



BOARD REPORT

TO: Chair and Directors

SUBJECT: Electoral Area F: Lakes Zoning Amendment Bylaw No. 900-39F

DESCRIPTION: Report from Christine LeFloch, Planner III, dated June 19, 2025.
1134 Pine Grove Road, Scotch Creek

RECOMMENDATION: THAT: "Lakes Zoning Amendment Bylaw No. 900-39F" be read a second time, this 17th day of July, 2025.
Stakeholder Vote Unweighted (LGA Part 14) Majority

SUMMARY:

The subject property is a building strata called Shuswap Lake Resort which has a total of 40 units and common property fronting on Shuswap Lake. The foreshore adjacent to the subject property is currently zoned FM2 Foreshore Multi-Family 2 and allows for 60-berths as part of a group moorage facility by special regulation. The FM2 zone allows 2 private mooring buoys and does not permit floating docks. The owners have installed 24 private mooring buoys and 1 floating dock in contravention of the Lakes Zoning Bylaw and are now seeking a bylaw amendment to bring the property into compliance. It is proposed to amend the special regulation for the property to replace the "60-berths" with "24 private mooring buoys" and add floating dock as a permitted use in the FM2 zone. The Board read the amending bylaw a first time at their meeting held on March 20, 2025 and directed staff to initiate the referral process. Referral comments received have been attached to the Board agenda as "BL900-39F_Agency_First_Nations_Referral_Responses.pdf". It is now appropriate for the Board to consider the amending bylaw for second reading.

BACKGROUND:

Please see [Item No. 17.3 on the March 20, 2025 Board Meeting Agenda](#) for the background and details regarding this proposal.

POLICY:

[Electoral Area F Official Community Plan Bylaw No. 830](#)

3.2 Shoreline Environment

11.2 Foreshore and Water Use (FW)

13.2 Foreshore and Water Development Permit Area

[Lakes Zoning Bylaw No. 900](#)

1.1 Definitions

4.7 FM2 Foreshore Multi-Family 2

FINANCIAL:

This property is subject to bylaw enforcement due to infractions related to the number of private mooring buoys and placement of a floating dock. If the bylaw amendment is not approved to bring the

property into compliance, there would be costs associated with bylaw enforcement activities including staff time and legal costs.

KEY ISSUES/CONCEPTS:

Following first reading referrals were sent to a number of agencies and First Nations requesting their comments. Comments are included in the Communications section below and discussed here.

The Archaeology Branch noted that there is a known, previously recorded archaeological site on the subject property that is protected under the Heritage Conservation Act. The site is located on the upland parcel rather than below the high-water mark. As this proposal is for the placement of buoys and a floating dock below the high-water mark, no further action is required at this time. The applicant has been advised that if any land alterations are contemplated for the upland area of the property the owners will be required to apply for a Provincial Heritage Permit from the Archaeology Branch.

CSRD Utilities staff did not have any concerns regarding CSRD interests. However, it was noted that the buoys are located near a private water intake. It was further noted that for all CSRD water intake approvals Transport Canada have required installation of a "no anchoring" sign above the high-water mark facing the lay of the intake pipe. There is no such signage in place in this case.

Staff referred the question regarding the intake location to Interior Health for their review. Staff from the Small Water Systems team confirmed that the intake is located away from the buoys and alleviates any concerns with boats being moored too close to the water intake. They further indicated that they have no objections to the proposed rezoning.

Transport Canada's response to this referral indicated that the buoy marina is currently not in compliance with the Canadian Navigable Waters Act and an approval is required. They further indicated that their office has informed the owners, and they were waiting on an application. The owners advised staff and provided documentation showing that they made the requisite application on April 27, 2025. Staff note that Transport Canada's process is separate from the CSRD's rezoning process.

Rationale for Recommendation

The applicant is proposing to amend the site-specific regulation applicable to the foreshore adjacent to the subject property to allow placement of 24 private mooring buoys to bring the property into compliance with Lakes Zoning Bylaw No. 900. It is also proposed that floating dock be added to the list of permitted uses for the FM2 Zone along with associated regulations.

Staff are recommending that the amending bylaw be read a second time for the following reasons:

- Bylaw No. 830 policies regarding private moorage generally support this proposal;
- The foreshore adjacent to Shuswap Lake Resort is wide enough to accommodate the proposed dock and buoys and still meet the required setbacks in Bylaw No. 900;
- The proposed site-specific regulation to permit 24 private mooring buoys to be shared among the strata owners represents a significant reduction in the number of permitted moorage spaces for the resort;
- Adding floating dock to the list of permitted uses in the FM2 zone will bring the existing dock associated with the subject property into compliance and also permit a floating dock for other properties zoned FM2 which may have multiple buoys for strata or shared interest use; and,
- There were no concerns raised through the referral process that need to be addressed at this time.

Prior to staff bringing the amending bylaws back to the Board for adoption the applicant will need to apply for a Foreshore and Water Development Permit. As part of the Development Permit application

photo confirmation of identification tags on each buoy along with GPS coordinates of the tagged private mooring buoys will be required.

IMPLEMENTATION:

If the Board agrees with the staff recommendation, and reads Bylaw No. 900-39F a second time, staff will advise the applicant and prepare notifications regarding the waiving of the public hearing described below.

COMMUNICATIONS:

Public Notification

The applicant has posted a notice of application sign on the subject property in accordance with Development Services Procedures Bylaw No. 4001-02, as amended. The applicant provided photos and an affidavit to staff indicating that this was completed on May 22, 2025.

Referrals

Bylaw No. 900-39F was referred to the following agencies and First Nations. Responses are briefly noted. Full referral comments are attached to the Board agenda as "BL900-39F_Agency_First_Nations_Referral_Responses.pdf".

AGENCY/FIRST NATION	RESPONSE
CSRD Environmental and Utility Services	No concerns as this is not near any CSRD owned water intake, however, there appears to be a water intake in the immediate proximity. All CSRD water intake approvals through Transport Canada. Transport Canada should be referred for comment.
CSRD Community & Protective Services	No comments or concerns.
Transport Canada	The proposed bylaw amendments are not in conflict with the Canadian Navigable Waters Act or the Private Buoy Regulations. The buoy marina is not currently in compliance with CNWA and an approval is required. They are awaiting an application from the owners.
Ministry of Forests – Archaeology Branch	Noted that there is a known archaeological site recorded on the subject property. It is protected under the Heritage Conservation Act and must not be damaged or altered without a Provincial heritage permit. Full comments are not included in the attached referral responses as it contains detailed information about a protected archaeology site.
Ministry of Water Land and Resource Stewardship	No objections. Any changes, improvements, or developments on Crown Land whether existing tenures would require a prior written approval from the Ministry of Water, Land and Resource Stewardship.

Interior Health Authority	Water intake location was reviewed by the Small Water Systems team and there are no concerns. No objections to the proposed rezoning.
Adams Lake Indian Band	ALIB supports Skw'lax te Secwepemcú'lecw as leads on any decisions associated with this project. ALIB has asked that their referral comments remain confidential, so they are not included in the attached referral comments document.
Simpcw First Nation	Deferred comments to Adams Lake Indian Band.

DESIRED OUTCOMES:

That the Board endorse the staff recommendation.

BOARD'S OPTIONS:

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

Report Approval Details

Document Title:	2025-07-17_Board_DS_BL900-39F_Second.docx
Attachments:	<ul style="list-style-type: none">- BL900-39F_Second.pdf- BL900-39F_Agency_First-Nations_Referrals_Responses.pdf- BL900-39F_Maps_Plans_Photos.pdf
Final Approval Date:	Jul 8, 2025

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

No Signature - Task assigned to Corey Paiement was completed by assistant Crystal Robichaud

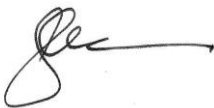
Corey Paiement



Gerald Christie



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