



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.

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
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Ministry of Forests, lands and Natural Resource Operations

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