

**13.0 WATER USE ZONES****13.1 W-1 - WATER CONSERVANCY ZONE****(a) Permitted Uses**

The following uses and no others are permitted in the W-1 Zone:

- (1) management of fish or other aquaculture facilities;
- (2) activities directed towards environmental protection and habitat enhancement;
- (3) passive recreational activities;
- (4) management of a waterbody lake or reservoir by an improvement district municipality or regional district for use as a community water supply; and
- (5) non-commercial private wharf dock or float.

**(b) Conditions of Use**

For any parcel in the W-1 Zone:

- (1) no building or structure shall exceed a height of 4.0 metres;
- (2) no residential use of floats piles or vessels of any kind is permitted.

## 13.2 W-2 ZONE - WATER RECREATION

### (a) Permitted Uses

The following uses and no others are permitted in a W-2 Zone:

- (1) any use permitted in the W-1 zone;
- (2) private and public wharf use dock or float use;
- (3) boat house for the sole and exclusive use of fire, rescue, police, ambulance and bylaw/law enforcement services;
- (4) boat shelter
- (5) management of fish and other aquaculture facilities;
- (6) breakwater ramp; and
- (7) passive recreation (private and public).

### (b) Conditions of Use

For any parcel in the W-2 zone:

- (1) no building or structure shall exceed a height of 4.5 metres;
- (2) houseboats, float homes, live-aboard vessels and similar uses are all prohibited;
- (3) no residential use of any building or structure is permitted;
- (4) no wharf, dock, boat shelter, float or part thereof shall be located further than 15 metres from the natural boundary of the lakeshore;
- (5) the following regulations apply to boatshelters in the W-2 Zone:
  - (i) No boat shelter shall have a roof area greater than 40 m<sup>2</sup> in area as measured from within the supporting posts;
  - (ii) No boat shelter shall have any walls;
  - (iii) No boat shelter shall be used for any purpose other than the storage of boats and related equipment
- (6) All structures built in the W-2 Zone shall comply with the federal *Fisheries Act* and the provincial *Water Act* and any other applicable senior government regulations. The following excerpts of senior government regulations in the shaded box below are provided for convenience only; please consult the original regulations and the agency concerned before proceeding:

**Fisheries and Oceans Canada Policies**

*A dock, wharf, boathouse and float are permitted without application to the Department of Fisheries and Oceans (DFO) if all of the following conditions are met:*

- *Any new, repaired or rebuilt floating, cantilever or post dock or boathouse and combination thereof has a total combined footprint no greater than 24 m<sup>2</sup>;*
- *The structure does not occur over or adjacent to a location involving know fish spawning habitat;*
- *The structure does not require any dredging, blasting or infilling in the water body; and*
- *Measures to protect fish and fish habitat are followed during the construction of the structure, in accordance with the Operational Statement for Dock and Boathouse Construction in Freshwater Systems.*

**BC Ministry of Forests, Lands and Natural Resource Operations Policies**

*A dock, wharf or float – including any attached dock fingers – is permitted without application to the BC Ministry of Forests, Lands and Natural Resource Operations provided all the following conditions are met:*

- *The structure must fit in a 80 m<sup>2</sup> rectangular area or envelope adjacent to the shore;*
- *A maximum of two float fingers may extend from the main structure;*
- *A combined maximum surface area of main structure and fingers is 46 m<sup>2</sup>; and*
- *The first 3 m of structure adjacent to the shore is open span, to accommodate water circulation and exchange and fish movement.*

13.3 W-2 (I) WATER INSTITUTIONAL

(a) Permitted Uses

The following uses and no others are permitted in a W-2(I) Zone:

- (1) any use permitted in the W-2 Zone;
- (2) private and public wharf use dock or float use including enclosed boat and marine equipment storage and ancillary change room washroom and training facilities;
- (3) breakwater ramp; and
- (4) management of fish and other aquaculture facilities.

(b) Conditions of Use

For any parcel in the W-2(I) Zone:

- (1) no building or structures shall exceed a height of 6.5 m above the elevation of an adjacent road surface;
- (2) no enclosed structure or residential use shall be permitted on floats or docks

13.4 W-3 ZONE - WATER MARINA

- (a) The following uses and no others are permitted in a W-3 Zone:
- (1) any use permitted in the W-2 Zone;
  - (2) sales and rentals of boats and sporting equipment but excluding the rental of personal watercraft vessels;
  - (3) marina;
  - (4) yacht club;
  - (5) boat shed or boat shelter;
  - (6) moorage facilities for water taxi ferry fishing boats float planes or similar commercial use;
  - (7) restaurants café take-out service;
  - (8) marina fueling station and storage of petroleum products up to a 23000 litre capacity;
  - (9) slips docks breakwaters ramps dolphins and pilings necessary for the establishment and/or maintenance of the principal uses permitted in Section 13.4(a)(1) to (8); and
  - (10) offices and retail sales accessory to a principal use permitted in Section 13.4(a)(1) to (8).

(b) Conditions of Use

For any parcel in a W-3 Zone buildings shall not exceed 7.5 metres in height.

### **13.4A W4 FRESHWATER CONSERVATION 4 ZONE**

Subject to compliance with the general regulations set out in Parts 4, 5 and 14 of this Bylaw, the following regulations apply in the W-4 Zone:

#### **1. Permitted Uses**

The following principal uses and no others are permitted in the W-4 Zone:

- a) Activities directed towards environmental protection and habitat enhancement;
- b) Passive recreation

#### **2. Interpretation**

The W-4 Zone, where shown on Schedule A (Zoning Map) on the surface of Shawnigan Lake, reaches lakeward for 30 metres from any public road end.

#### **3. Prohibited Uses**

Privately owned floats, piles, docks, wharves and similar moorage structures are not permitted in the W-4 Zone.