



## Notice of Meeting and Meeting Agenda Electoral Areas Committee

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Wednesday, December 8, 2021

11:05 AM

6th Floor Boardroom  
625 Fisgard St.  
Victoria, BC V8W 1R7

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M. Hicks (Chair), G. Holman (Vice-Chair), D. Howe, C. Plant (Board Chair, ex-officio)

The Capital Regional District strives to be a place where inclusion is paramount and all people are treated with dignity. We pledge to make our meetings a place where all feel welcome and respected.

### 1. Territorial Acknowledgement

### 2. Approval of Agenda

### 3. Adoption of Minutes

#### 3.1. [21-863](#) Minutes of the November 10, 2021 Electoral Areas Committee Meeting

**Recommendation:** That the minutes of the Electoral Areas Committee meeting of November 10, 2021 be adopted as circulated.

**Attachments:** [Minutes - November 10, 2021](#)

### 4. Chair's Remarks

### 5. Presentations/Delegations

*In keeping with directives from the Province of BC, there is limited space for the public to attend CRD Board meetings in-person at this time. However, the public may continue to view meeting materials and Live Webcasts online. If you wish to attend a meeting in-person, please email [legserv@crd.bc.ca](mailto:legserv@crd.bc.ca).*

*CRD encourages delegations to participate electronically. Please complete the online application for "Addressing the Board" on our website and staff will respond with details.*

*Alternatively, you may email your comments on an agenda item to the CRD Board at [crdboard@crd.bc.ca](mailto:crdboard@crd.bc.ca).*

### 6. Committee Business

- 6.1.     [21-858](#)     Community Resiliency Initiative Grant: FireSmart Community Funding & Supports
- Recommendation:**   The Electoral Areas Committee recommends to the Capital Regional District Board:  
That the Board support an application to the Union of British Columbia Municipalities Community Resiliency Initiative Fund for the FireSmart Community Funding & Supports program and direct staff to provide overall grant management.  
(NWA)
- Attachments:**       [Staff Report: Community Resiliency Initiative Grant-FireSmart](#)  
[Appendix A: UBCM FireSmart Comm. Funding & Supports Appl.](#)
- 6.2.     [21-846](#)     Amendments to Bylaw 2844, Southern Gulf Islands Small Craft Harbours Regulation Bylaw
- Recommendation:**   The Southern Gulf Islands Harbours Commission recommends the Electoral Areas Committee recommend to the Capital Regional District Board:  
1. That Bylaw No. 4469, "Capital Regional District Southern Gulf Islands Harbours Regulation Bylaw No. 1, 2000, Amendment Bylaw No. 8, 2021" be introduced and read a first, second, and a third time.  
2. That Bylaw No. 4469 be adopted.  
(NWA, 2/3rds on adoption)
- Attachments:**       [Staff Report: Amendments to Bylaw 2844, SGI Small Craft Harbours Regulation](#)  
[Appendix A: Bylaw 4469, Amendment Bylaw](#)  
[Appendix B: Bylaw 2844, Unofficial Redline Showing Changes](#)
- 6.3.     [21-879](#)     Amendment to Bylaw No. 2452, "Southern Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996."
- Recommendation:**   The Electoral Areas Committee recommends to the Capital Regional District Board:  
1. That Bylaw No. 4472, "Southern Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996, Amendment Bylaw No. 1, 2021" be introduced and read a first, second, and third time.  
2. That Bylaw No. 4472, "Southern Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996, Amendment Bylaw No. 1, 2021" be referred to the SGI Electoral Area Director for consent; and,  
3. That Bylaw No. 4472, "Southern Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996, Amendment Bylaw No. 1, 2021" be advanced to the Inspector of Municipalities for approval.  
(NWA)
- Attachments:**       [Staff Report: Amendment to Bylaw No. 2452](#)  
[Appendix A: Bylaw No. 2452](#)  
[Appendix B: Amendment Bylaw No. 4472](#)

**6.4.**      [21-885](#)      Bylaw No. 4441: Pender Islands Health Care Centre Contribution Service Establishment Bylaw - Assent Voting (Referendum) Results and Adoption

**Recommendation:** The Electoral Areas Committee recommends to the Capital Regional District Board:  
1) That the Chief Election Officer's declaration of official assent voting results be received for information.  
2) That Bylaw No. 4441, "Pender Islands Health Care Centre Contribution Service Establishment Bylaw No. 1, 2021" be adopted.  
(NWA)

**Attachments:**      [Staff Report: Pender Isl. Referendum Results & Bylaw 4441 Adoption](#)  
                             [Appendix A: Bylaw 4441](#)  
                             [Appendix B: Official Assent Voting Results](#)

**6.5.**      [21-860](#)      Previous Minutes of Other CRD Committees and Commissions for Information

**Recommendation:** That the following minutes be received for information:  
a) Mayne Island Parks and Recreation Commission minutes of October 14, 2021  
b) Southern Gulf Islands Harbours Commission minutes of June 25, 2021  
c) Southern Gulf Islands Harbours Commission minutes of September 24, 2021

**Attachments:**      [Minutes: Mayne Island Parks & Rec Commission-Oct 14, 2021](#)  
                             [Minutes: SGI Harbours Commission-June 25, 2021](#)  
                             [Minutes: SGI Harbours Commission-September 24, 2021](#)

**7. Notice(s) of Motion**

**8. New Business**

**9. Adjournment**

The next meeting is January 12, 2022.

To ensure quorum, please advise Tamara Pillipow (tpillipow@crd.bc.ca) if you or your alternate cannot attend.

## Meeting Minutes

### Electoral Areas Committee

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Wednesday, November 10, 2021

11:00 AM

6th Floor Boardroom  
625 Fisgard St.  
Victoria, BC V8W 1R7

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#### PRESENT

Directors: M. Hicks (Chair), G. Holman (Vice-Chair), C. Plant (Board Chair, ex-officio)

Staff: R. Lapham, Chief Administrative Officer; N. Chan, Chief Financial Officer; L. Hutcheson, General Manager, Parks and Environmental Services; K. Lorette, General Manager, Planning and Protective Services; K. Morley, General Manager, Corporate Services; K. Campbell, Senior Manager, Salt Spring Island Administration (EP); G. Harris, Senior Manager, Environmental Protection; J. Starke, Manager, Service Delivery, Southern Gulf Islands Electoral Area; M. Lagoa, Deputy Corporate Officer; T. Pillipow, Committee Clerk (Recorder)

EP - Electronic Participation

Regrets: Director: D. Howe

The meeting was called to order at 11:01 am.

#### 1. Territorial Acknowledgement

Chair Hicks provided a Territorial Acknowledgement.

#### 2. Approval of Agenda

**MOVED** by Director Holman, **SECONDED** by Director Plant,  
That the agenda for the November 10, 2021 Electoral Areas Committee meeting  
be approved.  
**CARRIED**

#### 3. Adoption of Minutes

##### 3.1. [21-804](#) Minutes of the October 13, 2021 Electoral Areas Committee Meeting

**MOVED** by Director Holman, **SECONDED** by Director Plant,  
That the minutes of the Electoral Areas Committee meeting of October 13, 2021  
be adopted as circulated.  
**CARRIED**

#### 4. Chair's Remarks

There were no Chair's remarks.

## 5. Presentations/Delegations

There were no presentations or delegations.

## 6. Committee Business

### 6.1. [21-701](#) Updated Capital Regional District Climate Action Strategy

G. Harris spoke to Item 6.1.

Discussion ensued on the following:

- the consent process for electoral areas
- providing feedback to the Province on the BC Energy Step Code

**MOVED** by Director Holman, **SECONDED** by Director Plant,  
That the Updated Capital Regional District Climate Action Strategy report be received for information.

**CARRIED**

### 6.2. [21-645](#) Bylaw Nos. 4470 and 4471: Fees and Charges (Local Utilities)

**MOVED** by Director Holman, **SECONDED** by Director Plant,  
The Electoral Areas Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4470, " Salt Spring Island Liquid Waste, Sewer, and Water Fees and Charges Bylaw No. 1, 2012, Amendment Bylaw No. 15, 2021", be introduced and read a first, second, and third time.
2. That Bylaw No. 4470 be adopted.
3. That Bylaw No. 4471, "Southern Gulf Islands and Juan de Fuca Electoral Areas Utilities and Street Lighting Fees and Charges Bylaw No. 1, 2012, Amendment Bylaw No. 10, 2021", be introduced and read a first, second, and third time.
4. That Bylaw No. 4471 be adopted.

**CARRIED**

### 6.3. [21-838](#) Salt Spring Island Liquid Waste Bylaw Amendment - Composting Facilities

Director Holman spoke to Item 6.3.

Discussion ensued on the site location.

**MOVED** by Director Holman, **SECONDED** by Director Plant,  
The Electoral Areas Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4085, "Salt Spring Island Liquid Waste Disposal Additional Local Service Establishment Bylaw No. 1, 1993, Amendment Bylaw No. 3, 2021", be introduced and read a first, second and third time;
2. That Bylaw No. 4085 be forwarded to the Inspector of Municipalities for approval.

**CARRIED**

**6.4.**     [21-796](#)

Previous Minutes of Other CRD Committees and Commissions for Information

**MOVED** by Director Holman, **SECONDED** by Director Plant,  
That the following minutes be received for information:

- a) Galiano Parks and Recreation Commission minutes September 2, 2021
  - b) Galiano Parks and Recreation Commission minutes October 7, 2021
  - c) Lyall Harbour Boot Cove Water Local Service Committee minutes  
November 23, 2020
  - d) Magic Lake Estates Water and Sewer Committee minutes of  
September 14, 2021
  - e) Mayne Island Parks and Recreation Commission minutes of September 9, 2021
  - f) Port Renfrew Utility Services Committee minutes of November 19, 2020
  - g) Port Renfrew Utility Services Committee minutes of June 29, 2021 special  
meeting
  - h) Skana Water Service Committee minutes of November 30, 2020
  - i) Sticks Allison Water Local Service Committee minutes November 24, 2020
  - j) Surfside Park Estates Water Service Committee minutes of November 30, 2020
  - k) Wilderness Mountain Water Service Commission minutes of November 24, 2020
  - l) Wilderness Mountain Water Service Commission minutes of February 16, 2021
  - m) Wilderness Mountain Water Service Commission minutes of June 2, 2021
- CARRIED**

**7. Notice(s) of Motion**

There were no notice(s) of motion.

**8. New Business**

There was no new business.

**9. Adjournment**

**MOVED** by Director Holman, **SECONDED** by Director Plant,  
That the November 10, 2021 Electoral Areas Committee meeting be adjourned at  
11:17 am.  
**CARRIED**

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CHAIR

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RECORDER

**REPORT TO ELECTORAL AREAS COMMITTEE  
MEETING OF WEDNESDAY, DECEMBER 08, 2021**

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**SUBJECT      Community Resiliency Initiative Grant: FireSmart Community Funding & Supports**

**ISSUE SUMMARY**

The Capital Regional District (CRD) assists Electoral Area (EA) communities with wildfire risk reduction through public education, hazard assessment, emergency planning, and cross-agency training. The CRD is applying to the Union of British Columbia Municipalities (UBCM) for funding to increase EA community wildfire resiliency activities. UBCM requires that all grant applications be accompanied by a motion of support from the local government.

**BACKGROUND**

UBCM provides funding for a range of community based projects, including wildfire preparedness. A 2022 grant opportunity is available to support local governments as they build local capacity. The FireSmart Community Funding & Supports program supports activities that reduce community risk from wildfire. As part of the application process, UBCM requires a motion of support to receive and manage grant funding.

Protective Services staff launched a series of engagements with EA fire departments, emergency programs, and FireSmart committees to inform a grant application. Effective wildfire preparedness programs include seven FireSmart disciplines: education, vegetation management, legislation and planning, development considerations, interagency cooperation, cross-training, and emergency planning.

The CRD has applied for this grant to improve wildfire resiliency in rural EA communities through:

- a FireSmart public education campaign,
- a wood chipping program to provide accessible alternatives to burning,
- a home FireSmart assessment program conducted by local qualified assessors,
- a FireSmart rebate program for residents; and
- dedicated wildfire training for First Responders.

If approved by UBCM, most grant funds would be directed to local volunteers, residents, and businesses. A grant request breakdown is below:

FireSmart Activity	Funding Proposal
Public Education	\$ 38,726
Chipping Program	\$ 37,336
Home Assessments	\$ 73,200
Resident Rebates	\$ 63,100
First Responder Training	\$ 39,256
Development Planning	\$ 8,623
Community Committees	\$ 20,949
Total	<b>\$281,190</b>

**ALTERNATIVES***Alternative 1*

The Electoral Areas Committee recommends to the Capital Regional District Board:  
That the Capital Regional District Board support an application to the Union of British Columbia Municipalities Community Resiliency Initiative Fund for the FireSmart Community Funding & Supports program and direct staff to provide overall grant management.

*Alternative 2*

That staff be directed to withdraw the grant application to the Union of British Columbia Municipalities Community Resiliency Initiative FireSmart Community Funding & Supports program.

**IMPLICATIONS***Financial Implications*

The grant provides an opportunity for one-time projects that increase community resilience to wildfire, such as homeowner education and wood chipping events and will not impact Fire Department or Emergency Program budgets.

**CONCLUSION**

The CRD supports community wildfire preparedness in its EAs. The UBCM FireSmart Economic Recovery funding stream is an important opportunity to increase wildfire resilience in the capital region. If supported by the CRD Board, UBCM will consider the CRD's grant application.

**RECOMMENDATION**

The Electoral Areas Committee recommends to the Capital Regional District Board:  
That the Board support an application to the Union of British Columbia Municipalities Community Resiliency Initiative Fund for the FireSmart Community Funding & Supports program and direct staff to provide overall grant management.

Submitted by:	Shawn Carby, CD, BHSc, MAL, Senior Manager, Protective Services
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

**ATTACHMENT**

Appendix A: UBCM FireSmart Community Funding & Supports Application



# Community Resiliency Investment Program

## 2022 FireSmart Community Funding & Supports

### Application Form

Please complete and return the application form and all required attachments by October 8, 2021.

All questions are required to be answered by typing directly in this form. If you have any questions, contact [cri@ubcm.ca](mailto:cri@ubcm.ca) or (250) 356-2947.

<b>SECTION 1: Applicant Information</b>	<b>CRI-</b> <i>(administrative use only)</i>
Name of Local Government or First Nation: Capital Regional District	Complete Mailing Address: PO Box 1000 Victoria, BC V8W 2S6
Contact Person*: Jonathan Reimer	Position: Manager, Fire and Emergency Programs
Phone: 250-360-3137	E-mail: <a href="mailto:jreimer@crd.bc.ca">jreimer@crd.bc.ca</a>

\* Contact person must be an authorized representative of the applicant (i.e. staff member or elected official).

<b>SECTION 2: Type of Application</b> – Please identify the type of application you are submitting and provide the required information. Refer to Section 4 in the Program & Application Guide for eligibility.
<b>1. Type of Application</b> (select one only): <input type="checkbox"/> Single applicant (as identified in Section 1 of the application form) <input type="checkbox"/> Regional Project for Multiple Eligible Applicants. Please list all of the partnering eligible applicants included in this application: <input checked="" type="checkbox"/> Regional Projects for Regional District Applications Including Multiple Electoral Areas. Please list all electoral areas included in this application and submit a separate Worksheet 1 for each: Juan de Fuca, Southern Gulf Islands, and Salt Spring Island
<b>2. Rationale for Regional Projects</b> (only). Please provide a rationale for submitting a regional project application and describe how this approach will support cost-efficiencies in the total funding request.

<b>SECTION 3: Project Summary</b>
<b>3. Name of the Project:</b> Capital Region FireSmart Program Establishment Project

**4. Project Summary.** Please provide a summary of your project in 150 words or less.

This project establishes a robust, coordinated FireSmart Program for 12 Capital Regional Electoral Area Communities. Previous programs in Capital Regional rural communities have been uneven or non-existent. This project establishes a broad public education and outreach campaign, new and upgraded woody debris disposal options for residents, a coordinated residential firesmart assessment program using Local FireSmart Representatives from each community, a modest residential rebate program, and training for 12 Fire Departments. It is anticipated that this program will substantially increase community resiliency to the increasing wildfire threat in the Capital Region.

**5. Fire Centre (use check boxes).** Indicate which Fire Centre the proposed activities are located in (check all that apply).

☐ Cariboo Fire Centre

☒ Coastal Fire Centre

☐ Kamloops Fire Centre

☐ Northwest Fire Centre

☐ Prince George Fire Centre

☐ Southeast Fire Centre

**6. Project Cost & Funding Request:**

Total project cost: \$283,719.00

Total funding request for FireSmart activities (as indicated on Worksheet(s) 1): \$283,719.00

Total funding request for fuel management activities (as indicated on Worksheet 2): 0

**Total project funding request:** \$283,719.00

Have you applied for or received funding for this project from other sources? If yes, please provide details below.

No.

**7. Progress to Date.** If you were approved for funding under the 2019, 2020 and/or 2021 CRI FireSmart Community Funding & Supports programs, or the 2021 FireSmart Economic Recovery Fund, please describe the activities that have been completed to date and/or what activities your community has not yet completed but will be undertaking to increase resiliency.

2019 project: Completed and Final Report accepted. FireSmart Project - Salt Spring, Pender, Saturna, and Juan de Fuca. Established the first community outreach and modest chipping programs in Salt Spring, Pender, and Saturna.

2020 project: Completed and Final Report accepted. FireSmart Project - Galiano and Regional Coordination Committee. Exploring regional coordination and provided chipping and residential assessments on Galiano Island.

2021 projects(s) – FSCFS and/or FSERF: In progress. FSCFS: Community Wildfire Resiliency Plan update. FSERF: Hiring of FireSmart Ambassador, initial coordination of inspection program and woody debris options.

Further, if any activities that were funded under these programs were impacted or delayed by COVID-19 or public health requirements, please describe: Yes, 2020 and 2021 CRI projects experienced minor delays due to altered resident engagement schedules and staff capacity due to Emergency Operations Centre deployment. Extensions were approved and completed by the deadline. Covid impacts have been mitigated in the current application by planning COVID-safe engagement practices and engaging a part-time FireSmart Ambassador support position.

#### SECTION 4: Requirements for Funding (refer to Section 5 of Program & Application Guide)

- 8. Engagement Prior to Submitting an Application.** In order to qualify for funding, applicants must demonstrate their level of engagement with a BCWS Wildfire Prevention Officer, FNESS Fuel Management Specialist, and, if applicable, the FLNRORD district, region, or relevant Land Manager to ensure project alignment with Land Manager priorities when activities are occurring on Provincial Crown land (including during CWRP development).

Please indicate the name(s) and title(s) of the person(s) you engaged with and describe the extent of that engagement.

BCWS Wildfire Prevention Officer Tony Botica - phone calls and emails throughout September and October 2021.

- 9. Acceptable Plan.** In order to qualify for funding, applicants must have a current and acceptable plan that includes assessment and identification of FireSmart and/or fuel management priorities (i.e. Community Wildfire Resiliency Plan, Community Wildfire Protection Plan, Crown Land WRR Tactical or Fuel Management Plan, etc.).

Please outline how your community meets this requirement. Note: applicants that do not have a current and acceptable plan may apply to develop or update a plan.

All communities have an existing CWPP that are 10 - 15 year old, available by request. In 2021, UBCM approved a grant to modernize these plans.

*Attach completed plans, assessments, and/or excerpts from higher-level plans with the application form.*

#### SECTION 5: Wildfire Risk & Rationale

- 10. A. WUI Wildfire Risk Class.** What is the WUI Risk Class (1 – 5) for the general area of interest of your community or proposed activities, including the WUI polygon name, from the risk class map? Refer to Appendix 2 of the Program & Application Guide.

Risk Class 1. Polygon Langford (including East Sooke, Malahat, Willis Point, Otter Point, etc.)

**B.** If local assessments provide additional evidence of higher wildfire risk than the WUI Risk Class, provide specific evidence of wildfire risk (reference to appropriate section of a CWRP/CWPP or other plan, etc.).

WUI Risk Class analysis excludes hazards on private lands, which makes up the majority of WUI lands on Southern Vancouver Island.

*Additional evidence for higher wildfire risk (e.g. CWRP/CWPP extract, copies of assessments, etc.) is required to be submitted with the application form.*

**C.** For the purpose of FireSmart Community Funding & Supports grants, identify the risk category that you are applying under:

- ☐ Lower risk of wildfire (may apply for a base grant of up to \$50,000)
- ☒ Higher risk of wildfire (may apply for a base grant of up to \$150,000)

- 11. Other Rationale.** What other rationale or evidence is there for undertaking the proposed project? This may include local hazards identified in the Emergency Plan; threat levels identified in Hazard Risk & Vulnerability Analysis and/or other risk assessments; demonstrated history of repeated and/or significant interface wildfires and evacuations; or other rationale.

Southern Vancouver Island is an anomaly for Coastal BC because it has an active fire regime that is ecologically significant at landscape scales, particularly in the Coastal Douglas Fire Biogeoclimatic Zone. There is significant intermix exposure within rural communities of the Capital Region Electoral Areas due to increasing population levels. Salt Spring Island is most populous Electoral Area in the Province of BC. WUI Fires in Langford (Mill Hill), Malahat, East Sooke (Mt Mattheson), and Pender Island (Hope Bay) have caused tactical evacuations in recent years. Previous wildfires in the Gulf Islands have displaced several hundred people and damaged residential properties.

*Evidence of other rationale (e.g. Local Authority Emergency Plan extract, copies of assessments, etc.) is required to be submitted with the application form.*

## SECTION 6: Detailed Project Information

**12. Proposed Activities.** Please refer to Section 6 of the Program & Application Guide for eligibility, and complete Worksheet 1: Proposed Activities & Cost-Estimate. Worksheet 1 is required to be completed for all applications and all projects must include an Education component.

**13. Increasing Resiliency.** Please indicate how the proposed project will increase community resiliency by undertaking community-based FireSmart planning and activities that reduce the community's risk from wildfire.

(1) FireSmart Education Campaign - promote resident mitigation actions to protect property in the event of wildfire encroachment. (2) Woody debris disposal options - reduce ignition sources and fire behavior in the WUI. (3) FireSmart residential assessment program - provides community-based connection and education on wildfire resilience activities residents can undertake on their own property. (4) Rebate Program - Incentivize FireSmart activities amongst residents. (5) Fire Department Training - increase preparedness and response capacity in First Responder agencies.

**14. Partnerships & Collaboration.** Please identify any other authorities you will collaborate with on the proposed project (e.g. community or resident organizations, First Nation or Indigenous organizations, or other local governments) and outline how you intend to work together.

The CRD will collaborate with BC Wildfire Service, local improvement district-based fire departments (including Salt Spring, Mayne, Pier, and Sidney Islands), local land use planning authorities such as the Islands Trust, Local Government Emergency Programs, FireSmartBC, and First Nations partners, including Pacheedaht FN. These partners will be engaged in the public education campaign and development planning activities.

**15. Additional Information.** Please share any other information you think may help support your submission.

Where possible, FireSmart activities will be coordinated with local FireSmart committee and First Responder agencies to increase community buy-in. For example, activities in Salt Spring Island are primarily coordinated through SSI Fire Rescue service.

## SECTION 7: Application Check List

Required Submissions	Related Attachments
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<input checked="" type="checkbox"/> Application Form	<input type="checkbox"/> Completed plans, and/or assessments, or excerpts from higher-level plans, as required in Q. 9 <input type="checkbox"/> Other rationale, as required in Q. 10 and 11
<input checked="" type="checkbox"/> Completed Worksheet 1: Proposed Activities & Cost Estimate	<input type="checkbox"/> Completed FireSmart Assessments for structures proposed for FireSmart Projects for Critical Infrastructure, as required in Q. 7
<input type="checkbox"/> <u>For fuel management activities only</u> : Completed Worksheet 2: Proposed Fuel Management Activities	<input type="checkbox"/> Overview map of the community, previously completed treatments, proposed treatments for this application, and planned future treatments <input type="checkbox"/> PDF map <u>and</u> Google Earth compatible KML file, at appropriate scale, outlining the area of interest, proposed treatment units, land status and tenure overlaps <input type="checkbox"/> If available, current wildfire threat assessment plots and/or fuel loading data and rationale for the proposed treatment unit(s) <input type="checkbox"/> <u>For fuel management treatment only</u> , a copy of the completed (signed and sealed) prescription and project spatial layer <input type="checkbox"/> <u>For prescribed fire only</u> , a copy of the completed burn plan (in addition to the prescription) and project spatial layer <input type="checkbox"/> <u>For fuel management treatment on Provincial Crown land only</u> , an email from the Land Manager indicating information sharing with First Nations has been completed
<input type="checkbox"/> Council, Board or Band Council resolution, indicating support for the current proposed activities and willingness to provide overall grant management	
<input type="checkbox"/> <u>For regional projects only</u> : Council, Board or Band Council resolution, from each partnering community that clearly states approval for the applicant to apply for, receive and manage the grant funding on their behalf	
<p>Submit the completed Application Form and all required related attachments as e-mail attachments to <a href="mailto:cri@ubcm.ca">cri@ubcm.ca</a> and note “<b>2022 CRI</b>” in the subject line. Submit your application as either a Word or PDF file(s). If you submit by e-mail, hardcopies and/or additional copies of the application are not required.</p>	

<b>SECTION 8: Signature</b> – Applications are required to be signed by an authorized representative of the applicant. Please note all application materials will be shared with the Province of BC and the BC FireSmart Committee.	
I certify that: (1) to the best of my knowledge, all information is accurate and (2) the area covered by the approved project is within the applicant’s jurisdiction (or appropriate approvals are in place).	
Name: Jonathan Reimer	Title: Manager, EA Fire and Emergency Programs

Signature*:  <i>A certified electronic or original signature is required.</i>	Date: October 8, 2021
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\* Signatory must be an authorized representative of the applicant (i.e. staff member or elected official).

**846REPORT TO SOUTHERN GULF ISLANDS HARBOURS COMMISSION  
MEETING OF THURSDAY, NOVEMBER 18, 2021**

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**SUBJECT** Amendments to Bylaw 2844, Southern Gulf Islands Small Craft Harbours Regulation Bylaw

**ISSUE SUMMARY**

To advance Bylaw No. 4469, “Capital Regional District Southern Gulf Islands Harbours Regulation Bylaw No. 1, 2000, Amendment Bylaw No. 8, 2021”, to revise certain portions and fees included in Bylaw No. 2844, “Southern Gulf Islands Small Craft Harbours Regulation Bylaw No. 1, 2000”.

**BACKGROUND**

Under Order-in-Council 100/97, dated January 24, 1997, and within the *Capital Regional District Regulation*, the Capital Regional District was granted the additional power to establish, acquire, and operate a service of small craft harbour facilities, and established the service under Bylaw No. 2614, “Small Craft Harbour Facilities Local Service Establishment Bylaw No. 1, 1998”.

Under Bylaw No. 2844, “Capital Regional District Southern Gulf Islands Small Craft Harbours Regulation Bylaw No. 1, 2000”, the Regional Board established a system of regulations and operations of the function of Small Craft Harbours in the Southern Gulf Islands. The service is administered by the Southern Gulf Islands Harbours Commission, established under Bylaw No. 2844, “Capital Regional District Southern Gulf Islands Harbours Commission Regulation Bylaw No. 1, 2000”.

At the September 24, 2021 meeting of the Southern Gulf Islands Harbours Commission the existing bylaw was reviewed and recommendations were made to progress with amending the bylaw and return for approval of the changes.

Bylaw No. 2844 has not been updated since 2012. Suggested changes, both from the Commission and CRD staff, include:

- Replacement of the role of the “Ports Manager” with CRD generally;
- Revision of fees, charges, and license language, including increases to insurance requirements;
- Updating of certain provisions of the bylaw, such as calculation of the length of vessels, emergency use of facilities, and the ability to dispose of the vessels and obstructions by means other than public auction.

**ALTERNATIVES**

*Alternative 1:*

The Southern Gulf Islands Harbours Commission recommends the Electoral Areas Committee recommend to the Capital Regional District Board:

1. That Bylaw No. 4469, “Capital Regional District Southern Gulf Islands Harbours Regulation Bylaw No. 1, 2000, Amendment Bylaw No. 8, 2021” be introduced and read a first, second, and a third time.
2. That Bylaw No. 4469 be adopted.

*Alternative 2:*

That the report be referred back to staff for additional information.

**IMPLICATIONS**

*Governance Implications*

The current bylaw has not been updated since 2012 and was in need of some revisions. The new bylaw will ease the administration of the facilities, modernize the language, and provide new insurance amounts and fee schedule. The insurance rates and fee schedule have not been changed since 2012 and are revised to be more consistent with industry standards and to account for inflation and cost escalations associated with operating the service. Updated fees will continue to be collected from the users of the facilities. Combined, these changes will further improve the ability to manage the service and increase the financial resources available.

*Fee Modifications*

In general, fees have been increased by 30% (inclusive of applicable taxes), rounding-up. Fees have not been adjusted for 10 years. Coupon books and monthly commuter passes, which were difficult to administer and not regularly used, have been eliminated. Fees for emergency vessel use, when acting in an emergency, are no longer payable. Licenses are still required. Fees for removal and impoundment of obstructions and abandoned boats have been increased, and may substitute the actual cost plus 10% for administration where necessary.

*Legal Implications*

Additional powers relating to sale of vessels, chattels, or obstructions have been inserted, permitting the CRD to sell or dispose of the vessel by methods other than public auction. Such disposal methods may be preferred if CRD undertakes enforcement on its own or if working with BC Bailiffs. Minor modifications have been made to make clear the bylaw applies to all leased, licensed, or operated facilities of the Service.

**CONCLUSION**

Bylaw No. 4469 amends “Capital Regional District Southern Gulf Islands Small Craft Harbours Regulation Bylaw No. 1, 2000” to update language and fees that have not been updated in nearly 10 years. Updating the bylaw will ease the administration, modernize the language and ensure industry appropriate levels of insurance coverage by licensed users and enable additional funds to be available to maintain, repair and operate the docks.



## **RECOMMENDATIONS**

The Southern Gulf Islands Harbours Commission recommends the Electoral Areas Committee recommend to the Capital Regional District Board:

1. That Bylaw No. 4469, “Capital Regional District Southern Gulf Islands Harbours Regulation Bylaw No. 1, 2000, Amendment Bylaw No. 8, 2021” be introduced and read a first, second, and a third time.
2. That Bylaw No. 4469 be adopted.

Submitted by:	Stephen Henderson, BSc, P.G.Dip. Eng., MBA, Manager of Real Estate Services
Concurrence:	Ted Robbins, B.Sc., C.Tech., General Manager, Integrated Water Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

/SNC

## **ATTACHMENTS**

- Appendix A: Bylaw 4469, “Capital Regional District Southern Gulf Islands Harbours Regulation Bylaw No. 1, 2000, Amendment Bylaw No. 8, 2021”
- Appendix B: Bylaw 2844, “Capital Regional District Southern Gulf Islands Harbours Regulation Bylaw No. 1, 2000”, unofficial redline showing changes.

**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4469**

\*\*\*\*\*

**A BYLAW TO AMEND THE REGULATIONS OF THE SOUTHERN GULF ISLANDS SMALL CRAFT  
HARBOURS SERVICE (BYLAW NO. 2844)**

\*\*\*\*\*

**WHEREAS:**

- A. Under Order-in-Council 100/97, dated January 24, 1997, and within the *Capital Regional District Regulation*, the Capital Regional District was granted the additional power to establish, acquire, and operate a service of small craft harbour facilities, and established the service under Bylaw No. 2614, "Small Craft Harbour Facilities Local Service Establishment Bylaw No. 1, 1998";
- B. Under Bylaw No. 2844, "Capital Regional District Southern Gulf Islands Small Craft Harbours Regulation Bylaw No. 1, 2000", the Regional Board established a system of regulations and operations of the function of Small Craft Harbours in the Southern Gulf Islands;
- C. The Board wishes to amend Bylaw No. 2844 to update fees and charges; modernize language; and make certain other changes to the operation and regulation of the service;

**NOW THEREFORE**, the Capital Regional District Board in open meeting assembled hereby enacts as follows:

- 1. Bylaw No. 2844, "Capital Regional District Southern Gulf Islands Small Craft Harbours Regulation Bylaw No. 1, 2000" is hereby amended as follows, with the effective date of January 1, 2022:
  - (a) By re-numbering section 1, Definitions In This Bylaw, to section 1.1, and making the following replacements and insertions in alphabetical list order:
    - i. Replacing the definition of "abandoned" with:
 

"abandoned" means leaving a vessel or watercraft at a dock without payment of moorage for a period in excess of 45 days or within a 30 day notice period failure to remove the vessel under its own power for a period of at least 1 hour in the presence of the wharfinger or CRD;
    - ii. Replacing the definition of "airport" with:
 

"airport" means a dock or portion of a dock designated for use by seaplanes and identified by a red triangle on the dock surface, or yellow painted tie rail or other identifying marking;
    - iii. Replacing the definition of "authorized personnel" with:
 

"authorized personnel" includes the wharfingers, Royal Canadian Mounted Police and Capital Regional District bylaw enforcement officers;
    - iv. Replacing the definition of "dock" with:
 

"dock" means a landing pier for vessels and watercraft, including a wharf, floating or fixed structures, and includes those facilities listed in Schedule "B";
    - v. Replacing the definition of "explosive" with:

“explosive” has the same meaning as in the *Explosives Act*, RSC 1985, c E-17;

- vi. Inserting as “overall length of vessel”:

“overall length of vessel” means the overall measurement of the vessel’s length, including bowsprit and engine, and includes any other extensions or attachments of the vessel from the bow or stern, including pod engines, tenders, or attachments.

- vii. Replacing the definition of “liquor” with:

“liquor” has the same meaning as in the *Liquor Control and Licensing Act*, SBC 2015 c 19 of British Columbia;

- viii. Replacing the definition of “loading zone” with:

“loading zone” means that area of a dock used solely for loading and unloading, emergency use, passengers, supplies or freight and identified by a yellow painted tie-rail or other identifying marking;

- ix. Inserting the definition of “Service”:

“Service” means the CRD service established under Bylaw No. 2614, “Small Craft Harbour Facilities Local Service Establishment Bylaw No. 1, 1998”;

- x. Removing the definition of “Ports Manager”;

- xi. Replacing the section reference in the definition of “resident” from 52 of the *Local Government Act* to section 67 of the *Local Government Act*;

- xii. By inserting the definition of “transient moorage”:

“transient moorage” means that area of a dock used solely for short-term moorage of not greater than 3 consecutive days, or 7 days in a month, and identified by a blue painted tie-rail or other identifying markings;

- xiii. By inserting into the definition of “wharfinger” after “a person contracted”, the words “or appointed”;

- (b) By inserting as section 1.2, Application, the following:

1.2. This bylaw applies to all docks, waterlots and other facilities or lands owned, operated, leased, or licenced by CRD for the purposes of the Service.

- (c) By amending section 9, Noisy Activities, after the words “at a dock”, the following words “or while in the waterlot around a dock,”;

- (d) By amending section 11, Signs, to remove the words “or the Ports Manager”;

- (e) By replacing section 28, Responsibility, with the following:

For the purpose of these regulations, the person having charge of a vessel or watercraft is deemed to be responsible for the vessel or watercraft and the action of its crew or passengers, as directed by signage at the facility.

- (f) In sections 30 and 31, Dock Management, replacing the words “Ports Manager” when they appear with “CRD”;

- (g) In section 34, Abandonment, replacing the first occurrence of the words "Ports Manager" when they appear with "CRD or wharfinger" and the second appearance with "wharfinger".
- (h) In sections 35, 36, 37, and 38, Obstruction, replacing "Ports Manager" whenever it appears with "CRD";
- (i) In section 39, Removal and Impoundment of Vessels, Watercraft, Chattels and Obstructions, replacing "Ports Manager" with "CRD and wharfinger" and replacing "wharf" with "dock";
- (j) In section 41:
  - i. replacing "Ports Manager" whenever it appears with "CRD";
  - ii. inserting, after "public auction" whenever it appears " , other means preferred by CRD, ";
  - iii. inserting into 41(2), after "if the identity of the owner is not determined" the words "or if delivery under 41(1) cannot be confirmed";
- (k) In section 43, inserting after the words "public auction" the words "or means preferred by CRD," and inserting as a new sentence at the end of the paragraph "The failure to post such a sign or ensure it remains posted shall not impair the CRD's ability to recover fees, costs, or expenses under this bylaw nor shall it impair the ability to remove, impound, sell, or otherwise dispose of vessels, chattels, and obstructions.
- (l) In section 44, inserting after the words "impound and auction" the words "or otherwise dispose of".
- (m) Replacing the heading of sections 45 to 48, Public Auction, with the heading "Public Auction and Sale";
- (n) In section 45 and 47, Public Auction and Sale, replacing the words "Ports Manager" with "CRD";
- (o) In section 47, inserting after the word "auction" the words "or that other means are preferred by CRD to dispose of the property, such as private sale or sale through a broker";
- (p) Replacing the heading of section 49, Ports Manager and Wharfinger, with the heading "CRD and Wharfinger";
- (q) Replacing section 49(1) with the following:
 

The wharfinger, under the direction of the CRD, is responsible for the operational oversight and administration of the docks and may post notices and give such orders, in respect of the operation of the dock, as are authorized by these regulations.
- (r) In section 49(2), (3), and (4), replacing the words "Ports Manager" with "CRD";
- (s) In section 49(5), replacing the words "Ports Manager" with "wharfinger";
- (t) By replacing all references to the following schedules, where they appear, with corrected references as follows:
  - i. Schedule A or "Schedule A" shall be replaced with "Schedule A";
  - ii. Schedule B or "Schedule B" shall be replaced with "Schedule B";
  - iii. Schedule C or "Schedule C" shall be replaced with "Schedule C";
  - iv. Schedule D or "Schedule D" shall be replaced with "Schedule D";
  - v. Schedule E or "Schedule E" shall be replaced with "Schedule E";

- (u) By replacing Schedules "A" and "B" with the Schedules "A" and "B" attached to this bylaw, as applicable.
- (v) Revising Schedule "C", Moorage License Agreement, as follows:
  - i. In 2(d), removing references to the "Ports Manager";
  - ii. In 2(k), replacing "one million dollars" with "two million dollars" for proof of comprehensive liability insurance;
  - iii. In 2(l), replacing "Ports Manager" with "CRD" and replacing "impound, store, or auction" with "impound, store, auction, sell by other means preferred by CRD, or dispose of";
  - iv. In 2(q), inserting after "overboard" the words ", discharged,";
  - v. In 2(r), replacing "Ports Manager" with "Coast Guard and CRD";
  - vi. In 2(s), 2(w), and 2(x), replacing "Ports Manager" with CRD;
  - vii. In 2(x), replacing the words "impound, store, or auction" with "impound, store, auction, sell by other means preferred by CRD, or dispose of";
  - viii. Inserting as 2(y) the sentence "Live-aboards are not permitted at the docks unless authorized in writing by the CRD."
  - ix. Replacing the reference to "Ports Manager" in the "Issued per CRD" signature block with "CRD";
- (w) Revising Schedule "D", Water Taxi, Charter Boat, Emergency Services Vessel or Business Moorage License Agreement, as follows:
  - i. In 2(d), removing references to the "Ports Manager";
  - ii. In 2(k), replacing "two million dollars" with "three million dollars" for proof of comprehensive liability insurance;
  - iii. In 2(l), replacing "Ports Manager" with "CRD" and replacing "impound, store, or auction" with "impound, store, auction, sell by other means preferred by CRD, or dispose of";
  - iv. In 2(r), inserting after "overboard" the words ", discharged,";
  - v. In 2(s), replacing "Ports Manager" with "Coast Guard and CRD";
  - vi. In 2(t), 2(x), and 2(y), replacing "Ports Manager" with CRD;
  - vii. In 2(y), replacing the words "impound, store, or auction" with "impound, store, auction, sell by other means preferred by CRD, or dispose of";
  - viii. Replacing the reference to "Ports Manager" in the "Issued per CRD" signature block with "CRD";
- (x) Revising Schedule "E", Seaplane License Agreement, as follows:
  - i. In 2(c), removing references to "Ports Manager";
  - ii. In 2(e), removing references to "Ports Manager";
  - iii. In 2(n), inserting after "overboard" the words ", discharged,";
  - iv. In 2(o), replacing "Ports Manager" with "Coast Guard and CRD";
  - v. In 2(s), replacing "Ports Manager" with "CRD";
  - vi. Replacing the reference to "Ports Manager" in the "Issued per CRD" signature block with "CRD";

2. This bylaw may be cited for all purposes as "Capital Regional District Southern Gulf Islands Harbours Commission Regulation Bylaw No. 1, 2000, Amendment Bylaw No. 8, 2021".

READ A FIRST TIME THIS	th	day of	20__
READ A SECOND TIME THIS	th	day of	20__
READ A THIRD TIME THIS	th	day of	20__
ADOPTED THIS	th	day of	20__

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CHAIR

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CORPORATE OFFICER

**SCHEDULE "A"**  
**Bylaw No. 2844**

**Capital Regional District Southern Gulf Islands Harbours**

**FEES AND LICENSES**

1. DEFINITIONS

"charter boat" means any vessel or watercraft used to transport passengers who have paid a fee for tourism services including, but not limited to, fishing, whale watching, sightseeing or diving;

"dinghy" means an open boat with a maximum length of 12 feet, excluding outboard motor, having a beam of no more than 6 feet and a motor of not more than 25 horsepower and the dry weight/hull weight is at, or under, 300 pounds;

"emergency service vessel" means a police, fire, search and rescue, or ambulance vessel and any other vessel acting in the aforementioned capacities;

"length" means the overall length of a vessel or watercraft as determined by the Ports Manager or wharfinger;

"month" means a period commencing on a date in one month and terminating on the day immediately preceding the same date in the next month or, if there is no corresponding date in the next month, terminating on the last day of that month;

"moorage" means a charge for mooring;

"quarter" means three months;

"reserved berth" means a section of a dock identified by a 'Reserved' sign on the tie-rail;

"resident" means person who satisfies the conditions of residency established in section 67 of the *Local Government Act* in respect of the Southern Gulf Islands Electoral Area;

"short-term zone" means a section of a dock identified by a "short-term zone" sign on the tie rail;

"springline" means a special moorage arrangement where the vessel is bow tied to the dock and stern tied to an approved, weighted pulley line.

"water taxi" means any vessel or watercraft used to transport passengers or material for a fee.

2. MOORAGE FEES (All moorage fees include applicable taxes)

- (a) (i) Moorage Fees from 2 to 12 hours, normally commencing and ending between **8:00 AM** and **8:00 PM** of the same day:

\$0.5 per lineal foot per day.

- (ii) Moorage Fees from 12+ to 24 hours or overnight:

\$1 per linear foot.

(b) Prepaid Long-Term Moorage Fees

- (i) The prepaid monthly moorage fee is \$5.80 per lineal foot per month.
- (ii) The prepaid quarterly moorage fee is \$15.40 per lineal foot per quarter.
- (iii) The prepaid annual moorage fee is \$55.30 per lineal foot per year.
- (iv) Despite subsections (i), (ii) and (iii), no person in control of a vessel or watercraft shall moor at a Short-Term Zone or at the Swartz Bay dock for longer than 72 consecutive hours in a 30-day period.
- (v) Where a resident has obtained a monthly, quarterly or annual moorage license prescribed in Schedule "C", that resident may apply for a monthly, quarterly or annual moorage for the same vessel at a second dock for an additional payment of one half the moorage fee paid at the first dock.

(c) Long-term moorage fees for a dinghy bow-tied at a dock area posted with a sign saying "dinghies only" shall be as follows:

- (i) The prepaid monthly moorage fee is \$30.00.
- (ii) The prepaid quarterly moorage fee is \$80.00.
- (iii) The prepaid annual moorage fee is \$280.00.

(d) Springline Moorage Fees

Where a springline moorage system has been approved by the CRD the following rates will apply for boats up to 14 feet in length and 8 feet wide:

- (i) Monthly fee is \$75.00 per month.
- (ii) Quarterly fee is \$210 per quarter.

(e) Short-Term Zone Fees

Where a short-term zone exists on a dock, the daily rate will apply. No monthly, quarterly or annual rates are available for these zones.

3. WATER TAXI AND CHARTER BOATS MOORAGE FEES

- (a) A person in control of a water taxi or charter boat mooring or landing at a dock shall obtain from the CRD in the form prescribed in Schedule "D" a license at a cost of \$62.50 per annum in addition to the fees set out in section 3(b) and (c) below.

(b) (i) Loading and Unloading Water Taxis and Charter Boats:

Landings/month/dock	Monthly Fee	Annual Fee
0-2	No charge	N/A
3-15	\$27.00	\$260.00



16-30	\$45.00	\$440.00
31+	\$72.00	\$720.00

(ii) The prepaid annual fee is based on estimated annual usage. Actual usage is subject to audit and the CRD or wharfinger may make an adjustment to the fee based on actual usage.

- (c) The moorage fees for water taxis or charter boats are the same as prescribed in Schedule "A" sections 2(a)(i) and (ii), 2(b), 2(c) and 2(d) except the monthly, quarterly and annual fees, moorage coupon books and commuter passes are available only to an operator of a water taxi or charter boat who is a resident of the Southern Gulf Islands Electoral Area.
- (d) Where a person has obtained a license to operate a water taxi or charter boat and pays monthly or annual landing fees and provides a regularly scheduled published service between two docks listed in Schedule "B" using the same vessel no landing fees are required on the second dock.

#### 4. SEAPLANES

- (a) The loading and unloading fee for casual use by seaplanes is \$20.00 per landing in excess of 2 landings per airport per year.
- (b) A person in control of a seaplane shall obtain from the CRD a license prescribed in Schedule "E" for a fee of \$62.50 per annum and in addition, may pay to the CRD the following prepaid annual fee for recurring use:

Landings per year per Airport	Annual Fee per Airport
3 – 48	\$270
49 – 200	\$520
200+	\$720

- (c) The prepaid annual fee is based on estimated annual usage. Actual usage is subject to audit and the CRD or wharfinger may make an adjustment to the fee based on actual usage.
- (d) Seaplane Moorage Fees: Not Available

#### 5. EMERGENCY VESSEL MOORAGE FEES

- (a) A person in control of an emergency services vessel shall apply for a license as prescribed in Schedule "D" each year.
- (b) Emergency Service Vessels, when not performing emergency services, shall be subject to the same moorage fees as prescribed in Schedule "A" sections 2(a)(i) and (ii), 2(b), 2(c) or 2(d).
- (c) Emergency Service Vessels, while actively performing emergency services, will not be subject to the fees prescribed in Schedule "A" sections 2(a)(i) and (ii), 2(b), 2(c) or 2(d).

#### 6. RESERVED BERTHS

The moorage fee for reserved berths is 1.5 times the applicable (quarterly and annual) moorage fee as prescribed in Schedule "A".

#### 7. REMOVAL AND IMPOUNDMENT

The following fees, costs and expenses shall be paid by the owner of a vessel, chattel or obstruction removed, detained or impounded pursuant to Sections 39 to 44 of this Bylaw:

(a)	Impoundment Fee	\$150 or actual cost
(b)	Towing Fee per hour (for towing or removal to storage location)	\$275 or actual cost
(c)	Hauling Out Fee per hour	\$275 or actual cost
(d)	Fee for Placing on Blocks/Removal from Trailer (fee per hour)	\$275 or actual cost
(e)	Storage Costs for Vessel (rate per day per foot)	\$5.25 or actual cost

At CRD's option, it can select the fee or the actual cost, whichever is greater. "Actual cost" is the actual cost if provided directly by CRD or by a third party contractor, calculated on a cost recovery basis, including any applicable fees, charges, or taxes. CRD may charge an additional 10% on top of fees or actual costs to cover administrative tasks and time spent.

**SCHEDULE "B"**  
**Bylaw No. 2844**

**Capital Regional District Southern Gulf Islands Harbours**

*DOCKS ADMINISTERED BY THE CRD IN THE SOUTHERN GULF ISLANDS*

- GALIANO ISLAND:                      Sturdies Bay  
   Montague Harbour  
   Retreat Cove  
   Spanish Hills
- MAYNE ISLAND:                        Miners Bay  
   Horton Bay  
   Anson Road
- NORTH PENDER ISLAND:              Port Washington  
   Browning Harbour  
   Hope Bay
- PIERS ISLAND:                          Piers Island
- SATURNA ISLAND:                      Lyall Harbour
- VANCOUVER ISLAND:                  Swartz Bay

**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 2844**

**CAPITAL REGIONAL DISTRICT  
SOUTHERN GULF ISLANDS SMALL CRAFT HARBOURS  
REGULATION BYLAW NO. 1, 2000**

*A Bylaw to Regulate Docks Operated by the Capital Regional District on the  
Southern Gulf Islands*

For technical enquiries regarding this bylaw, please contact:

CRD, Manager of Southern Gulf Island Small Craft Harbours  
Telephone 250.360-3000

For reference to original bylaws and amendments, or for further details,  
please contact Legislative Services, Capital Regional District,  
625 Fisgard Street, PO Box 1000, Victoria, BC V8W 2S6

## CAPITAL REGIONAL DISTRICT

## BYLAW NO. 2844

\*\*\*\*\*  
Capital Regional District Southern Gulf Islands Harbours Commission Regulation Bylaw  
\*\*\*\*\*

WHEREAS the Capital Regional District has established the local service to acquire and operate small craft harbour facilities;

NOW THEREFORE, the Capital Regional District Board in open meeting assembled, enacts as follows:

1.1. DEFINITIONS IN THIS BYLAW

- “abandoned” means leaving a vessel or watercraft at a dock without payment of moorage for a period in excess of 45 days or within a 30 day notice period failure to remove the vessel under its own power for a period of at least 1 hour in the presence of the ~~w~~Wharfinger or ~~Ports Manager~~CRD-;
- “airport” means a dock or portion of a dock designated for use by seaplanes and identified by a red triangle on the dock surface, or yellow painted tie rail or other identifying marking;
- “authorized personnel” includes the ~~Ports Manager~~, wharfingers, RCMP-Royal Canadian Mounted Police and Capital Regional District bylaw enforcement officers;
- “berth” means a location at a dock where a vessel or watercraft may be moored;
- “Board” means the Board of Directors of the Capital Regional District;
- “business” means a commercial or industrial undertaking of any kind or nature or the providing of professional, personal or other services for the purpose of gain or profit;
- “Commission” means the Southern Gulf Islands Harbours Commission as established by the Southern Gulf Islands Harbour Commission Bylaw, 2002, whose duties include planning, acquisition, development, restructure maintenance and operation of said harbours to serve the residents of the Southern Gulf Islands;
- “CRD” means the Capital Regional District;
- “dangerous goods” means dangerous goods as defined in section 1 of the *Transport of Dangerous Goods Act*;
- “dock” means a landing pier for vessels and watercraft, including a wharf, floating or fixed structures, and includes those facilities listed in Schedule “B”;
- “emergency personnel” includes any person, group or organization required by provincial or federal statute to respond to emergency situations;
- “emergency vehicle” means police vehicle, ambulance or fire department vehicle;
- “explosive” has the same meaning as in the *Explosives Act*, RSC 1985, c E-17;

- “overall length of vessel” means the overall measurement of the vessel’s length, including bowsprit and engine, and includes any other extensions or attachments of the vessel from the bow or stern, including pod engines, tenders, or attachments.
- “liquor” has the same meaning as in the *Liquor Control and Licensing Act*, SBC 2015 c 19 of British Columbia;
- “loading zone” means that area of a dock used solely for loading and unloading, emergency use, passengers, supplies or freight and identified by a yellow painted tie-rail or other identifying marking;
- “moor” means to secure a vessel or watercraft by means of lines, cables or anchors;
- “Service” means the CRD service established under Bylaw No. 2614, “Small Craft Harbour Facilities Local Service Establishment Bylaw No. 1, 1998”;
- “Southern Gulf Islands Electoral Area” means the area of land defined as the Southern Gulf Islands Electoral Area in the Capital Regional District Letters Patent;
- “proof of residency” means:
  - (a) a British Columbia drivers license containing an address in the Southern Gulf Islands Electoral Area; or
  - (b) a real property tax notice issued under the *Local Government Act* or the *Taxation (Rural Area) Act* to an address in the Southern Gulf Islands Electoral Area; or
  - (c) a utility bill issued for the supply of electricity, natural gas, water, telephone services or ~~eo-axle~~ cable services to an address in the Southern Gulf Islands Electoral Area;
- ~~“Ports Manager” means the person contracted by the CRD to manage the operation of all docks overseen by the Commission;~~
- “resident” means a person who satisfies the conditions of residency established in section ~~52-67~~ of the *Local Government Act* in respect of the Southern Gulf Islands Electoral Area;
- “raft” means the mooring of one vessel or watercraft along side another;
- “seaplane” means an aircraft on floats whether operated privately or commercially;
- “springline” means a special moorage arrangement where the vessel is bow tied to the dock and stern tied to an approved, weighted pulley line;
- “transient moorage” means that area of a dock used solely for short-term moorage of not greater than 3 consecutive days, or 7 days in a month, and identified by a blue painted tie-rail or other identifying markings;
- “vessel” means any ship or boat or any other description of vessel which is or can be propelled by machinery, except a seaplane, and used or designed to be used in navigation;
- “watercraft” means any ship or boat or any other description of vessel that is not propelled by machinery and is used or designed to be used in navigation;
- “wharfinger” means a person contracted or appointed by the CRD to collect moorage and to conduct day to day operation of a dock or docks.

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APPLICATION

1.2. ~~This bylaw applies to all docks, waterlots and other facilities or lands owned, operated, leased, or licenced by CRD for the purposes of the Service.~~

ENFORCEMENT POWERS

2. All authorized personnel may enforce this bylaw in the course of their duties.
3. Any authorized personnel may order a person who does anything contrary to this bylaw to leave a dock immediately, or within a period of time specified by the authorized personnel, and every person so ordered shall comply with the order and leave the dock immediately or within the specified time period.
4. No person shall hinder, oppose, molest or obstruct authorized personnel in the discharge of their duties.
5. Authorized personnel and emergency personnel, while acting in the course of their duties, as well as emergency vehicles, are exempt from the provisions of this bylaw.

FINES

6. A person who contravenes this bylaw commits an offence and is liable on conviction to a fine of not less than \$50.00 and not more than the maximum prescribed by the *Offence Act*.

PUBLIC CONDUCT

7. No person shall obstruct or interfere with any person, vessel or watercraft lawfully using a dock.
8. No person shall behave in a disorderly, dangerous or offensive manner including, but not limited to, diving or jumping from a dock, wharf or pier or swimming in the water-lot around the dock.

NOISY ACTIVITIES

9. No person shall while on or moored at a dock, ~~or while in the waterlot around a dock,~~ make or cause noises or sounds including the playing of musical instruments, radios, tape players, compact disc players or similar devices or operate any equipment, vehicles, vessels, watercraft or machinery which disturbs or tends to disturb the quiet, peace, enjoyment and comfort of other persons.

LIQUOR

10. No person shall possess an open container of liquor on a dock.

SIGNS

11. No person shall place, post or erect a sign on a dock unless with permission of the CRD ~~or the Ports Manager.~~

DAMAGE

12. No person shall remove, destroy or damage any dock or structure or sign attached to a dock.
13. No person shall remove, destroy or damage any notices, rules or regulation posted on a dock by or under the authority of the CRD.

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14. No person shall deposit or leave any garbage, refuse, empty or broken bottles, cans, paper, animal excrement or other waste material on a dock or in the water surrounding a dock.

#### STORAGE

15. No person shall store any material of any kind, including a watercraft, to or on the surface of a dock unless it is designated by a sign as a storage area.

#### LOADING ZONE

16. No person shall cause a vessel or watercraft to be left unattended at a loading zone.
17. No person shall cause a vessel or watercraft to remain moored in a loading zone for a period in excess of 15 minutes and every person not in possession of a valid ~~"Schedule D"~~ "Schedule "D" licence shall immediately vacate a loading zone to make room for a person in possession of a ~~"Schedule D"~~ "Schedule "D" licence.

#### AIRPORT

18. No person shall moor to an airport, except where the airport includes a loading zone.
19. Notwithstanding section 18, where an airport includes a loading zone, the person having control of a vessel or watercraft being moored in the airport which includes the loading zone shall immediately vacate the loading zone upon the approach of an aircraft intending to use the airport.

#### VEHICLES

- 20.
- (1) No person shall drive a vehicle on a dock except for the express purpose of loading or unloading or the vehicle is being used for the purpose of repairing or maintaining the dock.
  - (2) Despite section 20.(1), the CRD may cause to be posted a sign prohibiting a person from driving a vehicle on a dock for any purpose.
21. No person shall park a vehicle or leave a vehicle unattended on a dock.

#### COMMERCIAL SERVICES

22. No person shall sell, expose or display for sale any goods or materials including refreshments, or conduct any business on a dock except where authorized by the CRD.
23. Persons conducting any business authorized by the CRD shall obtain and pay for a license in accordance with ~~Schedule A~~ "Schedule "A".

#### CONSTRUCTION

24. No person shall build upon or place any structure on a dock except where authorized by the CRD.

#### FEES

- 25.



- (1) A person in control of a vessel or watercraft, which is moored at a dock for less than two hours in any 24-hour period, shall not pay a moorage fee.
- (2) A person in control of a vessel or watercraft moored at a dock in excess of two hours but less than 12 hours in a 24 hour period shall pay to the CRD the moorage fees prescribed in ~~“Schedule A”~~ “Schedule A” section 2(a)(i), shall pay with a coupon as prescribed in ~~“Schedule A”~~ “Schedule A” section 2(b) or shall pay with a commuter pass as prescribed in ~~“Schedule A”~~ “Schedule A” section 2(c).
- (3) A person in control of a vessel or watercraft moored at a dock in excess of 12 hours in any 24-hour period or after 8 p.m. shall pay to the CRD the moorage fees prescribed in ~~“Schedule A”~~ “Schedule A” section 2(a)(ii).
- (4) A person in control of a vessel or watercraft moored at a dock shall pay to the CRD all applicable moorage fees within two hours of mooring the vessel or watercraft to a dock.
- (5) A person in control of a vessel or watercraft who is a resident of the Southern Gulf Islands Electoral Area and can show proof of residency to the CRD and who intends to moor at a dock in excess of 24 hours may obtain from the CRD a monthly, quarterly or annual license as prescribed in ~~“Schedule C”~~ “Schedule C” and pay to the CRD the moorage fees as prescribed in ~~“Schedule A”~~ “Schedule A” section 2(d), (e) or (f) whichever section is applicable.
- (6) A person in control of a seaplane, water taxi, emergency vessel, or charter vessel or watercraft, intending to use a dock shall obtain from the CRD a license as prescribed in Schedules “D” or “E” and pay to the CRD the fees prescribed in ~~“Schedule A”~~ “Schedule A” section 3, section 4 or section 5 whichever section is applicable.”

#### DANGEROUS GOODS

26. No vessel or watercraft carrying dangerous goods or explosives shall moor at a dock for longer than is necessary to effect immediate loading or unloading.
27. No vessel or watercraft carrying dangerous goods or explosives moored at a dock shall be left unattended.

#### RESPONSIBILITY

28. For the purpose of these regulations, the person having charge of a vessel or watercraft is deemed to be responsible for ~~the~~ vessel or watercraft and the action of its crew ~~or passengers, as directed by signage at the facility.~~

#### RESERVED BERTH

29. At the discretion of the CRD, a section of dock may be reserved for the exclusive use of a vessel or watercraft on condition that the person in control of the vessel or watercraft obtain a license from the CRD prescribed in Schedule C or D and pay to the CRD the moorage fees prescribed in ~~Schedule A~~ Schedule “A”, section 6.

#### DOCK MANAGEMENT

30. In order to facilitate the proper management, control and use of a dock, the CRD may establish specific mooring conditions to various sections of a dock, and a Wharfinger or ~~Ports Manager~~ CRD may order a vessel or watercraft to move or alter its position.

31. The wharfinger or ~~Ports Manager~~CRD, at their discretion, may order that any vessel or watercraft is not allowed to moor to the dock.
32. When required by limited mooring space any person in charge of a vessel or watercraft may raft the vessel or watercraft provided that no more than two vessels or watercrafts are rafted or such lower or higher number of vessels or watercrafts as specified by the CRD and sign posted at the dock.

#### ABANDONMENT

33. No person shall abandon a vessel or watercraft at a dock.
34. Where the ~~Ports Manager~~CRD or wharfinger believes a vessel or watercraft has been abandoned at a dock, and has made reasonable efforts to obtain the name and address of the owner or person last in charge of the vessel or watercraft, the ~~Ports Manager~~wharfinger shall make a report to the CRD with recommendations for the removal of the abandoned vessel or watercraft.

#### OBSTRUCTION

35. The ~~Ports Manager~~CRD or a wharfinger may direct the position, time, place and manner in which a vessel or watercraft may be moored, loaded or unloaded at a dock.
36. Except as permitted by the ~~Ports Manager~~CRD or wharfinger, no person shall moor a vessel or watercraft at a dock in such a manner as to unduly obstruct the movement of other vessels or watercraft.
37. Except as permitted by the ~~Ports Manager~~CRD or wharfinger, the lines fastening a vessel or watercraft to a dock shall not cross the dock or be attached to anything other than the fastenings provided for the purpose.
38. Except as permitted by the ~~Ports Manager~~CRD or wharfinger, no person shall:
  - (1) use the surface of a dock for any major maintenance or repair work; or
  - (2) do any other thing in such a manner as to impede the use of the dock.

#### REMOVAL AND IMPOUNDMENT OF VESSELS, WATERCRAFT, CHATTELS, AND OBSTRUCTIONS

39. The ~~Ports Manager~~CRD and wharfinger is authorized to remove and impound, or cause to be removed and impounded, any vessel, chattel or obstruction that occupies a ~~wharf~~dock or waterlot in contravention of this Bylaw. —
40. Any vessel, chattel or obstruction removed and impounded under this section may be recovered by the owner upon presenting proof of ownership and upon payment in full of all costs incurred by the CRD in removing and impounding (including storing) and any fines owing by the owner under this Bylaw.
41. If a vessel, chattel or obstruction is removed and impounded, the ~~Ports Manager~~CRD shall make reasonable efforts to obtain the name and address of the owner of the vessel, chattel or obstruction and:
  - (1) If the name and address of the owner is determined, the ~~Ports Manager~~CRD shall give written notice delivered in person to the owner or sent by registered mail to the owner advising the owner of the removal and impoundment, the sum payable to release the vessel, chattel or obstruction and the date for sale by public auction, other means preferred by CRD, or disposition under section 42,

as applicable, if unclaimed; or

- (2) if the identity of the owner is not determined or if delivery under 41(1) cannot be confirmed, the ~~Ports Manager~~CRD shall cause a notice to be posted at the relevant wharf advising of the removal and impoundment, the sum payable to release the vessel and the planned date for sale by public auction, other means preferred by CRD, or disposition under section 42, as applicable, if unclaimed.

42. The fees, costs and expenses payable by the owner of a vessel, chattel or obstruction removed and impounded under this section are set out in Schedule “A” to this Bylaw.
43. A sign at each wharf shall notify the public that vessels, chattels and obstructions occupying the wharf and surrounding waterlot in contravention of this Bylaw, may be removed and impounded by or on behalf of the CRD at the cost of the owner and may be sold at public auction or means preferred by CRD, or otherwise disposed of if unclaimed. The failure to post such a sign or ensure it remains posted shall not impair the CRD’s ability to recover fees, costs, or expenses under this bylaw nor shall it impair the ability to remove, impound, sell, or otherwise dispose of vessels, chattels, and obstructions.
44. The CRD may engage the services of a bailiff to remove, impound and auction or otherwise dispose of vessels, chattels and other obstructions under this section and sections 45 to 48.

*(Bylaw 3586)*

#### PUBLIC AUCTION AND SALE

45. Any vessel, chattel or obstruction not claimed by its owner, including where the ~~Ports Manager~~CRD has been unable to determine the owner’s identity, within 30 days of notice under section 41 may be sold at a public auction and such auction shall be advertised at least once in a newspaper distributed at least bi-monthly in the Southern Gulf Island Electoral Area.
46. The proceeds of such auction sale shall be applied firstly to the cost of the sale, secondly to all unpaid fees, costs and expenses levied in accordance with this Bylaw.
47. If any vessel, chattel or obstruction is not offered for sale or purchased at public auction under this section, the expenses incurred in the removal, impoundment or disposal, are recoverable as a debt due to the CRD from the owner.
48. If the ~~Ports Manager~~CRD considers that a vessel, chattel or obstruction removed and impounded from a wharf is of insufficient value to warrant an auction or that other means are preferred by CRD to dispose of the property, such as private sale or sale through a broker, subsequent to the Commission’s approval by resolution, the ~~Ports Manager~~CRD may dispose of the vessel, chattel or obstruction if unclaimed after 2 months following notice under section 41 and any money obtained through such disposition shall be dealt with in accordance with section 40.

#### PORTS MANAGERCRD AND WHARFINGER

- 49.
- (1) The ~~wharfinger~~~~Ports Manager~~, under the direction of the CRD, is responsible for the operation al ~~oversight and~~ administration ~~and management~~ of the docks and may post ~~signs~~ notices and give such orders, ~~either orally or in writing~~, in respect of the operation of the dock, as are authorized by these regulations.
- (2) No person shall contravene:
- (a) an order of the ~~Ports Manager~~CRD or a wharfinger given under subsection (1); or

- (b) the directions or instructions on any sign posted under subsection (1).
- (3) Where a vessel, watercraft or goods are not removed from a dock immediately after the removal thereof is ordered by the ~~Ports Manager~~CRD or a wharfinger, the ~~Ports Manager~~CRD or wharfinger may have the vessel, watercraft or goods removed from the dock at the owner's expense.
- (4) An order of the ~~Ports Manager~~CRD prevails over an order of a wharfinger.
- (5) The ~~wharfinger~~ ~~Ports Manager~~ is authorized to administer and sign on behalf of the CRD the License Agreements contained in Schedules "C", "D" and "E".
- (6) The Wharfingers are authorized to administer and sign on behalf of the CRD the License Agreement contained in Schedule "C".

#### SEVERANCE

50. If a section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid, by the decision of any Court, such decision shall not affect the validity of the remaining portions of this Bylaw.

#### SCHEDULES

51. Schedules "A" to "E" inclusive of this Bylaw are attached hereto and form part of this Bylaw.

#### CITATION

52. This Bylaw may be cited as "Capital Regional District Southern Gulf Islands Small Craft Harbours Regulation Bylaw No. 1, 2000".

READ A FIRST TIME THIS	22nd	day of	November	2000
READ A SECOND TIME THIS	22nd	day of	November	2000
READ A THIRD TIME THIS	22nd	day of	November	2000
ADOPTED THIS	13th	day of	December	2000.

Christopher M. Causton  
CHAIR

Carmen I. Thiel  
SECRETARY

**SCHEDULE "A"**  
**Bylaw No. 2844**

**Capital Regional District Southern Gulf Islands Harbours**  
**FEES AND LICENSES**

1. DEFINITIONS

“charter boat” means any vessel or watercraft used to transport passengers who have paid a fee for tourism services including, but not limited to, fishing, whale watching, sightseeing or diving;

“dinghy” means an open boat with a maximum length of 12 feet, excluding outboard motor, having a beam of no more than 6 feet and a motor of not more than 25 horsepower and the dry weight/hull weight is at, or under, ~~250~~ 300 pounds;

“emergency service vessel” means a police, fire, search and rescue, or ambulance vessel and any other vessel acting in the aforementioned capacities;

“length” means the overall length of a vessel or watercraft as determined by the Ports Manager or wharfinger;

“month” means a period commencing on a date in one month and terminating on the day immediately preceding the same date in the next month or, if there is no corresponding date in the next month, terminating on the last day of that month;

“moorage” means a charge for mooring;

“quarter” means three months;

“reserved berth” means a section of a dock identified by a ‘Reserved’ sign on the tie-rail;

“resident” means person who satisfies the conditions of residency established in section 52 of the *Local Government Act* in respect of the Southern Gulf Islands Electoral Area;

“short-term zone” means a section of a dock identified by a “short-term zone” sign on the tie rail;

“springline” means a special moorage arrangement where the vessel is bow tied to the dock and stern tied to an approved, weighted pulley line.

“water taxi” means any vessel or watercraft used to transport passengers or material for a fee.

Schedule "A" to Bylaw No. 2844 (cont'd.)

2. MOORAGE FEES (All moorage fees include applicable taxes)

- (a) (i) Moorage Fees from 2 to 12 hours, normally commencing and ending between **8:00 AM** and **8:00 PM** of the same day;

\$0.5 per lineal foot per day.

BOAT LENGTH			BOAT LENGTH		
FEET	METRES	FEE	FEET	METRES	FEE
5 to 6	to 1.8	\$2.50	33 to 34	to 10.4	\$12.75
7 to 8	to 2.4	\$3.00	35 to 36	to 11.0	\$13.50
9 to 10	to 3.0	\$3.75	37 to 38	to 11.6	\$14.25
11 to 12	to 3.7	\$4.50	39 to 40	to 12.2	\$14.75
13 to 14	to 4.3	\$5.25	41 to 42	to 12.8	\$15.75
15 to 16	to 4.9	\$6.00	43 to 44	to 13.4	\$16.50
17 to 18	to 5.5	\$6.75	45 to 46	to 14.0	\$17.25
19 to 20	to 6.1	\$7.50	47 to 48	to 14.6	\$18.25
21 to 22	to 6.7	\$8.25	49 to 50	to 15.2	\$18.75
23 to 24	to 7.3	\$9.00	51 to 52	to 15.8	\$19.50
25 to 26	to 7.9	\$9.75	53 to 54	to 16.5	\$20.25
27 to 28	to 8.5	\$10.50	55 to 56	to 17.1	\$21.00
29 to 30	to 9.1	\$11.25	57 to 58	to 17.7	\$21.75
31 to 32	to 9.8	\$11.75	59 to 60	to 18.3	\$22.50

- (ii) Moorage Fees from 12+ to 24 hours or overnight:-

\$1 per linear foot.

BOAT LENGTH			BOAT LENGTH		
FEET	METRES	FEE	FEET	METRES	FEE
5 to 6	to 1.8	\$5.00	33 to 34	to 10.4	\$25.50
7 to 8	to 2.4	\$6.00	35 to 36	to 11.0	\$27.00
9 to 10	to 3.0	\$7.50	37 to 38	to 11.6	\$28.50
11 to 12	to 3.7	\$8.75	39 to 40	to 12.2	\$30.00
13 to 14	to 4.3	\$10.25	41 to 42	to 12.8	\$31.25
15 to 16	to 4.9	\$11.50	43 to 44	to 13.4	\$32.75
17 to 18	to 5.5	\$13.50	45 to 46	to 14.0	\$34.50
19 to 20	to 6.1	\$14.75	47 to 48	to 14.6	\$36.00
21 to 22	to 6.7	\$16.25	49 to 50	to 15.2	\$37.50
23 to 24	to 7.3	\$18.00	51 to 52	to 15.8	\$38.75

25 to 26	to 7.9	\$19.25	53 to 54	to 16.5	\$40.50
27 to 28	to 8.5	\$21.00	55 to 56	to 17.1	\$41.75
29 to 30	to 9.1	\$22.50	57 to 58	to 17.7	\$43.50
31 to 32	to 9.8	\$24.00	59 to 60	to 18.3	\$44.75

Schedule "A" to Bylaw No. 2844 (cont'd.)

(b) Moorage Coupon Book Fees

A Moorage Coupon Book contains 20 coupons. Each coupon entitles a person who is a resident in control of a vessel or watercraft to moor for a single 12-hour continuous period. Coupons may not be used to pay for two consecutive 12-hour periods. The following will be charged for each coupon book:

Vessel or Watercraft Length:

Up to 16 ft.	Over 16 ft. up to 20	Over 20 ft. up to 24	Over 24 ft. up to 28	Over 28 ft. up to 32
\$54.00	\$62.50	\$74.50	\$88.00	\$102.00

(c) Monthly Commuter Pass

A Monthly Commuter Pass, entitling a person who is a resident in control of a vessel or watercraft to moor for up to 12 hours in a 24-hour period at any dock operated by the CRD, may be purchased for the following fees:

(i) \$2.25 per lineal foot per month.

(ii) If the resident currently has prepaid long-term moorage at a dock operated by the CRD the fee is \$1.50 per lineal foot per month.

(db) Prepaid Long-Term Moorage Fees

(i) The prepaid monthly moorage fee is \$5.580-4.40 per lineal foot per month. (need to add taxes).

(ii) The prepaid quarterly moorage fee is \$165.0040-44.80 per lineal foot per quarter. (need to add taxes).

(iii) The prepaid annual moorage fee is \$6055.30-42.50 per lineal foot per year. (need to add taxes).

(iv) Despite subsections (i), (ii) and (iii), no person in control of a vessel or watercraft shall moor at a Short-Term Zone or at the Swartz Bay dock for longer than 72 consecutive hours in a 30-day period.

(v) Where a resident has obtained a monthly, quarterly or annual moorage license prescribed in "Schedule C" Schedule "C", that resident may apply for a monthly, quarterly or annual moorage for the same vessel at a second dock for an additional payment of one half the moorage fee paid at the first dock.

(ec) Long-term moorage fees for a dinghy bow-tied at a dock area posted with a sign saying "dinghies only" shall be as follows:

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- (i) The prepaid monthly moorage fee is ~~\$2230.00~~.
- (ii) The prepaid quarterly moorage fee is ~~\$59-2580.00~~.
- (iii) The prepaid annual moorage fee is ~~\$213-25280.00~~.

Schedule "A" to Bylaw No. 2844 (cont'd.)

(~~d~~) Springline Moorage Fees

Where a springline moorage system has been approved by the CRD the following rates will apply for boats up to 14 feet in length and 8 feet wide:

- (i) Monthly fee is \$75.00 per month.
- (ii) Quarterly fee is \$210 per quarter.
- (i) ~~Annual fee is \$800 (formerly a fee of \$682.30 per year as per below).~~
- (i) ~~Four month period from May 15<sup>th</sup> to September 15<sup>th</sup> each year is \$157.50~~
- (ii) ~~When permitted, any additional period is \$65.60 per month.~~

(~~g~~) Short-Term Zone Fees

Where a short-term zone exists on a dock, the daily rate will apply. No monthly, quarterly or annual rates are available for these zones.

3. WATER TAXI AND CHARTER BOATS MOORAGE FEES

- (a) A person in control of a water taxi or charter boat mooring or landing at a dock shall obtain from the CRD in the form prescribed in "~~Schedule D~~" Schedule "D" a license at a cost of \$62.50 per annum in addition to the fees set out in section 3(b) and (c) below.
- (b) (i) Loading and Unloading Water Taxis and Charter Boats:

Landings/month/dock	Monthly Fee	Annual Fee
0-2	No charge	N/A
3-10 <del>5</del>	<del>\$20.50</del> <u>\$27.00</u>	<del>\$205.00</del> <u>\$260.00</u>
16-30	\$45.00	\$440.00
31+	\$72.00	\$720.00
<del>10+ 16-30</del>	<del>\$34.00 \$90</del>	<del>\$340.00 \$1000</del>
<del>31+</del>	<del>\$55.00</del>	<del>\$550.00</del>

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- (ii) The prepaid annual fee is based on estimated annual usage. Actual usage is subject to audit and the ~~Ports Manager~~ CRD or wharfinger may make an adjustment to the fee based on actual usage.
- (c) The moorage fees for water taxis or charter boats are the same as prescribed in ~~"Schedule A"~~ "Schedule A" sections 2(a)(i) and (ii), 2(b), 2(c) and 2(d) except the monthly, quarterly and annual fees, moorage coupon books and commuter passes are available only to an operator of a water taxi or charter boat who is a resident of the Southern Gulf Islands Electoral Area.
- (d) Where a person has obtained a license to operate a water taxi or charter boat and pays monthly or annual landing fees and provides a regularly scheduled published service between two docks listed in "Schedule B" using the same vessel no landing fees are required on the second dock.

Schedule "A" to Bylaw No. 2844 (cont'd.)

4. SEAPLANES

- (a) The loading and unloading fee for casual use by seaplanes is ~~\$13.50~~ \$20.00 per landing in excess of 2 landings per airport per year.
- (b) A person in control of a seaplane shall obtain from the CRD a license prescribed in ~~"Schedule E"~~ "Schedule E" for a fee of \$62.50 per annum and in addition, may pay to the CRD the following prepaid annual fee for recurring use:

Landings per year per Airport	Annual Fee per Airport
3 – <del>2448</del> <u>48</u>	<del>\$205.00</del> <u>\$400.270</u>
<del>24+49 – 200</del> <u>49 – 200</u>	<del>\$410.00</del> <u>\$1,000.520</u>
200+	\$720
<del>200 +</del>	<del>\$550.00</del>

- (c) The prepaid annual fee is based on estimated annual usage. Actual usage is subject to audit and the ~~Ports Manager~~ CRD or wharfinger may make an adjustment to the fee based on actual usage.
- (d) Seaplane Moorage Fees: Not Available

5. EMERGENCY VESSEL MOORAGE FEES

- (a) A person in control of an emergency services vessel shall ~~purchase~~ apply for a license as prescribed in ~~"Schedule D"~~ "Schedule D" ~~at a cost of \$62.50 per annum~~ each year.
- (b) Emergency Service Vessels, when not performing emergency services, shall be subject to the same moorage fees as prescribed in ~~"Schedule A"~~ "Schedule A" sections 2(a)(i) and (ii), 2(b), 2(c) or 2(d).
- (c) Emergency Service Vessels, while actively performing emergency services, will not be subject to the fees prescribed in ~~"Schedule A"~~ "Schedule A" sections 2(a)(i) and (ii), 2(b), 2(c) or 2(d).

6. RESERVED BERTHS

The moorage fee for reserved berths is 1.5 times the applicable ~~(quarterly and annual)~~ moorage fee as prescribed in ~~"Schedule A"~~ "Schedule A". ~~OR DO WE DELETE??~~

## 7. REMOVAL AND IMPOUNDMENT -

The following fees, costs and expenses shall be paid by the owner of a vessel, chattel or obstruction removed, detained or impounded pursuant to Sections 39 to 44 of this Bylaw:

- (a) Impoundment Fee ~~\$141~~50.00 OR ACTUAL COST
- (b) Towing Fee per hour (for towing or removal to storage location) ~~\$170.50~~275 OR MARKET  
ACTUAL COST WHICHEVER IS GREATER?
- (c) Hauling Out Fee per hour ~~\$170.50~~275 OR MARKET-ACTUAL COST WHICHEVER IS GREATER?
- (d) Fee for Placing on Blocks/Removal from Trailer (fee per hour) ~~\$170.50~~275 OR MARKET  
ACTUAL COST WHICHEVER IS GREATER?
- (e) Storage Costs for Vessel (rate per day per foot) ~~\$4.00~~5.25 OR MARKETACTUAL COST WHICHEVER IS GREATER?

At CRD's option, it can select the fee or the actual cost, whichever is greater. "Actual cost" is the actual cost if provided directly by CRD or by a third party contractor, calculated on a cost recovery basis, including any applicable fees, charges, or taxes. CRD may charge an additional 10% on top of fees or actual costs to cover administrative tasks and time spent.

**SCHEDULE "B"**  
**Bylaw No. 2844**

*(Bylaw 2905, 3295, 3417, 3586, 3651, 3814)*

**Capital Regional District Southern Gulf Islands Harbours**  
**DOCKS ADMINISTERED BY THE CRD IN THE SOUTHERN GULF ISLANDS**

- GALIANO ISLAND: Sturdies Bay  
 Montague Harbour  
 Retreat Cove  
Spanish Hills
- MAYNE ISLAND: Miners Bay  
 Horton Bay *(By Agreement)*  
Anson Road
- NORTH PENDER ISLAND: Port Washington  
 Browning Harbour  
 Hope Bay
- PIERS ISLAND: Piers Island
- SATURNA ISLAND: Lyall Harbour
- ~~SOUTH PENDER ISLAND~~ ~~Bedwell Harbour (By Agreement)~~
- VANCOUVER ISLAND: Swartz Bay

**SCHEDULE "C"**  
**Bylaw No. 2844**

*(Bylaw 3417, 3586, 3651)*

**Capital Regional District Southern Gulf Islands Harbours**  
**MOORAGE LICENSE AGREEMENT ("the Agreement")**

This non-assignable license is granted by the Capital Regional District ("the CRD") on: \_\_\_\_\_  
 \_\_\_\_\_ (date)

**TO:** Name \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ Prov. \_\_\_\_\_  
 Postal Code \_\_\_\_\_ Telephone (home) \_\_\_\_\_ (cell) \_\_\_\_\_

**("the Licensee")**

Name of Vessel \_\_\_\_\_ Registration No. \_\_\_\_\_  
 Length \_\_\_\_\_ Port of Registry \_\_\_\_\_ Boat Make \_\_\_\_\_

**("the Vessel")**

For permission to moor the Vessel to a dock or docks operated by the CRD and known as:

\_\_\_\_\_ **("the Dock")**

For the period of \_\_\_\_\_ to \_\_\_\_\_ **("the Term")**

Emergency Contact \_\_\_\_\_ Phone \_\_\_\_\_

Moorage Fees Paid \$ \_\_\_\_\_

1. In consideration of the payment of the fees as prescribed in Schedule "A" of Capital Regional District Southern Gulf Islands Harbours Regulation Bylaw No. 1, 2000 (**"the Bylaw"**), the CRD grants the Licensee permission to moor the Vessel at the Dock during the Term. The Licensee may on 30 days notice, cancel use of any unused portion of prepaid fees and receive a pro rata refund of the prepaid fees.
2. In consideration of this license, the Licensee agrees that:
  - a. No transfer or assignment of the Agreement or of any rights hereunder will be made by the Licensee;
  - b. Any reference to the Licensee in this Agreement will be deemed to be a reference also to the person in charge of the Vessel where such person is not included in the Agreement;
  - c. All fees are payable in advance of berthing the Vessel;
  - d. The Licensee must obey all orders of the CRD, ~~Ports Manager~~ and the wharfingers whether verbal or in writing and must obey all signs posted by the CRD, ~~Ports Manager~~ or the wharfingers;
  - e. The Licensee must comply with and conform to the requirements of all lawful rules, regulations and bylaws of local government or any other government enactment in any manner affecting the Vessel or Licensee at the Dock;
  - f. The CRD may terminate this Agreement immediately in the event of any failure to comply with the Bylaw or any other local government, provincial or federal enactment which applies;
  - g. The CRD reserves the right to terminate this Agreement immediately in the event of an emergency, or for any reason on 30 days notice to the Licensee. In the event of a termination by the CRD, the CRD shall provide a pro rata refund of prepaid fees.
  - h. The Licensee acknowledges that moorage fees paid to the CRD are only for the rental of the water space occupied by the Vessel and in no way creates a tenancy or any obligation on the part of the CRD or any of its employees or agents for the care, custody and/or safety of the Vessel, its contents or any of its occupants;
  - i. The Licensee releases and must indemnify and save harmless the CRD, its elected and appointed officers, employees and agents from and against all lawsuits, damages, costs, expenses, liability, fees (including legal fees on a solicitor and own client basis) or loss which the Licensee or anyone else may incur, suffer or allege by reason of the use of the Dock by the Licensee or by any person carrying on at the Dock any activity in relation to the Licensee's use of the Dock;

## Schedule "C" to Bylaw No. 2844 (cont'd.)

- j. The Licensee must indemnify and save harmless the CRD, its elected and appointed officers, employees and agents from and against all lawsuits, damages, costs, expenses, liability, fees (including legal fees on a solicitor and own client basis) or loss which may be caused to the CRD by the presence of the Vessel at the Dock;
- k. When requested the Licensee must provide proof of comprehensive liability insurance in the amount of not less than ~~one-two~~ million dollars per single occurrence and regardless of whether proof is requested the Licensee must maintain said policy for the duration of the Term;
- l. The Licensee affirms that the Vessel is fit for its intended purpose, does not pose an environmental risk to the Dock or the area surrounding the Dock, and shore power is not required to keep the Vessel afloat. Where the Vessel is unfit or poses a risk to the Dock, and the ~~Ports Manager~~CRD has made reasonable efforts to contact the Licensee or such other person as may reasonably take control of the Vessel, the CRD may, at its discretion and at the Licensee's own cost and risk, remove the Vessel from the Dock and impound, store, ~~or auction,~~ sell by other means preferred by CRD, or dispose of the Vessel in accordance with the Bylaw.
- m. In the event that the Vessel runs aground, sinks or if goods fall overboard in the area of the Dock, the Licensee must remove such forthwith. If the Licensee fails to do so, the CRD may remove the Vessel or goods at the Licensee's expense and risk.
- n. The CRD reserves the right to rearrange the position of the Vessel while moored at the Dock or as necessary for the efficient operation of the marina facility, or for other causes such as safety or emergency or for any other reason, without previous notice to the Licensee and at the Licensee's expense and risk;
- o. The Licensee must not do or permit to be done anything which may damage or injure the Dock and the Licensee must, at the Licensee's own expense, maintain and repair the Dock whenever it is damaged as a result of the permission hereby given, other than ordinary wear and tear as determined by the CRD;
- p. The Licensee shall at all times keep the Vessel in a sanitary, clean and tidy condition, in all respects to the entire satisfaction of the CRD;
- q. No garbage, refuse, empty or broken bottles, cans, paper, animal excrement, litter or other waste material will be thrown overboard, ~~or discharged,~~ or left on the Dock except in the receptacles provided for such a purpose;
- r. No gasoline or other flammable liquids, oily rags, or other combustible material will be stored or left on the Dock. Any spillage of environmentally hazardous substances must be reported immediately to the ~~Ports Manager~~Coast Guard and CRD or a wharfinger, and cleaned up immediately by and at the expense of the Licensee. The Licensee must indemnify the CRD from and against any and all costs including penalties and fines associated with the containment and cleanup of any environmentally hazardous substances that originate from the Vessel or any act or omission of the Licensee;
- s. When required by the ~~Ports Manager~~CRD or a wharfinger, the Licensee must raft the Vessel alongside another vessel, provided that no more than two vessels are rafted, or such lower or higher number as specified by the CRD or any sign posted at the Dock;
- t. The Licensee must not leave the Vessel unattended in a loading zone, and must not remain moored in a loading zone for more than 15 minutes;
- u. The Licensee must not moor to an airport, except where the airport includes a loading zone. The Vessel must not be left unattended in a loading zone and the Licensee must vacate the loading zone immediately on the approach of an aircraft intending to use the airport;
- v. The Licensee and his/her guests shall not carry or permit to be carried on any activity that, in the opinion of the CRD, may be detrimental to the safety or enjoyment of others using the CRD's facilities, or be deemed a nuisance or disturbance, including but not limited to diving or jumping from a dock, wharf or pier or swimming in the water-lot around the Dock;
- w. If the Vessel is moored at the Dock without payment of moorage fees for a period in excess of 45 days or, within a 30 day notice period the Vessel is not removed from the Dock under its own power for a period of at least one hour in the presence of a wharfinger or the ~~Ports Manager~~CRD, the Vessel will be deemed to be abandoned;
- x. Where the ~~Ports Manager~~CRD believes a Vessel has been abandoned as defined in Section "w" above, and has made reasonable efforts to contact the Licensee or such other person as may reasonably take control of the Vessel, the CRD may, at its discretion and at the Licensee's own cost and risk, remove the Vessel from the Dock and impound, store, ~~or auction,~~ sell by other means preferred by CRD, or dispose of the Vessel in accordance with the Bylaw.
- y. Live-aboards are not permitted except at the docks unless authorized in writing by at the discretion of the CRD.

Signature of Licensee \_\_\_\_\_ Date \_\_\_\_\_

Issued per CRD \_\_\_\_\_ Date \_\_\_\_\_  
(~~Ports Manager~~CRD or wharfinger)

## FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

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**SCHEDULE "D"**  
**Bylaw No. 2844**

*(Bylaw 3417, 3586, 3651)*

**Capital Regional District Southern Gulf Islands Harbours**  
**WATER TAXI, CHARTER BOAT, EMERGENCY SERVICES VESSEL OR BUSINESS MOORAGE AND**  
**LICENSE AGREEMENT ("the Agreement")**

This non-assignable license is granted by the Capital Regional District ("the CRD") on: \_\_\_\_\_  
 \_\_\_\_\_ (date)

**TO:** Name \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ Prov. \_\_\_\_\_  
 Postal Code \_\_\_\_\_ Telephone (home) \_\_\_\_\_ (cell) \_\_\_\_\_  
 ("the Licensee")

Name of Vessel \_\_\_\_\_ Registration No. \_\_\_\_\_  
 Length \_\_\_\_\_ Port of Registry \_\_\_\_\_ Boat Make \_\_\_\_\_  
 ("the Vessel")

For permission to moor the Vessel to a dock or docks operated by the CRD and known as:  
 \_\_\_\_\_ ("the Dock")

For the period of \_\_\_\_\_ to \_\_\_\_\_ ("the Term")

Moorage Fees Paid \$ \_\_\_\_\_

1. In consideration of the payment of the fees as prescribed in Schedule "A" of Capital Regional District Southern Gulf Islands Harbours Regulation Bylaw No. 1, 2000 ("the Bylaw"), the CRD grants the Licensee permission to moor or land the Vessel at the Dock during the Term. The Licensee may on 30 days notice, cancel use of any unused portion of prepaid fees and receive a pro rata refund of the prepaid fees.
2. In consideration of this license, the Licensee agrees that:
  - a. No transfer or assignment of the Agreement or of any rights hereunder will be made by the Licensee;
  - b. Any reference to the Licensee in this Agreement will be deemed to be a reference also to the person in charge of the Vessel where such person is not included in the Agreement;
  - c. All fees are payable in advance of berthing the Vessel. Prepaid annual fees as prescribed in Schedule "A" of the Bylaw are based on estimated annual usage. Usage is subject to audit and the CRD may make an adjustment to the fee based on actual usage;
  - d. The Licensee must obey all orders of the CRD, ~~Ports Manager~~ and the wharfingers whether verbal or in writing and must obey all signs posted by the CRD, ~~Ports Manager~~ or the wharfingers;
  - e. The Licensee acknowledges that moorage fees paid to the CRD are only for the rental of the water space occupied by the Vessel and in no way creates a tenancy or any obligation on the part of the CRD or any of its employees or agents for the care, custody and/or safety of the Vessel, its contents or any of its occupants;
  - f. The Licensee must comply with and conform to the requirements of all lawful rules, regulations and bylaws of local government or any other government enactment in any manner affecting the Vessel or Licensee at the Dock;
  - g. The CRD may terminate this Agreement immediately in the event of any failure to comply with the Bylaw or any other local government, provincial or federal enactment which applies;
  - h. The CRD reserves the right to terminate this Agreement immediately in the event of an emergency, or for any reason on 30 days notice to the Licensee. In the event of a termination by the CRD, the CRD shall provide a pro rata refund of prepaid fees.
  - i. The Licensee releases and must indemnify and save harmless the CRD, its elected and appointed officers, employees and agents from and against all lawsuits, damages, costs, expenses, liability, fees (including legal fees on a solicitor and own client basis) or loss which the Licensee or anyone else may incur, suffer or allege by reason of the use of the Dock by the Licensee or by any person carrying on at the Dock any activity in relation to the Licensee's use of the Dock;

## Schedule "D" to Bylaw No. 2844 (cont'd.)

- j. The Licensee must indemnify and save harmless the CRD, its elected and appointed officers, employees and agents from and against all lawsuits, damages, costs, expenses, liability, fees (including legal fees on a solicitor and own client basis) or loss which may be caused to the CRD by the presence of the Vessel at the Dock;
- k. The Licensee must provide proof of a policy of commercial general liability insurance against claims for bodily injury, death or property damage arising out of the use of the Dock by the Licensee in the amount of not less than ~~two~~ **three million dollars** per single occurrence and must maintain said policy for the duration of the Term;
- l. The Licensee affirms that the Vessel is fit for its intended purpose, does not pose an environmental risk to the Dock or the area surrounding the Dock, and shore power is not required to keep the Vessel afloat. Where the Vessel is unfit or poses a risk to the Dock, and the ~~Ports Manager~~ **CRD** has made reasonable efforts to contact the Licensee or such other person as may reasonably take control of the Vessel, the CRD may, at its discretion and at the Licensee's own cost and risk, remove the Vessel from the Dock and impound, store, ~~or auction, sell by other means preferred by CRD, or dispose of~~ the Vessel in accordance with the Bylaw.
- m. In the event that the Vessel runs aground, sinks or if goods fall overboard in the area of the Dock, the Licensee must remove such forthwith. If the Licensee fails to do so, the CRD may remove the Vessel or goods at the Licensee's expense and risk.
- n. The Licensee is responsible for the actions of his or her crew, agents and/or employees;
- o. The CRD reserves the right to rearrange the position of the Vessel while moored at the Dock or as necessary for the efficient operation of the marina facility, or for other causes such as safety or emergency or for any other reason, without previous notice to the Licensee and at the Licensee's expense and risk;
- p. The Licensee must not do or permit to be done anything which may damage or injure the Dock and the Licensee must, at the Licensee's own expense, maintain and repair the Dock whenever it is damaged as a result of the permission hereby given, other than ordinary wear and tear as determined by the CRD;
- q. The Licensee must comply with any direction from the CRD regarding the position, time, place and manner in which in which a vessel or watercraft may be moored, loaded or unloaded at a dock;
- r. No garbage, refuse, empty or broken bottles, cans, paper, animal excrement, litter or other waste material will be thrown overboard, ~~or discharged~~, or left on the Dock except in the receptacles provided for such a purpose;
- s. No gasoline or other flammable liquids, oily rags, or other combustible material will be stored or left on the Dock. Any spillage of environmentally hazardous substances must be reported immediately to the ~~Ports Manager~~ **Coast Guard and CRD** or a wharfinger, and cleaned up immediately by and at the expense of the Licensee. The Licensee must indemnify the CRD from and against any and all costs including penalties and fines associated with the containment and cleanup of any environmentally hazardous substances that originate from the Vessel or any act or omission of the Licensee;
- t. When required by the ~~Ports Manager~~ **CRD** or a wharfinger, the Licensee must raft the Vessel alongside another vessel, provided that no more than two vessels are rafted, or such lower or higher number as specified by the CRD or any sign posted at the Dock;
- u. The Licensee must not leave the Vessel unattended in a loading zone, and must not remain moored in a loading zone for more than 15 minutes;
- v. The Licensee must not moor to an airport, except where the airport includes a loading zone. Vessels must not be left unattended in a loading zone and the Licensee must vacate the loading zone immediately on the approach of an aircraft intending to use the airport;
- w. The Licensee shall not carry or permit to be carried on any activity that, in the opinion of the CRD, may be detrimental to the safety or enjoyment of others using the CRD's facilities, or be deemed a nuisance or disturbance, including but not limited to diving or jumping from a dock, wharf or pier or swimming in the water-lot around the Dock;
- x. If the Vessel is moored at the Dock without payment of moorage fees for a period in excess of 45 days or, within a 30 day notice period the Vessel is not removed from the Dock under its own power for a period of at least one hour in the presence of a wharfinger or the ~~Ports Manager~~ **CRD**, the Vessel will be deemed to be abandoned;
- y. Where the ~~Ports Manager~~ **CRD** believes a Vessel has been abandoned as defined in Section "x" above, and has made reasonable efforts to contact the Licensee or such other person as may reasonably take control of the Vessel, the CRD may, at its discretion and at the Licensee's own cost and risk, remove the Vessel from the Dock and impound, store, ~~or auction, sell by other means preferred by CRD, or dispose of~~ the Vessel in accordance with the Bylaw.

Signature of Licensee \_\_\_\_\_ Date \_\_\_\_\_

Issued per CRD \_\_\_\_\_ Date \_\_\_\_\_  
(~~Ports Manager~~ **CRD**)

## FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

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**SCHEDULE "E"**  
**Bylaw No. 2844**

*(Bylaw 3586, 3651)*

**Capital Regional District Southern Gulf Islands Harbours**  
**SEAPLANE LICENSE AGREEMENT ("the Agreement")**

This non-assignable license is granted by the Capital Regional District ("the CRD") on: \_\_\_\_\_  
 (date)

**TO:** Name \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ Prov. \_\_\_\_\_  
 Postal Code \_\_\_\_\_ Telephone (home) \_\_\_\_\_ (cell) \_\_\_\_\_  
 ("the Licensee")

For permission to moor the Seaplane to any dock or portion of a dock operated by the CRD that has been designated for use by seaplanes and identified by a red triangle on the dock surface ("the Airport")

For the period of \_\_\_\_\_ to \_\_\_\_\_ ("the Term")

Annual Fee Paid \$ \_\_\_\_\_

1. In consideration of the payment of the annual fee as prescribed in Schedule "A" of Capital Regional District Southern Gulf Islands Harbours Regulation Bylaw No. 1, 2000 ("the Bylaw") the CRD grants the Licensee permission to land the Seaplane at an Airport during the Term. The Licensee may on 30 days notice, cancel use of any unused portion of prepaid annual fee and receive a pro rata refund of the prepaid annual fee.
2. In consideration of this license, the Licensee agrees that:
  - a. No transfer or assignment of the Agreement or of any rights hereunder will be made by the Licensee;
  - b. Any reference to the Licensee in this Agreement will be deemed to be a reference also to the person in charge of the Seaplane where such person is not included in the Agreement;
  - c. The Licensee shall not land, moor, load or unload the Seaplane at any dock other than a designated Airport. The Licensee must comply with any direction from the CRD, ~~Ports Manager~~ and the wharfingers regarding the position, time, place and manner in which in which a Seaplane may be moored, loaded or unloaded at an Airport;
  - d. All fees are payable in advance of berthing the Seaplane. Prepaid annual fees as prescribed in Schedule "A" of the Bylaw are based on estimated annual usage. Actual usage is subject to audit and the CRD may make an adjustment to the fee based on actual usage;
  - e. The Licensee must obey all orders of the CRD, ~~Ports Manager~~ and the wharfingers whether verbal or in writing and must obey all signs posted by the CRD, ~~Ports Manager~~ or the wharfingers;
  - f. The Licensee acknowledges that moorage fees paid to the CRD are only for the rental of the water space occupied by the Seaplane and in no way creates a tenancy or any obligation on the part of the CRD or any of its employees or agents for the care, custody and/or safety of the Seaplane, its contents or any of its occupants;
  - g. The Licensee must comply with and conform to the requirements of all lawful rules, regulations and bylaws of local government or any other government enactment in any manner affecting the Seaplane or Licensee while at a dock or docks owned by the CRD, including those portions designated as an Airport ("the Dock");
  - h. The CRD may terminate this Agreement immediately in the event of any failure to comply with the Bylaw or any other local government, provincial or federal enactment which applies;



## Schedule "E" to Bylaw No. 2844 (cont'd.)

- i. The CRD reserves the right to terminate this Agreement immediately in the event of an emergency, or for any reason on 30 days notice to the Licensee. In the event of a termination by the CRD, the CRD shall provide a pro rata refund of prepaid fees.
- j. The Licensee releases and must indemnify and save harmless the CRD, its elected and appointed officers, employees and agents from and against all lawsuits, damages, costs, expenses, liability, fees (including legal fees on a solicitor and own client basis) or loss which the Licensee or anyone else may incur, suffer or allege by reason of the use of the Dock by the Licensee or by any person carrying on at the Dock any activity in relation to the Licensee's use of the Dock;
- k. The Licensee must indemnify and save harmless the CRD, its elected and appointed officers, employees and agents from and against all lawsuits, damages, costs, expenses, liability, fees (including legal fees on a solicitor and own client basis) or loss which may be caused to the CRD by the presence of the Seaplane at the Dock;
- l. The Licensee must provide proof of a policy of commercial general liability insurance against claims for bodily injury, death or property damage arising out of the use of the Seaplane by the Licensee in the amount of not less than five million dollars per single occurrence and must maintain said policy for the duration of the Term;
- m. The Licensee must not do or permit to be done anything which may damage or injure the Dock and the Licensee must, at the Licensee's own expense, maintain and repair the Dock whenever it is damaged as a result of the permission hereby given, other than ordinary wear and tear as determined by the CRD;
- n. No garbage, refuse, empty or broken bottles, cans, paper, animal excrement, litter or other waste material will be thrown overboard, or discharged, or left on the Dock except in the receptacles provided for such a purpose;
- o. No gasoline or other flammable liquids, oily rags, or other combustible material will be stored or left on the Dock. Any spillage of environmentally hazardous substances must be reported immediately to the Ports Manager Coast Guard and CRD or a wharfinger, and cleaned up immediately by and at the expense of the Licensee. The Licensee must indemnify the CRD from and against any and all costs including penalties and fines associated with the containment and cleanup of any environmentally hazardous substances that originate from the Seaplane or any act or omission of the Licensee;
- p. The Licensee must not leave the Seaplane unattended in an Airport, and must not remain moored in an Airport for more than 30 minutes;
- q. The Licensee shall not carry or permit to be carried on any activity that, in the opinion of the CRD, may be detrimental to the safety or enjoyment of others using the CRD's facilities, or be deemed a nuisance or disturbance, including but not limited to diving or jumping from a dock, wharf or pier or swimming in the water-lot around the Dock;
- r. The CRD may, at its discretion, determine whether the Seaplane is too large, too heavy or is otherwise unsuitable to use or occupy an Airport.
- s. The Licensee affirms that the Seaplane is fit for its intended purpose, does not pose an environmental risk to the Dock or the area surrounding the Dock, and shore power is not required to keep the Seaplane afloat. Where the Seaplane is unfit or poses a risk to the Dock, and the Ports Manager CRD has made reasonable efforts to contact the Licensee or such other person as may reasonably take control of the Seaplane, the CRD may, at its discretion and at the Licensee's own cost and risk, remove the Seaplane from the Dock and impound, store, or auction the Seaplane in accordance with the Bylaw.
- t. In the event that the Seaplane runs aground, sinks or if goods fall overboard in the area of the Dock, the Licensee must remove such forthwith. If the Licensee fails to do so, the CRD may remove the Seaplane or goods at the Licensee's expense and risk.

Signature of Licensee \_\_\_\_\_

Date \_\_\_\_\_

Issued per CRD \_\_\_\_\_  
(Ports Manager CRD)

Date \_\_\_\_\_

## FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

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**REPORT TO ELECTORAL AREAS COMMITTEE  
MEETING OF WEDNESDAY, DECEMBER 08, 2021**

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**SUBJECT**      Amendment to Bylaw No. 2452, "Southern Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996."

**ISSUE SUMMARY**

To advance Bylaw No. 4472 to enable service enhancements to the Southern Gulf Islands Stormwater Quality Monitoring Service (Bylaw No. 2452).

**BACKGROUND**

Since 1996, the Capital Regional District (CRD) has provided the Southern Gulf Islands Electoral Area (SGI EA) with a stormwater monitoring service under CRD Bylaw No. 2452 (Appendix A). The program was designed to be parallel to the Salt Spring Island (SSI) stormwater service, and works to find stormwater contamination issues related to septic fields and other land-based contaminant discharges to stormwater that affect many surface waters and selected sections of shoreline.

In 2017, the Salt Spring Island Electoral Area's stormwater service's role was amended to protect and improve water resources on SSI. This change has enabled a broader scope that supports watershed protection, groundwater monitoring and protection, and supports programs for reclaiming stormwater on Salt Spring Island. Under this newly expanded scope, among other things, SSI has been able to partner with community organizations and participate in projects such as a rain barrel rebate program aimed at advancing groundwater conservation. Under the limited authority of the SGI Stormwater Bylaw No. 2453, the Southern Gulf Islands is currently unable to participate in such programs or to apply and/or receive grants in areas related to groundwater, water capture/reuse or watershed protection activities not directly related to stormwater quality. The SGI Electoral Area Director has requested Bylaw No. 2453 be amended to be consistent with the Salt Spring Island Stormwater Bylaw.

Bylaw No. 4472, "Southern Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996, Amendment Bylaw No. 1, 2021" (Appendix B) amends the SGI Stormwater Quality Program service to be parallel the SSI service by adding the following to the scope of the service:

- Watershed assessment, protection and enhancement;
- groundwater monitoring, assessment and protection;
- investigation and implementation of reclaimed water programs;
- other related activities.

**ALTERNATIVES**

*Alternative 1:*

The Electoral Areas Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4472, “Southern Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996, Amendment Bylaw No. 1, 2021” be introduced and read a first, second, and third time.
2. That Bylaw No. 4472, “Southern Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996, Amendment Bylaw No. 1, 2021” be referred to the SGI Electoral Area Director for consent; and,
3. That Bylaw No. 4472, “Southern Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996, Amendment Bylaw No. 1, 2021” be advanced to the Inspector of Municipalities for approval.

*Alternative 2:*

That the Electoral Areas Committee request staff report back with additional information.

**IMPLICATIONS**

This request supports CRD Board priorities for water conservation, specifically priority 10b-1: *Improve water conservation through demand management programs* and priority 5a-6: *Evaluate & respond to climate change impacts & risks to water supply*.

The expanded scope of the stormwater bylaw for the SGI EA will also position SGI to advance goals of the CRD Climate Action Strategy and support freshwater sustainability on the islands in the context of drought and climate change. It will enable SGI to participate in partnerships with groups already undertaking climate action in the region.

This new service scope will be undertaken within a proposed 2022 project budget of \$38,640. Any future work that exceeds the requisitions in the 2022 proposed budget would be subject to the maximum requisition amount of \$47,700 and would require Board approval.

Administratively, this request can be supported with existing resources and core service mandates.

**CONCLUSION**

Expanding the scope of the stormwater bylaw in the SGI Electoral Area will enable climate change adaptation and resilience by supporting the protection and management of freshwater. Bylaw No. 4472 amends the SGI Stormwater Service to enable:

- Watershed assessment, protection and enhancement;
- groundwater monitoring, assessment and protection;
- investigation and implementation of reclaimed water programs;
- other related activities.

**RECOMMENDATIONS**

The Electoral Areas Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4472, “Southern Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996, Amendment Bylaw No. 1, 2021” be introduced and read a first, second, and third time.
2. That Bylaw No. 4472, “Southern Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996, Amendment Bylaw No. 1, 2021” be referred to the SGI Electoral Area Director for consent; and,
3. That Bylaw No. 4472, “Southern Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996, Amendment Bylaw No. 1, 2021” be advanced to the Inspector of Municipalities for approval.

Submitted by:	Justine Starke, MCIP, RPP, Manager, SGI Service Delivery, Corporate Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Larisa Hutcheson, P.Eng., General Manager, Parks & Environmental Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

**ATTACHMENT(S)**

Appendix A: Bylaw No. 2452, “Southern Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996.”

Appendix B: Amendment Bylaw No. 4472, “Southern Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996, Amendment Bylaw No. 1, 2021.”

**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 2452**

\*\*\*\*\*  
**A BYLAW TO ESTABLISH AN EXTENDED SERVICE AREA WITHIN THE OUTER GULF ISLANDS  
ELECTORAL AREA OF THE CAPITAL REGIONAL DISTRICT FOR THE PURPOSE OF CONTROL OF  
POLLUTION IN STORMWATER RUNOFF**  
\*\*\*\*\*

**WHEREAS** the Regional Board of the Capital Regional District may, by bylaw, establish and operate an extended service under section 789 (1) (b) of the *Municipal Act* for control of pollution;

**AND WHEREAS** the Regional Board wishes to establish an extended service for the purpose of controlling pollution in stormwater runoff from land by means of investigation, monitoring and reporting on stormwater quality, sediment quality, near-shore marine waters and discharges to stormwater; prioritization of areas for investigation; public education; coordination of stormwater quality management programs; liaison with other government agencies and other related activities;

**AND WHEREAS** the Regional Board pursuant to section 800 (1) (b) of the *Municipal Act* has waived the assent requirement of section 795 (2) (a) (i);

**AND WHEREAS** the Director for the Electoral Area of Outer Gulf Islands pursuant to section 800 (2) of the *Municipal Act* has consented in writing to adoption of this Bylaw;

**AND WHEREAS** the approval of the Inspector of Municipalities is required under section 795 (1) (a) of the *Municipal Act*.

**NOW THEREFORE** the Regional Board of the Capital Regional District in open meeting assembled ENACTS AS FOLLOWS:

**1. Extended Service**

- (a) The extended service being established, and to be operated, is the control of pollution in stormwater runoff from land.
- (b) In this bylaw, "stormwater runoff" includes seepage, overland flow, and stormwater runoff within ditches, streams, rivers, ponds, lakes and other watercourses.

**2. Service Area**

The boundaries of the service area are the boundaries of the Electoral Area of Outer Gulf Islands.

**3. Participating Area**

The participating area includes all of the Electoral Area of Outer Gulf Islands.

**4. Cost Recovery**

The annual operating costs for the extended service, net of grants and other revenue, shall be recovered by either or both of the following:

- (a) the imposition of fees and other charges that may be fixed by separate bylaw;

- (b) the requisition of money under section 809.1 of the *Municipal Act*, to be collected by a property value tax to be levied and collected under section 810.1 (1) of the *Municipal Act*.

5. This Bylaw may be cited as the "Outer Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996."

READ A FIRST TIME THIS	27th	day of	November	1996
READ A SECOND TIME THIS	27th	day of	November	1996
READ A THIRD TIME THIS	27th	day of	November	1996
RECEIVED CONSENT ON BEHALF OF THE ELECTORS UNDER SECTION 800 OF THE <i>MUNICIPAL ACT</i> THIS	27th	day of	November	1996
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	21st	day of	February	1997
ADOPTED THIS	26th	day of	February	1997

CHAIRPERSON

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SECRETARY

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS	6th	day of	March	1997
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**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4472**

\*\*\*\*\*

**A BYLAW TO AMEND THE SOUTHERN GULF ISLANDS STORMWATER  
QUALITY MONITORING SERVICE (BYLAW NO. 2452)**

\*\*\*\*\*

**WHEREAS:**

- A. Under Bylaw No. 2452, "Outer Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996", the Regional Board established a service to control pollution in stormwater runoff from land (the "Service");
- B. On December 7, 2001, the name of the Outer Gulf Islands Electoral Area was changed to Southern Gulf Islands Electoral Area by Order-in-Council 1049/2001; and
- C. The Board wishes to amend Bylaw No. 2452 to provide further clarification on what is contained as part of the operation of the Service and to modernize language now required in establishing bylaws under the *Local Government Act*, RSBC 2015, c 1, and the Electoral Area Director has consented in writing per s. 349(2) and 347 of the *Local Government Act*;

**NOW THEREFORE**, the Capital Regional District Board in open meeting assembled hereby enacts as follows:

- 1. Bylaw No. 2452, "Outer Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996" is hereby amended as follows:
  - (a) By replacing section 1(a) in its entirety with the following:
    - 1(a) The extended service being established, and to be operated is:
      - i. the control of pollution in stormwater runoff from land;
      - ii. watershed assessment, protection and enhancement;
      - iii. groundwater monitoring, assessment, and protection;
      - iv. investigation and implementation of reclaimed water programs; and
      - v. other related activities.
  - (b) By inserting subsection 1(c) as follows:
    - 1(c) In this bylaw, "reclaimed water" means water that is used more than one time before it passes into the natural water cycle.
  - (c) By renumbering sections 4 and 5 as sections 5 and 6 respectively, and inserting as section 4:

**4. Cost Recovery**

The annual costs for the Service may be recovered by the following:

- a) By the requisition of money under Sections 385 and 387 of the *Local Government Act*, to be collected by a property value tax, based on land and improvements levied and collected under Sections 386 and 388 of the *Local Government Act*;
- b) Fees and charges imposed under Section 397 of the *Local Government Act*;

- c) Revenues raised by other means authorized under the *Local Government Act* or another Act; or
- d) Revenues received by agreement, enterprise, gift, grant, or otherwise.

(d) By replacing section 5 in its entirety with the following:

**5. Maximum Requisition**

In accordance with Section 339 of the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the Service is the greater of:

- a) \$47, 700.00 or
- b) A property value tax rate of \$0.0135 Dollars per One Thousand Dollars (\$1,000) that, when applied to the net taxable value of land and improvements in the Service Area, will yield the maximum amount that may be requisitioned for the Service.

(e) In section 6, replacing the citation reference to “Outer” with “Southern”.

2. This bylaw may be cited for all purposes as “Southern Gulf Islands Stormwater Quality Management Extended Service Establishment Bylaw No. 1, 1996, Amendment Bylaw No. 1, 2021”.

READ A FIRST TIME THIS	th	day of	20__
READ A SECOND TIME THIS	th	day of	20__
READ A THIRD TIME THIS	th	day of	20__
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	th	day of	20__
APPROVED BY THE ELECTORAL AREA DIRECTOR THIS	th	day of	20__
ADOPTED THIS	th	day of	20__

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CHAIR

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CORPORATE OFFICER



**REPORT TO ELECTORAL AREAS COMMITTEE  
MEETING OF WEDNESDAY, DECEMBER 08, 2021**

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**SUBJECT**     **Bylaw No. 4441: Pender Islands Health Care Centre Contribution Service Establishment Bylaw – Assent Voting (Referendum) Results and Adoption**

**ISSUE SUMMARY**

The purpose of this report is to present the official results for the Pender Islands Health Care Centre Contribution Service Establishment Bylaw Assent Voting (referendum) and the adoption of Bylaw No. 4441 (Appendix A).

**BACKGROUND**

On July 14, 2021 the CRD Board approved proceeding to a referendum on North and South Pender Islands to obtain elector approval for Bylaw No. 4441, “*Pender Islands Health Care Centre Contribution Service Establishment Bylaw No. 1, 2021*”. Voting opportunities were advertised as per the requirements in the Local Government Act in the Driftwood Newspaper and in addition to a full page ad in the Pender Post. A referendum was held on November 20, 2021 with advance voting on November 17<sup>th</sup>. All eligible electors also had the opportunity to vote by mail ballot.

The wording of the question on the ballot was as follows:

*Are you in favour of the Capital Regional District (CRD) Board adopting Bylaw No. 4441, “Pender Islands Health Care Centre Contribution Service Establishment Bylaw No. 1, 2021”, authorizing the CRD to establish a service to contribute to the costs incurred by the Pender Islands Health Care Society in operating the Pender Islands Health Care Centre and to raise a maximum annual requisition up to the greater of TWO HUNDRED and THIRTY FIVE THOUSAND DOLLARS (\$235,000) or \$0.1803 per ONE THOUSAND DOLLARS (\$1,000.00) of taxable land and improvements for the purpose of funding the operating costs of the service.*

**YES or NO?**

**ALTERNATIVES**

*Alternative 1*

The Electoral Areas Committee recommends to the Capital Regional District Board:

- 1) That the Chief Election Officer’s declaration of official assent voting results be received for information.
- 2) That Bylaw No. 4441, “*Pender Islands Health Care Centre Contribution Service Establishment Bylaw No. 1, 2021*” be adopted.

*Alternative 2*

That this report be referred back to staff for additional information.

## **IMPLICATIONS**

### *Official Results*

Approval of the electors was obtained with 791 YES votes and 142 NO votes. The Chief Election Officer's declaration of official assent voting results is attached as Appendix B.

In total, 933 votes were cast as follows: 546 votes on general voting day; 348 votes at advanced voting opportunity; and 39 votes via mail ballot. Voter turnout was 39% based on the lists of registered resident and non-resident property electors totaling 2,378.

### *Bylaw*

Under Bylaw 4441, the service includes an annual maximum allowable requisition of the greater of \$235,000 or \$0.1803 per one thousand dollars of taxable land and improvements in the service area of North and South Pender Islands.

Bylaw 4441 is now ready for adoption having received third reading on July 14<sup>th</sup>, approval of the Inspector of Municipalities on September 7<sup>th</sup>, and assent of the electors on November 20, 2021. Once adopted the bylaw will be filed with the Inspector of Municipalities.

### *Contribution Agreement*

The total cost of the referendum will be paid for in the 2022 service requisition. Prior to advancing any funds through the new service, staff will enter into a contribution service agreement with the Society which will outline the conditions of the service funding and how it may be utilized. The agreement will also outline the budget process and financial reporting obligations of the Society.

## **CONCLUSION**

Approval of the electors by way of referendum was obtained on November 20, 2021 for Bylaw No. 4441 "*Pender Islands Health Care Centre Contribution Service Establishment Bylaw No. 1, 2021*", with 791 YES votes and 142 NO votes. The purpose of the bylaw is to establish a contribution service to fund the operation of the Pender Islands Health Care Centre. The maximum annual requisition for the service is set at \$235,000. Following adoption of the bylaw, a contribution service agreement will be executed with Pender Islands Health Care Society.

## **RECOMMENDATION**

The Electoral Areas Committee recommends to the Capital Regional District Board:

- 1) That the Chief Election Officer's declaration of official assent voting results be received for information.
- 2) That Bylaw No. 4441, "*Pender Islands Health Care Centre Contribution Service Establishment Bylaw No. 1, 2021*" be adopted.

Submitted by:	Marlene Lagoa, Manager, Legislative Services and Deputy Corporate Officer
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services and Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

**ATTACHMENT(S)**

Appendix A: Bylaw 4441 – Third Reading

Appendix B: Declaration of Official Assent Voting (Referendum) Results

CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4441

\*\*\*\*\*

A BYLAW TO ESTABLISH A CONTRIBUTION SERVICE FOR  
THE PENDER ISLANDS HEALTH CARE CENTRE

\*\*\*\*\*

**WHEREAS:**

- A. The Capital Regional District may, under section 332 of the *Local Government Act*, RSBC 2015, c 1, establish and provide any service that the Board considers necessary or desirable for all or part of the Capital Regional District;
- B. The Regional Board of the Capital Regional District wishes to establish a service for the purpose of contributing financially to the administration and operation of the Pender Islands Health Care Centre which is owned and managed by the Pender Islands Health Care Society;
- C. Participating area approval is required and assent of the electors will be obtained under Section 336 of the *Local Government Act*;
- D. The approval of the Inspector of Municipalities is required under Section 341(1)(a) of the *Local Government Act*.

**NOW THEREFORE** the Regional Board of the Capital Regional District in open meeting assembled enacts as follows:

**Service**

- 1. The Capital Regional District hereby establishes a service for the purpose of contributing to the costs of administration and operation of the Pender Islands Health Care Centre.

**Boundaries**

- 2. The boundaries of the Service Area are shown on the map attached hereto as Schedule A.

**Participating Area**

- 3. The participating areas for the service are North and South Pender Islands, being a portion of the Southern Gulf Islands Electoral Area, as shown in Schedule A.

**Cost Recovery**

- 4. As provided in Section 378 of the *Local Government Act*, the annual costs of providing the Service, net of grants and revenue, shall be recovered by one or more of the following:
  - (a) property value taxes imposed in accordance with Division 3 [*Requisition and Tax Collection*], Part 11 of the *Local Government Act*;
  - (b) Fees and charges imposed under Section 397 of the *Local Government Act*;
  - (c) Revenues raised by other means authorized under the *Local Government Act* or another Act;
  - (d) Revenues received by agreement, enterprise, gift, grant or otherwise.

### Maximum Requisition

5. In accordance with Section 339(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the Service is the greater of:
- a) Two Hundred and Thirty Five Thousand Dollars (\$235,000); or
  - b) An amount equal to the amount that could be raised by a property value tax rate of \$0.1803 per One Thousand Dollars (\$1,000) that, when applied to the net taxable value of land and improvements in the Service Area, will yield the maximum amount that may be requisitioned for the Service.

### Agreement

6. A contribution agreement will be established between the Capital Regional District and the Pender Islands Health Care Society.

### Citation

7. This Bylaw may be cited as the "Pender Islands Health Care Centre Contribution Service Establishment Bylaw No. 1, 2021".

READ A FIRST TIME THIS	14 <sup>th</sup>	day of	July	2021
READ A SECOND TIME THIS	14 <sup>th</sup>	day of	July	2021
READ A THIRD TIME THIS	14 <sup>th</sup>	day of	July	2021
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	7 <sup>th</sup>	day of	September	2021
RECEIVED THE ASSENT OF THE ELECTORS UNDER SECTION 336 OF THE <i>LOCAL GOVERNMENT ACT</i> THIS	20 <sup>th</sup>	day of	November	2021
ADOPTED THIS		day of		202_

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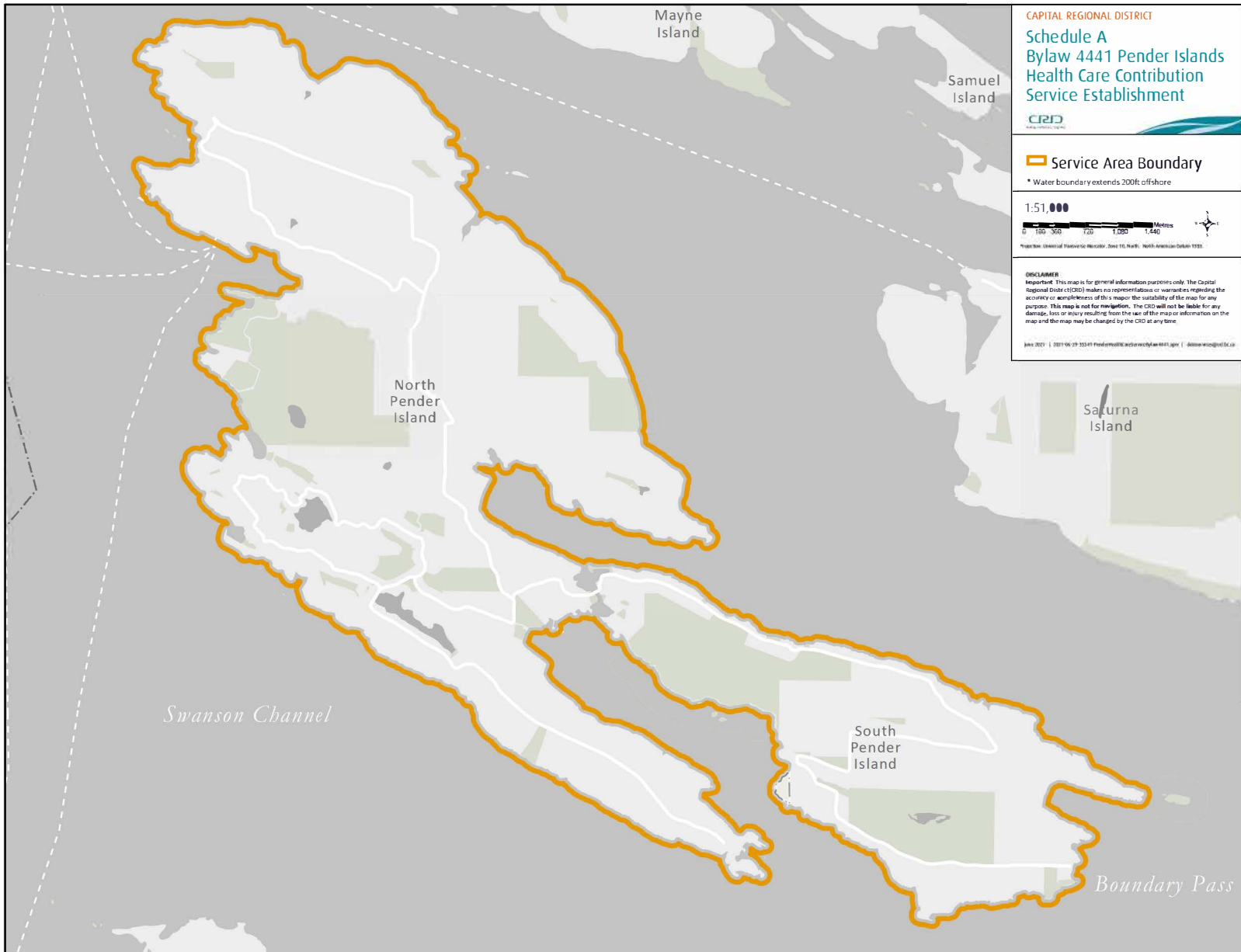
CHAIR

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CORPORATE OFFICER

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS      \_\_\_      day of      202\_

## SCHEDULE A





Form No. 10-9(B)  
LGA s.146(2)(a)  
VC s.108(2)(a)

**CAPITAL REGIONAL DISTRICT**

**DECLARATION OF OFFICIAL ASSENT VOTING RESULTS**

**Pender Islands Health Care Centre Referendum – November 20, 2021**

I, Kristen Morley, Chief Election Officer, do hereby declare the results of the assent vote to be as follows:

Yes        **791**    votes

No        **142**    votes

Dated at Victoria, BC

this 22<sup>nd</sup> day of November, 2021.

  
Chief Election Officer



## ADOPTED

### Minutes for a meeting of the Mayne Island Parks and Recreation Commission at the Community Centre on October 14, 2021 at 3 pm.

---

**Present:** Debra Bell (Chair)      Peter Askin (Vice Chair)      Veronica Euper  
Adrian Wright      Lance Shook      Lauren Edwards (Recorder)

**Public Present:** Kestutis Banelis

**Absent:** David Howe, Director, CRD, Southern Gulf Islands

The meeting was called to order at 3:00 p.m.

#### 1. Territorial Acknowledgement

It was acknowledged that the meeting was held on the traditional territory of the Coast Salish First Nations people.

#### 2. Approval of Agenda

**MOVED** by Commissioner Bell and **SECONDED** by Commissioner Shook,  
That the agenda be approved as amended.

**CARRIED**

#### 3. Adoption of Minutes of September 9, 2021

**MOVED** by Commissioner Askin and **SECONDED** by Commissioner Wright,  
That the minutes of September 9, 2021 be approved as presented.

**CARRIED**

#### 4. Chair's Remarks

The Commission members were thanked for their help and support during the MIPRC volunteer barbecue.

4.1 Kestutis Banelis was welcomed for joining the meeting today and asked about his interest in becoming a parks commissioner. Mr. Kestutis indicated that he volunteers with the disc golf course and he lives next door to a pocket park on Charter Road and that he has a general interest in parks.

#### 5. Reports

##### 5.1. Treasurer's Report



**Mayne Island Parks and Recreation Commission**  
**Adopted Minutes for October 14, 2021**

5.1.1. Treasurer's Report for the period September 1 - 30, 2021

**MOVED** by Commissioner Bell and **SECONDED** by Commissioner Euper,  
that the Treasurer's report for the period September 1 – 30, 2021 be approved as presented.  
**CARRIED**

5.1.2. Capital Budget 2022 – 2026 and related Motions

**MOVED** by Commissioner Bell and **SECONDED** by Commissioner Euper  
That the 2021 operating surplus, if any, be transferred into the Capital Reserve Fund for  
parks service.  
**CARRIED**

**MOVED** by Commissioner Bell and **SECONDED** by Commissioner Shook  
That the 2021 community recreation surplus, if any, be carried forward and transferred into  
the surplus account of the Community Recreation Service.  
**CARRIED.**

**MOVED** by Commissioner Bell and **SECONDED** by Commissioner Wright  
That Mayne Island Parks and Recreation Commission approve the preliminary Operating  
Funds Budget for 2022 to 2026.  
**CARRIED**

**MOVED** by Commissioner Bell and **SECONDED** by Commissioner Shook  
That Mayne Island Parks and Recreation Commission approve the preliminary Recreation  
Funds Budget for 2022 to 2026.  
**CARRIED**

**MOVED** by Commissioner Bell and **SECONDED** by Commissioner Euper  
That Mayne Island Parks and Recreation Commission approve the preliminary Five-Year  
Capital Expenditure Plan for 2022 to 2026.  
**CARRIED**

5.2. Administration

5.2.1. Follow up Action Report including:

- a) Land Altering Projects/ Village Bay footbridge
  - It was reported that the Leadership Council are not interested in partnering on a footbridge but would like to monitor any new construction and will consider a name for site Village Bay Park..
  - Leadership Council assessment of the Ed Williams Trail has not yet occurred.
- b) Volunteer BBQ 2021 review

The event was attended by 65 volunteers and guests. Suggestions for improvement for next year were requested and commissioners suggested the following:

  - Background music
  - Earlier start time with food ready for 5:30 pm

**Mayne Island Parks and Recreation Commission**  
**Adopted Minutes for October 14, 2021**

- Higher quality main course
- Provide liquor – perhaps two tickets per person

c) Occupational Health and Safety Policy

Discussed occupational health and safety policy development for MIPRC and the following issues were identified for those who may have access to hazardous material:

- Listing of stored hazardous materials including cleaning agents;
- Education and identification of hazardous material;
- Eyewash stations;
- Spill response protocol; and
- Material safety data sheets for first aid response.

Commissioner Shook will have these items addressed by February.

5.2.2. Commissioner vacancies; advertisements and reappointments

- Three commissioner vacancies are advertised.
- Commissioners Wright and Bell expressed interest in reappointment.
- Subject to other applications being received, Commissioners Euper and Askin expressed interest in reappointment.

5.2.3. Archaeological training on ‘chance find’ approach – review

- Commissioners commented that the session was interesting and, while the material was thoroughly covered, it was not very definitive.
- Kat Ferneyhough and Commissioner Bell toured all the parks and took pictures and provided the archaeologist with information in support of obtaining an exemption.
- It was noted that routine maintenance is a goal for the blanket exemption.

5.2.4. Meeting location

- Commissioners agreed that meetings will continue at the Community Centre until the spring to ensure adequate room for physical distancing during Covid.
- Meeting schedule and location will be posted on bulletin boards and Facebook.

5.3. Committees

5.3.1. Sanitation

a) Tannin report for Miners Bay

- Water quality is good and water is chlorinated.
- Tests show no tannins.
- The UV light appears to be flawed and should be replaced at a cost of approximately \$1,000.

b) No smoking sign

Commissioner Wright will install sign.

**Mayne Island Parks and Recreation Commission**  
**Adopted Minutes for October 14, 2021**

5.3.2.Land Acquisition – Peter/Veronica

It was reported that research was conducted and reviewed regarding what small and medium sized communities have in place for criteria for community parks. This item will be reported on at next meeting.

5.4. Parks

5.4.1.Miners Bay

Bandstand repair update

- Commissioner Shook reported that the sprayer painting should be complete by the end of the week.
- Hand painting the beams with two coats will have to be addressed by others.
- Wiring for lights and concrete pouring may be completed before Christmas.

5.4.2.Dinner Bay – Lance

a) Fitness circuit update

- Commissioner Shook reported on the interest of two contributors wishing to donate towards the purchase of equipment of suitable quality.
- The track size will be as originally planned due to no additional contribution of material.
- Commissioner Shook projected the work should begin in the spring.
- It was confirmed that all circuit equipment would provide adequate intensity for a broad range of users.

b) Lions building license

The draft document was provided to Lions for review.

c) Adachi Pavilion clean out/event rental issue

- Commissioners Euper and Bell will meet with Bill Warning on October 15<sup>th</sup> to determine what should be disposed of.
- It was reported that one fridge is not functioning well.
- Discussed the handling of damage deposits as it relates to post event clean up.

5.4.3.Japanese Garden

- There were \$1600 in donations.
- No new reporting on irrigation system upgrade.

5.4.4.Cotton Park

First Nation recognition could not be met with the funding allocated.

5.4.5.Emma and Felix Jack Park

Sign installation update

**Mayne Island Parks and Recreation Commission**  
**Adopted Minutes for October 14, 2021**

A cultural monitor was assigned and attendance costs will be covered by CRD's First Nations Relations Department.

**5.4.6. Trail Network Development**

- a) Felix Jack Road to the End of Kim Road
- Completion of the low split rail fence continues and donations were received.
  - The originally proposed naming of the trail as Flag Hill Trail has historical relevance as Mount Parke was previously known as Flag Hill by the local Islanders.
  - Discussed trail signage and it was agreed to include trail names and distances while leaving adequate space for First Nations naming.

**MOVED** by Commissioner Askin and **SECONDED** by Commissioner Bell, that the new trail from Felix Jack Road to the end of Kim Road be named Flag Hill Trail.

**CARRIED**

- b) Conconi Reef Heritage Site Information Review
- Commissioner Bell will follow up with Kat Ferneyhough.
  - With regards to trail work from the panhandle to the road, Commissioner Bell reported the agreement with the Mount Parke Improvement District is with the CRD and information from Hydro is still outstanding.

**6. Correspondence/Meetings**

- 6.1. Email correspondence to/from CRD regarding land altering projects planned for fall/winter 2021-2022.
- 6.2. Two cards of appreciation regarding use of Adachi Pavilion for fitness classes.
- 6.3. Email and card of appreciation regarding recreational funding.
- 6.4. Email correspondence between CRD/Islands Trust and MIPRC regarding input on changes to Emma and Felix Jack Park zoning.
- 6.5. Report from Rob Underhill, Mayne Island Conservancy Society on re-vegetation plan for Anson Road.
- 6.6. Email correspondence opposing pickleball at Dinner Bay Park from nearby resident.
- 6.7. Email application to become a commissioner of MIPRC.
- 6.8. Email request to have a REDress installation at Emma and Felix Jack Park on October 4, 2021.

**7. New Business**

- 7.1. Field trip to Beechwood Park and alternative uses
- The park usage was discussed and commissioners agreed that the park is large enough to be used for something; that neighbours of the park will be interested in its development; and that options available are to do nothing or investigate interest by any groups for park use; and put in place a process for consultation.
  - Discussed the area generally including the character of the neighbourhood and the topography surrounding the park.

**Mayne Island Parks and Recreation Commission**  
**Adopted Minutes for October 14, 2021**

- Discussed dedicated recreational use property as it pertains to the limited park space available.
- Commissioner Bell will seek procedural advice from Justine Starke and Stephen Henderson, CRD.

**8. Motion to Close the Meeting in accordance with Community Charter Part 4, Division 3, Section 90(1)(a) and that recorder and staff attend the meeting.**

**MOVED** by Commissioner Bell and **SECONDED** by Commissioner Shook, that the meeting be closed in accordance with the Community Charter Part 4, Division 3, Section 90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and that the recorder and staff attend the meeting.

**CARRIED**

**9. Rise and Report (If any)**

Commissioners voted unanimously in favour of recommending to the CRD board the appointment of Kestutis Banelis as a commissioner.

**10. Meeting Adjournment**

**MOVED** by Commissioner Askin and **SECONDED** by Commissioner Wright, That the Mayne Island Parks and Recreation Commission meeting be adjourned.

**CARRIED**

Meeting adjourned at 4:40 pm

Original signed by

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**Debra Bell, Chair**

November 11, 2021

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**DATE**

Original signed by

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**Lauren Edwards, Recorder**



Making a difference...together

**MINUTES OF A MEETING OF THE SOUTHERN GULF ISLANDS HARBOURS COMMISSION,**  
**held Friday, June 25, 2021 at 9:30 a.m., Goldstream Meeting room, 479 Island Highway,**  
**Victoria, BC, Victoria, BC**

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**PRESENT: Commissioners:** B. Dearden (Chair) (EP), Mayne Island; P. Brent (Vice Chair) (EP), Saturna Island; J. Deschenes (EP), North Pender Island; D. Howe, Electoral Area Director; B. Mabberley, Galiano Island  
**Staff:** T. Robbins, General Manager; D. Puskas, Manager, Capital Projects; D. Robson, Manager, Saanich Peninsula and Gulf Islands Operations (EP); S. Henderson, Manager, Real Estate Services; D. Dionne, Administrative Coordinator (Recorder)

**REGRETS:** R. Fenton, South Pender Island; J. Hall, Piers Island/Swartz Bay

EP = Electronic Participation

The meeting was called to order at 9:33 a.m.

## **1. APPROVAL OF AGENDA**

The following items were added as New Business:

- Cetacean Conservation Signage Update
- Lyall Harbour - New Tenant
- Miners Bay Dock
- Inter-Island Water Taxi Pilot

**MOVED** by Commissioner Mabberley, **SECONDED** by Commissioner Brent,  
That the agenda be approved as amended.

**CARRIED**

## **2. ADOPTION OF MINUTES**

The minutes were amended for a correction to Item 10.1, in paragraph one and in the first bullet under paragraph two, where it refers to "Galiano Conservation" it should read "Galiano Conservancy".

**MOVED** by Commissioner Brent, **SECONDED** by Commissioner Mabberley,  
That the minutes of the April 23, 2021 meeting be adopted as amended.

**CARRIED**

## **3. CHAIR'S REMARKS**

The Chair stated that there may be a need to hold a special meeting regarding proposed Bylaw 2844 amendments.

## **4. PRESENTATIONS/DELEGATIONS**

There were no presentations or delegations.

## 5. COMMISSION BUSINESS

### 5.1. Project Update – June 2021

D. Puskas reviewed the project updates as referenced in the staff report and also noted the following additional information:

- Anson Road - A bylaw infraction notice was placed on the retaining wall closest to the shore in the setback area. Staff are preparing the variance application. In speaking with Islands Trust it was an unavoidable setback issue and shouldn't impede the schedule. The Bylaw infraction was a result of a complaint, staff are working to try and expedite the application. It should not result in any major budget impact. Access roads to the neighbour's yards are to remain – that was a design requirement. Staff to follow up with Chair Dearden regarding the purpose of this design requirement.

Discussion ensued regarding process for working with Islands Trust, staff advised that as a courtesy, staff can notify Islands Trust as to when contracts are let or awarded, where they may or may not result in permits.

**MOVED** by Commissioner Brent, **SECONDED** by Commissioner Mabberley,  
That the Southern Gulf Islands Harbours Commission receive this report for information.

**CARRIED**

### 5.2. West Coast Marine Response Corporation (WCMRC) Update [Verbal]

M. Lawry provided the following updates:

- The equipment that is being considered is based on a pilot project at Whalers Bay which would be the model being used going forward.
- The revised engineering report from Harold overall has not changed, but their recommendation now is that if we were to proceed, how to potentially moor the equipment to the docks and they recommend that there be ongoing discussions and assessments of those facilities.
- Have determined that Port Washington is not suitable, would therefore only be looking at the facilities at Lyall Harbour and Montague Harbour.
- Lyall Harbour – installing one package tied up parallel on the outside.

Discussion ensued and M. Lawry responded to questions from the Commission regarding:

- Locations and number of packages considered to be installed at Montague Harbour and possible challenges getting the ambulance boat in.
- The flexibility of the packages to be moved or installed at a later date or
- Montague Harbour- WCMRC to reevaluate for a second package.
- Anson Road – Staff to send the diagrams to WCMRC to review where a package could be located and see if any additional work might need to be done before completion of construction.
- Staff to review the agreement with WCMRC prior to the deployment of the equipment.

*M. Lawry left the meeting*

**5.3. BC Ferries – Sturdies Bay Update**

T. Robbins advised that staff met with BC Ferries at the terminal with their development engineer and went through their design concepts. They've completed their public engagement, included the feedback in their concept plan and incorporated some of the feedback the CRD provided.

**MOVED** by Commissioner Mabblerley, **SECONDED** by Commissioner Howe,  
That the Commission accept the recommendations from BC Ferries and have staff proceed with the changes with BC Ferries to allow for the adjustments to the proposed schedule.

**CARRIED**

**5.4. Bylaw 2844 Discussion [Verbal]**

Chair Dearden spoke to the item noting that he and Commissioner Brent reviewed Bylaw 2844 and came up with some suggested revisions. He stated that he would like input from the other Commissioners prior to putting any major changes in place.

Discussion ensued regarding:

- Whether to narrow the scope to be more dock specific
- How to provide more clarity regarding a moorage facility, transient facility and marina
- Allowing a third party organization to manage a facility
- Providing some guidance for the Wharfingers
- Holding a special meeting in September to discuss the possible amendments to the Bylaw
- Timing of the Alternative Approval Process
- Preparing a redline draft that incorporates the input from Chair Dearden and Commissioner Brent for circulation to the whole Commission for their review and further input.
- Possible agreement with Main Island Boaters Association
- Whaler's Bay agreement

Staff to take the Commissions' suggestions and feedback for amending Bylaw 2844, prepare a redline draft with the amendments and circulate it to the Commission through the summer for review and feedback.

Staff to schedule a special meeting in September to present the draft bylaw amendment based on the feedback received through the summer.

**5.5. Dock Inspections Reports**

D. Robson reported that there was one high maintenance item identified for Port Browning regarding float issues and staff have responded and improved the floatation.



**MOVED** by Commissioner Brent, **SECONDED** by Commissioner Mabberley,  
That the dock inspection reports be received for information.

**CARRIED**

## 6. NEW BUSINESS

### 6.1. Cetacean Conservation Signage

**Actions:**

- Include language about indigenous harvesting and that the CRD reviews the wording for accuracy.
- Staff to connect the Galiano Conservancy with the Commission members to confirm signage wording for each Island.

### 6.2. Inter-Island Water Taxi Pilot

T. Robbins advised that there is a group planning to do an inter-island water taxi pilot in September.

Staff will provide the proposed schedule for September and contact details for Chris Hall to the Commission.

### 6.5. Miners Bay Dock

**Actions:**

- Staff to have the rails on both sides of Float A at Miners Bay dock painted and install signage to designate emergency/service (transient) moorage only
- Staff include the service dock designation through the bylaw amendment
- Staff to review the process for giving notice to the existing long-term moorage to advise of the expected change in designation of the dock

**MOVED** by Commissioner Brent, **SECONDED** by Commissioner Mabberley,  
That the Commission has Miners Bay Float A contain no long-term moorage and that any fixtures not approved by the CRD be removed such as spring lines.

**CARRIED**

## 7. ADJOURNMENT

The Commission confirmed cancelling the regular meeting scheduled for August 27, 2021 and instead hold a special meeting in September to consider the proposed amendments to Bylaw 2844. Staff to set up a special meeting in September.

**MOVED** by Commissioner Brent, **SECONDED** by Commissioner Mabberley,  
That the June 25, 2021 meeting be adjourned at 10:58 a.m.

**CARRIED**

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**CHAIR**

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**SECRETARY**



Making a difference...together

**MINUTES OF A MEETING OF THE SOUTHERN GULF ISLANDS HARBOURS COMMISSION,  
held Friday, September 24, 2021 at 9:30 am, Goldstream Meeting Room, 479 Island  
Highway, Victoria, BC**

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**PRESENT: Commissioners:** B. Dearden (Chair) (EP), Mayne Island; P. Brent (Vice Chair), Saturna Island; J. Deschenes (EP), North Pender Island; B. Mabberley (EP), Galiano Island

**Staff:** T. Robbins, General Manager; S. Henderson, Manager, Real Estate Services; D. Puskas, Manager, Capital Projects; D. Robson, Manager, Saanich Peninsula and Gulf Islands Operations; D. Dionne, Administrative Coordinator (Recorder)

**Also Present:** P. Binner, Wharfinger

**REGRETS:** R. Fenton, South Pender Island; J. Hall, Piers Island/Swartz Bay; D. Howe, Electoral Area Director

EP = Electronic Participation

The meeting was called to order at 9:35 am.

**1. APPROVAL OF AGENDA**

The agenda was amended to include Item 3.2 Anson Road Discussion.

**MOVED** by Commissioner Brent, **SECONDED** by Commissioner Mabberley,  
That the agenda be approved as amended.

**CARRIED**

**2. PRESENTATIONS/DELEGATIONS**

There were no delegations or presentations.

**3. SPECIAL MEETING BUSINESS**

**3.1. Proposed Amendments to Bylaw 2844, Southern Gulf Islands Small Craft Harbours Regulation Bylaw**

Staff provided an overview of the proposed bylaw changes, including proposed fee changes and received input from the Commission on the proposed revisions and fee changes. Staff first reviewed the body of the Bylaw, then revised each Schedule individually.

The following is a synopsis of actions and additional revisions made during the meeting that were not provided in the draft revised bylaw attached to the agenda package.

1. Page 1, add a WHEREAS clause, that includes the mission statement as noted on the Capital Regional District (CRD) signage at the docks, to outline the primary service.
2. Page 2, Definitions, “airport” – staff to confirm whether or not the red triangle symbol is still used.
3. Page 3, Definitions, “length of vessel” – change wording to “overall length of vessel”
4. Page 3, Definitions, “loading zone” – add the words “emergency use” after “...loading and unloading passengers,”
5. Page 3, Definitions, “transient moorage” – Staff to review how this affects emergency use. Staff to have legal review of the Transport Canada Act that states that you cannot deny access to a person in an emergency situation.
6. Page 7, Removal and Impoundment of Vessels, Watercraft, Chattles, and Obstructions – Staff to have legal review of this section for consistency with the Transport Canada Act.

The Commission concluded its discussion of the body of the Bylaw.

CRD staff will review the proposed changes with the legal department, and report back with an amended draft at a subsequent meeting prior to progressing for Board approval.

**MOVED** by Commissioner Brent, **SECONDED** by Commissioner Mabblerley,  
That the revisions to Bylaw No. 2844, not including the schedules, presented and as amended during the meeting be approved.

**CARRIED**

The Commission continued its review of Bylaw 2844 by reviewing Schedules B, C, D and E. The following is a synopsis of actions and additional revisions made during the meeting that were not provided in the draft revised bylaw attached to the agenda package.

1. Page 17, Schedule C, Section 2(w) – “... period in excess of 45 days...” align the number of days with Transport Canada
2. Page 17, Schedule C, Section 2 – add (y) Liveaboards are not permitted at the docks except at the discretion of the CRD – Staff to obtain legal review of this item

The Commission concluded its review of Schedules B, C, D and E.

**MOVED** by Commissioner Brent, **SECONDED** by Commissioner Mabblerley,  
That the revisions presented and as amended during the meeting in Schedules B, C, D and E in Bylaw No. 2844 be approved.

**CARRIED**

The Commission continued its review of Bylaw 2844 by reviewing Schedule A, Fees and Licenses.

The Commission confirmed deleting the following fee structures from the Bylaw.

- Coupon Book – Daily Short-Term Boat Moorage – 20 Coupons
- Monthly Commuter Pass – provides residents 12 hours of dock use at any dock

The Commission conducted a review of the current fees and proposed using a 30% increase with rounding, to account for inflation and escalating costs since 2012 with consideration of fees at other facilities that may have differing levels of service. The following revisions were proposed:

**BOAT MOORAGE - 2 to 12 hours  
- day time stay**

Current Fee	New Fee
\$ per Lineal Foot	\$ per Lineal Foot
\$ 0.38	\$ 0.50

**BOAT MOORAGE - 24 hours  
- overnight**

Current Fee	New Fee
\$ per Lineal Foot	\$ per Lineal Foot
\$ 0.75	\$ 1

**LONG TERM DINGHY STORAGE**

Term	Current Fee	New Fee
Monthly	\$ 22.00	\$ 30
Quarterly	\$ 59.25	\$ 80
Annual	\$ 213.25	\$ 280

**LONG TERM BOAT MOORAGE - PRE-PAID**

Term	Current Fee \$ per Lineal Foot	New Fee \$ per Lineal Foot
Monthly	\$ 4.40	\$ 5.80
Quarterly	\$11.80	\$15.40
Annual	\$42.50	\$55.30

**SPRING-LINE RATE MOORAGE**

Current Term	Current Fee	New Term	New Fee
Monthly	\$ 65.60	Monthly	\$ 75
months	8	Quarterly	\$ 210
8 month total	\$ 524.80	No Annual	
Summer 4 months	\$ 157.00		

**WATER TAXI AND CHARTER BOAT RATE**

Current Fee Structure			New Fee Structure	
Landings/month/dock	Monthly	Annual	Monthly	Annual
0-2	\$ -	\$ -	\$ -	\$ -
3-15	\$ 21	\$ 205	\$ 27	\$ 260
16-30	\$ 34	\$ 340	\$ 45	\$ 440
31+	\$ 55	\$ 550	\$ 72	\$ 720

**SEAPLANES - Take off / Landings**

Number of Landings	Current Fee Per Landing	New Fee Per Landing
1 to 2	\$ 13.50	\$20

**SEAPLANES – Take off / Landings Annual**

Number of Landings	Current Fee Per Airport	New Fee Per Airport
3 to 48	\$ 205	\$ 270
49 to 200	\$ 405	\$ 520
200 +	\$ 550	\$ 720

**RESERVED BERTHS**

Current Fee	Proposed Fee
1.5 times the applicable (quarterly and annual) moorage fee	No change

### EMERGENCY VESSEL

Current Fee	Proposed Change
A) \$62.50 per year  When not performing emergency services, expected to pay the fees	Delete 5(a) of Schedule A  5. <u>EMERGENCY VESSEL MOORAGE FEES</u> (a) A person in control of an emergency services vessel shall purchase a license as prescribed in "Schedule D".

### REMOVAL AND IMPOUNDMENT FEES FOR ABANDON BOATS

Current Fee	Proposed Change
Impoundment Fee	\$114.00
Towing Fee	\$170.50
Hauling Out Fee	\$170.50
Fee for Placing on Blocks / Trailer \$/hour	\$170.50
Storage Costs for Vessel - per day per foot	\$4.00
<p>** All costs recovered at the owners' expense.</p> <p>Staff will complete more research on the market rates.</p>	

CRD staff will review the proposed changes with the legal department, and report back with an amended draft at a subsequent meeting prior to progressing for Board approval.

**MOVED** by Commissioner Brent, **SECONDED** by Commissioner Mabblerley,  
That the revisions presented and as amended during the meeting in Schedule A in Bylaw No. 2844 be approved.

**CARRIED**

### 3.2. Anson Road Discussion

A discussion about Anson Road took place regarding:

- Management of the toilet facility – staff advised that there is a verbal agreement in place with CRD Parks to pay them a fee to have their contractor come by and pump it out.
- Road approach concerns related to winter conditions – staff advised that the road grade is unable to be changed. Staff will review how to address changing the surfacing.
- Key items needed for assigned spots at Anson Road would be, \$200 deposit, proof of residency, proof of boat ownership and a copy of boat insurance to ensure there are properly insured boats coming into the facility.
- Further discussion is required regarding the potential need for a paid dedicated position to oversee the work of the wharfingers. Add discussion to next agenda.

**4. ADJOURNMENT**

**MOVED** by Commissioner Brent, **SECONDED** by Commissioner Mabberley,  
That the September 24, 2021 special meeting be adjourned at 11:45 am.

**CARRIED**

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**CHAIR**

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**SECRETARY**