



# BOARD REPORT

**TO:** Chair and Directors

**SUBJECT:** Electoral Area C: Lakes Zoning Amendment Bylaw No. 900-20

**DESCRIPTION:** Report from Hayley Johnson, Planner I, dated June 14, 2024.  
7429 Sunnybrae Canoe Point Road, Tappen

**RECOMMENDATION :** THAT: "Lakes Zoning Bylaw Amendment Bylaw No. 900-20" be adopted this 18<sup>th</sup> day of July 2024.  
*Stakeholder Vote Unweighted (LGA Part 14) Majority*

## SUMMARY:

The subject area is the foreshore adjacent to Totem Pole Resort, located at 7429 Sunnybrae-Canoe Point Road in the Bastion Bay area of Electoral Area C. Totem Pole Resort is currently permitted 25 private mooring buoys in the FM2 - Foreshore Multi-Family 2 site specific zone of Lakes Zoning Bylaw No. 900. The applicant has applied to amend the FM2 site specific zone to permit a total density of 35 private mooring buoys, allowing the resort an additional 10 private mooring buoys.

The Board gave third reading to the bylaw at its meeting held August 15, 2019, and resolved that the applicant be required to provide the CSRD with documentation regarding the final locations of the buoys within the zone area confirmed with a map and GPS coordinates, and confirmation that the buoys have been tagged with identification and 'BL900-20'. Foreshore and Water Development Permit No.725-214 was issued to enable them to fulfill third reading conditions and relocate 14 of their existing private mooring buoys in the FM2 zone to meet siting requirements and add an additional 6 new private mooring buoys.

## BACKGROUND:

- See item 17.2 on the [March 21, 2019, Board Meeting Agenda](#) for the board report and all supporting attachments for first reading of Bylaw No. 900-20.
- See item 14.2 on the [May 16, 2019, Board Meeting Agenda](#) for the board report and all supporting attachments for second reading of Bylaw No. 900-20.
- See item 14.2 on the [August 15, 2019, Board Meeting Agenda](#) for the board report and all supporting attachments for third reading of Bylaw No. 900-20.

## POLICY:

See "[BL900-20 BL725 BL900 Excerpts.pdf](#)" for relevant excerpts from the Electoral Area C Official Community Plan Bylaw No. 725 and Lakes Zoning Bylaw No. 900.

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

- 2.3 Shoreline Environment
- 3.7 Foreshore Water
- 12.2 Foreshore and Water Development Permit Area

Lakes Zoning Bylaw No. 900

- 4.7 FM2 Foreshore Multi-Family 2
- 4.12 Foreshore Commercial 2

**FINANCIAL:**

There are no financial implications for the CSRD with regard to this application.

**KEY ISSUES/CONCEPTS:**Update

At the August 15, 2019, Board Meeting for third reading, staff recommended that the adoption of Bylaw No. 900-20 be withheld, until documentation has been received by staff regarding the final locations of the buoys within the zone area confirmed with a map and GPS coordinates, and confirmation that the buoys have been tagged with identification and "BL900-20".

The Board agreed with the staff recommendation and gave the bylaw third reading with the abovementioned conditions.

Since third reading, the applicant has applied for and was issued the required Foreshore and Water Development Permit in August 2020 to enable them to fulfill third reading conditions and relocate their 14 existing private mooring buoys into the FM2 zone and add an additional 6 new private mooring buoys (see attached site plan). The applicant was also required to tag the buoys with "DP725-214" in addition to "BL900-20". Development Permit No. 725-214 is a technical delegated development permit issued by the General Manager of Development Services to authorize the owner to relocate the private mooring buoys to the final locations identified in the development permit.

On May 9, 2024, the applicant provided staff with the GPS coordinates, a surveyed site plan, and photo confirmation of the tagged private mooring buoys with the correct identification and "BL900-20". Totem Pole Resort experienced various delays over the last 5 years with providing the CSRD the required information. The applicant was in continuous communication with the CSRD over the last 5 years with their progress.

See the final site plan showing the locations of the existing foreshore structures and the remaining proposed private mooring buoys in front of Totem Pole Resort "BL900-20\_Final\_Site\_Plan. pdf", attached. The initial site plan and the final site plan have a few minor differences. Some of the buoys were tagged with different numbers than what was previously proposed in the issued development permit. Totem Pole Resort requested to change the buoy numbering to reflect the strata lot numbers. CSRD Staff were agreeable to this numbering change. The locations of the buoys are fairly consistent with the issued Development permit. Buoy locations often change slightly depending on wind and lake levels. The buoy locations referenced in this final site plan meet the requirements for density and setbacks as intended by the amending bylaw.

As the future 6 private mooring buoys are installed on the foreshore adjacent to Totem Pole Resort, the applicant will be required to submit GPS coordinates, photos and labels showing that the installed private mooring buoy has been correctly placed and allocated as shown in the issued development permit.

Rationale for Recommendations:

The applicant has applied to amend the FM2 site specific regulation of the Lakes Zoning Bylaw No. 900, to permit 35 private mooring buoys for the foreshore of subject property.

Staff is recommending that Bylaw No. 900-20 be adopted for the following reasons:

- Bylaw No. 725 policies regarding Foreshore Water (Moorage) support this proposal;
- The relocation of the existing private mooring buoys will alleviate crowding in front of the neighbouring waterfront property and create a clearer navigation path to the resort's marina;
- The proposed additional 10 private mooring buoys meet the FM2 location and siting regulations and will not interfere with foreshore navigation to the resort marina or to the existing 25 private mooring buoys; and,
- The private mooring buoys have been tagged with the required identification and "BL900-20".

**IMPLEMENTATION:**

If the Board endorses the staff recommendation and adopts Bylaw No. 900-20 the bylaw will be consolidated, and the changes will come into effect.

**COMMUNICATIONS:**

See previous board reports and documentation regarding communications at different stages of this application process: Staff will inform the applicant on the outcome of this application after the Board meeting.

**DESIRED OUTCOMES:**

That the Board endorse the staff recommendation(s).

**BOARD'S OPTIONS:**

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

**Report Approval Details**

Document Title:	2024-07-18_Board_DS_BL900-20_Adopt.docx
Attachments:	- BL900-20_Adopt.pdf - BL900-20_BL725_BL900_Excerpts.pdf - BL900-20_Final_Site_Plan.pdf - BL900-20_Maps_Plans.pdf
Final Approval Date:	Jul 8, 2024

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



Corey Paiement

**No Signature - Task assigned to Gerald Christie was completed by assistant Jennifer Sham**

Gerald Christie



Jennifer Sham



John MacLean