

Electoral Area F Official Community Plan Bylaw No. 830

- Section 3.2 Shoreline Environment
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3.2 Shoreline Environment

Objective 1

To maintain the unique physical and biological characteristics of the shoreline environment.

Objective 2

To ensure that shoreline habitats are protected from undesirable development and unnecessary shoreline manipulation.

Objective 3

To manage the foreshore to ensure appropriate use and prevent overdevelopment.

Objective 4

To direct development to areas of least ecological sensitivity, particularly in relation to fish habitat.

Policy 1

Non-moorage uses are not acceptable on the foreshore, which include facilities such as beach houses, storage sheds, patios, sun decks, and hot tubs. Additionally, no commercial uses, long-term camping (as defined in the zoning bylaw), beach creation, sand importation, groyne construction, infilling, private boat launches, substrate disturbance (shore spawning) are acceptable on the foreshore. Houseboat activities on the foreshore will be directed to areas of least environmental and social impact (i.e. low fish habitat values, away from settlement areas).

Policy 2

Shoreline stabilization works and measures are subject to the following:

1. All shoreline stabilization works must adhere to the Ministry of Environment's "Best Management Practices for Lakeshore Stabilization".
2. Recognizing that a natural shoreline is often the best and least expensive protection against erosion, shoreline stabilization activities shall be limited to those necessary to prevent damage to existing structures or established uses on waterfront property. New development should be located and designed to avoid the need for shoreline stabilization.
3. Shoreline stabilization structures for extending lawn or gardens or providing space for additions to existing structures or new outbuildings are prohibited.

4. Stabilization works should be undertaken only when there is a justifiable level of risk to existing buildings, roads, services, or property, as deemed necessary by a qualified environmental professional (QEP). In such cases, the 'softest ' stabilization measures should be applied.
5. Stabilization works and measures must be located within the property line of the waterfront parcel, above the natural boundary of the watercourse. Soft shoreline measures that provide restoration of previously damaged ecological functions may be permitted waterward of the natural boundary.

Policy 3

Private moorage is subject to the following:

6. Private moorage will not impede pedestrian access along the beach portion of the foreshore.
7. The siting of new private moorage shall be undertaken in a manner that is consistent with the orientation of neighbouring private moorage, is sensitive to views and other impacts on neighbours, and avoids impacts on access to existing private moorage and adjacent properties.
8. The zoning bylaw will set out other detailed provisions related to siting, setbacks, size, configuration, width, materials, and projections for private moorage.
9. The Integrated Land Management Bureau, in carrying out reviews of foreshore tenure applications will take the foregoing factors into consideration, with emphasis on the environmental sensitivity of the foreshore areas, as well as ensuring an appropriate relationship with upland areas.
10. Private moorage owners and builders will refer to the Ministry of Environment's Best Management Practices for Small Boat Moorage on Lakes and the Ministry's BMPs for Boat Launch Construction and Maintenance on Lakes. As well, owners and builders will refer to minor works policies published by Transport Canada, Navigable Waters Protection Division prior to construction of any foreshore moorage (works).

Policy 4

The Regional District will:

1. Assess and protect sensitive fish habitat when implementing the boat launching facilities provisions of the Electoral Area F Parks Plan.
2. Work with the Integrated Land Management Bureau to investigate ways to best achieve the goals set out in this section, including investigation of the potential for the CSRD to secure a head lease for the foreshore.

3. Encourage waterfront owners to consider shared docks in the interests of having one larger dock that extends into deep water, rather than a number of individual docks that are in relatively shallow water with higher fish habitat values.
4. Advise and expect property owners to replace older, on-site sewage systems with newer technology to prevent potential contamination of the shoreline.
5. Advise and require property owners not to remove vegetation along the shoreline that could result in erosion, loss of food and nutrients for fish, and loss of shade for young fish. Landowners must refer to the Ministry of Environment's Best Management Practices for Hazard Tree and Non Hazard Tree Limbing, Topping or Removal.

Policy 5

The Regional District encourages those agencies with mandates for protecting the environmental integrity of Shuswap Lake to continue to carry out scientific research and water quality testing in order to determine whether the quality of lake water near the shoreline is deteriorating, and if it is, to determine the cause(s) of the deterioration, and take steps toward correcting the situation.

11.2 Foreshore and Water Use (FW)

Objective 1

To prevent inappropriate uses of the foreshore, especially in areas with high fish habitat values.

Policy 1

The Foreshore and Water designation is established on Schedules B & C.

Policy 2

The Foreshore and Water designation permits recreational watercraft use, commercial marinas and associated Water uses. These uses are subject to the policies of this Plan, including the Foreshore & Aquatic Development Permit Area, regulations of the zoning bylaw, and the regulations of tenuring government authorities.

Policy 3

Commercial marinas must provide boat-launching facilities for their customers.

Policy 4

In consideration of the high value fisheries habitat and the environmental sensitivity of the foreshore, structures such as wharves or buildings that require pilings will be very limited and subject to regulations by the relevant federal and provincial agencies.

Policy 5

The Regional District may limit the number, size and shape of boat slips in the zoning bylaw. Mooring buoys will also be regulated within the zoning bylaw.

Policy 6

The Regional District will work with ILMB to designate Shuswap Lake and Adams Lake as an application-only area under that agency's Private Moorage Crown Land Use Operation Policy.

13.2 Foreshore and Water Development Permit Area

13.2.1 Purpose

The Foreshore and Water DPA is designated under the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity.

13.2.2 Justification

The Foreshore and Water DPA arises from the growing impact that structures, including (but not limited to) docks, swimming platforms & private mooring buoys, are having on the lakes in the Electoral Area. Evidence of these impacts is documented in the Shuswap Watershed Mapping Project, which was completed in conjunction with Fisheries & Oceans Canada, the BC Ministry of Environment and environmental consultants.

The Foreshore and Water DPA means to:

- (a) ensure proper siting of structures on the foreshore and in the water to prevent or minimize negative impacts on lake ecology, including fish habitat; and
- (b) complement the Riparian Areas Regulation (RAR) and Lake DPAs, recognizing the important and sensitive interrelationship of these shoreline areas.

13.2.3 Area

The Foreshore and Water DPA extends from the lake's natural boundary across the entire area of Shuswap Lake, Adams Lake, Humamilt Lake and Hunakwa Lake. In the case of Shuswap Lake and Adams Lake, the DPA extends to the Electoral Area 'F' boundary.

13.2.4 Exemptions

- (a) Structures and works associated with a park use;
- (b) Installation and maintenance of utilities and utility corridors;
- (c) Subdivision;
- (d) Commercial and multi-family moorage facilities, including marinas and strata moorage structures, requiring Provincial tenure. (*Rationale: these facilities undergo Provincial review and are referred to other government agencies, including Fisheries and Oceans Canada, through that process, thus satisfying the intent of this DPA.*)
- (e) Maintenance and alterations of existing structures, but not:
 - (i) alterations which increase the size of the existing structures; or
 - (ii) replacement docks- or swimming platforms, as defined by the guidelines below.
- (f) Land alterations intended to increase environmental values (e.g. creation of additional fish habitat).

13.2.5 Guidelines

For all relevant guidelines, the Shuswap Watershed Atlas, based on the Shuswap Watershed Mapping Project, will be referenced to determine an area's Aquatic Habitat Index Rating, known fish rearing and spawning areas, natural features such as stream deltas and vegetation, etc.

In recognition of the wide-ranging physical and human conditions on the portions of the lakes covered by this DPA, variances to the size, setbacks, and other features are anticipated. These guidelines enable such variances, so long as they do not alter use or density.

13.2.6 For new and replacement docks and for new and replacement swimming platforms:

These guidelines apply to the first-time placement of a dock or swimming platform or to the replacement of an existing dock or swimming platform. Docks and swimming platforms will be considered 'replacement docks' and 'replacement swimming platforms' if more than 75% of the materials will be replaced within a 3 year period.

Docks and swimming platforms should:

- (a) minimize impact on the natural state of the foreshore and water whenever possible;
- (b) not use concrete, pressure-treated wood (i.e. creosote), paint or other chemical treatments that are toxic to many aquatic organisms, including fish, and severely impact aquatic environments;
- (c) use untreated materials (e.g. cedar, tamarack, hemlock, rocks, plastic, etc.) as supports for dock structures that will be submerged in water. Treated lumber may contain compounds that can be released into the water and become toxic to the aquatic environment.
- (d) use only treated lumber that is environmentally-friendly for dock structures that are above water.
- (e) be made by cutting, sealing and staining all lumber away from the water using only environmentally-friendly stains. All sealed and stained lumber should be completely dry before being used near water.
- (f) ensure plastic barrel floats are free of chemicals inside and outside of the barrel before they are placed in water.
- (g) avoid the use of rubber tires as they are known to release compounds that are toxic to fish.
- (h) be sited in a manner which minimizes potential impacts on fish spawning and rearing habitat areas;
- (i) be sited in a manner which minimizes potential impacts on water intakes and other utilities;
- (j) avoid aquatic vegetation and minimize disturbance to the lakebed and surrounding aquatic vegetation by positioning the dock or swimming platform in water deep enough to avoid grounding and to prevent impacts by prop wash in the case of docks. A

minimum 1.5 m (4.92 ft) water depth at the lake-end of the dock is recommended at all times.

13.2.7 For new private mooring buoys

These guidelines apply to the first-time placement of a private mooring buoy, including its anchoring system.

Private mooring buoys should:

- (a) avoid aquatic vegetation and minimize disturbance to the lakebed and surrounding aquatic vegetation.
- (b) use helical (versus block) anchors whenever possible;
- (c) use only materials intended for boat moorage, such as rigid plastic foam or rigid molded plastic, which do not contain chemicals that are toxic to aquatic organisms;
- (d) be sited in a manner which minimizes potential impacts on fish spawning and rearing habitat areas;
- (e) be sited in a manner which minimizes potential impacts on water intakes and other utilities.

13.2.8 For other land alterations

Proposed land alterations not listed in the exemptions section and not including new and replacement docks and new private mooring buoys should be accompanied by a written submission from a qualified environmental professional outlining the proposed alteration, expected impacts on the foreshore or water environment and any mitigation efforts which should accompany the proposed alterations.