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DISTRICT OF COLDSTREAM

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"Rural Living At Its Best"

February 22, 2017

File: 0230-20 SILGA 2017 Resolution

The Honourable Christy Clark, M.L.A.
Premier of British Columbia
PO BOX 9041 STN PROV GOVT
Victoria BC V8W 9E1

VIA EMAIL: premier@gov.bc.ca

COPY

Dear Premier Clark:

Re: Provincial Private Moorage Program

At their meeting held February 14, 2017, The District of Coldstream Council adopted the following resolution:

THAT the Ministry of Forest, Lands and Natural Resource Operations amend the Provincial General Permission for the Use of Crown Land for Private Moorage to explicitly require that a General Permission for private moorage requires compliance with any local government regulation pertaining to the construction, placement and use of private moorage;

AND THAT Front Counter BC reinstate its practice of referring Private Moorage applications to municipalities;

AND FURTHER THAT if the Ministry does not amend the Provincial General Permission for the Use of Crown Land for Private Moorage, that the Thompson Okanagan area be designated an "Application Only Area".

The District has forwarded this resolution to the Southern Interior Local Government Association to seek support at the 2017 Annual Convention with the intention of presenting this resolution at the 2017 UBCM Convention. The District hopes that you will support our efforts to ensure that local government requirements are protected as they relate to the construction of docks in our communities.

Yours truly,

Jim Garlick
Mayor

ENCL. 2017 SILGA Resolution and Background Information
Pc:

- Eric Foster M.L.A. Vernon-Monashee, via email eric.foster.MLA@leg.bc.ca
- Honourable Steve Thomson, Minister of Forests, Lands and Natural Resource Operation, via email FLNR.Minister@gov.bc.ca
- Greg Kockx, Manager Land Tenures Branch, Ministry of Forests, Lands and Natural Resource Operations, via email Greg.Kockx@gov.bc.ca
- UBCM Member Municipalities

<input type="checkbox"/> CAO	<input type="checkbox"/> Agenda	Ownership:
<input type="checkbox"/> Works	<input type="checkbox"/> Reg Board	File #
<input type="checkbox"/> DS	<input type="checkbox"/> In Camera	
<input type="checkbox"/> Fin/Adm	<input type="checkbox"/> Other Mtg	
FEB 23 2017		
<input type="checkbox"/> Ec Dev	RECEIVED	Ack Sent:
<input type="checkbox"/> IT	<input type="checkbox"/> Staff to Report	<input type="checkbox"/> Fax
<input type="checkbox"/> Parks	<input type="checkbox"/> Staff to Respond	<input type="checkbox"/> Mail
<input type="checkbox"/> SEP	<input type="checkbox"/> Staff Info Only	<input type="checkbox"/> Email
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RESOLUTION TO THE

Southern Interior Local Government Association

(SILGA)

Provincial Private Moorage Program

District of Coldstream

WHEREAS the Ministry of Forests, Lands and Natural Resource Operations has amended the private moorage program permitting residential docks to be authorized under a "General Permission" rather than an application-driven Crown land tenure;

AND WHEREAS residential docks authorized under a "General Permission" will not require a referral to the local government for compliance with local government requirements;

THEREFORE BE IT RESOLVED that the Ministry of Forests, Lands and Natural Resource Operations amend the Provincial General Permission for the Use of Crown Land for Private Moorage to explicitly require that a General Permission for private moorage requires compliance with any local government regulation pertaining to the construction, placement and use of private moorage;

AND THAT Front Counter BC reinstate its practice of referring Private Moorage applications to municipalities;

AND FURTHER THAT if the Ministry does not amend the Provincial General Permission for the Use of Crown Land for Private Moorage, that the Thompson Okanagan area be designated an "Application Only Area".

BACKGROUND INFORMATION

Under the previous process applications for a dock approval included a form of tenure for the area of the waterbody where the dock was to be located. Previously a person would receive tenure over the area, usually for a ten-year period of time. Through that process the local government would receive a referral to confirm compliance with use and dock dimensions. If the local government's requirements were satisfied and the dock met provincial guidelines, tenure would be granted and the dock permitted.

Under the new General Permission standards, tenure is not granted; the property owner has the right to install a dock on the water provided it meets the provincial guidelines.

One of the conditions to comply with the General Permission is that the dock has to comply with any local government requirements. Unfortunately there is no check at the provincial level to see if it complies, nor is there a referral to the local government for comments.

When an application is submitted to the province, provided it meets provincial requirements and environmental criteria, the owner will be advised that they can construct the dock. That approval is conditional to the dock meeting local government requirements.

The onus is then on the property owner to check with the local government to make sure the local government requirements are met.

This creates a scenario where people will believe they have what they need once the province "signs off" and may not check with the local government for their requirements.

It would be better for all parties if the province were to continue to refer applications to the local government prior to allowing the General Permission.