



**Town of La Ronge**  
**SHORELINE USE AND DEVELOPMENT POLICY**

Number:	
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Council Resolution	2019-417
Revisions	
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**1 Purpose**

The purpose of this policy is to augment the regulations contained in the Zoning Bylaw for shoreline use and development, leasing and permits, guide implementation in policy change and encourage consistent application across the municipality. Additionally, this policy will establish record of all developments on municipal shoreline lands.

**2 Authority**

Provincial and Federal Authority

Anywhere development is on the bank or above the bed of the lake, regulatory oversight is under the jurisdiction of Ministry of Environment, Water Security Agency (within 5 metres of the bed, bank or boundary), and the Ministry of Parks, Culture and Sport.

The provision, ownership, use and sale of dedicated lands are governed by *The Planning and Development Act, 2007* (PDA), and *The Dedicated Land Regulations, 2009* (DLR). *The Northern Municipalities Act, 2010* (NMA), defines the role of council in decisions relating to the sale or lease of dedicated lands.

Town of La Ronge Official Community Plan and Zoning Bylaw

Hazard Lands

Many uses compete for the limited shoreline space in the Town. A number of privately and publicly owned parcels on the shoreline were surveyed to the bank of the lake, and are at risk of flooding, located below the Estimated Peak Water Level as seen on Figure 9: La Ronge Flood Hazard Map in the Town of La Ronge Official Community Plan (OCP). The Town recognizes this historic development pattern and has policies in the OCP to address future development concerns in these areas.

Shoreline Uses

Boat docks, where on privately or publicly owned lands (within the municipal boundaries), are a type of development that is regulated in Bylaw No. 572/16 *Town of La Ronge Zoning Bylaw* (Zoning Bylaw). Boat docks are a use, and are permitted in the R1 – Low Density Residential district, the RP – Recreation and Park district, and as a discretionary use in the C3 – Shoreline Commercial district. See section 6 Background for discussion of the regulations contained therein.

**3 Applicability**

Applicable to all municipal shoreline and upland parcels adjacent to the lake, including but not limited to municipal parks and streets, administered by the Town of La Ronge. This policy guides decision making of Mayor, Council, and Administration regarding shoreline leases and permits including, but not limited to: use of land; private docks; communal docks; geothermal lines; and shoreline storage.

## **4 Responsibility**

### **4.1 Town Council is responsible for:**

- (a) Decisions specific to the sale or lease of municipal park land or dedicated lands (s145 NMA);
- (b) Future planning direction and policy for the improvement of municipal lands, and land use in compliance with all applicable provincial legislation (such as *The Statements of Provincial Interest Regulations*).

### **4.2 Town Administration or designate(s) is responsible for:**

- (a) Receiving and responding to requests related to leases, development and changes in use of municipal shoreline and upland parcels adjacent to the lake;
- (b) Reviewing and evaluating proposed development and changes in use of municipally controlled shoreline lands administered by the Town of La Ronge;
- (c) Preparing a background report and presenting to Council requests for the sale or lease of municipal shoreline and upland parcels adjacent to the lake
- (d) Ensuring that applications comply with all applicable Town of La Ronge Bylaws and policies, and all provincial and federal legislation.
- (e) Enforcement related to dock permitting, land use, and Upland Shoreline Lease Agreements.

## **5 Definitions**

For the purposes of this policy, the following definitions are used:

**COMMERCIAL DOCK:** a dock providing access for commercial business(es) or multiple individuals to their vessels. Typical examples include float plane base docks, and marinas offering slips for rent that are not defined as a Residential Use Dock.

**DEDICATED LANDS:** Dedicated lands include buffer strips, environmental reserves, municipal reserves and walkways. Generally noted by legal land descriptions in land titling system with parcel designators PR, MR, ER, or R. These lands are and subject to the PDA and the DLR.

**DOCK:** a structure used for the purpose of mooring vessel(s) and for providing pedestrian access to and from moored vessel(s) and can consist of a single dock, wharf or pier, including walkway and access ramp.

**LESSEE:** a person or persons whom have right to land or improvements as an occupant, tenant or mortgagee of a property parcel, through agreement with a property owner and are responsible for tax or taxes of the municipality

**MUNICIPAL RESERVE (MR):** see DEDICATED LANDS.

**MUNICIPAL SHORELINE:** municipally owned or controlled lands within the Town boundary and abutting Lac La Ronge. These lands may be regular surface parcels, or may be dedicated lands and does not include shoreline that is administered by a provincial ministry or agency.

**MUNICIPAL PARK LAND:** Lands designated in the OCP Future Land Use Maps, as Recreation and Park use, and land zoned as RP-Recreation and Park in the Zoning

Bylaw.

**RESIDENTIAL USE DOCK:** Docks permitted through the Zoning Bylaw located on dedicated lands and associated with an R1 – Low Density Residential District lakeview property, or a C3 – Shoreline Commercial District property with an existing legal non-conforming residence.

**RIPARIAN AREA:** the transition zones between land and water environments located along streams, lakes, springs, and coulees. Characterized as plant communities different from terrestrial upland vegetation.

**SHORELINE:** the line where a waterbody meets land.

**UPLAND SHORELINE LEASE:** an area as defined within a lease agreement between the Town and a lessee where permissions are granted for the use of municipally controlled or owned land. Leased lands may be on municipal reserve, and are subject to all applicable legislation.

## **6 Background**

The Town of La Ronge has historically regulated access to personal and commercial docks along municipal reserve lands and other municipally controlled shoreline adjacent lands in a number areas. Municipal Reserve and municipal park land may be used for open space, parks, recreation facilities, public buildings, schools, natural areas and horticultural or agricultural uses. Within Town, there are a variety of uses meeting the shoreline, and on land that is both municipally and privately owned.

Important to all decisions impacting the shoreline, is the need for the Town to protect its potable water supply. The regional water corporation draws from the lake to supply the Water Treatment Plant. Large pollutants are filtered out, but smaller pollutants can still enter the system, impacting the efficacy and safety of potable water treatment. Reducing the amount of pollutants entering the water begins with regulating development immediately along the shoreline.

Boat docks are currently a permitted use in 3 districts - the R1 and RP districts as permitted uses, and in the C3 district as a discretionary use. Of note in these regulations, is that one floating (temporary/seasonal) dock is permitted per adjacent lakeview lot if that adjacent residential property line is less than 50m from the bank of the lake. This regulation, adopted in 2016 as part of the Zoning Bylaw, removes the need to lease municipal reserve to access a residential use dock. Section 4.31 of the Zoning Bylaw provides for all regulation related to shoreline development, and should be read in its entirety in conjunction with this policy (See APPENDIX).

## **7 Policy**

### *Purchase, Sale, Lease and Development*

- 7.1 Municipal shoreline parcels should be preserved for public use and are not encouraged to be exchanged or sold, except where a defensible case can be made presenting that the land is not valuable as part of the public inventory. If land is to be exchanged or sold, the Town will strive to maintain or increase the land inventory.
- 7.2 The Town will consider the purchase and dedication of any waterfront parcel up for private sale, to increase municipal control of the waterfront and increase public access to the shoreline.

- 7.3 Council and Administration will consider all applicable policies contained within section 5.6 in the OCP in addition to those contained within this document for all applications or petitions proposing change of use or development at the shoreline.
- 7.4 Where applicable, applications shall provide proof of compliance with applicable legislation. Examples may include:
- Water Security Agency Aquatic Habitat Protection Permit
- 7.5 Upland Shoreline Lease Agreements, in all cases, must address:
- The specific use(s) the agreement is being entered into for;
  - Reference to any conditions of permitting for temporary developments;
  - Maintenance standards;
  - Public liability insurance requirements; and
  - Any sublease provisions.
- 7.6 Council will only issue time-limited leases (5 year maximum) or permits for municipally controlled or dedicated lands adjacent to the shoreline that include provisions for, but not limited to, extension of the lease or permit, protection of sensitive areas; alteration of shorelines, removal of developments, and remediation of the site.
- 7.7 Consideration of all requests for Upland Shoreline Leases shall consider:
- (a) That there will be no permanent development on municipal land;
  - (b) Proposed alteration of the shoreline;
  - (c) Compatibility of the proposed use with the land, and adjacent lands; and
  - (d) How the use will impact public access to the shoreline, and the inventory of municipal shoreline lands.
- 7.8 Upland Shoreline Leases shall ensure that:
- (a) Development carried out be temporary/removable once the lease is terminated; and
  - (b) Development carried out be compatible with the current or future use of the public reserve or municipal reserve;
  - (c) Public access will be maintained. However, where warranted by the use provided for in the lease, landscaping or other means to manage public access onto that portion of municipal reserve may be part of the agreement.
- 7.9 Lease rate calculation will be determined by resolution of Council, reviewed and set periodically, taking into account market value of the land, value of the land to the public inventory, adopted or endorsed future land use and related plans, and market tolerance of the price set. Pricing will be appended to this policy by resolution of Council when set.
- (a) Recognizing that larger lease areas are required and are more intensively used for commercial purposes, a different lease rate may be set for leases 15,000 square feet (1393.5 square metres) and greater in size. Lease areas less than 15,000 square feet are recognized being more likely for domestic purposes, and used less intensively.
  - (b) Where there is a dispute between the Town and the lessee regarding the calculation of the site size or the market value assessment of the lease rate, the lessee may engage a qualified professional, at their expense, to provide a proposed site size calculation or market value. The lessee must provide Council an original copy of that assessment for their consideration.
- 7.10 Any individual building, facility or structure on municipal shoreline lands shall be no larger than a floor area of 9.29 m<sup>2</sup> (100 ft<sup>2</sup>).
- 7.11 There shall be a maximum of two (2) of buildings, facilities, or structures on an individual

upland shoreline lease. There shall be no buildings, facilities or structures other than permitted docks placed on unleased municipal shoreline lands by any individual or business other than the Town of La Ronge.

- 7.12 The storage of docks on dedicated lands may be permitted as a condition of a Development Permit, and will adhere to the following requirements:
- (a) The dock shall be stored in a location on the parcel approved and documented by the Town of La Ronge Administration;
  - (b) The dock, once moved to the storage location must be conspicuously marked with flexible poles and high visibility flag tape or reflective markers visible above typical snowpack;
  - (c) If at any time the stored location of the dock is identified as a public safety hazard, the dock owner will be responsible for all costs and actions required for its relocation.
- 7.13 The following Dock Guidelines and Evaluation Criteria shall be used by Town Administration or designate when reviewing an application for a dock on municipal dedicated lands:
- (a) All docks
    - Shall conform with section 4.31 Shoreline Development in Bylaw No. 572/16 *Town of La Ronge Zoning Bylaw*.
  - (b) Commercial docks
    - Are defined in the Definitions section of this policy;
    - All commercial docks shall be associated with an adjacent C3 – Shoreline Commercial District zoned lakeview property;
    - Shall be considered where direct access to the water is integral to the use, such as for float plane businesses, or commercial marinas;
    - Shall be required to enter into an Upland Shoreline Lease with the Town, ensuring conditions of property maintenance and remediation after lease expiration.
  - (c) Residential Use Docks – Private Property
    - No more than one dock and one boat lift shall be permitted per property;
    - Docks and gangways must be placed a minimum of 3 metres from side lot lines and not extend past projected side lot lines;
    - Docks shall be minimum of 5 metres from another dock, this requirement may be reduced if satisfactorily demonstrated to the Town Administration due to geographical circumstances and with permission of the adjacent dock owner(s).
  - (d) Residential Use Docks – Municipal Property
    - Shall not exceed 3.66 metres (12 feet) in width where attached to the shoreline, and can only be as long as is necessary to ensure sufficient water depth for mooring;
    - Dock applications for joint use or community dock facilities from private individuals will be considered with preference over dock applications that serve individuals;
    - Applications for docks shall be associated with an existing property belonging to the lessee on the Town of La Ronge Tax Roll;
    - Per section 4.31 of the *Zoning Bylaw*, the total number of docks along the municipal shoreline shall not exceed the number of lakeview properties, (exclusive of private properties that meet the shoreline).

### *Access and Municipal Use*

- 7.14 Public access to dedicated lands shall not be restricted by a lessee or permittee.
- 7.15 Public utility infrastructure may be located on any dedicated land as long as the land can still be used for its original purpose.

### *Prohibited and Hazardous Uses*

- 7.16 Excluding municipal facilities, developments prohibited on shoreline dedicated lands include:
- Private uses (restricting access, permanent development, etc.);
  - Septic tanks;
  - Removal of live trees except for public safety purposes and with appropriate permitting.
- 7.17 Any building, facility or structure which includes storage of gasoline, fuel or hazardous material shall be located above the safe building elevation (where that information is available), and shall be constructed with the most current safety standards. The Town reserves the right to inspect any hazardous development on municipal lands, and serve notice requiring upgrading of safety features.
- (a) The Development Officer may request a copy of the Permit to Operate for the building, facility or structure for the storage of gasoline, fuel or hazardous material regulated under the *Hazardous Substance and Waste Dangerous Goods Regulations* as part of the Upland Shoreline Lease;
- (b) Where fuel or hazardous material storage is exempt from *Hazardous Substance and Waste Dangerous Goods Regulations*, the Town of La Ronge shall impose conditions as part of a Development Permit or Upland Shoreline Lease that any building, facility or structure for the storage of gasoline, fuel or hazardous material will meet standards for operation and storage of materials, and meet standards for remediation of the site to previous condition before installation of said building, structure or facility.
- 7.18 A performance bond or letter of guarantee may be required to ensure the removal of developments on Upland Shoreline Leases or where the use may contaminate the land.

### *Continued Enjoyment of Existing Leases & Policy Implementation*

- 7.19 Existing lessees and permittees may continue to enjoy the same privileges as existed prior to the adoption of this policy as long as the use, and valid lease or permit is maintained without interruption of more than 2 months.
- 7.20 Should the use discontinue or change, associated property ownership change, or a lease or permit expires without renewal for a period of 2 months, the Lessee may only enjoy those privileges that conform with this policy.
- 7.21 The Town of La Ronge will make every effort to work with existing leases to bring their lease sites and uses into conformance with this policy.

## **8 Implementation**

Docks are currently a permitted/discretionary use development in 3 districts. Of note in these regulations, is that one floating dock is permitted per adjacent lakeview lot, if that adjacent residential property line is less than 50m from the bank of the lake. This new regulation, adopted

in 2016 removes the requirement to lease for the purposes of accessing a residential use dock. Upon the adoption of this policy, those with docks on municipal reserve zoned RP – Recreation and Park, and those with docks on C3 – Shoreline Commercial or R1 – Low Density Residential properties shall be required to submit a permit application for their dock, and have a development permit issued with appropriate criteria as set in this policy.

Current lessees will experience lapse of their leases at the end of 2019, and the Town will provide them with the necessary information to apply for permits. Prior lessees may request new leases relevant to each circumstance. Lakeview and lakefront property owners will all be required to obtain a permit for their dock, and pay the appropriate development permit application fee.

Dock permits will be issued as a 'permitted use' development on municipal land. The permit will apply to all types of dock development and specify if the dock will be removed in the winter months or remain in place. Dock owners will be requested to notify the Town in writing when the dock is placed and removed from the shoreline.

Where current lessees use and wish to maintain their lease for the upland shoreline area on municipally controlled lands, the lessee shall notify the municipality. The adoption of this policy will serve as implicit Council approval to all leases where such notification is received. The transition to this policy will not be considered an interruption of a valid lease.

Where a dock exists at the time of adoption of this policy in any zoning district, and either private or public property, the Town will strive to facilitate permitting and provide a reasonable grace period from its adoption for dock owners to apply and receive their permit starting in the year 2020.

Enforcement, where required, shall be undertaken per section 3.16 of Bylaw No. 572/16 *Town of La Ronge Zoning Bylaw*, and section 242 of *The Planning and Development Act, 2007*.

## **9 Legal Reference**

*Town of La Ronge Official Community Plan Bylaw No. 571/16*

*Town of La Ronge Zoning Bylaw No. 572/16*

*The Northern Municipalities Act, 2010*

*The Planning and Development Act, 2007*

*The Dedicated Lands Regulations, 2009*

*The Statements of Provincial Interest Regulations*

### **Other Relevant Legislation**

*Hazardous Substance and Waste Dangerous Goods Regulations*

*The Parks Act*

*The Environmental Protection and Management Act, 2010*

**Section 4.31 Shoreline Development**

4.31.1 Council consideration of shoreline development (see Figure 24: Shoreline Development) proposals will include:

- a. known estimated peak water levels;
- b. identification of vulnerable areas;
- c. impact on aquatic life and habitat;
- d. impact on groundwater and surface drainage; and
- e. plans for preservation and restoration of the natural shoreline.

4.31.2 All applications shall include approvals, where applicable, from federal and provincial agencies charged with the protection and conservation of shorelines and water bodies.

4.31.3 Boathouses are prohibited in every district.

4.31.4 In any district where a boat dock is permitted, a boat lift shall also be permitted.

4.31.5 Docks shall not have a roof or covered structure.

4.31.6 All requirements of the PDA and Dedicated Lands Regulations shall apply on dedicated shoreline parcels.

4.31.7 In the RP - Recreation and Park District:

- a. one floating dock is permitted per adjacent lakeview lot (see Figure 24: Shoreline Development), located a distance of less than 50 m (164 ft) from the rear lot line to the bank of the lake;
- b. all shoreline developments shall be temporary;
- c. community stairs or walkways to provide public access to a waterway are permitted; and
- d. developments on dedicated lands, pursuant to the PDA, will remain accessible to the general public.

4.31.8 In any Commercial District:

- a. storage of hazardous or explosive materials will comply with all applicable legislation;
- b. marina construction and maintenance will comply with all applicable legislation and all requirements of this bylaw;
- c. no hard landscaping or gravel is allowed within 3 m (10 ft) of the bank of the lake unless berms or ground cover are put in place to prevent erosion or runoff into the lake; and
- d. no fill is to be placed in the lake. Where fill or grading takes place on the bank sloping to the lake, berms or ground cover are required to be put in place to prevent erosion or runoff into the lake.

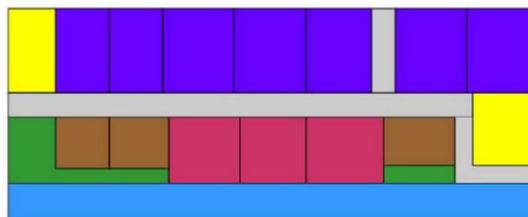


Figure 24: Shoreline Development

- Upland — has another property between it and the lake.
- Lakeview — has municipally owned dedicated shoreline between it and the lake.
- Semi-Lakeview — has a road and/or dedicated shoreline between it and the lake.
- Lakefront — parcel boundary is in common with the lake.
- Recreation and Park — municipally owned shoreline which may be dedicated and subject to *The Planning and Development Act, 2007*.
- Water — the lake.

**APPENDIX: UPLAND SHORELINE LEASE PRICE**

DATE	RESOLUTION #	PRICE (\$ per ft <sup>2</sup> / \$ per m <sup>2</sup> )	NOTES
2019	2019-383	>15,000sq ft. = \$0.10 <14,999sq.ft = \$0.05	Original motion (2019-323) was amended to this one. Previous one had a typo.
2020			
2025			
2030			
2035			
2040			