



**Public Hearing  
Information Package**

**July 24, 2018 at 7:00 pm**  
Sooke Council Chamber  
2225 Otter Point Road, Sooke, BC

**6929 West Coast Road (Prestige Hotel)**

<b>Proposed Bylaw:</b>	<b><i>Zoning Amendment Bylaw No. 707 (600-56), 2018</i></b>
<b>Zoning Amendment:</b>	The purpose of <i>Zoning Amendment Bylaw No. 707 (600-56), 2018</i> , amend the zoning on a portion of the water lot located adjacent to the District of Sooke Boat Launch and Prestige Hotel legally described as That part of District Lot 201; together with unsurveyed Crown foreshore or land covered by water being part of the bed of the Sooke Harbour, all within Sooke District, from Passive Recreation (W1) to Marina (W3).

<b>Information Package Contents</b>	<b>Page #</b>
1. Notice of Public Hearing published in the Sooke News Mirror: <ul style="list-style-type: none"><li>• July 11<sup>th</sup> and July 18<sup>th</sup>, 2018.</li></ul>	<b>1</b>
2. <i>Zoning Amendment Bylaw No.707 (600-56), 2018</i> at second reading.	<b>3</b>
3. Staff Report to Council, dated for July 24, 2018 <ul style="list-style-type: none"><li>○ Report Cover</li><li>○ Marina Berths</li><li>○ Parking</li></ul>	<b>5</b>
4. Council meeting minutes and resolution dated June 11 <sup>th</sup> , 2018.	<b>9</b>
5. Staff Report to Council, dated June 11 <sup>th</sup> , 2018. <ul style="list-style-type: none"><li>○ Report Cover</li><li>○ Bylaw No. 707 (600-56)</li><li>○ Referral Summary</li><li>○ W3 Zone</li><li>○ W1 Zone</li></ul>	<b>11</b>

*Please note that written and verbal submissions will become part of the public record.*





# NOTICE OF PUBLIC HEARING

The Council of the District of Sooke will hold a Public Hearing pursuant to the provisions of the *Local Government Act* in the Council Chambers at 2225 Otter Point Road, Sooke, BC on **Tuesday, July 24, 2018** commencing at **7:00 p.m.**

## Application Information:

**Bylaw:** Zoning Amendment Bylaw No. 707 (600-56), 2018  
**File No:** PLN01356  
**Civic Address:** 6929 West Coast Road (shown outlined in grey on the subject map)

**Legal Description:** That part of District Lot 201; together with unsurveyed Crown foreshore or land covered by water being part of the bed of Sooke Harbour, all within Sooke District, as shown outlined in black and hatched on Schedule A from Passive Recreation (W1) to Marina (W3).

**Applicant:**  
**Prestige Sooke Holdings Ltd.**

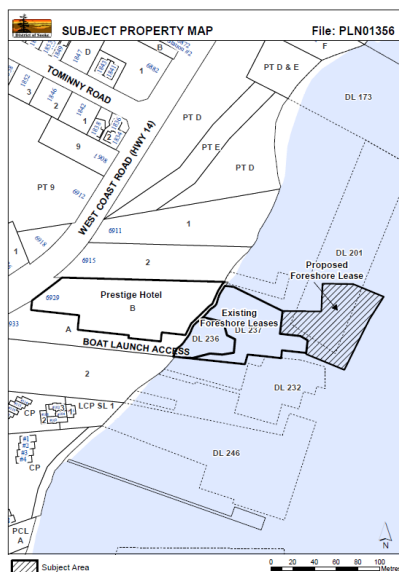
**Proposal:** The purpose of Zoning Amendment Bylaw No. 707 (600-56), 2018 is to rezone Lot 201, the water lot described above and depicted in the attached map from Passive Recreation (W1) to Marina (W3) in order to facilitate the development of a fuel station as well as a private resort moorage for guests arriving by boat or float plane.

**Further Information:**  
Copies of the bylaw, supporting written reports and any relevant background documentation may be viewed in the "Public Notices" section of the District of Sooke website

[www.sooke.ca](http://www.sooke.ca) or inspected at the District Municipal Offices at 2205 Otter Point Road, Sooke, BC, between the hours of 8:30 a.m. and 4:30 p.m., Monday to Friday (excluding statutory holidays), **commencing July 11, 2018 to and including July 24, 2018.**

**Public Input:** All persons who believe their interests in property are affected by the proposed bylaw will be afforded an opportunity to be heard at the Public Hearing on the matters contained in the proposed bylaw. Should you have any concerns or comments you wish to convey to Council, please submit in writing by fax to 250-642-0541, email [publichearing@sooke.ca](mailto:publichearing@sooke.ca) or in person to the Corporate Officer at the District Municipal Offices no later than **Tuesday, July 24, 2018 at 12:00 p.m.** Please be advised that submissions to Council will become part of the public record and are subject to disclosure under the *Freedom of Information and Protection of Privacy Act (FOIPPA)*.

**NOTE:** Council cannot receive further information concerning this application after the Public Hearing has concluded.







## DISTRICT OF SOOKE ZONING AMENDMENT BYLAW No. 707

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A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on a portion of the water lot located adjacent to the District of Sooke Boat Launch and Prestige Hotel legally described as That part of District Lot 201; together with unsurveyed Crown foreshore or land covered by water being part of the bed of Sooke Harbour, all within Sooke District, from Passice Recreation (W1) to Marina (W3).

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The Council of the District of Sooke, in open meeting assembled, enacts as follows:

1. This bylaw is cited as *Zoning Amendment Bylaw No. 707 (600-56), 2018*.
2. The parcel of land legally described as:

That part of District Lot 201; together with unsurveyed Crown foreshore or land covered by water being part of the bed of Sooke Harbour, all within Sooke District, as shown outlined in black and hatched on Schedule A from Passive Recreation (W1) to Marina (W3).

3. Bylaw No. 600, *Sooke Zoning Bylaw, 2013*, as emended, and Schedule attached thereto, are amended accordingly.

READ a FIRST and SECOND time the 11<sup>th</sup> of June, 2018.

PUBLIC HEARING held the \_\_\_ day of \_\_\_\_\_, 2018.

READ a THIRD time the \_\_\_ day of \_\_\_\_\_, 2018.

APPROVED by Ministry of Transportation and Infrastructure the \_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED the \_\_\_ day of \_\_\_\_\_, 2018.

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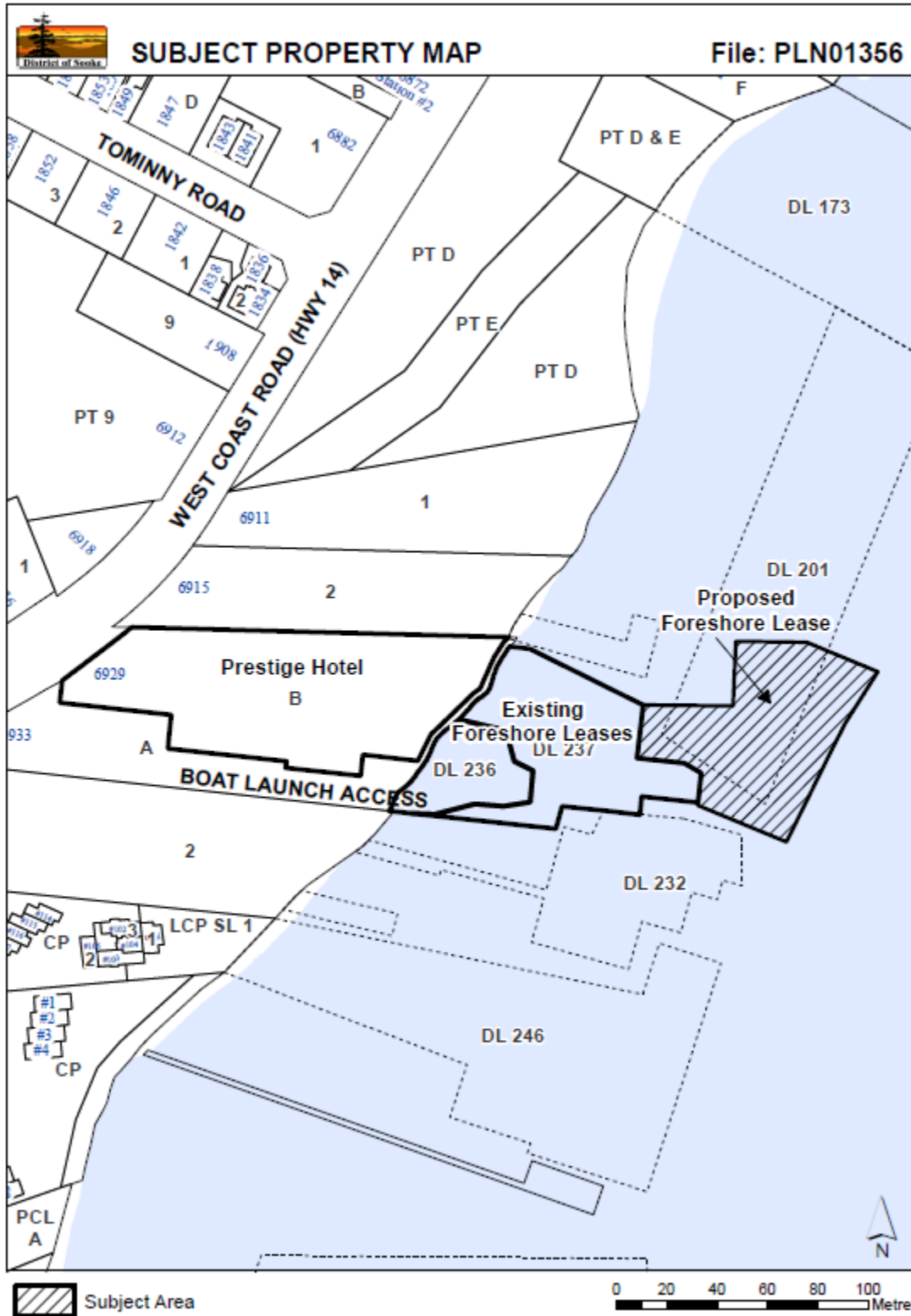
Maja Tait

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Carolyn Mushata

Mayor  
**SCHEDULE A**

Corporate Officer





## Supplementary Report - PLN01356 Prestige Rezoning

### RECOMMENDATION:

THAT Council receive this report for information as a supplement to the Rezoning report that was heard by Council on June 11th for 6929 West Coast Road (The Prestige) PLN01356;

AND THAT prior to final adoption of *Zoning Amendment Bylaw No. 707 (600-56), 2018*, the owner be required to enter into section 219 covenants to address parking requirements and restrictions for float plane arrival and departures.

### Report Summary:

This is further to the report for rezoning of the water lot adjacent to the Prestige which was heard by Council on June 11th and will be considered at a Public Hearing on July 24th. In that report the need for a development variance permit for a parking deficiency was identified. Since the Council meeting on June 11th the applicant has worked with staff to find an alternative solution and a variance is no longer required.

The applicant has reduced the number of berths for the proposed Marina to a total of 9 new berths. See Attachment 1. The remaining spaces will be restricted to drop off and pick up of guests by Charter groups and for fueling only. This will provide additional clearance between the Prestige Marina and the tenure to the north and result in a total of only 3 new parking stalls required.

The new parking stalls will be provided at the southeast corner of the building adjacent to existing parking. See Attachment 2. As a condition of the rezoning for the Water Lot a section 219 covenant will be registered on title to address the parking requirements prior to final adoption of the bylaw.

The applicant had also indicated the intention to accommodate float plane moorage on the new Marina. Upon further discussion it has been determined that in the event of float plane arrival they would forego boating moorage on that given day based on the needs of guests arriving by plane. Requests for float plane moorage are limited at this time and the applicant has determined it is not worth having dedicated float plane moorage on the Marina. It would only be provided as a courtesy for guests who are staying at the resort.

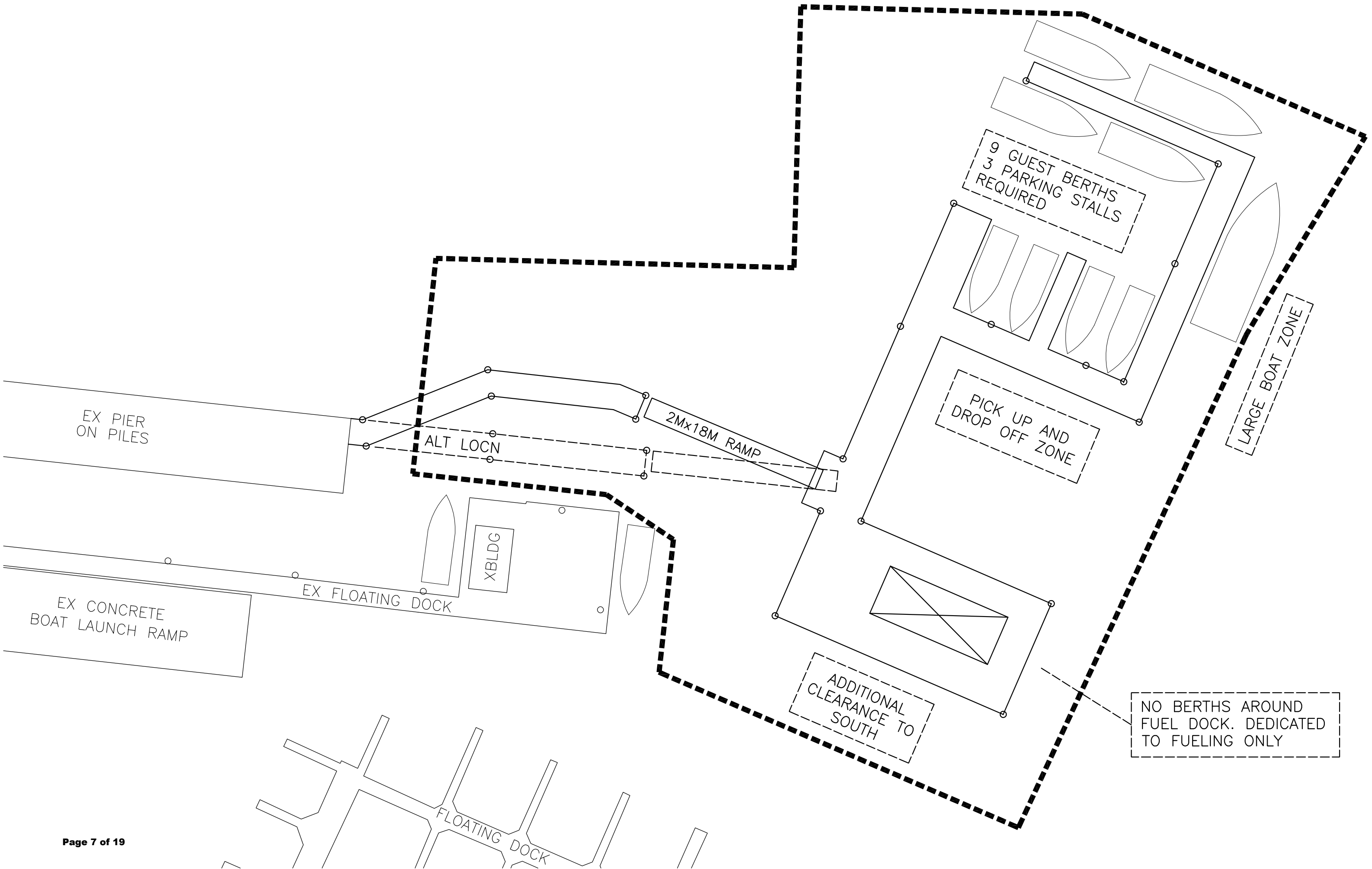
Prior to final adoption of the rezoning for the water lot a section 219 covenant will be registered on title to also include restrictions for float plane arrivals and departures to not occur between the hours of 11pm and 7am which is currently the Prestige Hotel quiet times.

**Attached Documents:**

[Attachment 1 - Marina Berths](#)

[Attachment 2 - Parking](#)





X2 extra small car parallel only for max capacity

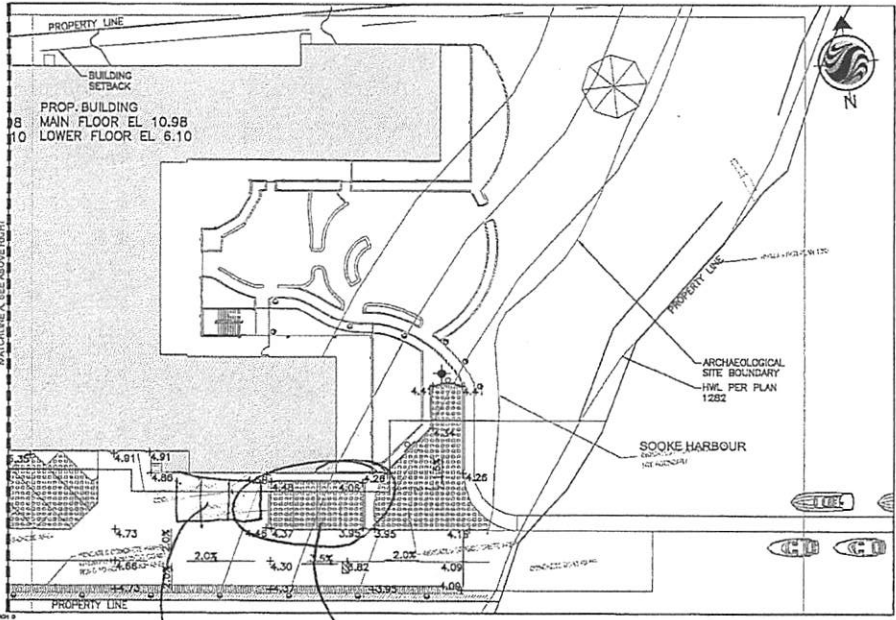
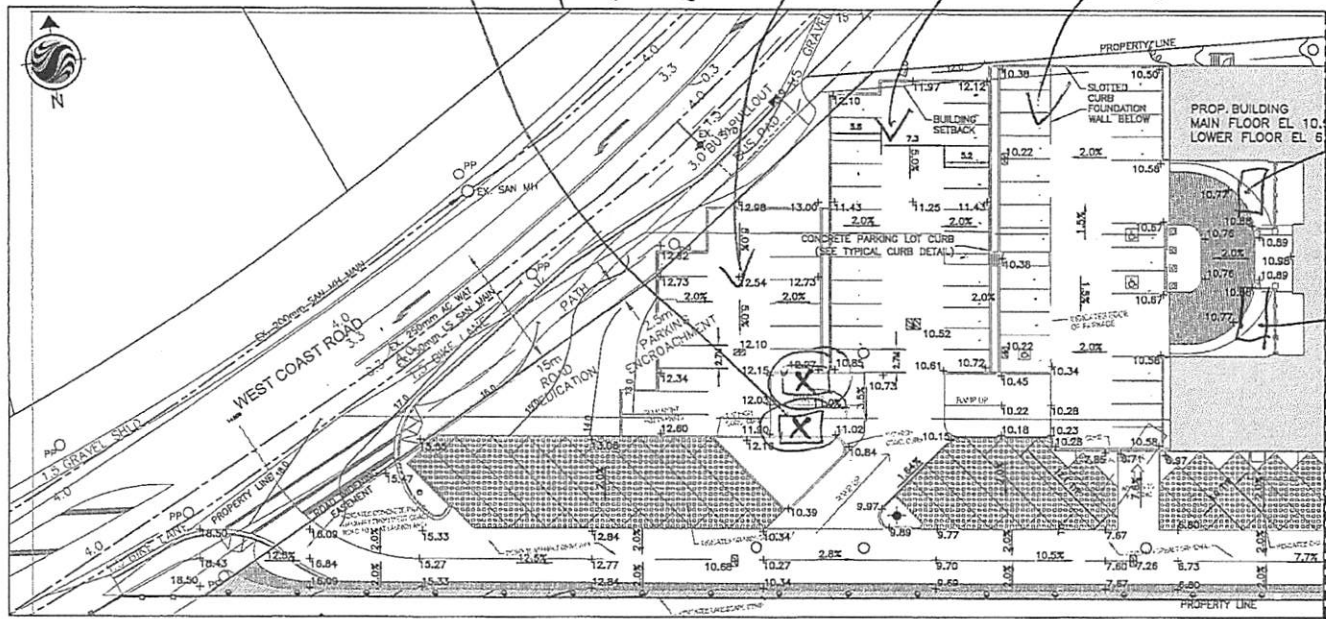
24

24 actual

x1 actual

x1 actual

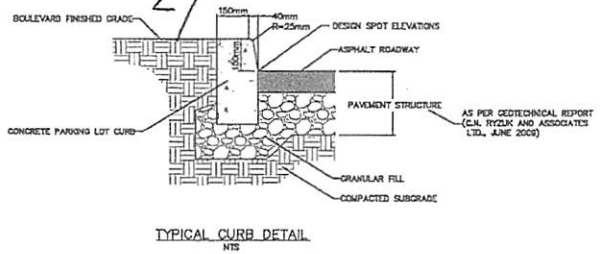
31+1 parkade



FOR PARKING STALL WIDTHS SEE ARCHITECTURAL DRAWINGS

24  
24  
15  
32 parkade  
4  
2

Actual  
x 101 used spots



Copyright Reserved  
The Contractor shall verify and be responsible for all dimensions. DS shall make the drawing - any errors or omissions shall be reported to Stantec without delay.  
The Contractor shall verify and be responsible for all dimensions. DS shall make the drawing - any errors or omissions shall be reported to Stantec without delay.

Legend

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
(Symbol)	HYDRANT	(Symbol)	WATER VALVE
(Symbol)	SAWTRAY LIFT STATION	(Symbol)	STOP SIGN
(Symbol)	SAWTRAY MANHOLE	(Symbol)	CATCH BASIN
(Symbol)	STONE SINKER	(Symbol)	SHOULDER SINKER
(Symbol)	WOOD SIGN	(Symbol)	PROPERTY LINE
(Symbol)	CONCRETE	(Symbol)	CONCRETE
(Symbol)	SPOT ELEVATION	(Symbol)	SPOT ELEVATION
(Symbol)	SPAC ARROW	(Symbol)	SPAC ARROW

- NOTES
- LEGAL BOUNDARY INFORMATION AS PROVIDED BY OFFICERS DESIGNATING SURVEYING INFORMATION OBTAINED FROM DISTRICT OF SOOKE.
  - CONTRACTOR TO VERIFY ALL EXISTING UTILITIES TO-HI LOCATIONS AND PROVIDE FROM TO GEOTECHNICAL ANY DISCREPANCIES ARE TO BE FORWARDED TO THE INSPECTOR FOR CORRECTION AND RECORD.
  - STANTEC DOES NOT GUARANTEE THE ACCURACY OF THE SURVEY INFORMATION. AS TO THE PRECISION OF THE SURVEY INFORMATION IS RESPONSIBLE TO THE CONTRACTOR FOR CORRECTION AND RECORD.
  - REFER TO STRUCTURAL ENGINEER FOR DESIGN AND CONSTRUCTION SPECIFICATIONS OF ALL EXISTING RETAINING WALLS.
  - ALL CATCH BASIN LEADS ARE TO BE 150mm PVC SIB 33 AND HAVE MINIMUM FORCE OF 1.88 UNLESS NOTED OTHERWISE.
  - ALL STORM PIPES ARE TO BE 150mm PVC SIB 33 AND TO HAVE A MINIMUM COVER OF 1.5M UNLESS NOTED OTHERWISE.
  - ALL WATER MAIN PIPES ARE TO BE 150mm PVC SIB 33 AND TO HAVE A MINIMUM COVER OF 1.5M UNLESS NOTED OTHERWISE.
  - ALL SAWTRAY FORCE MAIN PIPES ARE TO BE 150mm PVC SIB 33 AND TO HAVE A MINIMUM COVER OF 1.5M UNLESS NOTED OTHERWISE.
  - SURFACE TREATMENTS AS PER ARCHITECTURAL DRAWINGS.

REVISION	DATE	BY	CHK	APP	DESCRIPTION
REVISED AS PER DESIGN COMMENTS	2016	JUL	JUL	15.00.00	
REVISED AS PER DESIGN COMMENTS	2016	JUL	JUL	15.00.00	
REVISED	2016	JUL	JUL	15.00.00	

NOT FOR CONSTRUCTION

Client/Project: PRESTIGE HOTELS & RESORTS  
PRESTIGE OCEANFRONT RESORT WEST COAST ROAD SOOKE BC

Title: ONSITE GRADING PLAN

Project No: 112720229 Scale: 1:250  
Drawing No: Sheet 6 of 9  
Revision: C02

10.3. **Zoning Amendment Bylaw No. 707 (600-56), 2018 - 6929 West Coast Road (Prestige Hotel Marina)**

A Bylaw to amend the zoning on a portion of the water lot located adjacent to the District of Sooke Boat Launch and Prestige Hotel, together with unsurvey Crown foreshore or land covered by water being part of the bed of Sooke Harbour, all within Sooke District, from Passice Recreation (W1) to Marina (W3).

The Head of Planning provided a PowerPoint Presentation and overview of the written staff report, highlighting that the *Official Community Plan (OCP)* supports this development as it enhances economic development.

**Council Discussion:**

- The VIHA comment, regarding concerns around air/noise pollution, being addressed correctly and adequately.
- Implementation of restricted and notification, of time-frame of float plane traffic.
- Issues with sight-line impacts of neighbors.
- Distant between neighbouring docks, Provincial legislation with no jurisdiction of the District.
- Inquiries into where float-planes would be tied down.
  - The Head of Planning will ensure the applicant provides the details surrounding these concerns.
- Notification to all those who are along the water, even if outside required legislation.
  - The Corporate Officer recommended Council maintain the same standard for all applications, which are set out in the *Community Charter and Local Government Act*.

**2018-273**

**MOVED by Councillor Parkinson, seconded by Councillor Pearson:**

THAT Council give First and Second reading to *Zoning Amendment Bylaw No. 707 (600-56), 2018*.

**CARRIED.**

**In Favour:** Mayor Tait, Councillor Logins, Councillor Parkinson, Councillor Pearson, and Councillor Reay

**Opposed:** Councillor Berger

**Absent:** Councillor Kasper

**2018-274**

**MOVED by Councillor Parkinson, seconded by Councillor Reay:**

THAT a Public Hearing be scheduled for *Zoning Amendment Bylaw No. 707 (600-56), 2018*, in accordance with section 466 of the Local Government Act.

**CARRIED.**

**In Favour:** Mayor Tait, Councillor Berger, Councillor Logins, Councillor Parkinson, Councillor Pearson, and Councillor Reay

**Absent:** Councillor Kasper





## Rezoning for 6929 West Coast Road Prestige Hotel Marina

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### **RECOMMENDATION:**

THAT Council give first and second reading to *Zoning Amendment Bylaw No. 707 (600-56), 2018*;

AND THAT a Public Hearing be scheduled for *Zoning Amendment Bylaw No. 707 (600-56), 2018*, in accordance with section 466 of the Local Government Act.

### **Report Summary:**

The applicant, Prestige Sooke Holdings Ltd. has applied to rezone the water lot (see Schedule A of Attachment 1) from Passive Recreation (W1) zone to Marina (W3) in order to facilitate the development of a fuel station as well as a private resort moorage for guests arriving by boat or float plane. It will introduce 18 new berths and a fueling station with associated retail. As this application is for rezoning only, site development and building details on the water lot will be considered by the Province of British Columbia Department of Fisheries and Oceans.

A foreshore lease from the Province has been granted to Prestige Sooke Holdings Ltd. for the subject water lot and therefore is not required as a condition of this rezoning.

### **Previous Council Action:**

2009, October 26 Council adopted Bylaw No. 416 Prestige Hotel & Resort Comprehensive Development Zone (CD-8).

2009, November 18 Development Permit PLN00726 issued for development of Parcel's A, B and C of the Prestige Hotel and Marina CD-8 zone.

### **Report:**

#### Site Context

The foreshore lot is approximately 3,959m<sup>2</sup> and is located within the District of Sooke water boundaries at the north westerly edge of Sooke Harbour and is adjacent the Prestige Hotel uplands and the District of Sooke boat launch.

#### Background

The proposed moorage extension is the final piece of the original resort plan to provide an amenity that draws more visitors to Sooke, particularly those traveling by boat and or float plane.

#### Official Community Plan:

The OCP speaks to the economic development opportunities of water frontage such as marine related retail, marine pub and hotels on identified waterfront sites. It also encourages the support of tourism commercial activities along the waterfront. The Prestige Hotel wishes to attract users that often request direct float plane access to the site but to date has had to turn that type of business away. The ability to allow further access to Sooke by boat and/or float plane will have an economic benefit to the larger community as a whole.

#### Sooke Zoning Bylaw:

The upland zoning (CD-8 Prestige Hotel & Resort) allows for complimentary uses such as marina, boat ramp and other associated facilities.

The addition of 18 new berths requires 6 additional parking stalls as per *Sooke Zoning Bylaw* and as a result the applicant has submitted a Development Variance Permit (DVP). The DVP will be brought to Council at the same time as the public hearing for this rezoning where a decision can be rendered after the rezoning has been given 3rd reading (if granted).

Beyond parking requirements noted above there are no outstanding issues as it relates to the proposed W3 zoning.

#### Referrals:

Attachment 2 summarizes the comments from external and internal referrals. All of the concerns noted have either been dealt with under the original zoning and development permit for the uplands site and existing moorage or will be dealt with through the provincial approvals process.

#### **Legal Impacts:**

The applicant 'Prestige Sooke Holdings' has acquired a foreshore sub-tenure lease and license of occupation for a portion of District Lot 201 and additional unsurveyed Crown foreshore.

#### **Budget/Financial Impacts:**

By providing improved boat and float plane access to The Prestige Hotel and in effect to Sooke, the opportunity for secondary benefits to the local economy are increased.

#### **Strategic Relevance:**

The proposed rezoning meets the following strategic priorities in the District of Sooke Strategic Plan:

Economic Prosperity - The District will work towards developing appropriate mechanisms to facilitate and promote long-term community economic prosperity.

- proactively pursue economic opportunities
- focus on being consistent in our decision making
- ensure our criteria are reflective of our community's needs.

**Attached Documents:**

[Attachment 1 - Bylaw 707 \(600-56\)](#)

[Attachment 2 - Referral Summary](#)

[Attachment 3 - W3 Zone](#)

[Attachment 4 - W1 Zone](#)



## DISTRICT OF SOOKE ZONING AMENDMENT BYLAW No. 707

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A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on a portion of the water lot located adjacent to the District of Sooke Boat Launch and Prestige Hotel legally described as That part of District Lot 201; together with unsurveyed Crown foreshore or land covered by water being part of the bed of Sooke Harbour, all within Sooke District, from Passice Recreation (W1) to Marina (W3).

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1. This bylaw is cited as *Zoning Amendment Bylaw No. 707 (600-56), 2018*.
2. The parcel of land legally described as:

That part of District Lot 201; together with unsurveyed Crown foreshore or land covered by water being part of the bed of Sooke Harbour, all within Sooke District, as shown outlined in black and hatched on Schedule A from Passive Recreation (W1) to Marina (W3).

3. Bylaw No. 600, *Sooke Zoning Bylaw, 2013*, as emended, and Schedule attached thereto, are amended accordingly.

READ a FIRST and SECOND time the \_\_\_ of \_\_\_\_\_, 2018.

PUBLIC HEARING held the \_\_\_ day of \_\_\_\_\_, 2018.

READ a THIRD time the \_\_\_ day of \_\_\_\_\_, 2018.

APPROVED by Ministry of Transportation and Infrastructure the \_\_\_ day of \_\_\_\_\_, 2018.

ADOPTED the \_\_\_ day of \_\_\_\_\_, 2018.

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Maja Tait

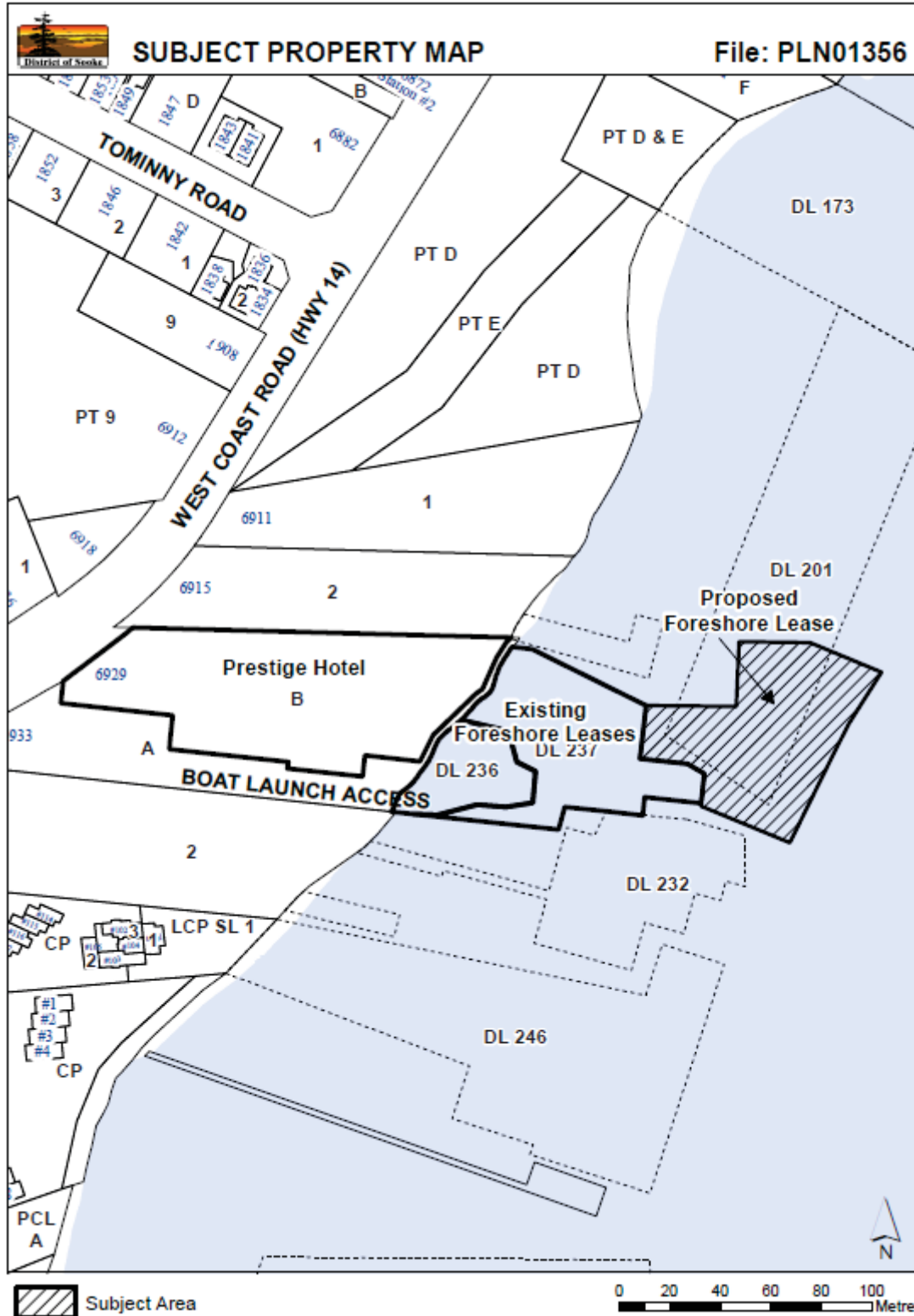
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Carolyn Mushata



Mayor  
**SCHEDULE A**

Corporate Officer



**SUMMARY OF COMMENTS RECEIVED FOR \_\_PLN01356\_\_\_\_\_  
IN RESPONSE TO DISTRICT OF SOOKE REFERRAL SENT \_\_April 24, 2018\_\_\_\_\_**

<b>EXTERNAL REFERRALS</b>	
<b>Agency</b>	<b>Comments</b>
Shaw Cable	No response.
Telus Communications	No concerns. April 30, 2018
Fortis BC	No concerns. May 1, 2018
BC Hydro	Not Applicable
Vancouver Island Health Authority	<p>No concerns with recommendations:</p> <p>(1) That a sani-dump/wastewater pump out location and proximity be factored into this proposal. That is, that there be this amenity close by or provided at this location to ensure proper wastewater disposal and connection to municipal sewer.</p> <p>(2) If a potable water connection is to be provided, that a cross connection control device be installed to protect the municipal drinking water system from potential contamination. And ideally, the potable water connection/hose be stored in a sanitary manner and secure location.</p> <p>(3) We note that a float plane pick-up and drop-off is to be considered as part of this proposal. Island Health has been privy to neighbourhood concerns around noise and air quality as it relates to float plane traffic. We thus suggest the District consider these impacts related to this activity. We welcome further dialogue on the subject and would be happy to provide greater detail on our past experiences.</p> <p>Items 1 and 2 addressed through prior zoning and development approval processes.</p>
CRD Parks & Community Services	No response.
Juan de Fuca EAP Office	No response.
ALR Commission	No concerns. April 14, 2018
Ministry of Transportation and Infr.	No response.
Canada Post, Sooke	N/A
BC Transit	No concerns but requests consideration for installation of accessibility pads for the two bus stop locations approximately 150 metres west of the Prestige Hotel each serving one direction of travel. April 30, 2018
Beecher Bay	No concerns. May 09, 2018
CRD Water Department	No comments received.
Dept. Fisheries & Oceans	No concerns. Applicant will be getting appropriate approvals from Province for construction of pier.

Ministry of Environment (Forests, Lands and Natural Resource Operations and Rural Development)	<p>No concerns, with comments: Any use of treated wood for dock construction should adhere to "Guidelines for use of treated wood in and around aquatic environments and disposal of treated wood" <a href="http://www.th.gov.bc.ca/publications/eng_publications/environment/references/guidelines-treated_wood.pdf">http://www.th.gov.bc.ca/publications/eng_publications/environment/references/guidelines-treated_wood.pdf</a> .</p> <p>When installing the steel piles to secure the dock in place follow the relevant BC Marine and Pile Driving Contractors best management practices <a href="https://buyandsell.gc.ca/cds/public/2016/08/17/f0fcf96f5bd08535ff8e81aac62bbd74/fp802-160141_bc_pile_driving_practices.pdf">https://buyandsell.gc.ca/cds/public/2016/08/17/f0fcf96f5bd08535ff8e81aac62bbd74/fp802-160141_bc_pile_driving_practices.pdf</a></p> <p>To be addressed through provincial approvals process.</p>
SEAPARC	N/A
Sooke School District #62	N/A
T'sou-ke Nation	No response.
Archaeological Inventory Section; Ministry of Tourism, Sports & the Arts	If construction plans include any land alterations anywhere within the site boundary of DcRw-254, a Section 12 Site Alteration Permit must be obtained from the Archaeology Branch and an Eligible Consulting Archaeologist engaged to mitigate any impacts to the site. April 30, 2018
RCMP Sooke Dept	No response.
<b>INTERNAL REFERRAL</b>	
<b>Department</b>	<b>Comments</b>
Building	No concerns. April 25, 2018
Engineering	No concerns. May 02, 2018
Fire	No concerns. Pre-incident planning and support Fire Code compliance will occur at a later stage.
Environmental	Concern regarding access from public boat launch on the north side and narrow access on the south. Addressed through provincial approvals.

# Marina

# W3

**703.1 Purpose:** This zone applies to the seabed, water column and surface of marine water in the District of Sooke to establish provisions for commercial uses or public marina use.

**703.2 Permitted Uses:**

**Principal Uses:**

- a) Boat ramp
- b) Boat shed or shelter
- c) Breakwater
- d) Marina
- e) Marina fueling station
- f) Marine pub
- g) Passive recreation
- h) Restaurant
- i) Sales and rental of boats and water sports equipment

**Accessory Uses:**

- j) Office
- k) Retail
- l) Slips, docks, breakwaters, ramps, dolphins and pilings necessary for the establishment and/or maintenance of the marina

**703.3 Prohibited Uses:** Residential use of structures, floats, or piles

**703.4 Maximum Height above High Water for All Buildings and Structures:** 9 m

## Passive Recreation

W1

**701.1 Purpose:** This zone applies to the seabed, water column and surface of marine water in the District of Sooke.

**701.2 Permitted Uses:**

**Principal Uses:**

- a) Boat ramp
- b) Breakwater
- c) Environmental protection activities
- d) Fishing
- e) Government wharf
- f) Habitat enhancement activities
- g) Passive recreation
- h) Pier

**701.3 Prohibited Uses:** Residential use of structures, floats, or piles