M u s q u e a m L a n d s D e p a r t m e n t

MUSQUEAM DRAFT *SUBDIVISION, DEVELOPMENT AND SERVICING LAW* - January, 2023

Attention Musqueam Community Members

Summary of MUSQUEAM DRAFT *SUBDIVISION, DEVELOPMENT AND SERVICING LAW*

Date Posted: February 3, 2023

PURPOSE

The purpose of the Musqueam *Subdivision, Development and Servicing Law* is to make sure that Musqueam is protecting our Reserve land, our use of Reserve land is well planned, we meet community interests in land development, we get community benefits from developments, have a safe and high quality of construction, and protect Musqueam against liability.

BACKGROUND

Musqueam's Land Code came into effect on June 5, 2017. Musqueam is now responsible for protecting Musqueam 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, developers and departments 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 laws and bylaws 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, poor drainage, 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. Musqueam 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

- No subdivision, service connections or development will be allowed without a permit.
- Permits will be required for blasting, drilling, drainage works, sewer, water, etc.

- A permit will be required for most types of construction and major renovations. However, certain projects do not need permits such as sheds under 200 square feet and minor landscaping and renovation projects.
- Permitting on reserve lands will be managed and issued by the Musqueam Lands Governance Office.
- Larger or more complex developments will require more detailed permit applications.
- Building inspections will be required to ensure construction meets Building Code.
- For large developments, developers will have to contribute community benefits of land or cash in the amount of 5% of the project value (to contribute: sidewalks, drainage, park/green space).
- Allows for Land Committee review and comments of any proposed project of development.
- Sets out the application and approval process. This is very similar to municipal processes.
- Minimizes Musqueam's liability.
- Ensures consideration of Community needs for developments and protects CP holders.

NEXT STEPS

The process for the *Subdivision, Development, and Servicing Law* is following the law-making process set out in Musqueam's Land Code.

The Land Code Committee is continuing to review and revise the draft law, along with legal counsel. We welcome any questions or comments. The Committee and the Musqueam Lands Governance Office will be finalizing a draft of the law along application checklists and permit requirements to bring to Council for approval in the near future.

COMMUNITY MEETING

A community meeting to review the law will be held between February 3 and February 24, 2023.

QUESTIONS & FEEDBACK

Paper copies of the Law and Land Code are available at the Lands Office.

Members can also email for a digital copy.

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

If you have any comments on the proposed Musqueam Subdivision, Servicing, and Development Law please provide them by February 24, 2023 at 4:30 pm.

Please contact Musqueam Lands Governance Office:

Phone 604-329-7916, or via email at kim@musqueam.bc.ca