

Notes of the Public Hearing held on Thursday November 29, 2018 at 6:30 PM at the Swansea Point Fire Hall, 632 Davidson Drive, Swansea Point, BC regarding Lakes Zoning Amendment (Coleman) Bylaw No. 900-23.

PRESENT: Chair, Rhona Martin – Area Director Area E
Christine LeFloch – Development Services Assistant (DSA), CSRD
3 members of the public

The Chair called the Public Hearing to order at 6:36 PM. Following introductions, the Chair advised that all persons who believe that their interest in property may be affected shall be given the opportunity to be heard or to present written submissions pertaining to the proposed amending Bylaw No. 900-23.

The DSA explained the legal requirements for notifications regarding the proposed bylaw amendment noting that ads had been placed in the November 16th and 23rd issues of the Shuswap Market News, posted on the CSRD website, and that notices had been mailed to all owners of property located within 100 m of the subject property. She noted that Bylaw No. 900-23 proposes to construction of a fixed dock with an upward facing surface area of 26 m² on the foreshore adjacent to the subject property located at 709 Swanbeach Rd. The proposed amendment would add a special regulation to the FR1- Foreshore Residential zone, which would apply to the portion of Shuswap Lake lying adjacent to the subject property only. She explained that the proposal is a substantial reduction in size from the original proposal and noted that the site plan indicates that the shore end of the dock would be located 2.4 m from the high water mark and the dock would include ramps on both sides to allow for pedestrian access either over or around the dock.

The DSA then went over the comments received from referral agencies.

The Chair opened the floor for comments.

██████████ stated that the proposed dock size is very small especially given that the CSRD recently changed Bylaw 900 and increased the allowable dock size to 30 m². He has no concerns about the size of the dock.

The DSA explained that the proposed amendments to Bylaw No. 900 are only at first reading so at this time the bylaw only permits docks with a maximum upward facing surface area of 24 m².

██████████ wondered about the CSRD's involvement in regulating foreshore structures. It was her understanding that it was a Crown responsibility that was divided between the Provincial and Federal governments. She asked where the authority to regulate at the CSRD level comes from. She also noted that the Province had been in touch with her with respect to this dock.

The Chair explained that we have Bylaw No. 900 due to the number of complaints about illegal docks and buoys that were received in the years preceding adoption of the bylaw. The two senior levels of government were not doing anything about the problems and people were putting in docks and buoys and impeding public access, creating noise issues etc. There was a lot of public pressure put on the CSRD to do something.

The DSA explained that the Local Government Act gives authority to local governments to adopt zoning bylaws and that these bylaws can regulate use of land and water. She noted that the CSRD is one of very few local governments who have taken on zoning over the foreshore.

██████████ said that they were co-licensees on a dock that previously straddled the property line between their property and the Coleman's. The license expired March 9, 2018. The dock fell into disrepair and the platform was taken by the freshet in 2018. The Province contacted them as successors in the license regarding the dock and they said that they were happy to relinquish their rights so consented to termination of the license on condition that the old pilings are removed. The pilings are still there. She has concerns because they are

unsightly and dangerous. The Province contacted them a second time and there was a second document to be signed. They were asked to take photos and provide them to the Province when the pilings are removed. She has no objections to the proposed new dock but she is concerned that once the new dock is in place the old pilings won't be removed.

████████████████████ suggested that they ask Blair and Regan Coleman to remove the pilings and get a letter from them indicating that they intend to do so to provide to the Province.

████████████████████ is concerned that the Province will override what the Regional District says regarding the pilings. She stated that she has a history of the licenses issued over the years for the old dock and a copy of the consent to termination and provided copies for the record.

The Chair suggested that we could add some wording to the final resolution regarding the bylaw amendment to deal with the pilings.

████████████████████ stated that she has lived next door to a construction site for over a year, and that the Colemans have been very good about following the rules. She has no concerns about them building this dock.

The Chair called 3 times for further submissions or questions regarding amending Bylaw No. 900-23. Hearing none, she thanked everyone for coming and declared the public hearing closed at 6:56 PM.

CERTIFIED as being a fair and accurate report of the public hearing.



Director Rhona Martin
Public Hearing Chair



Christine LeFloch
Development Services Assistant, CSRD