

15. Re: Zoning of water to regulate powerboats
Department of Municipal Affairs Circular 71:46

The Department of Municipal Affairs advised the Municipality on November 12 of the following:

" By a recent agreement with the Ministry of Transport in Ottawa, the Department of Recreation and Conservation now can accept requests to regulate speed and use of or even prohibit recreational use of boats on waters of lakes and navigable waters. The enforcement of the regulations remains under the jurisdiction of the Ministry of Transport. Please make all enquiries to Mr. Lloyd Brooks, Deputy Minister of Recreation and Conservation, Parliament Buildings, Victoria. "

We are advised that following receipt of the above circular, the Parks and Recreation Commission at its meeting of December 1, 1971 decided to ask Council to submit a request to the Department of Recreation and Conservation to prohibit the recreational use of powerboats on Deer Lake and Burnaby Lake.

A powerboat will need to be on Burnaby Lake during rowing events but this should not be considered recreational use.

The Zoning Bylaw presently provides that:

" The operation of power boats and aircraft shall not be permitted, except for the following:

- (a) Employees of any public utility or government, while carrying out their official duties.
- (b) Persons holding written permission from the Corporation. Such permits shall state the purpose of the operation, the period involved, and the conditions under which the operation is covered. "

There is the possibility that the Zoning Bylaw could be challenged because of jurisdiction so it is desirable to take advantage of the approach offered by the Department of Municipal Affairs.

RECOMMENDATION:

THAT the Department of Recreation and Conservation be asked to prohibit the recreational use of powerboats on Deer Lake and Burnaby Lake except for the following:

- (a) Employees of any public utility or government, while carrying out their official duties.
- (b) Persons holding written permission from the Corporation. Such permits shall state the purpose of the operation, the period involved, and the conditions under which the operation is covered.