



Kwanlin Dün First Nation Plan Approval Policy

Initial Approval Date: December 15, 2023	Revised Date:
Legislative Authority: Lands Act	Policy Authority:
Administrative Authority: Heritage, Lands, and Resources	

PURPOSE

1. The purpose of this policy is to:
 - a. Establish a process for the development, review, or amendment of a land use plan in fulfillment of Section 7 of the *Lands Act*;
 - b. Clarify the process by which the director submits a proposed plan to the Council for adoption, as required in Section 9 of the *Lands Act*.

SCOPE

2. In this policy, the phrase “land use plan” has the same meaning as it does under the *Lands Act*.
3. This policy applies to the development, review, amendment, and adoption of a land use plan or a proposed plan that may be adopted as a land use plan (a “proposed plan”), as the case may be.
4. A proposed plan is a plan:
 - a. that proposes to constrain the zoning or development of, or granting of an interest in Settlement Land; and
 - b. to which KDFN is a party, in whole or in part.

AUTHORITY

5. Standing Committee is responsible for overseeing the development of a proposed plan and the review and amendment of a land use plan in accordance with this policy and the general rules and procedures for that committee.

REVIEW BY STANDING COMMITTEE

6. The Director will present to Standing Committee on a minimum of two separate occasions for any land use plan development, review, or amendment, unless otherwise directed by the Standing Committee.
7. Prior to completing substantial work to develop, review, or amend a land use plan, the Director will present to Standing Committee a proposal to plan. A proposal will outline:
 - a. whether the activity is to develop a proposed plan, or review or amend a land use plan;
 - b. the potential for the proposed plan or land use plan to affect zoning, or development of Settlement Land, or the granting of an interest in Settlement Land;
 - c. the rationale for the development, review, or amendment, as the case may be;
 - d. if applicable, the proposed nature of collaboration between KDFN and another organization or government;
 - e. proposed involvement of Citizens and Beneficiaries;
 - f. proposed involvement of Standing Committee, which may include a description of factors that may affect the frequency or nature of review; and
 - g. anticipated timelines, resources, and budget.
8. Having considered the presentation of the proposal for work, or at any other time, Standing Committee may provide direction on, but not limited to, the following:
 - a. whether to pursue the proposed plan;
 - b. the content of the proposed plan;
 - c. engagement of Citizens and Beneficiaries in the planning work; and
 - d. further review or oversight by the Standing Committee or by other bodies of the KDFN government.

PLAN REVIEW

9. A plan review is an exercise to revise, re-write, or repeal an adopted land use plan, either in its entirety, or portions of it.
10. The Director may propose a plan review in accordance with Sections 6 to 8 of this policy, such as in the following circumstances:
 - a. Following an interval of time specified in a land use plan;
 - b. In response to new information or circumstances within and outside the land use plan area;

- c. If several similar applications for Settlement land within a land use plan suggest a need for a review;
- d. To improve KDFN's economic or social well-being; and
- e. To protect the environment.

PLAN AMENDMENT

- 11. A plan amendment is a change to a land use designation affecting one or more lots or parcels of Settlement Land in an adopted land use plan.
- 12. The Director shall provide a process by which a person can request an amendment, and by which HLR will review an application.
- 13. Following departmental review and evaluation, the Director may submit a proposal to amend a land use plan to Standing Committee for consideration in accordance with Sections 6 to 8 of this policy.

PUBLIC ENGAGEMENT

- 14. Except as otherwise directed by Standing Committee, in the course of carrying out planning work, the Director will provide, at minimum, the following engagement opportunities:
 - a. for the development of a proposed plan or the review of a land use plan, at least two opportunities for general Citizen and Beneficiary input at each of two stages of planning;
 - b. for the amendment of a land use plan, at least one general notification to Citizens and Beneficiaries.
- 15. The Director will determine the scope and method of engagement and notification based on current standard practices and direction provided by Standing Committee.

PLAN ADOPTION

- 16. Standing Committee may recommend that the Council adopt a proposed plan or an amendment to a land use plan.
- 17. The Council will adopt a proposed plan or an amendment to a land use plan by Order-in-Council.
- 18. Any Order-in-Council adopting a proposed plan will provide for the amendment of Schedule 2 of the *Lands Act* to add the adopted land use plan.