

# THE CORPORATION OF THE DISTRICT OF SUMMERLAND

## BYLAW NUMBER 2016-028

### A BYLAW TO AMEND 'ZONING BYLAW NUMBER 2000-450' TO ADD WATER ZONING REGULATIONS

The Municipal Council of the Corporation of the District of Summerland, in open meeting assembled, enacts as follows:

1. Schedule 'A' of Summerland Zoning Bylaw Number 2000-450, as amended, is further amended, as follows:
  1. Add and insert the following definitions alphabetically to Section 2.0 Definitions:
    - a. *Buoy*, means a float or similar object that is in turn anchored to the bed of the lake and can be used to moor a water craft.
    - b. *Dock*, means a structure extending over the water, either floating or fixed to the lake bed that is connected to the shoreline and can be used as a landing or wharfage place for water craft.
    - c. *Moorage*, means the tying of a water craft to a buoy.
    - d. *Water craft*, means a motor boat, sail boat, jet ski, canoe, kayak or other means of transportation supported by water.
    - e. *Wharfage*, means the tying of a water craft to a dock.
  2. Add the following row to the end of Table 3.1 Establishment of Zones:

Water Zones	WZ1 Recreational Water Use Zone 1 WZ2 Recreational Water Use Zone 2 WZ3 Intensive Water Use Zone
-------------	--

3. Amend Section 7.5.1 as follows:
  - a. change the word "Moorage" to "Wharfage" so the section reads "Wharfage facilities consisting of docks and boat lifts shall be..."

- b. add the following as 7.5.1(l)  
Only 1 mooring buoy is permitted per 10m of the upland property line that fronts the lake, to a maximum of 3 mooring buoys per property.
- c. add the following as 7.5.1(m)  
temporary moorage is defined as no longer than 72 hours of continuous moorage without a minimum of 24 hours between periods of temporary moorage.

4. Add the following as Section 15.0 Water Zones:

**15.0 Water Zones**

**15.1 WZ1 – Recreational Water Use Zone 1**

**15.1.1 Purpose**

To provide a zone that allows for the recreational enjoyment of upland property owners and foreshore public access while minimizing impacts on fish, wildlife, and vegetation communities.

**15.1.2 Principle Uses**

The following Uses and no other Uses shall be permitted Principal Uses in this zone subject to all applicable regulations of this Bylaw:

- a) boating;
- b) foreshore public access (including public boat launches adjacent to public roads);
- c) recreational water activities;
- d) uses permitted by Provincial Crown Lands; and
- e) public utilities (municipal, provincial or federal).

**15.1.3 Accessory Uses (if a principle use is occurring on the upland lot)**

- a) docks;
- b) boat lifts if part of a dock; and
- c) temporary moorage.

**15.1.4 Subdivision Regulations**

N/A

#### 15.1.5 Development Regulations

N/A

#### 15.1.6 Other Regulations

- a) In addition to the regulations listed above, other regulations may apply. These include Section 7.5 Dock & Boat Lift Regulations.
- b) Boating activity is restricted to those areas not marked as swimming areas by the placement of buoys approved by local, provincial or federal governments.

### **15.2 WZ2 – Recreational Water Use Zone 2**

#### 15.2.1 Purpose

To provide a zone that allows for the recreational enjoyment of the lake but prohibits moorage or docks beyond 100m.

#### 15.2.2 Principle Uses

The following Uses and no other Uses shall be permitted Principal Uses in this zone subject to all applicable regulations of this Bylaw:

- a) boating;
- b) recreational water activities;
- c) uses permitted by Provincial Crown Lands; and
- d) public utilities (municipal, provincial or federal).

#### 15.2.3 Accessory Uses (if a principle use is occurring on the upland lot)

N/A

#### 15.2.4 Subdivision Regulations

N/A

#### 15.2.5 Development Regulations

N/A

#### 15.2.6 Other Regulations

- a) Boating activity is restricted to those areas not marked as swimming areas by the placement of buoys approved by local, provincial or federal governments.

### 15.3 WZ3 – Intensive Water Use Zone

#### 15.3.1 Purpose

To provide for a diverse and concentrated range of water activities of a public or commercial nature, consistent with the upland use, maintaining foreshore public access, and minimizing impacts on fish, wildlife, and vegetation communities.

#### 15.3.2 Principal Uses

- a) boat launches
- b) boat lifts
- c) boating
- d) docks
- e) fish hatcheries
- f) foreshore public access
- g) marinas
- h) marina equipment rentals
- i) public utilities (municipal, provincial or federal)
- j) recreational water activities
- k) temporary moorage
- l) uses permitted by Provincial Crown Lands
- m) water feature installations

#### 15.3.3 Accessory Uses

- a) marine fuel facilities
- b) marine sani-dump facilities

#### 15.3.4 Subdivision Regulations

N/A

### 15.3.5 Development Regulations

N/A

### 15.2.6 Other Regulations

- a) In addition to the regulations listed above, other regulations may apply. These include Section 7.5 Dock & Boat Lift Regulations
  - b) Boating activity is restricted to those areas not marked as swimming areas by the placement of buoys approved by local, provincial or federal governments.
2. Schedule 'B' of Summerland Zoning Bylaw Number 2000-450, as amended, is further amended, to add three water zones as shown on Schedule A, attached to and forming part of this bylaw.
3. This bylaw may be cited as "Zoning Bylaw Amendment (Water Zoning Regulations) Bylaw No. 2016-028"

Read a first time this 12th day of September, 2016.

Read a second time this 12th day of September, 2016.

Considered at a Public Hearing this \_\_\_\_ day of \_\_\_\_\_, 2016.

Read a third time this \_\_\_\_ day of \_\_\_\_\_, 2016.

Approved pursuant to section 52(3) (a) of the Transportation Act this  
\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
for Minister of Transportation and Infrastructure

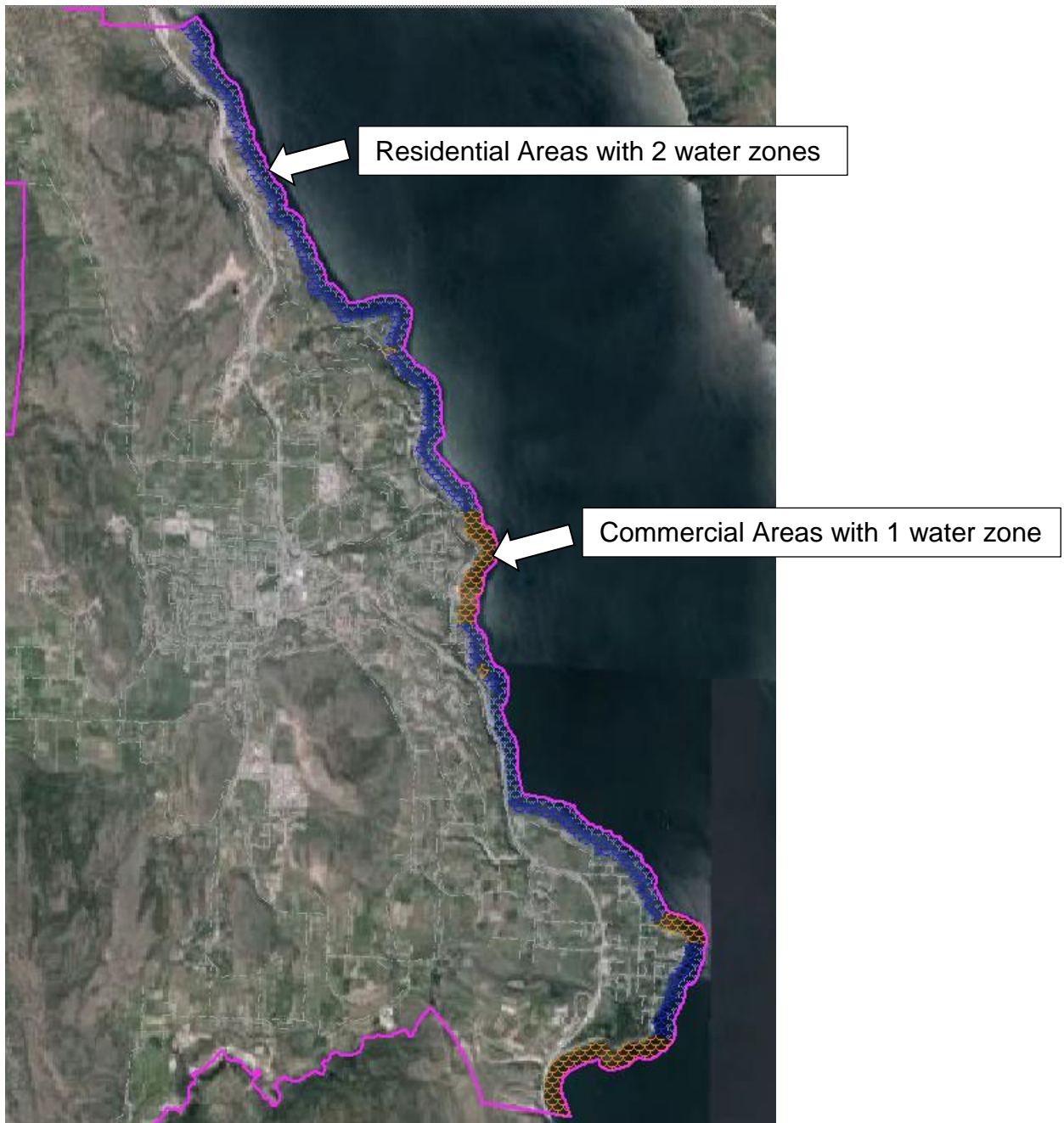
Adopted by the Municipal Council of the Corporation of the District of Summerland this  
\_\_\_\_ day of \_\_\_\_\_, 2016.

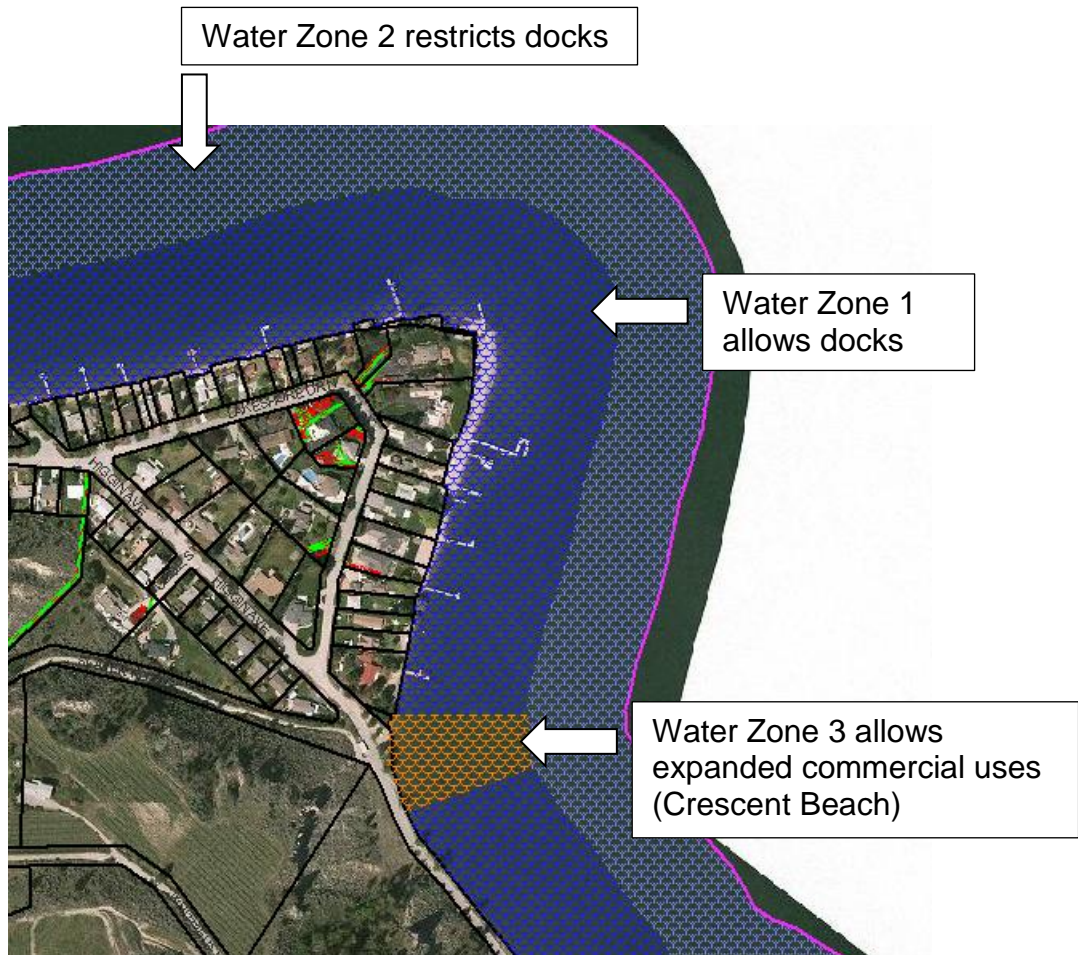
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

Schedule A –Zoning Map Amendments

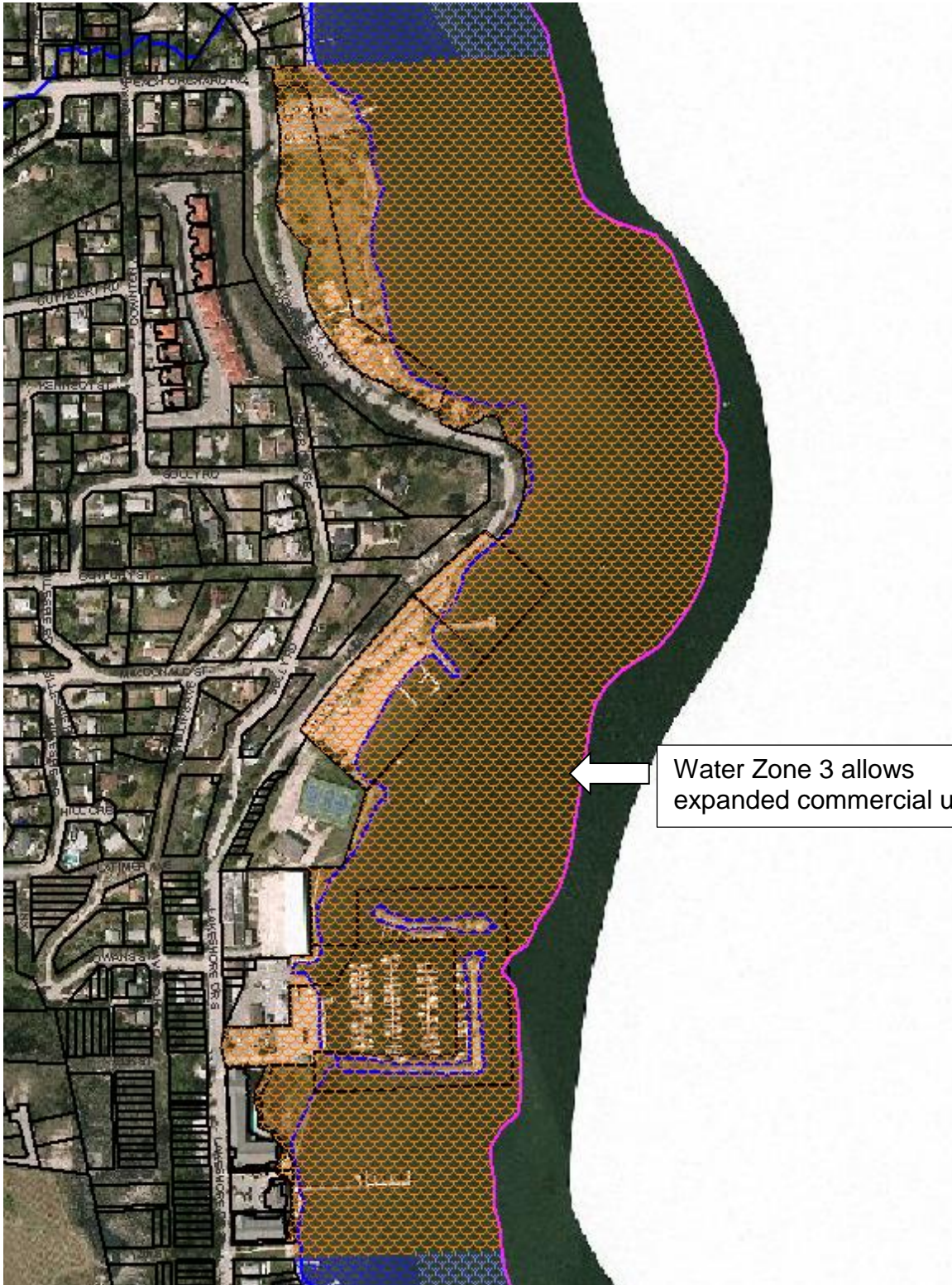
Water Zone (overview)





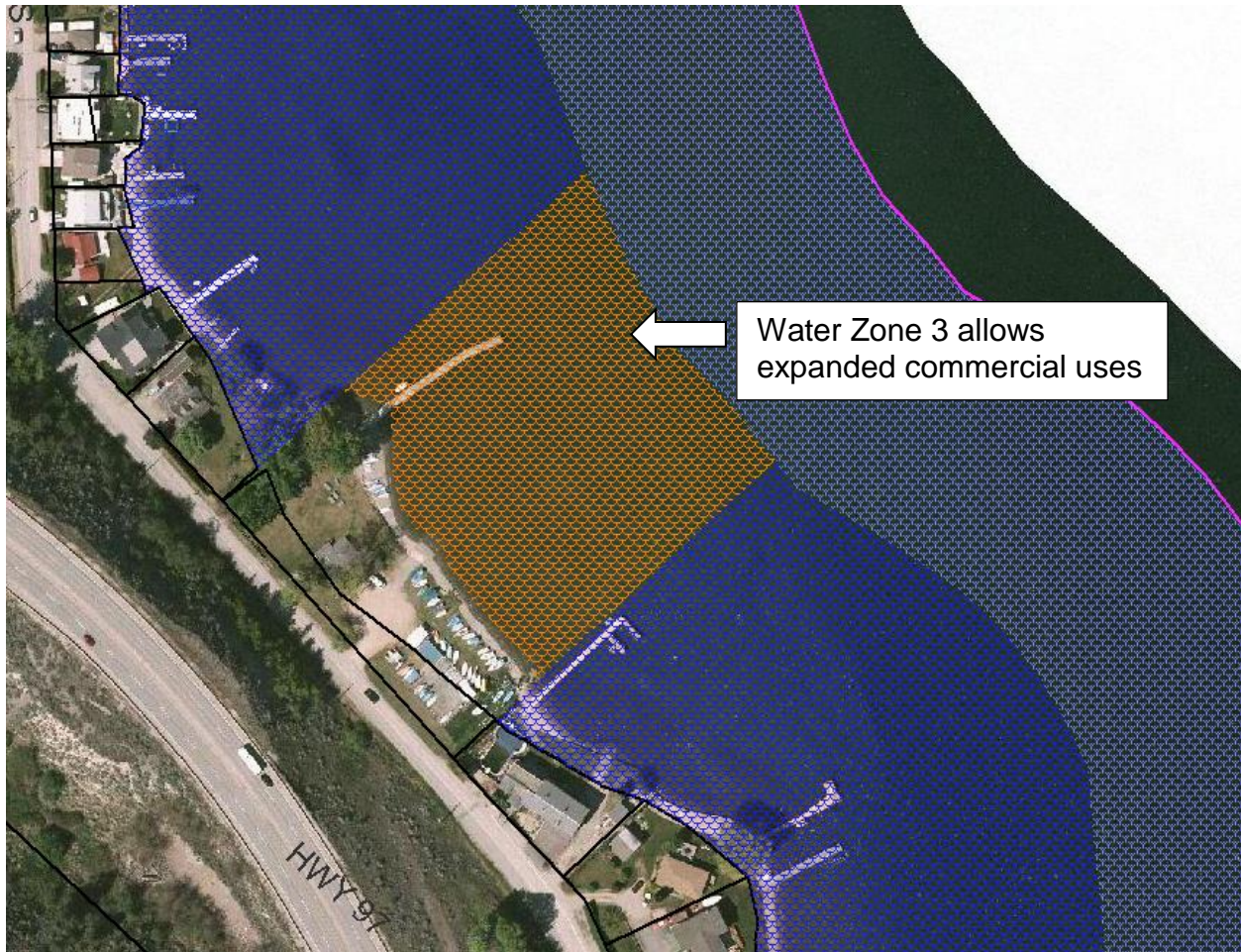
Typical water zones adjacent to residential areas  
(includes a small commercial zone adjacent Crescent Beach)





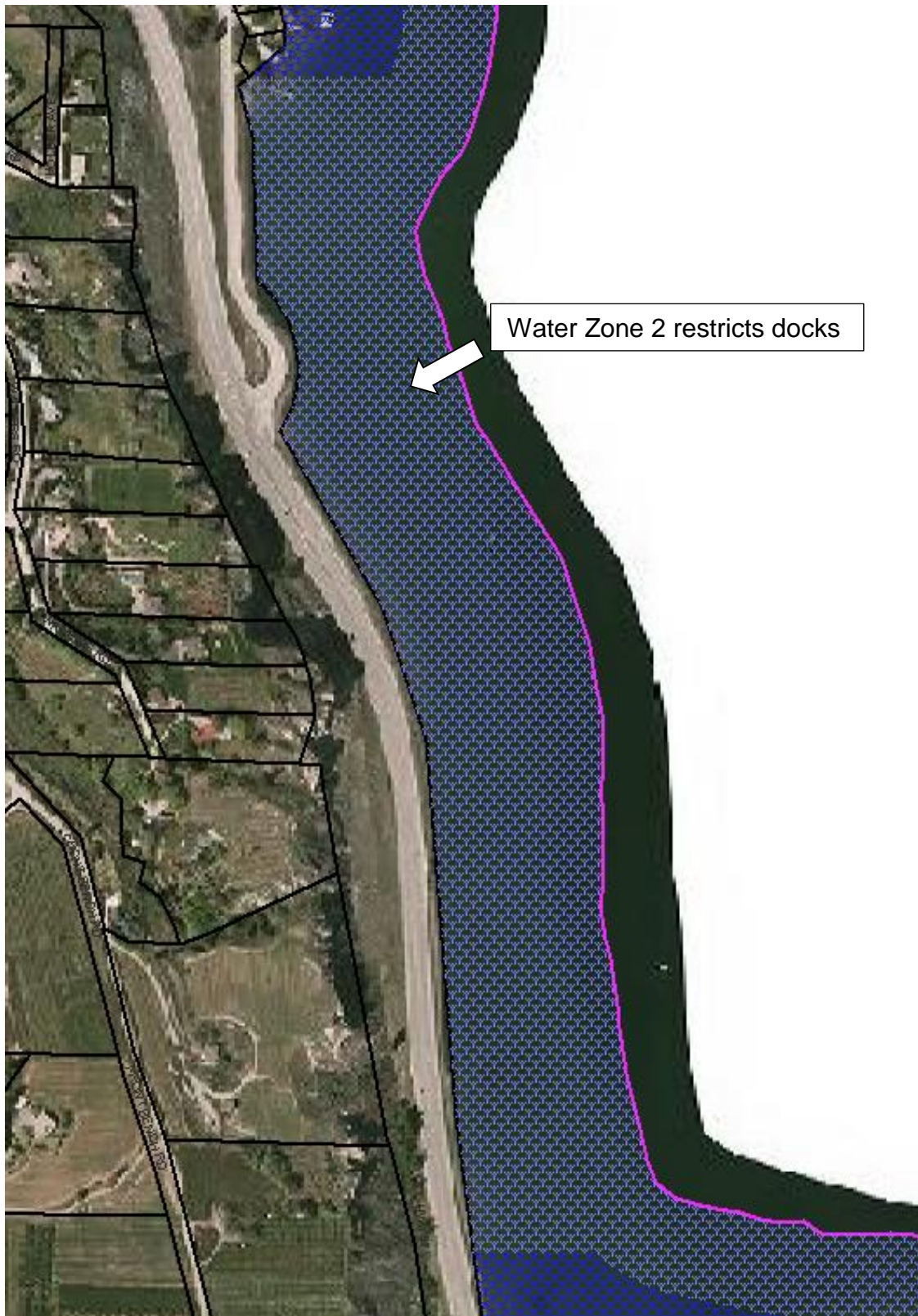
Commercial water zone adjacent boat launch, public beach and waterfront hotel.





Commercial water zone adjacent South Okanagan Sailing Association.



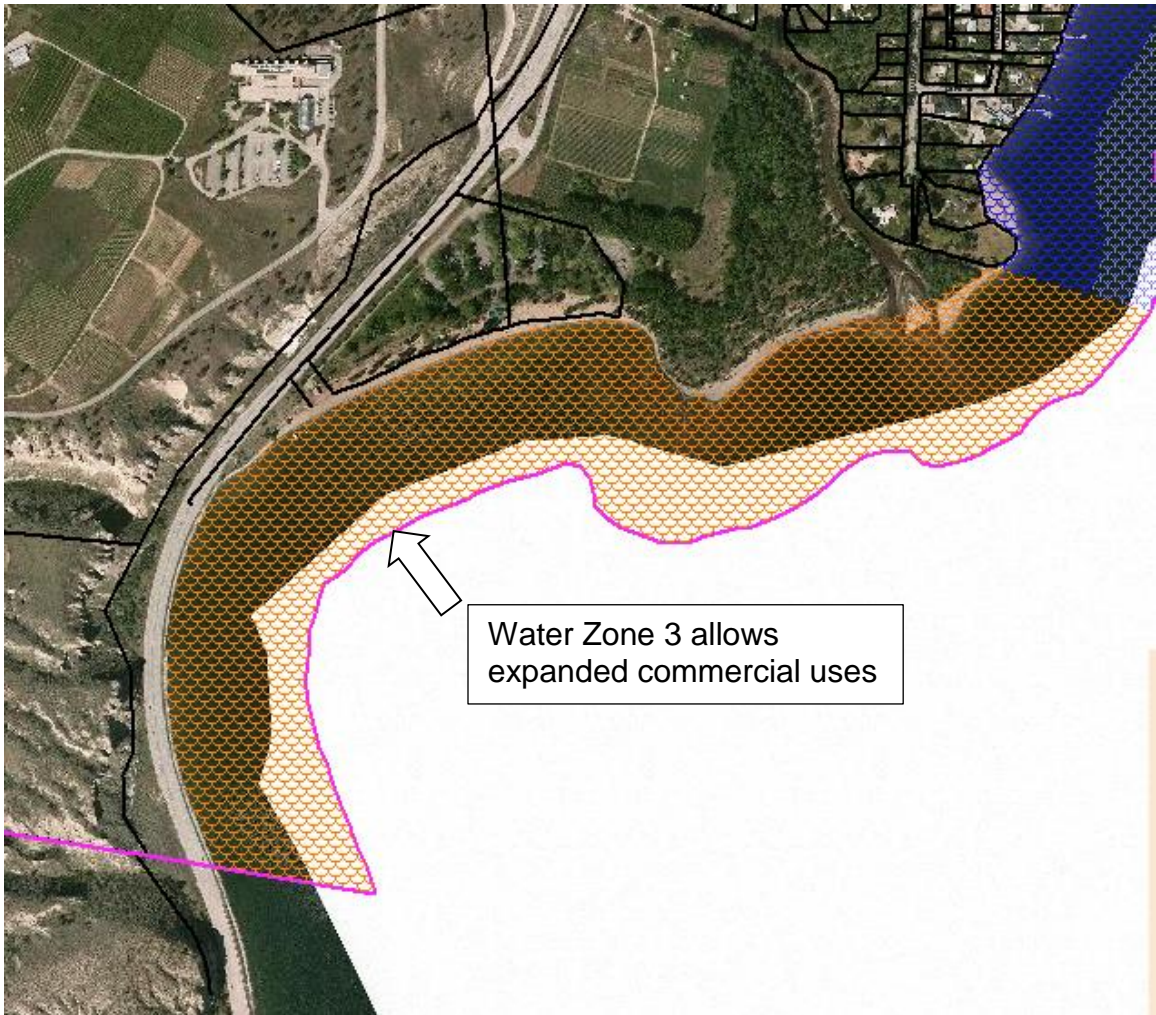


Water zone prohibiting docks adjacent Highway 97.



Commercial water zone adjacent Powell Beach.





Commercial water zone adjacent Sunoka Beach