

To: Regional and Corporate Services Committee

Date: 2025-07-10

From: Kate Fenton, Planner I

Subject: Indigenous Services Canada Referral - Shxw'owhámél First Nation's Ohamil 1 Proposed Addition to Reserve, Electoral Area B

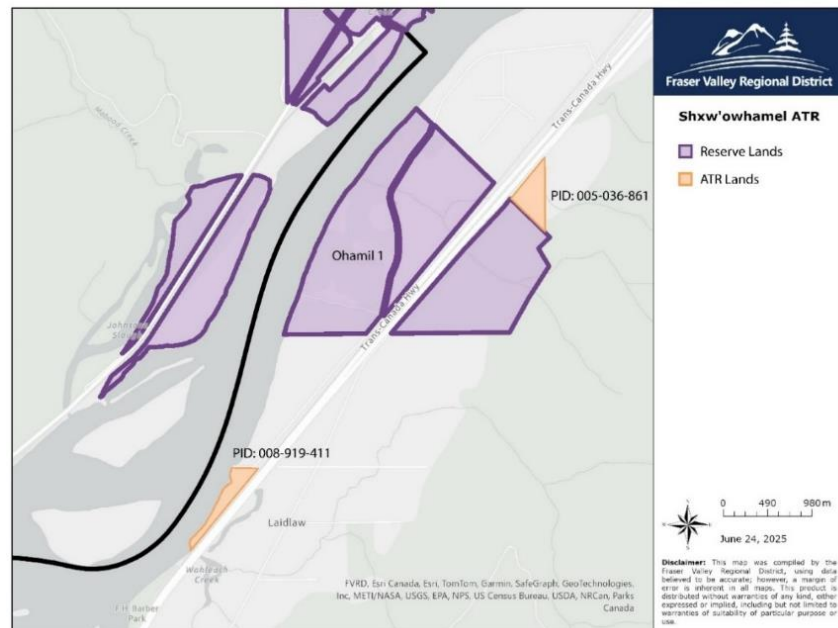
Reviewed by: Melissa Geddert, Acting Manager of Integrated Planning & Engagement  
Stacey Barker, Director of Regional Services/Deputy CAO  
Jennifer Kinneman, Chief Administrative Officer

## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board respond to the referral from Indigenous Services Canada by providing the technical comments outlined in the staff report dated July 10, 2025, related to the addition of land at 58970 Laidlaw Road (PID: 005-036-861) and St Elmo Road (PID: 008-919-411) to Ohamil 1 Indian Reserve.

## BACKGROUND

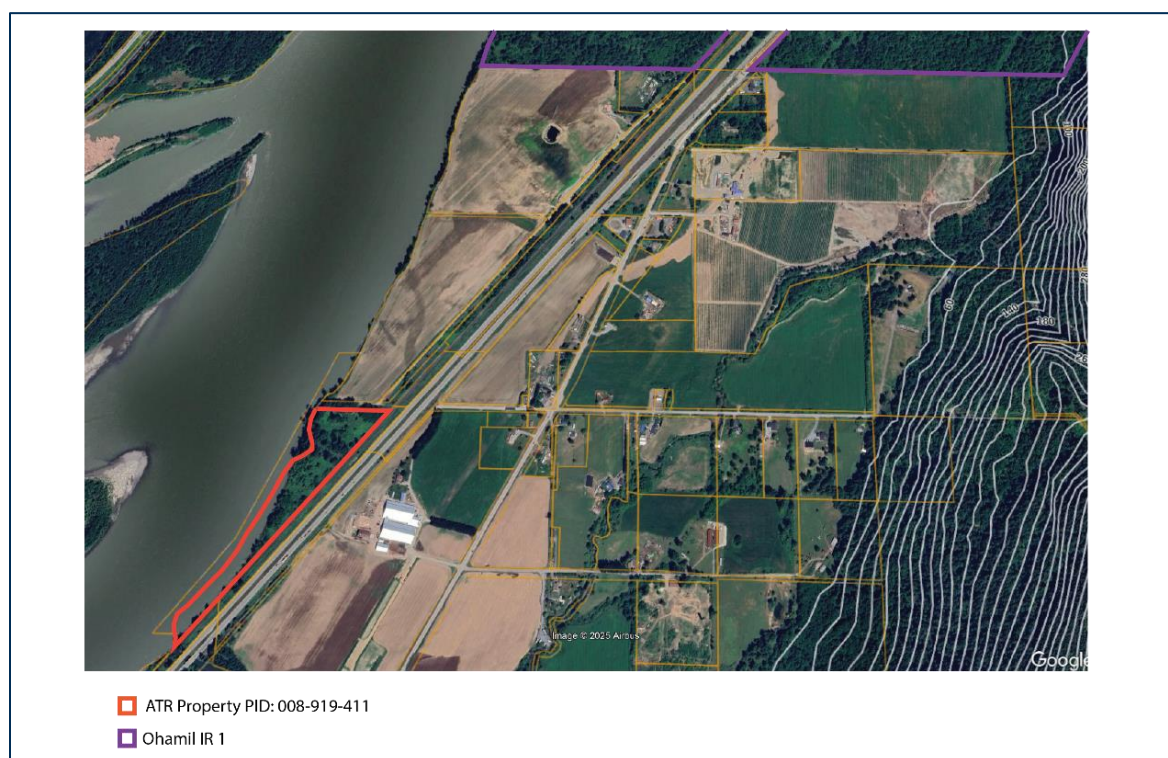
On June 9, 2025, Indigenous Services Canada (ISC) sent a letter to the Fraser Valley Regional District (FVRD) requesting comments by September 7, 2025, regarding a proposed Addition to Reserve (ATR) involving 11.73 hectares (29 acres) of land. The application includes two separate parcels: one adjacent to the Shxw'owhámél First Nation reserve, Ohamil 1, and another located nearby. Both parcels are situated along the Trans-Canada Highway in Electoral Area B, approximately 2.5 kilometres from the District of Hope boundary, see the attached maps.



Map 1: Location



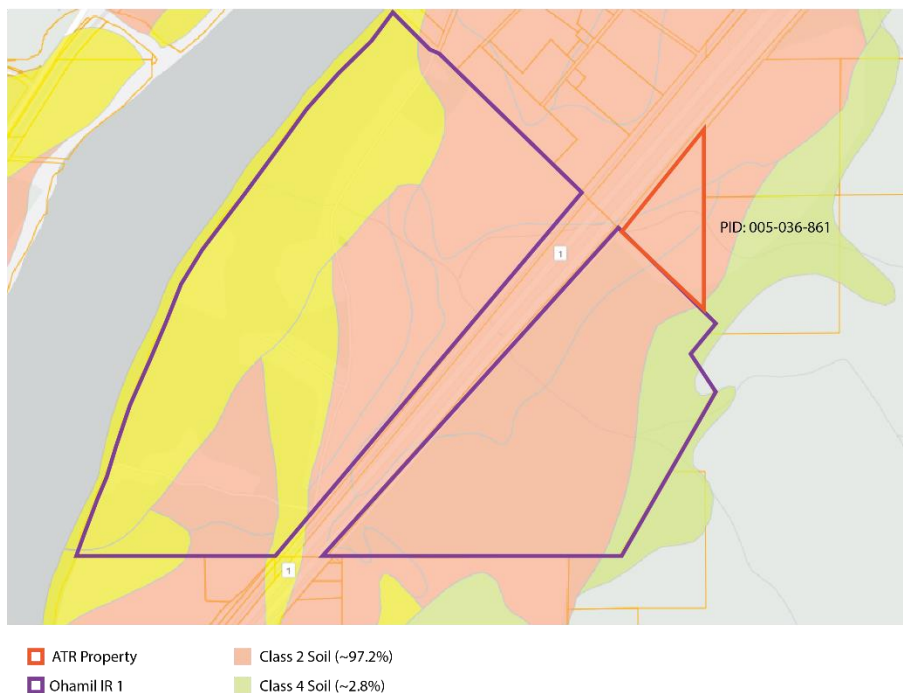
Map 2: Aerial imagery of 58970 Laidlaw Road (PID: 005-036-861)



Map 3: Aerial imagery of the south end of St Elmo Road (PID: 008-919-411)

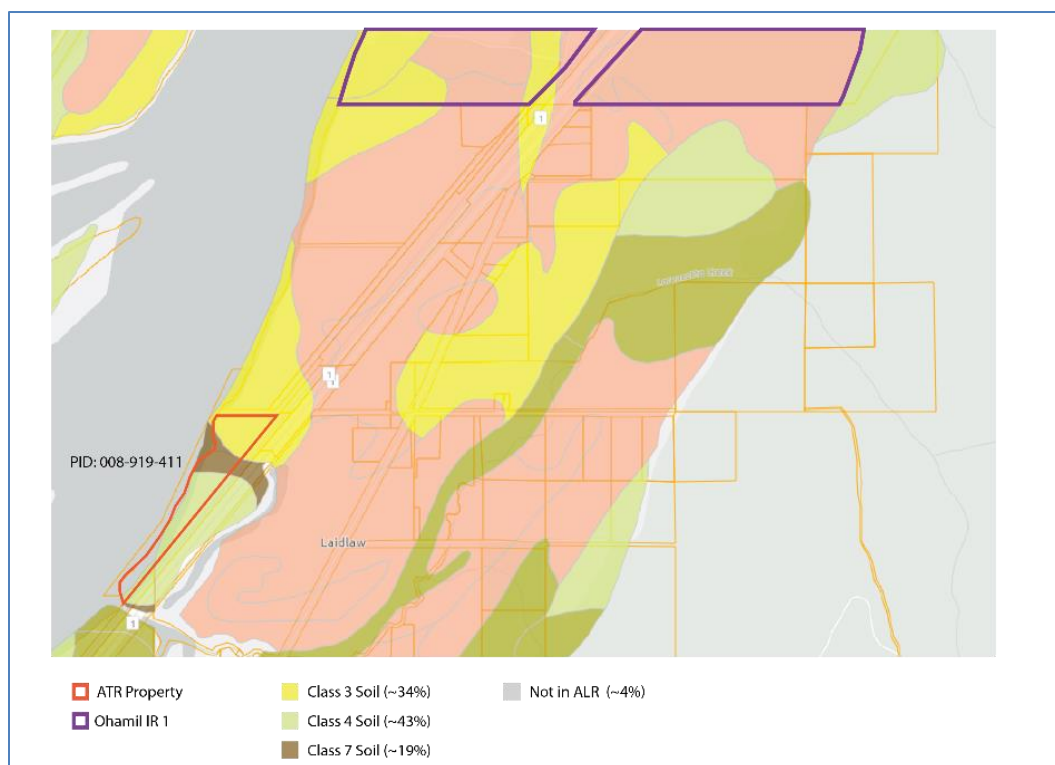
Based on the aerial imagery and FVRD property records, the property at 58970 Laidlaw Road has been used for residential purposes, and the property at the south end of St Elmo Road appears to be naturally vegetated. In the past, the latter property was used as an angler's walk-in site to access the Fraser River. Both properties are zoned Agricultural 3 (AG-3) and are located within the Agricultural Land Reserve (ALR), see below. Should the ATR process be successful, the properties will no longer be subject to ALR and FVRD regulations.

Civic	PID	Size	BC Assessment	Zoning	ALR	Plan
58970 Laidlaw Road	005-036-861	7.13 hectares (17.6 acres)	060 – 2 acres or more (SFD, Duplex)	Agricultural 3 (AG-3)	Yes	NWP 52509
St Elmo Road	008-919-411	4.60 hectares (11.37 acres)	061 – 2 Acres or More (vacant)	Agricultural 3 (AG-3)	Yes	NWP 27967



Map 4: Soil Classification for 58970 Laidlaw Road (PID: 005-036-861) - The soil classification for 58970 Laidlaw Road (PID: 005-0360-861) is comprised of mostly Class 2 soil, with just under 3% of the land area classified as Class 4





Map 5: Soil Classification for the south end of St Elmo Road (PID: 008-919-411) is comprised of Class 3 (34%), 4 (43%), 7 (19%), and 4% is not within the ALR

Both properties are not protected by a dike, and are within the Fraser River floodplain. Neither properties have any known geotechnical hazards, see below.

	58970 Laidlaw Road PID: 005-036-861	St Elmo Road PID: 008-919-411
Fraser River Floodplain	Yes	Yes
Fraser River Floodplain Setback	No	Yes, 60 m from natural boundary of Fraser River
Flood Construction Levels	32.2 m GSC*	29.4 – 29.6 m GSC
Alluvial Fan Hazard	No	No
Geological Hazard Area - 4-BC	No	No

*\*GSC is the Geodetic Survey of Canada, and is the measurement of height in reference to the coastal mean sea level of North America.*

## DISCUSSION

The ATR referral received from ISC notes that the Government of Canada has the discretion to create reserves and add land to existing reserves in accordance with Canada's [Additions to Reserve/Reserve Creation Policy Directive](#), which Shxw'ōwhámél is applying under. The referral asks for technical

comments and if the FVRD is in agreement with the proposed addition to Ohamil 1, a letter confirming its support of the proposed addition reserve.

The referral package received from ISC however, did not outline the future intended use of these lands. **Therefore, providing a letter confirming the Board's support for the ATR is difficult since the future land uses are unknown, and may not align with the Official Community Plan land use designations.**

It is important to note that provincial and local governments do not have decision-making authority over ATR proposals; the ATR application is referred for comment only. Final decisions on reserve creation and land additions are made by the Minister of Crown-Indigenous Relations, in accordance with the *Addition of Lands to Reserves and Reserve Creation Act*.

Once these lands are added to reserve, FVRD land use bylaws will no longer apply, and the laws under **Shxw'ōwhámél's** Land Code will come into force.

This referral was distributed to various FVRD departments for comment. The following technical comments were raised:

### Electoral Area Planning

- » Flood risk
  - › Both properties lie fully within the Fraser River floodplain.
  - › The St Elmo property is fully within the Fraser River floodplain setback area.
  - › Properties located in the floodplain setback area and within FVRD jurisdiction may not be issued building permits unless a site-specific exemption application is received and approved by the FVRD Board.
- » Covenants
  - › There are two covenants registered to the property title for the parcel located at 58970 Laidlaw Road
    1. BK317299 – (1996) BC Hydro/BC Tel right-of-way through this property
    2. BE321924 – (1991) Section 56 covenant, with geotechnical report, for the placement of a mobile home on the property.
- » Riparian assessment
  - › There is a watercourse running through the property at 58970 Laidlaw Road, the FVRD does not have record of a riparian assessment on file for this property.
- » Access to the property at 59020 Laidlaw Road
  - › A title search confirmed that there is an easement agreement, ensuring legal access to the otherwise land-locked property at 59020 Laidlaw Road.

### Finance

- » Tax and individual service area roll implications for parcels incorporated into reserve.
- » Opportunities for service area agreements.

58970 Laidlaw Road PID: 005-036-861	St Elmo Road PID: 008-919-411
Area B Fraser Valley	Area B Fraser Valley
FVRD Fire - Laidlaw	FVRD Fire - Laidlaw
FVRD Building Inspection	FVRD Building Inspection
Fraser Valley Hospital District	Fraser Valley Hospital District
BC Assessment	BC Assessment
Municipal Finance Authority	Municipal Finance Authority
<b>Total Taxation: \$1,457.36</b>	<b>Total Taxation: \$536.95</b>

## COST

**Responding to ISC's request for comment does** not carry any immediate cost implications. If the ATR application is approved and **Shxw'ōwhámél** chooses not to continue receiving services from the FVRD for these properties, this could result in a reduction in tax revenue for the FVRD.

## CONCLUSION

This report is in response to a referral from ISC regarding an ATR application from **Shxw'ōwhámél** First Nation, proposing to add two properties located in FVRD Electoral Area B to Ohamil 1 Indian Reserve. Several FVRD departments have provided technical comments. Both properties are located within the ALR, though they are not currently used for intensive agricultural purposes. The future intended use of these lands is not known, so future land uses may not align with the Official Community Plan land use designations. It is recommended that the FVRD formally respond to ISC with technical comments before the September 7, 2025 deadline.