

May 25, 2020

Re: Alberta Gov't Draft Disturbance Standard for Temporary Seasonal Docks for Recreation Purposes

Thanks for the opportunity to provide feedback.

It is recommended that all municipal waterfront owners be granted mooring areas or licences of occupation in front of their waterfront without the need for application and approval. The municipality may choose to allow ratepayers from that municipality to continue to have shared docks and place hoists without regards to terminal platform areas or setbacks within the mooring area, as is the historical practice, and/or construct communal, municipally owned docks.

Alternatively, a general grandfathering clause should be added that permits ratepayers from the municipality owning the waterfront to continue sharing docks placed prior to May 1, 2020, as has been done historically, unless a bylaw precludes this. This will at least provide each municipality time to consider options with respect to obtaining licences of occupation and possibly constructing communal dock systems.

Where the Municipality is the Waterfront Owner, the subject draft standard will take away rights currently given to backlot owners by our municipality, the Summer Village of Sunbreaker Cove. We consider this inappropriate as there is no legal basis to differentiate between semi-waterfront and backlot owners, and it does not reflect historical practice of backlot owners using the shoreline that can be accessed via municipal reserves without trespassing on private property. Our municipality has had issues with encroachment on reserve land and it is somewhat problematic that the draft standard projects theoretical lot lines through municipal land and in many respects gives semi-waterfront owners riparian rights. Furthermore, the disturbance standard appears to preclude semi-waterfront owners from sharing docks with backlot owners even if they currently are doing this.

The implication of the draft standard is to force all backlot owners to relocate their existing docks/hoist to shoreline in front of community reserve. This is a major change in current and historical practice as our municipality has roughly 80% backlots and only 20% waterfront or semi-waterfront lots. Physical constraints in front of the community reserves will not accommodate all hoists backlot owners currently have placed in the water, with significant negative financial implications to many. While we applaud the effort to have more control over the ever-increasing pressure on our lake, the proposed disturbance standard, in regards to semi-waterfront owners, actually removes control of municipal owned reserves from the municipality and we would ask you to reconsider this.

Please do not hesitate to discuss any aspect of this with our CAO, Tanner Evans (tevens@sylvansummervillages.ca), or our Deputy Mayor, Jim Willmon (403-988-4085; jwillmon@live.ca).

Regards,

Summer Village of Sunbreaker Cove Council