a result of the actions of the Applicant, an additional fee is required as prescribed in Schedule 'A'.
- 9.7. Where an application is for the purpose of legalizing an existing bylaw(s) contravention, the application fee shall be increased as prescribed in Schedule 'A'.

10. FEE REFUNDS

- 10.1. Application fees are non-refundable once the application review process has been initiated by staff, except as stated in Section 10. of this Bylaw.
- 10.2. The application fee for an official community plan bylaw amendment, a zoning bylaw amendment, or an amendment to a Covenant shall be refunded as follows.
 - 10.2.1 When a public hearing shall be held pursuant to Section 464 of the *Local Government Act*, 50 per cent of the fee shall be refunded if the application is withdrawn or denied by the Board prior to the provision of notice of a public hearing.
 - 10.2.2 When a public hearing shall not be held pursuant to Section 464 of the *Local Government Act*, 50 per cent of the fee shall be refunded if the application is withdrawn or denied by the Board prior to the provision of notice pursuant to Section 467 of the *Local Government Act*.
 - 10.2.3 No fee shall be refunded once notice has been provided.
- 10.3. The application fee for a land use permit shall be refunded as follows.
 - 10.3.1 50 per cent of the fee shall be refunded if the application is withdrawn prior to the provision of notice of Board consideration of a permit.
 - 10.3.2 No fee shall be refunded once notice of a permit has been provided, or the permit has been considered by the Board.
- 10.4. Upon returning a Regional District sign in good condition to the Regional District, a \$75 refund shall be issued.
- 10.5. The application fee for an exemption from a flood plain specification shall be refunded as follows.
 - 10.5.1 50 per cent of the fee shall be refunded if the application is withdrawn prior to the consideration of the flood plain



specification by the Board.

10.5.2 No fee shall be refunded once the flood plain specification has been considered by the Board.

10.6. The application fee for a strata conversion or the marketing of a shared interest in land shall be returned as follows.

10.6.1 50 per cent of the fee shall be refunded if the application is withdrawn prior to the consideration of the strata conversation or shared interest in land by the Board.

10.6.2 No fee shall be refunded once the strata conversion or the marketing of a shared interest in land has been considered by the Board.

10.7. The application fee for an application to the Board of Variance shall be refunded as follows.

10.7.1 50 per cent of the fee shall be refunded if the application is withdrawn prior to the provision of notice of Board of Variance consideration of the application.

10.7.2 No fee shall be refunded once notice of Board of Variance consideration has been provided.

11. SEVERABILITY

11.1. If any section, subsection, paragraph, subparagraph or clause of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remaining portions of this Bylaw.

12. ENFORCEMENT

12.1. The Director or Bylaw Enforcement Officer may enter any land, building or other structure at any reasonable time for the purpose of ascertaining whether this Bylaw, a land use regulation, or any terms or conditions of a land use permit issued pursuant to this Bylaw are being observed, or have been met.

12.2. No person shall interfere with or obstruct the entry of the Director or Bylaw Enforcement Officer onto any land or into any building or other structure to which entry is made or attempted pursuant to the provisions of this Bylaw.

12.3. No person shall suffer or permit any land, building or other structure to be



used, occupied, developed, constructed, erected, altered, modified, replaced, located, enlarged, or maintained in a manner contrary to any term or condition of an exemption from a flood plain specification or a land use permit issued pursuant to this Bylaw.

- 12.4. Every person who violates any provision of this Bylaw; permits, suffers or allows any act to be done in violation of any provision of this Bylaw; or neglects to do anything required to be done by any provision of this Bylaw; commits an offence punishable upon summary conviction and is subject to a fine not less than \$2,000.00 and not more than \$10,000.00.
- 12.5. Each day during which any violation, contravention or breach of this Bylaw continues shall be deemed a separate offence.

READ A FIRST TIME this eighteenth day of September, 2025

READ A SECOND TIME this eighteenth day of September, 2025

READ A THIRD TIME this eighteenth day of September, 2025

I hereby certify that the foregoing is a true and correct copy of "Regional District of Bulkley-Nechako Development Procedures Bylaw No. 2076, 2025".

DATED AT BURNS LAKE this 23rd day of October 2025.

A blue ink signature of the Corporate Administrator, written over a horizontal line.

Corporate Administrator

ADOPTED this 23rd day of October, 2025.

A black ink signature of the Chairperson, written over a horizontal line.

Chairperson

A blue ink signature of the Corporate Administrator, written over a horizontal line.

Corporate Administrator

Schedule A
to Regional District of Bulkley-Nechako
Development Procedures Bylaw No. 2076, 2025

APPLICATION FEES

Application Type	Fee - Standard	Fee - Legalize existing bylaw contravention
Official Community Plan (OCP) Bylaw Amendment	\$1,000	\$1,500
Zoning Bylaw Amendment	\$1,000	\$1,500
Combined OCP and Zoning Bylaw Amendment	\$1,500	\$2,250
Exemption from a Flood Plain Specification	\$500	\$750
Development Variance Permit	\$500	\$750
Development Permit	\$200	\$300
Development Permit Amendment	\$100	\$150
Temporary Use Permit	\$700	\$1,050
Temporary Use Permit Renewal	\$500	\$750
Parcel Frontage Exemption	N/A	N/A
Strata Conversion or Marketing of a Shared Interest in Land	\$500	\$750
Covenant Amendment	\$500	\$750
Board of Variance*	\$1,000	\$1,500
Miscellaneous Items	Fee (where applicable)	
Sign Fee**	\$100 per sign	
Additional Public Hearing	\$800 per additional public hearing	

* Refer to Bylaw No. 1623, 2022 for Board of Variance application procedures.

** Sign fee applies for use of a Regional District provided sign.