

## SUMMER VILLAGE OF SUNBREAKER COVE

Temporary Storage of Boat Hoist and Piers.

Policy: 60.1

Passed July 11, 2001  
Amended December 5, 2001  
Resolution 97-01, 155-01, 189-01  
Amended May 29, 2012  
Resolution 81/12

**Legislative Reference:** *Municipal Government Act*, 1994, Chapter M-26.1, as amended, S. 7;  
*Summer Village of Sunbreaker Cove Land Use By-law 15-91*

**Purpose:** the purpose of this policy is to provide a procedure for the safe use and maintenance of boat hoist and piers on Environmental reserve land.

### Policy Statement and Guidelines

1. The waterfront in the Summer Village is accessible only by crossing lands which are zoned EOS under the Land Use Bylaw of the Summer Village and which may also be designated as Municipal Reserve ( the “reserve lands”). Over the course of many years, landowners have stored various objects across those lands, including boat hoists and piers etc. The summer Village recognizes the practicality of allowing these boat hoists/ piers but at the same time wishes to ensure that landowners know that such objects are on public land and are done at the risk of the landowner. No liability in respect of such boat hoists / piers should accrue to the Summer Village and it is intended that these objects be permitted only on the basis that the right of the public to use environmental reserve is not adversely affected.
2. The reserve lands are under the direct control of Council.
3. Under the Land Use By-law land zoned “EOS” - Environmental Open Space is intended for either the preservation of public land in its natural state or for any use that is similar in the opinion of the Council to the permitted or discretionary uses.
4. Boat hoists / piers which impede access to beach areas or which obstruct walkways are prohibited.
5. Boat hoists / piers must be completely removed from the lake bed which includes aquatic plants like cat tails and reed beds. Boat hoists / piers are permitted to be stored only at the back of the reserves to provide a buffer strip between the structures and the shoreline.
6. Storage of Boat hoists / piers on the reserve is prohibited between the third weekend in May (Victoria Day) and the first weekend in September (Labour Day) weather permitting.
7. Boat hoists / piers which do not comply with this Policy will be removed from the Environmental Reserve areas. The cost of removal, storage and replacement fees will be charged to the owner.
8. The policy will be subject to an annual review to monitor its effect.

### PROCEDURES

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- 1 Each boat hoist / piers located on reserve lands shall be identified by a small engraved plate which shall be affixed to the object by the landowner / resident of Sunbreaker Cove and such plates shall be available at the Administration office.
2. The engraved information shall include the civic address of the owner of the equipment and a record of that information shall be kept in the Administration office.

### 3. INDEMNITY AND INSURANCE

As a condition of allowing boat hoists / piers to be stored on reserve lands, the Summer Village will require that the land owner of the boat hoists / piers to enter into a licence agreement which will provide that:

- a) the owner will indemnify and save harmless the Summer Village in respect of any claims which might arise from the existence of the boat hoists / piers or its state of repair, and
- b) the owner will put in place and maintain in effect a comprehensive liability insurance policy in a form satisfactory to the Administrator of the Summer Village.

\_\_\_\_\_  
Mayor

DATE: July 7, 2012

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Administrator

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