

Crown Land Tenure Application - Management Plan

March 16, 2015

RE: Existing dock in the Foreshore off 1844 Dewdney Road, City of Kelowna

Section A - Project Overview

The City of Kelowna recently purchased an undeveloped residential lot for parkland in the McKinley Landing neighbourhood (November 26, 2014). The purpose of this application is to obtain legal tenure from the Province for an existing dock. The site, at 1844 Dewdney Road, is at the south end of Dewdney Road. Its' geographic coordinates are approximately Latitude 49.954540 and Longitude -119.46170.

Even though this property was privately owned until recently, the public routinely used this area in trespass for access to the lake including using the existing dock as a platform for jumping into the lake.

The dock is located in the northwest quadrant of the property and extends beyond the property line into Okanagan Lake. The dock surface is approximately 52.5 m². At its closest point, the dock is approximately 14m south of the north property line.

The City understands that the previous owners had received Crown land tenure for the dock structure, but that it has now expired. (Provincial Reference # 340890.)

The Site is too steep for vehicle access (please refer to attached Overview Plan for contour information). In fact, vehicle access to the site has been controlled by a locked bollard and chain gate on the upland road frontage (Please see photo #12 attached). Pedestrian access to the beach has been accommodated by an access trail and staircase located within undeveloped road right-of-way immediately to the south of the site, (photos 9 - 11). This staircase was constructed by the City in 2012.

Section B - Site Details

By purchasing this property for park, it is the City's intention that public access, including to the dock, becomes formalized.

The existing dock has 8 wooden pilings and two concrete pilings. The concrete pilings are located closest to the shoreline. Part of the dock is supported by two concrete slabs; one was the floor of a boathouse which has since been removed, while the other retains a concrete sidewalk leading from the beach to the dock. (Please see photos 1 -4.) The decking material and its supporting structure is wooden, but it is unknown if any preservatives have been applied in the past. There is an existing wooden bench attached to the surface of the dock, as well as a swim ladder. Upon reviewing past orthographic photos in the City's inventory, the dock appears to have been constructed between 1995 to 2000.

Nineteen of the twenty neighbouring residential properties to the north appear to have existing docks, with the closest one being approximately 20 m to the north of this subject dock, (please see photos 5 and 8).

The dock will be primarily used by the public for non-motorized recreation, i.e., swimming. Typical swimming season for Okanagan lake extends from the May long weekend until the Labour Day long weekend and it is anticipated that the public will continue to use this for swimming access to the lake during the summer season.

Section C - Additional Information

i. Environmental

a. Land Impacts

There are no additional impacts to the land that will be required.

b. Atmospheric impacts

No atmospheric impacts are anticipated.

c. Aquatic Impacts

No new aquatic impacts are anticipated,

d. Fish and Wildlife Habitat

While no new areas of disturbance are anticipated, the City understands that this section of shoreline falls into the red zone for Kokanee spawning habitat.

ii. Socio-Community

a. Adjacent Land Use

The site and its neighbours to the north are currently zoned RR3 - Rural Residential. Immediately to the south is public road right-of-way which is currently used as a pedestrian beach access. Further to the south and to the east are several large tracts of undeveloped land with an A1-Agricultural zoning.

b. Socio-Community Conditions

No anticipated infrastructure improvements are anticipated at this time.

c. Public Health

There are no changes anticipated that would impact waste disposal or site contamination. There are two existing trash cans on the adjacent beach access. This new acquisition will be incorporated into the maintenance program common to all other City of Kelowna beach parks, i.e., trash pick-up, hazardous tree removals as required, etc.

d. First Nations

No contact has been made with First Nations.

TITLE SEARCH PRINT

Declared Value \$1400000

2015-03-12, 13:55:03

Requestor: Mike Olson

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District KAMLOOPS
Land Title Office KAMLOOPS

Title Number CA4100323
From Title Number CA3961747

Application Received 2014-11-26

Application Entered 2014-11-28

Registered Owner in Fee Simple
Registered Owner/Mailing Address: CITY OF KELOWNA
1435 WATER STREET
KELOWNA, BC
V1Y 1J4

Taxation Authority CITY OF KELOWNA

Description of Land
Parcel Identifier: 007-522-193
Legal Description:
LOT A SECTION 17 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN 21325

Legal Notations
NOTICE OF INTEREST, BUILDERS LIEN ACT (S.3(2)), SEE CA4100324
FILED 2014-11-26

Charges, Liens and Interests NONE

Duplicate Indefeasible Title NONE OUTSTANDING

Transfers NONE

Pending Applications NONE