

DEVELOPMENT PERMIT NO. 725-156

OWNERS: Robert Mark Vandekerkhove
Colleen Isobel Vandekerkhove



As joint tenants

1. This Foreshore and Water Development Permit is issued subject to compliance with all the Bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies only to the lands described below, located in Electoral Area C:

Lot A, Section 12, Township 21, Range 10, West of the 6th Meridian, Kamloops Division Yale District, Plan 4927, except part lying east of the line drawn parallel to and perpendicularly distant 60 feet west from the easterly boundary of said lot (PID: 010-422-170), which property is more particularly shown outlined in bold on the Location Map attached hereto as Schedule A.
3. This Permit is issued pursuant to Section 12.2 of the "Electoral Area C Official Community Plan Bylaw No. 725," for the protection of the natural environment, its ecosystems and biological diversity for Foreshore and Water areas in regard to the one existing floating dock, one existing private mooring buoy, and the relocation of one existing private mooring buoy on the portion of Shuswap Lake immediately adjacent to the waterfront property as more particularly shown on the site plan attached hereto as Schedule B.
4. The Foreshore Residential 1 (FR1) zone of Lakes Zoning Bylaw No. 900 is hereby varied as follows:
 - a. Section 4.4.2 (c) minimum setback of a private mooring buoy, from 5 m to 0 m, from the east side parcel boundary of that waterfront parcel projected onto the foreshore and water.

Only for the locations of the two private mooring buoys (1 and 2b) as shown on Schedule B.

5. An amendment to the Permit will be required if development is not in substantial compliance with this Permit.
6. This Permit is issued subject to the clear display of "DP 725-156" on at least two opposite sides of the floating dock (e.g. both the land and the lake sides), and on the two private mooring buoys.
7. It is understood and agreed that the Regional District has made no representation, covenants, warranties, guarantees, promises or agreement (verbal or otherwise) with the developers other than those in the Permit.
8. This Permit shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.
9. This Permit is NOT a building permit.

AUTHORIZED AND ISSUED BY the Columbia Shuswap Regional District Board on the 15th day of November, 2018.

Corporate Officer

PLEASE NOTE:

- 1) Pursuant to Section 504 of the *Local Government Act*, if the development of the subject property authorized by this Permit is not substantially commenced within two years after the issuance of this Permit, the Permit automatically lapses.**
- 2) The floating dock and two private mooring buoys should be constructed and installed in accordance with the measures contained within Appendix 1, included for reference and convenience only, to ensure protection of the natural environment and its ecosystems.**
- 3) The two private mooring buoys should meet the guidelines included in Appendix 2 (source: Transport Canada's publication *An Owner's Guide to Private Buoys*).**

- 4) The owner is required to apply for and be issued a Section 11 Approval and/or license from the Provincial Government, if necessary, to install the proposed works below high watermark, prior to proceeding with installation.**

- 5) This Permit addresses Local Government regulations only. Further permits or authorizations may be required from Provincial and Federal governments. It is the owner's responsibility to call Front Counter BC at 1-877-855-3222 regarding this project.**

APPENDIX 1

The following construction standards are excerpted from Electoral Area C Official Community Plan Bylaw No. 725 and are required to be met by the owner for the floating dock and the private mooring buoys.

The dock shall:

- 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.

The private mooring buoys shall:

- 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; and,
- e. be sited in a manner which minimizes potential impacts on water intakes and other utilities.

APPENDIX 2

The following standards and regulations are excerpted from An Owner's Guide to Private Buoys, Navigable Waters Protection Program - Transport Canada.

Size

Private Buoy Regulations require that for sheltered, low traffic areas all private buoys meet minimum above water dimensions 15.25 cm (6 inches) in width and 30.5 cm (12 inches) in height.

Identification

All private buoys must display on two opposite sides, the capital letters **"PRIV"**, as large as possible and in contrasting colours and the buoy owner's current **NAME** and **TELEPHONE NUMBER** in a permanent manner.

Retroreflective Material

Transport Canada may require you to add retroreflective material where there is a need for increased visibility or better identification for your buoy. Most retroreflective material on buoys or signs displays numbers, letters, backgrounds or horizontal bands. Where a horizontal band is used, it should be no less than 4 inches (10 cm) wide and should be placed around the buoy's circumference.

Owner's Responsibilities

- It meets all legal requirements, standards and guidelines of the Private Buoy Regulations, the Canadian Aids to Navigation System or Transport Canada directives.
- It is built and maintained so that it remains in position and meets all legal requirements.
- Anchors are used, built and installed in a way that will keep the buoy in position.
- You have a monitoring and repair schedule for checking that the buoy(s) meet(s) all legal requirements and is/are in good position and in good working order.
- You use recommended retroreflective material (as a minimum).
- All lights comply with the Canadian Aids to Navigation System.

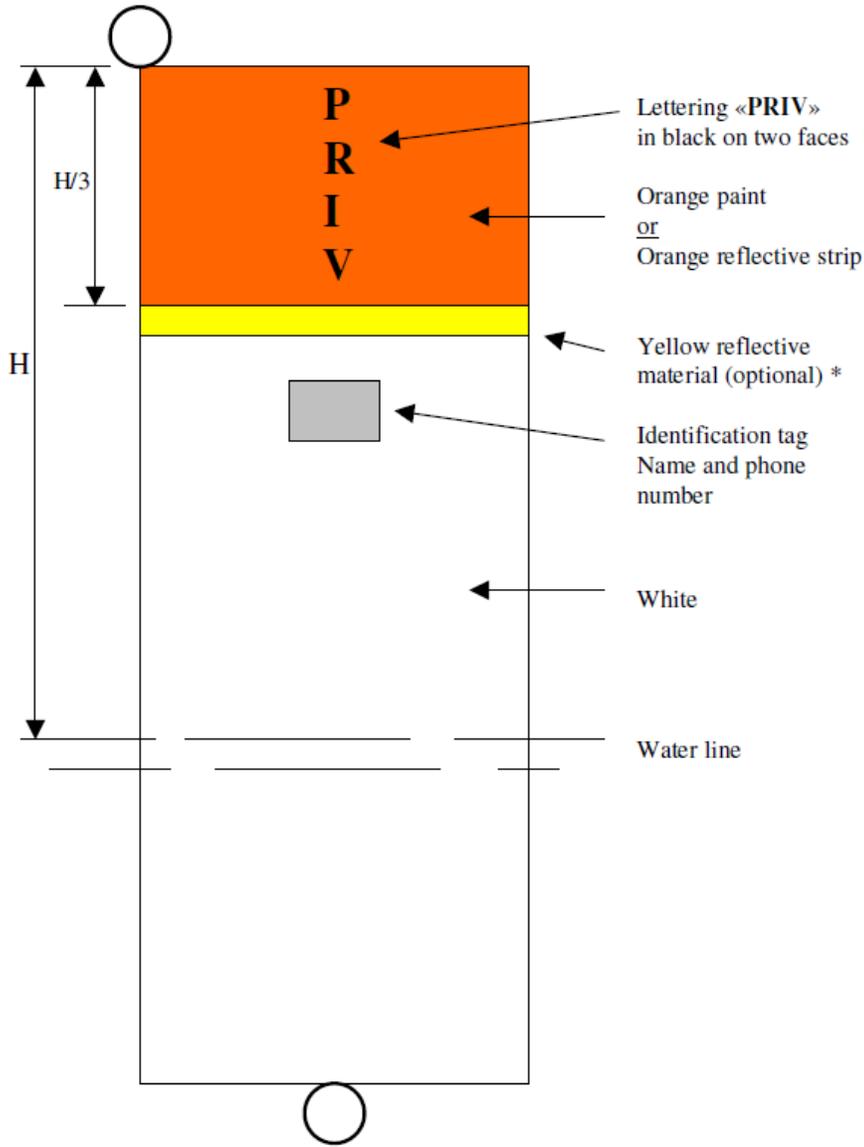
Mooring Buoys

Mooring buoys are used for securing a vessel or similar thing. Mooring buoy specifications:

- Coloured white and orange, the orange colour covering the top one third of the buoy above the waterline;
- Display identification letter(s);
- Yellow light, if lighted. The light must conform to standards and guidelines in the *Canadian Aids to Navigation System* (TP 968); and
- Yellow retroreflective material, if material is used.

Specifications

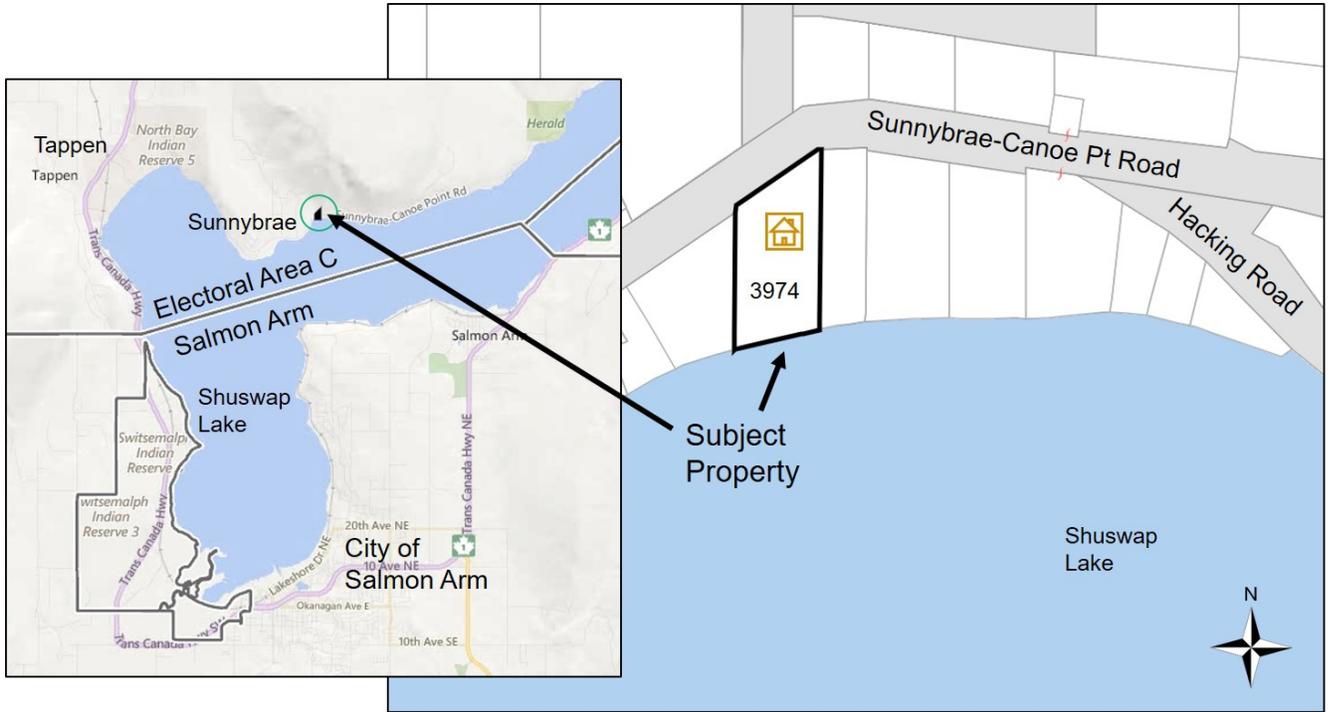
Private mooring buoy



•If the orange part of the buoy is not reflective, the yellow part is obligatory and it must be reflective.

N.B. If it is a light buoy, it must be equipped with a yellow flashing light 4s.

Schedule A
DP 725-156
Location Map



Schedule B
 DP 725-156
 Site Plan

