



BOARD REPORT

TO:

Chair and Directors

File No:	DVP900-4 PL20170125
-----------------	------------------------

SUBJECT:

Electoral Area C: Development Variance Permit No. 900-4 (CSR D)

DESCRIPTION:

Report from Jennifer Sham, Planner, dated August 29, 2017.
3580 Sunnybrae-Canoe Point Road, Sunnybrae

RECOMMENDATION:

THAT: in accordance with Section 498 of the Local Government Act, Development Variance Permit No. 900-4 for Block B Section 10 Township 21 Range 10 West of the 6th Meridian Kamloops Division Yale District, varying Section 3.4.2(d) of Lakes Zoning Bylaw No. 900, as follows:

1. Maximum surface area of a swim platform from 10 m² to 24.3 m²,

be approved for issuance this 21st day of September, 2017.

SHORT SUMMARY:

The subject property is located in the Sunnybrae area of Electoral Area C at 3580 Sunnybrae-Canoe Point Road (Sunnybrae Community Park). The Columbia Shuswap Regional District (CSR D) has applied to replace the existing plastic swim platform at Sunnybrae Community Park with a larger fiberglass swim platform (formerly used as a dock and currently in storage).

VOTING:

Unweighted
Corporate

☐

LGA Part 14
(Unweighted)

☒

Weighted
Corporate

☐

Stakeholder
(Weighted)

☐

BACKGROUND:

REGISTERED OWNER:

Columbia Shuswap Regional District

APPLICANT:

Columbia Shuswap Regional District

AGENT:

Jared Taylor, CSR D Community Parks & Recreation Coordinator

ELECTORAL AREA:

C

CIVIC ADDRESS:

Sunnybrae Community Park

LEGAL DESCRIPTION:

Block B Section 10 Township 21 Range 10 W6M KDYD

SURROUNDING LAND USE PATTERN:

North: Sunnybrae-Canoe Point Road, Vacant

South: Shuswap Lake

East: Sunnybrae-Canoe Point Road, Residential, Secondary Settlement Area, Vacant

West: Shuswap Lake

EXISTING SWIM PLATFORM SIZE:

~1.52 m x ~1.83 m (5 ft x 6 ft) = 2.78 m² (30 ft²)

PROPOSED SWIM PLATFORM SIZE:

9.72 m x 2.5 m (31.9 ft x 8.2 ft) = 24.3 m² (261.56 ft²)

ZONING:

FP – Foreshore Park

POLICY:**Lakes Zoning Bylaw No. 900****Part 1 Definitions**

SWIMMING PLATFORM is a floating structure used for non-motorized recreational activities, such as swimming, diving, and sun-bathing, but not boat mooring. {See Section 3.4}

Part 3 General Regulations**3.1 Uses and Structures Permitted in Each Zone**

- (c) swimming platform, subject to the limitations set out in Section 3.4
- (e) park and accessory uses to a park [...]

3.4 Swimming Platforms**.2 Swimming platforms:**

- (a) Must be accessory to a permitted use on the adjacent waterfront parcel, semi-waterfront parcel or waterfront unit;
- (b) Must only be used for passive recreation;
- (c) Must not be used for boat mooring;
- (d) Must not be greater than 10 m² (107.64 ft²) in surface area;
- (e) Must have minimum setbacks of:
 - 5 m (16.4 ft) from the side parcel boundaries of the adjacent waterfront parcel or semi-waterfront parcel, projected onto the foreshore and water;
 - 6 m (19.69 ft) from a Foreshore Park (FP) zone or park side parcel boundaries projected onto the foreshore and water.

Foreshore Park FP**4.16 Permitted Uses:**

- (a) Park
- (b) Floating or fixed dock(s), including permanent or removable walkway that is accessory to a park use.
- (c) Park mooring and recreation facilities.
- (d) Buoy(s) that is accessory to a park use.

- (e) Boat lift(s) that is accessory to a park use.
- (f) Boat launch that is accessory to a park use.

4.16.2 Regulations

(a) Size of dock and walkway:

- Floating or fixed dock must not exceed 24 m² (258.33 ft²) in total upward facing surface area (not including permanent or removable walkway).
- Floating or fixed dock surface must not exceed 3 m (9.84 ft) in width for any portion of the dock.
- Permanent or removable walkway surface must not exceed 1.5 m (4.92 ft) in width for any other portion of the walkway.

(b) Location and Siting of dock, buoys or boat lifts:

The minimum setback of a floating or fixed dock, buoy or boat lift is as follows:

- 5 m (16.4 ft) from the side parcel boundaries of that waterfront parcel, projected onto the foreshore and water.

Additional setbacks for buoys:

- 20 m (65.62 ft) from any existing structures on the foreshore or water.
- 50 m (164.04 ft) from any boat launch ramp or marina.

Electoral Area C Official Community Plan Bylaw No. 725 (Bylaw No. 725)

The property is designated Public and Institutional in Bylaw No. 725.

This parcel is located within the Electoral Area C Official Community Plan Bylaw No. 725 area that establishes Development Permit Areas.

Section 12.2 Foreshore and Water Development Permit Area

A Foreshore and Water Development Permit is required for new and replacement docks and swimming platforms.

12.2.4 Exemptions

A Foreshore and Water DPA is not required for the following:

.1 Structures and works associated with a public park use. [...]

The subject property (land) is not within a zoned area.

DEVELOPMENT VARIANCE PERMIT:

The applicant is proposing to vary Lakes Zoning Bylaw No. 900, as follows:

- a) Part 3, General Regulations, Section 3.4.2(d) maximum surface area of a swimming platform from 10 m² to 24.3 m².

See "Maps_Plans_Photos_DVP900-4.pdf" attached.

FINANCIAL:

If the Board denies issuance of this DVP, and the dock cannot be repurposed as a swim platform, it will be disposed of at the landfill and the CSRD Parks Department will purchase a new fiberglass swim platform with a maximum surface area of 10m² for the Sunnybrae Community Park in the future.

KEY ISSUES/CONCEPTS:

According to the agent, in years past, the CSRD purchased a number of fiberglass docks for use in CSRD community parks throughout the regional district. Due to changes in provincial regulations, fiberglass is no longer a permitted material for a dock because of its inability to allow the sun to penetrate the water (fish habitat consideration) and the pontoon portion of the dock is not the "flow through" type and impedes fish mobility. The CSRD Parks Department is proposing to re-purpose fiberglass docks for use as swim platforms in deeper water and away from fish habitat.

At the June 2017 regular Board meeting, the Board empowered the authorized signatories to acquire a Crown Land tenure from the Province for 17.12 ha of foreshore adjacent to Sunnybrae Community Park for "a swim area and swim platforms for the purposes of lake access for community parks and recreation." There is an existing plastic swim platform at Sunnybrae Community Park, and the proposed fiberglass swim platform is currently in storage. If the Board issues this DVP, future plans include attaching ladders to the fiberglass swim platform. Regardless if the Board issues or denies this DVP, there are no plans to remove the existing plastic swim platform at this time.

This application is the first of potentially a number of similar DVP applications (approximately six (6) more) at different park locations around the Shuswap Lake, for repurposing fiberglass docks to swim platforms. The province is not requiring immediate compliance with current environmental regulations regarding the docks, however, the CSRD has chosen to take the necessary steps to replace the fiberglass docks currently being used in CSRD community parks to meet those regulations. The durability and ownership status (CSRD-owned) of these docks make repurposing them to swim platforms ideal.

SUMMARY:

Staff is recommending approval of issuance of DVP900-4 for the following reasons:

- The larger sized swimming platform will be utilized by the public and it is complementary to the activity/use of the park;
- The larger sized swimming platform will not negatively impact the neighbouring properties because of the large setbacks from the side parcel boundaries;
- Using the fiberglass dock as a swimming platform in deeper water will not negatively impact fish habitat; and;
- Repurposing the fiberglass dock as a swimming platform will result in no additional costs to the CSRD because the dock is CSRD-owned and in storage.

IMPLEMENTATION:

If the Board approves issuance of DVP900-4, the CSRD Parks Department will be advised of the decision, and DS staff will prepare the Notice of Permit for submission to Land Title Office for registration on the title of the subject property.

COMMUNICATIONS:

Property owners and tenants in occupation within 100 m of the subject property will be notified of this DVP application by mail, prior to consideration by the Board.

This application was forwarded to the following agencies for comments:

- Advisory Planning Commission C who recommended approval; and,
- Ministry of Forests, Lands, Natural Resource Operations, and Rural Development who stated no objection and "will recognize this in the management plan for file #3411648" [if the Board approves issuance of DVP900-4].

DESIRED OUTCOMES:

That the Board endorse staff recommendation.

BOARD'S OPTIONS:

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

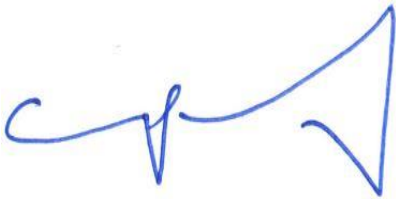
LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Lakes Zoning Bylaw No. 900
2. Electoral Area C Official Community Plan Bylaw No. 725
3. Advisory Planning Commission C August meeting minutes
4. Ministry of Forests, Lands, Natural Resource Operations and Rural Development referral response

Report Approval Details

Document Title:	2017-09-21_Board_DS_DVP900-4_CSRD.docx
Attachments:	- DVP900-4.pdf - Maps_Plans_Photos_DVP900-4.pdf
Final Approval Date:	Sep 11, 2017

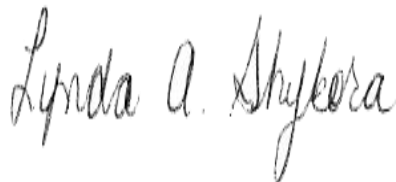
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Aug 31, 2017 - 11:32 AM



Gerald Christie - Sep 10, 2017 - 3:30 PM



Lynda Shykora - Sep 11, 2017 - 9:29 AM



Charles Hamilton - Sep 11, 2017 - 3:39 PM