







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 lakeend 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 permissable 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. permissable deck surface (m²) = 112 m² + (Total lake frontage of participating abutting properties – 20m) * 1.05 m²

The maximum permissable 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.

permissable deck surface (m²) = 112 m² + (Total lake frontage of the bareland strata subdivision – 20m) * 1.05 m²

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 permissable 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.

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

- 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).
- 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.