



## STAFF REPORT

**Title:** Request for Delegated Commercial Boat Vessel Slip at Marina - January 14, 2020 Delegation

**Meeting Date:** June 9, 2020

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### **Executive Summary:**

Owner/Operator of Wicked Watersport Rentals Inc. Mr. Raymond Cowell appeared as a delegation at Council's January 14, 2020 Council meeting.

Mr. Cowell made a proposal to Council to establish a dedicated commercial boat vessel slip to be assigned to, and paid for by, Wicked Watersport Rentals Inc. at Slip #2 at the Cold Lake Marina that would be transferrable upon sale of the business. Wicked Watersport Rentals Inc. is going into its' 7th season of business in Cold Lake and provide safe, fun, and exciting watersports on Kinosoo Beach and at the Cold Lake Marina. Their pontoon boat is currently the only boat for rent from the Marina and last year, they began providing \$15.00 boat tours of the lake that last forty-five (45) minutes. Currently, all the marina slips are private slips with an extensive wait list.

Mr. Cowell presented the notion that the establishment of a commercial slip at the marina, that is transferrable upon the sale of the business, would support and enhance the growth of local commercial tourism in Cold Lake.

### **Background:**

The draft agreement and letter responds to Wicked Watersports Rentals' request to:

- a. Operate a watersport rental business at Kinosoo Beach for the 2020 beach season,
- b. Rent a marina birth which would be used to offer site seeing boating charters on the lake for the 2020 boating season with one (1) automatic renewal for the 2021 boating season, subject to Wicked Watersports Rentals receiving permission from the City to operate a watersport business at Kinosoo Beach.

Historically, the City has not provided priority slips to "service providers"; however the City may always dedicate slips for its own purposes (as the owner), as it sees fit. That being said, anytime something changes, the City does receive significant feedback from the public, existing users, and/or the waiting list.

In future, we anticipate queries of a 2-Tiered waiting list, private use versus use associated with "water tourism" activities. That being said, this could have some unique



spin offs. Administration feels that it is important to maintain a principle that users fees apply.

**Alternatives:**

Council may consider the following options:

1. Council may direct the City to enter into the Marina Berth Rental Agreement with Wicked Watersports Rentals Inc.
2. Council may direct the City to enter into the Marina Berth Rental Agreement with Wicked Watersports Rentals Inc. as amended.
3. Council may receive the report titled Request for Delegated Commercial Boat Vessel Slip at Marina - January 14, 2020 Delegation is information

**Recommended Action:**

First Motion:

That Council authorize the City to enter into the Marina Berth Rental Agreement with Wicked Watersports Rentals Inc., as presented.

Second Motion:

That Council permit Wicked Watersport Rentals Inc. to operate at Kinosoo Beach during the summer months of 2020 subject to the following conditions:

- Wicked Watersport Rentals Inc. must obtain the appropriate business license for the services being provided, in accordance with the City of Cold Lake Business License Bylaw.
- Wicked Watersport Rentals Inc. is considered a mobile vendor and must obtain a Mobile Vendor Permit as per City of Cold Lake Mobile Vendor Policy No. 205-AD-18.
- The business may operate on an available part of the municipal owned property at the beach, free of any charges. A specified space will not be designated and may change from day-to-day.
- Operation on the Provincial leased property of Kinosoo Beach will not be permitted.
- The business may leave a trailer on the beach between operational days.
- The City will not provide any services to Wicked Watersport Rentals Inc. This includes no power, shelter, equipment or security for all equipment or other assets. Wicked Watersport Rentals Inc. must be a completely independent, sustainable operation.
- This letter provides permission to continue to operate in a public park as designated, and will require annual renewal. This appears in accordance



with Bylaw No. 539-PL-14. There will be no lease, simply permission to conduct this business in a park.

- The City will require proof of insurance consistent with City standard for the operations and name the City of Cold Lake as an additional insured for work performed from the municipal property. The City of Cold Lake is not responsible or liable for any part of or incidents arising from the operation of Wicked Watersport Rentals Inc. and Wicked Watersport Rentals Inc. will indemnify and save harmless the City, its employees and agents from and against all claims, losses, damages, costs and expenses made against or incurred by the operation.
- Wicked Watersport Rentals Inc. to provide the City with WCB coverage consistent with City standard.
- The City will NOT provide exclusivity for the operations of Wicked Watersport Rentals Inc. on the beach.
- No sandwich boards will be permitted on the beach. Advertising space may be provided via own mobile set-up.
- The City does not recommend or approve any modification or components be added temporarily or permanently in the water itself. Since this area is not in the City's jurisdiction, appropriate approval will be required from the Province of Alberta by Wicked Watersport Rentals Inc.
- Wicked Watersport Rentals Inc. is solely responsible for any damage to the Park including the irrigation system caused by Wicked Watersport Rentals Inc.
- The City of Cold Lake reserves the right to withdraw its' permission for any reason without notice which is delegated to the Chief Administrative Officer (CAO) or designate.

**Budget Implications (Yes or No):**

Yes

**Submitted by:**

Kevin Nagoya, Chief Administrative Officer