

The Importance of Shorelines

Natural shorelines provide richly diverse habitat and are an integral part of a lake ecosystem. Abundant aquatic vegetation found there not only provides habitat for fish and aquatic species, it also prevents erosion and protects shore land from ice and wave action. Trees, shrubs and grasses along a bank also protect the shore land. When these areas are disturbed by development they cease to provide erosion protection and habitat can be lost. Many cottage subdivisions have dedicated reserve land between the lots and bed of a water body. These lands provide access to water and provide a buffer between developments and the lake.

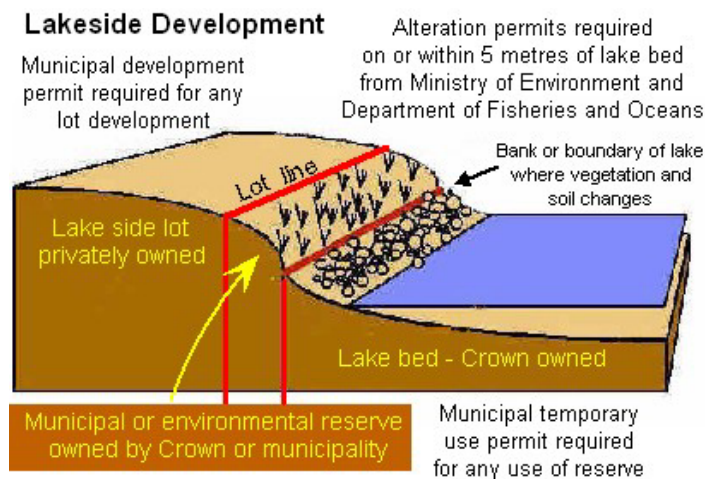
Recreational Development

As waterfront properties are landscaped with docks, decks or stairs adverse impacts on the shoreline and riparian zones must be minimized. Choice of building materials and location of developments are two of many considerations.

Shorelines are protected by *The Environmental Management and Protection Act, 2002* (EMPA). Under EMPA any person planning work near a water body must contact the Saskatchewan Ministry of Environment to:

- to alter the bed, bank or boundary of a water body or water course,
- to remove or add material to a bed, bank or boundary of a water body or water course, or
- to remove vegetation from a bed, bank or boundary of a water body or water course.

Approvals are required from the Department of Fisheries and Oceans (DFO) for work in or abutting water and from municipalities for all development. For more information or permit applications, contact the nearest office of the Ministry of Environment or Ministry of Municipal Affairs.



Expert Help

Many agencies provide waterfront stewardship publications and fact sheets for lakeside residents. Some are listed here.

- DFO, Saskatchewan Fact Sheet 2 - *Working Around Water? What You Should Know About Fish Habitat and Docks, Boathouses and Boat Launches* Fisheries and Oceans Canada (306) 780-8725
- DFO, Saskatchewan Fact Sheet 3 - *Working Around Water? What You Should Know About Fish Habitat and Building Materials* - Fisheries and Oceans Canada – (306) 780-8725

- DFO, Saskatchewan Fact Sheet 5 - *Working Around Water? What You Should Know About Fish Habitat and Shoreline Stabilization* - Fisheries and Oceans Canada – (306) 780-8725
- *Waterfront Living Brochure and Checklist* - Living by Water Project – (306) 780-9834
- *Fish Habitat Protection Guidelines - Recreational Developments* - Saskatchewan Environment and Fisheries and Oceans Canada – (306) 780-8725
- *The Shore Primer - A Cottager's Guide to a Healthy Waterfront* - Cottage Life and Fisheries and Oceans Canada – (306) 780-8725
- *The Dock Primer - A Cottager's Guide to Waterfront Friendly Docks* - Cottage Life and Fisheries and Oceans Canada – (306) 780-8725

Common Myths of Lakeshore Development

<p>I own my property right to the water's edge!</p>	<p>The majority of lake front property owners in Saskatchewan do NOT own the land right to the water's edge. In fact, if a Municipal or Environmental Reserve doesn't separate your lot from the lake, the land closest to the lake is usually the bank of the water body. The area between the bank and the waters edge, often referred to as the beach, foreshore or lakeshore, belongs to the Crown. The bank can be defined a line where vegetation or soil changes due to the water body.</p> <p>In Saskatchewan, properties are legally defined by their land title and a registered survey plan of the subdivision. It doesn't matter what the real estate agent or seller said, the land title states what you own and the survey plan illustrates the dimensions and extent of your property.</p>
<p>Municipal or Environmental Reserve is an extension of my property!</p>	<p>It is a common misbelief that if Municipal and Environmental Reserves are "publicly" owned, then it is an adjacent landowner's right to use this land for their private enjoyment. These reserves are separately titled parcels of land held in the name of the municipality or the Crown; created when the land is subdivided and are intended to provide recreation space or public access for all residents. Unauthorized developments or use of reserve lands are a trespass on another person's land.</p>
<p>I'm entitled to a view of the lake - I paid good money for my lot!</p>	<p>Even though you are privileged to own property next to a lake, it does not entitle you to a view of the lake. If a treed reserve separates your lot from the lake, you do not have the right to cut down the trees without approval! Nor may you undertake other forms of landscaping on the reserves without permits from the municipality and provincial authorities.</p>
<p>I can do what I want with my property once I've bought it!</p>	<p>As in the city, there are bylaws and development restrictions on private property. A permit from the municipality's development officer and building inspector is required for structural improvements on private property. Alteration to the shoreline of a water body requires approvals from the Saskatchewan Ministry of Environment and the Department of Fisheries and Oceans (DFO).</p>
<p>My cottage needs a sand beach to add value to the property!</p>	<p>If a sand beach was not natural an artificial sand beach is unlikely to remain where you put it. Money will be lost by replacing it year after year. Use the public beach (safer for swimming and protected from boating). Alteration to a beach, foreshore or lakeshore of a fish bearing water body requires a permit from the Department of Fisheries and Oceans and a permit from the Ministry of Environment.</p>
<p>As a lakefront property owner, I can keep people off "my" lakeshore and restrict others from using my dock!</p>	<p>Beds and shores of lakes are Crown owned public land for all to use. You cannot prevent the public from using the shore or a municipal reserve in front of your cottage. Seasonal piers and boat lifts located on a lake bed without a permit are legally a trespass on Crown land. Any structure left on public land without authority could be assumed by the public as an invitation for use. Although a private structure,</p>

	<p>it would be difficult for a cottager to initiate a civil action against someone else for using their pier, dock, or any other improvements. NOTE: The owner of such a structure is liable for them and their use by others.</p>
<p>A lake or stream is a convenient place to dispose of sewage and waste water - Because it's diluted, it won't hurt anything!</p>	<p>Streams link surface runoff from a watershed to a collection point like a lake. Wastes diluted by water in a stream will enter a lake and nutrients dissolved in the water are then available for algae growth. Wastes from residences can add considerably to the nutrient load in a lake and cause severe damage to the ecosystem and aquatic wildlife.</p> <p>Under Canada's <i>Fishery Act</i>, you may not discharge substances that may affect fish habitat. Under <i>The Environmental Management and Protection Act, 2002</i>, a permit is required from the Saskatchewan Ministry of Environment to discharge sewage or water into a water body or water course.</p>
<p>Aquatic plants in front of my lot have to go. - These "weeds" decrease the quality of my lake and the value of my property!</p>	<p>Many people consider aquatic plants like cattails and reeds as "weeds" and a nuisance. These plants, play an important role in maintaining the health of lakes. They stabilize the bed and shore, reduce soil movement and erosion, and are important habitat areas for fish, waterfowl and other wildlife. Aquatic plants also make use of nutrients in lakes that would otherwise contribute to unwanted algae growth. Too much growth, however, may limit boat access to open water. In such cases, a boat lane may be cut through heavy stands of aquatic plants, but only if an approval is obtained from the Department of Fisheries and Oceans, the Saskatchewan Ministry of Environment and, if affecting a reserve, from the Municipality.</p>
<p>A highly manicured lot in front of my cottage is the best way to landscape a lot. Regular fertilizing of the lawn at my lake shore property won't affect the quality of the lake!</p>	<p>Fertilizers promote grass growth which increases maintenance. Avoid applying fertilizers, but particularly before a rain. The fertilizer washes into the lake and promotes algae growth.</p> <p>Maintain your yard with as much natural vegetation as possible (it doesn't need to look wild). Landscape your lot based on your recreational needs. Most people don't need or use 1000 square feet of lawn. A sitting and play area with a good path to the reserve area should provide enough weekend work.</p>
<p>A septic field is good enough for getting rid of sewage and grey water!</p>	<p>In Saskatchewan, the <i>Shoreland Pollution Control Regulations, 1976</i> govern the installation of sewage systems within 457 m (1,500 feet) of the high water mark of any lake, river, stream or any other water body. Unless your residence is connected to a communal sewage disposal system, individual holding tanks must be installed and the effluent must be hauled by a licensed contractor to an approved disposal facility.</p>

For more information contact:

Saskatchewan Ministry of Environment
www.envirnoment.gov.sk.ca

or

Saskatchewan Ministry of Government
Relations www.municipal.gov.sk.ca

Southern Region

Community Planning Branch
420 – 1855 Victoria Avenue
REGINA SK S4P 3T2
Telephone: (306) 787-2725 Fax: (306) 798-0194

Central and Northern Regions

Community Planning Branch
Room 978, 122 3rd Avenue N
Saskatoon SK S7K 2H6
Telephone: (306) 933-6937 Fax: (306) 933-7720

Sources:

The Law and the Lake: Navigating Alberta's Regulatory Framework, G. Haekel
Waterfront Living, Saskatchewan Ministry of Environment
The Planning and Development Act, 2007
The Environmental Management and Protection Act, 2002
The Land Titles Act, 2000
The Fisheries Act
The Shoreland Pollution Control Regulations, 1976
The Subdivision Regulation
The Land Surveys Regulations