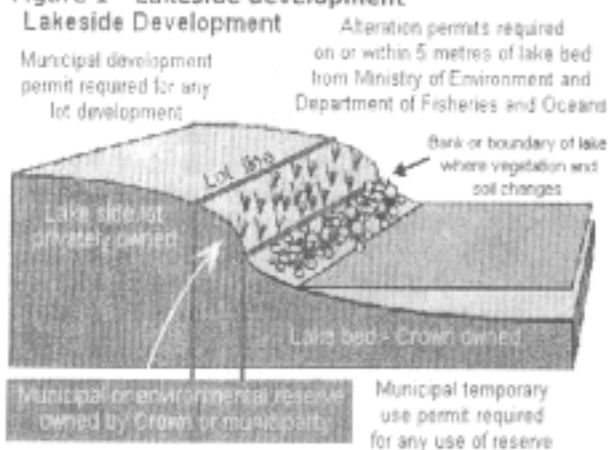


- f) Use of lakeside lands (municipal and environmental reserves and Crown foreshore lands) by other than lakeside cottagers (back-row residents) shall require an Annual Discretionary Temporary Use Permit (municipal permit). In these circumstances, council will encourage the cooperative use of piers and docks at access nodes to the lake or by sharing of docks with lakeside cottage owners. Applicants will be limited to one boat or one boatlift.
- g) Sharing of extended docks into the lake behind cottage lots or at the end of lakeshore access nodes and walkways will be encouraged to reduce and minimize impact on the shoreline ecology. A limit of 6 boats per shared dock will be applied. These will require authorization from Council after the applicant has obtained applicable permits from federal and provincial agencies. In these circumstances, council will encourage the cooperative use of piers and docks. Applicants will be limited to one boat or one boatlift.
- h) Sharing of extended docks into the lake at the end of lakeshore access nodes (Municipal Reserve zoned recreation) by back row cottage owners will be encouraged. One boat or one boat lift or one personal watercraft policy will apply. These will require authorization from Council after applicable permits have been obtained from federal and provincial agencies by the applicant.

**Figure 1 - Lakeside development**



### 5.3 Development Criteria and Standards

- a) Docks and piers must be of adequate length to ensure sufficient water depth for mooring, except for shared multiple slip structures.
- b) Guidelines for installation of structures:
- must be done manually as no equipment is allowed to work in the water or on the bank
  - only floating docks or docks supported by posts may be installed
  - Applicants approved for a dock permit are responsible to ensure that docks or other shoreline structures placed in the water meet provincial and federal guidelines for construction methods and materials viewed to be safe for fish and water habitat.
  - Creosote and pentachlorophenol treated wood are prohibited.
  - dredging to improve access to the mooring area and the dock is prohibited
  - any proposal to remove aquatic vegetation or any other type of bank work must be reviewed by Saskatchewan Ministry of Environment.

**NOTE:** There are practical guidelines and examples on installation of structures described in *Saskatchewan Fact Sheet Working Around Water and The Fish Habitat Primer A Guide to Understanding Freshwater Fish Habitat in the Prairies*, both available from the Department of Fisheries and Oceans ([www.dfo-mpo.gc.ca/oceans-habitat/](http://www.dfo-mpo.gc.ca/oceans-habitat/)).

- c) Only registered vessels of ratepayers of the Resort Village of Wakaw Lake and their overnight guests shall be allowed for docking and mooring at authorized docks.
- d) Stairs and stairways must meet the National Building Code.

#### 5.3.1 Permitted temporary shoreline structures

- a) Permitted temporary shoreline structures, for the purpose of these bylaws, refers to structures positioned and installed along the shoreline and upland edge of the shoreline; or on a lot abutting a shoreline at the water-side of the property. Such structures are attached to the bed of the lake. Such structures must not adversely impact on fish habitat.
- b) Permitted shoreline structures include the following: stake tie-up, dock, pier, rollout pier or other removable pier.
- c) All permitted shoreline structures will be conditional on obtaining a discretionary use permit from the municipality (municipal permit).

### 5.3.2 Prohibited structures, developments and uses

- a) Prohibited structures, developments and uses, considered unauthorized, on *municipal and public reserve and environmental reserve lands* (dedicated lands) and lakeside lands include but not limited to the following:
- i) Boathouses on Crown land and dedicated land (public land) are not allowed. For boathouses that existed prior to the implementation of this bylaw refer to Section 5.3.2 (c) below and Section 5.4 (o) Expansion or major renovations to existing boathouses are not permitted. Significant maintenance projects require the approval of council.
  - ii) Skirting around piers, docks, and similar structures as it interferes with fish habitat.
  - iii) Permanent cribbed docks are not preferred. Check with the authorities.
  - iv) Houseboats shall not be allowed permanent docking at private docks or piers.
  - v) Removal of trees, shrubs and other vegetation are prohibited without a permit
  - vi) Human habitation, such as camping or living on a vessel.
  - vii) Use of fertilizer and herbicides.
  - viii) Lawns replacing natural ground cover.
  - ix) Fuel storage.
  - x) Off-site private water wells.
  - xi) Holding (septic) tanks.
- b) Such unauthorized structures developments and uses found on dedicated lands and foreshores (Section 242 of *The Act*) might be subject to a fine, penalty and removal under Section 243 of *The Act*. Cost of removal of unauthorized structures and works and remedial works will be charged against the cottage property tax of person(s) involved.
- c) Concerning a temporary structure or a development that was in place on dedicated lands (lakeside lands) without obtaining a permit or agreement with council before the coming into force of Section 194 (10) of the Act (before the enactment of this Zoning Bylaw) refer to Section 5.4 subsection a) of these regulations).

### 5.4 Lakeside Development and Shoreline Structures Permits (Municipal permits)

- a) Lakeside cottage owners do not require an annual municipal permit for shoreline installations as long as they have obtained applicable required permits from provincial and federal authorities.
- b) Development on shoreline and lakeside lands (on dedicated lands and on lake bed (Crown owned foreshore lands) without the approval of the council is prohibited. If a permit is not obtained the Resort Village will proceed with removal of development according to Section 194 of *The Planning and Development Act, 2007*.
- c) All approved private developments and temporary structures on lakeside lands are considered temporary developments subject to the provisions of *The Planning and Development Act, 2007 (The Act)*.
- d) Any temporary use of lakeside lands (dedicated lands) must be within what is permitted by *The Act* (Section 192) and *The Dedicated Lands Regulations*.
- e) Subject to the provisions of the Official Community Plan and this Zoning Bylaw, Council may allow some development of landscaping or temporary structures and may:
- i) by permit grant a person permission (municipal permit) to place a temporary structure on any dedicated lands (lakeside lands) other than a walkway, under Section 194 (2)(a) of *The Act*. A dock or a boat lift is an example of a temporary structure. Or
  - ii) by permit, grant a person permission (municipal permit) to place a development on any dedicated lands (lakeside lands) other than a walkway under Section 194 (2) (b) of *The Act*. Development, pursuant to Section 194 (1) of *The Act*, means improvements, or landscaping and maintenance of the improvement or landscaping, or shoreline modifications for the purpose of these regulations.
- f) No person shall:
- (a) undertake a *development* including *shoreline modification* or a *repair of modification(s)* without:
    - i) first obtaining a shoreline alteration or modification permit(s) from federal and provincial agencies, and
    - ii) a valid agreement for development (*municipal temporary use permit*) from the Resort Village of Wakaw Lake; or

*NOTE: As removal of vegetation for the installation of shoreline structures is considered 'works', such proposal to remove aquatic vegetation or any other type of bank work must be reviewed by Saskatchewan Environment.*

- (b) rent or lease out any dock without the prior written permission of the Resort Village of Wakaw Lake.
- f) Assignment or transfer of permit or authorized structures shall *not be permitted without prior* express written authorization by the Resort Village of Wakaw Lake as the rights given in the permit do not accrue to the property and cannot be sold.
- g) Failing to obtain proper authorization will result in removal of the development and shoreline structure installations. After compliance, the ratepayer will have an opportunity to reapply for authorization.
- h) The application to the Development Officer for *municipal permit* shall be in the "Form C" as adopted or amended by resolution of Council, together with any other information needed to assess the application in relation to the REGULATIONS FOR DEVELOPMENT ON LAKESIDE LANDS and shall include the following minimum information:
- i) Date of application.
  - ii) Name of the owner or co-owner applicant or someone authorized in writing by the registered owner of recreation property (cottage site or campsite).
  - iii) Address of recreation property in the Resort Village of Wakaw Lake.
  - iv) Permanent contact address, e-mail address and telephone number(s) of the applicant.
  - v) Requested location of dock and boatlift and or shoreline development and modification in front of a cottage, with a detailed site plan and photograph of where the dock or boatlift or shoreline development or modification are to be located.
  - vi) Proof of public liability insurance.
  - vii) All prescribed application and permit fees.
  - viii) Proof of authorization, where applicable, from Saskatchewan Environment, Saskatchewan Water Security Agency, Fisheries and Oceans Canada, and Transport Canada.
  - ix) Any other information needed to assess the application.
- i) A copy of the approved application will be the *municipal permit* for temporary shoreline structures and or development or alteration.
- j) If the application is denied, the applicant will be informed in writing.
- k) A person must pay the prescribed non-refundable application fee and the permit fee when applying for a permit(s) for a development/alteration or placement of a temporary shoreline structure.
- l) A permit issued or an agreement made does not give the grantee (recipient of a permit or an agreement) exclusive right with respect to the use of dedicated lands (lakeside lands) or privatize any part of the dedicated lands (lakeshore lands).
- m) Applications are valid for six (6) months and failure to install shoreline structures (dock, pier, boat lift) or to carry out shoreline development will terminate approval and a new application must be made to the Resort Village of Wakaw Lake.
- n) If changes (size, location, shape, proposed removal of aquatic vegetation) are contemplated to the original development (shoreline modification) or installation (shoreline structure), a revised application form must be submitted for review and approval.
- o) If a temporary structures or a development that were in place on dedicated lands (lakeside lands) without obtaining a permit or agreement with council before the enactment of Section 194 (10) of *The Act*, and if council is of the opinion that the retention of such structure or development may not be in the public interest, council shall serve the person believed to have placed the temporary structure or the development on dedicated lands (lakeside lands) with written notice of council's intentions of removing or disposing the temporary structures or the development. Notice of right to appeal or of hearing on the matter shall be in accordance with Section 194 (10) to (12) of *The Act*.
- p) The costs of removal or disposal and restoration of dedicated land (lakeside land) are a debt due to the municipality and can be applied to the taxes of the person who placed the temporary structure or development on the dedicated land.
- q) Council will use Saskatchewan Water Security Agency and Saskatchewan Ministry of Environment or other competent authority or qualified professional for technical review of proposals regarding potential development hazards such as erosion and shoreline instability and impact on fish and wildlife habitat and for advice on required mitigation measures.

## **SECTION 6 – OPEN SPACE REGULATIONS**

The intent of these regulations is:

- a) To regulate the use of Open Space Areas (public and municipal reserves, beaches, waterfront area, recreation lands, green spaces, open grass lands and tree plantations, recreation areas, and environmentally sensitive areas, roadways, road allowance, parking areas/lots), and undeveloped portion of private cottage sites and campsites (60% to 70% of a cottage site area is considered open space due to limits on lot clearing and grading).
- b) To assure the continuity of natural amenities for the enjoyment of village residents.

### **6.1 ACTIVITIES IN THE OPEN SPACE AREAS**

#### **6.1.1 Vehicles and Parking**

No person shall:

- a) Operate a vehicle in an Open Space Area except on a highway, village road, or car trail designated for vehicle use or in a parking lot.
- b) Park or idle a vehicle in an Open Space Area except in a parking lot.
- c) Leave a vehicle in an Open Space Area, or a parking lot overnight.
- d) Act contrary to any traffic control device in an Open Space Area or in a parking lot.

#### **6.1.2 Firearms**

- a) The term "Firearm" shall be as defined in The Wildlife Act, 1998 and amendments.
- b) In the interest of public safety, the discharge of any firearm within the boundaries of the Resort Village of Wakaw Lake is prohibited.
- c) This regulation does not apply to representatives of the Resort Village, or of the provincial or federal government who may, while on duty, be required to discharge their firearms.

#### **6.1.3 Trapping**

- a) Trapping anywhere in the Resort Village is prohibited, except as provided below.
- b) This regulation does not apply to representatives of the Resort Village, or of the provincial or federal government, who may, in the course of their duty, be required to use a trap to catch, snare or otherwise restrain any animal to protect private or village property or to protect human life. Any such trapping is permitted only with written consent of the Village Clerk on instructions from Council.
- c) Live traps may be used, with permission of the Village Clerk, to trap animals live for release elsewhere; or to trap injured animals which must be disposed of in a humane manner.
- d) Cottage owners shall be allowed to trap on their own sites.

#### **6.1.4 Gardens**

- a) Planting of private gardens on public lands is not allowed except on land designated by Council as a Community Garden.

#### **6.1.5 Camping**

- a) No person shall set up a tent, trailer, camper, or RV in an Open Space Area (public/municipal or environmental reserve), except in conformity with the Zoning Bylaw.

#### **6.1.6 Fires**

- a) No person shall start or maintain any fire or fire works in an Open Space Area, except as set out in the Fire Bylaw by Council.
- b) Barbecues and open fires will be regulated by separate bylaw of Council.

#### **6.1.7 Pets**

Pets are allowed in an Open Space Area under the following designations and conditions:

- a) Leash Areas, as designated by Council - Pets must be on a leash and under the control of the owner.
- b) Off-leash Under Control Areas, as designated by Council - Areas where pets may be off leash but must remain under the control of the owner.
- c) No Pets Allowed Areas, as designated by Council - Areas where pets are prohibited, including the golf course, and any other areas designated by Council.

#### **6.1.8 General Conduct of Persons on the Open Space Areas**

No person shall:

- a) Interfere with the free use or enjoyment of an Open Space Area by another person.

- b) Engage in any activity which causes a nuisance in an Open Space Area.
- c) Damage, destroy, or remove any improvement, sign, structure or other property.
- d) Deposit or leave any domestic garbage, waste, soil, refuse or debris in any Open Space Area from within or outside the Resort Village.
- e) Leave any litter of any kind in any Open Space Area, except in a waste container provided for such purpose by the resort Village.

#### **6.1.9 Exemptions, Offences and Penalties**

- a) Those persons are exempt from the provisions of this Bylaw who have received the prior written permission of Council to use part of the Open Space Area as a temporary access to that person's property.
- a) In granting permission, Council may establish conditions (time of use, damage deposit, indemnification of the resort Village and any other conditions).
- c) Any person who contravenes any provisions of Section 6.1 of this Bylaw commits an offence and is liable on summary conviction to a fine set by Council under a separate Bylaw.

### **6.2 MANAGEMENT OF OPEN SPACE AREAS**

#### **6.2.1 Management of Trees and Grasses**

As far as practicable, Council shall:

- a) Promote environmentally-friendly maintenance practices on open space areas.
- b) Preserve and protect native vegetation on hillside to promote hill-stability and reduce erosion.
- c) Encourage the use of native species and prairie hardy plants, trees, and shrubs, and
- d) Retain and enhance native vegetation in new developments.

#### **6.2.2 Dead and Deteriorating Trees**

- a) The simple existence of dead and deteriorating trees shall not be the sole criteria for tree removal from village forests (public and municipal reserves and environmental reserve).
- b) Fallen and decaying wood/branches left in-situ on the ground provide wildlife habitat and promote soil conservation. Where practical, the Resort Village shall encourage mulching unused wood on-site.

#### **6.2.3 Tree Removal from Public Open Spaces and Private Lots**

- a) No person shall cut or remove any tree from public open spaces without having first obtained a tree cutting permit, had the tree(s) marked for removal by the village staff, and paid a stumpage fee.
- b) The Development Officer may issue a tree cutting permit which provides for the cutting or removal of trees and shrubs where, in the opinion of the Development Officer:
  - i) The removal is necessary to provide for access to the site, required off-street parking or another permitted use on the site.
  - ii) Offstreet parking shall not take more than 50% of the width of the front yard.
  - iii) Access ways (driveways) shall not be cleared greater than 3 metres (9.8 feet) in width.
  - iv) For building construction (a development permit required) no trees and shrubs shall be removed beyond a distance of 2.5 m (8 ft) in width around the building.
  - v) The tree is located on the property within 2 m (6.5 ft) of an existing building and/or a proposed accessory building.
  - vi) The tree is dead, dying, severely diseased, or damaged so as to pose a safety hazard.
  - vii) The trees are too close together to allow proper growth, and the removal is for specific trees identified in the permit comprising less than one third of the trees in the clump.

### 6.3 GROUNDWATER PROTECTION AND STORM WATER MANAGEMENT

#### 6.3.1 Groundwater Protection

- a) The intent of this section is to protect existing and potential groundwater sources in order to safeguard the public health of residents of the Resort Village who depend on groundwater for their drinking water.
- b) Because an abandoned well can be a safety hazard, threat to ground water quality, as well as a liability issue, it is the cottage owner's responsibility to barricade off such a well and to report it to the Resort Village and to the Saskatchewan Water Security Agency for advice on decommissioning the abandoned well.
- c) No subdivision of land shall be permitted where the proposal will adversely affect domestic or municipal water supplies, or where a suitable, potable water supply cannot be provided to meet the requirements of the Saskatoon Health Region, Saskatchewan Environment or the Saskatchewan Water Security Agency.
- d) Subject to the Acts and Regulations, as amended from time to time, and administered by the Saskatoon Health Region and Saskatchewan Environment, no liquid, solid or gaseous wastes shall be discharged into any streams, creek, river, pond, slough, intermittent drainage channel or other body of water, or on any land or into the air.
- e) Landfill for the disposal of garbage or refuse is not allowed within the Resort Village because of insufficient distance from any residential development.
- f) Pit privies are prohibited.
- g) The primary sewage disposal system component shall be a holding tank placed on the property for pump out.
- h) Placement of holding tanks with respect to distances to buildings, property line and well or water source must follow the guidelines of Saskatchewan Health; and the setbacks as determined by the Public Health Inspector from the Saskatoon Health Region.
- i) The Development Officer shall send a copy of all approved development permit applications involving installation of water and sanitary services, to the local office of the Saskatchewan Department of Health.
- j) A permit must be obtained from the Public Health Inspector before any person installs a holding tank.
- k) Effluent must be hauled to an approved lagoon or disposal site.
- l) The Resort Village may conduct annual random testing of holding tanks and water wells throughout the Resort Village in the interest of safeguarding groundwater quality.
- m) The storage of chemicals, fertilizers and combustible materials is subject to the requirements of both the federal and provincial governments. All necessary approval from other regulatory agencies must be obtained prior to issuance of a development permit. Development permit conditions may include that all permits or licences required by other regulatory agencies be obtained before development proceeds.
- n) Underground fuel storage tanks and fuel tanks shall be prohibited in the Resort Village.
- o) Heating oil tanks shall be placed over a leak-proof sump area.
- p) De-icing salts shall not be permitted on village roads.
- q) The spreading of manure is not permitted.
- r) The dumping on village soils of products that may adversely affect groundwater is prohibited. Such products include:
  - i) Antifreeze and coolants,
  - ii) Gasoline, brake and transmission fluids,
  - iii) Paints, primers, and wood preservatives.