



### Provincial Dock Application and Municipal Consent Policy

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C-3A.023

**Section:** 3.0 Planning and Community Services  
- A. Planning and Development

**Authority:** Council

**Administering  
Department:** Planning and Community Services

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#### Statement

Alberta Environment and Parks (AEP) has established a Disturbance Standard for Temporary Seasonal Docks and Mooring Structures used for Personal Recreational Purposes under the Public Lands Administration Regulation (PLAR). This standard provides guidelines for safely placing these structures to ensure fair access to Alberta's lakes and rivers and simplifies the authorization process.

The Disturbance Standard applies to seasonal mooring structures for waterfront and semi-waterfront property owners. Non-waterfront property owners must obtain written consent from the waterfront or semi-waterfront property holders to install temporary seasonal docks on Alberta's public lands.

The Municipal District of Bonnyville No. 87 (M.D.) acknowledges that, as a waterfront or semi-waterfront property holder, it may need to provide written consent for these structures as part of applications submitted to the Alberta Government for placement within the district's waterbodies.

#### Purpose

The purpose of this policy is to provide specific guidelines to assist the M.D. in evaluating requests for written consent as part of an application to the Government of Alberta for authorization to place a temporary seasonal dock and other mooring structures for personal recreational use in waterbodies within the M.D. where the M.D. is the waterfront or semi-waterfront property holder, by way of municipal lands.

#### Definitions

For the purposes of this policy:

- (1) "Administration" means an employee of the M.D. as directed by the Chief Administrative Officer;
- (2) "Bank" means the natural boundary where the bed and shore of a water body cease; unless coincidental, it is not a historic high-water mark, a flood line, or the current waterline;
- (3) "Bed and shore" means the submersed and exposed part of a water body that is bounded by its bank;
- (4) "Chief Administrative Officer" (CAO) means the Chief Administrative Officer of the M.D. appointed by Council, or their authorized delegate;
- (5) "Council" means the duly elected Council of the M.D.;

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- (6) “Disturbance Standard” means the Government of Alberta Disturbance Standard for Temporary Seasonal Docks and other Mooring Structures for Personal Recreational Purposes;
- (7) “Dock” means the entire mooring structure and includes the walkway and terminal platform;
- (8) “Environmental Reserve” (ER) means a part of land parcel designated as an Environmental Reserve as defined under Section 664(1) of the Municipal Government Act R.S.A. 2000, Chapter M-26;
- (9) “Municipal Land” means a parcel of land or a part of a parcel of land owned by the municipality or land in which the municipality is in the process of acquiring including, but are not limited to, lands designated as Walkways, Reserves, Municipal Reserve, School Reserve, Municipal and School Reserve, Environmental Reserve, or Public Utility Lot, and does not include roadways or road allowances;
- (10) “Municipal Reserve” (MR) means a land parcel designated as a Municipal Reserve as defined in Section 666(1) of the Municipal Government Act R.S.A. 2000, Chapter M-26;
- (11) “Municipality” means a municipality as defined under the Municipal Government Act R.S.A. 2000, Chapter M-26;
- (12) “Non-waterfront property holder” means a person who does not share a property boundary with a waterbody;
- (13) “Semi-waterfront property holder” means the person who is registered under the Land Titles Act as the owner of the fee simple estate in the land directly adjoining a MR or ER, where the MR or ER directly adjoins the bank of a water body;
- (14) “TFA” means a Public Lands Act Application for Temporary Field Authorization – Personal Use Recreational Docks.
- (15) “Waterbody” means a permanent and naturally occurring body of water or a naturally occurring river, stream, watercourse or lake;
- (16) “Waterfront property holder” means a 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.

## Policy

- (1) There is no general expectation for every M.D. landowner to have the right to place a dock on a waterbody for recreational purposes. This applies to both the general public and non-waterfront property owners in multi-lot lake subdivisions.
- (2) This Policy does not supersede the Disturbance Standard for Temporary Seasonal Docks and other Mooring Structures for Personal Recreational Purposes as established by the Government of Alberta. Instead, it aims to assist citizens in obtaining the necessary approvals from the Government of Alberta for installing docks and other mooring structures adjacent to municipal lands and reserves.
- (3) This Policy solely pertains to the installation of docks and/or other mooring structures adjacent to municipal lands and reserves. It does not include any installation or storage

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of other appurtenances, structures, buildings, development, materials, or otherwise as covered by the *Municipal Government Act*, Municipal Land and Reserves Bylaw, Land Use Bylaw, and other relevant provincial or municipal legislation.

- (4) This Policy does not apply to any shoreline where the M.D. holds a formal disposition from the province to manage the use of the shoreline.
- (5) Pursuant to the Government of Alberta Disturbance Standard for Temporary Seasonal Docks and other Mooring Structures for Personal Recreational Purposes:
  - (a) Where the M.D. is the waterfront or semi-waterfront property holder, by way of municipal lands and reserves, the M.D. may be requested to provide written consent as part of the Public Lands Act Application for Temporary Field Authorization – Personal Use Recreational Docks (TFA).
  - (b) Non-waterfront property holders must obtain the written consent from the semi-waterfront or waterfront property holder, as part of the TFA before they are authorized to place a dock in the waterbody. This also applies to semi-waterfront property owners whose dock does not meet the Disturbance Standard.
- (6) Non-waterfront property holders who want to place a dock in a waterbody where they require consent from the M.D., as the waterfront or semi-waterfront property holder, as part of the TFA, must apply to the M.D. Approvals will be considered for residents of the M.D. that meet the criteria as described in Section (7) of this Policy.
- (7) The criteria for Administration to provide written consent for Temporary Crossing of Municipal Lands as part of the TFA is as follows:
  - (a) The M.D. is indemnified against all actions, claims, and demands brought or made against the M.D. by the dock and/or other mooring structure owner or by any third party for any losses arising directly or indirectly from the dock and/or other mooring structure.
  - (b) Dock and/or other mooring structures will not obstruct public access, both over and through, the municipal lands.
  - (c) Non-waterfront property holders may be granted written consent for temporary crossing of municipal lands and reserves as part of a TFA, at the discretion of the M.D., if:
    - (i) the proposed mooring structure is adjacent to a municipal land or reserve, or portion thereof, that has a rear property boundary consistent with or greater than the adjacent lots on either side;
    - (ii) the proposed mooring structure conforms with Section 3, Common Dock Standard of the Government of Alberta User Guide for Dock Authorizations;
    - (iii) the proposed placement of the mooring structure allows for the maximum amount of available mooring space along the width of the municipal land or reserve;
    - (iv) the non-waterfront property holder applicant provides written support from the semi-waterfront property holder who owns the land in line with the proposed mooring area that would be contiguous if not for the municipal lands or reserves.
  - (d) Dock and/or other mooring structures:
    - (i) must not extend further than one (1) metre (3.3 feet) onto municipal lands and reserves from the adjacent waterbody;

- (ii) notwithstanding (7)(d), where more than one (1) metre (3.3 feet) is required for the operation of the dock and/or other mooring structure, Administration has the authority to extend the distance on municipal lands and reserves in extenuating circumstances at their own discretion.
- (8) Notwithstanding anything to the contrary contained in this Policy, the M.D. shall have the absolute right and privilege to rescind its previously granted consent upon the M.D. providing to the applicant 30 days written notice.
- (9) The M.D. Planning and Development department will manage the written consent for the temporary crossing of municipal lands as defined in this Policy.
- (10) Approved authorizations are for the applicant's access to their seasonal dock, boat lifts and swim platforms. Authorization does not give unrestricted access to the lands for the applicants, nor does it restrict access to others as reserve lands are for public use and enjoyment.

### Policy Review

Within four (4) years from date adopted / amended / reviewed.

### For administrative use only:

<b>Related Documentation:</b> (plans, bylaws, policies, procedures, etc.)	Bylaw: M.D. Municipal Land and Reserves Bylaw Bylaw: M.D. Land Use Bylaw
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