



Land Use Operational Policy Floating Home Community

NAME OF POLICY: Floating Home Community

APPLICATION: Applies to inland and coastal aquatic Crown land. This policy does not apply to aquatic lands under the jurisdiction of a Harbour Board or Harbour Commission.

ISSUANCE: Assistant Deputy Minister
Crown Land Administration Division

IMPLEMENTATION: Ministry of Agriculture and Lands

REFERENCES: *Land Act* (Ch. 245, R.S.B.C., 1996)

RELATIONSHIP TO PREVIOUS POLICY: This policy replaces the previous Floating Home Communities policy dated August 16, 2004.

POLICY AMENDMENT: Any formal request for an amendment to this policy is to be directed in writing to the Director, Land Program Services Branch, Crown Land Administration Division.

Warren K. Mitchell

Warren Mitchell
A/Assistant Deputy Minister
Crown Land Administration Division
Ministry of Agriculture and Lands

05/10/29

Date

APPROVED AMENDMENTS:		
Effective Date	Briefing Note /Approval	Summary of Changes:
August 16, 2004		Changes made as a result of the Policy and Procedures Re-write Project.
October 21, 2005		Policy changed to reflect new agency names and responsibilities

EFFECTIVE DATE: August 16, 2004
AMENDMENT NO: 1 (October 21, 2005)

FILE: 12550-00

APPROVED AMENDMENTS:

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1. POLICY APPLICATION

This policy applies to unalienated aquatic Crown land in right of the Province of British Columbia. Aquatic land under the jurisdiction of a Harbour Board or Commission is not subject to the provisions of this policy.

The italicized text in this document represents information summarized from standard Crown land management policies and procedures. This material has been inserted where it provides necessary direction or context. As well, website links offer access to the full text of the relevant land management policies and procedures. Text in standard script is applicable to this policy only.

2. PRINCIPLES AND GOALS

*Provincial employees act in accordance with applicable legal requirements when making decisions. The **Guiding Principles** are a summary of key administrative and contract law principles which guide provincial employees.*

This policy is part of a series of policies that have been developed to help provincial staff use business and legal principles to achieve the government's goals with respect to the management of Crown land in a manner that is provincially consistent, fair and transparent. To that end, this policy also serves as a communication tool to help the public understand how the Province of BC makes decisions respecting Crown land.

3. DEFINITIONS

Aquatic Crown Land means that land below the visible high water mark of a body of water, extending offshore to the recognized limit of provincial jurisdiction, including the foreshore.

Authorizing agency means the provincial ministry responsible for the specific land use authorization.

Floating Home means a structure built on a floatation system, which is used for permanent residential habitation and is not intended for navigation, nor usable as a navigable craft.

Floating Home Community means two or more floating homes which are physically connected to the shoreland and to each other by a common walkway or ramp, and which are serviced by a potable water system, electrical system, and sewage disposal system approved by the responsible authority.

4. ABBREVIATIONS

BCA - BC Assessment

ha. - Hectare

MAL - Ministry of Agriculture and Lands

MOE - Ministry of Environment

MOU - Memorandum of Understanding

5. ALLOCATION PROCESS

5.1 Applications

Applications for floating home community use of aquatic Crown land will not be accepted by the province.

The MAL Regional Executive Director may accept a written proposal from a proponent of a floating home community, provided the proposal contains sufficient documentation of the development concept and has the support of local government.

The MAL Regional Executive Director forwards the proposal to the ADM, Crown Land Administration Division requesting consideration for approval-in-principle.

If a proposal is approved in principle by the ADM, Crown Land Administration Division, general terms and conditions under which the development may proceed are identified. The decision is conveyed to the MAL Regional Executive Director for subsequent notification of the proponent and any further action.

If the proposal receives approval-in-principle, the MAL Regional Executive Director places a one-year *Land Act* Reserve over the subject land pending detailed planning and development.

6. VARIANCE

Any decision that would vary from this policy must be made by the Assistant Deputy Minister, Crown Land Administration Division, Ministry of Agriculture and Lands.