



# Empowering First Nation Development through Land Registry Procedures

**First Nation Land Governance Registry (FNLGR)**

**OPEN HOUSE SERIES**

West Region | Prairie Region | East Region

# Land Development Procedures

*Customized guidelines for each community on how to implement their unique LUP. Development Procedures clarify the processes that proponents (including the First Nation) will follow for undertaking development on reserve lands.*

## Changing, converting or restoring landforms



- Clearing vegetation
- Tree removal
- Grading & filling
- Gravel quarries
- Mining & resources
- Habitat restoration

## Installing and maintaining infrastructure or other public works



- Water treatment plants
- Transfer stations
- Stormwater management
- Irrigation canals
- Pipelines

## Construction, alteration, renovation, demolition of physical structures



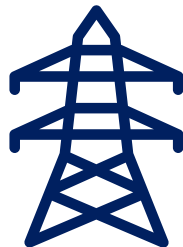
- Homes, offices and industrial facilities, hospitals, schools
- Fences, swimming pools
- Decks, sheds, garages
- Lighting and signage

## Subdividing, stratifying, dividing interests in lands or structures



- Leases
- Sub-leases
- Licences
- Permits
- Easements
- Rights-of-Way

## Connecting to utilities and other services



- Electricity
- Renewable energy
- Internet
- Telephone
- Natural gas
- Wastewater

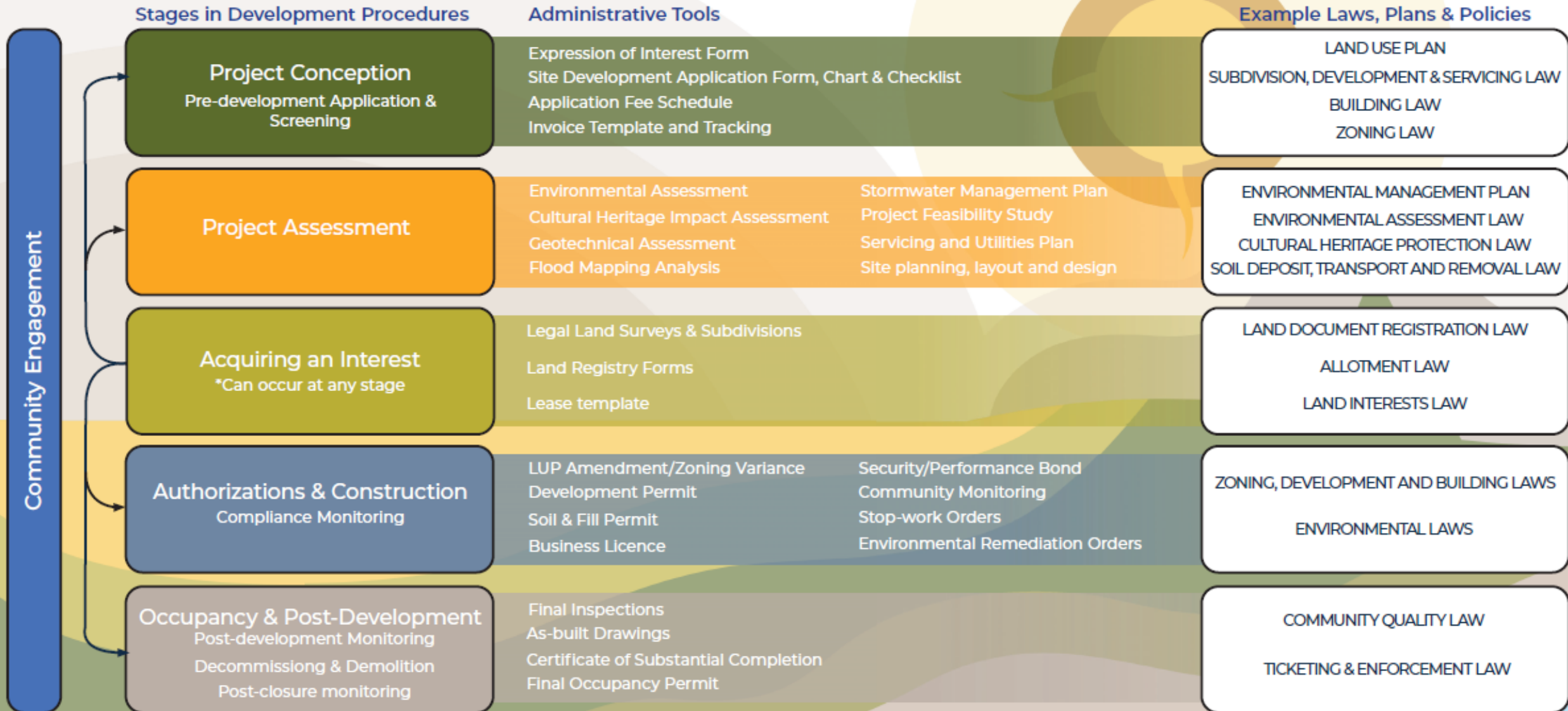
## Transportation infrastructure



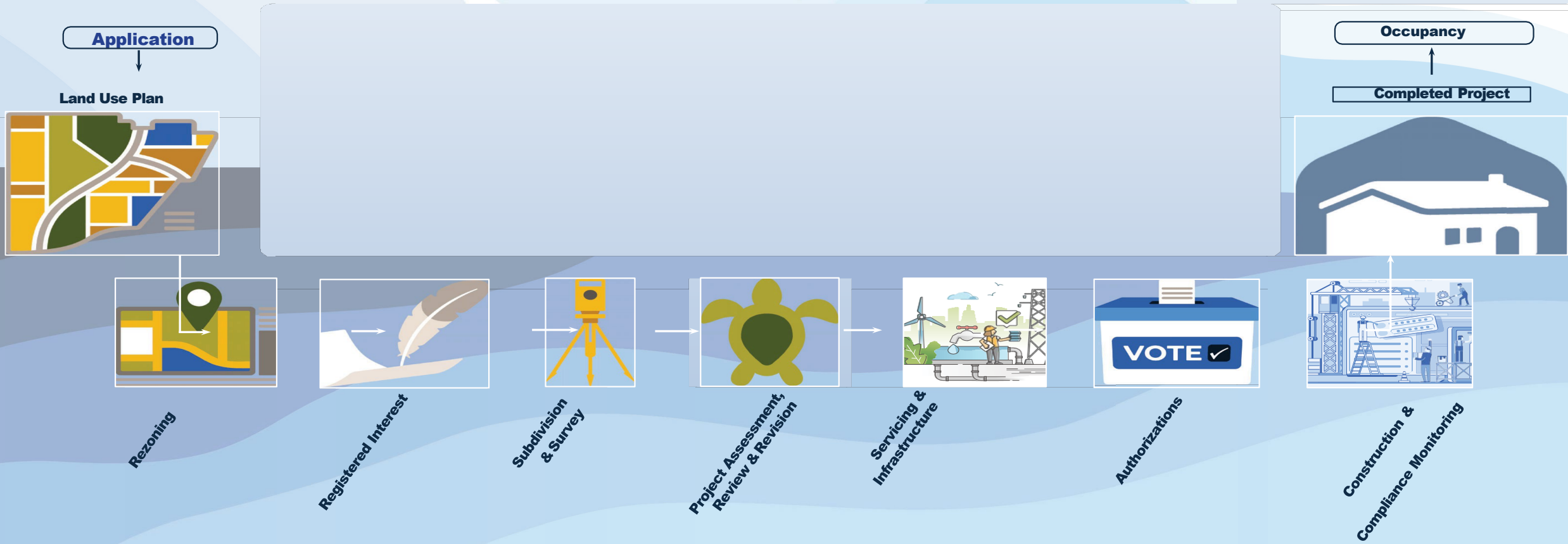
- Roads
- Intersections
- Bridges
- Parking lots
- Sidewalks
- Public trails
- Airports

## Land Development Procedures under Land Code

Land development does not always follow a linear path. This information is provided to aid in understanding the basic stages and logic of land development procedures.



# Example Development Process





**Land Use, Zoning,  
and Development**



**Allotment,  
Interests, & Licences**



**Environmental  
Assessment & Protection**



**Natural Resource  
Management**



**Trespass,  
Enforcement, & Ticketing**



**Residential Tenancy**



**Business Permitting &  
Licencing**



**First Nation  
Expropriation**

# Consulting the First Nation Land Office

A critical initial step in the development process



## Parcel Research

Legal Surveys

Registered  
Interests

First Nation  
records for  
outstanding issues

First Nations  
Laws, Plans,  
and Policies

Land  
Development  
Procedures

# Land Code Governance: Managing Interests and Rights



Interests active when the land code comes into force will continue under their current terms and conditions.

First Nations are not restricted by the terms of a designation if no interests were granted on the designated lands.



Existing rights of locatees in possession of First Nation land (issued under Indian Act) to transfer, lease and share in natural resource revenues are defined in the land code.

New interests, land rights, or licenses can only be acquired or granted in accordance with the land code.





# Interests on First Nation Lands

*Community held interests only*

## First Nation Lands

*Member held interest only (where applicable)*

## Individual Holding

### Lease, Sublease, Mortgage

*All interests can be held by FN, Member or Non-Member*

### Licence, Permit, Easement

*Can apply over all lands*



# Types of Interests on First Nation Lands

## First Nation Land

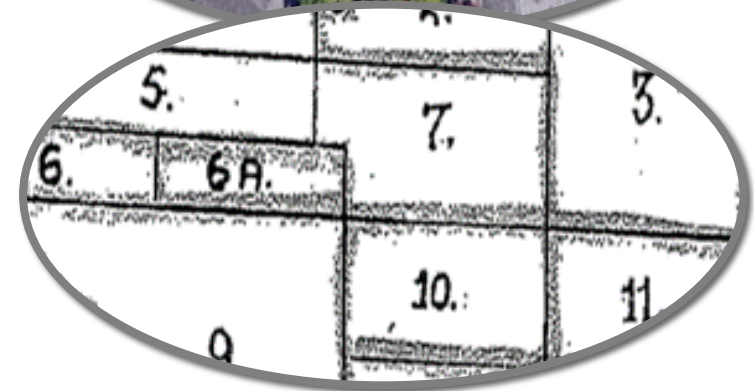
- Managed for the **use and benefit of the community**.
- **Zoning laws** guide land use for: Schools, Health and Government Offices, Housing, Infrastructure, Conservation areas, First Nation-owned businesses

## Individual Holdings

- Allocation governed by a **First Nation's Land Code** and related laws/policies.
- **Not all First Nations grant individual holdings**; this depends on their specific Land Code.
- Member interests may include: Residential, Recreational, Commercial holdings
- **Non-Members** cannot hold permanent interests in First Nation land.

## Traditional, Custom, or Family Holdings

- Often unregistered and based on: Oral agreements, Outdated land descriptions
- Critical to resolve for transitioning to **modern land governance systems**.



# Types of Interests on First Nation Lands (cont.)

## Lease, Sublease, Mortgage

- Applies to **Non-Member or third-party interests** on First Nation land.
- Interests granted under a **First Nation's Land Code**, including **leases, subleases, and mortgages**.
- Examples of leased land use include **commercial or retail spaces, offices rented to third-party institutions, churches and healing lodges, recreational facilities, and post offices**.

## Licence

- Grants the **right to use or occupy** First Nation land without conferring a legal interest.
- In Quebec, similar rights apply for **use or occupation** that do not constitute **ownership or a formal interest** in the land.
- Common uses for licences include **cutting timber and removing minerals, stone, sand, gravel, clay, soil, or other materials**.

## Permit, Easement, or Right of Way

- Used for **infrastructure and access**, including **utilities, roads, and access paths or corridors**.



# Registration of Interests on First Nation Lands

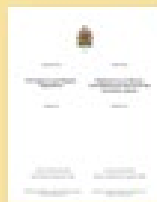
## Framework Agreement

First Nation Self-Government  
over Reserve Lands



**FNLRS**

First Nation Lands  
Registry System



## Land Development

- Laws, Policies & Procedures
- Development Applications
- Environmental Approvals
- Development Permits & Fees

## Land Registry

- Land Code, Laws, Policy & Procedure
- Land Survey and Subdivision
- Land Registry Forms
- Registration Fees

Each First Nation will have their own processes, it is important to contact the appropriate First Nation Land Governance Office

**FORM B** Tzeachten First Nation  
**DEVELOPMENT PERMIT APPLICATION 2019**

**PART ONE**  
**APPLICATION FOR DEVELOPMENT**

Is this the first time applying for a Development Permit for this Project?  
 Yes  No

**For Office Use Only**  
File #: \_\_\_\_\_  
Date Received (YYYY/MM/DD): \_\_\_\_\_  
Date Reviewed by Manager/Committee (YYYY/MM/DD): \_\_\_\_\_

**1. Applicant Information:**  
Name: \_\_\_\_\_  
Tzeachten (TZFN) Lands Register  
Form No. TZFN-02-B (Non-Member)  
(FORM AS OF July 1, 2010)

**FOR OFFICE USE ONLY:**  
APPROVED AS TO THE FORM BY THE REGISTRAR OF LANDS PURSUANT TO THE TZACHTEN FIRST NATION LAND CODE  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

**GENERAL INSTRUMENT – PART 1**

**1. APPLICATION**

Date	Name of Person Holding Interest to be Registered or Transferred
Address	Phone No.
Email Address	<b>MUST BE SIGNED</b> By Applicant, Applicants Solicitor or Agent or this will not be registered

**2. PARCEL IDENTIFIER**

Pin	Lot No.
Plan No.	

**3. NATURE OF INTEREST**

Description (Type of Interest & Regs)

Person Entitled to Interest/Legal Interest

**4. TERMS**

Part 2 of this instrument consists of \_\_\_\_\_

**Tsleil-Waututh Nation**  
Lands Registry  
3178 Alder Court  
North Vancouver, BC V7H 2V6  
Tel: (604) 929-3454

**Schedule of Land Administration Fees**  
**TWN-06**

**LAND ADMINISTRATION FEES**  
In effect as of **April 01, 2020**  
Fees are subject to change without notice

Please note we have a **3 business day turnaround (processing) time**.  
Please make all cheques payable to "Tsleil-Waututh Nation".

Item	Fee	GST	Total
Lease	\$285.71	\$14.29	\$300.00
Sublease	\$285.71	\$14.29	\$300.00
Assignment of Lease	\$285.71	\$14.29	\$300.00
Assignment of Sublease	\$285.71	\$14.29	\$300.00
Mortgage	\$285.71	\$14.29	\$300.00
Assignment of Rents	\$285.71	\$14.29	\$300.00
Assignment of Mortgage	\$285.71	\$14.29	\$300.00

# First Nation Panel

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## WEST

- Malahat First Nation, Melissa Tokarek
- T'Sou-ke First Nation, Bonnie Hill

## PRAIRIES

- Long Plain First Nation, Jody Merrick
- Whitecap Dakota Nation, Tracey Lafond

## EAST – *Keynote Address*

- Chief Derek Epp, Ch'íyáqtel First Nation

1. What are your community's key priorities and considerations when planning land development projects, and how do these align with cultural, environmental, and economic goals?
2. How does your current land registry system support or hinder efficient land management, and what improvements or features would you prioritize in a new or updated registry?
3. How does your First Nation ensure transparency, community input, and self-governance in decision-making processes related to land development and land registry procedures?



## Audience Q&A

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