



COUNCIL REPORT
Development Services
For the May 28, 2019 Council Meeting

DATE: May 16, 2019 File: Z 19-02

TO: Jim Zaffino, CAO

FROM: Jaleen Rousseau, Planner

RE: Application: Zoning Amendment Bylaw No. 0154.82 (Z 19-02)
Address: Okanagan Lake abutting 1449 Green Bay Road
Legal: Unsurveyed Crown Land abutting Lot 1, DL 434 & 523, ODYD, Plan 7108
Owners: The Crown (Okanagan Lake)
Agent: Jordan Hettinga (Kent-Macpherson) c/o Green Bay Bible Camp

RECOMMENDED MOTION:

THAT Council give third reading and adopt Site Specific Text Amendment Bylaw No. 0154.82 2019 (File: Z 19-02).

RATIONALE:

The recommended motion is based on the following considerations:

- The application is consistent with existing and historic use.
- The City is not aware of any negative impacts to the community resulting from the current moorage configuration.
- Provincial consideration of the proposed dock reconstruction will ensure protection of aquatic habitat values.

LEGISLATIVE REQUIREMENTS:

Council has authority under Part 14 (s. 479) of the *Local Government Act (LGA)* to create and amend its Zoning Bylaw, including the creation of provisions specific to different locations within a single zone.

BACKGROUND

The proposed bylaw amendment received first and second readings on April 23, 2019 and a Public Hearing was held on May 14, 2019. No issues were raised at the Public Hearing.

Proposal The applicant is requesting a Site Specific Text Amendment to the Intensive Water Use Zone (W2) to allow for the replacement of existing moorage facilities in the same configuration and location.

The proposed dock structures would include:

- West moorage structure

- East moorage structure
- Swim platform
- Four boat slips
- A shed

The existing moorage facilities have been damaged by weather events and require reconstruction (*Attachment 4*).

Each moorage structure extends approximately 73 m (240 ft) into Lake Okanagan from the shoreline of 1449 Green Bay Rd and has been in place since prior to 1973. Reconstruction of the existing docks will result in modern moorage design including steel piles and flow thru decking (*See Attachment 5*).

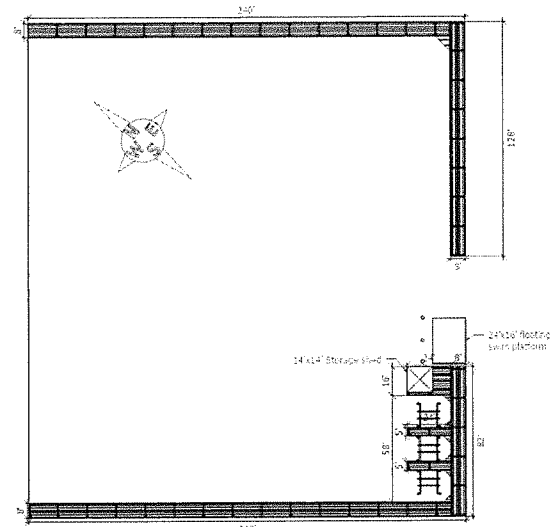


Figure 1: Proposed Docks and Boat Slip Configuration

Policy and Bylaw Review

Development Permit Areas: 1449 Green Bay Road is subject to three of the City's Development Permit Areas: Aquatic Ecosystem, Sensitive Terrestrial Ecosystem and Form and Character.

Zoning Bylaw No. 0154

Green Bay Bible Camp is currently zoned *Institutional and Assembly Zone (P2)*. The portion of Okanagan Lake immediately abutting the Camp and owned by the Crown (the area subject to the Site Specific Text Amendment) is zoned *Intensive Water Use (W2)*.

The W2 zone restricts development of moorage for 1449 Green Bay Rd to one moorage (dock) structure. The purpose of the Site Specific Text Amendment is to request permission to construct two moorage structures and four boat slips.

Technical Review

Provincial Licensing

Okanagan Lake is managed and protected by the Crown through the application of relevant legislation such as, *The Water Sustainability Act* and *Riparian Areas Regulations*.

Green Bay Bible Camp has held a Crown Land Lease for the existing dock structure since the mid 1980's. The owners of Green Bay Bible Camp have submitted the required applications for reconstruction of moorage structures and an associated exclusive use request for this part of the Lake (a Section 11 and renewal of an existing Crown Land Tenure). FLNRO has confirmed that the continued processing of these applications is on hold pending Council consideration of the Site Specific Text Amendment request.

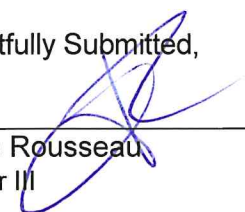
Overview of Public Hearing

A Public Hearing was held on May 14, 2019. No written submissions were received and no public comments were made at the public hearing. As identified in this report and noted at public hearing, there are no outstanding technical issue to be addressed and no recommended conditions of adoption. As such, the recommended motion has been provided for Council's consideration of third reading and adoption of the zoning amendment bylaw.

COUNCIL REPORT/RESOLUTION HISTORY:

Date	Report Topic/Resolution	Resolution No.
May 14, 2019	Public Hearing	N/A
April 23, 2019	THAT Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.82, 2019; and THAT Council direct staff to schedule the proposed bylaw amendment for Public Hearing.	C173/19

Respectfully Submitted,



Jaleen Rousseau
Planner III



Bob Dargatz
Development Manager



Brent Magnan
Planning Manager



Nancy Henderson
General Manager of Development Services

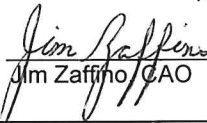
Attachments:

Site Specific Text Amendment Bylaw No. 0154.82

Powerpoint: Yes ☐ No ☒

1. Site Specific Text Amendment Bylaw No. 0154.82
2. Context Map
3. Subject Property Map
4. Proposal Summary
5. Development Plans
6. Intensive Water Use Zone (W2)

Approved for Agenda



Jim Zaffino, CAO

May 21, 2019

Date

CITY OF WEST KELOWNA

BYLAW NO. 0154.82

A BYLAW TO AMEND "ZONING BYLAW NO. 0154"

WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA ZONING BYLAW NO. 0154" under the provisions of the *Local Government Act*.

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna, in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as "CITY OF WEST KELOWNA ZONING AMENDMENT BYLAW NO. 0154.82, 2019".

2. Amendments

"Zoning Bylaw No. 0154" is hereby amended as follows:

2.1 By adding to the following to 6.2.4 Site Specific Uses, Buildings and Structures:

- (b) On the unsurveyed Crown foreshore being part of the bed of Okanagan Lake and fronting Lot 1, DL 434 & 523, ODYD, Plan 7108 (1449 Green Bay Road): two docks and four boat slips.

2.2 By depicting the change on "Zoning Bylaw No. 0152 Schedule B" (Zoning Bylaw Map).

READ A FIRST AND SECOND TIME THIS 23RD DAY OF APRIL, 2019
PUBLIC HEARING HELD THIS 14TH DAY OF MAY, 2019
READ A THIRD TIME AND ADOPTED THIS DAY OF

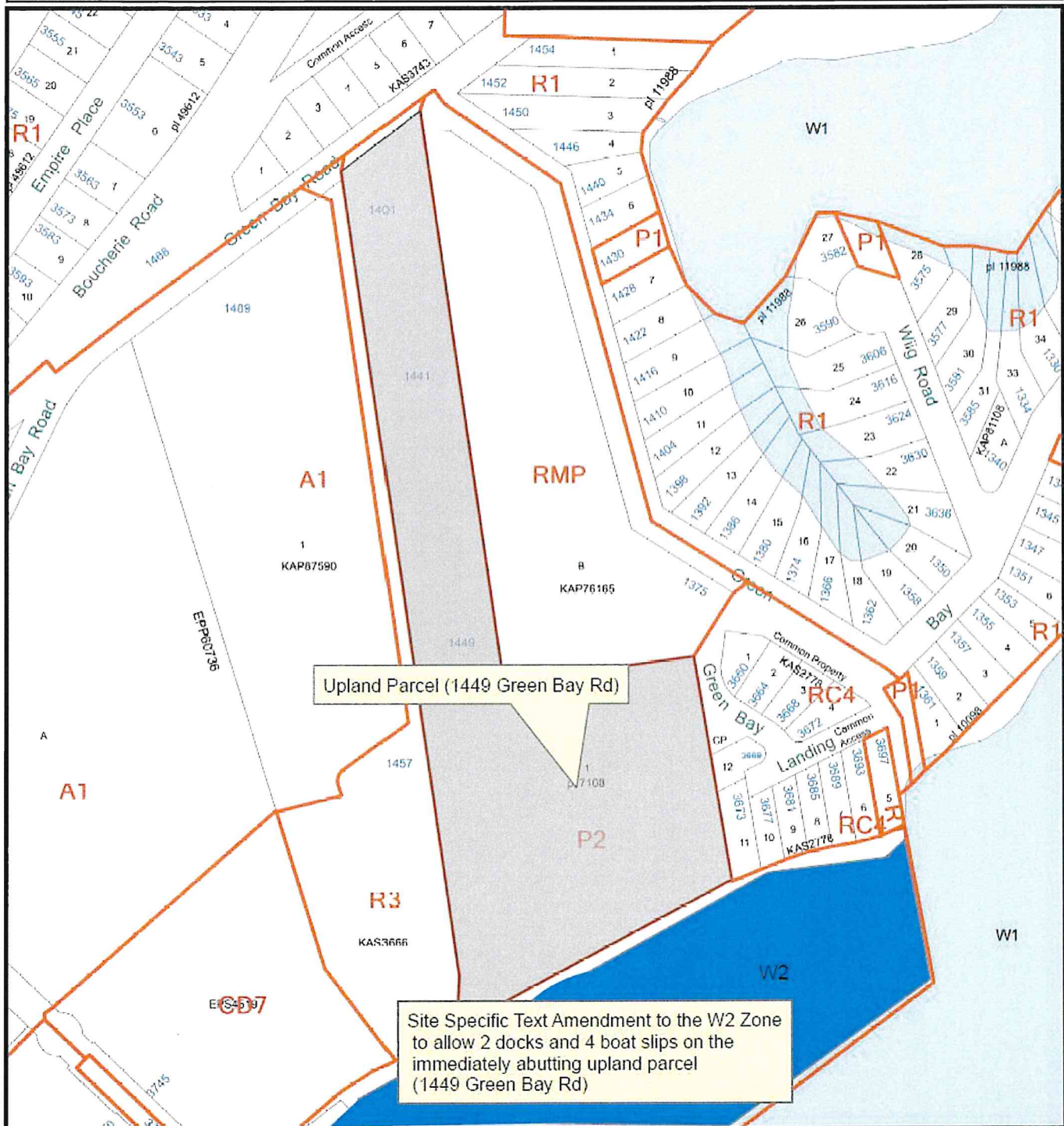
MAYOR

CITY CLERK



CITY OF
WEST
KELOWNA

SCHEDULE 'A' of BYLAW NO. 0154.82



LEGEND

- Subject Property
- Zoning Boundary
- Parcels

0 40 80 160 Metres

1:3,000

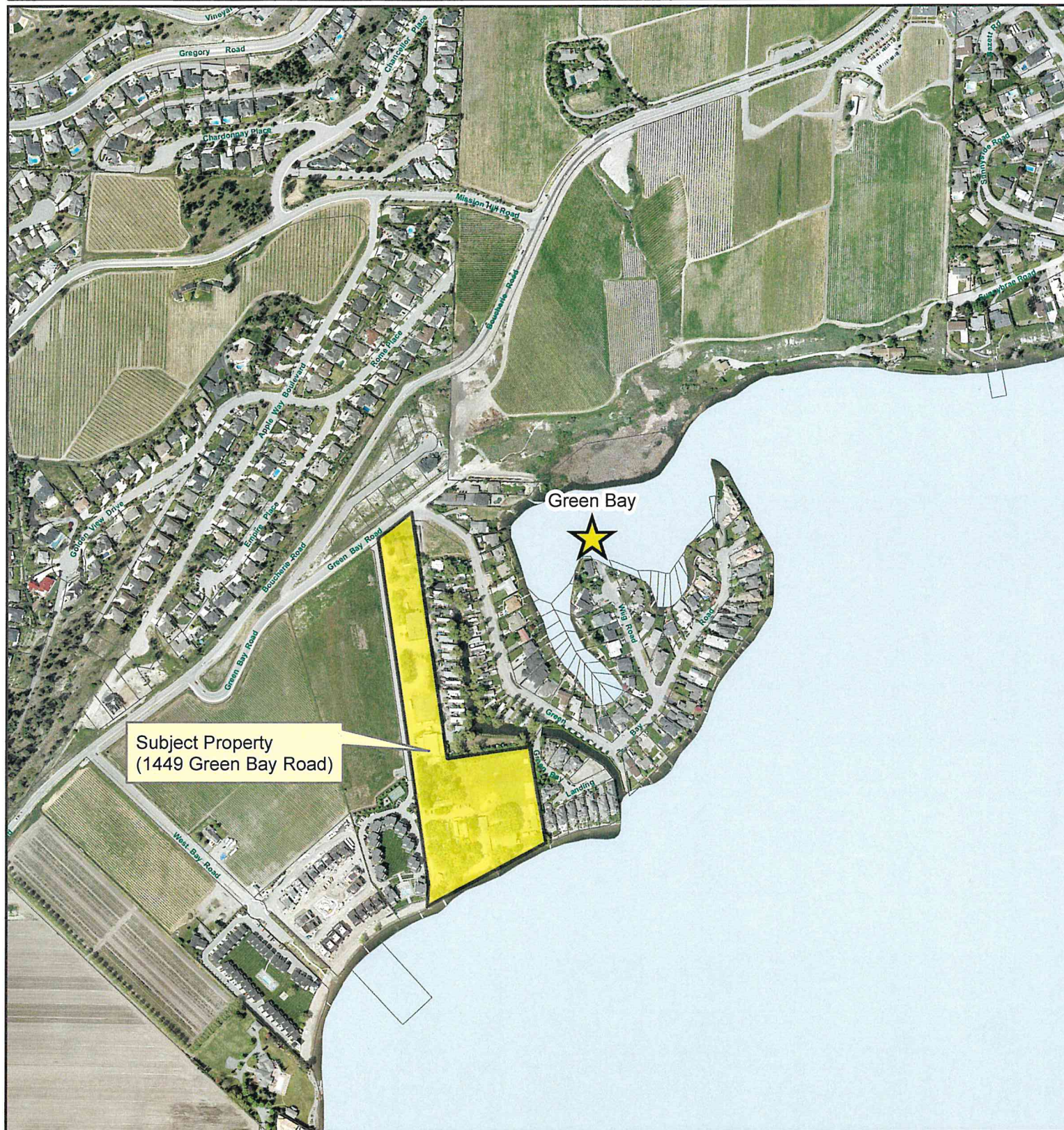


Date: 11/04/2019





CITY OF
WEST
KELOWNA

CONTEXT MAP: Z 19-02



File: Z 19-02

Legal Description: Lot 1, DL 434 & 523, ODYD, Plan 7108

 Subject Property
 City Boundary

0 105 210 420
Metres



1:7,000

Date: 2019-02-13



CITY OF
WEST
KELOWNA

SUBJECT PROPERTY: Z 19-02



LEGEND

- Subject Property
- Zoning Boundary
- Parcels

File: Z 19-02

Legal Description: Lot 1, DL 434 & 523, ODYD, Plan 7108

0 35 70 140 Metres

1:2,500



Date: 2019-02-13



Kent Macpherson

February 12, 2019

Development Services
City of West Kelowna
2760 Cameron Road
West Kelowna, V1Z 2T6



Attention: Jaleen Rousseau, Development Services

Re: Text Amendment Application
W2 – Intensive Water Use Zone
1449 Green Bay Road, West Kelowna - Lot 1, DL 434 & 523, ODYD,
Plan KAP 7108

Applicant: Green Bay Bible Camp

Please accept this application as a site-specific text amendment to the W2 – Intensive Water Use Zone to add the following:

- 6.2.4 (b) On the unsurveyed Crown foreshore being part of the bed of Okanagan Lake and fronting Lot 1, DL434 & 523, ODYD, Plan KAP 7108:
- (i) 2 docks plus a swim platform containing a maximum of 4 boat slips
 - (ii) 1 storage shed

Green Bay Bible Camp has been part of the fabric of Westbank, BC since 1954. The original property of 11 acres was purchased as an oasis for youth to gather away from the city; the original Okanagan Lake Floating Bridge would not appear for another 4 years. Over the past 65 years the lands surrounding the camp have developed, as have the programs that Green Bay provides.

This application is to add a text amendment to the current zoning bylaw (No. 0154) to allow Green Bay Bible Camp to reconstruct their existing dock. The existing dock has been the same size and configuration since prior to 1973 (oldest air photo available from the RDCO). There have been a number of major weather events, along with Okanagan Lake exceeding full pool, that have made it necessary to reconstruct the existing infrastructure with its modern equivalent (steel piles and flow thru decking).

In our application to the Province, it was noted that West Kelowna's Intensive Water Use Zone (W2) that was adopted after incorporation, does not permit the current structure due to the number of docks, boat slips and storage shed.

Explanation of proposed text amendment:

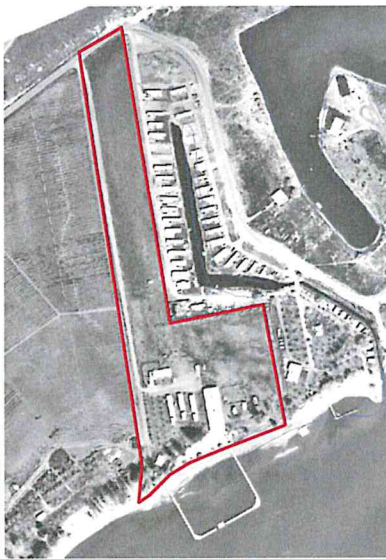
- 2 Docks -** Over the past 15 years, the surrounding properties have changed from campgrounds and residential to predominantly multifamily, with the number of boat slips (and indirectly boats) increasing from 7 to 88 within 250 meters of the camp. The requirement to provide a safe space for children and families to swim and recreate has increased significantly. The current (and historical) design has been two "L" shape docks with a gap to allow boats/kayaks/canoes/SUPs to enter and exit.
- Swim Platform -** Green Bay Bible Camp teaches watersports (wakeboarding, water skiing, surfing) and provides other boat related activities such as tubing. Having a floating swim platform allows for campers to enter and exit the water in the safest and most comfortable way possible.
- 4 Boat Slips -** The upland portion of land contains a number of buildings including a lodge and cabins and contains ~80 units (not stratified). To ensure clarity in our application, we are requesting a minimum of 4 boat slips to be permitted should the definition of 'unit' in the zoning bylaw change or be determined to be only strata units.
- 1 Storage Shed -** As the 'ski school' operates off the dock every day for up to 4 months a year, a storage shed to contain waterfront equipment (skis, boards, tubes, lifejackets) ensures the safety of the equipment and organization of the dock.

Green Bay Bible Camp has been working with the Ministry of Forest Lands and Natural Resource Operations and Rural Development on the dock rebuild and has both a Section 11 application for the construction of the dock, and an application to renew the existing Crown Land Tenure. Both of these applications have been reviewed and are contingent on the adoption of this text amendment.

Green Bay Bible Camp:



1959



1973



2015

For more information on Green Bay Bible Camp and the work they do, please visit their website at:
www.greenbay.bc.ca

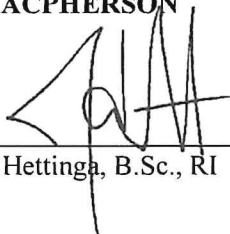
We look forward to working with the City to see this site-specific text amendment to the W2 zone adopted to allow for the rebuild of the existing dock, creating a safe place for campers to play and to enhance the services that Green Bay provides within the community.

If you have any questions pertaining to this Application, please do not hesitate to contact me.

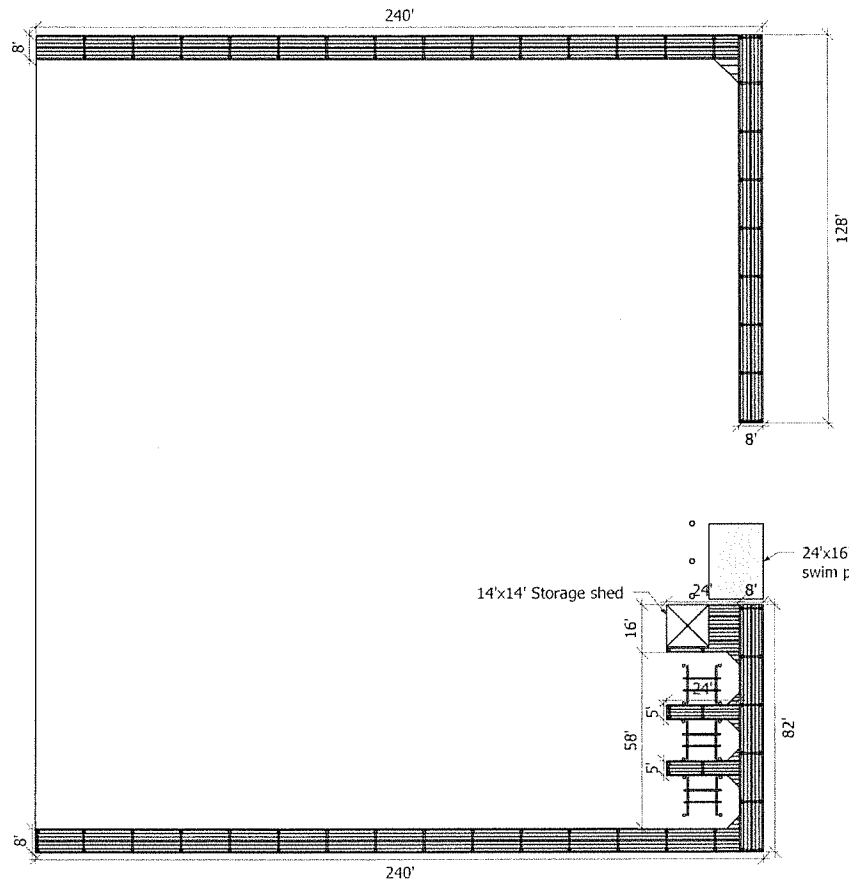
Sincerely,

KENT-MACPHERSON

Per:

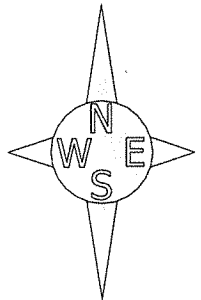

J. Hettinga, B.Sc., RI

cc: Jenn Koop, Executive Director, Green Bay Bible Camp



Green Bay Bible Camp

1449 Green Bay Road
West Kelowna, BC
D2-Complete Structure
August 15th 2018

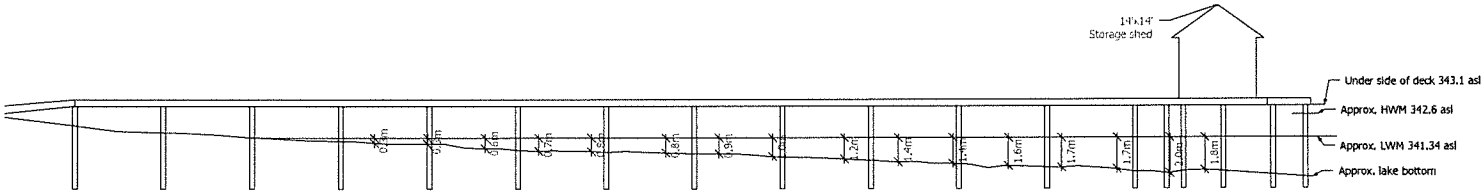


Green Bay Bible Camp

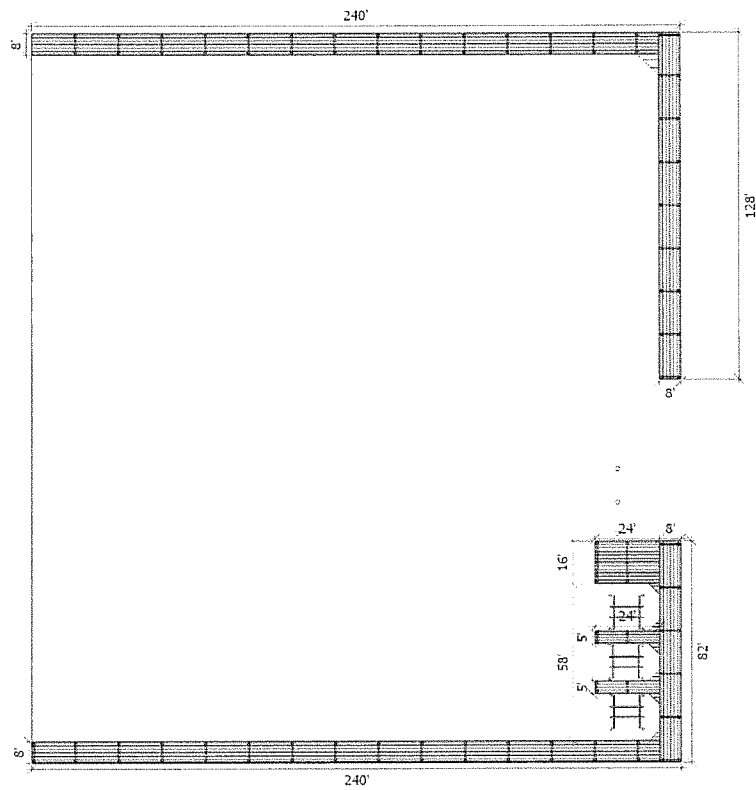
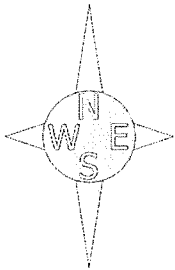
West Structure

Side Profile

1449 Green Bay Road
West Kalama, BC
PID:010-024-115, KAP7106
Lot 1, Districts lots 4348,523
Osoyoos Div of Yale Land District

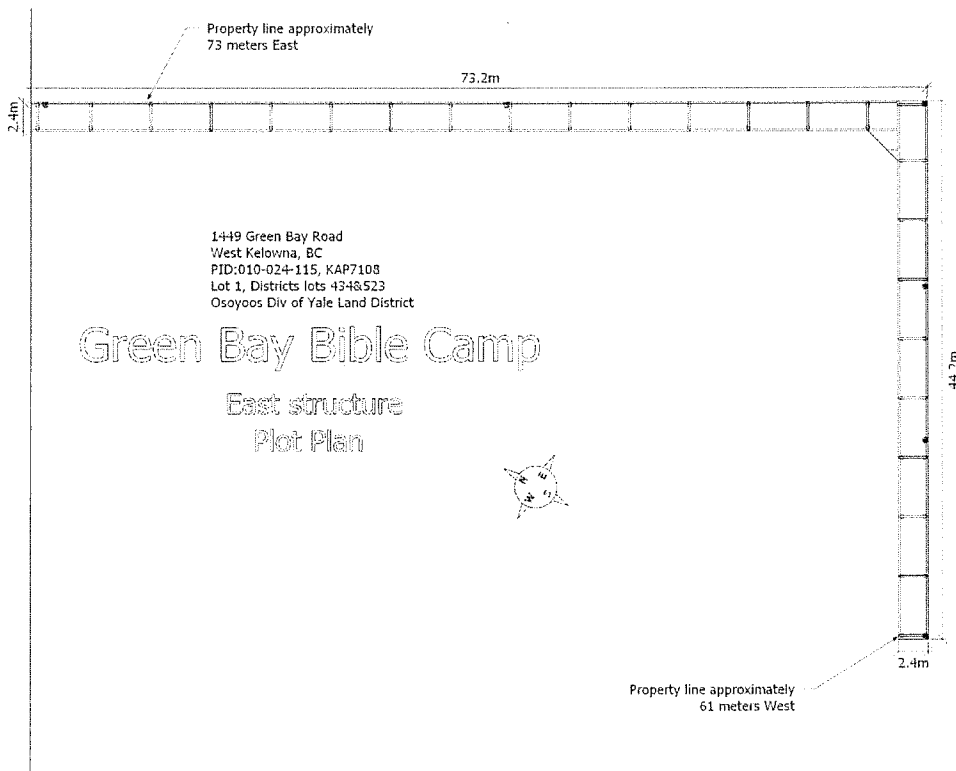


Shoreline Piledriving and Boatlifts
 2053 Campbell Rd. W. Kelowna
 PO Box 20253 Kelowna BC V1Y 9H2
 Off 250.769.7694
 Fax 250.769.7693
 info@shorelinepiledriving.com
 www.shorelinepiledriving.com

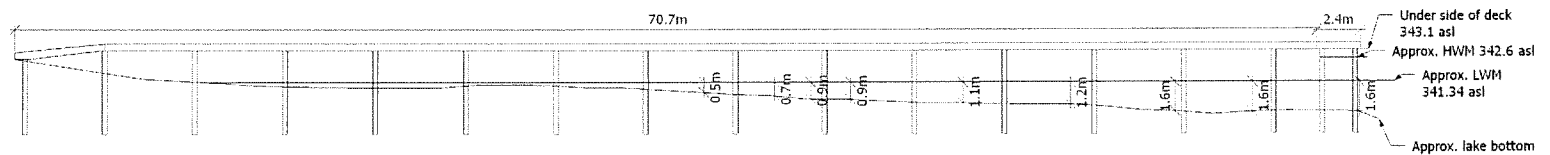


Green Bay Bible Camp

1449 Green Bay Road
 West Kelowna, BC
 D2-Complete Structure
 August 15th 2016



East Structure Side Profile



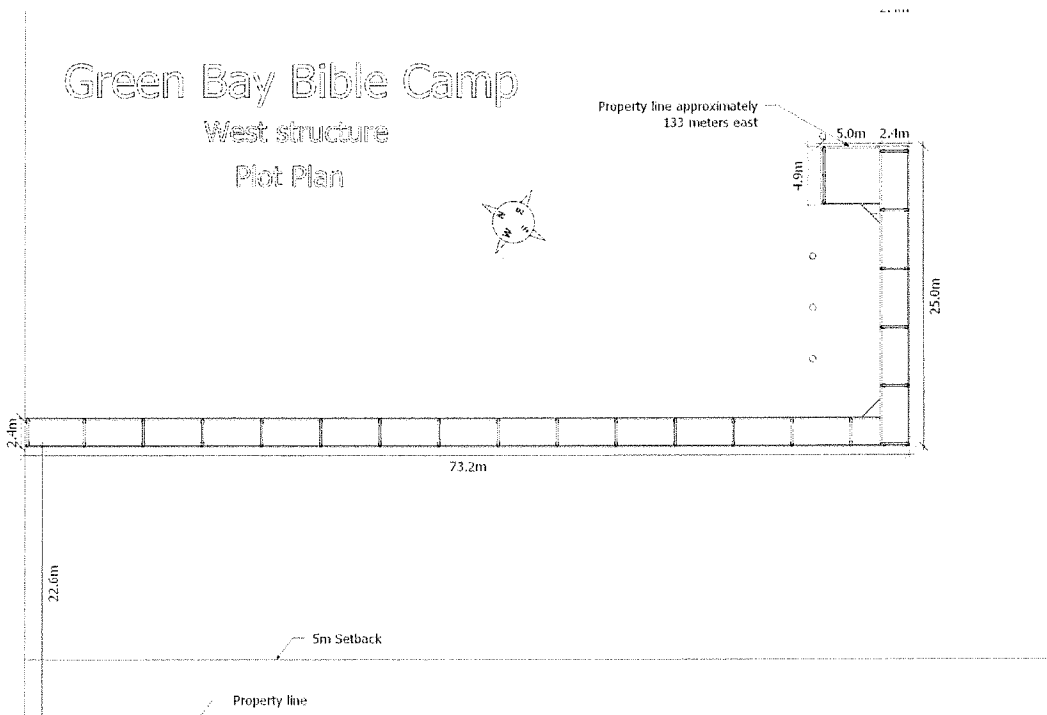
Green Bay Bible Camp

West structure

Plot Plan



Property line approximately
133 meters east



1449 Green Bay Road
West Kelowna, BC
PID:010-024-115, KAP7108
Lot 1, Districts lots 4348523
Osoyoos Div of Yale Land District

Figure 1 is a plan view of the bridge deck showing the layout of the 12 piles. The diagram illustrates the cross-section of the bridge deck with 12 piles arranged in two rows of six. The piles are labeled with their respective dimensions (width and length) and the approximate water level (LWM) and lake bottom (LBM) elevations. The dimensions for the piles are: 0.8m, 0.7m, 0.7m, 0.7m, 0.8m, 0.8m, 0.8m, 1.0m, 1.2m, 1.4m, 1.4m, 1.6m, 1.7m, 1.7m, 2.0m, 1.8m. The approximate LWM is 342.6 asl and the approximate LBM is 341.34 asl.

2019-2020 BUDGET

2019-2020 BUDGET

6.2 INTENSIVE WATER USE ZONE (W2)

.1 Purpose

To provide recreational opportunities, preserve and protect the natural qualities of Okanagan Lake, and provide for the orderly development of boat docks and moorage facilities associated directly with upland uses and accommodate water-related retail activities.

.2 Principal Uses, Buildings and Structures

- (a) Beach and water-based recreational activities
- (b) Boat launch
- (c) Docks, wharves and mooring buoys accessory to the use of the immediately abutting upland parcel
- (d) Retail, convenience
- (e) Temporary moorage for periods less than 48 hours

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Boat lifts other than overhead boat lift mechanisms
- (c) Collection and temporary storage of sewage discharge from boats
- (d) Moorage accessory to the use of the immediately abutting upland parcel

.4 Site Specific Uses, Buildings and Structures

- (a) On the unsurveyed Crown foreshore being part of the bed of Okanagan Lake and fronting Lot 2, DL 434, ODYD, Plan EPP 29959:
 - (i) No structure shall be greater than 114.5 m in length, measured from the natural boundary; and
 - (ii) One additional boat slip is permitted.

.5 Regulations Table

DEVELOPMENT REGULATIONS		
(a)	Maximum number of docks	Only 1 dock per each immediately abutting upland parcel <u>OR</u> Only 1 dock containing 1 boat slip per unit in the case of multiple units on the upland parcel.
(b)	Maximum number of wharves	1 per each immediately abutting upland parcel
(c)	Maximum height	9.0 m (29.5 ft)

.6 Other Regulations - *Reserved*