



SOUTH PEACE FRINGE AREA OFFICIAL COMMUNITY PLAN Minutes - Advisory Committee Meeting - January 19, 2010

Date: January 19, 2010
Time: 5:30 pm
Place: Peace River Regional District office

Committee: Linda Fontaine Iva Tuttle
 Judy Madden Kerry Clark
 Barbara Swail Elaine Peterson
 Ruth Veiner

Director: Wayne Hiebert, Director of Electoral Area 'D'

Staff: Debbie Kunz, Assistant Manager of Development Services
 Bruce Simard, Manager of Development Services
 Jodi MacLean, Project Planner

Focus: Felice Mazzoni, Planning Service Manager
 Richad Geile, Focus

MOTI Yvonne Pearson, Approving Officer, Min. Transportation and Infrastructure

1. CALL TO ORDER - meeting was called to order at 5:30 pm.

2. PART I - Information Sharing Session

It was reminded that the purpose of these Information sharing sessions is to better understand existing provincial legislation within the context of preparing an Official Community Plan.

Presentation by Ministry of Transportation and Infrastructure

Yvonne Pearson gave an overview of the Approving Officer role, involving:

- Rural Subdivision types; Application Process, Fee Structure and Time lines.
- A person may divide property into one or more parcels and register them in with the Land Title & Survey Authority. The Approving Officer approves the 'subdivision plan' and before the plan can be registered, the following Acts are involved in this approval process:
 - o *Land Title Act,*
 - o *Strata Property Act,*
 - o *Real Estate Development Marketing Act and*
 - o *Local Government Act*
- Discussion pursued regarding rural subdivisions, agency referrals, development of ALR lands and other issues related to public and industrial land use.
- Discussion pursued around the topic of road standards and road right-of-ways.
- Forest Service Roads, Oil and Gas Development Roads are not within the Ministry's

jurisdiction.

- Access to lands beyond is a responsibility of MOTI's.
- * In summary, land use development links together the roles and responsibilities of the various levels of government, including First Nations.
- * Once a copy of the Draft SPFA-OCP is prepared a technical committee will be established and a review of the plan will be sought from government agencies and First Nations.

See MOTI notes attached

Supper Break - Meeting called back to order at 7:00 pm

3. PART 2 - Community Survey Results and Policy Suggestion Discussions

Richard gave an overview of the Survey Results and discussions centred on the following 7 topics:

Quality of life	Environment	Energy
Economic Development	Water management	Design Guidelines
Growth Development	Parks, Recreation and Outdoors	

A brief description of the Methodology used in the Survey was given inclusive of: Survey instrument - used to reach out to a large geographic area.

Mail out - 450 surveys were mailed to randomly selected households, with a cover letter and pre-paid self return envelopes.

Data analysis - to assist in 1) providing future direction for SPFA 2) plan for meeting the present and future economical, environmental and social needs of local residents.

Research limitations - 1st limitation due to large geographic area surveyed, there may be an over or under-representation from specific areas, as there is no way to control who in the household completed survey, resulting in systemic bias.

2nd limitation resulted in an inaccurate response rate of approx. 18% due to there being no way of distinguishing difference between mailed out surveys or ones picked up. Survey Questions No. 2 and 11, had formatting and typo errors, causing an inaccurate result.

- In summary this survey is not based on scientific accuracy, but rather the percentages recorded in the Summary Report are based on the 80 Survey responses.
- Respondent Information - an important goal of the OCP process was to hear from a broad segment of the SPFA population and based on results of responses to Question No. 16 this was achieved; as respondents were from Tomslake, South Dawson, Tupper, Bear Mt. Briar Ridge, West Kiskatinaw (Arras, Uppercut Bank) and east of Pouce Coupe.

Discussion on Policy Suggestions

In regards to the suggested Policy Direction, the Advisory Committee members provided additional input to the following 7 topic areas. This input and background information will further assist and shape the development of the SPFA-OCP.

- An overall priority may be to focus on the power of 'partnering' and 'collaborating'

with agencies and stakeholders to work towards solutions to address common goals and objectives to achieve a future sustainable community.

- Further investigation to these options will be pursued.
- An OCP is a valuable tool for all users.
- An 'advocacy role' may also be a policy approach, to check that various levels of government are meeting their mandates and regulation responsibilities.

Environmental Priorities - policy suggestion discussion

- possibly x-reference other agency or stakeholder protocols in the OCP.
- Recognizing other 'tools' to achieve common goals, may include cross referencing a provincial/federal programs in the OCP such as: BC Environmental Farm Plan - this programs' broad goal focuses on Water quality, quantity and climate change challenges.
- Farm land protection importance.
- City of Dawson Creek is researching alternative water use sources, in order to save on 'potable water' usage.
- There appears to be a need to take a closer review at the use of water by industry; recycle or rehabilitate.

Economic Development Priorities - policy suggestion discussion

- results from the survey respondent validates common Advisory Committee priorities; ie. people value the environment, but also recognizing the economic values of this area.
- it is good to see the priorities in this section, which include 'supporting agriculture' and 'encouraging sustainable /clean green industry'.
- 'agriculture' has been and remains to be a stable foundation of the Peace area.
- important to focus on 'the purpose of the policy directions' and a need for flexibility in the Plan.
- An 'education component' is important to assist with communicating clear policy direction.
- It is important to have a ALC Commissioner from the Peace River area.
- ALC has recently put in place 'enforcement' personal on staff.
- 'Pilot Projects' may be an optional avenue to pursue.
- The Peace Region is a very distinct region of the province.
- The geographical location, ecological and demographical characteristics of the Peace region set this area apart from the rest of the province.
- Investigate with the Agricultural Land Commission possible policy direction, which may involve ALR exclusions or delegation agreements.

Energy Initiatives - policy suggestion discussion

- NEAT "Northern Environmental Action Team" do a great job in the peace region promoting 'Recylce, Reduce, Reuse'.
- Acknowledge 'Industry' is here in the Peace, despite being a large carbon foot print contributor.

- It is important to keep a 'level playing field' for all land users across the board.
- What are alternatives for 'industrial waste' - if we can't prevent, then how do we limit the impacts?
- Farmers are and have been 'energy conscious' for some time, such as;
 - * using solar energy alternatives (fencing equipment)
 - * converting to Zero-till management practices (reducing number of times field/soil is worked)
 - * water conservation with farmers has been a necessity, not an option for years.
- What 'initiatives' can be pursued and implemented that will contribute to a difference in the region (best alternatives to managing waste in the region)
- Reducing 'flaring' by 2016 may be too late for this area as the resource will have been extracted.
- What are target areas that need attention - what mechanisms could be initiated?
- 'Partnerships' to be pursued to develop 'results based solutions'.
- 'Incentives' to be developed and offered may be beneficial to the region.

Water Initiatives - policy suggestion discussion

- "Kiskatinaw Watershed' not recognized as a 'Designated Watershed' since it is too large of an area, thus it does not meet the provincial designation criteria.
- The protection of the Kiskatinaw watershed was an easy 'highest priority';
- Establish 'priorities' for the use of water: Domestic Use vs. Industrial Use.
- Development Permit Areas may need to be established, with the purpose and guidelines to be 'specifically made for the Peace' .
- As in all areas 'Water' is the PRIORITY.

Design Guidelines - policy suggestion discussion

- protect eco-sensitive areas is an high priority.
- to investigate options to help protect the natural environment.
- Road Safety, both on major highways and on all the secondary roads is a major concern and priority.
- With increased industrial development, there are impacts to the road network systems.
- Provincial upgrades to the road system need be balanced with the increase of usage.
- 'Temporary permitting' by the province for industry is at a different standard then for other development ie. Residential.
- Need for a 'level playing field'.
- Concern that provincial standards 'fall down' in favour of the industry.
- Create 'incentives' for those who are making a change or difference.
- Re-look at the definition of 'public interest'.

Growth Management - policy suggestion discussion

- Preservation of 'agriculture' is a high priority.
- Proactively investigate options or test cases with the ALC in regards to farming and non-farm initiatives.
- Buffers between agriculture and other uses; these need to be built on the non-farms side by the developer.
- Need to consider the scope, scale and location of various land uses.
- Housing and subdivision types need to be reviewed.
- How will 'Affordable housing' be defined and addressed in the rural area.
- Min. of Energy and Mines conducted a 'housing study' in the Peace area, which may give some beneficial insight to housing.

Parks, Recreation and Trails - policy suggestion discussion

- Need to identify areas of enhancement.
- Minimal existing public and community facilities.
- 'Supporting plans' such as Park Management Plan, Trail Network Plan, may need to be considered within the context of the OCP.

4. Next Steps

- investigation and research review to find common ground related to the key topics as referenced above.
- Explore partnerships between public/private and various government levels.
- drafting OCP context and mapping.
- development of possible Development Permit areas.

Advisory Committee members are encouraged to call or email any additional comments form the Community Survey, which might feed into policy development.

Advisory Committee will be notified when the next Info. Sharing session will be held in regards to Water and Oil and Gas Activities.

5. MEETING was terminated at 9:00 pm.

Debbie Kunz, Recorder



Roles and Authorities

In British Columbia, a person may divide his or her property into one or more parcels and register them in the **Land Title & Survey Authority**. Before such a subdivision plan can be registered, however, the **Land Title Act**, **Strata Property Act**, **Real Estate Development Marketing Act** and **Local Government Act** of British Columbia require an official known as an Approving Officer to approve the plan.

Collection of Information Authority

The **Freedom of Information and Protection of Privacy Act** was proclaimed on October 4, 1993. All personal and business information collected by the Ministry is subject to the provisions of the Act. The personal information on the subdivision application form is collected under the authority of the **Land Title Act**. The information collected will be used to process the preliminary subdivision application, and it may be necessary for the Ministry to provide this information to other agencies. The District Development Technician will answer any questions the applicant may have about the collection, use, and disclosure of this information.

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1.01.01.01 Role of the Approving Officer

Role of the Approving Officer

Approving Officers are appointed under the Land Title Act. There are four separate jurisdictions:

- Municipal Approving Officers, whom municipal councils appoint to rule on subdivision proposals within municipal boundaries (**Section 77**)
- Regional District and Islands Trust Approving Officers, who are appointed by the Regional District Board or the Islands Trust council to rule on subdivision proposals within the boundaries of those local governments that have assumed the rural subdivision approving authority (**Section 77.1.**) Currently none of these has approving authority.
- Ministry of Transportation Provincial Approving Officers, whom Cabinet appoints to rule on subdivision proposals outside municipal boundaries and within those regional districts and the Islands Trust boundaries that have not assumed the rural subdivision approving authority (**Section 77.2.**)
- Nisga'a Approving Officers, who are appointed by the Nisga'a Lisims Government to rule on subdivision proposals within Nisga'a Lands, including Nisga'a Village Lands (**Section 77.3.**)

Generally, these Approving Officers have separate jurisdictions of authority for approving subdivision plans. Municipal Approving Officers can not approve subdivisions in rural areas, and Ministry of Transportation Provincial Approving Officers do not have the subdivision approval authority within municipalities or in rural areas where a regional district has assumed subdivision authority. Neither the Provincial nor the Regional District Approving Officers have authority within Nisga'a Lands.

Provincial Approving Officers are quasi-judicial officials who act independently to ensure that the subdivision complies with Provincial Acts and Regulations as well as bylaws, and to protect the best interests of the public.

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Subdividing in BC

Subdividing is a complex process involving many overlapping interests; depending on the size and complexity of your project, it can take many months to get from the idea stage to building. If you are new to subdividing, we strongly suggest that you hire an agent to work with you on your proposal; you may choose a **BC Land Surveyor**, an **engineer**, or a development consultant. You can also contact your **District Transportation Office** for more help.

Roles and Authorities

Every subdivision must be approved by an Approving Officer appointed under the **Land Title Act**. For rural subdivisions the Approving Officer is situated in the Ministry of Transportation district offices. There are other authorities, held by local governments and agencies, that must be adhered to as well. These are listed in detail in the **Roles and Authorities** section.

[more>>](#)

What Is A Subdivision?

- Consolidating two or more properties into one lot
- Adjusting or realigning an existing property line
- Creating several lots from one or more existing properties
- Creating several strata lots from one or more existing properties

[more>>](#)

Types of Subdivisions

- conventional subdivision
- strata (consisting of bare land, building and phased strata lots)
- cooperative corporation/shared interest
- aboriginal reserves
- leases

[more>>](#)

Time Required

The time it takes to process and make a decision on your rural subdivision proposal can vary, depending on the number of applications in the system, the scale and complexity of your project, and how thoroughly you prepare your application. Components include time for review of the application, investigation and development.

[more>>](#)

Fees and Costs

The Ministry of Transportation charges two fees, one at the time of your application and another for the review of final plans. Other agencies may also charge fees related to your application.

You may incur the cost of site investigations if required by the Approving Officer. Common assessments are:

- geotechnical
- archaeological
- environmental
- hydrological
- soils

Finally you are responsible for all costs related to the subdivision and development of the property. For example:

- road and drainage works
- utilities
- survey
- covenants and other legal documents

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Preparation

Read this information carefully, and either download a **Preliminary Subdivision Application** or pick one up at your **District Transportation office**. Depending on the nature of the project and your experience with the process, you may need the services of a consultant to prepare the initial proposal.

Consider the following:

- Is an adequate **supply of potable water** available? Are there water licences attached to the property? If so, you will need to amend the licenses before you subdivide. Please contact your regional **Land and Water British Columbia Office** for further information on amending water licences.
- Is your land subject to **natural hazards** such as flooding, snow avalanche, rock fall, erosion, land slide, tidal action, and so on? You may need to retain professional expertise to investigate.
- Has the land been used for commercial or industrial purposes? If so, the **Contaminated Sites Regulation** may apply.
- How do you plan to dispose of **sewage**? If you plan on-site disposal, is the soil on site suitable to receive waste?
- Will your proposal have a significant **environmental effect**? You should consider minimizing impacts by consulting **Ministry of Environment guidelines**.
- Are there sensitive or exceptional environmental values, especially **riparian areas** that may be affected? Check the **Environment Guide**
- Is there potential of **archaeological or other heritage values** on site that may be affected? You may be required to retain professional expertise to investigate.
- Are there **utility rights of way** or easements on the site? Approvals may be required.
- Does your proposal conform to existing **covenants** on the title?
- Is your proposal in keeping with the **land use bylaws** of the local government body? If not, ask yourself whether you wish to redesign the proposal or apply to rezone the property before submitting your subdivision application. It is recommended that you discuss your intent with the local government prior to submitting an application.
- Is your proposal affected by the **Agricultural Land Reserve**? If so, has the **Agricultural Land Commission** or local government, if delegated the authority, agreed to your subdivision?
- Does the local government body have an established policy on the provision of **parkland and open space**?
- Does the local government body have development concept plans to guide the format of subdivisions in your area?
- Is the road serving as access to your property a **public road**? The Transportation office can advise you.
- Is the **road** leading to your property of sufficient standard to support your development ideas? Again your Transportation office can advise you if it is sufficient or if it needs improving before it can support further subdivision activity.

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Application

The applicant submits the following to the District Transportation Office. Be as thorough as possible, since Ministry staff cannot process return applications with required items missing.

Required items include:

- Subdivision application form
- The Preliminary Subdivision Application fee
- An authorization letter from the owner if someone else, such as an agent, is applying on the owner's behalf
- Original plus five copies of a sketch plan to scale of the proposed layout

Properly engineered drawings will be required for final approval. The sketch should contain:

- The date it was drawn
- The scale
- North arrow
- Legal description of the property being subdivided, and its adjacent properties
- Outline of the subdivision in red or heavy black line
- All proposed lots, remainders, parks, rights of way, easements and roads showing dimensions and areas
- Any existing property lines or roads proposed to be removed, closed or relocated
- All steep banks or slopes exceeding 2 m high and all slopes of 25% or greater, within or adjacent to the proposal area
- Location of existing buildings and structures on the property and adjacent properties within 30m of property boundaries
- Location of any onsite water sources to be developed
- Approximate location of all existing and proposed utility services
- Existing access roads and other roads and trails on the property (state names of roads)
- Site locations of the soil inspection test holes and the percolation tests on each parcel
- Approximate extent of area available for sewage disposal surrounding the test holes
- Location of sewage disposal system and wells on adjacent properties within 30 m of property boundaries
- Location of all water courses (seasonal or otherwise) and water bodies

Where the applicant plans to build a road, he or she should consider its design when configuring the lots. The sketch must include the approximate grades and widths of roads and a design profile. The design work should include a sample cross-section of the proposed road. The District Development Technician is available to provide advice.

close 

- Area Map showing location of the parcel (e.g. 1:5000 scale)
- One copy of the current State of Title Certificate so that property encumbrances can be checked
- Copies of any covenants, easements, rights-of-way or other charges registered against the title. These are available through the **Land Title & Survey Authority**
- A copy of Contaminated Sites Profile form or Contaminated Sites declaration statement, duly completed and signed

Include these items as well, where applicable

- A copy of the Agricultural Land Commission application or approval (if located within ALR).

While a developer can apply for subdivision approval before he or she receives permission to proceed from the Agricultural Land Commission or the local government if it has been delegated the authority, the Provincial Approving Officer can only grant approval if the proposal has been approved by the ALC

close 

- One copy of any the results of any test required by the Regional Health Authority
- A municipal development permit and plan where applicable
- A copy of BC Assessment Authority Tax Notice showing property tax classification

Collection of Information

The Freedom of Information and Protection of Privacy Act was proclaimed on October 4, 1993. All personal and business information collected by the ministry is subject to the provisions of the Act.

The personal information on this form is collected under the authority of the Land Title Act. The information collected will be used to process your preliminary subdivision application, and it may be necessary for the ministry to provide this information to other agencies (see **Evaluation**). If you have any questions about the collection, use and disclosure of this information, contact the District Development Technician at the nearest Ministry of Transportation office.

close 

Evaluation

The Ministry of Transportation receives the application and evaluates it according to various criteria.

Factors that they consider include, but are not limited to:

- Natural hazards, such as flooding, erosion, landslides, or avalanches
- Adequacy of sewer, water, and other services
- Size and shape of lots
- Public interest issues, pursuant to Section 85(3) of the **Land Title Act**.
- Adequacy of open spaces and walkways
- Preservation of natural features
- Compatibility of overall subdivision pattern with the neighborhood
- Opportunity for future subdivisions
- Adequacy of buildable area
- Adherence to Ministry construction standards
- Adequacy of roads, lanes, and emergency vehicle access
- Legal and reasonable access to all lots being created, lands beyond and access to water, as per requirements of Section 75 of the **Land Title Act**
- Drainage

close 

Ministry Reviews Application and Sends to Referral Agencies

The District Development Technician will review your application and refer it to other agencies, such as the Regional Health Authority or the Regional District, for their recommendations or approval. The District Technician will review your application with respect to the remaining items.

You will receive a letter that gives you the following information:

- Acknowledgement that your application has been received
- A statement about which agencies have been asked to review your proposal
- An estimate of the time it will take to get to the notice of preliminary layout approval

The letter will contain the file number assigned to your proposed development. Keep this number handy for reference whenever you contact the Ministry about the application.

Design and Review by Professional Engineer

Any works subject to Ministry review that fall within the scope of "engineering" under the **Engineers and Geoscientists Act** will be performed by a Professional Engineer, and shall comply with the Ministry's "**Engineer of Record and Field Review Guidelines**".

Application Goes to Approving Officer

After receiving all referral agency responses and conducting his or her own review, the Development Technician may send your application to the Approving Officer for preliminary consideration (see 2.4.1).

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Time Required

How much time does this take?

Development Approvals are processed on a first-come, first-served basis, and both the number of applications in the system, and the complexity of each one can affect the timing. A proposal which comes in with a complete application and all the supporting documents takes at least six weeks to reach Preliminary Layout Approval stage. The typical time for approval varies around the province due to seasonal conditions and staffing levels within and outside the Ministry of Transportation. Ministry of Transportation staff can give you a time estimate when you apply.

After you have received Preliminary Layout Approval, you have a year to complete servicing of your development and submit plans for the Final Approval. Final Approval takes up to 60 days maximum.

Approved plans must be registered at the Land Title and Survey Authority within 60 days.

What could cause the application to take longer?

If your application is incomplete, it cannot be processed. Applications are dealt with on a "first come, first served" basis, and your proposal can spend time in the queue, only to be handed back with a request for more information. Please make sure you have included all the information listed on our **checklists** as you prepare your preliminary application.

Review by other agencies can take longer in some cases, such as if your application is referred to other agencies for their comments and recommendations. While the Ministry makes every effort to expedite the process, you may wish to contact the referral agency directly to try to resolve issues which have reached an impasse or are delayed due to lack of information. For instance the Health Authorities may not understand your intent with respect to drinking water or sewage disposal. (These issues can often be resolved by discussion and perhaps modifications to your proposal). A Regional District may have a land use or zoning concern which can often be resolved by direct contact rather than the Ministry acting as an intermediary for you.

Add more time, if applicable, for the **Agricultural Land Commission**, the **Department of Fisheries and Oceans**, and the **Islands Trust** to comment. Any investigation by professionals will also take additional time.

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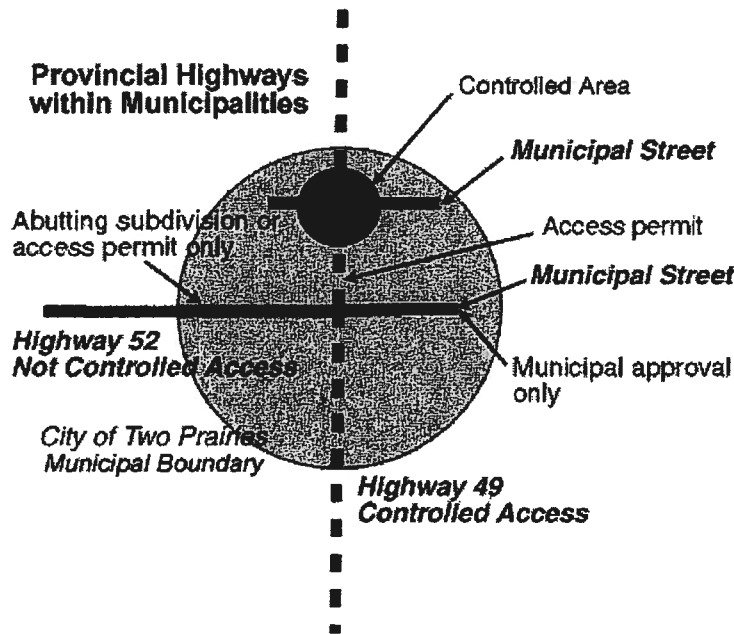


Roles in Controlled Access Highways

The Controlled Area is the area within a radius of 800 metres from the intersection of a controlled access highway with any other highway. This power ensures that local government rezonings within Controlled Areas do not affect the integrity of provincial highways in developed areas.

According to **Section 52** of the Transportation Act, Ministry approval is required for :

- Zoning bylaws
- Building permits for commercial or industrial buildings over 4500 square metres
- Amendments of land use contracts
- Heritage conservation agreements



Within a controlled area, under **Section 52** of the Transportation Act, and **924, 930 and 966** of the Local Government Act, a local government must first receive the approval of the Ministry before approving the following:

- Zoning bylaw

Under **Section 52** of the Transportation Act, anyone who wants to change the land use of a property in a controlled area needs zoning approval not only from local government but also from the Ministry of Transportation. In controlled areas, protocol agreements on land use management are encouraged between the Ministry of Transportation and local government, as part of the process to reduce government regulations. Currently, no such agreements are in place.

close

- Commercial or industrial buildings over 4500 square metres

Under **Section 924** of the Local Government Act local governments may not issue a permit for commercial or industrial buildings exceeding 4500 square metres unless a designated official in the Ministry of Transportation approves a site plan of the buildings, including access, traffic circulation and parking areas.

close

- Amendments of land use contracts

Under **Section 930(4)** of the Local Government Act local governments must not enact a bylaw, adopt a development variance permit, nor issue a development permit without approval of the Ministry of Transportation.

close

- Heritage Conservation Agreements

The purpose of heritage conservation agreements is to maintain, protect and restore heritage property. Such agreements are negotiated between the property owner and the local government and they are

registered on the property title. Pursuant to **Section 966 (6)(b)** of the Local Government Act, a local government must not enter into or amend a 'heritage conservation agreement' unless the agreement or amendment is approved by the Ministry of Transportation.

close 

The purpose is to ensure that the development authorized by the approval or permit does not adversely affect the present or future integrity of the controlled access highway.

In order to provide an integrated management approach to developments near a controlled access highway, the province may develop land use and access management protocol agreements with local government relative to the managing of major provincial transportation corridors. These protocol agreements are brought into force by regulation and may provide an exemption from the approval requirements of **Sections 924(2) and 930(4)** of the Local Government Act

For information on how to apply, refer to **Section 3.2.1 Permits in Controlled Areas**.

Roles in Controlled Access Highways

>> **Access to CA Highways**

>> **Controlled Areas**

>> **Section 80 Subdivisions**

Section 48 of the Transportation Act is used to designate some highways as "controlled access highways". These are usually numbered routes and are intended to carry higher volumes of inter-regional traffic. The Ministry has developed a Controlled Access Strategy which applies along controlled access highways and in **controlled areas**.

The intent of Controlled Access highways and Controlled Areas is to preserve a reasonable level of service to long-trip vehicles on the major highway and street system, and to enhance safety.

It is intended to:

- promote a balanced hierarchy of road facilities in all areas
- discourage urban sprawl in rural areas
- limit points of access to trunk high-speed highways
- regulate land use within the controlled area

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1.01.01.02 Ministry of Transportation Involvement

Ministry of Transportation Involvement

In rural areas the Ministry of Transportation is responsible for maintaining and upgrading public highways. This includes highways created by rural subdivisions. Therefore, the Ministry has a regulatory role in determining the highway component for all rural subdivisions.

There are, however, three instances where the Ministry of Transportation must approve subdivision plans in municipal, Regional District or Islands Trust jurisdictions in order for them to be accepted by the **Land Title & Survey Authority**. They are:

- for subdivisions adjacent to a **controlled access highway** in municipal or rural areas, pursuant to **Section 80** of the Land Title Act
- to grant consent to the highway component of Regional District or Islands Trust approved subdivisions
- to grant relief from access to water pursuant to **Section 75[1][c]** of the Land Title Act in all areas, rural or incorporated

In exercising this role the Ministry will establish highway construction standards, advise the PAO of the highway requirements for the subdivision, and inspect highway construction. The statutory authority for this highway role is contained in the **Transportation Act, Land Title Act, and Local Government Act**. This role is in recognition of the Ministry's engineering expertise, responsibility for maintaining these highways and ensuring the safety of highway users.

The Ministry's subdivision highway standards are contained in the Subdivision Road Construction Specifications in the current edition of the **TAC Guide Chapter 1400**.

Section 90 of the **Transportation Act** authorizes the Minister of Transportation to establish highway standards. A Regional District that establishes highway standards in a Subdivision Servicing Bylaw pursuant to Section 938 of the Local Government Act must refer this bylaw to the Ministry before adopting the standards. Furthermore, the Ministry must approve such a bylaw before the Regional District that has assumed the rural subdivision approving authority adopts it.

close 

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