

MEETING TYPE: Regular Council Meeting
MEETING DATE: May 7, 2024
AUTHOR: Trevor Empey, Senior Planner
DEPARTMENT: Planning and Development
ITEM TITLE: Development Variance Permit | DVP00380 | 14370 Carrs Landing Road
DESCRIPTION: A Variance to Permit a U-Shaped Dock with two boat lifts

PURPOSE

To seek Councils reconsideration for a Development Variance Permit requesting a U-shaped dock on the subject property.

RECOMMENDATION

THAT Development Variance Permit DVP00380 (Attachment A to the Report to Council date April 16, 2024) for property at 14370 Carrs Landing Road (Roll 03017.088; PID 017-401-593) to allow for a U-Shaped Dock be approved.

EXECUTIVE SUMMARY

Council reviewed and approved this application at its meeting on April 16, 2024. This application is before Council for reconsideration due to a procedural error in the public notification materials distributed to local residents in advance of the previous Council meeting. The public notification advertised a Council meeting date of May 7, 2024. Reconsideration of the proposed Development Variance on May 7, 2024, satisfies the public notification requirements of the Development Approval Procedures Bylaw.

A Development Variance Permit (DVP) was submitted for a U-Shaped dock at 14370 Carrs Landing Road (subject property). The proposed dock size and setbacks conform to permitted dock regulations under the District’s Zoning Bylaw 561, 2007 and no public impediment would occur along the foreshore for public access and mobility. The Ministry of Land Water and Resource Stewardship provided provincial approval of the proposed dock in 2022.

Statutory notification occurred to nine properties within a 50-metre radius and two public notice signs were posted on the subject property to indicate this Development Variance Permit application to the public.

BACKGROUND/HISTORY

TABLE 1: PROPERTY INFORMATION

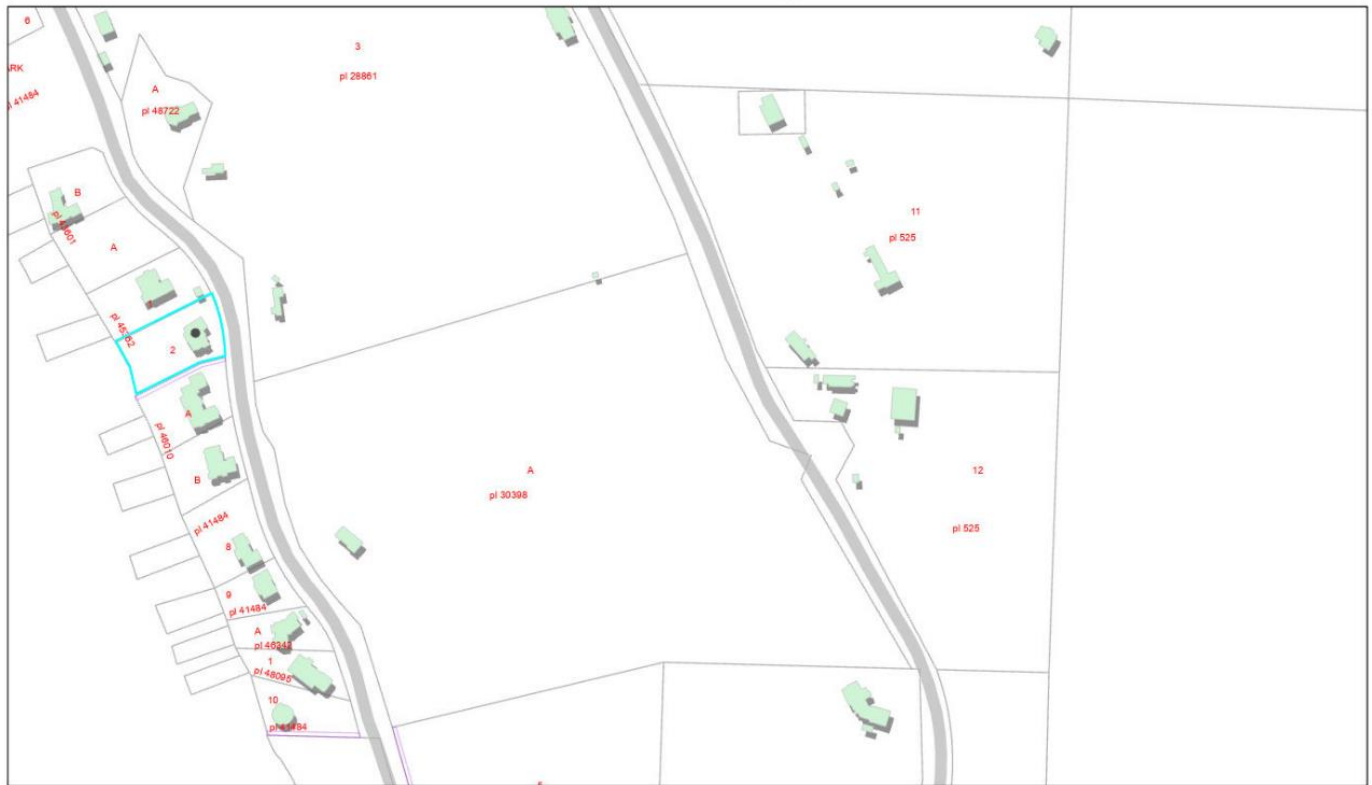
PROPERTY INFORMATION			
Civic Address:	14370 Carrs Landing Road		
Roll Number:	03017.088		
Legal Description:	PID:017-401-593; LOT 2 SECTION 32 OSOYOOS DIV OF YALE LAND DISTRICT PLAN KAP45362 TOWNSHIP 20		
Applicant:	Shoreline Pile Driving & Wharf Construction Ltd.	Owner(s):	Jeffrey and Barbara Robson
OCP Designation:	Rural Residential		
Existing Zoning Designation:	RR3 – Rural Residential / W1 – Recreational Water Use (area subject to dock)		
Proposed Zoning:	N/A		

Land Use Contract:	N/A	
ALR:	N/A	
Parcel Size:	0.31 Hectares (0.76Acres)	
DP Area(s):	N/A	
Water Supply:	N/A	
Sewer:	N/A	
Site Context:	Zoning:	Use:
North:	RR-3	Single-family dwelling
East:	A1 – Agricultural	Agricultural
South:	RR-3	Single-family dwelling
West:	W-1 Recreational Water Use	N/A

SITE CONTEXT

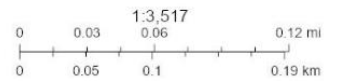
The subject property is rural in nature and located along Okanagan Lake, in the Carrs Landing Ward of the District of Lake Country. This area of the District is rural in nature and primarily includes rural residential and agricultural land uses.

MAP 1: LOCATION MAP



3/20/2024, 11:47:55 AM

- Building
- Easements
- Lake Country Boundary
- Parcels
- Streets
- Street

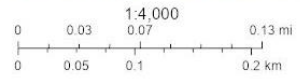


MAP 2: ORTHOPHOTO



4/4/2024, 8:59:21 AM

- Parcels (On Ortho)
- Parcels
- Easements
- Streets
- Street
- Lakes
- Lake Country Boundary



District of Lake Country Online Mapping System
District of Lake Country

FIGURE 1: CONCEPTUAL SITE PLAN

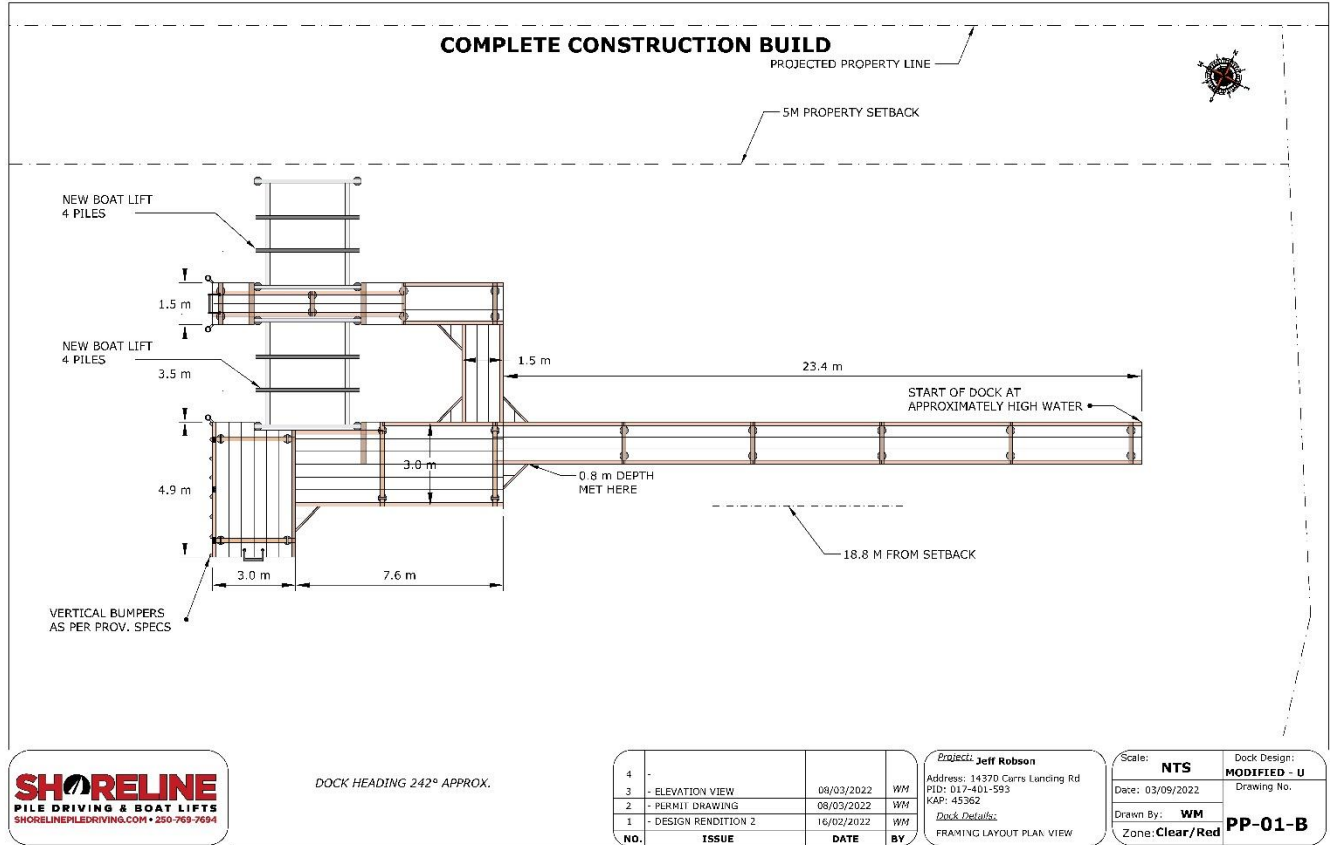


TABLE 2: FILE CHRONOLOGY

Date	Event
2022-05-04	Application submission
2024-03-21	Targeted Internal Referrals
2024-04-16	Council Meeting – Consideration of proposed DVP
2024-05-07	Council Meeting – Reconsideration of the proposed DVP

DISCUSSION/ANALYSIS

This application proposes a variance to permit a U-shaped dock within the W-1 Recreational Water Use zone under Zoning Bylaw 561, 2007 as only docks shaped as a T or L are permitted under the Zoning Bylaw (s.10.12). Also, General Permission was granted by The Ministry of Land Water and Resource Stewardship under the *Water Sustainability Act* for the proposed dock location, size and shape in 2022.

The W-1 Recreational Water Use zone permits boats lifts and private docks as secondary uses, among other uses. One dock is permitted per parcel for private use and are to conform with District Zoning regulations and shall be approved by the Province of British Columbia. As part of this application, the applicant submitted provincial documentation outlining approval for the proposed U-Shaped Dock by the Ministry of Land Water and Resource Stewardship (MLWRS). As per the Ministry’s approval, conditions are noted to support protection of the natural environment during construction and these provincial conditions will be part of this permit.

Dock Shape Variance Requested:

- From a L or T-shaped as permitted under s.10.12.4c of Zoning Bylaw 561, 2007 to a U-shaped dock

Dock Size:

-
- Total width of the proposed dock would be 9.9m which meets Zoning Bylaw (s.10.12.4c) requirements of maximum width of 10 metres or one half width of the frontage of the upland parcel for L or T-shaped docks
 - Total length of the proposed dock would be 34.1m which meets Zoning Bylaw requirements (s.10.12.4a)

APPLICABLE LEGISLATION, BYLAWS AND POLICIES

Local Government Act s.498, 499

Zoning Bylaw 561, 2007

IMPACT ON INFRASTRUCTURE, SERVICES AND STAFF CAPACITY

No identified impact on infrastructure and services. Normal staff time has been used to process this application.

FINANCIAL IMPLICATIONS

None Budget Previously Approved Other (see below)

No identified financial implications to the District.

CONSULTATION

This application is before Council for reconsideration due to a procedural error in the public notification materials distributed to local residents in advance of the previous Council meeting. The public notification advertised a Council meeting date of May 7, 2024. Reconsideration of the proposed Development Variance on May 7, 2024, satisfies the public notification requirements of the Development Approval Procedures Bylaw 1133, 2021.

As this application is for a Development Variance Permit, statutory notification is required in the form of:

- Neighbourhood Consultation
- Development Variance Permit signs posted on the subject property

To support meeting these statutory requirements, public notification (mail out) occurred to eight properties within 50m of the subject property and two DVP signs were posted on the subject property. Staff will provide a summary of any feedback received at the scheduled council meeting.

ALIGNMENT WITH COUNCIL STRATEGIC PRIORITIES

- Create and Support Opportunities for a Healthy, Active and Inclusive Community
- Create Infrastructure That Meets Community Needs
- Encourage Growth of the Downtown Core
- Ensure Sustainable Water Service Delivery for the Community
- Explore Opportunities to Engage With Regional Local Governments for the Betterment of the Community
- Honour Reconciliation by Strengthening Relationships and Inclusiveness With Our Indigenous Partners
- Identify and support improvements to the Development Process
- Implement the Agricultural Plan
- Preserve, Protect and Enhance Our Natural Environment
- Secure long term wastewater service delivery for our community
- Support Opportunities to Diversify Lake Country's Tax Base

ALIGNMENT WITH MASTER PLANS

- | | |
|--|--|
| <input type="checkbox"/> Agricultural Plan | <input type="checkbox"/> Official Community Plan |
| <input type="checkbox"/> Climate Action Charter | <input type="checkbox"/> Parks & Recreation Master Plan 2019 |
| <input type="checkbox"/> Housing Needs Report | <input type="checkbox"/> Sanitary Sewer System Map |
| <input type="checkbox"/> Liquid Waste Management Plan Stage 1/2 Report | <input type="checkbox"/> Transit Future Plan-Central Okanagan Region-DRAFT |
| <input type="checkbox"/> McCoubrey Plateau Area Structure Plan | <input type="checkbox"/> Transportation for Tomorrow |
| <input type="checkbox"/> Mobility Master Plan | <input type="checkbox"/> Water Master Plan |

OPTIONS

- A. THAT Development Variance Permit DVP00380 (Attachment A to the Report to Council date April 16, 2024) for property at 14370 Carrs Landing Road (Roll 03017.088; PID 017-401-593) to allow for a U-Shaped Dock be approved.
- B. THAT Development Variance Permit DVP00380 (Attachment A to the Report to Council date April 16, 2024) for property at 14370 Carrs Landing Road (Roll 03017.088; PID 017-401-593) to allow for a U-Shaped Dock not be approved.
- C. THAT Development Variance Permit DVP00380 (Attachment A to the Report to Council date April 16, 2024) for property at 14370 Carrs Landing Road (Roll 03017.088; PID 017-401-593) to allow for a U-Shaped Dock be deferred pending receipt of additional information as identified by Council.

Collaborators:

Name	Date Reviewed

Respectfully Submitted,
Trevor Empey, Senior Planner
MCIP, RPP

Report Approval Details

Document Title:	
Attachments:	
Final Approval Date:	

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

Report Approval Details

Document Title:	DVP00380 - 14370 Carrs Landing .docx
Attachments:	- Attachment A-DVP00380-Draft Development Variance Permit.pdf - Attachment B-DVP00380-Notification Map.pdf
Final Approval Date:	Apr 29, 2024

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

Brian Zurek, Manager of Planning - Apr 26, 2024 - 3:36 PM

Reyna Seabrook, Director of Corporate Services - Apr 26, 2024 - 3:59 PM

Paul Gipps, Chief Administrative Officer - Apr 29, 2024 - 8:00 AM