



## Hornby Island Local Trust Committee Regular Meeting Addendum

Date: January 27, 2017  
Time: 11:30 am  
Location: New Horizons  
1765 Sollans Road, Hornby Island, BC

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|      |                                                                           |                   | Pages |
|------|---------------------------------------------------------------------------|-------------------|-------|
| 14.  | NEW BUSINESS                                                              | 2:45 PM - 3:05 PM |       |
| 14.3 | <i>Provincial Private Moorage Policy Update January 2017 - Memorandum</i> |                   | 2 - 6 |



DATE: January 24, 2017  
TO: Local Trust Committees (Northern Region)  
FROM: Ann Kjerulf, MCIP, RPP  
Northern Team  
SUBJECT: Provincial Private Moorage Policy Update

## PURPOSE

The Ministry of Forests, Lands and Natural Resource Operations (FLNRO) has recently amended its private moorage policy to no longer require applications for private moorage (i.e. docks) in certain locations and under certain conditions. These are now authorized as 'General Permissions'.

However, applications will continue to be required in 'Application-Only Areas' (see attached West Coast and South Coast Region Private Moorage Application-Only Area maps). In 'Application-Only Areas', all proposed new private docks, regardless of size, will continue to be subject to review and decision under the *Land Act*, and all proponents of new private docks will be required to submit an application to FrontCounter BC. However, tenure replacements for existing docks within 'Application-Only Areas', which meet the terms and conditions of a General Permission, will fall under the new General Permission policy and as such will not require an application and statutory decision.

Denman, Hornby, and Lasqueti Islands and the North Pender Associated Islands south of Piers and Moresby Islands, are excluded from the 'Application-Only Areas' and private moorage is permitted under the General Permission policy (with no application to FLNRO or referral to Islands Trust). Correspondence from FLNRO indicates their staff will be carrying out of a review of the 'Application-Only' areas with the intention of applying the General Permission provision to a larger area over the coming months.

Please note the changes to the Private Moorage policy do not affect local government zoning or bylaws. Local zoning bylaw requirements must be met regardless of location. Prospective dock owners must continue to ensure compliance with local zoning bylaws.

The Private Moorage Policy and supporting documents are available on the Province of BC website:  
<http://www2.gov.bc.ca/gov/content/industry/natural-resource-use/land-use/crown-land/crownland-uses/residential-uses/private-moorage>.

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|---------------|-----------------------------------------------------|------------------|
| Submitted By: | Ann Kjerulf, MCIP, RPP<br>Regional Planning Manager | January 24, 2017 |
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## ATTACHMENTS

1. Letter from FLNRO to UBCM (January 17, 2017)
2. South Coast Region Private Moorage Application-Only Areas Map
3. West Coast Region Private Moorage Application-Only Areas Map



Date: January 17, 2017

Gary MacIsaac, Executive Director  
Union of British Columbia Municipalities  
525 Government Street  
Victoria, BC V8V 0A8  
(Sent by e-mail)

Re: Notice of amendments to the Private Moorage Program

To local government members:

The purpose of this letter is to advise you of recent changes to the Provincial Private Moorage Land Use policy that provides direction on the authorization of residential docks.

The Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) has made changes to the private moorage program that will reduce red-tape and streamline administration, while maintaining public safety and environmental standards.

Effective January 17, 2017 more residential docks will be eligible to be authorized under a “General Permission” rather than an application-driven Crown land tenure. The General Permission will grant authority for a residential dock, subject to a dock owner complying with a set of specific conditions. These conditions have been established to avoid environmental impacts and interference with the public and other stakeholders, as well as to provide a high level of certainty that the dock will satisfy provincial and federal legislation. Some of the key requirements include:

- the dock owner must be the owner or lessee of the property fronting the foreshore where the dock is sited;
- the dock is not located in an area designated as being environmentally sensitive, or overlapping with other authorizations or Crown land reserves;
- the dock is not in a designated “application-only area” (i.e. where special circumstances dictate that all private moorage proposals require submission of an application);
- the dock is built to a specified standard and within set size limits; and
- the dock is constructed and placed to not unduly impede public access and to avoid impacts to neighbouring property owners.

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**Ministry of Forests,  
Lands and Natural  
Resource Operations**

Land Tenures Branch

Mailing Address:  
PO Box 9352  
Victoria BC V8W 9M1

Phone: 250 387-6730  
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Docks that do not satisfy the conditions of the General Permission will require an application for a tenure, which will be subject to the standard ministry application review process, currently in place.

The policy changes expand the applicability of the private moorage General Permission which was introduced in 2008 and previously only applied to certain types of freshwater docks. The new policy now provides for moderately-sized docks, and docks located in marine waters to be eligible for general permission, subject to meeting all required conditions.

The changes to the private moorage policy do not affect local government zoning or bylaws. Prospective dock owners must continue to adhere to all local government requirements.

The rules and regulations of the Water Sustainability Act, including compliance with “works in and about a stream (waterbody)”, and those of other agencies, such as Federal Fisheries and Oceans Canada, and Transport Canada – Navigable Waters program, will continue to apply to all docks whether covered under a General Permission or not.

For further details of the Private Moorage Policy, as well as, the full list of conditions and requirements of the General Permission, please refer to the following website:  
<http://www2.gov.bc.ca/gov/content/industry/natural-resource-use/land-use/crown-land/crown-land-uses/residential-uses/private-moorage>

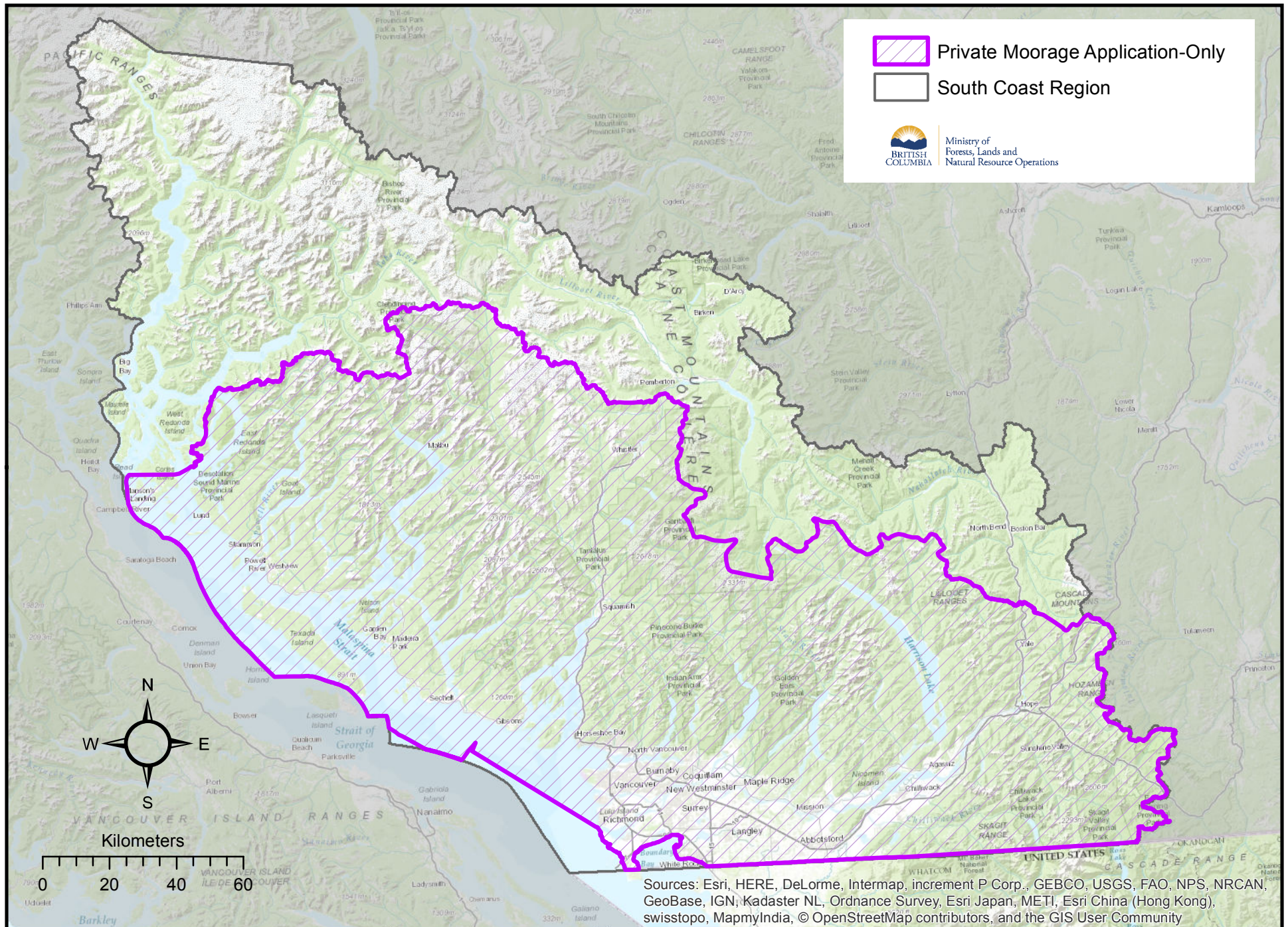
If you have questions or would like further information on how this may affect docks in your area please contact FrontCounter BC at: <http://www.frontcounterbc.gov.bc.ca/contact/>.

Sincerely,

Greg Kockx, Manager  
Land Tenures Branch  
Ministry of Forests, lands and Natural Resource Operations

E-mail: [Greg.Kockx@gov.bc.ca](mailto:Greg.Kockx@gov.bc.ca)

# South Coast Private Moorage Application-Only Areas: January 2017



# MFLNRO - West Coast Region

## Private Moorage Application Only Area

**Legend**

Private Moorage Application Only Area

MFLNRO - West Coast Region

Mapsheet Grid (1:20,000)

Private Moorage Application Only Area Description :

The natural boundary beginning at Englishman River Estuary (Parksville) and running south along the east coast of Vancouver Island to the Goldstream Estuary (Goldstream Park) and protruding up the left half of Sannich Inlet towards the middle of Satellite Channel including Piers Island and all the southern Gulf Islands.

