

6.3 Foreshore and Water Development Permit Area

6.3.1 Authority

“Foreshore and Water Development Permit Area” (Foreshore and Water DPA) is designated pursuant to section 488(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity;

6.3.2 Area Designated

The Foreshore and Water DPA corresponds with lands designated Foreshore and Water (FW) on Schedule B of this OCP and includes Shuswap Lake, Mara Lake, Griffin Lake, Three Valley Lake, Clanwilliam Lake, Victor Lake, and the Eagle River.

The Foreshore and Water DPA extends from the natural boundary of the above listed watercourses across the entire area of each watercourse.

In the case of Shuswap Lake, Mara Lake, and the Eagle River, the Foreshore and Water DPA extends to the Electoral Area E boundary.

6.3.3 Justification

The Foreshore and Water DPA arises from the growing impact that docks, swimming platforms, and private mooring buoys are having on foreshore and water areas within the Plan area. These features can be detrimental to foreshore and aquatic environments which support fish habitat.

Lakes Zoning Bylaw No. 900 was implemented to regulate the use, siting, density and of docks, swimming platforms, and private mooring buoys. Establishing a development permitting process and best practices for the placement of these structures will reduce potential negative impacts to foreshore and water areas.

The construction, placement and use of private moorage facilities (docks, boat ways/ramps or boat lifts) on Crown land is also regulated through the provincial *Lands Act* and requires authorization from the Ministry of Forest, Lands and Natural Resource Operations. Private mooring buoys are federally regulated under the *Navigable Water Protection Act* and must be installed in accordance with Transport Canada regulations and specifications.

6.3.4 Objectives

The objectives of the Foreshore and Water DPA are to:

- .1 Establish a permitting process for the placement of docks, swimming platforms, and private mooring buoys to ensure proper use, density and siting in accordance with Lakes Zoning Bylaw No. 900.
- .2 Ensure the siting of docks, swimming platforms, and private mooring buoys prevent or minimize negative impacts on foreshore and aquatic environments.

- .3 Complement, Riparian Areas Protection Regulation DPA and Lakes 100 m DPA, recognizing the important and sensitive interrelationship of foreshore and water areas with adjacent upland areas.

6.3.5 Activities requiring a permit

A Foreshore and Water DP must be obtained prior to the:

- .1 Installation of new docks, swimming platforms, and private mooring buoys; and,
- .2 Replacement of docks, swimming platforms, and private mooring buoys

within the Foreshore and Water DPA.

Docks, swimming platforms and private mooring buoys include the following components:

Dock	Swimming platform	Private Mooring Buoy
Floating platform	Floating platform	Floating buoy
Chains or cables	Chains or cables	Chains or cables
Anchors for floating dock	Anchors	Anchor
Piling(s) for a fixed dock	Or piling(s) for a fixed swimming platform	

6.3.6 Exemptions

Notwithstanding Section 6.3.5, a Foreshore and Water DP is not required for the following:

- .1 Maintenance and alterations of legal or non-conforming docks, swimming platforms and private mooring buoys, except:
 - a. Alterations which increase the size of docks, swimming platforms and private mooring buoys; and,
 - b. Replacement or reconstruction of docks, swimming platforms and private mooring buoys, as defined by the guidelines below.
- .2 Commercial and group moorage facilities, including marinas and strata moorage structures, requiring provincial tenure. (*Rationale: these facilities undergo provincial review and are referred to other government agencies, including Fisheries and Oceans Canada, CSRD, through that process, thus satisfying the intent of this DPA*).

- .3 Works conducted by the CSRD or its agents where appropriate measures have been undertaken to satisfy the applicable DPA guidelines.

6.3.7 Guidelines

These guidelines apply to both new installation and replacement of docks, swimming platforms and private mooring buoys (structures).

1. For existing structures, it needs to be determined if the dock, swimming platform, or private mooring buoy is non-conforming and lawful. To be considered lawfully non-conforming, the property owner will need to provide evidence it was installed prior to the adoption of Lakes Zoning Bylaw No. 900. Examples of evidence may include pictures, orthophotos, installation receipts, affidavits, etc.).
2. Lawfully non-conforming docks, swimming platforms and private mooring buoys may be maintained and certain components may be able to be replaced up to 75% over a 3 year period.

6.4 Lakes 100 m Development Permit Area

6.4.1 Authority

“Lakes and Eagle River 100 m Development Permit Area” (Lakes 100 m DPA) is designated pursuant to section 488(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity.

6.4.2 Area Designated

- .1 Lakes 100 m DPA applies to areas within 100 metres of Shuswap Lake, Mara Lake, Griffin Lake, Three Valley Lake, Victor Lake, Clanwilliam Lake, and the Eagle River. The 100 m distance is measured from the following high water marks (HWM):
 - a. Shuswap Lake HWM - 348.7 m
 - b. Mara Lake HWM - 348.8 m
 - c. all other lakes and the Eagle River – 1 in five year HWM
- .2 Where there is uncertainty regarding the location of development in relation to area designated as Lakes 100 m DPA, the CSRD shall require a plan prepared by a BC Land Surveyor or qualified professional (QP) to confirm whether the planned disturbance is within the Lakes 100 m DPA.

6.4.3 Justification

Electoral Area E contains the Eagle River and several lakes that provide a multitude of environmental and socio-economic benefits. Maintaining good water quality in these watercourses is vital to people who use them for drinking water, fishing, and recreation. Maintaining clean water is also essential for sustaining aquatic ecosystem health.