

REPORT TO COUNCIL



Date: January 14, 2019

RIM No. 0705-41

To: City Manager

From: Community Planning Department (CD)

Application: PR18-0002

Owner: Kinnikinnik Developments Inc.

Address: (W of) Shayler Road

Applicant: Kinnikinnik Developments Inc.

Subject: Provincial Dock Referral

Existing OCP Designation: MXT – Mixed Use Tourism

Existing Zone: W2 – Intensive Water Use

1.0 Recommendation

That Provincial Referral No. PR18-0002 for Lot 7, Plan EPP8753, Township 23, Section 28, 29, ODYD located at (W of) Shayler Road, Kelowna, BC for a marina expansion be supported by Council;

AND THAT Council directs staff to forward the subject application to the Province for consideration.

2.0 Purpose

To consider an expansion of a marina for McKinley Beach Comprehensive Resort Development as it pertains to the W2 – Intensive Water Use zone and provide referral comments to the Province for their consideration.

Community Planning

Staff support the proposed marina expansion for the McKinley Beach Comprehensive Resort Development as it complies with the W2 - Intensive Water Use zone requirements. The purpose of the W2 zone is to provide a diverse and concentrated range of intensive water use activities consistent with the upland use, maintaining foreshore public access, and minimizing impacts on fish, wildlife and vegetation communities. Principle uses in the zone include marinas, boat launches and boat lifts, which are consistent with the subject application.

The applicant would like to increase the number of boat slips for the existing marina, which was built in 2015, from 110 to 180 slips. The purpose for the marina expansion is to compensate for the cancellation of a dry dock boat storage facility that was planned to be built upland of the marina. The dry dock boat storage facility proved unfeasible from an engineering and construction standpoint as a result of the steep topography.

An Environmental Assessment and review by Fisheries and Oceans Canada has confirmed that the proposed expansion will have negligible environmental impacts and Transport Canada has approved the application as

it would not interfere with navigation. All works are proposed in deep water, which avoids environmental impacts to the sensitive littoral zone of the lake.

Public access along the foreshore will not be impeded by the proposed expansion. Additionally, marina components will have a low profile, which will reduce visual impacts above the surface of Okanagan Lake.

The subject provincial application includes a proposed marina expansion that conforms to the City Bylaws and policies for docks/marinas. Staff do note that the proposed marina expansion would reduce the area along the lakeshore that has an un-obstructed view out into the lake. The land area below the lake high water mark is provincial crown land and is accessible to the public, for the length of the adjacent property there is also a statutory right of way above high water mark that allows for public access. The proposed marina expansion would be visible from these publicly accessible areas.

Proposal

2.1 Background

The applicant is proposing an expansion of the existing McKinley Beach Marina, which was originally built in 2015. The purpose for the marina expansion is to compensate for the cancellation of a dry dock boat storage facility that was planned to be built upland of the marina. The dry dock boat storage facility proved unfeasible from an engineering and construction standpoint as a result of the steep topography.

The marina serves the McKinley Beach Comprehensive Resort Development area and lies within the W2 – Intensive Water Use zone, which was approved by Council in January 2007. The marina developed to date includes 110 boat slips and 814.8 lineal meters of decking. The Province previously approved 125 moorage spaces; however, only 110 were built during initial marina construction in 2015. All proposed works are within the existing water lot lease area.

The Province has subsequently referred the marina application to the City of Kelowna for review to ensure compliance with the City's W2 – Intensive Water Use zone. Principle uses in the zone include marinas, boat launches and boat lifts, which are consistent with the subject application.

2.2 Project Description

The existing marina has a single fixed access trestle gangway, which is elevated on piles and extends perpendicular to the shore from above the high water mark of Okanagan Lake for approximately 70 meters. The fixed trestle gangway provides access to a main access float, which is parallel to the shore and in depths of at least 6 meters of water. Four smaller access floats extend west from the main access float and provide access to the boat slips in deeper water. There are existing breakwaters on the southern, western and northern edges of the marina.

The proposed project will expand the existing marina to the north with an extension of the main access float and west breakwater, additional access floats and boat slips. After the proposed changes the marina would provide 180 boat slips from the existing 110 slips and increase the lineal deck area by 624 meters from 814.8 meters that currently exists for a total of 1439 lineal meters. All components of the proposed expansion will be in deep water and will have no additional impact to the littoral shelf of the lake.

All components of the proposed expansion would be assembled at a log yard on the west shore of Okanagan Lake and floated by barge across the lake to the marina. Installation of additional marina components, including piles to secure the floating access, would be completed from a floating barge in deep water. Additional anchor chains would be attached to the floating structures and anchors would be released from a crane working from the floating barge to sit on the sandy lake bottom in deep water off the littoral shelf.

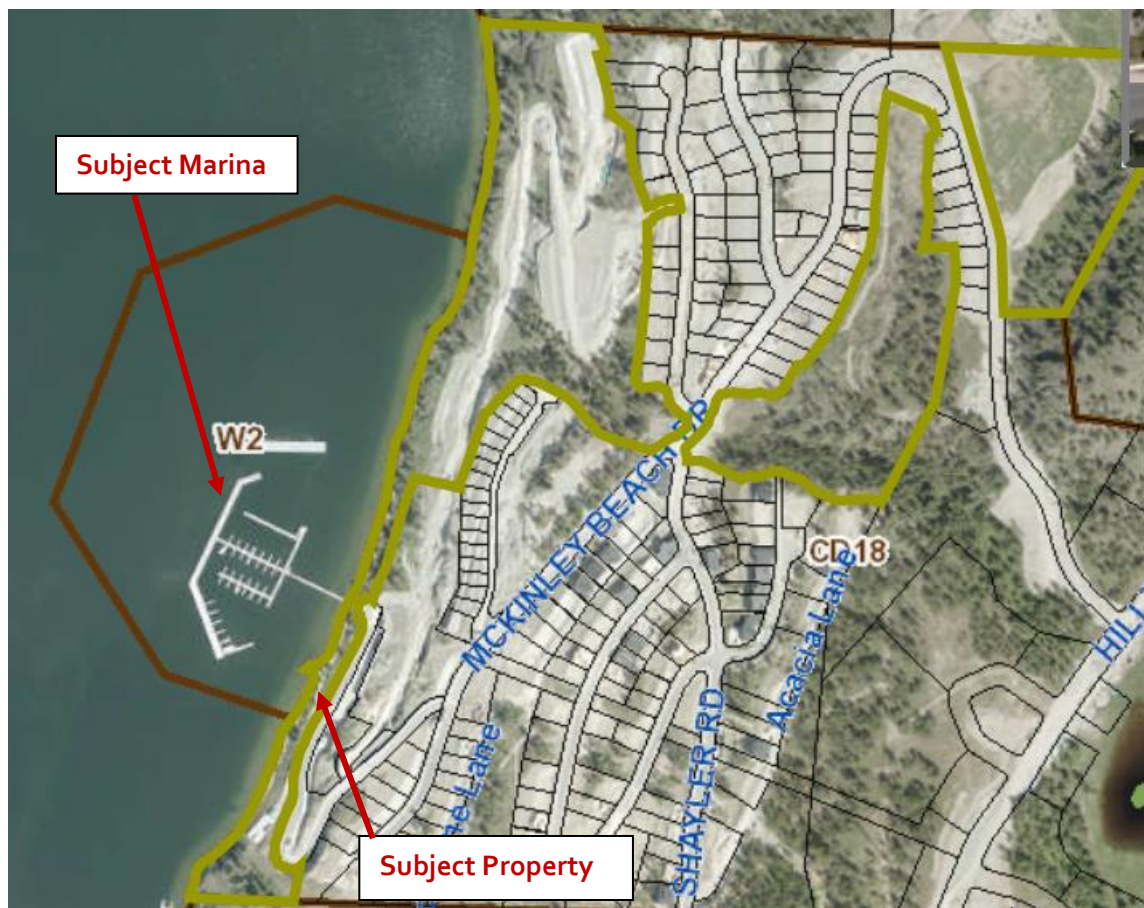
2.3 Site Context

The subject property is located within the McKinley City Sector, specifically the McKinley Beach Comprehensive Resort Development zone adjacent to Okanagan Lake. Public beach access and townhome development are located adjacent to the existing marina and single family residential properties overlook the marina from the hillside.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD18 – McKinley Beach Comprehensive Resort Development	- Public Access - Residential
East	CD18 – McKinley Beach Comprehensive Resort Development	- Public Access - Residential
West	W2 – Intensive Water Use Zone	- Intensive Water Use
South	CD18 – McKinley Beach Comprehensive Resort Development	- Public Access - Residential

Subject Property Map: (W of) Shayler Road



3.0 Technical Comments

Parks and Public Spaces

- No concerns

4.0 Application Chronology

Date of Application Received: November 5, 2018

Report prepared by:

Corey Davis, Environmental Coordinator

Reviewed by:

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Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion:

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Ryan Smith, Community Planning Department Manager

Attachments:

Schedule A - Site Plan