

**SUMMER VILLAGE OF SUNBREAKER COVE  
DOCK AND MOORING BYLAW  
BYLAW #179-23**

BEING A BYLAW OF THE SUMMER VILLAGE OF SUNBREAKER COVE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH APPROVAL REQUIREMENTS FOR SEASONAL DOCKS AND MOORING STRUCTURES FROM THE SUMMER VILLAGE OF SUNBREAKER COVE.

WHEREAS:

1. The occupation of public land (including the beds and shores of a waterbody) for more than 14 days, requires authorization from the Province of Alberta by virtue of the Public Lands Act.
2. The Disturbance Standard for Temporary Seasonal Docks and other Mooring Structures for Personal Recreation Purposes approved in 2021 grants general permissions to waterfront and semi-waterfront landowners which are subject in part to (1) those landowners obtaining all federal, provincial, municipal, and other permits and approvals, as applicable, with respect to the permitted activity, and that (2) the permitted activity complies with municipal bylaws and local government zoning restrictions.
3. The Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 provides that a Council has jurisdiction to pass bylaws for municipal purposes respecting the people, activities, and things in, on or near a public place or place that is open to the public.
4. SBC currently has 265 properties with tax assessments, of which one is waterfront and 66 are semi-waterfront. Many would be affected by the Disturbance Standard without imposing a bylaw requiring compliance by all docks.
5. The Council of the Summer Village of Sunbreaker Cove wishes to (1) maximize the opportunity for its residents to have access to the lake in the form of a dock, (2) ensure appropriate separation exist between docks, (3) limit the frequency that dock walkways leave the shoreline, (4) protect designated swimming and environmentally sensitive areas, and (5) enable administration to provide approvals required under the disturbance standard.
6. A phased bylaw roll-out is adopted to manage the initial number of mooring applications that will be considered. This recognizes administrative constraints and allows changes to be made in the approval process where appropriate before addressing the rest of the shoreline for which approvals will later be required.
7. A temporary field authorization from AEP will be required where docks don't satisfy the conditions in the disturbance standard until SBC receives the department license of occupation it is applying for.

NOW THEREFORE, under the authority of the Municipal Government Act, the Council of the Summer Village of Sunbreaker Cove, in the Province of Alberta, enacts as follows:

1. This bylaw may be cited the “**Dock and Mooring Bylaw.**”

2. In this bylaw:

- (a) “**AEP**” means Alberta Environment and Parks.
- (b) “**Communal Dock**” means a shared dock with a significant number of boat hoists, such as the one located off Sunset Cove on the east (Sunhaven) side of SBC for many years.
- (c) “**Disturbance Standard**” means the Government of Alberta Disturbance Standard for Temporary Seasonal Docks and other Mooring Structures for Personal Recreational Purposes.
- (d) “**Dock**” means any temporary and seasonal structure over or in the lake and includes any walkway, terminal platform, and associated boat lifts. The term includes any stand-alone boat lift without a walkway or terminal platform.
- (e) “**Dock Captain**” means a resident who is the point of contact for the dock and is responsible for obtaining written consent for that dock and ensuring it complies with this bylaw.
- (f) “**Dock Layout Boat Lift Density**” addresses how efficient each shared dock layout is. The value is derived by multiplying the total number of motorboats, fishing boats and sailboats in the dock layout by 100, and then dividing by the sum of (1) the mooring area width, (2) the minimum left separation it needs under section 5.5 and (3) the minimum right separation it needs under section 5.5.
- (g) “**EOS**” means Environmental Open Space.
- (h) “**Line of navigation**” means where the water depth exceeds 1.5 meters (5 feet) at the time the dock is placed.
- (i) “**Lot**” is synonymous with a single tax assessment. Where two lots shown on the land use district map have been combined for tax purposes they shall be considered to be one lot.
- (j) “**MAS**” means Mooring Administration Segment.
- (k) “**Mooring Area**” is defined by the shoreline, the line of navigation, and the maximum width of the dock and any associated boat extension.
- (l) “**Resident**” means a registered landowner in SBC whose name is on title, or their immediate family.
- (m) “**SBC**” means Sunbreaker Cove.
- (n) “**Semi-waterfront landowner**” means the owner of a lot with frontage directly adjoining the EOS. The land use district map in the Land Use Bylaw shows the community reserve districts are separated from the EOS, regardless of what other maps may show.
- (o) “**Shared dock**” means a privately owned, non-commercial dock shared by multiple lot owners.
- (p) “**Terminal platform**” means the portion of the dock generally attached to the walkway, that is used to make boat slips for loading

vessels or provide a seating area.

(q) **“Walkway”** means that part of the dock that leads from the shore to the terminal platform.

(r) **“Waterfront landowner”** means the owner of a lot with frontage directly adjoining the bank of a water body.

3. Any dock placed along the EOS where the municipality is the waterfront owner shall require an authorization from the municipality other than those noted in section 4. No docks will be permitted in a designated swimming area or environmentally sensitive area.
4. Where docks cannot be accessed along the EOS without trespass on private property, municipal approval is not required by those lot owners whose lot frontage directly adjoins the otherwise inaccessible EOS so long as the owners comply with the Disturbance Standard conditions and, if necessary, has appropriate encroachment agreements with the municipality in place. This is understood to apply to 26 lots as shown in Schedule A, Figure 1, where “private” dock types are shown.
5. In all cases:
  - 5.1 Only SBC docks or boats owned by residents shall be authorized to be placed in front of SBC’s EOS.
  - 5.2 The dock shall not be rented out or used for commercial activity.
  - 5.3 The dock shall be maintained in a safe operating condition. Fuel shall not be stored on docks.
  - 5.4 The dock shall not extend beyond the line of navigation.
  - 5.5 Individual dock mooring areas shall be at least 10 ft (3 m) from adjacent dock mooring areas, the east and west boundary of SBC’s EOS, and designated swim and environmentally sensitive areas.

This separation between dock mooring areas will need to increase for egress/ingress reasons to allow boats to maneuver safely. For instance:

- Where the dock layout has two boats orientated alongside the walkway in front of one another, the separation shall be at least 15 ft or 2 times the width of the boat located closest to shore.
- Where the dock layout has boats placed at a 45-degree angle to the walkway, the separation shall be the greater of 20 ft or the length of the longest boat so orientated.
- Where a dock layout has boats orientated perpendicular to the walkway, the separation shall be the greater of 30 ft or 1.5 times the length of the longest boat so orientated.

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- 5.6 Consistent with the AEP Disturbance Standards, docks shall be constructed:
- a) Using biologically inert and non-reactive materials, including but not limited to factory pressure treated, non-toxic, marine grade wood, untreated wood or plywood, metal, fiberglass, or plastic.
  - b) Without damage or modification of the bed and shore of the lake.
  - c) Without removing aquatic vegetation unless allowed by provincial authorities.
  - d) To not interrupt the free movement of water.
  - e) To not completely enclose any portion of the lake
  - f) With a maximum walkway of 5 ft (1.5m).
  - g) Without fixed or covered structures including, but not limited to gazebos, storage sheds, shelters, or other similar structures. The resident may place temporary, readily removed accessories on the dock. Boat hoist canopies are allowed.
6. Where docks can be accessed along the EOS without trespassing on private property:
- 6.1 Docks require municipal approval. No fee will be charged; conditional approval provided for five seasons.
- 6.2 Docks shall be shared by residents from at least three lots, except on a temporary basis as noted below in section 8.
- 6.3 The dock layout boat lift density shall be at least 4.50 boats per 100 feet of shoreline.
- 6.4 The separation shall either
- a) not exceed 10 ft unless required under section 5.5 for egress/ingress reasons
  - b) leave at least enough space to allow for a future dock to be placed between them (50-55 ft)
- 6.5 Communal docks are preferred in front of CR land.
- 6.6 Docks shall be limited to one boat lift per participating lot for either a motorboat, fishing boat, or sailing boat. Additional personal watercraft can be placed along the walkway.
- 6.7 Lot owners shall not share more than one dock.
- 6.8 Swimming platforms and mooring buoys/anchors will not be approved due to congestion and potential safety hazards.
- 6.9 Dock participation is transferrable with sale of lot. Notification to administration required.
7. Administration will only consent to docks and hoists placed inside designated areas (MAS) that comply with this bylaw after considering adjacent dock layouts. This Bylaw requires collaboration between adjacent dock captains.
8. Administration may approve a dock shared by less than three lots on a

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temporary basis where the dock captain confirms they are prepared and willing to accommodate others and the dock application accommodates 3 lots to ensure the space needed will be preserved.

9. Approvals from the Summer Village will need to be obtained every 5 years but may be revoked at any time by the municipality if there is either a breach to any part of this bylaw or the municipality needs the space for a communal dock.. Should approvals be revoked, the dock/owner will be required to remove the dock at their own expense and will not be granted approval the following year.
10. For the 2023 open water season, no approvals will be required for any MAS other than B1, B3 and B4 in Schedule A. Approvals will be required in subsequent years for all other shared MAS as shown in Schedule A.
11. Applications must be submitted using the approved form provided in the Dock Application Package.
12. That this Bylaw shall take effect on the date of the third and final reading.
13. Upon 3<sup>rd</sup> and final reading, Bylaw #170-22 is hereby rescinded.

**INTRODUCED AND GIVEN FIRST READING** this 13<sup>th</sup> day of February 2023.

**GIVEN SECOND READING** this 13<sup>th</sup> day of February 2023.

**GIVEN THIRD AND FINAL READING** this 13<sup>th</sup> day of February 2023.

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Jim Willmon, Mayor

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Tanner Evans, C.A.O.

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**Schedule A – Mooring Administration Segments (MAS)**

**MAS Designations - Breakers**



**MAS Designations - Sunhaven**



Note: The subdivision of MAS S2 into three sections.

**MAS and Glen's Cove Designated Swimming Area (DSW) Summary**

Breakers			Sunhaven		
MAS	Length(ft)	Dock Type	MAS	Length(ft)	Dock Type
B1	875	Shared	S1	466	Private
B2	263	Private	S2.1	200	Shared
B3	131	Shared	S2.2	490	Shared
DSA	100	None	S2.3	440	Shared
B4	528	Shared	S3	367	Private
B5	350	Shared	S4	270	Shared
B6	237	Shared	S5	445	Private



## Proposed SBC Mooring Administration Segments (MAS)

Figure 1 – shows EOS segmentation for municipal mooring plan (source: Google Earth - Aug 2015 satellite imagery)



- Boundary or shoreline extensions
- 7 backlot accessible segments (shared docks required)
- 4 backlot inaccessible segments (private docks needed or allowed)
- Glen's Cove DSA (no mooring)
- ESAs on Breakers side (no mooring)
- Public Boat Launch
- ESA on Sunhaven side (no mooring)