

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) activities directed towards environmental protection and habitat enhancement;
- (2) passive recreational activities;
- (3) management of a waterbody lake or reservoir by an improvement district municipality or regional district for use as a community water supply; and
- (4) 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) breakwater ramp; and
- (6) 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 boat shelters in the W-2 Zone:
 - (i) No boat shelter shall have a roof area greater than 40 m² 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 m²;*
- *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 m² 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 m²; 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; and
- (3) breakwater ramp.

(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.