

## 12.8 Foreshore and Water Development Permit Area

### Purpose

12.8.1 The Foreshore and Water Development Permit Area (FWDPA) is designated under the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity.

### Justification

12.8.2 The FWDPA arises from the potential impact that structures, including (but not limited to) docks, swimming platforms, and private mooring buoys, can have on the aquatic environment.

The intent of the FWDPA is to:

- a. Ensure proper siting of structures on the foreshore and in the water to prevent or minimize negative impacts on lake ecology, including fish habitat; and,
- b. Complement the Riparian Areas Regulation (RAR) Development Permit Areas, recognizing the important and sensitive interrelationship of these shoreline areas.

### Area

12.8.3 The FWDPA applies to all water bodies designated as Foreshore and Water as shown on Schedules B and D.

### Guidelines

12.8.4 The FWDPA guidelines are as follows:

- a. For new and replacement docks and for new and replacement swimming platforms

These guidelines apply to the first-time placement of a dock or to the replacement of an existing dock or swimming platform. Docks will be considered 'replacement docks' and 'replacement swimming platforms' if more than 75% of the materials will be replaced within a 3 year period.

Docks and swimming platforms shall:

- i. minimize impact on the natural state of the foreshore and water whenever possible;
- ii. not use concrete, pressure-treated wood (i.e. creosote), paint or other chemical treatments that are toxic to many aquatic organisms, including fish, and severely impact aquatic environments;
- iii. use untreated materials (e.g. cedar, tamarack, hemlock, rocks, plastic, etc.) as supports for structures that will be submerged in water. Treated lumber may contain compounds that can be released into the water and become toxic to the aquatic environment;
- iv. use only treated lumber that is environmentally-friendly for structures that are above water;
- v. be made by cutting, sealing and staining all lumber away from the water using only environmentally-friendly stains. All sealed and stained lumber should be completely dry before being used near water;
- vi. have plastic barrel floats that are free of chemicals inside and outside of the barrel before they are placed in water;
- vii. avoid the use of rubber tires as they are known to release compounds that are toxic to fish;
- viii. be sited in a manner which minimizes potential impacts on fish spawning and rearing habitat areas;
- ix. be sited in a manner which minimizes potential impacts on water intakes and other utilities; and,
- x. avoid aquatic vegetation and minimize disturbance to the lakebed and surrounding aquatic vegetation by positioning the dock or swimming platform in water deep enough to avoid grounding and to prevent impacts by prop wash in the case of docks. A minimum 1.5 m water depth at the lake-end of the dock is recommended at all times.

b. For new private mooring buoys

These guidelines apply to the first-time placement of a private mooring buoy, including its anchoring system.

Private mooring buoys shall:

- i. avoid aquatic vegetation and minimize disturbance to the lakebed and surrounding aquatic vegetation;
- ii. use helical (versus block) anchors whenever possible;
- iii. use only materials intended for boat moorage, such as rigid plastic foam or rigid molded plastic, which do not contain chemicals that are toxic to aquatic organisms;
- iv. be sited in a manner which minimizes potential impacts on fish spawning and rearing habitat areas; and,
- v. be sited in a manner which minimizes potential impacts on water intakes and other utilities.

c. For other land alterations

Proposed land alterations not listed in the exemptions section and not including new and replacement docks and new private mooring buoys shall be accompanied by a written submission from a qualified environmental professional outlining the proposed alteration, expected impacts on the foreshore or water environment and any mitigation efforts which should accompany the proposed alterations.

## Exemptions

12.8.5 The FWDPA does not apply to the following:

- a. Structures and works associated with a public park use;
- b. Installation and maintenance of utilities and utility corridors;
- c. Subdivision;
- d. Commercial and multi-family moorage facilities, including marinas and strata moorage structures, requiring Provincial tenure. (*Rationale: these facilities undergo Provincial review and are referred to other government agencies, including Fisheries and Oceans Canada, through that process, thus satisfying the intent of this Development Permit Area*);
- e. Maintenance and alterations of existing structures, except:
  - i. alterations which increase the size of the existing structures;
  - ii. removal and reconstruction of existing structures; or
  - iii. replacement docks and swimming platforms, as defined by the guidelines above; and
- f. Land alterations that will demonstrably increase environmental values (e.g. creation of additional fish habitat).