



# Metlakatla Land Use Plan

For our Reserves. October 2019





Metlakatla First  
Nation logo

## **This Plan is the property of Metlakatla First Nation.**

Any questions or comments about this plan should be directed to the Director of the Metlakatla Lands Department, Philip Clement.

E: [lands@metlakatla.ca](mailto:lands@metlakatla.ca)

T: 250.628.3234 Ext. 2013

PO Box 459, Prince Rupert, BC V8J 3R2

## **The Metlakatla Lands Department expresses its deepest appreciation to all those who contributed to this plan.**

A special thanks to members of the Lands Management Advisory Committee and to the Metlakatla members, councillors and staff who shared their knowledge and provided feedback. We also thank others who have made this plan possible: the photographers, David Nairne + Associates who supported us during the planning stages, Magellan Mapping for creating the maps, and Sarah & Company Communications for helping with layout and copy.

For the most updated version of the Land Use Plan, go to **[metlakatla.ca](http://metlakatla.ca)**.

# Table of Contents

<b>1.0 Plan Overview</b>	<b>2</b>	4.4 Foreshore Protection	20	<b>7.0 Development Application Process</b>	<b>44</b>
1.1 Purpose	3	4.5 Economic Development	20		
1.2 Goals	3	4.6 Food Security	21	<b>8.0 Plan Implementation</b>	<b>48</b>
1.3 Sections	4	4.7 Access	22	8.1 Overview	49
		4.8 Facilities	22	8.2 Action Items	50
<b>2.0 Metlakatla Overview</b>	<b>5</b>	4.9 Infrastructure	24	8.3 Monitoring Implementation	52
2.1 Metlakatla First Nation	6	4.10 Housing	24	8.4 Amendments & Reviews	52
2.2 Metlakatla Community	7				
2.3 Traditional Territory	7	<b>5.0 Land Use Designations</b>	<b>25</b>	<b>Appendices</b>	<b>54</b>
2.4 Reserves	9	5.1 Overview	26	Appendix 1	
2.5 Shared Reserves	10			Land Use Planning Process	55
2.6 Land Tenure	10	<b>6.0 Metlakatla Reserves Designations</b>	<b>30</b>	Appendix 2	
2.7 Land Code	12	6.1 Overview	31	Member Demographics	57
2.8 Treaty Lands	12	6.2 S1/2 Tsimpsean IR 2	31	Appendix 3	
		6.3 Tugwell Island IR 21	34	Community Facilities	59
<b>3.0 Guidelines</b>	<b>13</b>	6.4 Grassy Bay	36	Appendix 4	
3.1 Vision	14	6.5 Wilnaskancaud IR 3	37	Community Infrastructure	60
3.2 Traditional Values	15	6.6 Tuck Inlet IR 89	38	Appendix 5	
3.3 Principles	15	6.7 Rushton Island IR 90	39	Definitions	61
		6.8 Avery Island IR 92	40	Appendix 6	
<b>4.0 Community Priorities</b>	<b>16</b>	6.9 Edye IR 93	41	Metlakatla Land Use Planning Law	63
4.1 Overview	17	6.10 Squaderee IR 91	42		
4.2 Language, Culture & Heritage	17	6.11 Shoowahtlans IR 4	43		
4.3 Environmental Protection	19				





# 1.0 Plan Overview

# 1.1 Purpose

The Metlakatla Land Use Plan (the Plan or the LUP) guides the development and use of Metlakatla reserve lands and resources.

The Plan outlines the Metlakatla First Nation's vision for our reserve lands consistent with our values, culture, heritage, traditions, and local realities. This Plan is the foundation for all policies, regulations, and decisions pertaining to land use and develop-

ment on Metlakatla reserve lands. The management, use and development of Metlakatla reserve lands, including buildings and activities on the land, must be consistent with this Plan.

The Plan:

- Outlines what we will and won't allow on our lands.
- Guides our decisions about

our land and resources, now and in the future.

- Helps us develop and protect our lands in line with our environmental, cultural, social and economic values.
- Helps the Metlakatla Lands Department evaluate proposed developments on and around our lands.

# 1.2 Goals

*Goals are in no particular order; each is as important as the next.*

Throughout the land use planning process, the Metlakatla community and members expressed hopes and concerns for land use and development. These Community Priorities are outlined in Section 4.0 of this plan.

The Community Priorities led to the following goals, which we hope to achieve through this Plan.

- Conserve and celebrate our language, culture and heritage resources.
- Support health and wellbeing of our members through development and maintenance of housing, infrastructure and community facilities.
- Protect and enhance ecologically sensitive areas.
- Protect foreshore from over-harvesting, unauthorized de-

velopment and erosion.

- Support a sustainable local economy.
- Promote food security.
- Provide better access to Metlakatla Community.
- Identify ways to lessen effects of climate change.

*Go to Section 8.0 'Implementation' for a list of actions for each of these goals.*

## 1.3 Sections



This Plan includes the following eight sections:

### **1.0 Plan Overview**

Overview of Land Use Plan purpose, goals and sections.

### **2.0 Metlakatla Overview**

Overview of Metlakatla Nation, territory and reserves.

### **3.0 Guidelines**

Vision, values, and principles that guide our land use decisions.

### **4.0 Community Priorities**

Priorities identified through community engagement process and background research.

### **5.0 Land Use Designations**

Land use designations and what they mean.

### **6.0 Metlakatla Reserves Land Use Designations**

Allowable land uses for each reserve.

### **7.0 Development Application Process**

Instructions for development applications.

### **8.0 Plan Implementation**

Actions in support of this Plan.





## 2.0 Metlakatla Overview

## 2.1 Metlakatla First Nation<sup>2</sup>



The people of Metlakatla, are descendants of the Nine Tribes of Metlakatla and Lax Kw'alaams. We are *Ts'msyen* (Tsimshian) and the founding people in our traditional Traditional Territory.

Metlakatla means 'saltwater pass' in Sm'algyax, our traditional language and the language of the Coast Tsimshian people.

Metlakatla heritage, including our language and spiritual beliefs, is tied to the lands and waters of our traditional Traditional Territory. As such, we have a profound relationship with our land, waters and resources.

An important objective of the Metlakatla people is to preserve, protect and enhance our land, waters, and resources, as well as the Tsimshian and Metlakatla heritage, language and culture.

We are stewards of our lands, waters and resources and have an obligation to pass this responsibility onto our future generations, just as this responsibility was passed onto us from past generations.

Our *ayaaxw* and *adawx*, our laws and true tellings, guide us in making decisions about our lands, waters and resources.

### Our Traditional Values

Our *ayaaxw* and *adawx*, our laws and true tellings, guide us in making decisions about our lands, waters and resources.

Łoomsk = *Respect*

Sagayt K'üülm Goot =  
*We are of one heart*

<sup>2</sup> Metlakatla First Nation Land Code, 2016



## 2.2 Metlakatla Community<sup>3</sup>

The Metlakatla Community is eight kilometres Northwest of Prince Rupert.

Our people have occupied this site for thousands of years.

The Community is accessible by boat only. The route is across the Prince Rupert harbour and the Venn Passage.

The journey takes 15 to 20 minutes.

As of March 2017, Metlakatla had a total membership of 975; 9% of those members, approximately 88 people, live in the Metlakatla Community.

Metlakatla members primarily live in Prince Rupert, Prince George, Vancouver, Vancouver Island and Metlakatla Alaska, on Annette Island.

*Go to Appendix 2 for more community demographic and population info.*

## 2.3 Traditional Territory<sup>4</sup>

Metlakatla Traditional Territory includes the ancestral lands and waters held by the nine tribes of the Coast Tsimshian. We have occupied and used these lands and waters for trade and barter, as well as economic, cultural, social and ceremonial purposes for centuries.

Our Traditional Territory ranges from the waters in the middle of Hecate Strait in the west, to the lands and freshwaters where the Kitnaywakna

River joins the Zymoetz River in the east. To the south, our Traditional Territory reaches to just below Klewnuggit Inlet along Grenville Channel. To the north, it reaches the headwaters of the Sutton River.

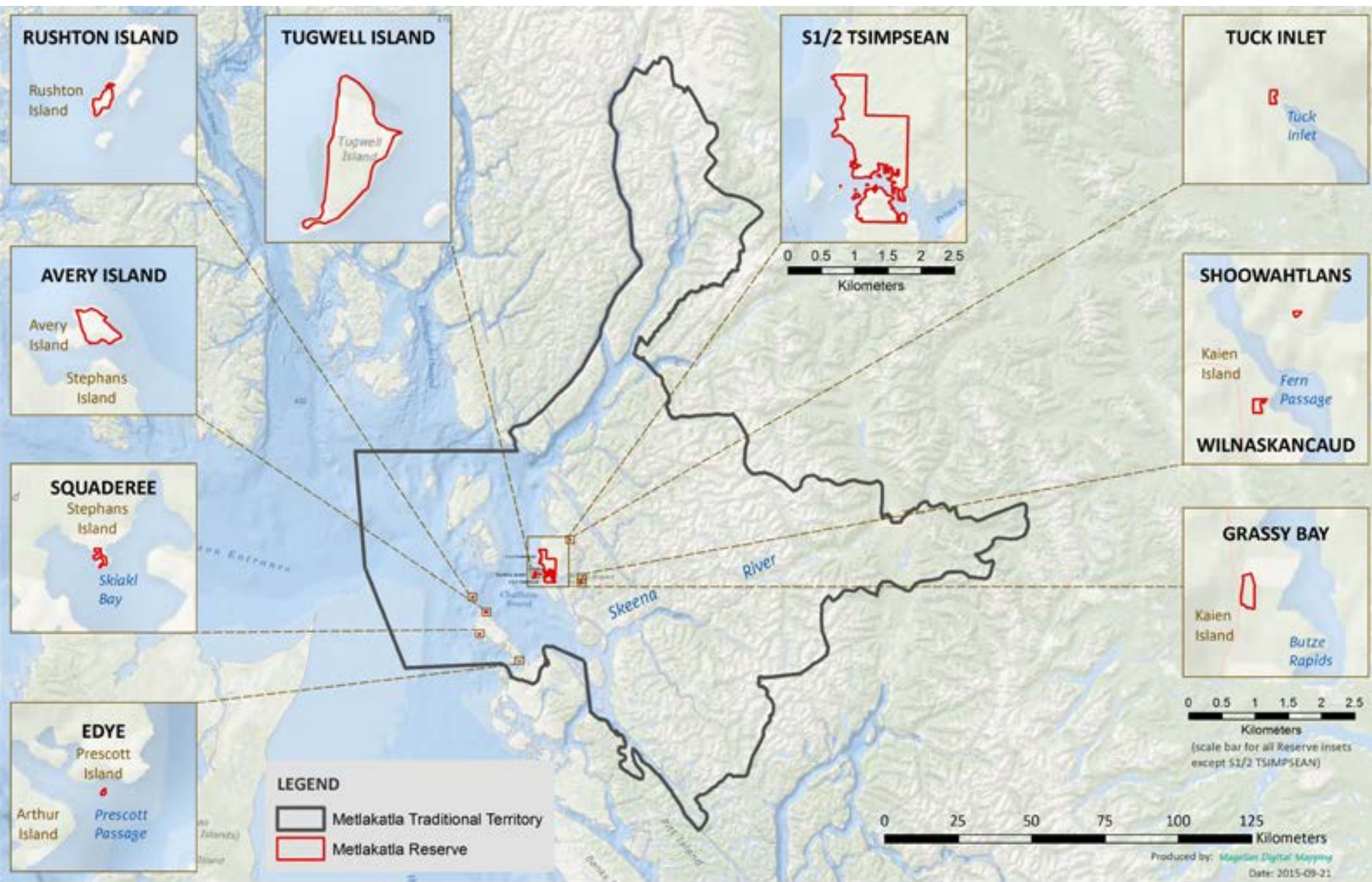
Metlakatla Traditional Territory encompasses roughly 20,000 square kilometers of land and sea in the Great Bear Rainforest, the largest coastal temperate rainforest in the world.

Today, Metlakatla members continue to enjoy our inherent rights and freedom to harvest traditional food and honour our history on the land.

Maintaining the health of our Traditional Territory remains the most important aspect of Metlakatla's history, livelihood and identity.

*See map of our Traditional Territory and Reserves on the next page.*

<sup>3,4</sup> Loomsk Environment: A Guiding Document for the Metlakatla Stewardship Society, Draft August 2017



Map of Metlakatla Traditional Territory and Reserves

## 2.4 Reserves

Metlakatla has **10 Reserves**, which vary significantly in location, size and use.

Our Reserves encompass approximately 800 square kilometres of land, 0.4% of our Traditional Territory.

The Community of Metlakatla is located on our largest reserve, S1/2 Tsimpsean. We also have several small, remote Reserves used for harvesting, food gathering and fishing as well as two Reserves within City of Prince Rupert boundaries. Except for these two Reserves, all Reserves are accessible by boat only.

### **Metlakatla Community**

- S1/2 Tsimpsean Indian Reserve 2; 3,270 ha (8,080.3 ac)

### **Close to Metlakatla Community**

- Tugwell Island Indian Reserve 21; 126.2 ha (311.8 ac)

### **Within City of Prince Rupert's Municipal Boundaries**

- Grassy Bay Reserve; 8.3 ha (20.5 ac)
- Wilnaskancaud Indian Reserve 3; 2.3 ha (5.7 ac)

### **In and around Prince Rupert Harbour**

- Tuck Inlet Indian Reserve 89; 1.6 ha (3.9 ac)
- Shoowahtlans Indian Reserve 4; 0.5 ha (1.2 ac)

### **West of Metlakatla, on and near Stephens Island**

- Rushton Island Indian Reserve 90; 6.8 ha (16.8 ac)
- Avery Island Indian Reserve 92; 20.4 ha (25.7 ac)
- Squaderee Indian Reserve 91; 2.2 ha (5.4 ac)
- Edye Island Indian Reserve 93; 0.4 ha (1 ac)

## Reserve System

The Government of Canada set aside 10 Reserves for the exclusive use and benefit of the Metlakatla First Nation as part of the Indian Act.

Metlakatla does not endorse the Reserve system, and this Land Use Plan is in no way an agreement to the Reserve system imposed upon Metlakatla by the Government of Canada.



## 2.5 Shared Reserves



Metlakatla also shares 11 Reserves with Lax Kw'alaams First Nation. These Reserves are co-managed with Lax Kw'alaams and their administration falls under the Indian Act.

One of the 11 Shared Reserves is Tsimpsean 2A. This is a 4,114 hectare Reserve adjacent to the northern boundary of S1/2 Tsimpsean IR2, where the Metlakatla Community is.

Both Nations must approve proposed development on Shared Reserves.

If one Nation wants to do something on a Shared Reserve, the other Nation must approve or be involved.

A report on the feasibility of various development opportunities associated with our 11 Shared Reserves was completed in 2010.

## 2.6 Land Tenure <sup>5</sup>

In accordance with the Metlakatla Land Code and any Metlakatla Law, the Metlakatla Governing Council may provide an Allotment of Land to Metlakatla members.

Or they may issue a Certificate of Possession to a Member for land allotted to that Member.

Only members of Metlakatla are entitled to receive an allotment and to hold a Certificate of Possession on Metlakatla lands.

Members may transfer or assign an Interest or License to another Member in accordance with the Land Code and Metlakatla Laws.

<sup>5</sup> See Appendix 5 for a more complete list of Land Use Plan definitions.

# Land Tenure Definitions

## **Allotment**

Right to use and occupy parcel of Reserve land by Metlakatla member. Under the Land Code an Allotment Law may be developed.

## **Certificate of Possession (CP)**

Official document issued under the Land Code or formerly issued under section 20 of the Indian Act to confirm a Member's allotment.

## **Community Lands**

Community lands are Metlakatla Reserve Lands in which all members have a common interest.

## **Interest**

Any Interest, right or estate of any nature in or to that Land, including a Certificate of Possession. Does not include title to that Land.

## **Garden Lot**

A unique term to Metlakatla. Historically, Townsite Lots within the community were allocated with a corresponding Garden Lot. The main use of the Garden Lots was cultivation of foods, namely potatoes.

## **Land Tenure**

Defines how property rights to land are allocated, and the rights to use, control, and transfer land.

## **License**

Any right of use or occupation of that Land or any right or permit to carry out an activity, other than an Interest in the Land.

# Metlakatla & BC Traplines & Regulation

Traplines provide a person the exclusive right to commercially trap fur bearing animals inside a defined area.

Metlakatla people traditionally governed traplines. In 1926, however, the

Province of British Columbia began to regulate and register traplines within BC with the goal of protecting species from overharvesting.

Metlakatla does not support the regu-

lation of the fur industry by provincial authorities as it implies the land is ultimately the property of the province.

The Province of BC does not regulate traplines on Reserve lands.

## 2.7 Land Code

The Metlakatla Land Code gives Metlakatla the legal authority to control our own Reserve lands. Based on our Land Code, we can make our own laws regarding land use and management, conservation and protection.

This Land Use Plan, and associated Law, must be ratified by the Metlakatla community to take effect. The Land Use Plan was identified as a priority in the Metlakatla First Nation Land Code.

If passed, the associated Metlakatla Land Use Planning Law (Appendix 6) will make the Land Use Plan legally

binding; ensures that legal non-conforming uses may continue; and allow for enforcement where necessary, to make sure everyone is following the Land Use Plan and Law that the community has voted on.

Once the community has voted, if the majority accept the plan, the Metlakatla Governing Council adopts it and the Land Use Plan is Metlakatla law.

**As with the Metlakatla Land Code, this Land Use Plan, does not abrogate, derogate from, define, limit or suspend any Aboriginal, treaty or**

**other rights or freedoms that pertain now or in the future to the Metlakatla First Nation or its Members.**

This Land Use Plan considers the broader jurisdictional context for any development occurring on Reserve Lands. The Plan takes into consideration the land use policies of adjacent and surrounding local governments.

The Plan is developed with the knowledge that the designations may be used on additional lands that will come under the authority Metlakatla First Nation in the future.

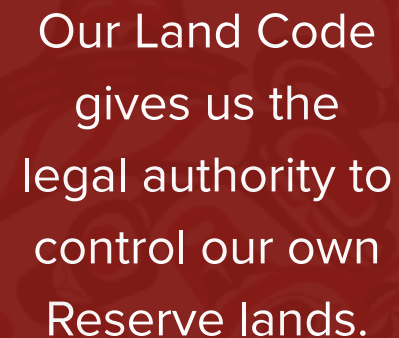
## 2.8 Treaty Lands

Reserve Lands covered by this Plan were set aside by the Government of Canada for the exclusive use and benefit of Metlakatla First Nation. The Government of Canada, however, still claims to own these lands.

If Metlakatla signs a treaty, these Reserve Lands will be part of the treaty

package. Additional lands, to be included in the treaty package, are under negotiations, as is the amount and location.

As part of a Final Treaty Agreement, Metlakatla Reserve Lands and any negotiated additional lands would become Metlakatla Lands.



Our Land Code  
gives us the  
legal authority to  
control our own  
Reserve lands.





## 3.0 Guidelines

## 3.1 Vision<sup>6</sup>



Metlakatla is a **progressive** community recognized as a **leader** in improving the lives of its members while strengthening its **Tsimshian identity and culture**.

Metlakatla is celebrated for being **proactive** in meeting community needs, for making decisions that lead to a **healthy, sustainable future** and for having **positive relationships** with others.

The lands will be managed in accordance with the Metlakatla vision. Our values and principles will provide guidance to our land use decisions.

Our goals, outlined in Section 1, identify what we wish to achieve through this Plan.

This framework sets the direction for our Land Use Plan and the types of development that we will encourage and approve.

<sup>6</sup> Metlakatla First Nation Strategic Plan

## 3.2 Traditional Values

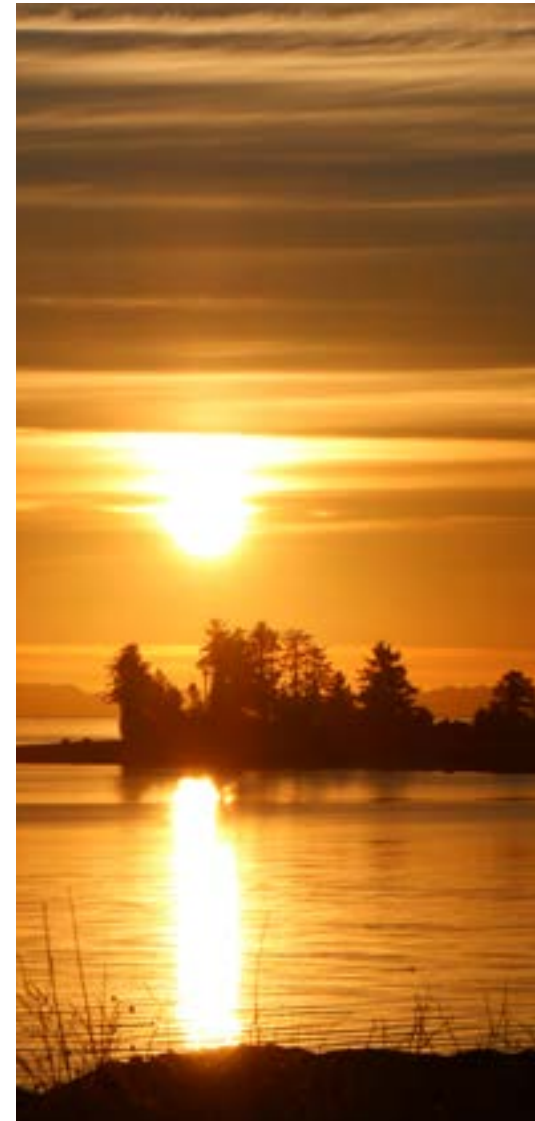
Our *ayaaxw* and *adawx*, our laws and true tellings, guide us in making decisions about our lands, waters and resources.

- *Loomsk* = Respect
- *Sagayt K'üülm Goot* = We are of one heart

## 3.3 Principles

These principles further define Metlakatla values related to land use, management and protection. Note, these are in no particular order; each is as important as the next.

- Respect for our people and lands, waters and natural resources is paramount.
- Culture, heritage, spirituality and use of our language are strong and flourishing.
- People in community are strong, healthy, educated and skilled with close interconnections with surrounding lands, water and resources.
- The surrounding environment is cared for in a sustainable and holistic way to protect our people, lands, waters, and cultural and natural resources.







## 4.0 Community Priorities

## 4.1 Overview

These priorities identify what's important to our members when it comes to Metlakatla Reserve Lands. They inform the guidelines and goals in this Plan as well as land use designations and plans for each Reserve.

We identified these community priorities in two ways.

- Reviewed past relevant Metlakatla plans and documents.
- Engaged directly with members.

*Go to Appendix 1 for an overview of the engagement process.*



## 4.2 Language, Culture & Heritage

Our heritage, including language and spiritual beliefs are tied to the lands and waters of our Traditional Territory.

Metlakatla has completed various traditional use studies and participated in several archaeological studies, for Metlakatla Traditional Territory including our Reserve Lands. These studies show significant cultural sites are located within our Reserve boundaries and have experienced continuous use over thousands of years.

In our recent membership census, 62% of respondents reported actively participating in some form of Food, Social and Ceremonial (FSC) harvesting activity. And 78% of respondents reported actively participating in some form of FSC processing/preparing activity throughout the year.

These food, social and ceremonial harvesting sites need to be protected from development. We are in the process of developing our cultural heritage policies and procedures through our newly established Cul-

ture, Language and Heritage Department. Further to this, we wish to develop facilities in which to practice and celebrate our culture through language, art and dance.

The respondents to the Membership Census requested more feasting (61%), passing of oral histories and traditions (41%) and carving (36%) in our community. A cultural hub with a longhouse and carving/weaving shed could facilitate these activities.



## 4.3 Environmental Protection

As stewards of our land, we understand the delicate balance that exists between conservation and consumption of natural resources.

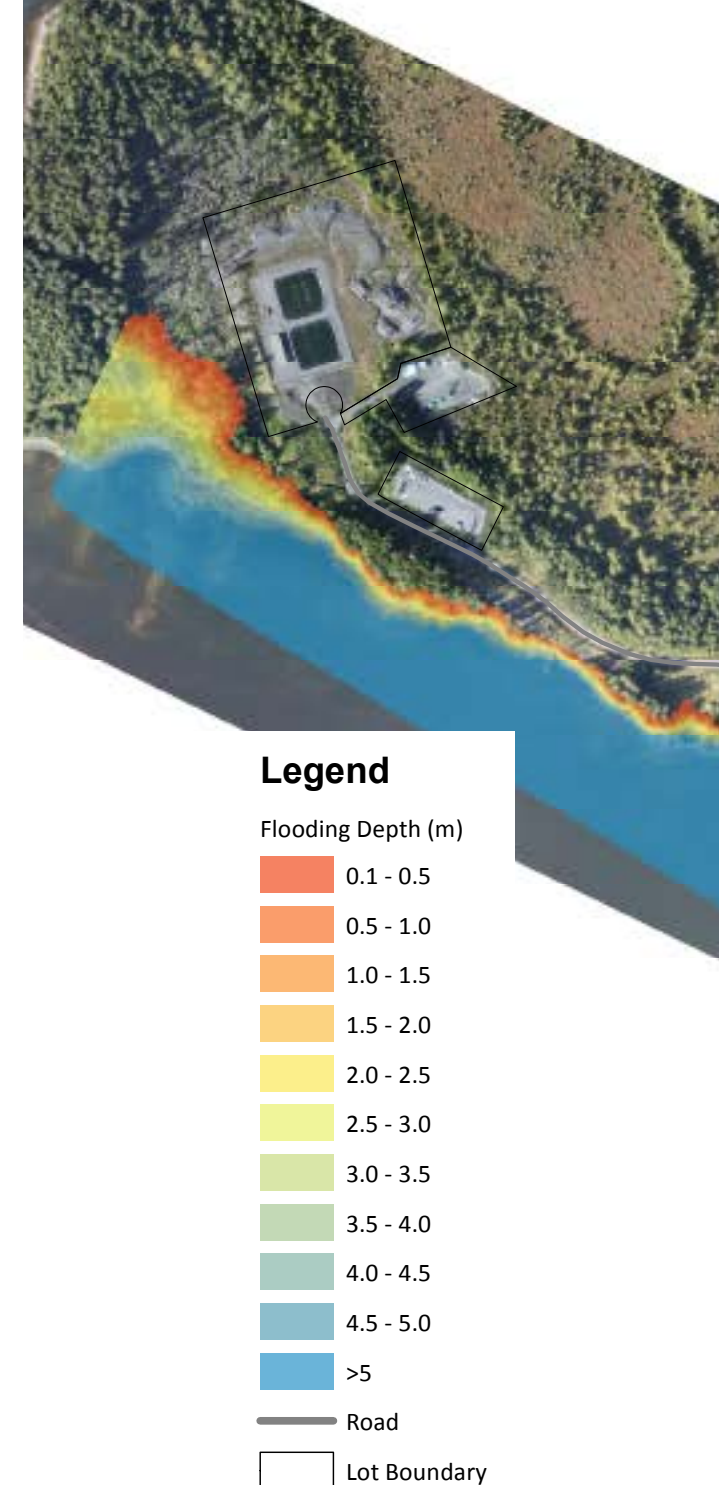
We will ensure the protection of the natural environment, its ecosystems and biological diversity including foreshore and streamside protection. To do this, we need to identify, protect and enhance areas of environmental sensitivity such as salmon bearing streams and critical habitat.

Our land also has many areas subject to natural hazards including steep slopes, foreshore erosion, tsunami risk and rising sea levels. Any development in areas at risk need to be carefully considered.

Our location on the north coast of British Columbia makes us vulnerable to effects of climate change. The north coast is one of three areas in British Columbia where the largest amounts of relative sea-level rise are expected to occur.<sup>7</sup>

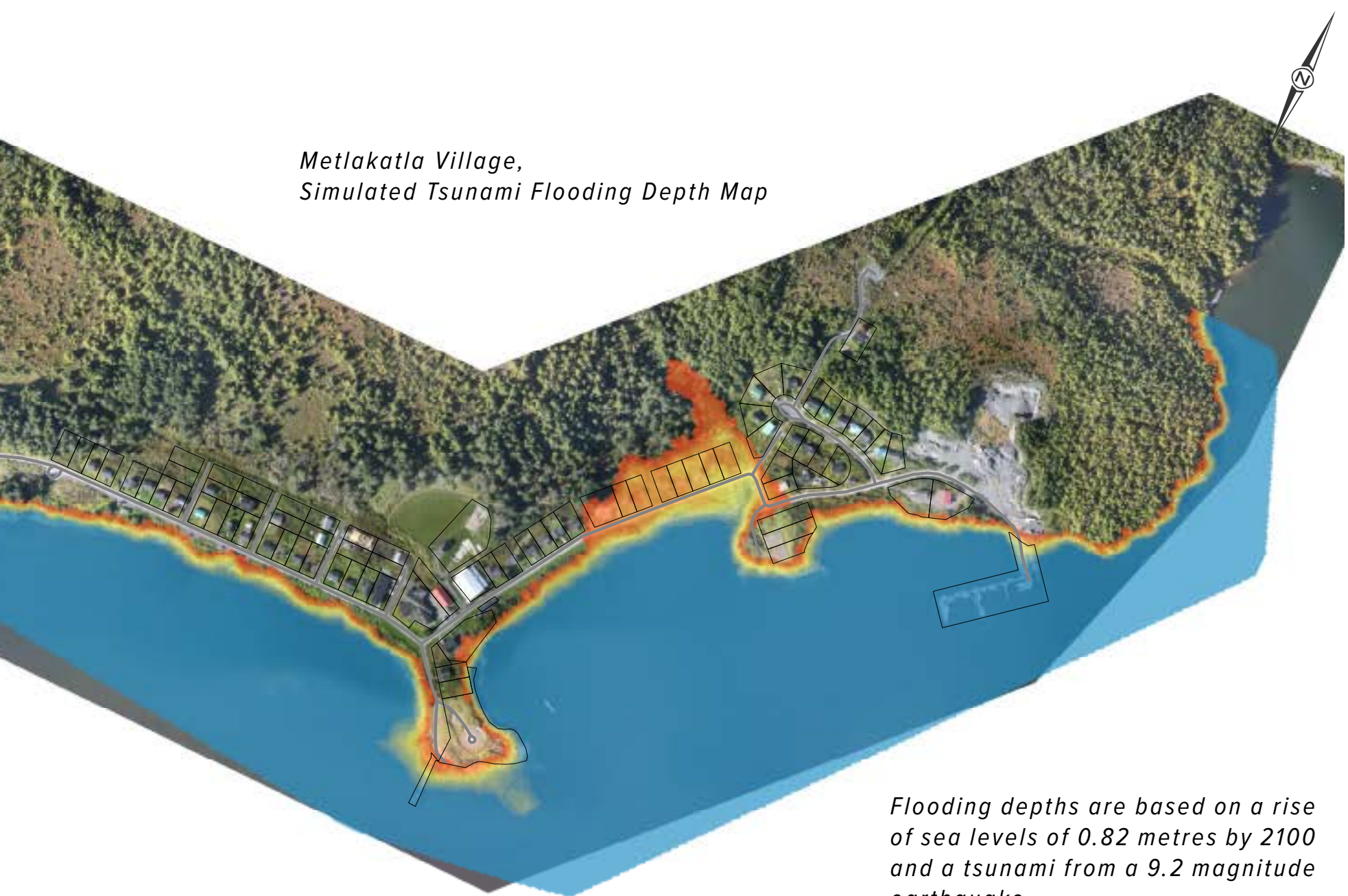
Finally, coastal erosion along two kilometres of shoreline in the Metlakatla Community has already resulted in the loss of a considerable amount of land. Erosion is impacting many areas within our Reserves most notably the cemetery and the shorelines of Tugwell Island.

We are currently undertaking erosion protection works along the foreshore in Metlakatla to protect our community from further shoreline degradation.



<sup>7</sup> Source: *Sea Level Rise in BC: mobilizing science into action*, Climate Action Secretariat, BC





*Metlakatla Village,  
Simulated Tsunami Flooding Depth Map*

*Flooding depths are based on a rise  
of sea levels of 0.82 metres by 2100  
and a tsunami from a 9.2 magnitude  
earthquake.*

## 4.4 Foreshore Protection

The foreshore includes all of Metlakatla Pass and the area which starts at high tide and continues 200 meters out from the low tide mark.

As the location of many of our traditional foods such as shellfish and seaweed, the foreshore is our breadbas-

ket. It's for this reason, the protection of our foreshore is a priority.

Non-member access to the foreshore for harvesting or other purposes is a significant concern and must be controlled.

We must develop a plan to monitor and protect our foreshore. We need to carefully assess the impacts of potential foreshore development.

## 4.5 Economic Development

Our members need work they enjoy. We must identify and support opportunities for economic development on our Reserve Lands that create sustainable employment for our members.

The Land Code presents a significant opportunity to respond quickly to business opportunities. Given its strategic location within the City of Prince

Rupert, the recently acquired Grassy Bay Reserve could present opportunities for future land development.

We are working toward rebuilding the infrastructure and reopening the Wilderness Trail along the west coast of S1/2 Tsimpsean IR2. And we will continue to explore opportunities for low impact tourism.

Metlakatla also supports the development of renewable energy projects and sustainable building practices, as long as the projects and practices consider the above environmental concerns.



## 4.6 Food Security

Many of our members lack access to enough affordable, nutritious food. Our Food Sovereignty project aims to address this. We are identifying various ecological niche areas, also known as 'forest gardens', that support specific traditional plant species.

Forest gardens are places where certain species grow together in harmony thereby providing better yields of food. These forest gardens only exist today because of traditional land management practices by our ancestors. They knew certain species grow together in harmony thereby providing better yields of food. We are also considering other options for food production such as developing additional greenhouses, garden lots and abandoned cultivated gardens.

*Note: The Metlakatla Stewardship Society is engaged in other food, social, and ceremonial (FSC) activities such as fishing, bivalve and seaweed harvesting.*



## 4.7 Access



Access to and from our Reserves is a challenge as most can only be accessed by boat.

Scheduled ferry service is available between Prince Rupert and the Metlakatla Community but the schedule does not work for all members.

Many of our members choose to live in Prince Rupert or elsewhere to access employment, education, recreation and other services more easily.

*See 'Increased Access' info box on next page for more info.*

## 4.8 Facilities

We place a high value on meeting the many needs of our members: recreation, health, safety, social and administrative.

Completed in 2014, our outdoor sports complex includes a football/soccer field, softball diamond, as well as a skate park, covered picnic area and children's playground. We will be adding an outdoor basketball court.

Also completed in 2014, our new health centre provides medical services to community members.

Our community hall provides indoor recreation space and is also utilized for meetings and community events. We provide early childhood education through our aboriginal head start facility. And from our fire hall we provide emergency services.

To provide a central hub of services, we aim to locate complementary facilities in the same area or in the same building.

*Go to Appendix 3 for a complete list and description of community facilities.*

# Increased Access

A shared ferry and road network that connects the communities of Prince Rupert, Metlakatla and Lax Kw'alaams is under consideration. This project is referred to as the *Tsimshian Peninsula Access Project* or the *Prince Rupert and Area Corridor Project*.

This network and increased access would open new growth and business opportunities in and near the Metlakatla. It would also likely result in more members moving to the Metlakatla Community.

More information about the project is available in the City of Prince Rupert's Hay 2.0 Vision document, which is available on the City's website.

*Map Source: City of Prince Rupert*



## 4.9 Infrastructure

We operate and maintain a range of quality infrastructure for the Metlakatla Community. We provide residents with potable water, sanitary sewers, waste management services and a paved road system.

Much of our infrastructure has been upgraded in recent years.

Our water system, however, will need to be upgraded over the next few years. Tsook Lake, our source for drinking water, will continue to be monitored for water quality and will now be protected under this Land Use Plan.

We are developing a new Public Works warehouse to provide space

for our Public Works team, from which they can better service our community.

*Go to Appendix 4 for a complete list and description of community infrastructure. Community infrastructure is inventoried and assessed in our Asset Management System.*

## 4.10 Housing

Housing is a priority for members. On-Reserve concerns include overcrowded housing conditions. For those living off-Reserve, housing affordability is an issue.

As more of our members struggle to afford off-Reserve housing, the demand for additional units in the Metlakatla community may increase.

There are currently 50 houses in Metlakatla; three are uninhabitable.

Six units (two triplexes) are new, completed in April 2018.

Based on community population projections, we anticipate needing at least 15 new homes to satisfy housing demand in Metlakatla over the next 20 years.

This assumes three to four people per household.

These figures could increase quite dramatically should more members living in Prince Rupert move to the community.

This is likely with more attainable housing and as the local economy grows and creates more employment opportunities.

*Go to Appendix 2 for a more info about membership demographics.*





## 5.0 Land Use Designations

## 5.1 Overview



Metlakatla has created specific land use designations and assigned them to Metlakatla Reserve land. These designations regulate the types of use allowed on a piece of land. Designations are based on current land uses, our planning context, local constraints, community priorities and the framework and priorities presented in this document.

Land use designations identify where future development will take place, what type of development will and won't be allowed, and which areas will be protected. They also group similar uses together. For example, Elders' housing may be located near general housing and medical services, but they cannot go near an industrial facility.

### Subjects

All uses and developments are subject to:

- Metlakatla First Nation Land Code
- Metlakatla Laws
- Development Application Process (outlined in Section 8.0)

Note all uses and developments are subject to the Metlakatla Land Code, laws and Development Application Process. Any proposed development is subject to Metlakatla approved policies and guidelines for development in archaeologically sensitive areas and environmentally sensitive areas.

**Restoration and climate change mitigation activities are permitted in all designations.**

**Food, social and ceremonial harvesting and gathering activities are permitted in all designations.**



## Community Infrastructure

Applies to Metlakatla community infrastructure.

### Allowable Uses

Infrastructure and public works facilities that meets needs of Metlakatla members and operations:

- Tsook Lake (community water source)
- Water treatment plant
- Sewage lagoon and treatment building

- Solid waste transfer station
- Public works yard
- Roads
- Helipads
- Docks sited in the appropriate location for Metlakatla use
- Hydro right-of-way
- Small scale alternative energy such as tidal, biomass, solar and wind

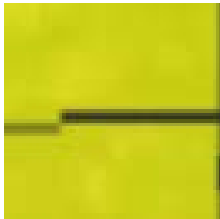


## Economic Development

Allows for a mix of economic development opportunities. Development opportunities considered on a case-by-case basis after review and recommendation by Lands Management Advisory Committee and final decision by Metlakatla Governing Council. Metlakatla favours developments that do not have a significant impact on the environment or quality of life of members.

### Allowable Uses

- Light Industrial, such as manufacturing
- Agriculture such as greenhouses and aquaculture
- Retail
- Office and commercial space
- Mixed use development



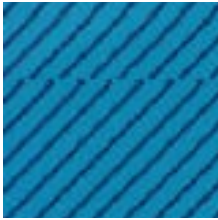
## Existing Residential

Primary area for residential development is within Metlakatla Community S1/2 Tsimpsean IR2. This designation includes all existing residential sites. Intent is to provide for a range of housing types to meet the needs of Metlakatla members.

### Allowable Uses

- Detached housing, excluding trailers and other forms of temporary housing
- Single family housing
- Multi-unit housing including duplexes and triplexes
- Home-based businesses, within the structure
- Accessory structures such as sheds, greenhouses and smokehouses





## Foreshore Protection<sup>9</sup>

Applies to all Metlakatla Reserve Lands. Starts at the high tide mark and continues 200 metres out from the low tide mark. Protects harvesting, traditional use sites within the intertidal area. Is for the use and benefit of Metlakatla members only. Any activities involving non-members require authorization from the Metlakatla Governing Council.

### Allowable Uses

- Cultural use/traditional Use
- Recreation
- Docks sited in appropriate locations for Metlakatla use
- Heritage protection and cultural restoration
- Erosion protection
- Education



## Future Residential

Primary area for residential development is within the Metlakatla Community on S1/2 Tsimpsean IR2. This designation identifies areas for future residential development. Intent is to provide for a range of housing types to meet the needs of Metlakatla members.

### Allowable Uses

- Detached housing, excluding trailers and other forms of temporary housing
- Single family housing
- Multi-unit housing including duplexes and triplexes
- Home-based businesses, within the structure
- Accessory structures such as sheds, greenhouses and smokehouses



## Garden Lots

This designation includes all garden lots. Intent is protect the agricultural use as well as the cultural heritage values of these sites. Are for the use and benefit of Metlakatla members only. To be maintained for original intent for which they were designated. Any activities involving non-members require authorization from the Metlakatla Governing Council.

### Allowable Uses

- Agriculture and related structures
- Camping
- Cabins and sheds
- Education and research<sup>9</sup>

<sup>9</sup> Metlakatla, Federal Government of Canada and the Province of British Columbia are confirming foreshore jurisdiction in treaty negotiations.

<sup>10</sup> Education/school groups will require an orientation by Metlakatla staff to ensure cultural and ecological values are protected.



## Institutional

On S1/2 Tsimpsean IR2 only (Metlakatla Community). This designation includes the facilities and buildings that meet the cultural, social, recreational and administrative needs of our members.

### Allowable Uses

Facilities that meet needs of Metlakatla members and operations:

- Administration buildings
- Health facilities
- Indoor and outdoor recreation facilities
- Education facilities
- Daycares
- Cultural facilities such as longhouse

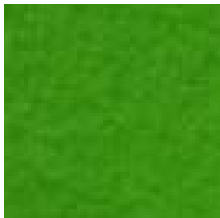


## Protection

Intent of this designation is to preserve these lands for future generations. Protects ecologically-sensitive sites and culturally significant sites from development. Provides for a riparian setback of generally 30 metres along all watercourses and waterbodies. Are for the use and benefit of Metlakatla members only. Any activities involving non-members require authorization from the Metlakatla Governing Council.<sup>11</sup>

### Allowable Uses

- Cultural use/traditional Use
- Recreation
- Cultural/educational camps
- Education and research<sup>12</sup>



## Resource Stewardship

Covers areas identified primarily for stewardship and traditional use purposes. Allows for sustainable resource development.

### Allowable Uses

- Cultural /Traditional Uses
- Low impact tourism (ecotourism)
- Renewable/alternative energy generation
- Sustainable forestry practices
- Restoration activities
- Education and research

<sup>11</sup> Existing tourism opportunities such as Pike Island and the Metlakatla Wilderness Trail are permitted. Future tourism opportunities and their inclusion as an allowable use will be reviewed in 5 years.

<sup>12</sup> Education/school groups will require an orientation by Metlakatla staff to ensure cultural and ecological values are protected.





# 6.0 Metlakatla Reserves Designations



## 6.1 Overview

This section outlines the land use designations assigned to each Metlakatla Reserve. Each section gives a brief overview of the Reserve and includes a map of the Reserve, marked with its land use designations.

## 6.2 S1/2 Tsimpsean IR 2

S1/2 Tsimpsean IR 2 is our main reserve, where the Metlakatla Community is located. The Reserve will continue to be the main, occupied community of Metlakatla.

The Reserve will continue to provide housing and services for our members. Economic development opportunities will be encouraged, especially on Digby Island. And it will continue to be protected for significant environmental and cultural values and resources.

### **Location**

On West Coast of Tsimpsean Peninsula and North End of Digby Island, on East Shore of Chatham Sound

### **Access**

Scheduled ferry; boat

### **Size**

3,270 hectares; 8,080 acres

### **Land Tenure**

- Community land
- Certificate of possession
- Garden lots

### **Physical Features**

- Reserve is split into a north and south section by Metlakatla Pass
- Topography for the northern portion generally slopes down from the northeastern portion of the Reserve to the south and west coastlines
- For the southern portion topography varies with the lowest elevations along the coastline

- Erosion concerns near village and on Digby Island
- See Appendix 3 for Community Facilities
- See Appendix 4 for Community Infrastructure

### **Cultural Features**

- Traditional Use Sites
- Archeological Sites
- Foreshore and related cultural materials

*See S1/2 Tsimpsean IR 2 maps on next page.*

Maps 1 & 2 of S 1/2 Tsimpsean IR 2, Metlakatla Community



**Legend**

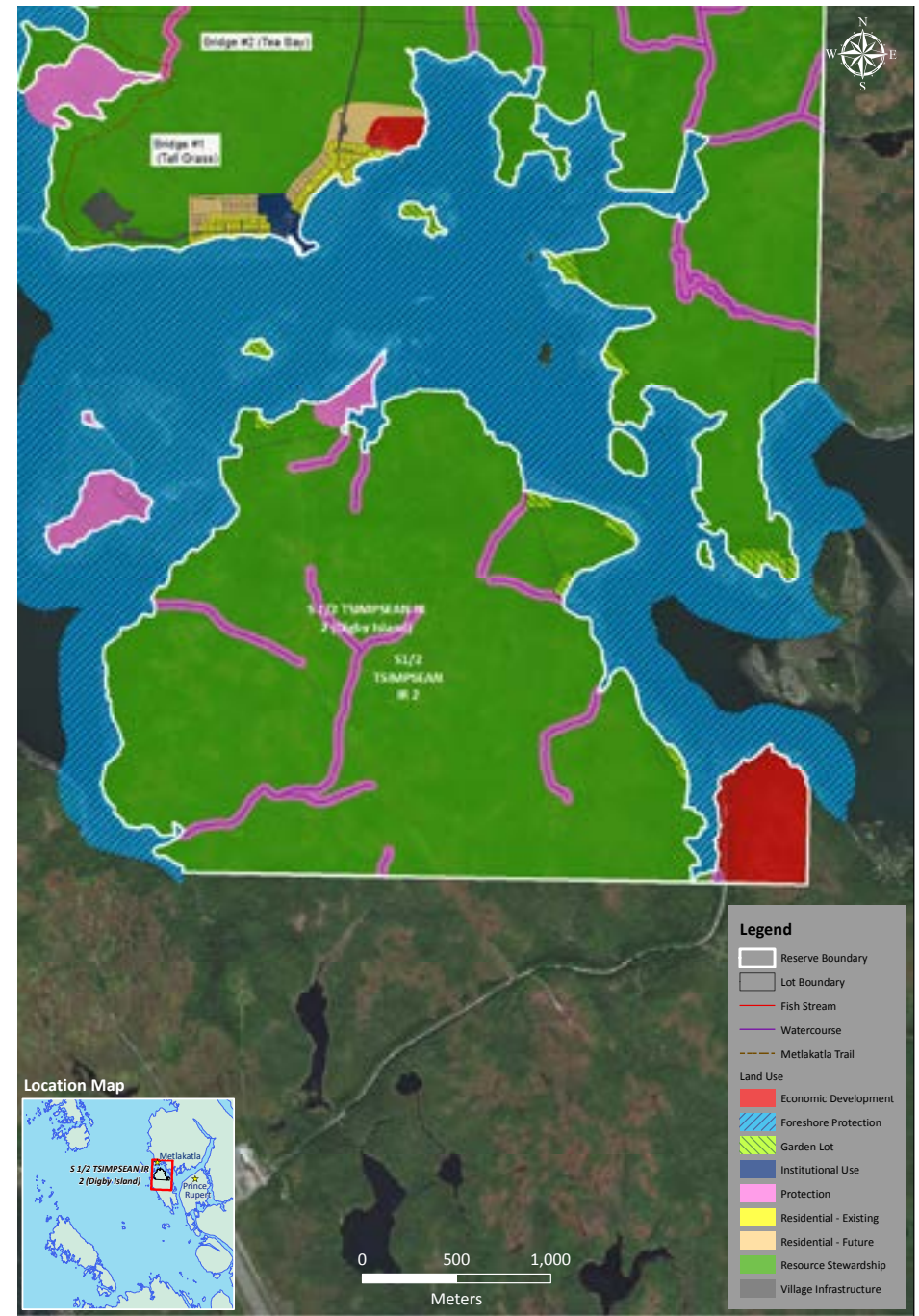
- Reserve Boundary
- Lot Boundary
- Building
- Metlakatla Trail
- Land Use**
- Economic Development
- Foreshore Protection
- Garden Lot
- Institutional Use
- Protection
- Residential - Existing
- Residential - Future
- Resource Stewardship
- Village Infrastructure



Map 4 of S 1/2 Tsimpsean IR 2, Digby Island



Map 3 of S 1/2 Tsimpsean IR 2





## 6.3 Tugwell Island IR 21



Tugwell Island is designated primarily as Protection with Foreshore Protection. Tugwell will continue to be an important location for traditional harvesting activities. Our traditional use and archaeological sites will be protected.

We will continue to use the island for youth camps.

### **Location**

Entire Tugwell Island, entrance to Venn Pass, 13 kilometres west of Prince Rupert

### **Access**

Boat

### **Size**

126.2 hectares; 311.8 acres

### **Land Tenure**

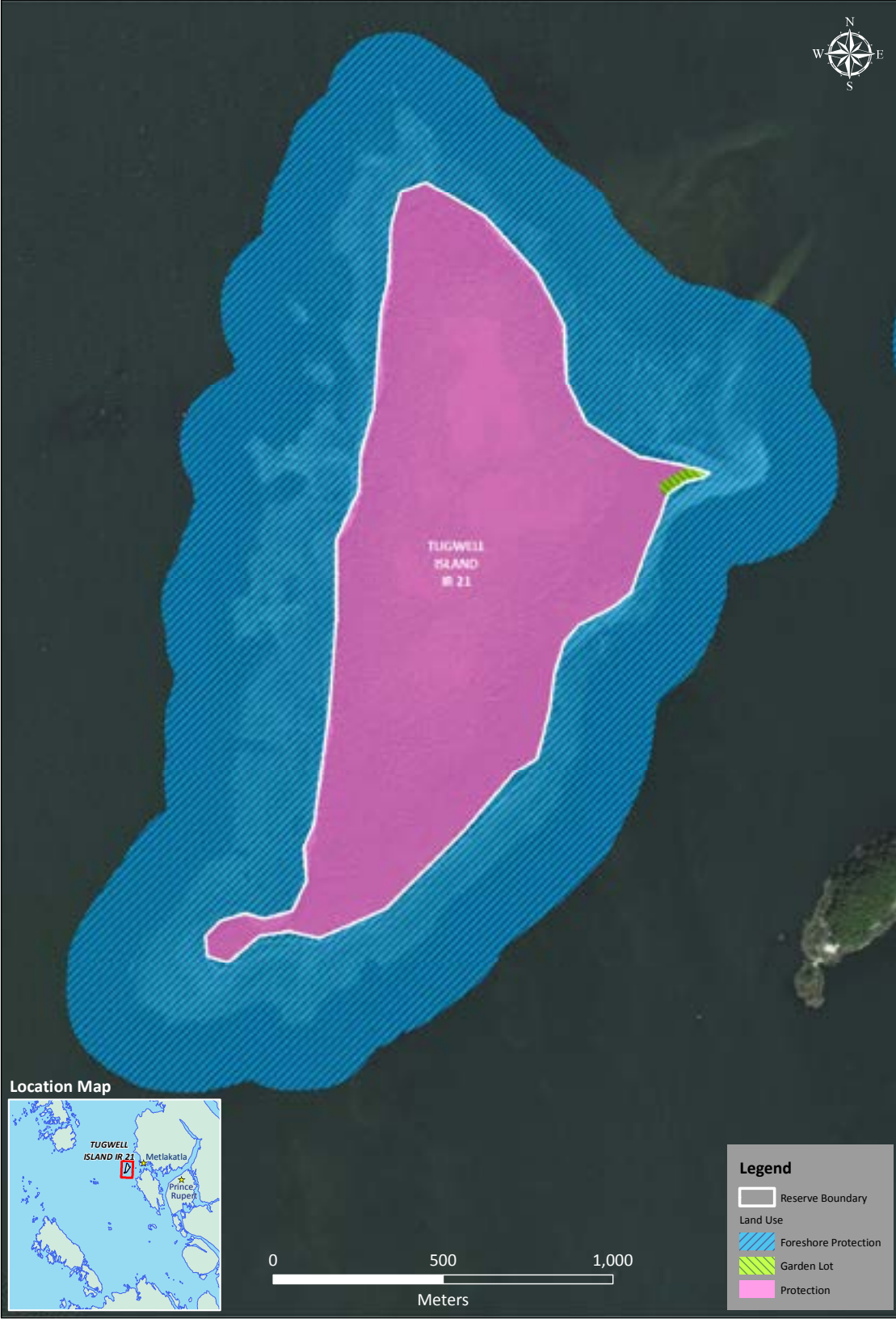
- Community Land
- Certificate of Possession (Garden Lots)
- Research by the Metlakatla Lands Department to identify additional surveyed garden lots is ongoing

### **Physical Features**

- Generally flat with a mix of forested areas and clearings
- Beautiful beaches, sandbar
- Erosion concerns on west and east shores

### **Cultural Features**

- Traditional Use Sites
- Archeological Sites



*Map of  
Tugwell Island IR 21*

## Map of Grassy Bay



# 6.4 Grassy Bay

Grassy Bay is designated as Economic Development. The reserve may be developed with a blend of mixed uses including commercial and light industrial activities. The intention is to create employment for our members and enable Metlakatla to further participate in the local and regional economy.

### Location

East shore of Kaien Island within the municipal boundaries of Prince Rupert

### Access

Road access via Highway 16

### Size

8.3 hectares; 20.5 acres

### Land Tenure

- Community Land

### Physical Features

- Generally flat and forested

### Cultural Features

- Traditional Use Sites

Location Map



#### Legend

- Reserve Boundary
- Land Use
  - Economic Development



## 6.5 Wilnaskancaud IR 3

Wilnaskancaud is designated primarily as Economic Development with Foreshore Protection. The reserve has been developed with an existing gas bar (Grassy Bay Services) and a commercial building. The intent is to create employment for our members and enable Metlakatla to further participate in the local and regional economy.

### Location

East shore of Kaien Island within the municipal boundaries of Prince Rupert

### Access

Road access via Kaien Road

### Size

2.3 hectares; 5.7 acres

### Land Tenure

- Community Land
- Lease

### Physical Features

- Bound by Grassy Bay to east
- Watercourse through northeast corner
- Topography slopes from western to eastern boundary of Reserve
- Existing gas bar, convenience store and commercial office space

### Cultural Features

- Archeological Sites







Map of  
Tuck Inlet IR 89

## 6.6 Tuck Inlet IR 89

Tuck Inlet is designated Resource Stewardship and Protection. The reserve will be primarily used by members for traditional activities. Development will be restricted and need to respect the unique cultural and environmental features of the land.

### Location

Head of Tuck Inlet, 16 kms north of Prince Rupert

### Access

Boat

### Size

1.6 hectares; 3.9 acres

### Land Tenure

- Community Land

### Physical Features

- Bounded by Tuck Inlet to southeast
- Small river to northwest of Reserve
- Topography generally slopes towards east

### Cultural Features

- Traditional Use Site

#### Legend

- Reserve Boundary
- Watercourse
- Land Use
  - Foreshore Protection
  - Protection
  - Resource Stewardship

## 6.7 Rushton Island IR 90

Rushton Island is designated as Resource Stewardship. The reserve will continue to support our members' traditional harvesting practices and cultural activities. Low impact tourism activities including interpretive tours and cabin/tent platforms and accommodation could be developed here.

### Location

28 kms west of Prince Rupert; north of Stephens Island in Bell Passage

### Access

Boat

### Size

6.8 hectares; 16.8 acres

### Land Tenure

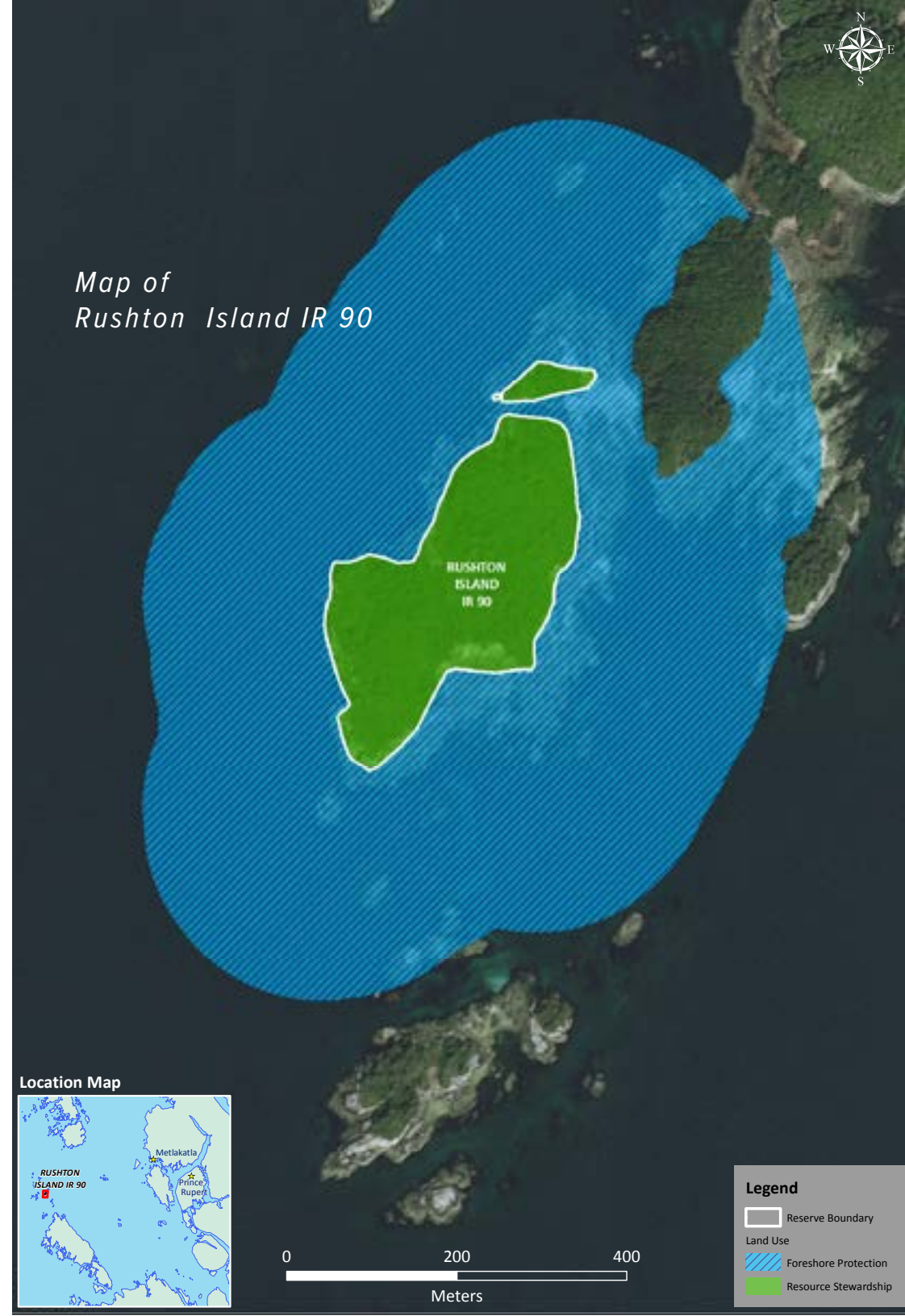
- Community Land

### Physical Features

- Island surrounded by water
- Topography generally slopes toward shoreline
- Rugged with slopes of 20%
- Forested

### Cultural Features

- Traditional Use Site
- Archeological Sites







Map of  
Avery Island IR 92

## 6.8 Avery Island IR 92

Avery Island is designated as Resource Stewardship with Foreshore Protection. It's utilized for traditional harvesting and recreation for our members. Some low impact tourism opportunities may be considered.

### Location

25 kms west of Prince Rupert; entire Island, North of Stephens Island in Bell Passage

### Access

Boat

### Size

20.5 hectares; 50.7 acres

### Land Tenure

- Community Land

### Physical Features

- Island surrounded by water
- Topography generally slopes towards the shoreline
- Rugged with slopes of 20%
- Forested

### Cultural Features

- Traditional Use Site
- Archeological Sites

Location Map



0 250 500  
Meters

#### Legend

- Reserve Boundary
- Land Use
  - Foreshore Protection
  - Resource Stewardship



## 6.9 Edye IR 93

Edye is designated as Resource Stewardship with Foreshore Protection. It's primarily used by members for traditional activities and food gathering.

### Location

30 kms south of Prince Rupert in Edye Passage

### Access

Boat

### Size

0.4 hectares; 1.0 acres

### Land Tenure

- Community Land

### Physical Features

- Island surrounded by water
- Topography generally slopes toward shore-line
- Forested

### Cultural Features

- Traditional Use Site



*Map of  
Edye IR 93*

Location Map



0 200 400

Meters

### Legend

- Reserve Boundary
- Land Use
- Foreshore Protection
- Resource Stewardship





## 6.10 Squaderee IR 91

Squaderee is held by Certificate of Possession. If this Reserve should become Community Land, low impact tourism development may be considered.

### Location

25 kms west of Prince Rupert on a southwest point on Stephens Island

### Access

Boat

### Size

2.2 hectares; 5.4 acres

### Land Tenure

- Certificate of Possession

### Physical Features

- Surrounded by water on the east, west and south sides of the Reserve
- Topography generally slopes towards the shoreline
- Forested

### Cultural Features

- Traditional Use Sites
- Archeological Sites



## 6.11 Shoowahtlans IR 4

Shoowahtlans is held by Certificate of Possession. If this Reserve should become Community Land, it will be primarily used by members for traditional activities and food gathering. Development will be restricted and need to respect the unique cultural and environmental features of the land.

### Location

West end of Shawatlan Lake, north end of Morse Basin, 3.2 kms northeast of Prince Rupert

### Access

Boat

### Size

0.5 hectares; 1.2 acres

### Land Tenure

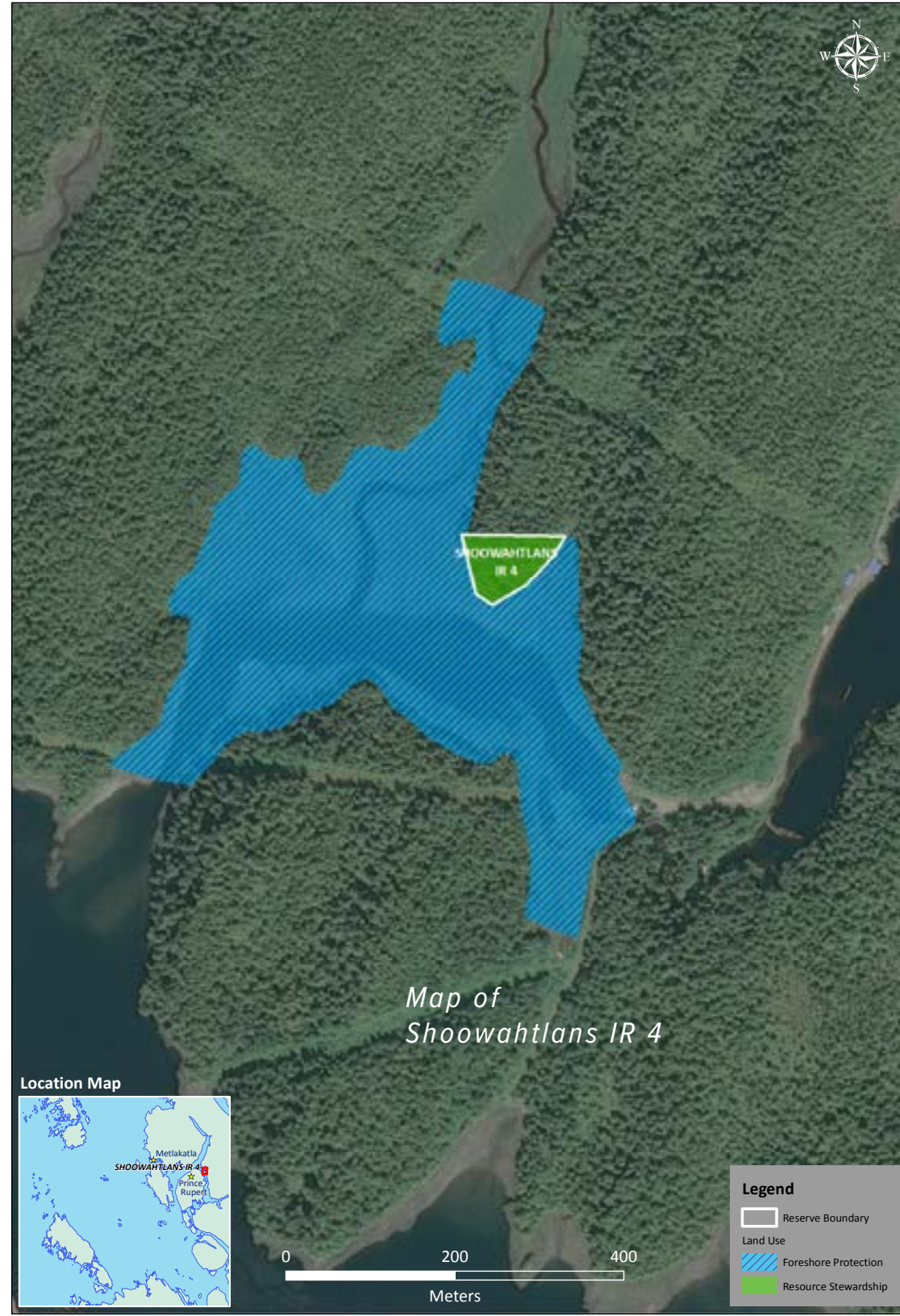
- Certificate of Possession

### Physical Features

- Bounded by shoreline to east, south and west
- Topography general slopes form north to south boundary

### Cultural Features

- Traditional Use Site
- Archeological Sites



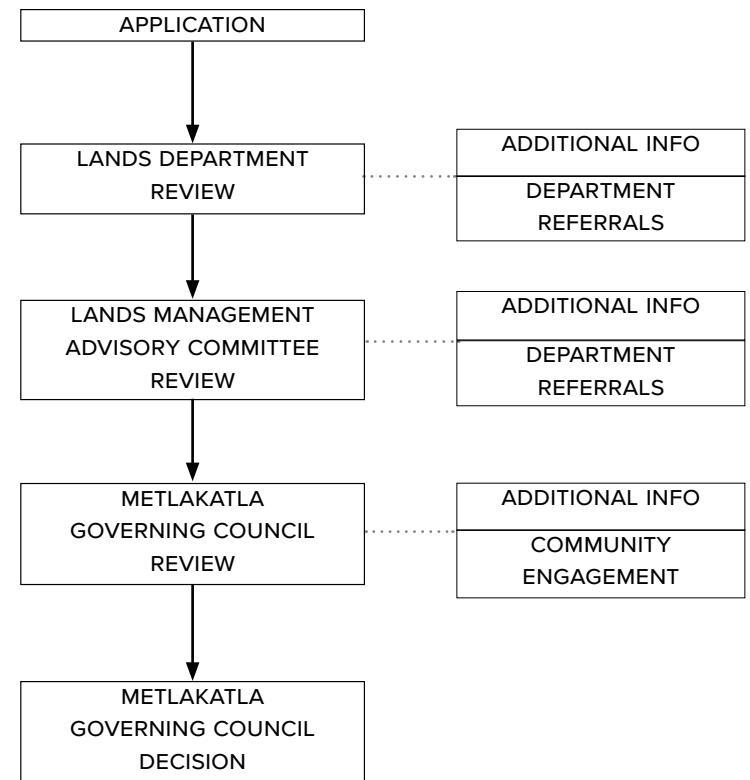
A scenic photograph of a coastal area. In the foreground, there is a wide, flat beach covered in dark grey gravel. A line of dark driftwood lies across the middle ground. In the background, a dense forest of tall evergreen trees stands against a clear blue sky. A small, light-colored cabin with a dark roof is visible on the left side of the forest.

## 7.0 Development Application Process

# Application Process

These are the steps to apply for approval for development on Metlakatla Lands. These subjects will be subject to a more detailed Development and Zoning Law, when developed.

When development applications are assessed, Metlakatla's vision, values and principles (outlined in Section 3) will be used to ensure that proposed developments respect the environment and do not negatively impact the quality of life for Metlakatla Members. Prospective proponents and developers must be respectful and honour the values and principles of Metlakatla.



## Land Management Advisory Committee (LMAC)

The purpose of the Lands Management Advisory Committee is outlined in Section 21.5 of the Metlakatla Land Code.

### Responsibilities include:

- assisting with development of the Metlakatla Reserve Land administration system;
- advising Council and staff on matters respecting Reserve Lands;
- recommending Land Laws (such as this Land Use Plan), regulations, policies and practices respecting Reserve Lands to Council;
- engaging with Members and non-Members on Reserve Lands issues, and to make recommendations on the resolution of those issues to Council;
- overseeing Meetings of Members and ratification votes;
- overseeing the implementation of the Land Code and Land Laws.



## *Step 1*

### *Application*

- Applicant contacts the Lands Department through Metlakatla Governing Council administration office to discuss proposed development type and location
- Metlakatla Lands Department provides applicant with Development Permit Application form
- Applicant submits the completed application form to the Lands Department

## *Step 2*

### *Lands Department Review*

- Lands Department reviews the application and, if necessary, contacts applicant for additional information
- The Lands Department gives the application to other Metlakatla Departments, and organizations such as the Metlakatla Stewardship Office, to ensure the project is in alignment with other plans, policies and guidelines (archeological, cultural and environmental)
- Lands Department gathers feedback and, if necessary, contacts the applicant for additional information

### *Step 3*

#### *Lands Management Committee Review*

- Director of Lands develops a summary report and if necessary, reviews the application with the Lands Management Advisory Committee
- Lands Management Advisory Committee determines if additional information is required and/or whether the application requires membership review and input (eg. for land use variances)
- Lands Management Advisory Committee makes a recommendation to Metlakatla Governing Council to approve or deny the application

### *Step 4*

#### *Metlakatla Governing Council Review*

- Subject to any delegations of authority from the Metlakatla Governing Council, Director of Lands develops a summary report, including LMAC recommendation, for Metlakatla Governing Council consideration

An aerial photograph of a coastal area. A paved road runs from the bottom left towards the center, where it meets a small pier or breakwater. To the right of the pier is a marina with several boats docked. The water is calm, reflecting the sky. In the background, there are more landmasses and a larger body of water. The text "8.0 Plan Implementation" is overlaid in white at the bottom.

## 8.0 Plan Implementation



## 8.1 Overview

The activities in this section will assist in implementing the Land Use Plan. Implementation activities are organized by each of the goals presented in Section 1.2.

To successfully implement the plan, specific programs need to be further developed. For example, regular monitoring and enforcement protocols related to developing near culturally and environmentally sensitive sites.

These programs will be developed in collaboration with other Metlakatla departments.

Plan implementation will also entail adhering to the Development Approvals Process outlined in Section 7.0.

This section also includes general provisions for monitoring, amendments and a 5-year review of the Plan.

These provisions are subject to a more detailed Development Law.



## 8.2 Action Items

### **GOAL Conserve and celebrate our language, culture and heritage resources.**

- Identify archeological, traditional use, and cultural and heritage features where possible on all Metlakatla Reserves.
- Support the development of a Culture and Heritage Law, policies and protocols to protect, manage and monitor archaeological sites and cultural use areas on all Metlakatla lands regardless of the land designation.
- Support the exploration and development of future culture and heritage infrastructure.
- Coordinate annual member field trips to Metlakatla Reserves.
- Development proposals go to the Metlakatla Cultural Heritage Department for review, when appropriate.
- Use traditional names for our Reserve lands and other places of importance. Add signage using our traditional names.

### **GOAL Identify ways to lessen effects of climate change.**

- Implement plans to manage and mitigate or control erosion and flooding in Metlakatla.
- Identify areas of erosion and priorities for flood control and erosion control in other areas on Metlakatla Reserves (Tugwell Island).

### **GOAL Promote food security.**

- Provide opportunities for community to be more involved in agriculture.
- Identify and protect food and medicine harvesting sites.
- Promote food security and protect food harvesting sites.

### **GOAL Support sustainable local economy.**

- Ensure lands are available to support economic development opportunities.
- Encourage local renewable energy development and energy efficiency

### **GOAL Provide better access to Metlakatla.**

- Support proposed Tsimshian Peninsula Access Project.

*Please note goals and actions are in no particular order; each is as important as the next.*

## **GOAL Support health and wellbeing of our members through development and maintenance of housing, infrastructure and community facilities.**

- |   |  |   |
|---|--|---|
| <ul style="list-style-type: none"><li>• Identify areas for residential development that support a range of housing needs.</li><li>• Designate areas for organized and unorganized recreation activities.</li><li>• Develop Metlakatla as a mixed-use community which includes community services, recreation and opportunities for economic development.</li><li>• Ensure development practices</li></ul> | <ul style="list-style-type: none"><li>are sustainable.</li><li>• Ensure all houses built in the community at a minimum meet standards identified in the provincial Building Code</li><li>• Support member training needs through the Coastal Training Centre.</li><li>• Develop a Metlakatla Community Standards Law.</li><li>• Develop an Environmental Management Plan to identify</li></ul> | <ul style="list-style-type: none"><li>and manage issues such and Invasive Species, fuel storage, solid waste management.</li><li>• When necessary, update Metlakatla's Asset Management Strategy.</li><li>• Develop an Environmental Management Plan to identify and manage issues such and invasive species, fuel storage, solid waste management.</li></ul> |
|---|--|---|

---

## **GOAL Protect and enhance ecologically sensitive areas.**

- |  |   |   |
|--|---|---|
| <ul style="list-style-type: none"><li>• Identify watercourses, sensitive habitat and other ecologically sensitive areas.</li><li>• Avoid development in areas of natural hazard.</li></ul> | <ul style="list-style-type: none"><li>• Develop and implement Environmental Protection Law and associated guidelines to protect ecologically sensitive sites on Metlakatla lands regardless</li></ul> | <ul style="list-style-type: none"><li>of the land designation.</li><li>• Undertake inventories where possible on all Metlakatla reserves of ecological features such as Yew wood and Cedar.</li></ul> |
|--|---|---|

---

## **GOAL Protect foreshore from over-harvesting and unauthorized use and development.<sup>13</sup>**

- |   |   |  |
|---|---|--|
| <ul style="list-style-type: none"><li>• Work with Metlakatla Stewardship Society and their Guardian Watchman Department to develop a program to monitor</li></ul> | <ul style="list-style-type: none"><li>and protect the foreshore and lands from non-member use.</li><li>• Prohibit development of structures in foreshore areas.</li></ul> | <ul style="list-style-type: none"><li>• Develop non-member access and camping and access policies.</li></ul> |
|---|---|--|

<sup>13</sup> Foreshore is whole of Metlakatla pass; otherwise 200 metres from low water





## 8.3 Monitoring Plan Implementation

The Metlakatla Lands Department will monitor the implementation of the Plan, primarily through participating in the review of development applications:

- Is the Plan generally achieving its goals and advancing the vision?
- Would further clarification or additional information assist in accurately interpreting and implementing the Plan?
- Are there new land uses or questions not addressed by the Plan that should be considered in future amendments or in the 5-year reviews?

## 8.4 Plan Amendments (5-year reviews)

Plan amendments may occur as a result of the 5-year review of the Plan.

Plan amendments may be considered for a variety of reasons, including the need to address a new land use, consider new information, or clarify Plan requirements.

Lands Management Advisory Committee (LMAC) may make recommendations for amendments to the Plan to the Metlakatla Governing Council.

The Metlakatla Governing Council will review the proposed amendments. Council can adopt any amendments to the plan that they deem necessary.

Amendments that involve changes to a land use designation require membership review, as required by the Metlakatla First Nation Land Code.

The Metlakatla Lands Committee will review the land use plan every five years.

The Metlakatla Lands Management Advisory Committee will carry out a comprehensive review of the land use plan every 5 years.

The Lands Management Advisory Committee will determine if there are any required revisions to the Plan. Any revisions will be reviewed by the Lands Committee.

The Lands Committee will then make amendment recommendations to Metlakatla Governing Council.

The review will consider:

- Do vision and goals still reflect Metlakatla values?
- Is the Plan achieving the vision and goals of the Metlakatla First Nation?
- Have any exception or amendment requests signalled a need for change?
- Is new information available that needs to be considered in land use decisions?
- Are new land uses, issues or major projects on the horizon that need to be addressed?

- Are there areas of ambiguity than can be better clarified?
- What progress has been made on Actions Items (outlined in Section 8.2)?

The Five-Year Review may result in two possible outcomes:

1. If Lands Committee determines no revisions are necessary, the Plan will stay as is.
2. If Lands Committee determines major amendments are required, proposed amendments will be submitted for approval to the Metlakatla Governing Council.

Prior to Council approval, proposed amendments to the Plan will be subject to review and comment by Metlakatla Membership.



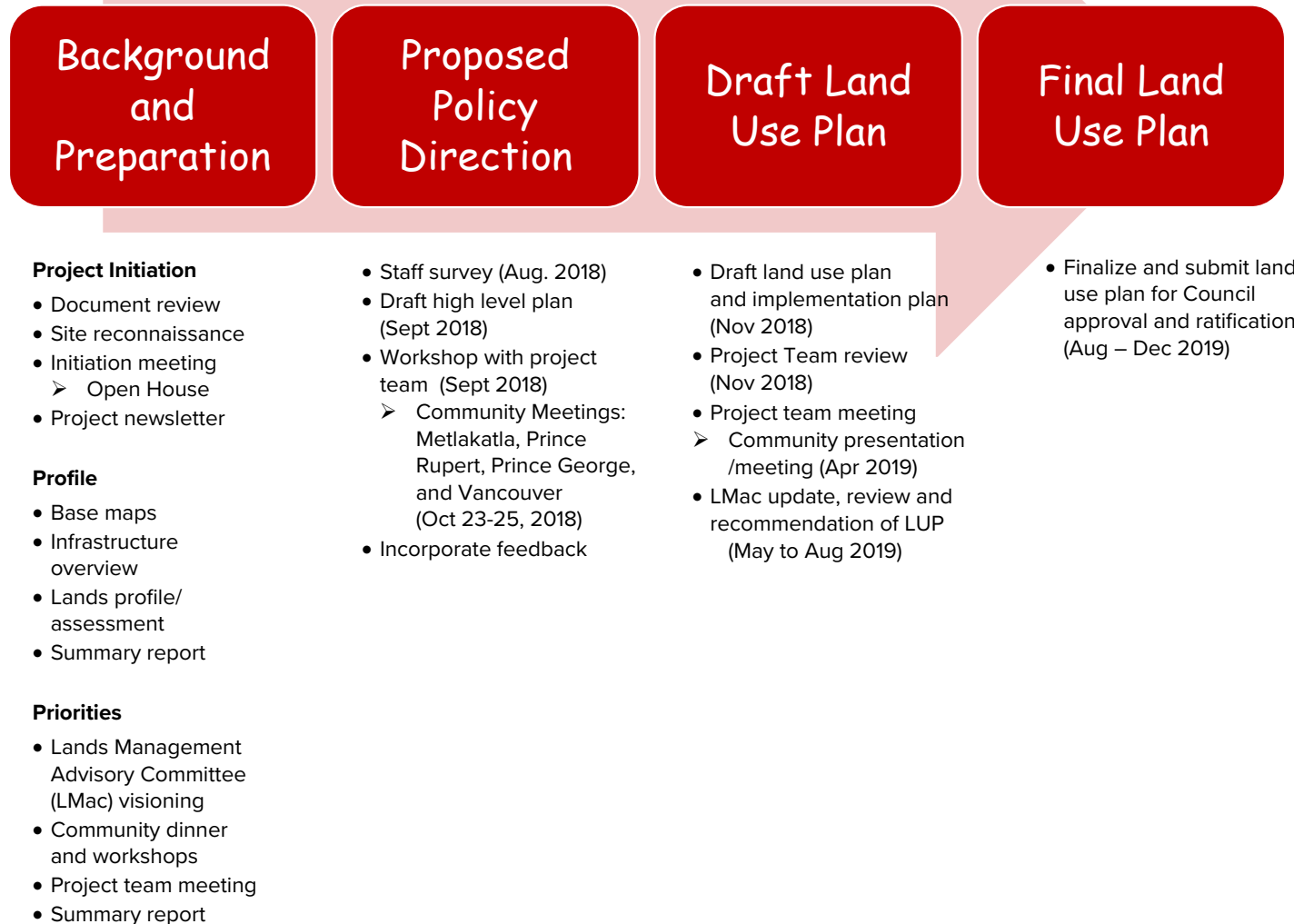


# Appendices



# Appendix 1 – Land Use Planning Process

This diagram presents the overall process to develop this Plan.



## Process

The land use planning process started in November 2017 and included:

- Member engagement
- Review and feedback by Metlakatla members and the Land Management Advisory Committee (LMac)
- Compilation and review of existing information

## Member Engagement

Gathering the insights, perspectives and knowledge from our membership to direct and develop this Plan was critical to the process. Through the process we facilitated a number of workshops:

- 4 Community Workshops (including 2 in Prince George & Vancouver)
- 1 Youth Workshop
- 2 Land Management Committee (LMac) Workshops
- 2 Staff Workshops

The Land Management Committee played a critical role in the process by reviewing draft documents and providing direction to the overall plan.

They met and discussed the Plan and its components on a monthly basis.

## Documents Review

We reviewed many documents, maps and plans to help develop this Plan.

- Land Use Plan (Reserves), 2010
- Comprehensive Community Plan, 2010
- Health Centre Feasibility Study, 2010
- Sea Level Rise Adaptation Planner, British Columbia Ministry of Environment, 2013
- Sea Level Rise in BC: mobilizing science into action, Climate Action Secretariat, BC, 2014
- Phase 1 Environmental Site Assessment, 2015
- Metlakatla Governing Council Strategic Plan, 2015
- Shoreline Erosion Assessment and Design (S1/2 Tsimpsean IR 2), 2015
- Northwest Hydraulic Consultants, 2015

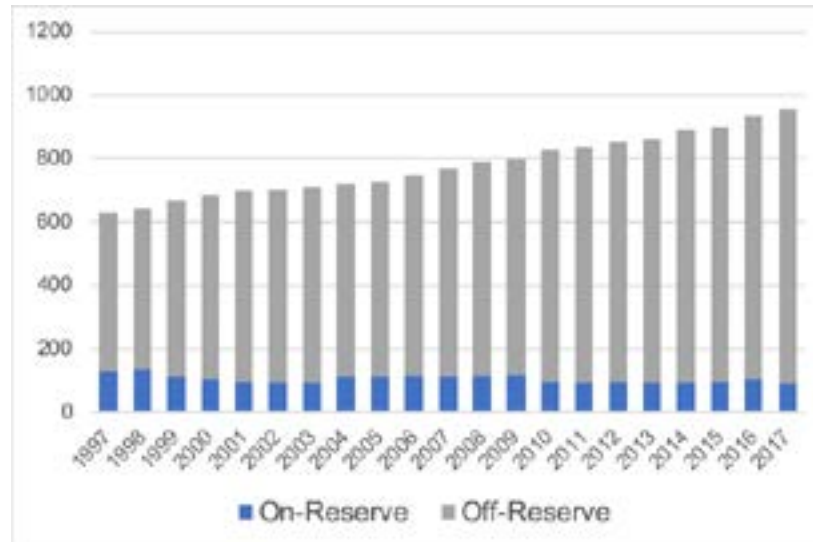
- Canada's Marine Coasts in a Changing Climate, NRCAN, 2016
- Asset Management Program, Phase 1 Report, 2016
- Metlakatla Membership Census, 2016
- Land Code, 2016
- Natural and Cultural Resources Data Inventory and Mapping Project, 2018
- Stewardship Plan V5 (Loomsk), 2017
- Metlakatla Community Waterworks Assessment Feasibility Report, April 2018
- Buildings and Infrastructure Assets – AANDC 2014-2015 E-ACRS

We also reviewed and organized thousands of spatial points to develop a series of maps for Metlakatla's 10 Reserves which also provided support for the development of the land use planning designations. These are presented in the *Metlakatla Natural and Cultural Resources Data Inventory and Mapping Project* (March 2018).

# Appendix 2 – Member Demographics

## Metlakatla Membership 1997 to 2017

Source: Indian Register, December 31 of the respective year



## Total Membership

As of March 2017, the total number of registered members for Metlakatla is 975. (Source: *Indigenous Services Canada (ISC) Membership Registry*) Over the past 20 years, total membership has grown at a healthy rate of about 2.3% per year.

The *Metlakatla Membership 1997 to 2017 Chart* shows the total membership, and the breakdown between the number of members living off-Reserve and on-Reserve. In 1997, an average of 20% of members lived on-Reserve. Currently, 9% of members live on-Reserve.

## Metlakatla Membership Estimates (2% per year)

	On-Reserve	Overall Membership
2017*	90	974
2018	92	975
2023	100	1,075
2028	110	1,190
2033	125	1,310
2038	140	1,450

\*most recently available full-year statistics

\* does not account for non-members who live on Reserve

Based on historic rates of growth, the overall membership is anticipated to grow at a rate of 2% per year. This growth rate has been used to develop the *Metlakatla Membership Estimates Chart*. Note that community growth can be influenced as a result of improvements to access to Metlakatla, changes in the economy as well as the availability of housing and services in the community.



## Age

The *Membership Age Profile Chart* shows that overall, the largest age group of all Metlakatla Membership is ages 60 to 64 with 71 members. The next largest group is ages 5 to 9, with 60 members.

This is somewhat different than the on-Reserve population.

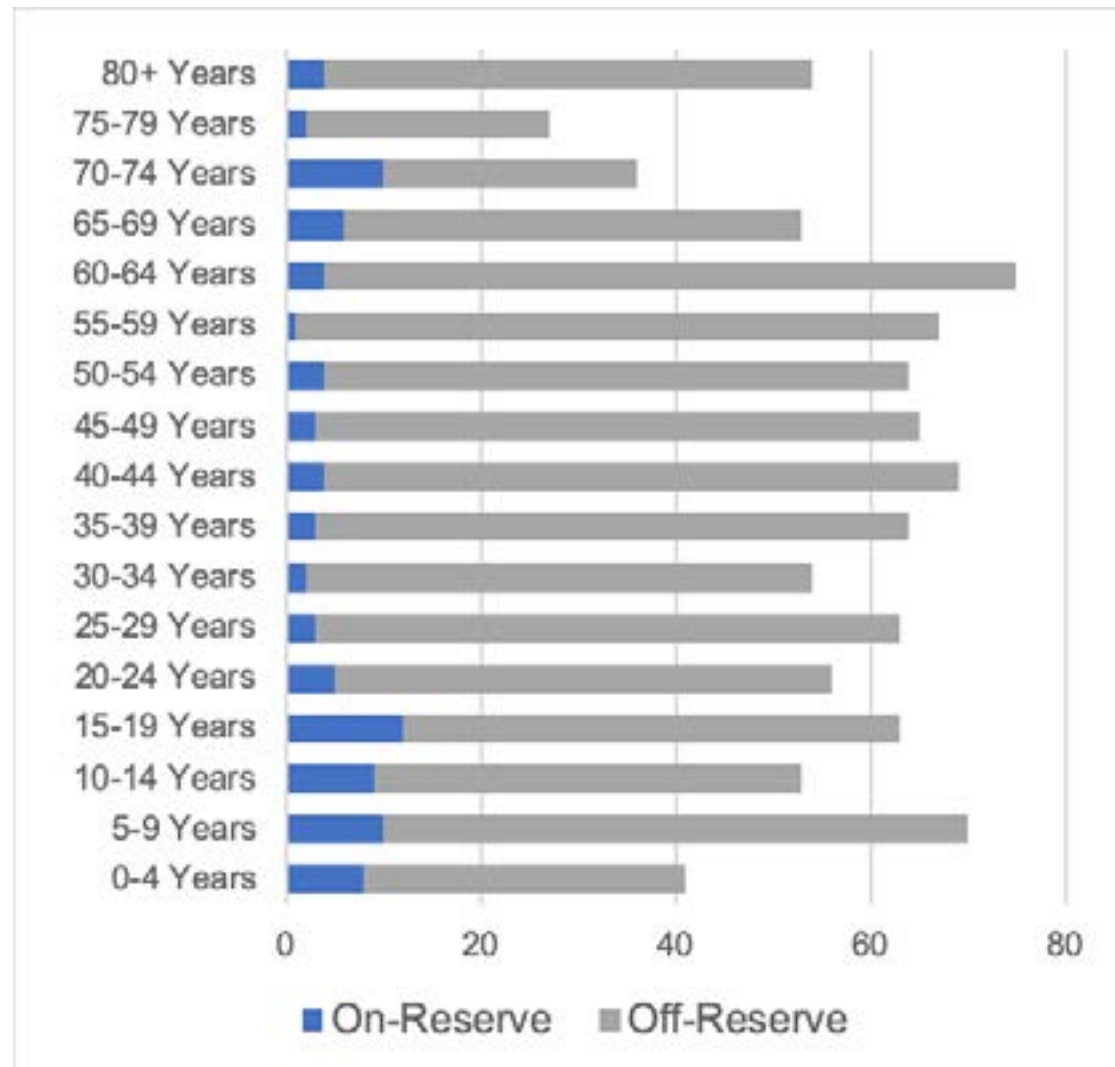
The largest age group of on-Reserve members is ages 15 to 19, with 12 members, followed by ages 5 to 9 and ages 70 to 74. Each the latter two groups has 10 members.

Based on this profile, we must plan for both ends of the age spectrum.

For instance, we need to focus on child care, recreation and education for children and youth as well as services such as specialized housing, health care and recreation for Elders.

## Membership Age Profile

Source: Indian Register, December 31, 2017



# Appendix 3 – Community Facilities

## **Aboriginal Head Start**

- 180 m<sup>2</sup>
- Traditional wood frame structure secured to poured concrete basement configuration foundation.
- Renovated interior; upgraded basement.

## **Administration Building**

- 967 m<sup>2</sup>
- Relatively new structure in good condition; well maintained.
- Foyer/reception area renovated in 2014.

## **Community Greenhouse & Smokehouse**

- Located behind Health Centre.

## **Fire Hall**

- 357 m<sup>2</sup>
- Traditional wood frame structure on concrete slab, sheathed with metal wall cladding and metal roof.

## **Health Centre**

- 274 m<sup>2</sup>
- One-story building constructed in 2014.
- Wood frame and wood and composite panel siding.

## **Outdoor Sports Complex**

- Completed in 2014
- Upgrades to field include new irrigation system, football/soccer field, skate park and playground.

## **Picnic Pavilion**

- Completed in 2015.

## **Recreation Building**

- 530 m<sup>2</sup>
- Combination of wood and steel frame structure with low slope gable metal roof; mounted on concrete slab foundation.

## **Storage Building**

- 20 m<sup>2</sup>
- Wood frame structure with shed.
- Rests on wood frame foundation.

## **Maintenance Building & Compound**

- 372 m<sup>2</sup>
- Storage area for Public Works Department equipment and supplies

# Appendix 4 – Community Infrastructure

## Roads

- 2,400 metres of roads.
- Design and construction of engineered road and parking lot; improvements include drainage, new paving of old roads, repairs to existing pavement cracks, filling potholes and repairing pavement edges, curbing, sidewalks, resurfacing shoulders, new paving driveways; new paving in parking lots was completed in 2016.

## Wastewater

- New sewage lagoon and treatment building was constructed in 2015.
- New system includes: gravity sewer collection system; 2- lift stations which pump raw sewage to an aerated two-celled lagoon treatment system that has ultra violet light disinfection; marine outfall discharging treated effluent into Venn Passage.

## Solid Waste

- Comprised of transfer station next to community wastewater treatment plant.

## Waterworks

- Water supply for Metlakatla community is provided by Tsook Lake, located about 1.5 kms north of the community.
- Comprised of floating lake intake; water supply pipeline that flows by gravity to a water treatment plant at outskirts of community; and elevated storage reservoir, which pressurizes a network of water distribution piping serving community homes and facilities.
- Recently completed a feasibility study that recommended \$5.9 million worth of phased improvements to existing system.

## Coastal Erosion Protection

- Ongoing erosion along 2 kms of Metlakatla Community shoreline resulted in loss of considerable amount of land.
- Community roads, water and sanitary sewer assets are at risk.
- Design of erosion protection works is underway; phased implementation of erosion protection works has begun.





# Appendix 5 – Definitions

**Allotment** An allotment is the right to use and occupy a parcel of Reserve land by a Metlakatla Member. Council may, in accordance with the Metlakatla Land Code and any Metlakatla Law, provide an Allotment of Land to members or issue a Certificate of Possession to a Member for land allotted to that Member. Only Members of Metlakatla are entitled to receive an Allotment and to hold a Certificate of Possession or Garden Lot on Metlakatla lands. Members may transfer or assign an Interest or License to another Member in accordance with the Land Code and Metlakatla Laws

**Certificate of Possession (CP)** Is an official document issued under the Metlakatla First Nation Land Code or formerly issued under section 20 of the Indian Act to confirm a Member's Allotment.

**Commercial** means the use of land for the primary purpose of buying, selling, or trading of merchandise or services including, but not limited

to, shopping malls, office complexes restaurants, hotels, motels, grocery stores, automobile service stations.

**Community Lands** are Metlakatla Reserve lands in which all members have a common interest.

**Development Approval** is formal approval from Council for the built form, character, function, or layout of a proposed new development. Development Permits address the siting, massing, form, and character of buildings, environmental protection, landscape plans, parking layout and requirements, and other items depending on the project.

**Foreshore** The foreshore includes all Metlakatla Pass and the area which starts at high tide and continues 200 meters out from the low tide mark.

**Garden Lot** The term Garden Lot is unique to Metlakatla. Historically, 'Townsite lots' (lots within the community) were allocated with a corre-

sponding Garden Lot. The main use of these Garden Lots was for the cultivation of foods, namely potatoes. Many of the Garden Lots overlap with archaeological sites.

**Home-based business** A home-based business is a business whose primary office is in the owner's home. The business can be any size or any type if the office itself is in a home. It can also apply to a business solely carried out in the owner's home.

**Land Use Designation** Land use designations identify the intended uses of the lands.

**Land Use Plan** A Land Use Plan shows the future vision of a community and guides all land use planning and development towards this vision. It identifies land use designations and types of development that Council considers appropriate. The Land Use Plan sets the stage for the Zoning Bylaw (see Zoning Bylaw definition).

**Land Use Variance** A variance is a request to deviate from current zoning requirements. If granted, it permits the owner to use the land in a manner not otherwise permitted by the zoning ordinance.

**Light industrial** is less capital-intensive and more labor-intensive operations. Products made by an economy's light industry tend to be targeted toward end consumers rather than other businesses (eg. food production, home and office furnishings, garment manufacturing (leather and textiles), printing, etc.)

**Low impact tourism**, also referred to as ecotourism or sustainable tourism, minimizes disruption to the local environment. It is usually a small-scale alternative to standard commercial mass tourism. It directly benefits local communities and respect local people and cultures.

**Mixed-use development** blends residential, commercial, cultural, institutional, or entertainment uses, where those functions are physically and functionally integrated, and that provides pedestrian connections.

**Multi-family Residential** includes two or more residential units that are attached such as duplex, triplex, townhouse or apartment.

**Non-conforming use** is a permitted use of property which would otherwise be in violation of the current land use designation. The use is permitted because the land owner was using the land or building for that use before the designation became effective. Nonconforming uses are often referred to as being "grandfathered in" to a Zoning Bylaw.

**Renewable energy** is energy that is collected from renewable resources, which are naturally replenished on a human timescale, such as sunlight, wind, rain, tides, waves, and geothermal heat.

**Traplines** provide a person the exclusive right to commercially trap furbearing animals inside a defined area. Traplines were governed traditionally by Metlakatla people. In 1926, however, the Province began to regulate and register traplines within British Columbia with the goal of protecting species from overharvesting.

**Zoning Law** A Zoning Law identifies parcels of land as belonging to certain 'zones' that regulate the use and density of developments, and the siting, size, and dimensions of buildings and structures allowed in a specified area. Zoning also establishes and promotes minimum standards for health, safety, convenience, and public welfare. Zoning can prevent overcrowding of land and ensure appropriate building forms.

# Appendix 6 – Land Use Planning Law

## **WHEREAS**

Metlakatla has an inherent right to self-government which emanates from our people, culture and land and which is recognized and affirmed by section 35 of the Constitution Act, 1982;

Metlakatla has taken over control and management of Metlakatla Reserve lands and resources pursuant to the Framework Agreement on First Nation Land Management and has enacted Metlakatla Land Code effective the 1st day of December, 2016;

Under Metlakatla Land Code, Metlakatla Council is authorized to pass various laws relating to lands including laws relating to zoning and land use under section 7 including under subsection 7.2 of the Land Code;

Council wishes to implement a law to ensure that the use of land within Metlakatla Lands is regulated to protect the community, Metlakatla Lands and any person holding an interest in

Metlakatla Lands from unsustainable or incompatible developments or land uses and to encourage developments and land uses that contribute to the well-being of the community and the environment; and

Metlakatla Members have approved a Land Use Plan dated \_\_\_\_\_;

## **NOW THEREFORE**

this Metlakatla Land Use Planning Law is hereby enacted at a duly convened meeting as a Law of Metlakatla.

### **PART 1. Name**

1.1 This Law may be cited as Metlakatla Land Use Planning Law.

### **PART 2. Purpose**

2.1 The purpose of this Law is to promote good, healthy, sustainable and community-oriented land uses of MFN Reserve Lands in accordance with the Land Use Plan approved by Metlakatla Members.

### **PART 3. Where this Law Applies**

3.1 The provisions of this Law ap-

ply to the whole area of the Reserve and Metlakatla Lands as defined in Metlakatla Land Code.

### **PART 4. Definitions**

4.1 For the purposes of this Law, (a) terms have the same definitions as in the Land Code; and (b) the following definitions apply: “Land Use Plan” means the Metlakatla Land Use Plan dated October, 2019.

### **PART 5.**

#### **Adoption of Land Use Plan**

5.1 The Land Use Plan is hereby adopted and given the force of law.

5.2 All developments, Interests and other land-related plans must comply with the Land Use Plan and be carried out in accordance with the vision, principles and objectives set out in the Land Use Plan.



*Non-conforming Uses Con-  
ditionally Continued*

5.3 Despite subsections 5.1 and 5.2, the lawful use of land or structures, that was in place at the time of the passage of this Law may be conditionally continued as a non—conforming use subject to continuation of the use and to any regulations passed under this Law.

**PART 6. Amendments**

6.1 Any amendments to the Land Use Plan or this Law will comply with section 12 of the Land Code and any applicable Metlakatla laws or regulations.

**PART 7. Offences & Penalties**  
*Offences*

7.1 It is an offence to contravene this Law.

*Enforcement and  
Cease and Desist Orders*

7.2 In addition to any other applicable fine, penalty or remedy, Council, the Director of Lands, or a Law Enforcement Officer may:

(a) issue a Stop Work Order or a Cease and Desist Order to order

any Person who requires a Permit, re-zoning or other authorization under this Law but who has not received it, to cease carrying out any use, activity or development until such time as that Person applies for and receives the required Permit, re-zoning or other authorization; and

(b) in addition to (a), order that a Premises, or a portion of a Premises, be closed, shut down, sealed off, or otherwise made unavailable for use until such time as there are required Permits, re-zonings or authorizations in place for that Premises.

7.3 An order imposed under subsection 7.2:

(a) may be registered in Court and enforced as a court order; and

(b) continues in force until the condition that led to it is remedied or until the activity that is the subject of the order receives the required Permit, re-zoning or authorizations under this Law.

**PART 8. General**

8.1 The headings of parts and sections in this Law have been inserted as a matter of convenience and for reference only and in no way de-

fine or limit or any of its provisions.

8.2 In the event that all or any part of any section or sections of this Law are found by a court of competent jurisdiction to be invalid, such sections shall be severable, and the remaining portions or sections shall remain in full force and effect.

**PART 9. Regulations**

9.1 Council may pass any regulations necessary to implement this Law.

**PART 10. Coming into Force**

10.1 This Law shall come into force and effect on the date it is passed by Council Resolution after complying with the requirements of Part 3 of the Land Code.

**BE IT KNOWN** that this Law entitled Metlakatla Land Use Planning Law is hereby enacted by a quorum of Council at a duly convened Council of Metlakatla held on \_\_\_\_\_, 2019.





Metlakatla First Nation  
PO Box 459  
Prince Rupert, BC V8J 3R2  
T 1.250.628.3234

[www.metlakatla.ca](http://www.metlakatla.ca)