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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** May 31, 2001  
**File No.:** 6740-20  
**To:** City Manager  
**From:** Director of Planning and Development Services  
**Subject:** SHARED DOCK GUIDELINES

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**RECOMMENDATION**

THAT Council endorse the Shared Dock Guidelines as set out in Attachment 1 of the Planning and Development Services Department Report of May 17, 2001 as the new criteria by which staff will assess all shared dock applications which the Province refers to the City for comment.

**BACKGROUND**

In February 1999, Council endorsed Shared Dock Guidelines which staff have since been using to assess applications referred by the Province for City comment. Those guidelines were written with the intent that they would be used to assess situations where several single detached housing properties were seeking to share a dock located off one of the participating owners' properties. The 1999 Guidelines were not intended to apply to situations where large strata developments were seeking to share a dock or where multi-family properties were seeking such permission.

Recently, the Province has referred, for City comment, an application for a shared dock off of a proposed bareland strata subdivision. The absence of any guidelines pertaining to such an application resulted in Council's May 7, 2001 direction to staff to prepare guidelines that could be used in such circumstances.

**PROPOSED GUIDELINES**

The Shared Dock Guidelines prepared in 1999 provided direction on matters such as dock siting, dock size and dock components. In reviewing those guidelines, it is suggested that only minor changes would be needed to allow the guidelines to apply not just to single-detached developments, but also to bareland strata subdivisions and multi-family developments. Shared Dock Guidelines incorporating the required changes are noted in Attachment 1. The proposed changes include:

- Introduction of an ability to limit multi-family and bareland strata developments' shared dock lengths (extension into lake) to less than the otherwise permitted maximum of 40 m if water depth at lesser lengths would be sufficient and if extending the dock further than absolutely necessary would have a significant impact on adjoining property owners.
- Introduction of a 90 m cap on the width (portion running parallel to the shoreline) of multi-family and bareland strata developments' shared docks. In addition to the 90 m cap, there is also a provision which stipulates that no dock width can exceed 40% of the collective frontage of the participating waterfront properties.
- Calculation of dock size maximums for bareland strata and multi-family developments based upon the same principles as previously used for single-detached properties, except without the 200 m<sup>2</sup> cap. The permitted dock size is calculated using a formula that relates permitted size to the waterfront frontage of the participating properties. As with single-detached shared docks, the guidelines would determine the permitted amount of dock *decking*, not the number of boat slips.
- Introduction of limits to the number of boat lifts that would be allowed on multi-family and bareland strata developments' shared docks. The limits would generally be 1 boatlift per residential waterfront property in a bareland strata development (with the possibility of up to one boatlift per moorage space if the additional boat lifts meet with approval from neighbours whose views could be impacted), and 1 boatlift/single detached waterfront property that *could* have been created where the upland parcel is a multi-family development (with the possibility of up to one boatlift per moorage space if the additional boat lifts meet with approval from neighbours whose views could be impacted).

## RATIONALE

In developing the above-noted guidelines, staff were guided by the Shore Zone Plan policy direction that, generally speaking, shared docks should be encouraged because they ultimately result in fewer barriers to public access along the foreshore. If shared docks are to be encouraged, it is important that the capacity offered by such docks be at least equivalent to that which would be available were the applicants to instead pursue individual applications for private moorage facilities. Since a single dock can typically provide moorage for at least two boats, it was felt reasonable to extend the same capacity to waterfront owners sharing a dock. The proposed guidelines regulate the deck surface of a moorage facility and thereby indirectly regulate the moorage spaces available. Dock size limitations were established on the basis that docks should be providing roughly two moorage spaces/waterfront property. Regulating dock size rather than the number of "slips" was considered preferable because it averts the possibility that owners limited to only one slip/property would create "very large" slips that could then subsequently (after permit approvals) be divided into more numerous, smaller slips.

The guidelines attached, if implemented, will result in shared docks which contain less deck surface than the collective total of the single docks that could be built by the participating waterfront property owners. For example, a series of ten bareland strata lots with 222 m of waterfront frontage would be allowed a maximum 324 m<sup>2</sup> of shared dock space. The equivalent total if each of the property owners were to instead build their own docks, would be 1128 m<sup>2</sup>.

Shared docks will result in fewer barriers to foreshore public access and will result in less of the lake being covered by docks. It is therefore considered in the public's interest to encourage shared docks.

### ROLE OF DOCK GUIDELINES

The proposed Shared Dock Guidelines (Attachment 1), if endorsed, would provide the basis for staff's review of applications referred for comment from the Province to the City. In the final instance, the Province, at present, retains full jurisdiction over the approval and licensing of all docks.

### PUBLIC FEEDBACK

Drafts of the proposed Shared Dock Guidelines have been reviewed with representatives of both residents living next to a proposed shared dock facility and a developer of a proposed dock facility. Based on comments received, staff are recommending that the attached guidelines represent a reasonable compromise between those interests. Adjoining residents note, however, that they would like to see a cap of one moorage slip/waterfront property and suggest that the City enact a policy whereby it requires all newly subdivided properties to construct shared dock facilities (thereby removing such property owners' option of constructing individual docks).

### SUMMARY

Endorsement of expanded shared dock guidelines will assist staff in expeditiously and consistently assessing applications referred to them by provincial regulatory authorities. It is therefore recommended that the guidelines be endorsed as outlined in the May 31, 2001 report of the Planning and Development Services Department.

Signe K. Bagh, MCIP  
Long Range Planning Manager

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Approved for inclusion	
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R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning & Development Services

Attachment

## ATTACHMENT 1:

# CITY OF KELOWNA GUIDELINES FOR ASSESSMENT OF SHARED DOCK APPLICATIONS

The following guidelines will be utilized by City staff to assess applications referred to them for comment by the Province of B.C.

In addition to the requirements noted below, staff may require those applying for a shared dock to submit evidence that neighbouring property owners have been advised of the application. Staff may use neighbours' comments as a basis for considering more or less onerous requirements than those noted in sections a, c, d and q below.

- a. No portion of a dock shall extend more than 40 m from the natural boundary. Exemptions to this provision will be considered only where local shoreline conditions suggest extenuating consideration, where the Province has indicated that there would be no adverse impacts associated with extending a dock beyond the normally permitted distance and where adjacent property owners have no objection to the extension. Given the generally wider configuration of shared docks, such docks *may* be limited to less than 40 m extensions into the lake provided that water depths closer to shore are sufficient to allow for secure boat moorage and passage. The limitation on dock lengths will be given particular consideration where there would be greater than typical visual impact on neighbouring properties (for example, a shared dock located off of a peninsula or point).
- b. No portion of any dock runway shall exceed a width of 1.83 m. Decking at the lake-end of the dock may reach a width of 3.66 m over a maximum 10 m.
- c. The portion of the shared dock structure which runs roughly parallel to the shoreline shall not, in the case of single-detached housing properties sharing a dock, extend across more than 50% of the frontage of any given upland property and must in no case exceed 25 m. Input from adjoining property owners may be considered in placing restrictions on the exact placement of the dock.

The portion of the shared dock structure which runs roughly parallel to the shoreline shall not, in the case of bareland strata developments, extend across more than 40% of the frontage of the bareland strata parent parcel, and must in no case exceed 90 m. Input from adjoining property owners may be considered in placing restrictions on the exact placement of the dock.

The portion of the shared dock structure which runs roughly parallel to the shoreline shall not, in the case of multi-family developments, extend across more than 40% of the frontage of the upland development, and must in no case exceed 90 m. Input from adjoining property owners may be considered in placing restrictions on the exact placement of the dock.

- d. The maximum permissible deck surface of a shared dock (including surfaces separating individual moorage slips) shall, in the case of single detached participating properties, be calculated using the following formula, to a maximum of 200 m<sup>2</sup>.

$$\text{permissible deck surface (m}^2\text{)} = 112 \text{ m}^2 + (\text{Total lake frontage of participating abutting properties} - 20\text{m}) * 1.05 \text{ m}^2$$

The maximum permissible deck surface of a shared dock (including surfaces separating individual moorage slips) shall, in the case of bareland strata developments, be calculated using the following formula.

$$\text{permissible deck surface (m}^2\text{)} = 112 \text{ m}^2 + (\text{Total lake frontage of the bareland strata subdivision} - 20\text{m}) * 1.05 \text{ m}^2$$

A bareland strata development will not be permitted to apply for a shared dock if any of the properties within the development already have docks. Similarly, once a shared dock has been approved, none of the properties within the bareland strata development will be permitted to apply for individual docks.

The maximum permissible deck surface of a shared dock (including surfaces separating individual moorage slips) shall, in the case of multi-family developments, be calculated using the following formula.

$$\text{permissible deck surface (m}^2\text{)} = 112 \text{ m}^2 + (\text{Total lake frontage of participating abutting properties} - 20\text{m}) * 1.05 \text{ m}^2$$

- e. Docks shall not impede pedestrian access along the foreshore. In cases where the dock platform is raised by more than 0.3 m above any point on the public foreshore, steps must be provided for public access over the dock and this access must not be blocked by fences or other means. Where this solution is impractical, the owners may choose, as an alternative, to allow the public to cross the upland property above the natural boundary. If this alternative is chosen, a sign must be posted on the property to advise the public of the alternative crossing.
- f. No portion of a dock shall be elevated more than 1 m above 342.53 m (geodetic elevation).
- g. Where a dock is shared, and constructed in front of abutting properties sharing the dock, the dock can be constructed on or across the common property boundaries. In such an instance, the minimum sideyard setback between those two properties would be 0 m. Docks must be set back a minimum of 3.0 m from all other side property lines (as projected perpendicularly onto the foreshore from upland properties).
- h. Setback from the side property line of the upland parcel, projected perpendicularly onto the foreshore, shall be a minimum of 6.0 m where the property abuts a creek or where the adjacent property is a right-of-way beach access or is in a P3 zone.
- i. Siting of the dock shall be undertaken in a manner that is consistent with the orientation and site placement of neighbouring docks.
- j. Siting of the dock shall avoid impacts on access to existing docks and adjacent properties and shall preserve the ability of abutting property owners who are not sharing the dock to construct their own docks and gain access to their properties.
- k. Dock structures shall be supported by wooden or steel piles and be made of non-toxic

materials (solid core supports will not be allowed).

- l. No roof or covered structures shall be used, constructed, or maintained on the dock or over boatlifts.
- m. No structures other than those expressly permitted in these regulations shall be permanently affixed to dock structures.
- n. Dock lighting may be installed for security and safety purposes but shall be on sensor detectors such that the lights are only on when there are people on or near the dock. Lights should be installed at not less than 10 m intervals. Bulbs should have a maximum wattage of 60 w. Lamp heads should be no more than 22" higher than the dock decking.
- o. No overhead lift systems will be permitted. Boatlifts shall be of single-post construction
- p. Boatlifts shall not suspend the underside of any boat more than one (1) m above the surface of the water.
- q. There shall, for single detached participating properties, be a maximum of one boatlift per property involved in sharing a dock, to an absolute maximum of six boat lifts per dock structure.

There shall, for bareland strata properties, be a maximum of one boatlift per residential waterfront lot in the development (with the possibility of up to one boatlift per moorage space if the additional boat lifts meet with approval from neighbours whose views could be impacted).

The number of boatlifts per multi-family shared dock, shall be limited to the number of waterfront lots that could have been accommodated had the multi-family property been developed as a single detached subdivision with RU2 zoning (with the possibility of up to one boatlift per moorage space if the additional boat lifts meet with approval from neighbours whose views could be impacted).

- r. Boat lifts should be designed and placed so as to have minimal impact on neighbours' views (both when the boat lifts are in use and when they are not).
- s. Deck surfaces must be supported by at least two parallel rows of piles.
- t. No overhead electrical wiring will be permitted.
- u. Those participating in a single-detached shared dock must submit written acknowledgement that they will refrain from seeking permission to build a private dock off of their individual properties until the tenure on the shared dock expires.
- v. In the case of single-detached shared docks, the owner of the property off of which the shared dock is constructed must acknowledge, in writing, that the tenure on that dock lasts only for 10 years. At the end of the ten years, the applicant (or subsequent owner) must reapply for a shared dock. If the dock can no longer comply with the established guidelines because sufficient participating property owners are no longer interested, then the dock will, at that time, be required to conform to the regulations in

place for private (non-shared) moorage facilities.

- w. Shared docks that were licensed and built in conformance with an approved shared dock license prior to the date of adoption of these guidelines will be allowed to be replaced as per the terms of the original agreement, provided that public access along the foreshore is not impeded.

*Note: Where there are a combination of development types (single detached, bareland strata, multi-family) present among waterfront properties proposing to share a dock, and where it is thereby unclear which conditions apply to the shared structure, the conditions that are most stringent, shall apply.*