



Seasonal Docks and Boat Mooring Policy

Date:

May 31, 2021

Resolution No.

HMC-21-069

Introduction

In Alberta the beds and shores of natural water bodies such as rivers and lakes are public lands and subject to the Public Lands Act and the Public Lands Administration Regulation (PLAR). The placement of mooring structures and docks on public lands therefore falls under the scope of the Act and the Regulation. Since 2011, it has been a requirement under the Public Lands Administration Regulation to obtain an authorization for all docks, boat lifts and other mooring structures placed onto and occupying the beds and shores of a river or lake for more than 14 days. Alberta Environment and Parks (AEP) has stated that there is no general expectation that every Albertan who does not own property adjacent to a lake should be able to place a dock in a lake for recreational purposes.

Recently, AEP established a disturbance standard that eliminated the need for waterfront and semi-waterfront water facing property owners to apply for an authorization if their docks and boat lifts met a set of standard requirements as defined by AEP. The Summer Village of Half Moon Bay (HMB) is the waterfront land owner throughout the entire municipality as there is either a municipal reserve, environmental reserve or road between private property owners and the lake. Property owners that meet the definition of semi-waterfront water facing are identified in Appendix 2. All other properties in HMB are classified as back lot property and for the purpose of this policy includes all non water-facing semi-waterfront lots. Back lot property owners and community dock users were are not included in the disturbance standard. However, those people could put out a dock or boat lift provided they have the written consent of HMB, the waterfront landowner, and have obtained a Temporary Field Authorization (TFA) from AEP.

In HMB, the area in which back lot property owners and community dock users can place temporary seasonal docks and boat lifts is limited. Therefore, back lot property owners are encouraged to become part of a community or shared dock group. Back lot property owners will be limited to one boat hoist per property. The areas designated for back lot property owners and community dock users include Primrose Lane (frontage approximately 20 meters, 66 feet), EOS East (frontage approximately 110 meters, 350 feet) , EOS West (frontage approximately 110 meters, 350 feet) and Aspen Place (frontage approximately 27 meters, 90 feet). In planning and approving temporary seasonal docks and boat lifts in these areas, HMB will adopt the AEP standard that the total width of all authorized docks and hoists within these mooring areas shall not exceed 50% of the total width of the mooring area.

There are 46 back lot and non water-facing properties in HMB. To accommodate the current and future need of access to the lakeshore of back lot property owners, shared and community docks that allow as many users as possible will get first priority. In setting priorities and providing written consent, HMB will endeavor to recognize the historical use of the lakeshore with respect to the placement and configuration of temporary seasonal docks and hoists. In fairness to all, it will be necessary for HMB to determine dock spacing and allowed configurations as well as allocate locations for docks to ensure lakeshore access for back lot property owners. Single user docks will be approved on a year to year basis and approval will be removed when a shared or community dock requires space within the EOS.

Purpose:

The purpose of this policy is to identify how back lot property owners in HMB can obtain written consent from the municipality to enable them to apply for an authorization from AEP and be compliant with the Alberta regulations for temporary seasonal docks for personal recreational use.

There is a limited amount of lake shoreline in HMB and the municipality's goals for this policy are to:

- Adopt AEP's standard requirements for temporary seasonal mooring structures;
- be a good steward of the environment and preserve the natural character of the community;
- maintain and enhance safe access to the community's open spaces and lakeshore for everyone;
- recognize the historical use of the lakeshore with respect to the placement and configuration of temporary seasonal docks and hoists; and
- reduce conflict between neighbours and address non-compliance with this policy through policy direction, favourable reconciliation, and public education. Non-compliance with Alberta regulation and rules will be enforced by the regional Alberta Environment and Parks office.

Definitions:

"back lot property owner" one who does not share a property boundary with a waterbody or have direct access to the lakeshore or must access the lakeshore through the EOS. For the purposes of this document, the definition of a back lot property owner includes non water-facing properties.

"Captain" is a resident who is the point of contact either on a community or shared dock and has full responsibility for that dock.

“Community dock” is a dock shared by multiple residents and is within the lot boundaries of the EOS.

“Dock” or “Wharf” means the entire mooring structure including walkway and terminal platform.

“EOS” Environmental Open Space and includes municipal reserves:

- Aspen Place includes R-14 and where Aspen Place terminates at the lakeshore,
- West EOS includes R-2, R-13 and the easterly portion of R-1 adjacent to R-13,
- East EOS includes R-4,
- Primrose Lane includes the easterly portion R-6 where Primrose Lane terminates at the lakeshore.

“Hoist” or “Boat Lift” are interchangeable and includes sea legs or any other such temporary self-contained boat lifting device. The AEP guide uses boat lift.

“line of navigation” means a line located at a distance below the current water line that will afford sufficient draft for a vessel customarily in use on a particular water body, and is at a maximum depth of 1.5 meters.

“Resident” is a landowner in HMB or their immediate family. Renters are not eligible to place a temporary seasonal mooring structure in HMB. Renters will **not** be provided with written consent to apply for an AEP authorization.

“semi-waterfront property owner” the person who is registered under the Land Titles Act as the owner of the fee simple estate in the land directly adjoining a municipal reserve or environmental reserve, where the municipal reserve or environmental reserve directly adjoins the bank of a water body.

“terminal platform” is that part of a dock at the end of the walkway where additional dock sections or slips are installed in various forms, often in “T” , “L” or “U” shaped configurations. In some configurations, dock sections are arranged to create multiple slips or are placed side by side to form a larger extended surface area.

“Walkway” is that part of the dock made of various sections that lead from the shore to the platform area where watercraft are moored. In many cases, a dock may consist only of a walkway (a straight dock).

“waterfront property owner” the person who is registered under the Land Titles Act as the owner of the fee simple estate in the land directly adjoining the bank of a water body.

Procedures for Obtaining Written Consent:

Back lot property owners who want to place a dock in the lake must have an approved Temporary Field Authorization (TFA) from AEP. When applying for a TFA, back lot owners will need to include written consent from HMB, the waterfront land owner, with

their application. To obtain written consent from HMB, the back lot property owner must demonstrate that they have met all AEP standard requirements and the location and configuration of their seasonal temporary mooring structure is compliant with this policy.

Each dock or multi-user dock system will identify a Captain, who will be the liaison between the Summer Village and the dock group. The Captain of each dock group will be responsible for obtaining written consent from the municipality and an AEP authorization prior to placing the dock in the lake. The Captain will be the applicant in the Written Consent process. Captains will be fully responsible for the compliance of their dock and dock group with AEP standards and Summer Village of Half Moon Bay bylaws and policies. The Captain must submit a list of residents in their dock group along with their contact information and include their desired dock location to the Summer Village administration. There will be no fee associated with acquiring written consent and written consent is not transferrable to a new land owner or Captain.

When requesting Written Consent, the applicant must complete all of the required AEP documents that would be required for a TFA and submit them with their request for written consent. A specific TFA application form has been developed for temporary, seasonal docks for personal recreational use. A copy of the TFA application can be found online on the following AEP webpages:

- Lakeshores: <https://www.alberta.ca/lakeshores.aspx>
- Alberta Environment and Parks land forms (Water - Bed & Shore): <https://www.alberta.ca/alberta-environment-and-parks-land-forms.aspx#toc-15>

Of special note as per AEP Disturbance Standards, multi-user dock systems that have more than 10 slips or boat lifts utilizing a single dock may require a formal disposition and may not be eligible for a TFA.

Swimming platforms and mooring buoys/anchors will not be authorized in the EOS areas due to congestion and potential safety hazards.

The required documentation that must be submitted to the Summer Village Administration for their review and HMB Council approval includes:

1. Captain's contact information,
2. List of residents participating in the multi-user dock,
3. Statement of dock group's ability and willingness to adjust the dock configuration and accept additional users,
4. Desired location of the dock,
5. TFA application documents and information,

6. Sketch of proposed dock configuration (current users and future users) and location.

Each application will be assessed on its:

1. Compliance with AEP disturbance standard and *AEP User Guide for Dock Permits*,
2. Configuration of dock and hoists,
3. Number of residents included in the shared or community dock system,
4. Future ability and willingness of the applicant to add new boat hoists and participants to their dock system.

Council's written consent will also identify the approved location for the dock and any other caveats as necessary.

Once the application is approved, a copy of the TFA must be submitted to HMB Administration to be kept on file. The TFA and Written Consent will be issued for no more than a five (5) year term. AEP or HMB has the right to cancel a TFA or its written consent at any time.

Additional Background Information:

Dock location and spacing will be determined by HMB. This is done to ensure residents access to the lake and the ability of watercraft to safely ingress and egress from their boat hoist.

Off-season storage of docks and hoists will continue to be allowed on Municipal land as long as a 5 meter wide emergency access lane is maintained along the shoreline and placement is compliant with the Summer Village's Temporary Storage of Boat Hoist and Pier Policy.

AEP User Guide for Dock Permits will be referenced when providing the Summer Village of Half Moon Bay's written consent. HMB strongly encourages all applicants to become familiar with the terms, standards and application requirements in the AEP guide. The AEP guide document outlines provisions for addressing existing docks. However, HMB's preference is that all docks adhere to the standard for new docks as laid out in the guide.

If a dock is being rented out for a fee, AEP will treat it as a commercial enterprise and charge the owner security and rental. AEP will also require the owner to make an application for a formal disposition for the dock. HMB does not consider the recovery of shared capital or operating costs as a fee for service.

Additional Options for Back Lot Owners:

There are several ways for back lot owners to place a dock or mooring structure.

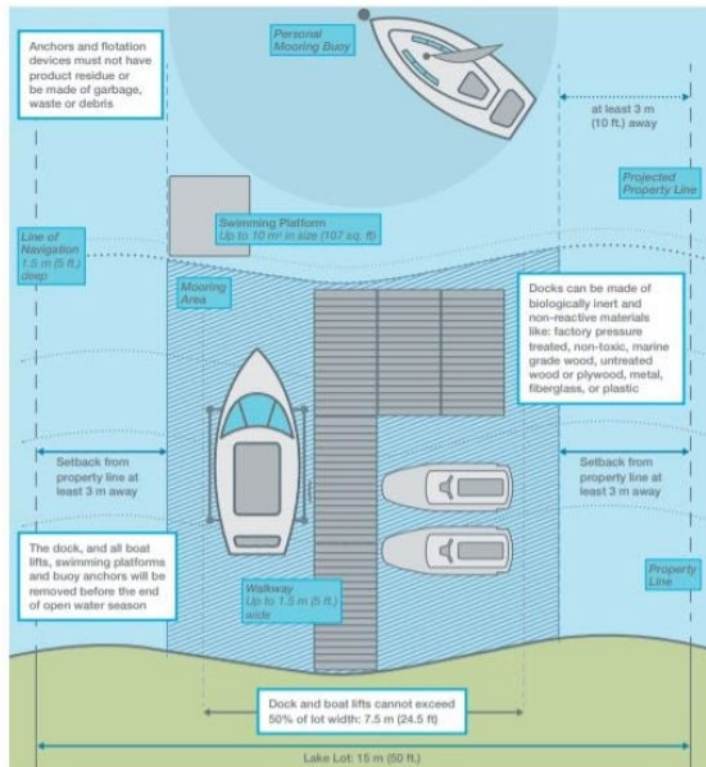
- Co-owning a dock with a semi-waterfront landowner. This approach allows the semi-waterfront landowner to share the costs of the mooring structure. Responsibility for co-owned mooring structures rests with the semi-waterfront landowner.
- Establishing a shared-use agreement with a semi-waterfront landowner. 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 proposed disturbance standard. A back lot owner could enter into an agreement with a semi-waterfront landowner to share a dock owned by a semi-waterfront landowner, or to place an additional boat lift next to the dock.

Appendix 1. Quick Reference Guide for AEP Standard Requirements, for full list see AEP documents:

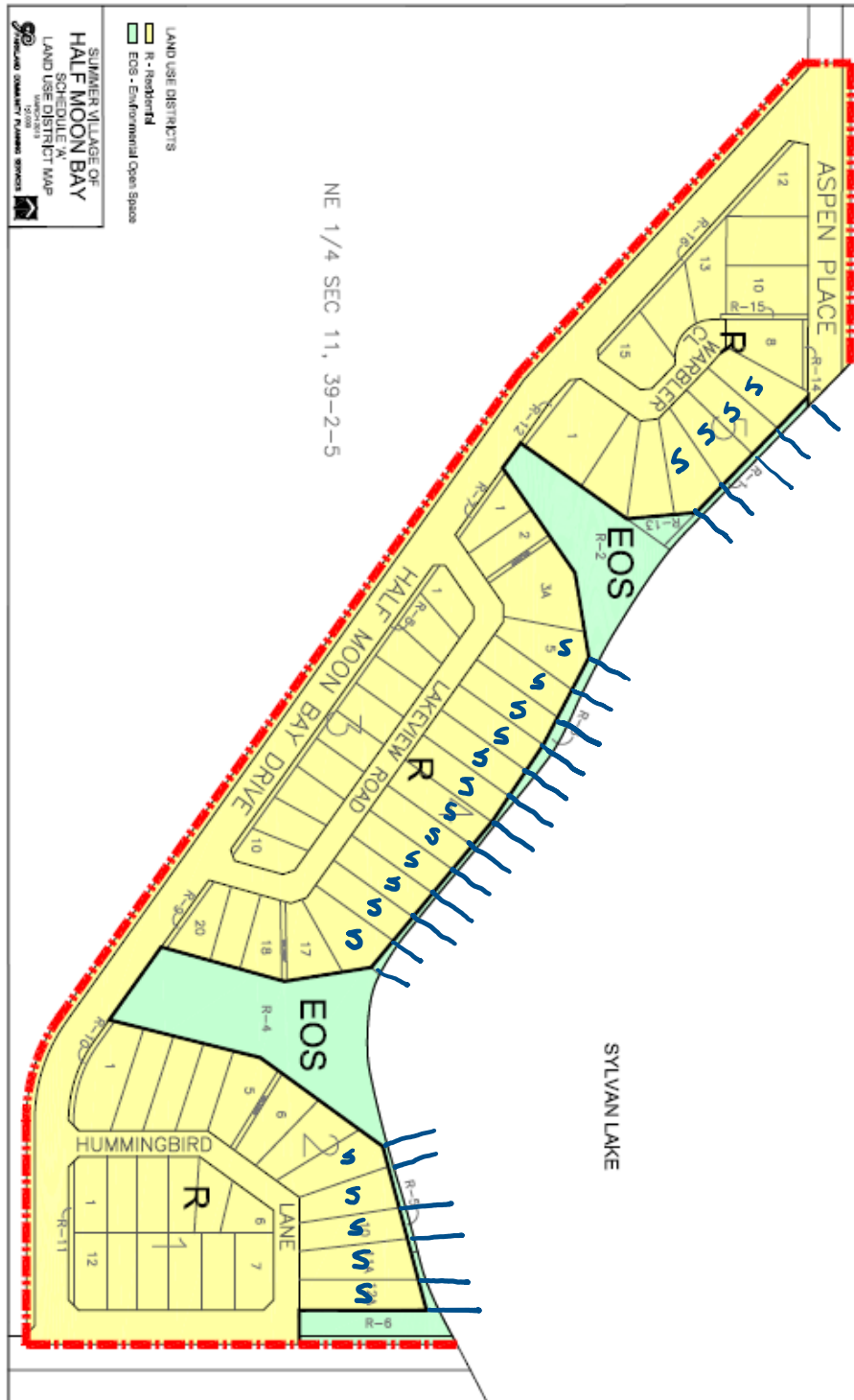
- a) The size of the walkway for a temporary seasonal dock shall not exceed 1.5 meters in width;
- b) The total width and coverage of all authorized docks and hoists within the EOS, including any terminal platform and walkway, in any configuration, shall not exceed 50% of the EOS width as measured closest to the current water line;
- c) The total length any dock configuration including its hoists or terminal platform shall not exceed the line of navigation;
- d) A temporary seasonal dock shall not completely enclose any portion of a water body;
- e) The dock may not have any fixed or covered structures including, but not limited to gazebos, storage sheds, shelters or other similar structures. Boat hoist canopies are allowed;
- f) Fuel cannot be stored on the dock:

Mooring Disturbance Standard

Moorage Allowance Infographic



Appendix 2. HMB Map – Semi-Waterfront Properties & their Mooring Areas



“S” represents Semi-Waterfront Properties (Water-Facing) and designated mooring areas.

Generally, mooring areas can be defined by projecting property lines through the Reserve to the lakeshore. Additional information can be found on the AEP website.

Appendix 3. West EOS Dock Locations

The West EOS has approximately 350 feet of lake frontage and may have to service up to 23 properties. This frontage can accommodate up to 30 boat hoists with the right dock system configuration and spacing; three 60 foot wide dock configurations with 10 hoists per dock. The multi-user docks shall not be greater than 60 feet in width, see examples in Appendix 8.

In the first phase of development the area will be configured to accommodate two multi-user dock systems with a maximum of 10 boat hoists per dock system. However, in the first phase of development the total width can be a maximum of 76 feet to accommodate a historical configuration. Total width includes terminal platform, all docks, and hoists. In the early phases of development some single user docks will be allowed until such time as community dock system makes sense. The locations of the two multi-user docks in the first phase are indicated on the below map as A and B.

EOS West – Dock Locations Phase 1 (A & B)

The spacing represented in EOS West map is five equal spaces of approximately 70 feet each. This spacing provides proper setbacks and dock spacing. The choice of position A or B will be done on a seniority basis to respect the historical use of this area.



Appendix 4. East EOS Dock Locations

The East EOS has approximately 350 feet of lake frontage and may have to service up to 28 properties. This area has a long history of successful community dock use. The current configuration in this area accommodates approximately 20 boat hoists with an approximate width of 160 feet. Due to shallow water depth on the west side of the Community dock, it will be difficult to place an additional dock and hoists in that area. The multi-user Community dock has 18 boat hoists and multiple personal watercraft lifts and may accommodate additional boat hoists as it extends into the lake. This configuration may not meet TFA standards.

Aerial View of Current Configuration in East EOS



Blue – additional boat on community dock system

Red – recent single user back-lot dock and hoist

SYLVAN LAKE

Community Dock Location
(total width 135 feet)

center of dock to East
boundary of EOS R-4
(176 feet)

349.55 Feet
(EOS R-4 total width)

EOS R-4

R-5

R-6

10 11A 12A

17 18 20

LANE

6 7

R

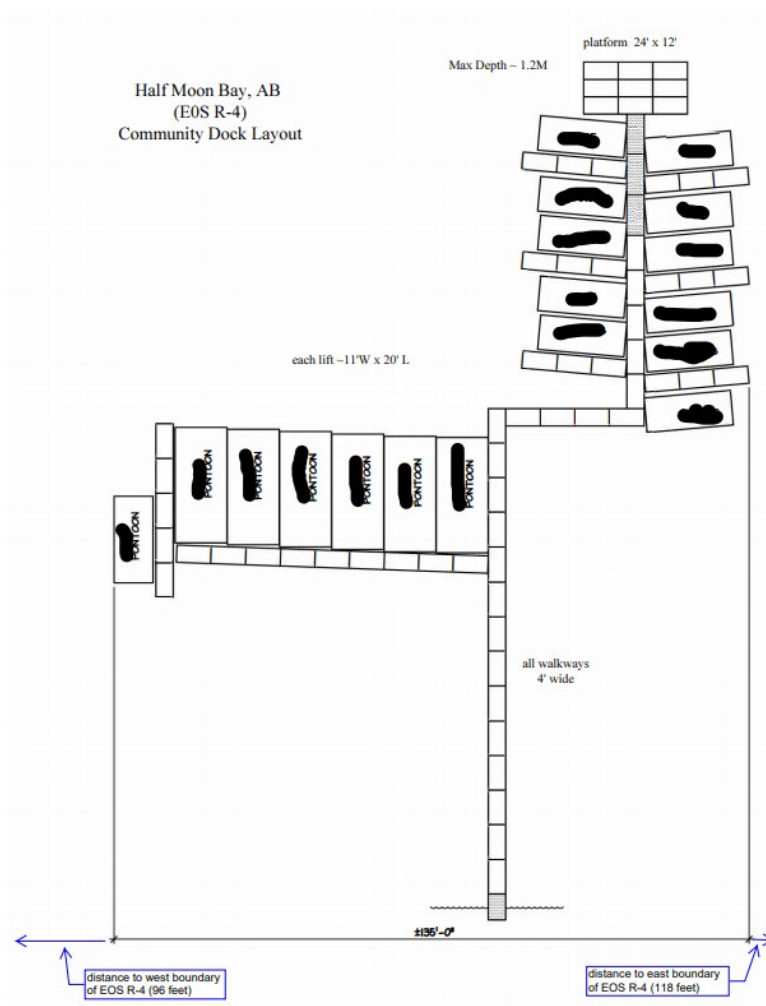
1 5 6

HUMMINGBIRD

1 12

R-9

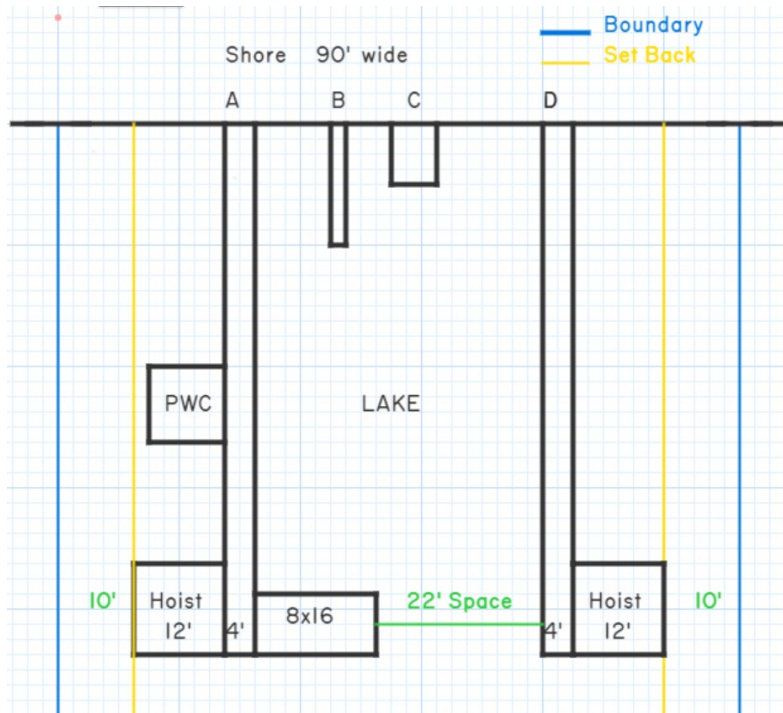
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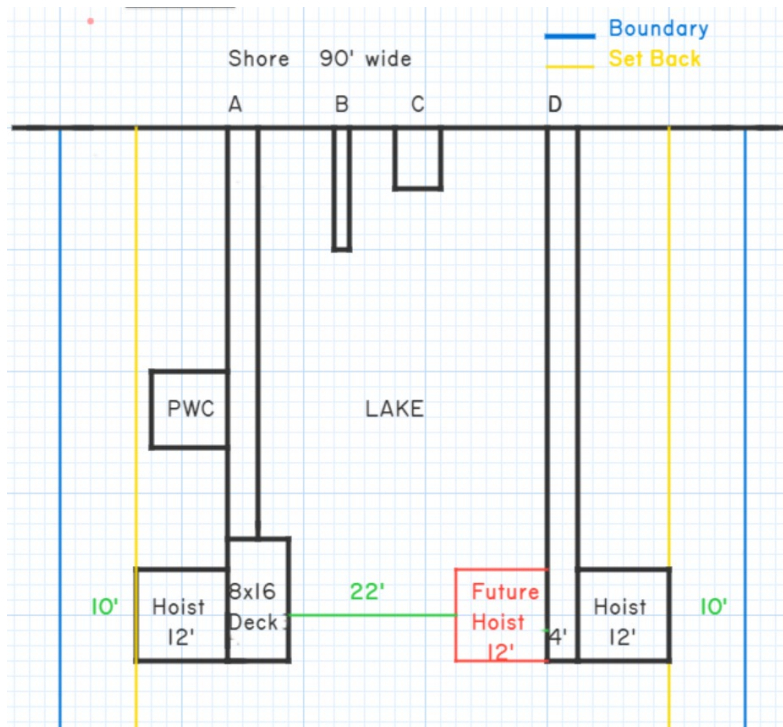
Appendix 5. Aspen Place – Optional dock locations and configurations

- Locations B and C are minor dock and hoists right at shoreline.

Locations A-D



Future Configuration to allow additional hoist on either Dock A or Dock D



Appendix 6. Primrose Lane - dock location
To be determined

Appendix 7. Written Consent Letter



Date: *insert date*

To: *insert Applicant/Dock Captain name*

RE: Written Consent for TFA

The Summer Village of Half Moon Bay (HMB), as owner of the waterfront land throughout the entire municipality, hereby provides written consent to the below Applicant for the purpose of obtaining a Temporary Field Authorization from Alberta Environment and Parks.

Applicant: as per TFA application

Address: as per TFA application

For the placement of a, select one:

 Community/Multi-User dock

 Single User Dock

Location:

- *HMB approves and designates dock location; describe location.*
- *Include any specific measurements that provide detailed location within a reserve.*

Caveats:

- *Are there any restrictions on location of dock or dock spacing.*
- *Are there any restrictions on current or future dock configurations.*
- *Is there a need to identify a future requirement for a change in dock configuration.*
- *Is a statement on Single user docks necessary – i.e. will be approved on a year to year basis and approval will be removed when a community dock requires space.*
- *Is a statement on HMB's desire to have an applicant add new boat hoists and participants to their dock system as necessary or requested.*

Written Consent provided based on the above information.

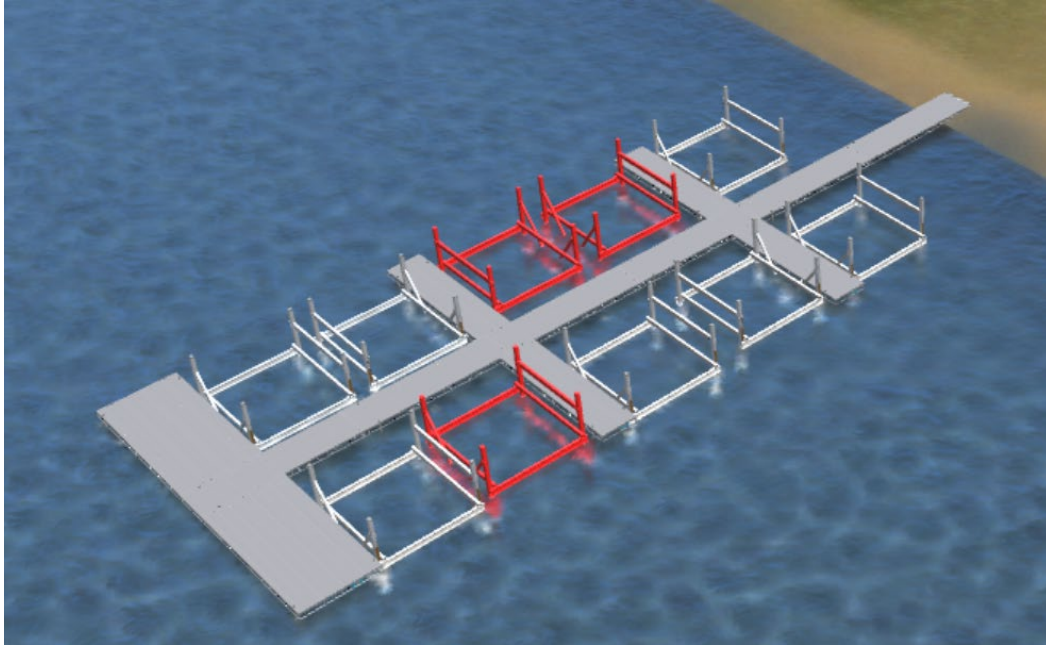
HMB Chief Administrative Officer

Signed: _____

Date: _____

Appendix 8. Dock Configuration Examples – 60 feet wide

With boat lifts with 28-foot canopies, total width is 60 feet



60 feet wide

