

**City of Kelowna
Regular Council Meeting
AGENDA**



Monday, May 12, 2014

9:45 am

Knox Mountain Meeting Room (#4A)

City Hall, 1435 Water Street

Pages

1. Call to Order
2. Confirmation of Minutes 3 - 4
Regular AM Meeting - May 5, 2014
3. Reports
 - 3.1 Strong Neighbourhood Project Overview 30 m 5 - 18
To provide Council with an overview of the Strong Neighbourhood Project, including community engagement activities, timelines and project outcomes.
 - 3.2 Provincial Dock Permitting and Process 30 m 19 - 30
To update Council on the Province's dock/moorage permitting process and the specific series of events that led to the approvals of the Manteo Resort Marina.
4. Resolution Closing the Meeting to the Public
THAT this meeting be closed to the public to Section 90(1) (a) and 90(2) (b) of the Community Charter for Council to deal with matters relating to the following:
 - Position Appointment; and
 - Negotiations with another level of government.
5. Adjourn to Closed Session
6. Reconvene to Open Session

7. Issues Arising from Correspondence & Community Concerns

7.1 Mayor Gray, re: Issues Arising from Correspondence

30 m

8. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Monday, May 5, 2014
Location: Knox Mountain Meeting Room (#4A)
 City Hall, 1435 Water Street

Council Members Present: Mayor Walter Gray and Councillors Colin Basran, Andre Blangleil, Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, Luke Stack and Gerry Zimmermann

Staff Present: City Manager, Ron Mattiussi; Deputy City Clerk, Karen Needham; Director, Real Estate, Derek Edstrom*; Manager, Subdivision, Agricultural & Environmental Services, Todd Cashin*; Manager, Real Estate, Jeff Hancock*; Manager, Property Management, John Saufferer*; and Council Services Coordinator, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Mayor Gray called the meeting to order at 9:50 a.m. and noted that today is Kelowna 109th Birthday.

2. Confirmation of Minutes

Moved By Councillor Singh Seconded By Councillor Stack

R301/14/05/05 THAT the Minutes of the Regular AM Meeting of April 28, 2014 be confirmed as circulated.

Carried

3. Resolution Closing the Meeting to the Public

Moved By Councillor Hobson/Seconded By Councillor Zimmermann

R302/14/05/05 THAT this meeting be closed to the public pursuant to Section 90(1) (e) and (j) of the Community Charter for Council to deal with matters relating to the following:

- Acquisition, Disposition, or Expropriation, of Land or Improvements; and
- Third Party Information.

Carried

4. Adjourn to Closed Session

The meeting adjourned to a closed session at 9:51 a.m.

5. Reconvene Open Session

The meeting reconvened to an open session at 11:03 a.m.

6. Issues Arising from Correspondence & Community Concerns

6.1. Mayor Gray, re: Issues Arising from Correspondence

Mayor Gray:

- Advised that he did not have anything specific to raise with Council.

7. Termination

The meeting was declared terminated at 11:03 a.m.

Mayor

/slh



Deputy City Clerk

DRAFT

Report to Council



Date: May 7, 2014
Rim No. 0610-53
To: City Manager
From: Louise Roberts, Community & Neighbourhood Services Manager
Subject: Strong Neighbourhood Project Overview

Recommendation:

THAT Council receives, for information, the report from the Community & Neighbourhood Services Manager dated May 7, 2014, with respect to the Strong Neighbourhood Project.

Purpose:

To provide Council with an overview of the Strong Neighbourhood Project, including community engagement activities, timelines and project outcomes.

Background:

A focus area of Council's "Moving Opportunities Forward" document is Enhancing Citizens Quality of Life. A contributing element to achieving this is building strong neighbourhoods. Staff from the Active Living & Culture Division, in consultation with internal departments including Communications and Policy & Planning, has developed the Strong Neighbourhood Project.

The objective of the Strong Neighbourhood Project is to improve the quality of life in Kelowna by increasing citizen level of attachment to the community. The intent of this project is to inspire neighbourhoods that foster a culture of engagement and connection.

For the purpose of this project, engagement and connection are defined as:

- "Engagement" refers to our commitment to community and the willingness to take actions to solve problems or participate in activities that make our community better.
- "Connection" refers to our relationship with others and the strength of those relationships.

Based on current research and similar initiatives by other municipalities, key principles that guide this project include:

- A resilient/vibrant community is made up of strong neighbourhoods.
- It takes citizen engagement, empowerment, and involvement to create strong neighbourhoods.
- Strong neighbourhoods contribute to citizen level of attachment.
- Citizen attachment is cultivated not only by what the City provides the community, but also how the citizens themselves contribute to the community/neighbourhood environment.
- The heart and essence of every community are its neighbourhoods.

The project scope includes:

1) Research and Consultation

- Review current research studies on building strong neighbourhoods.
- Research what other communities nationally and internationally are doing to build strong neighbourhoods (best practices).
- Develop a document that outlines a vision for Kelowna's neighbourhoods, defines what makes up a neighbourhood, and what elements/components make up a strong neighbourhood.
- Obtain input from both internal staff and community stakeholders on the document.

2) Community Scan

- Compile a list of current municipal and community services related to the vision and elements/components that contribute to a strong neighbourhood.
- Conduct a community assessment of where the neighbourhoods currently stand in relationship to the vision and elements/components that contribute to a strong neighbourhood. This would involve analyzing current community data as well as engaging citizen input.

3) Community Engagement

- Conduct a number of multi-faceted interactive engagement exercises including a series of neighbourhood engagement parties (using a block party format) to gather input from citizens.
- Gauge current citizen attachment, determine what drives those feelings of attachment, and engage the community in identifying what they value most about their neighbourhood.
- Inspire and encourage citizens regarding the vision for neighbourhoods and encourage their role/participation in strengthening their neighbourhood.

4) Assessment

- Analyze the information and input obtained from the research, community scan, and community engagement.
- Identify what citizen's value most about their neighbourhoods (attachment drivers).
- Identify strategic initiatives and opportunities that would support strengthening Kelowna's neighbourhoods and create a desired place to live.

5) Pilot Projects

- Develop a number of pilot projects (based on assessment), that would be focused on strengthening Kelowna's neighbourhoods. This would include obtaining input from internal staff and community stakeholder on the feasibility of the projects. Then create an implementation plan for the key pilot projects.
- Implement a number of pilot projects that facilitate strengthening Kelowna neighbourhoods.

6) Evaluation

- Develop a process for monitoring and reporting on the progress of the pilot projects.
- Evaluate the pilot projects and make recommendation regarding ongoing and future initiatives.
- Determine if additional budget is needed for 2016 projects.

Project deliverables include:

1) A Strong Neighbourhood Document that: (2014)

- Outlines a vision for Kelowna neighbourhoods,
- Identifies the elements/components that make up a strong neighbourhood,
- Gauges citizen attachment and identifies what citizens value about their neighbourhood,
- Identifies what is being done locally and in other communities nationally and internationally in regards to building strong neighbourhoods (best practices).

2) A number of pilot projects that: (2015)

- Inspire citizen involvement/engagement in strengthening their neighbourhood,
- Increase the level of citizen attachment and connection.

Desired outcomes from the project include:

1) The City will have an enhanced understanding of:

- Citizen attachment and what drives it,
- What makes our community a great place to live through the eyes of its citizens,
- Neighbourhood strengths and community identity,
- What type of strategic initiatives will contribute to increasing levels of citizen attachment and connection at a neighbourhood level.

2) There will be an increased level of citizen:

- Participation in neighbourhood based activities and initiatives that contribute to the social fiber of neighbourhoods,
- Engagement in the development and delivery of programs, services and initiatives that foster strong neighbourhoods and contribute to their vitality,
- Ownership in making Kelowna the best city they can imagine.

3) The City and the community will have:

- A common vision for Kelowna's neighbourhoods,

- A clear understanding of the key elements/components that foster a strong neighbourhood,
- An increased awareness as to what both the municipality and the community are doing at a neighbourhood level that foster strong neighbourhoods.

The project is intended to be a catalyst in moving the community towards a common vision for neighbourhoods and to encourage citizen participation and engagement in making Kelowna neighbourhoods a great place to live, work and play.

Ultimately, the Strong Neighbourhood Project aims to create an engaged community and spark additional community projects and initiatives.

Internal Circulation:

Director, Active Living & Culture; Community Engagement Consultant, Communications; Manager, Policy & Planning; Sustainability Coordinator, Long Range Policy & Planning; City Clerk

Financial/Budgetary Considerations:

Council approved a Strong Neighbourhood budget submission with a \$40,000 contribution in both 2014 and 2015. The 2014 contribution will be used towards the research and the initial community engagement and the 2015 contribution will be used for pilot projects and/or community initiatives.

Additional and ongoing funding is anticipated in support of this project. This will be presented as part of future budget considerations.

Communications Comments:

A communications plan is being finalized by Communications and the Project Team.

Considerations not applicable to this report:

Alternate Recommendation:

External Agency/Public Comments:

Personnel Implications:

Existing Policy:

Legal/Statutory Procedural Requirements:

Legal/Statutory Authority:

Submitted by:

L. Roberts, Community & Neighbourhood Services Manager

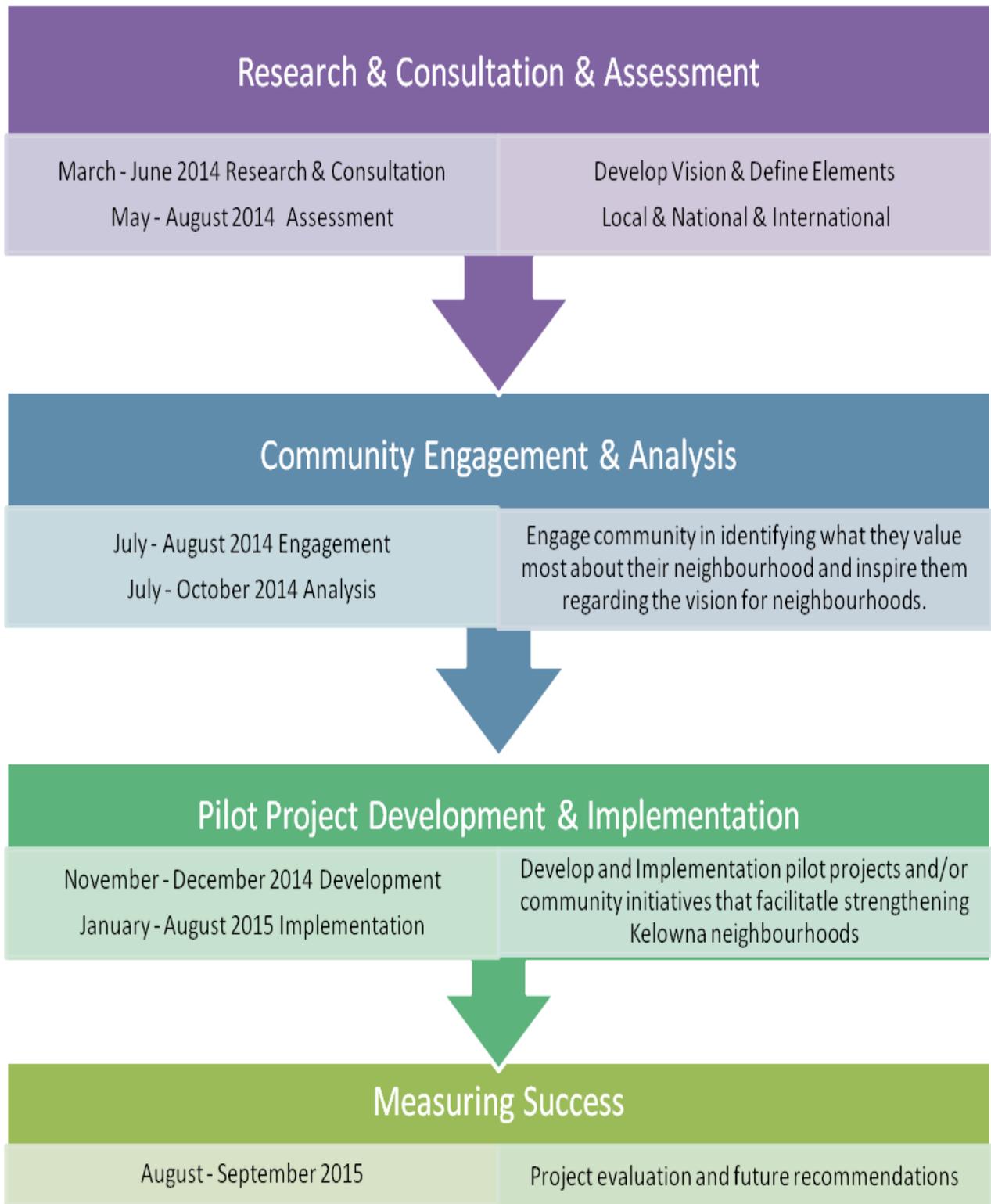
Approved for inclusion: Jim Gabriel, Divisional Director, Active Living & Culture

Attachments: 1. Project milestones flow chart
2. PowerPoint presentation

cc: Divisional Director, Communications & Information Services
Divisional Director, Community Planning & Real Estate

Attachment #1

Strong Neighbourhood Project milestones:





City of
Kelowna

STRONG NEIGHBORHOODS

Our Neighbourhoods, Our City



IMAGINE YOUR COMMUNITY





ENGAGED,
EMPOWERED &
INVOLVED

**Strong neighbourhoods
contribute to citizen level of
attachment.**

ATTACHMENT

PROJECT SCOPE



- ▶ Research and best practices
- ▶ Community scan
- ▶ Community engagement
- ▶ Assessment
- ▶ Pilot projects
- ▶ Evaluation

DELIVERABLES



- ✓ Strong Neighbourhood Document
- ✓ Pilot Projects (2015)

OUTCOMES

- ✓ the City will have an enhanced understanding of the communities attachment and what type of initiatives will contribute to it
- ✓ there will be an increased level of citizen participation, engagement and ownership
- ✓ the City and the community will have a common vision for strengthening Kelowna's neighbourhoods



COMMUNITY IN DIALOGUE

- ▶ Assessment - May & June
 - ▶ Stakeholder Roundtable
- ▶ Community input - July & Aug
 - ▶ Block Parties, Park and Play, Online (getinvolved.kelowna.ca)
- ▶ Implementation - 2015
 - ▶ Inform on outcomes



Fostering a culture of engagement & connection in our community.

Report to Council



Date: 5/7/2014
File: 0705-41
To: City Manager
From: Ryan Smith, Urban Planning Manager
Subject: Dock/Moorage Permitting Policies and Procedures

Recommendation:

That Council receive for information the report from the Urban Planning Manager dated May 7, 2014 describing the process of dock and shared moorage permitting in BC and the specific chain of events that led to the approval of the Manteo Resort Marina.

Purpose:

To update Council on the dock/moorage permitting process and the specific series of events that led to the approvals of the Manteo Resort Marina.

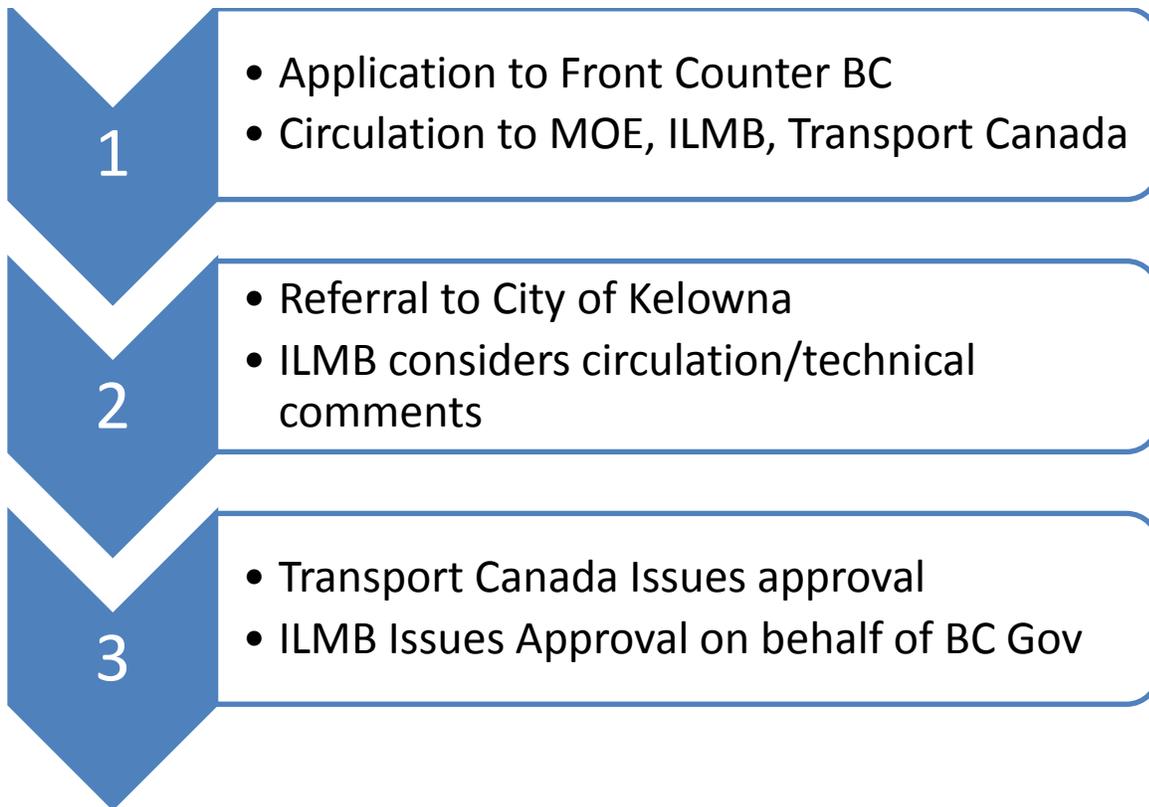
Background:

In late March/early April of 2014, staff and Council began receiving complaints from users of Rotary Beach on Lakeshore Road regarding the construction of a new marina at the Manteo Resort. The following sections of this report provide a summary of:

- a) The general process for dock and moorage permitting in British Columbia;
- b) A summary of City Policy and Bylaws that regulate docks;
- c) A chronology of events that led to the approval of the dock/moorage at the Manteo Resort; and
- d) Recommendations to:
 - I. improve the process and better inform the public regarding the dock approval process
 - II. improve Provincial - Municipal planning coordination of on-water use recognizing adjacent land use context

a) **Dock/Shared Moorage Permitting Process**

The general process for permitting docks and shared moorage in BC includes the following steps:



*It should be noted that the process for the Manteo Resort Marina included a step not listed above. The application was subject to a Canadian Environmental Assessment Act (CEAA) review, along with the expansion applications for moorage facilities of 2 neighboring properties. This process no longer exists as it was recently eliminated by the federal government (after approval of the Manteo application).

b) **Summary of City Bylaws and Policies Related to Moorage**

One policy and one section of bylaw exist to guide/regulate the development of docks in Kelowna.

i) **City of Kelowna - Guidelines for Assessment of Shared Dock Applications (June 11, 2001)**

This policy provides staff a criteria framework to assess referrals from the province for shared dock applications.

ii) **City of Kelowna - Zoning Bylaw No.8000, Section 9 - Dock and Boatlift Regulations**

This regulation generally complements the guidelines mentioned above with specific regulations; however, there are sections that are contradictory and are in the process of being reviewed. In addition, staff is not circulated by the province on dock license applications before their issuance for small docks and as such, it would be very difficult to apply the regulations listed in this section. It is not clear whether or not these were considered during staff consideration of the Manteo Resort Marina dock application process.

c) **Brief chronology of events - Manteo Resort Marina application**

June 25, 2008 The City was notified that Manteo Resort wished to expand their marina (May 27, 2008 Adrian Block) and Manteo agreed in principle that a 2 dock structure (existing and new) would be considered for the adjacent Manteo properties. This agreement in principle was discussed as it is apparent that a dock-moorage structure would be allowed in front of the Lakeshore Inn property however the preferred location is near or in front of the Manteo property holdings.

Feb 08, 2010 - Referral for Manteo Dock Expansion received (183 boat slips)

Feb 22, 2010 - City referral response.

Please be advised that we are not currently in a position to provide comments with respect to this referral. There are other similar projects being considered in the vicinity and from the City of Kelowna perspective the submission by EBA, on behalf of KLI Developments is entirely premature based on the Cumulative Impact Assessment (CIA) that is currently being reviewed by Transport Canada. The CIA by nature is a review of cumulative impacts of multiple projects and is anticipated to address impacts of the proposed development at Manteo in addition to other proposals.

Transport Canada - CEAA review process begins. Department of Fisheries and Oceans and Nav Waters Canada provided feedback into this process.

June 28, 2012 - Transport Canada completes CEAA process and 3 dock applications delayed by this process continue to be processed individually by Transport Canada and ILMB/MOE.

- October 16, 2012** - City re-circulates dock/shared moorage referrals for Manteo and Eldorado to staff.
- October 25, 2012** - City provided updated comments to Integrated Land Management Bureau related to both the Manteo and Eldorado docks. Primary concerns expressed by staff include: infringement on Cook Street boat launch area, Eldorado dock design, SRW for public access along foreshore, orientation of both the Manteo and Eldorado docks to ensure no encroachment on the boat launch and no conflict between the two dock structure.
- Sept 25, 2013** - Transport Canada approval issued for Manteo dock.
- October 9, 2013** - Additional City Feedback provided to Ministry of Forests, Lands and Natural Resources re: location of Manteo and Eldorado dock structures:
- 1. The approval letter from Transport Canada in their correspondence dated September 25, 2013 indicated the dock entrance ramp in a location further south and not near the mouth of Wilson Creek. The revised sketch submitted by Manteo dated September 27, 2013 provides for the dock entrance ramp much closer to the northern end of the property, adjacent to Wilson Creek. We would prefer the more southerly location as per the Transport Canada approval, as it limits the over water structures near Wilson Creek and provides greater protection of fish habitat. That more southerly location will also provide more convenient access for firefighting purposes.*
 - 2. We recognize that the existing dock only shows on the air photo and not the sketch plan, but we want to be sure that the older dock closer to the shore will be removed.*
 - 3. It is noted that the dock plan approved by Transport Canada does not include a breakwater, which may be a critical component that should not be overlooked.*
 - 4. It is noted that the setback on the south side (next to the Eldorado dock) is proposed at 5m. Similarly, the north side setback on the proposed Eldorado dock is also 5m. While these setbacks technically meet the requirements, the total distance between these two proposed marina docks will be only 10m (33 ft.) and we are concerned that in more severe weather that proximity may be problematic.*

December 11, 2013 15m setback between Eldorado and Manteo docks agreed to with MFLNR staff.

- d) **Recommendations to improve the process/outcomes for shared moorage facilities**
- i) Review existing shared moorage policy and dock regulation and update for consistency with provincial regulation. Consider two regulatory sections in Zoning Bylaw No.8000. One section for small scale moorage and one for larger shared moorage facilities and marinas. **(In Process)**
 - ii) Develop formal (step by step documented) municipal process for input on moorage applications. This should complement updated policy/regulation.
 - iii) Begin a dialogue with the Province to improve Provincial - Municipal planning coordination of on-water uses recognizing adjacent land use context. Approval processes and possible delegated authorities are to be further reviewed.
 - iv) Generate an OCP level policy and mapping acknowledgement of the preferred forms of on-water use along the City's lakefront to help guide future moorage licensing feedback to more senior levels of government, property owners and the public.
 - v) Develop a "best practices" brochure for lakefront property owners in order to demonstrate the desired type of dock/moorage structures.

Internal Circulation:

Manager, Subdivision, Agriculture and Environmental Services
Manager, Policy and Planning
Director, Community Planning and Real Estate

Legal/Statutory Authority:

Province of British Columbia, Private Moorage Policy

Existing Policy:

Guidelines for Assessment of Shared Dock Applications - Endorsed by Kelowna City Council on June 11, 2001.

Personnel Implications:

Long term personnel implications would exist if the City were able to successfully petition the province for greater control of moorage approvals.

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements: N/A

Financial/Budgetary Considerations: N/A

Communications Comments: N/A

Alternate Recommendation: N/A

External Agency/Public Comments: N/A

Submitted by:

R.Smith, Urban Planning Manager

Approved for inclusion:



D. Gilchrist, Divisional Director of Community
Planning and Real Estate

Attachments: N/A

cc: Manager, Subdivision, Agriculture and Environmental Services
 Manager, Policy and Planning
 Director, Community Planning and Real Estate
 Manager, Parks and Building Planning

9.8 Car Washes

- 9.8.1 Car washing establishments shall provide upstream **vehicle** storage for a minimum of 5 **vehicles** per washing bay except it is a minimum of 2 **vehicles** where the washing bay is coin operated and the **vehicle** is manually washed by an occupant of the **vehicle**.
- 9.8.2 Upstream storage spaces shall be a minimum of 6.5 m long and 3.0 m wide.
- 9.8.3 The minimum **site** area and coverage for a car wash shall be determined on the basis of 370 m² of space not covered by **buildings** for each car wash bay.

9.9 Dock and Boatlift Regulations

- 9.9.1 Non-moorage **uses** such as beach houses, storage sheds, patios, sundecks, and hot tubs shall not be permitted.
- 9.9.2 The placement of fill, or the dredging of aquatic land, is not permitted. Natural habitat and shoreline processes shall not be altered.
- 9.9.3 Public access along the **foreshore** shall not be impeded.
- 9.9.4 Development shall be in conformance with federal and provincial regulations, best management practices and guidelines. Prior to construction on the Crown foreshore, permission must be obtained from the pertinent provincial and federal agencies.
- 9.9.5 Moorage facilities consisting of docks and boat lifts shall be permitted if developed consistently with the following regulations or as approved by the pertinent provincial and federal agencies:
- (a) The owner of the moorage facilities is the owner of the upland property or is the holder of a Crown land residential lease for the upland property.
 - (b) Dock access ramps and walkways shall not exceed a width of 1.5m. Any other surface of the dock shall not exceed a width of 3.0m.
 - (c) L or T shaped dock **structures** are permitted if the length of the **structure** which is parallel to the shoreline does not exceed the lesser of 10 m or one half the width of **frontage** of the upland parcel.
 - (d) 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.
 - (e) Setback from the side property line of the upland parcel, projected onto the foreshore, shall be a minimum of 5.0m.
 - (f) Setback from the side **property line** of the upland parcel, projected onto the **foreshore**, shall be a minimum of 6.0 m where the **adjacent** property is a right-of-way beach access or is in a P3 **zone**.
 - (g) Siting of the dock shall be undertaken only in a manner that is consistent with the orientation of neighbouring docks, that is sensitive to views and other impacts, and that avoids impacts on access to existing docks and adjacent properties.

CITY OF KELOWNA
GUIDELINES FOR ASSESSMENT OF SHARED DOCK APPLICATIONS
(Endorsed by Kelowna City Council on June 11, 2001 as the “criteria by which staff will assess all shared dock applications which the Province refers to the City for comment”).

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 shall 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 shall 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 shall 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 m².

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

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 6.0 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).

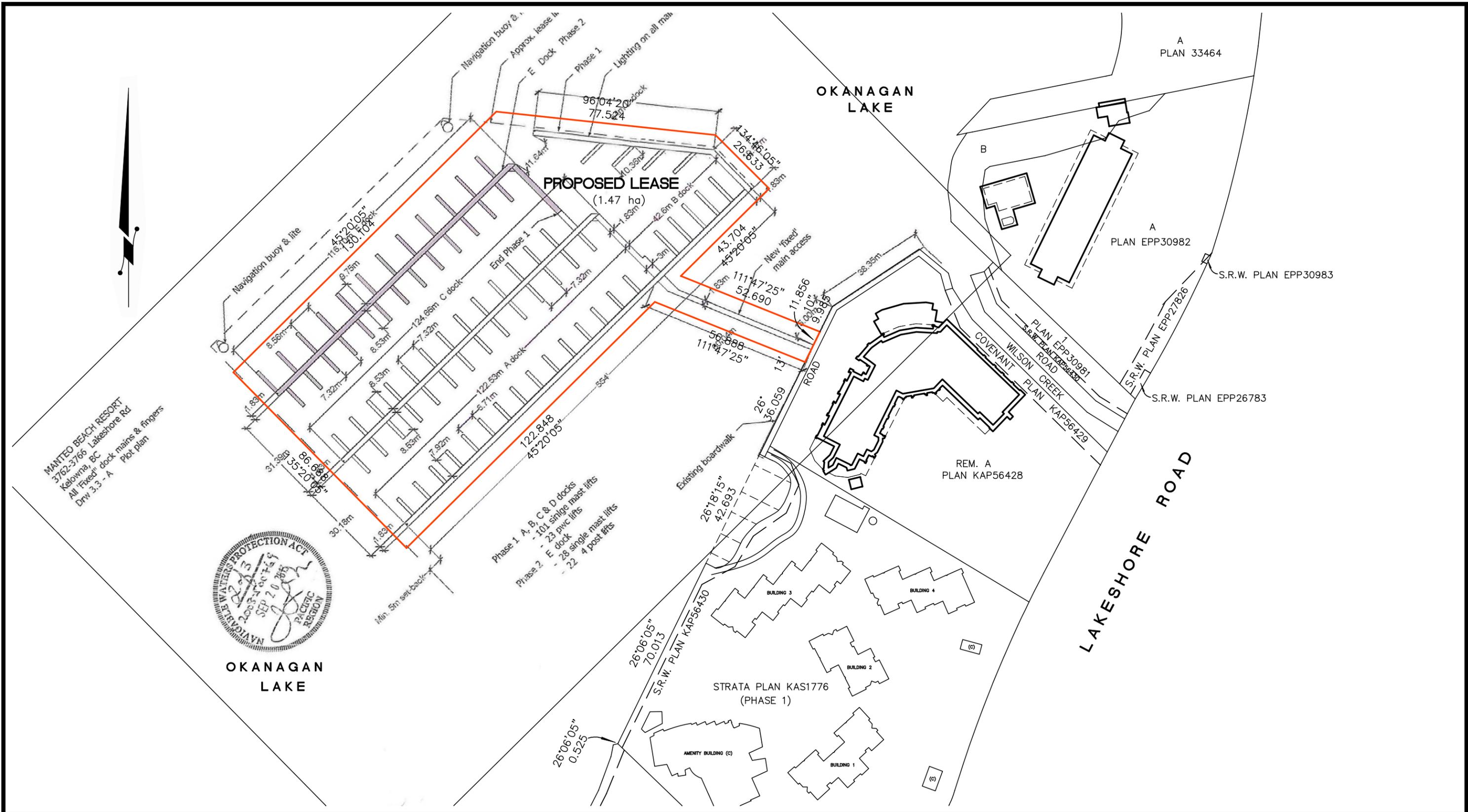
The number of boatlifts per multi-family shared dock, shall be limited to the number of waterfront lots that could have been accommodated had the multi-family property been developed as a single detached subdivision with RU2 zoning (with the possibility of up to one boatlift per moorage space if the 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.



**SKETCH PLAN TO ACCOMPANY LEASE OF PART OF THE
BED OF OKANAGAN LAKE ADJACENT TO MANTO RESORT**

DRAWN BY: **RUNNALLS DENBY**
british columbia land surveyors
 259A Lawrence Avenue Kelowna, B.C. V1Y 6L2
 Phone: (250)763-7322 Fax: (250)763-4413
 Email: neil@runnallsdenby.com

CLIENT: **RYKON GROUP**

SCALE:	1:1250 (11" x 17")
DATE:	October 2, 2013
DWG:	13786 MARINE LEASE SHAPEFILE
FILE No.:	13786
REV.	2