



# **SOOWAHLIE FIRST NATION LANDS DEPARTMENT**



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## **SUMMARY**

### **SOOWAHLIE DRAFT *SUBDIVISION, DEVELOPMENT AND SERVICING LAW* MAY, 2017**

#### **PURPOSE**

The purpose of the *Soowahlie Subdivision, Development and Servicing Law* is to ensure that Soowahlie First Nation is protecting our Reserve land, ensuring well planned use of Reserve land, meeting community interests in land development and getting community benefits, ensuring safe high quality construction, and protecting Soowahlie against liability.

#### **BACKGROUND**

Soowahlie First Nation's Land Code came into effect on September 1, 2016. Soowahlie First Nation is now responsible for protecting Soowahlie Reserve land and trying to minimize risks for people living on and using the Reserve lands. Managing our own Reserve lands gives us a lot of opportunities to make things better. It also comes with responsibility for environmental stewardship and protection, making sure that developments and buildings are in the right places, and ensuring safe construction.

We realize that in the past some Members and developers may have felt they could build or do anything on Reserve land without any need for planning or permits. This is because the federal government did not properly enforce the laws or help First Nations plan and manage developments in the past under the *Indian Act*. The problem with this approach is that it has caused unsafe buildings, moldy homes, illegal dumping, poorly planned developments and a lack of community services such as sidewalks, street lights, trails, parks, sewer and water on many Reserves. Soowahlie would like to work with our Members and with developers to do things in a much better way under our Land Code.

#### **SUMMARY OF KEY POINTS IN DRAFT LAW**

- For large developments, the law requires developers to contribute community benefits of land or 5% of the project value (ie: sidewalks, park/green space).
- Allows for Land Committee review and comments of any proposed project of development.
- A permit must be issued before any construction. However, certain projects do not need permits such as sheds under 200 square feet and minor landscaping and renovation projects.
- Sets out the application and approval process. This is very similar to municipal processes.
- Minimizes Soowahlie's liability.
- Ensures consideration of Community needs for developments and protects CP holders.

#### **QUESTIONS**

We would welcome any questions or comments on the draft law. Please contact the Lands office if you have any questions or comments.

#### **CONCLUSION**

The Committee has reviewed and revised the draft law, along with legal counsel, and recommends it to Soowahlie Chief and Council. However, we would welcome any comments or questions and the draft law can be revised if Members or Council point out any issues. The Committee and Lands Governance Director will be finalizing application checklists and permit requirements to bring to Council for approval in the near future.