



# Saskatchewan Parks Division

<b>Section:</b>  Park Operations	Policy # 717.6	
	Effective Date: July 16, 2018	
	Prepared by: Park Operations	
<b>Subject:</b> Shoreland and Foreshore Management in Provincial Parks (Dock Policy)	New	Revision X
	Approved by:  Executive Director	

**AUTHORITY**    *The Parks Regulations, 1991*

### INTENT

This policy establishes standards which guide decision-making for the protection of shoreland and foreshore lands, specifically with respect to the development of seasonal docks, boat storage lifts, stairways and stake tie-ups, balanced with providing reasonable lake access and recreation within provincial park lands.

Recognizing that shoreland and foreshore areas are especially important in providing shelter and breeding habitat for many fish and bird species as well as other types of wildlife; landscaping, construction and shoreline alteration in these areas must be conducted with the least possible impact.

To ensure the highest possible standards for public safety, environmental stewardship, and public enjoyment, there is a need to balance the number and size of developments within the designated use area, while maintaining aesthetics and the natural habitat of the foreshore/shoreland.

### POLICY

1. All activities, uses and development of shoreland and foreshore lands within provincial parks and recreation sites require a Permit, authorized under The Parks Act.
2. As outlined below, permits may be issued for developments such as non-permanent docks; multiple slip structures; storage lifts; stake tie-ups; or stairways based on the following criteria:
  - a. receipt of a completed permit application
  - b. compliance with all relevant legislation and other permit requirements
  - c. appropriate location (i.e. designated as acceptable by the park manager)
  - d. existing land disposition of the applicant (commercial or cottage) in the subdivision immediate adjacent
3. Private decks will not be permitted on the foreshore or on the shoreland.

4. Applications for foreshore/shoreland structures may be made by individuals who have a current provincial park recreational cottage lease: a park land commercial lease disposition; or who have a titled lot or land lease disposition in the immediate area of the park foreshore. Note: the intent is that all applicants must have some type of land disposition in the immediate locality.
5. The foreshore permits are non-transferable.
6. No excavation, brush clearing or mowing will be permitted on shoreland or foreshore land unless authorized by permit under specific conditions. Any unauthorized clearing will require restoration by the permittee/cottage owner so that park land is reclaimed to its natural state/condition.
7. Stairways will only be allowed in cases where the land is steep and a walking trail could cause erosion; requires a signed Aquatic Habitat Protection Permit from WSA.
8. Any development shall not interfere with the public's right of access to and use of the foreshore, shoreland or waterway or be a hazard to navigation or to the public.
9. Non-conforming structures such as boathouses, sheds and decks must be removed after formal notification.
10. Upon Recreational Cottage Lease renewal/transfer/assignment the presence of non-compliant structures will be grounds to withhold the renewal/transfer/assignment.
11. Permits will not be issued for off-lot developments, which may include but not be limited to: retaining walls, gardens; lawns; TV satellite dishes; boat houses; storage sheds, storage lockers, storage bins; boat rollers on shoreland or foreshore lands.
12. To minimize environmental impact, the Ministry of Parks, Culture and Sport encourages and may require that multiple permittees share existing dock structures or construct shared slip structures that will accommodate several boats.
13. All approved dock permit locations must be clearly marked with owner contact and permit number. The park manager at his or her discretion may require approved permit holders to clearly mark (identify) all approved infrastructure components related to the current permit with the permit number and owner contact. Items to be clearly marked would be: each dock section, each lift or staircase associated with the approved permit.
14. When a boat dock permit location is not utilized (a seasonal dock installed) for two successive years, the permit may be cancelled upon park manager's discretion.

#### **APPLICATION OF OTHER REGULATORY REQUIREMENTS**

This foreshore and shoreland policy does not supersede the requirements of any regulatory body, including but not limited to:

1. The need to acquire an Aquatic Habitat Protection Permit from the Saskatchewan Water Security Agency for any works within the bed, bank or boundary of any watercourse or waterbody or to obtain their dock fact sheet.

<https://www.wsask.ca/Water-Programs/Aquatic-Habitat-Protection/>

2. Owners of all boat docks, storage lifts or other structures placed in a permanent water body in or outside provincial park land must meet the requirements of the Transport Canada's Navigation Protection Program – Minor works Order and all the requirements of the Department of Fisheries and Oceans. For more information please refer to the following guidelines:  
<http://www.tc.gc.ca/eng/programs-675.html>  
<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>
3. No development will be allowed in fish spawning areas, erosion prone or other environmentally sensitive areas or in areas that contravene the provisions of The Fisheries Act (Canada).
4. The permittee is fully responsible for any legal liability associated with their structure.

#### **APPLICATION - PERMIT PROCESS:**

- Applications for foreshore/shoreland dispositions will be received by the park manager who will undertake or co-ordinate the site inspections required in order to approve or deny the application.
- Applications must be accompanied by a detailed development plan indicating the project location, photographs, construction details and dimensions. An application fee will be charged to the applicant upon their initial invoice. All plans must conform to the Uniform Building and Accessibility Standards Act and the National Building Code of Canada.
- Permitting is authorized under *The Parks Act* and fees will be established by Minister's Order under *The Parks Regulations 1991* and as listed in the annual Provincial Park Rates and Fees.
- In the case of non-compliance with the terms and conditions of an assigned permit, or the non-payment of fees, the permittee will be required to remove the structure and the permit will be revoked.
- If the permittee does not wish to comply with a request for removal, the ministry will remove or reassign the structure, without salvage or compensation rights being conveyed to the permittee. The cost of removal may be charged back to the permittee.
- If a permit is no longer required a quit claim must be completed by the permittee.
- Foreshore structures that have become dilapidated will be removed by the permittee. Failing that the ministry will remove the structure and the permit will be cancelled.
- If the permittee no longer has a land disposition in the immediate locality, a quit claim must be completed or the permit may be cancelled by the park manager.

**EXCEPTIONS:**

This policy applies to all park lands designated under *The Parks Act*, with the exception of: boathouses and storage sheds at Echo Valley Provincial Park; boathouses at Minowukaw subdivision in Candle Lake Provincial Park; decks on the foreshore of the Howe Bay Subdivision, Meadow Lake Provincial Park and docks in Lac La Ronge Provincial Park where, docks can be placed parallel to the shore and can be wider than the 1.83 m (6 ft) dimension specified in this policy.

**LEGISLATION REFERENCE/AUTHORITY:***The Parks Act*

- Section 15 (Dispositions)
- Section 16 (No title through possession)
- Section 27 (Regulations)

*The Parks Regulations, 1991*

- Section 41 (No development without a disposition)
- Section 42 (Conditions for dispositions)
- Section 43(1)(b) (Fees)
- Section 50 (Excavations)

*Fisheries Act & Regulations (Canada)**The Environmental Management and Protection Act**The Canada Shipping Act**The Navigation Protection Act**The Uniform Building and Accessibility Act*

## Saskatchewan Water Security Agency

## APPENDIX 1

**Disposition:** Under this policy, disposition refers to the conveying of lease or permit land rights by issuance of an approved document providing that right.

**Allowable Works:** Boat storage lifts, seasonal docks, stairways, stake tie-ups.

**Foreshore:** The foreshore is park land located between the high and low water levels of lakes and streams.

**Shoreland:** The shoreland is park land located between the boundaries of a plan of subdivision registered with the Land Titles Office and the high water mark of lakes and streams; or in the absence of a legal survey on park land, a setback of 30 meters (100 ft) from the high water mark of lakes and streams.

**Stake Tie-Up:** A stake or post placed on the foreshore or shoreland to which a boat can be attached by means of a rope or chain.

**Boat Roller:** A permanent device placed on the foreshore that, by means of rollers, is capable of supporting a boat.

**Dock:** A platform extending from the foreshore into the lake to which a boat can be attached.

**Multiple Slip Structure:** A dock consisting of one or more slips to which multiple boats can be attached and is generally shared by two or more cottage owners.

**Storage Lift:** A frame placed on the lake bottom that is intended to lift a boat out of the water for storage purposes.

**Development:** Any improvement or change to or on park land.

## APPENDIX 2

### IMPLEMENTATION GUIDELINES:

- A permit for specific shoreland or foreshore structures may be issued on an annual basis (April 1st – March 31st) by the Ministry of Parks, Culture and Sport (PCS).
- Applications are evaluated by Parks Manager on a case by case basis in terms of their overall impact on public access and the environment.
- Allocation of vacant foreshore may be made in consultation with the local cottage association.
- Conditions may be applied to the permit as prescribed below.
  - Aside from authorizing right of access to park land, the permit may specify development, use and restoration conditions.
  - All structures must be properly maintained and kept in a safe, clean and neat condition;
  - Shoreland or foreshore land brush clearing or mowing will only be authorized by the Park Manager under a permit that specifies authorization to do minor clearing up to 1.83 m (6 ft) in width to provide lake access to a permitted structure. Any unauthorized clearing will require restoration by the permittee/cottage owner so that park land is reclaimed to its natural state/condition.
  - No development shall be constructed of toxic substances other than approved wood preservatives.
  - Developments placed in or on the water must not use metal barrels as part of their structure.
    - A ministerial committee will be developed to provide policy review and direction to assist Park Managers.

### Stairways/Walkways/Landings

- Stairways must not exceed 1.83 m (6 ft) in width and must meet the National Building Code.
- A landing must not exceed 1.83 m by 1.83 m (6 ft X 6 ft) in size.
- Removal of vegetation will be limited to a width of 1.83 m (6 ft). To help maintain bank stability the root structure is to remain intact.
- Permittees will be responsible for removing these structures and for site rehabilitation upon cancellation of the permit.
- Walkways, not exceeding 1.83 m (6 ft) in width, may be allowed to provide access to the shoreline in order to access dispositions.

#### Boathouses/Storage Sheds/Boat Rollers

- No boathouses, storage sheds or boat rollers will be authorized.
- Existing installations authorized in writing or by the issuance of a Permit will continue to be permitted until such time as the permit is surrendered, revoked, or the structure requires replacement, whichever comes first.
- Limited repair and upkeep will be allowed to keep the structure in a safe presentable condition.

#### Docks and Other Offshore Structures

- Only one dock per applicant will be allowed except at La Ronge Provincial Park. In this park, a disposition for a second (storm) dock may be permitted.
- Foreshore structures must be marked with No Diving sign, the owner's name, permit# or lot and block number as per Park Manager's request.
- Docks shall be constructed perpendicular to the shoreline with a single anchoring point.
- Docks must not exceed 1.83 m (6 ft) in width and can only be as long as is necessary to ensure sufficient water depth. Except in the case of shared multiple slip structures which must not exceed 30 m (100 ft) in length.
- It is preferred that docks are located a minimum of 6.15 m (20 ft.) from any existing dock, or other structures. Local situations and demand may dictate less than a 6.15 m (20 ft.) separation.
- In approved situations where access is an issue, shared, multiple slip docks may be designed in a "T" or an "L" formation to increase the density of use.
- In approved situations where access is not an issue, a widening of the dock may be permitted to create a sitting area, not larger than 6 m<sup>2</sup> (64 sq. ft.). An additional charge will be payable for this development.
- Seasonal removal of docks will be at the permittee's discretion. Structures must be stored on the owner's property or in an area approved by the Ministry of Parks, Culture and Sport.

Figure 1 – Foreshore/Shore land Diagram

