

**MEETING OF THE WHOLE AGENDA
SUMMER VILLAGE OF JARVIS BAY
FEBRUARY 14, 2023 @ 9:30 A.M.**

- A. CALL TO ORDER**
- B. AGENDA** - additions/deletions
- C. TOPICS FOR DISCUSSION**
 - 1) Public Works**
 - a) Seasonal Dock and Mooring
- D. ADJOURNMENT**

Summer Village of Jarvis Bay

February 14, 2023

Public Works

Request for Decision

Agenda Item: *Seasonal Docks and Mooring*

Background:

In May 2021 Council adopted an interim policy for new provincial dock & mooring regulations. Last fall, the Development Officer and the Mayor walked all the lake access points in Jarvis Bay noting structures and stored items on each. Council will discuss the findings of this walk through to determine areas appropriate for communal docks and provide direction on the items left on municipal land.

Options for Consideration:

1. Council to discuss and provide direction to Administration.
2. Council accept as information.

Administrative Recommendations:

1. Council discuss and provide direction to Administration.

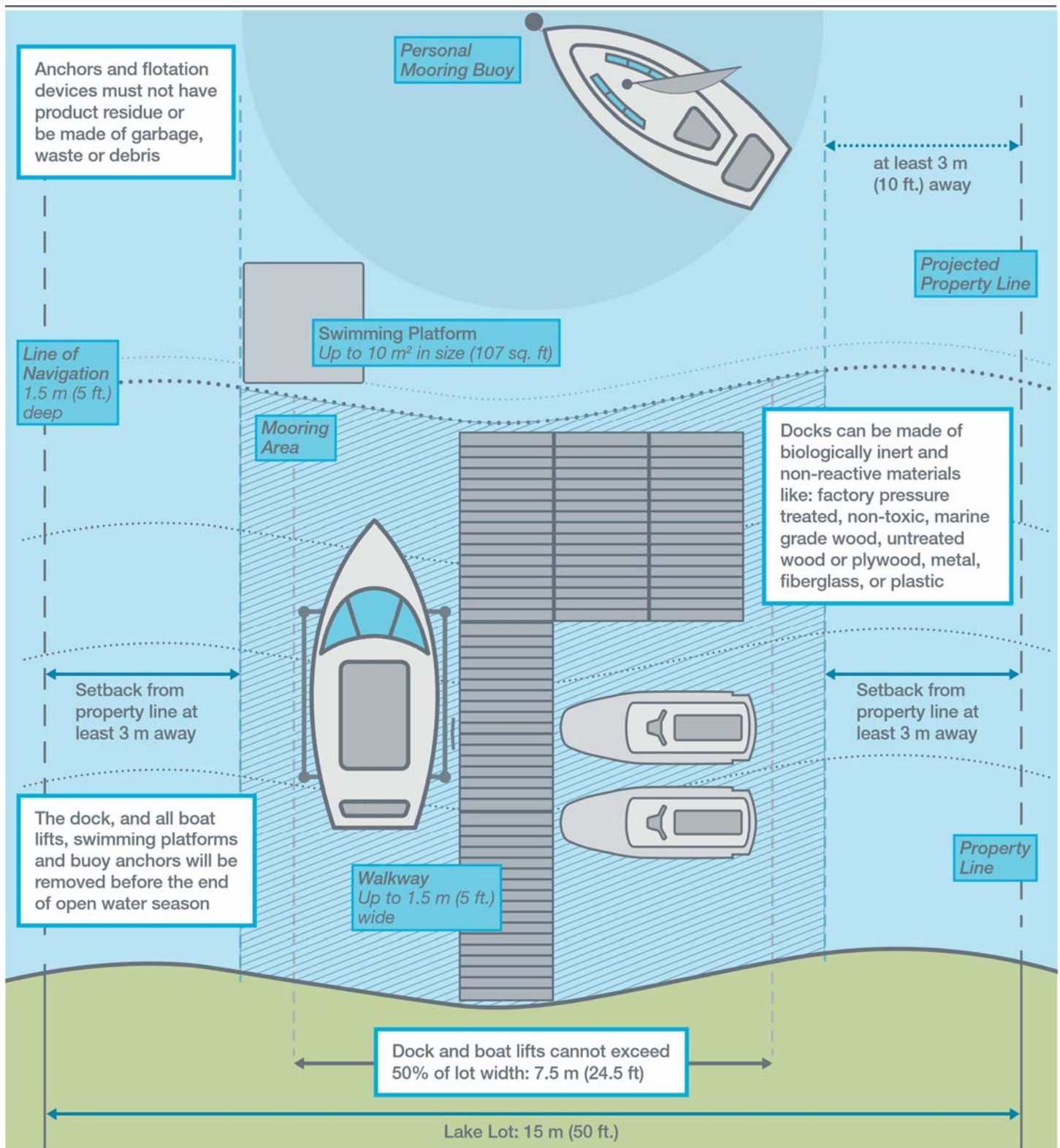
Authorities:

Municipal Government Act Section 153

Councillors have the following duties:

- (b) to participate generally in developing and evaluating the policies and programs of the municipality.

Moorage Allowance Infographic



Waterfront and Semi-waterfront Property Owners Fact Sheet

Environment and Parks has developed a disturbance standard for temporary seasonal mooring structures, such as docks and boat lifts.

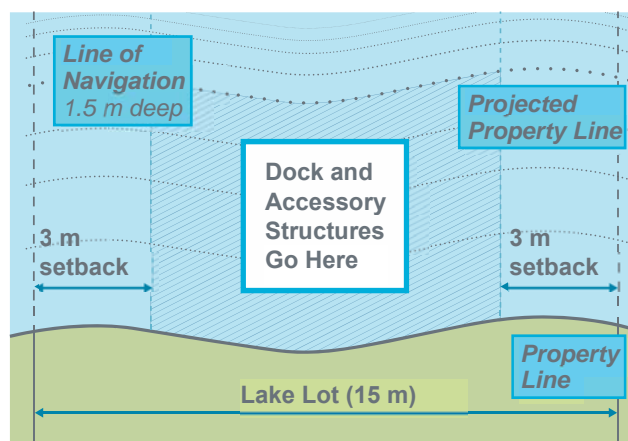
The goal of the disturbance standard is to establish clear rules for temporary seasonal mooring structures to safely and fairly accommodate recreational use of Alberta's lakes and rivers, while streamlining the authorization process for temporary mooring structures.

The disturbance standard applies to seasonal mooring structures for waterfront, semi-waterfront and municipal waterfront property owners.

If your mooring structure does not align with the disturbance standard, you would continue to require an authorization from Environment and Parks prior to placing your dock. Learn more about an authorization by visiting www.alberta.ca/lakeshores.aspx.

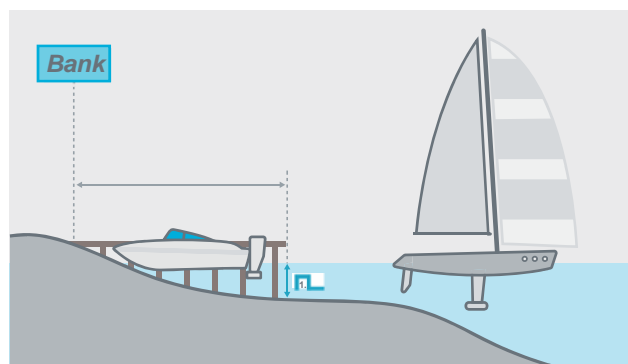
Determining the mooring area

The mooring area, where dock and accessory structures go, is bound by the line of navigation and the setbacks from each projected property line.



Step one: Determine the line of navigation.

Line of Navigation = 1.5 metres of water depth



you own a watercraft with a keel that extends

beyond 1.5 metres in depth as pictured above, it will A back lot property owner is one who does not need to be moored outside the line of navigation on share a property boundary with a waterbody or a mooring buoy. have direct access to it.

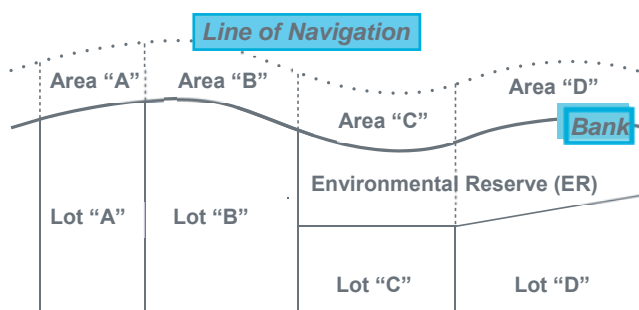
*If

Mooring Disturbance Standard

A semi-waterfront landowner is someone who owns the land directly adjoining a municipal or environmental reserve that directly adjoins the bank of a waterbody.

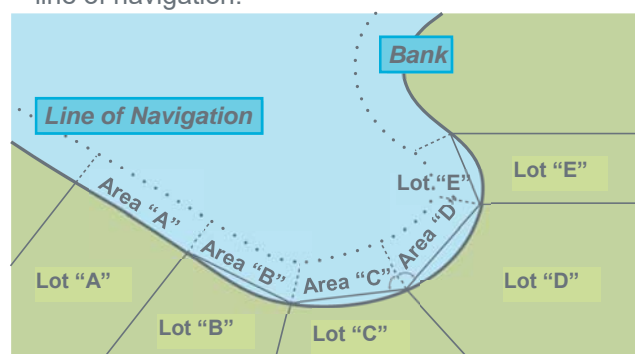
A waterfront landowner owns the land directly adjoining the bank of a waterbody.

Step two: Extend your property lines to the line of navigation.



If your property lines cannot be extended directly into the lake without intersecting with your neighbours, then use the coterminous line method.

- At the bank, draw a straight line across your property from one property corner to the other.
- From each of these corners draw another straight line to your neighbour's far property line corner.
- Create an equal angle between the line across your property and the line across your neighbour's property.
- Extend a projected line perpendicular out to the line of navigation.



If the projected lot lines intersect or overlap, another method can be proposed, e.g., cluster developments.

Disturbance Standard

Here's what the disturbance standard says:

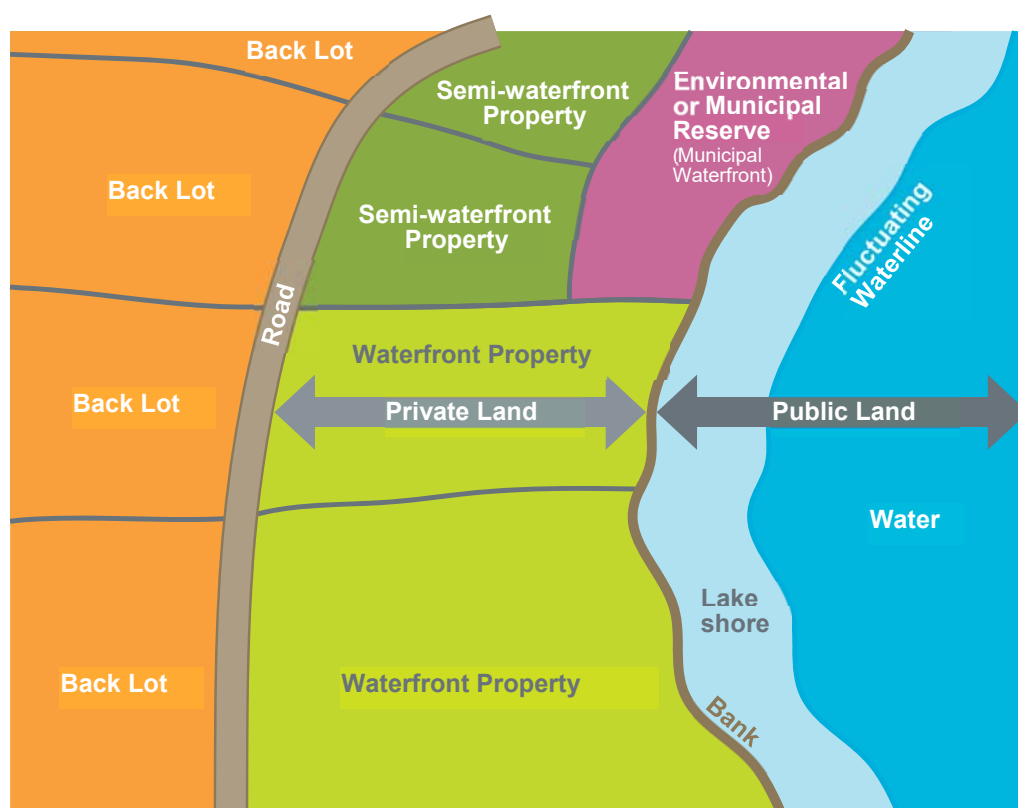
- You may have one temporary seasonal dock for personal use within the mooring area if you are a waterfront or semi-waterfront landowner. The walkway can be up to 1.5 metres wide.
- The dock and associated mooring structures cannot exceed 50 per cent of the waterfront holder's lot width.
- The dock must be at least three metres away from the property lines. Exceptions are made for shared docks (see Shared Docks Fact Sheet).
- The dock may not have any fixed or covered structures including, but not limited to gazebos, storage sheds, shelters or other similar structures. Fuel cannot be stored on the dock.
- The dock, and all boat lifts, swimming platforms and buoy anchors are to be removed before the end of the open water season.
- Boat lifts may be placed as an associated structure or as a stand alone structure, but must be temporary and cannot be enclosed on all sides.
- Aquatic vegetation may be cut once per year between July 15 to September 15, following the requirements outlined in the disturbance standard.

Swimming platforms:

- One swimming platform, with a slide or bench, can be placed within the projected property lines, and is smaller than 10m² in size.

Mooring buoy/anchor:

- One anchored buoy can be placed beyond the line of navigation within projected property lines if necessary to moor a deep keeled watercraft. The swing radius of the watercraft must be at least



Back Lot Property Owners Fact Sheet

three metres from the projected property lines, and 20 metres away from other mooring buoys.

Materials for dock and accessory structures:

- The dock and floats must be constructed of biologically inert and non-reactive materials like wood or fiberglass that do not degrade when exposed to abrasion, water or petroleum products. Anchors and flotation devices must not have product residue or be made of garbage, waste or debris.
- Preservatives may only be applied to the dock when it's above the bank, and it can only be placed below the bank once the preservatives have completely dried.

Transition Period for Existing Docks

A five year transitional period until April 16, 2026 is provided in the disturbance standard whereby docks that do not meet the standard can continue

to be placed to allow time to meet the disturbance standard or apply for an authorization.

Environment and Parks has developed a disturbance standard for temporary seasonal mooring structures, such as docks and boat lifts.

The goal of the disturbance standard is to establish clear rules for temporary seasonal mooring structures to safely and fairly accommodate recreational use of Alberta's lakes and rivers, while streamlining the authorization process for temporary mooring structures.

The disturbance standard applies to seasonal mooring structures for waterfront, semi-waterfront and municipal waterfront property owners.

This disturbance standard does not apply to back lot property owners (those who do not share a property boundary with a waterbody or a municipal reserve). Back lot owners may share the use of a dock with a

Mooring Disturbance Standard

waterfront or semi-waterfront owner, or they can obtain an authorization to place a dock in the water, provided they have consent from the waterfront owner.

This fact sheet describes the approach on how a back lot owner can place a temporary seasonal dock.

A back lot property owner is one who does not share a property boundary with a waterbody or have direct access to it.

A semi-waterfront landowner is someone who owns the land directly adjoining a municipal or environmental reserve that directly adjoins the bank of a waterbody. A waterfront landowner owns the land directly adjoining the bank of a waterbody.

Back Lot Dock Owners

Since 2011, it has been a requirement under the Public Lands Administration Regulation to obtain an authorization to place seasonal docks and mooring structures in a waterbody. Back lot property owners who place docks in a waterbody must have their docks authorized by obtaining an authorization from Environment and Parks.

When applying for an authorization, back lot owners need to include written consent from the waterfront property owner where the dock will be placed.

The disturbance standard allows back lot property owners who share a dock with a water front property owner to place a shared dock fronting the waterfront property without an authorization (see Shared Docks Fact Sheet).

Options for Back Lot Owners

Back lot property owners require written consent of the waterfront or municipal waterfront landowner before placing or using a mooring structure. There are several ways for back lot owners to place a dock or mooring structure:

- **Co-owning a dock with a waterfront or semiwaterfront landowner.** This approach allows the waterfront or semi-waterfront landowner to share the costs of the mooring structure. Responsibility for co-owned mooring structures rests with the waterfront or semi-waterfront landowner.
- **Establishing a shared-use agreement with a waterfront or semi-waterfront landowner.** Waterfront or semi-waterfront owners are only allowed to have one dock and associated structures that cover up to 50 per cent of their lot width under the disturbance standard. A back lot owner could enter into an agreement with a waterfront or semi-waterfront landowner to share a dock owned by a waterfront landowner or semiwaterfront landowner, or to place an additional boat lift next to the dock.
- **Becoming an approved user of an authorized community dock owned by the local municipality or association.** The disturbance standard does not apply to community docks as they require an authorization from Environment and Parks. Back lot owners have the option to seek out these opportunities where they exist.
- **Obtaining a separate Authorization from Environment and Parks.** A back lot owner could apply to Environment and Parks to have a dock or mooring structure authorized if there is a location along the shore frontage available for their use. If

the location is in front of a municipal reserve, written consent will be required from the municipal waterfront owner. The waterfront owner may consent, deny, or revoke consent at any time. A copy of the formal consent must be provided to Environment and Parks when applying for an authorization.

Shared Docks Fact Sheet

Environment and Parks has developed a disturbance standard for temporary seasonal mooring structures, such as docks and boat lifts.

The goal of the disturbance standard is to establish clear rules for temporary seasonal mooring structures to safely and fairly accommodate recreational use of Alberta's lakes and rivers, while streamlining the authorization process for temporary mooring structures.

The disturbance standard applies to seasonal mooring structures for waterfront, semi-waterfront and municipal waterfront property owners.

Multiple parties can share docks under the disturbance standard. Depending on which parties

are sharing a dock, different rules will apply on the size. Sharing docks is encouraged by Environment and Parks as it limits the number of docks and shoreline disturbance in a waterbody.

Docks shared by adjacent waterfront or semi-waterfront property owners

Docks that are shared by waterfront or semiwaterfront property owners will be required to

meet all of the criteria in the disturbance standard to be exempt from having to obtain an authorization. No setback is required along the shared projected property line (which extends through the municipal reserve parcel for semi-waterfront property owners). The dock may be placed within the larger combined mooring area that is now created, giving the shared users much more flexibility in the placement of the dock's location.

Docks shared by waterfront or semi-waterfront and back lot owners

The waterfront or semi-waterfront landowner will

environmental reserve that directly adjoins the bank of a waterbody.

A waterfront landowner owns the land directly adjoining the bank of a waterbody.

always be responsible for boat lifts and docks placed in their mooring area, whether they are the primary owner of the mooring structure or not. Mooring structures will be required to meet all of the criteria in the disturbance standard, even if being shared with back lot owners. Additional boat lifts may be placed within the defined mooring area, but the waterfront or semi-waterfront landowner may only have one dock. The combined mooring structures including associated lifts cannot exceed 50% of their property width.

Back lot owners can co-own a dock with the waterfront or semi-waterfront landowner to share the associated costs.



A back lot property owner is one who does not share a property boundary with a waterbody or have direct access to it.

A semi-waterfront landowner is someone who owns the land directly adjoining a municipal or

Mooring Disturbance Standard

Back lot owners can also enter into shared use agreements with waterfront or semi-waterfront

landowners, where they do not co-own the dock, but have an agreement to be able to use it.

Community Docks and Marinas

The local municipality or another user group (e.g. home owner association, condominium or bareland strata, church group, service organization, etc.) may want to create a community dock in front of a waterfront property. Community docks are a way to provide recreational access to the lake and boat moorage for back lot owners and others who do not share a dock with waterfront or semiwaterfront landowners.

If someone wishes to create a community dock, they must apply for an authorization from Environment and Parks. Community docks are generally much larger than a personal dock, so consent of the municipality is required if they are not the party submitting the application.

Once a community dock is created, the owner is responsible for managing users and allocating moorage slips based on their authorization from the department.

A marina allows multiple boats to be moored along one or more dock walkways with multiple slips. Allocation of slips is not necessarily restricted to community residents. Marinas are generally for commercial use. If a fee is charged for moorage rental (other than administration or maintenance costs), then the department will consider the mooring structure as a commercial enterprise subject to the associated fees, rents or royalties payable to the Crown by the owner.

TWP.391

- No structures or belongings found being stored in this area by public. Note that there are concrete barriers off JB Drive for us to block of access etc.
- Man-made path in that area to be re-vegetated.
- There is one SV memorial bench.
- Approx. 60' wide lakefront.
- 30' available for community dock.





Twin Rose

- No structures or belongings found being stored in this area by public.
- The dock access area is at the North end of Twin Rose Court where there is a little bit of shore and there is a natural trail to this area off the existing man-made trail backing onto the "lakefront" Twin Rose lots.
- Natural rock stairs for access.
- Approx. 200' wide lakefront.
- Community dock has been agreed to with a maximum of 7 boats.





Petro Beach

- No structures built in this area by public.
- Existing access to the area with big boulders and pathways.
- Currently 6 boat lifts/jet ski lifts being stored on the South end of Petro Beach. Eyeballing the property line it appears they are on SV land – PW in the past has sent out notices for these to be removed. Not sure all of the history on this.
- In relation to community dock planning, mooring field could be directly across from the property 11 Jarvis Bay Drive North to 15 Jarvis Bay Drive.
- Comment from resident to change one of the garbage receptacles beside the washrooms to a recycling container.
- There is a photo of a hole in the beach that should be filled, directly across from 11 Jarvis Bay Drive.
- Photo of a black post in the beach that should be removed?
- Approx. 90' wide, 45 ft available for mooring field. Maximum 8 lifts?





Access Between 210 & 214 JB Drive

- No structures or belongings found stored in this area by public.
- Existing approved stairs by the village, require ongoing maintenance by the village.
- Pathway to the South neighbouring house (210) should be vegetated. Can access from the road access.
- Approx. 34' wide lakefront, 17ft available for shared dock.



Access Between 144 & 146 JB Drive

- Structures built and storage of belongings found in this area built and stored without village approval include:
 - o Set of stairs
 - o Deck
 - o Lawn Furniture
 - o 2 Boat Lifts – 1 still in water
 - o Paddle Boards
 - o Kayaks
 - o Tubes
 - o 3 ladders
- Pink flagged tree – unknown not by the village.
- Two access points to trail from the road, one could be re-vegetated.
- Approx. 37' wide lakefront, 18ft for shared dock.





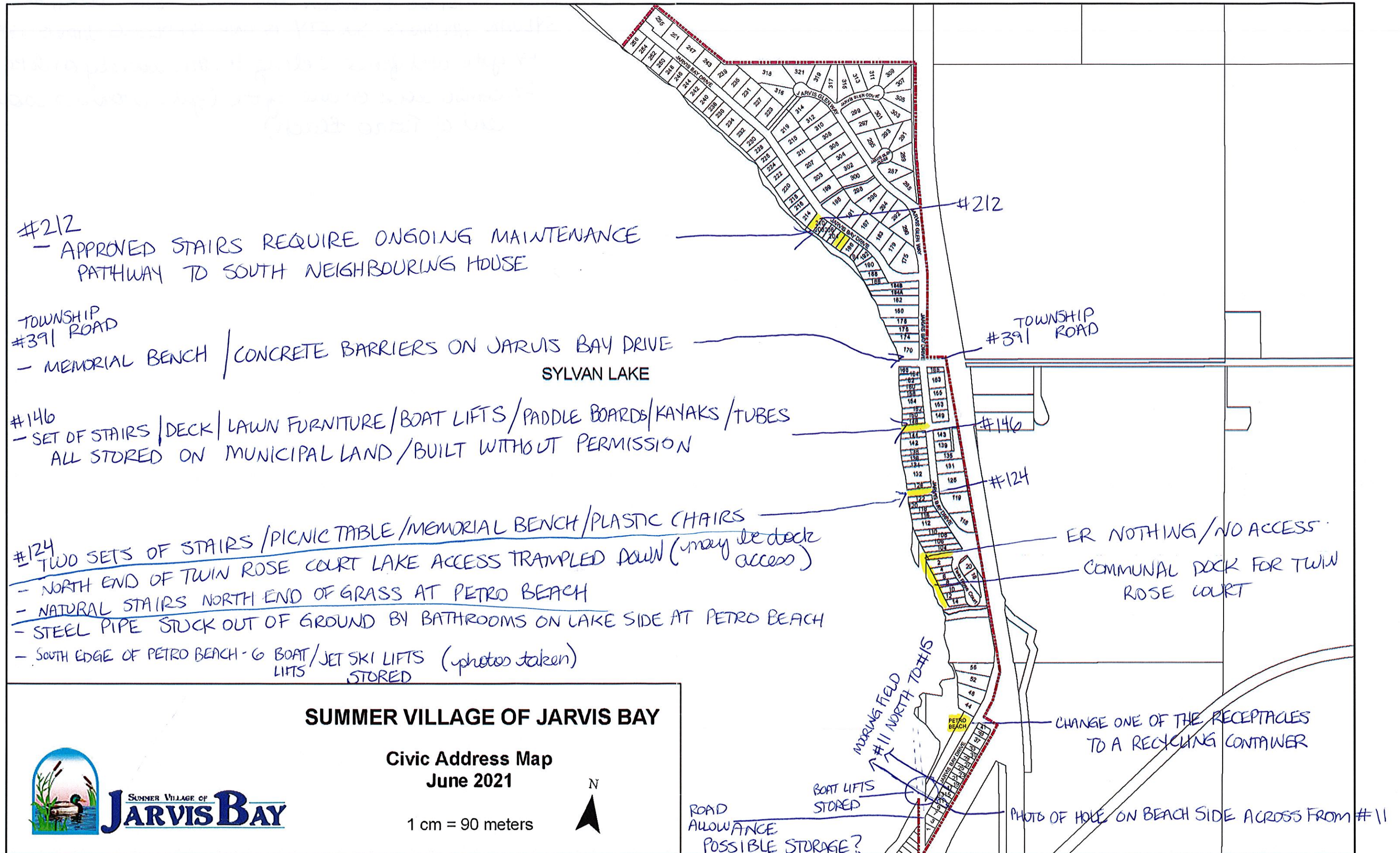


Access Between 122 & 126 JB Drive

- Structures built and storage of belongings found in this area built and stored without village approval include:
 - o Chairs
 - o Picnic table
 - o 2 sets of stairs
 - o Pile of wood
- Village memorial bench.
- Approx. 45' wide lakefront, 22 ft for shared dock.







TWO HOLDING SOCIETIES BETWEEN THE SOUTH PETRO BEACH AND TOWNSHIP
SYLVAN HOLDINGS SOCIETY IS ONE BORDERING JARVIS BAY

↳ gate and fence belong to this society on lake side

↳ combo lock on the gate (gate borders south end of Petro Beach)



Policy Title	Date	Resolution No.
Interim Policy for New Provincial Dock & Mooring Regulations	May 4, 2021	JBC-21-067

General Provision for the 2021 Boating Season:

Due to timing, any dock, mooring structure, swim platform, etc. that is subject to the new regulations and was installed in the 2020 boating season may be installed the same way for the 2021 boating season.

For Waterfront Property Owners:

(Properties which DO NOT have a Municipal Reserve separating the property from the lake)

Waterfront property owners do NOT require Municipal approval for a provincial permit application.

- a) Waterfront property owners who self-assess that they comply with the new standard do NOT need to apply for a provincial permit.
- b) Waterfront property owners who do NOT comply with the new standard but have had a dock and/or mooring structures in the water prior to April 16, 2021 may apply for a “grandfathered” 5-year permit to allow time to be able to adapt and conform with the new standard.

Semi-Waterfront Property Owners:

(Properties which have a Municipal Reserve separating the property from the lake)

Semi-Waterfront property owners require Municipal approval for a permit application, if a permit application is required.

- a) Semi-Waterfront property owners who self-assess that they comply with the new standard will be granted automatic Municipal approval and do NOT need to apply for a provincial permit.
- b) Semi-Waterfront property owners who do NOT comply with the new standard but have had a dock and/or mooring structures in the water prior to April 16, 2021, may apply for a “grandfathered” 5-year permit to allow time to adapt and conform with the new standard. They will require written Municipal approval, which will automatically be granted, provided a written explanation on how the applicant intends to achieve compliance is included.

Municipal Reserves and Road Allowance (Excluding Petro Beach):

The specific activities permitted on the various Municipal reserves and road allowances are regulated separately. This policy applies only to Municipal reserves and road allowances where docks and mooring structures are permitted.

A provincial permit will be required accompanied by written Municipal approval for the permit application. Only one dock may be installed on permitted municipal reserves and road allowances.

- a) Municipal approval will only be given to docks operated by self-administered shared groups under a written sharing agreement. The Municipality will NOT administer groups.
- b) Participants in shared dock groups must be property owners or residents of the Summer Village of Jarvis Bay.
- c) Preference for Municipal approval will be given to applicants who have operated a previous dock, with or without mooring structures, at the same location prior to April 16, 2021.
- d) Docks, with or without mooring structures that fully comply with the provincial standard will be granted automatic municipal approval in writing to attach to their provincial permit application.
- e) Docks, with or without mooring structures, that DO NOT comply with the new standard, but have operated in the same location prior to April 16, 2021, may apply for a “grandfathered” 5-year provincial permit - to allow time to be able to adapt and conform with the new provincial standard. “Grandfathered” 5-year permit applications will require written Municipal approval which will automatically be granted, provided a written explanation on how the applicant intends to achieve compliance is provided.

Petro Beach:

No docks will be allowed at Petro Beach. Boat lifts will continue to be permitted under specific Municipal regulations which have not been finalized. For the 2021 boating season, see the General Provision above.

How to Apply for Permits

Provincial TFA Permit Application:

Links to information and the application process for the ***Alberta Disturbance Standard for temporary Seasonal Docks and other Mooring Structures for Personal Recreational Purposes*** are posted on the Summer Village of Jarvis Bay website. The Municipality can not provide advice or direction on how to interpret the regulations or how to apply.

Where required, written Municipal approval to accompany a provincial application, can be requested in writing from the Summer Village Administration office. A complete copy of the provincial TFA application must be included with all required attachments. The applicant must indicate if the application is for a fully compliant dock and/or mooring structure or for a “grandfathered” 5-year non-compliant permit. For “grandfathered” 5-year non-compliant applications, the request for Municipal approval must include a written explanation on how the applicant plans to become compliant.