

**Provincial Park
Commercial and Institutional
Directives
2022**

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DEFINITIONS

3-Piece Washroom - A washroom with three plumbing fixtures: a sink and a toilet, plus one shower/bath.

Accessory Building – A non-habitable structure for the storage of equipment and supplies used in maintaining the principal building and its grounds or for parking (garage).

Altering or Altered – A structural change such as an addition to the area or height, or the removal of part of a building, or any change to the structure.

Boat – All powered and non-powered watercraft, including houseboats (does not include paddleboats, canoes, or kayaks).

Camping Unit – A vehicle or structure that is or may be used as a temporary living quarter or shelter and includes: motor home, cabin trailer, camping van, tent trailer, or truck camper. Must be on wheels and on license.

Commercial Vehicle – Large fleet and industrial vehicles primarily used for business purposes and bearing a company logo, i.e., septic truck, water hauling truck, etc., (cars, vans, and Saskatchewan Light Duty rated vehicles are exempt from this definition). Saskatchewan Light Duty rated trucks include Class 1, 2 and 3.

Development – Any improvements or alterations that require a development/building permit.

Development Freeze – Only allows for structural changes to be made in encroachment situations which do not increase the element of non-compliance and which otherwise comply with the directives (freeze also allows for regular maintenance such as painting, shingles, interior decorating).

- **Total Lease Area Freeze** – Will apply in cases where a permanent structure is in trespass and will remain in place until such time as the trespass situation has been addressed.
- **Structural Freeze** – Will apply to encroaching structures that do not comply with current development directives.

Development/Building Permit – An official document that gives authorization to build on park land or make changes to a structure.

Encroachment – Any building or structure extending into the setback area of the lease area boundaries.

Fabric Covered Storage Structure – Pre-manufactured steel framed, fabric covered structure generally used for storage. Not intended to include non-permanent structures such as gazebos, dining tents or screened enclosures for habitation.

Firewood Shelter – An open structure whose primary purpose is the storage of firewood.

Footprint Area – The entire area of ground covered by permitted structures.

Foreshore – Park land located between the high and low water levels of lakes and streams.

Grade – The lowest of the average levels of finished ground adjoining each exterior wall of a building, except that localized depressions, such as vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground.

Grandfather – Any building or structure allowed to remain in its present state and location unless it is a risk to public safety, until it is replaced, altered (not including normal maintenance) and/or a development/building permit is required.

Holding Tank – A sealed tank designed to resist leaks that provide containment of solid sewage waste but provides no separation of solids.

Indoor Furnishings – Furniture and appliances usually kept indoors to make the building or camping unit comfortable for living. Includes but not limited to couches, upholstered chairs, dressers, beds, fridges, stoves, and ovens.

Kitchenette – a small cooking area, which usually has a refrigerator and a microwave, but may have other appliances.

Lease Boundary Map – A document outlining the extent of the leased area using geolocations, landscapes and/or measurements.

Manufactured Home – A type of housing unit constructed to meet Canadian Standards Association (CSA) standards that is largely assembled in factories then transported to site of use then placed on a permanent foundation.

Mobile Home – A trailer coach similar to a manufactured home constructed to meet CSA standards which are built on a non-removable steel chassis.

Modular Home – A factory built home manufactured as a whole or modular unit to CSA standards and is designed to be moved on a removable chassis.

Non-Permanent Structure – On skids, easily moved and cannot be attached to the ground or have utilities of any kind running from it.

Park Model – A recreational unit that is built on a single chassis mounted on wheels and is designed to facilitate relocation from time to time. It is designed as living quarters for seasonal camping only and may be connected to those utilities necessary for operation of installed fixtures and appliances.

Pre-Approval – Written authorization received by the designated licensed building official prior to relocation of a ready to move a building into a provincial park.

Ready To Move (RTM) – Ready to move homes are a one piece single detached unit constructed offsite to meet the NBC requirements then delivered to a new site and placed onto a permanent building foundation.

Sea Can – A pre-built metal container originally designed and or constructed for the purpose of storing or transporting cargo.

Septic Tank – Underground sewage and waste-water system that disposes of filtered waste, separating the solids from the liquids. It allows solid waste to break down into wastewater, so it leaves the system as a liquid.

Setback – The reserved area on the perimeter of the property within which building structures are prohibited.

Shoreland – 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.

Structure – The building.

Trailer – A structure that is erected on a chassis which has attached wheels and is designed primarily for transport behind a vehicle.

Trespass – Any building or portion thereof is extending on, over or across the property boundaries onto streets, lanes, green spaces or neighboring property.

DEVELOPMENT DIRECTIVES

1. Buildings & Structures

- No building or structure shall be constructed within the following setback areas:
 - Within 30m (100ft) of the high-water mark of any nearby waterbody.
 - Within 20m (65ft) of boundary lines along borders to undeveloped properties.
 - Within 5m (16ft) of boundary lines along borders to developed properties.
 - Or as illustrated on approved lease boundary maps.
- All new buildings and structures greater than 10m² (100 ft²) will require a Building Permit as per clause 8 below.
- In addition to the above setback restrictions identified, please refer to clause 2 (Permitted Encroachments in Setbacks) when considering development on commercial properties.
- The Ministry of Parks, Culture and Sport (PCS) identified safety issues must be addressed immediately.

2. Permitted Encroachments

- **Roads, Pathways and Parking Lots**
 - Subject to ministry approval, roads, pathways and parking lots may project into the setback area, given that the roads and pathways are built in a manner to keep the impact of the setback as minimal as possible.
- **Signs**
 - On and offsite signs shall conform to setback requirements stated by the Ministry of Highways and Infrastructure where required.
 - Signs shall conform to Sask Parks Policy.
- **Fences, Hedges and Gates**
 - Must be within lot boundaries unless written approval to construct on Park land.

3. Moving Buildings on to Commercial Leased Areas

- A development/building permit must be obtained and is required as pre-approval by a PCS designated licensed building official (ministry recommends prior to purchase of any building that a development/building permit is obtained).
- Design drawings for new RTM Type buildings (Modular Homes, Manufactured Homes, Sea Cans, Mobile Homes, Park Models, etc.) must be submitted with the development/building permit application and all buildings must be placed on a permanent foundation within the park.
- Development/building permit applications for all used buildings must be accompanied by an inspection report prepared by a licensed Saskatchewan building official.
- Additional permits required from PCS prior to relocation of buildings into the park may include:
 - Special Conditions Permit.
 - Permit to Construct.
 - Work Authorization.

4. Control of Grade Elevations

- Prior to the construction, the lessee is responsible to ensure that average grade elevation on all sides of the leased area promotes proper drainage of rainfall and snowmelt between adjacent properties and roads or alleys.

5. Green Space

- All trees, shrubs and grasses planted require to be approved by the local park official.
- Any planned external irrigation must be serviced by a separate, non-potable water supply.

6. Leased Area Adjustment

- Adjustment of leased area boundaries will only be considered for two scenarios:
 - To rectify trespass/encroachment issues on existing structures that were built prior to July 1, 2022, as outlined on page 12.
 - As part of a PCS approved expansion project.
- In the event the affected lessee will not agree to a lease boundary adjustment, the offending structure may remain with a total lot freeze until such time as the affected lessee requires that land for an approved permanent structure.

7. Development Freeze

- A development freeze may be placed on structures constructed prior to July 1, 2022, which are identified to be in trespass or encroaching in the property setback areas. A development freeze will only be removed after the non-conforming structures are brought into compliance.
- A structural freeze will apply to structures that are encroaching into the setback area.
- A structural freeze allows for structural changes to be made in encroachment situations which do not increase the element of non-compliance and which otherwise comply with the directives (freeze also allows for regular maintenance such as painting, shingles, interior decorating).
- A total leased area freeze will apply in cases where a permanent structure is in trespass and will remain in place until such time as the trespass situation has been resolved.
- Structural changes to buildings in trespass will not be considered, unless the change results in full compliance.
- PCS will provide a documented reason for the development freeze.
- If the lessee assigns the commercial lease and the new lessee keeps the present structures, the development freeze continues to be in effect.

8. Permit to Construct/Building Permit

- A Permit to Construct/Building Permit is required for any structural development or construction on the commercial lease (i.e., new building or structures (including decks), repairs that change or affect the structural integrity of an existing building or structure, moving or removal of an existing building or structure, sidewalks, driveways and any other activity that requires a grade adjustment to the lot.
- Permit to Construct/Building Permit applications should be submitted to the Business Development Unit.

- Permits to Construct/Building Permits becomes valid only after receipt of a copy endorsed by the designated licensed building official and/or the Business Services representative.
- Designated licensed building official will provide an Inspection Schedule. It is the lessee's responsibility to coordinate all building inspections with the designated licensed building official.
- Permits to Construct/Building Permits are not required for the following:
 - Buildings or structures less than 10m² (100ft²).
 - Landscape and/or grade adjustments.
 - Decks lower than 600mm (2ft) from the ground to the walking surface.
- In addition, other permits may be required (plumbing/electrical/mechanical/septic).

9. Work Authorizations

- Work Authorizations are required for any projects that may alter the landscape of the area. Projects requiring Work Authorizations include but are not limited to:
 - New campgrounds/expansions.
 - New road developments/rehabilitations.
 - New Buildings and/or infrastructure that will take up previously undeveloped land.
 - New or expanding trails where clearing is required.
 - Any linear developments or other vegetation or ground disturbance activities.
 - Creation or modification to water, irrigation, or sewage works.
 - Development of marinas.
- The property line is obtained from all lessees involved/impacted and provided to a local park official.

10. Heritage Clearance

- All projects must receive clearance from the Heritage Conservation Branch prior to proceeding with construction.

11. Water and Sewage Systems

- All new septic tanks, holding tanks and water systems, must conform to the regulations and requirements set out by the local Saskatchewan Health Authority or the Water Security Agency.
- Lessee is responsible to obtain all necessary permits/approvals for the proposed installation.

12. Electrical Systems

- All new electrical systems must conform to the regulations and requirements set out by SaskPower.
- Lessee is responsible to obtain all necessary permits/approvals for the proposed installation.

13. Natural Gas Systems

- All new natural gas systems must conform to the regulations and requirements set out by SaskEnergy.
- Lessee is responsible to obtain all necessary permits/approvals for the proposed installation.

14. New Rental Accommodation Units

- All new rental accommodations units shall include a 3-piece washroom and kitchenette as a minimum.

15. New Campsites Developments

- In areas where service is available, new campsite developments must include hook up for water, sewer, and power. A minimum of 50 Amp electrical service is required.
- Minimum RV campsite lot dimension is 12m x 21m (40ft x 70ft).
- A 2-bay washroom with a toilet, sink, and shower shall be constructed for every 50 campsites developed.
- A defined vegetation buffer of a minimum 5m (15 feet) shall be between sites and shall contain natural trees, plants, shrubs, or grasses to the area.

16. Playground Equipment and Surfacing

- All new playground equipment and surfacing must conform to the regulations and requirements set out by the CSA Group.

17. Hot Tubs and Pools

- All public hot tubs and pools must conform to the regulations and requirements set out by the Saskatchewan Health Authority.

18. Foreshore Construction

- All activities, uses and development of shoreland and foreshore lands within provincial parks and recreation sites require a Permit to Construct, and will only be accepted/issued in the name(s) of the commercial lessee who holds a provincial park land disposition.
- The Lessee must follow the requirements of any regulatory body, including but not limited to:
 - 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 a dock fact sheet proving that an Aquatic Habitat Protection Permit is not required.
 - 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.
 - 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.).

CONSTRUCTION IN PARKS

1. Responsibility of the Lessee

- The Lessee must engage in the services of any licensed or otherwise qualified professionals or consultants to complete construction if applicable.
- Acquire and install all materials required for construction.
- Obtain all necessary approvals, licenses and permits required by other organizations outside PCS.
- The Lessee is responsible for keeping the site safe and secure during construction and will be considered the prime contractor during construction.

2. Temporary Access Roads

- If required, the Lessee shall construct and maintain all temporary roads required for the completion of the work. Temporary roads shall be limited to locations and type approved by PCS.
- Following completion of the work, all temporary roads shall be removed and the site shall be properly remediated.

3. Park Owned Infrastructure

- A Park Manager, or their delegate, must be contacted prior to completing work connected to Park owned Infrastructure including, but not limited to:
 - Water lines.
 - Sewer lines/septic systems.
 - Power lines.
 - Roadways, trails and parking lots.
- Any damage shall be repaired at the Lessee's expense.
- Meters and back flow prevention must be installed directly in line after the connection to existing park infrastructure.

OPERATING PROVISIONS FOR CAMPGROUNDS

1. Camping Units

- Each campsite is permitted the following:
 - One camping unit (a tent, tent-trailer, camper, camper-truck/van, camping trailer or motorhome).
 - One small tent.

2. Fence/Hedge Height Restrictions:

- Height of a fence or hedge above grade measured at any point along the fence line shall not exceed 1.8m (6.0ft).
- Where the lessee chooses to place fencing between individual sites, all fencing must be provided and constructed by the Lessee, not the individual campsite owners.

3. Accessory Buildings

- One storage shed and one gazebo is permitted per campsite.
- Maximum shed and gazebo size allowed is 10m² (100 ft²).
- All accessory buildings must be approved by the campground operator prior to installation.
- Fabric covered storage structures will not be allowed.
- Firewood shelters are not considered an accessory building and must store less than half a cord (1.2m x 1.2m x 1.2m or 4ft x 4ft x 4ft).

4. Decks

- Only uncovered decks or platforms lower than 600 mm (2 ft) from the ground to the walking surface will be allowed.
- Maximum size of deck shall be 40m² (400 ft²).

5. Portable above ground grey water/sewage holding tanks

- Where required, grey water/sewage must be contained and disposed of at disposal sites. Disposal of grey water/sewage on the ground is strictly prohibited.

6. Furniture

- Indoor furnishings and appliances are strictly prohibited outside of camping units.

7. Firewood

- All firewood used by campers must be supplied by the Lessee.

8. Hot Tubs and Pools

- Hot tubs and pools will not be permitted by individual campers.

GENERAL OPERATING PROVISIONS

1. Storage of Licensed Vehicles or Boats

- Storage must be confined to campsite, parking areas, or storage facilities.

2. Commercial Vehicles

- Commercial vehicles may be on the leased area, provided they do not exceed Saskatchewan's Light Duty Truck rating and the vehicle is operated by an occupant of the lot. Saskatchewan Light Duty rated trucks include Class 1, 2 and 3.

3. Unlicensed Vehicles

- Any unlicensed vehicles, other than recreational vehicles that are not required to be registered, being used by campers and/or lessees on park land is strictly prohibited. Storage of unlicensed vehicles will be permitted in designated storage compounds only.

4. Fence/Hedge Height Restriction:

- Height of a fence or hedge above grade measured at any point along the fence line shall not exceed 1.8m (6.0ft).

5. Barbeques/Fire Pits

- The fire pits must be contained in a non-combustible receptacle made of cement, brick, clay or sheet metal with a minimum 18-gauge thickness. minimum height of the fire pit is 450mm (18 inches).

6. Landscaping

- Planting of any trees, shrubs, and grasses is not permitted unless approved by the local Park Manager.

7. Shipping Containers

- Installation of a shipping container (sea can) on park land will require prior approval of PCS through the application of a Building Permit.

Equipment or structures not specifically outlined in the general operating provisions will be required to be reviewed/approved the Business Unit/Park Manager.

GRANDFATHERING/ENCROACHMENT/TRESPASS RESOLUTIONS PROCESS

As many structures do not conform to today's standards for developments on provincial park commercial lessee properties, PCS developed the following processes to achieve compliance once trespass and/or encroachment issues have been identified.

To assist in achieving compliance, PCS has developed commercial directives covering the key footprint requirements along with operating provisions containing content similar to municipal documents. The directive requires lessees to bring the existing development into compliance before any new development can take place. In some cases, non-compliant structures may be grandfathered and the lease may be renewed or assigned subject to a development freeze.

1. Grandfathering

- When a structure does not conform to current building codes/standards, the following options are considered:
 - Permanent structures situated on the property prior to July 1, 2022 will be grandfathered as long as the structure does not pose a threat to public safety. Structural changes to non-compliant structures that are not in trespass will be reviewed upon application for any development/building permit and may be allowed as long as the changes do not increase the element of non-compliance and as long as the changes otherwise comply with the current Directives. Structural changes to structures in trespass will not be considered.
 - There will not be a grandfathering option for any non-compliant structures situated on the property after July 1, 2022. These structures will be required to be brought into compliance.
 - Trespassing or encroaching permanent structures that are grandfathered may impact new/proposed development on an adjacent property (space available for development may be impacted due to NBC requirements for separation between buildings). PCS may become involved to aid in the mitigation of these problems on behalf of the lessee of the adjacent property upon receipt of a development/building permit application from the impacted property. The lessee of the adjacent property would be provided an opportunity to appeal any conditions placed on permit approval related to the boundary infringement. Upon successful appeal, the lessee with the Trespass/Encroachment situation may be required to bring the structure into compliance which could include relocation or other building alterations.

2. Trespass:

- When the offending structure, or a portion of the structure, is located off the leased property, the following options are considered:
 - Move the non-conforming structure on to the leased property so it complies.
 - Totally remove the non-conforming structure from the property.
 - For structures constructed prior to July 1, 2022, lease boundary adjustments may be permitted upon mutual agreement between the Ministry and affected lessees.
 - Total lot development freeze will be applied until the trespass is brought into compliance.
 - For structures constructed after to July 1, 2022, lease boundary adjustments will not be permitted.

3. Encroachment:

- When all or a portion of the structure is located in the setback area, but not off the property, the following options are considered:
 - Move the non-conforming structure outside of the setback area so it complies.
 - Totally remove the non-conforming structure from the property.

- Structures constructed prior to July 1, 2022, which are encroaching will have a structural development freeze placed on them that will be removed once the non-conforming structures are brought into compliance.
- In an encroachment situation where a structural development freeze is placed on a structure, structural changes are allowed as long as they do not increase the element of non-compliance and are known to otherwise comply with the directives.
- Structures constructed after July 1, 2022, which are found to be encroaching will be required to be moved as soon as possible and brought into compliance.