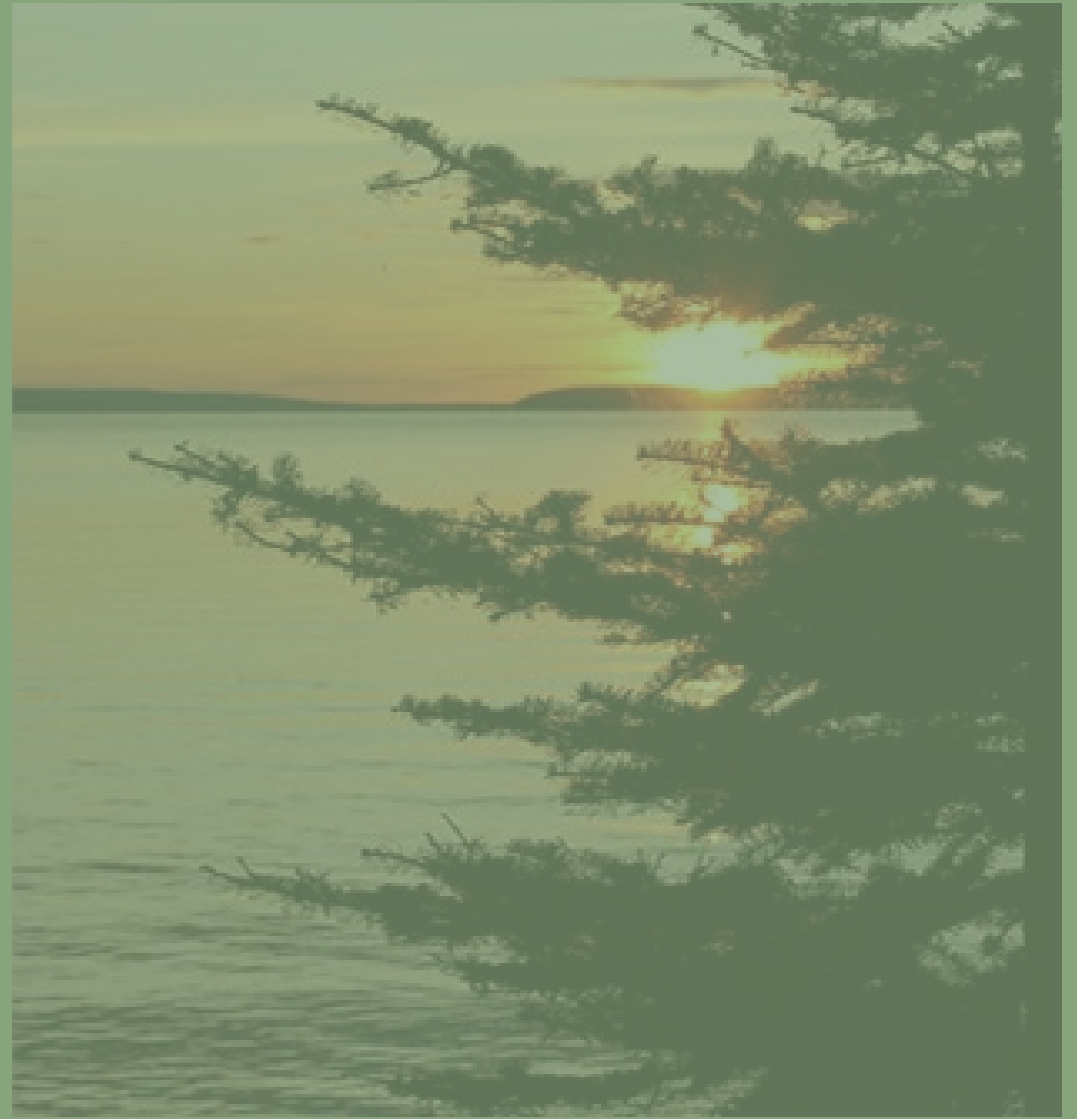

UPDATE ON COTTAGE DEVELOPMENT GUIDELINES 2025



-
- Agenda
 - Introductions
 - WSRA Presentation on Cottage Development Guidelines
 - Questions
 - PCA Presentation on Land Use Planning Regulations, Permits and Fees.
 - Questions

-
- June 13, 2022, WSRA circulated a document entitled “*Update and Summary of Draft National Parks of Canada Land Use Planning Regulations*”.
 - The document provided a high-level summary *The New Regulations* which will result in the repeal of the *National Parks of Canada Cottages Regulations* once in force.
 - The *New Regulations* came into force on October 1, 2024 but then were delayed until published in the Canada Gazette, Part II on December 4, 2024.
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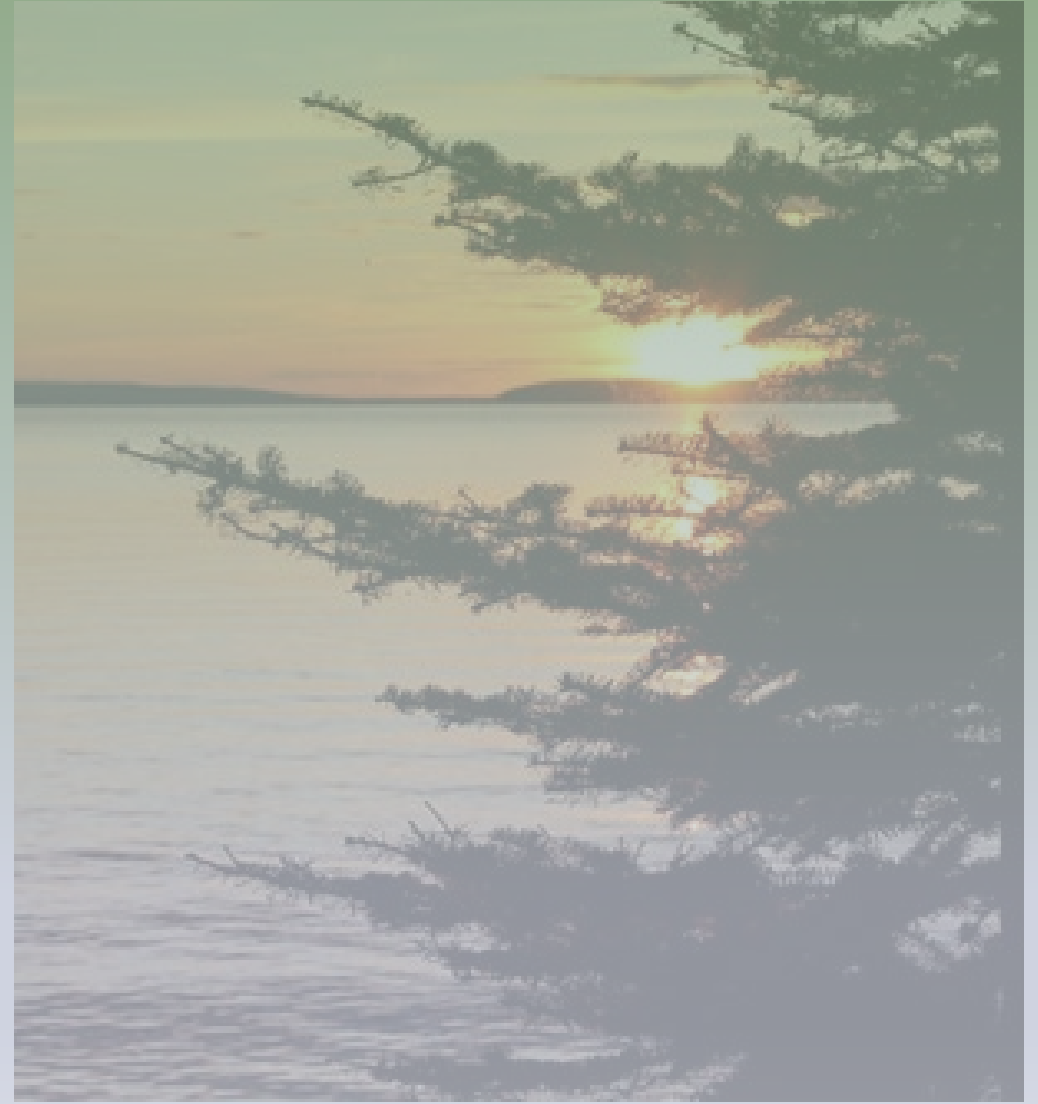
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- A joint committee of the WSRA/WCC has been working on Cottage Development Guidelines with Parks Canada Agency (“PCA”) since September 2022.

The goal was to have the Guidelines in place when the *New Regulations* come into force.

- Numerous joint meetings with PCA and separate meetings
- Multiple drafts of Guidelines

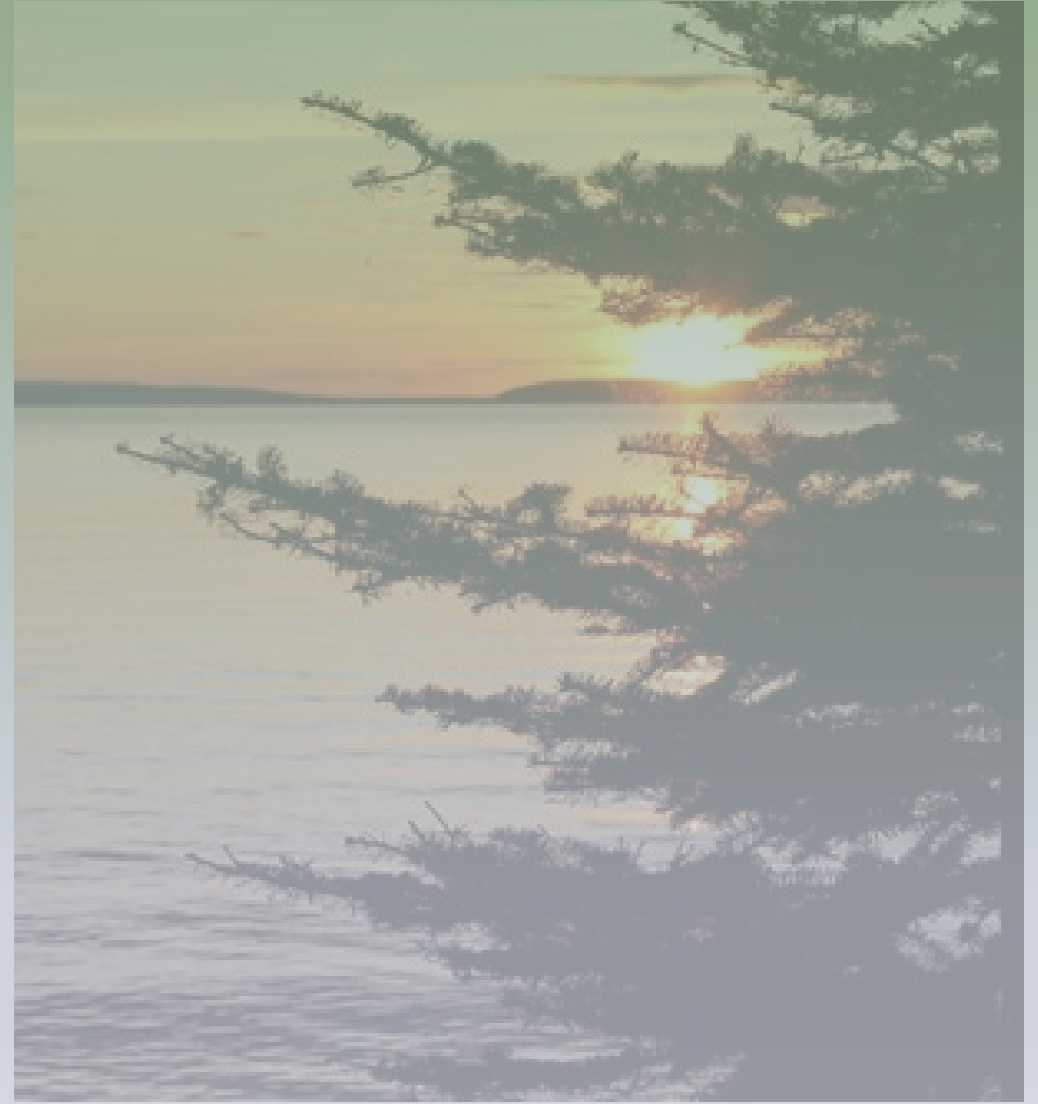
DIFFERENCE: NEW REGULATIONS V GUIDELINES

- Although Regulations are not made by Parliament, they are laws that can be enforced as laws and can only be changed through a regulatory government process.
- Guidelines are summaries or agreements regarding how Acts or Regulations are to be interpreted and applied – Do not have the force of law and can be changed unilaterally or by agreement.



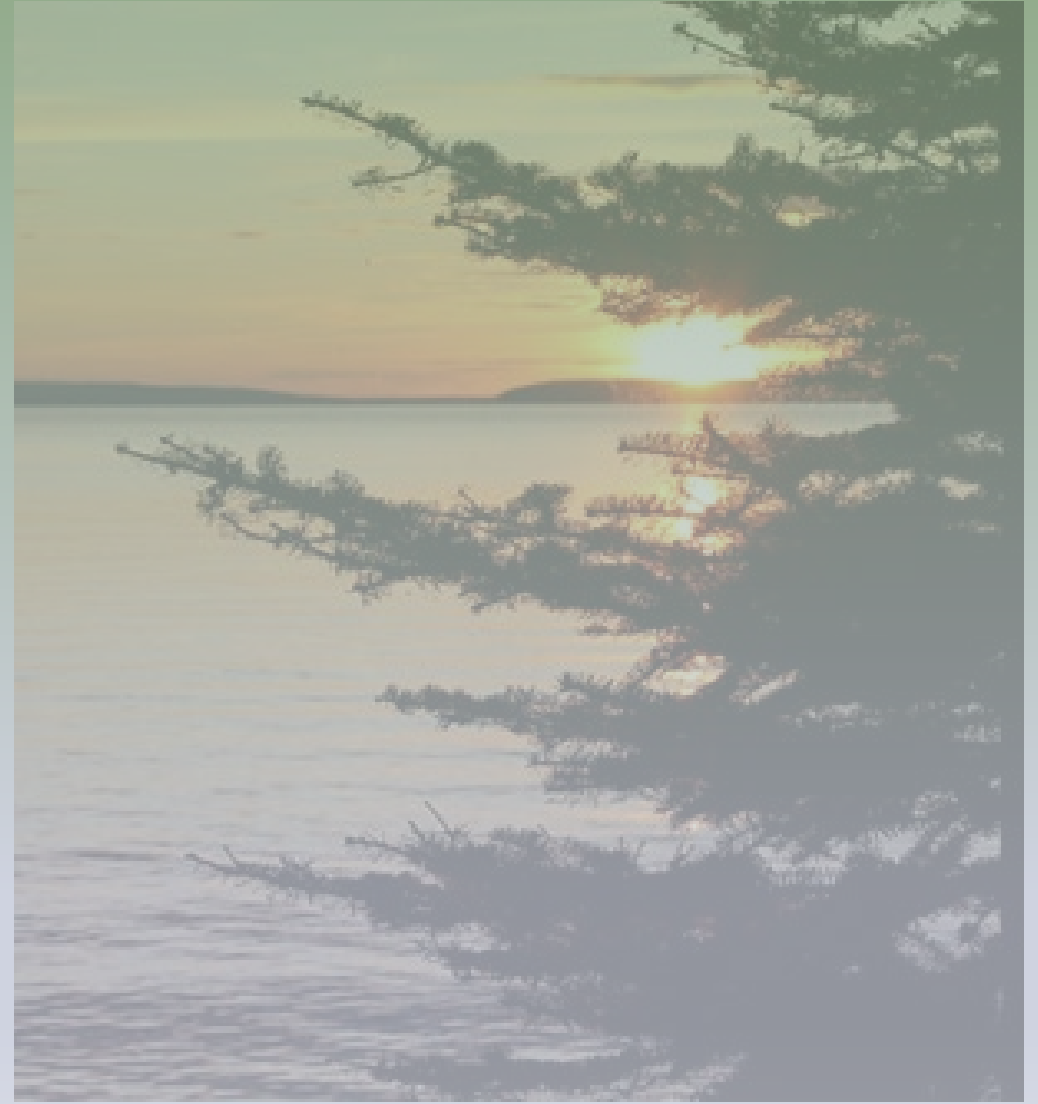
DIFFERENCE: NEW REGULATIONS V GUIDELINES

- If there is any inconsistency: Acts prevail over Regulations, and Regulations prevail over Guidelines.
- Cannot change the express terms and meaning of an Act by Regulations, and cannot change the express terms and meaning of Regulations by Guidelines
- So if the New Regulations stipulate that cottages in Waskesiu can have square footage no greater than 130m^2 , then Guidelines cannot say you can have 140m^2



UPDATE TO CHANGES ON NEW REGULATIONS

- Section 26(1) of the New Regulations confirms increase to cottage sizes in Waskesiu to 130m^2 (1399.3ft^2) from prior 111m^2 (1194.8ft^2) an increase of 19m^2 (204.5ft^2) .
- Section 26(2) the floor area must be measured between the interior faces of walls for each habitable story and **must include the floor area of any roofed porches and roofed terraces.**



UPDATE TO CHANGES ON NEW REGULATIONS (CONTINUED)

PERMITS

- Section 13: All permits subject to condition that project must meet building, fire, plumbing, electrical or energy efficiency codes that apply in Province or published by the National Research Council of Canada or Canadian Standards Association.

UPDATE TO CHANGES ON NEW REGULATIONS (CONTINUED)

GRANDFATHERING CLAUSE

- Section 44: Permits issued under former Regulations remain valid.
- Section 45 and 46: Structures constructed under former Regulations **deemed to meet requirements in new Regulations.**
 - This grandfathering rule does not apply if 1) the floor area of the structure is increased or 2) a substantial portion of the structure is rebuilt, **other than if structure is damaged or destroyed by natural or accidental cause and there is no increase to floor area of prior structure.**

Example – If you have a 2,000ft² cottage and it burns down, can rebuild to 2,000ft².

COTTAGE DEVELOPMENT GUIDELINES - CURRENT STATUS



- Although not finalized, they are being administratively applied
- Still need final agreement between Joint Committee of WSRA/WCC and PCA, then submission to Department of Justice for review, and possible further amendments

COTTAGE DEVELOPMENT GUIDELINES (CONTINUED)

DEFINITIONS IN GUIDELINES ARE CRITICAL

- Accessory Building, Covered Patio, Cottage, Patio, Deck, Roofed Porch, Roofed Terrace, Terrace, Structure
- Front Lot Line, Front Yard, Front Yard Setback (6.0m), Rear Lot Line, Rear Yard, Rear Yard Setback (8.0m), Side Lot Line, Side Yard, Side Yard Setback (2.0m if not abutting street, 5.0m if abutting street)
- Determination of Front Yard is important – **General rule** is portion of Cottage Lot that fronts the public road right-of-way is the Front Yard
- **Appendix 1** sets out the exceptions Lots where the Front Yard is the portion of Cottage Lot closest to Wasquesiu Lake

COTTAGE DEVELOPMENT GUIDELINES (CONTINUED)

DEFINITIONS IN GUIDELINES ARE CRITICAL

- Patio means “in ground” or “on ground” area constructed **adjacent to a Cottage** using approved materials.
 - Covered Patio means the portion of a **Patio covered by a permanent roof structure.**
 - Deck means an open Structure made of approved deck materials **attached to or abutting the Cottage** that is connected to and raised above the ground
 - Roofed Porch means a permanently covered Structure attached to and **forming part of the Cottage front entrance (or the Cottage rear entrance)** as an architectural feature of the Cottage designed to serve as a welcoming space and/or a transition area between indoors and outdoors.
 - Terrace **includes: (i) a Deck, and (ii) an open, flat outdoor area constructed adjacent to a Cottage** using approved materials and located in very close proximity to (but slightly raised above) the ground.
 - Roofed Terrace means the any portion of a Deck and any portion of a Terrace **covered by a permanent roof structure.**
-

COTTAGE DEVELOPMENT GUIDELINES (CONTINUED)

MAIN FLOOR AREA / FOUNDATIONS AND BASEMENTS

- Full basements not permitted, but walkout basement may be permitted where natural slope of cottage lot would permit development – would count in square footage.
- Crawl spaces may have a maximum height of 2m (6.56ft) not included in Floor Area calculation if 2m or less – not a “habitable area”
- Floor Area of Roofed Porches, Roofed Terraces (including Decks that have a permanent roof structure **attached to the Cottage**) are included in Floor Area of Cottage.

COTTAGE DEVELOPMENT GUIDELINES (CONTINUED)

MAIN FLOOR AREA / FOUNDATIONS AND BASEMENTS

- However, soffit, eaves or cantilever or overhangs extending from Cottage or Accessory Building over Deck of less than 762mm (30inches) not included.
- Retractable privacy screens or netting may be installed from the permanent roof structure over a Roofed Porch, Roofed Terrance or a Covered Patio
- Retractable Awnings privacy screen or netting may be installed over or within a Deck, Terrace or Patio Area and affected area not included in Floor Area calculation for Cottage or Accessory Bldg

COTTAGE DEVELOPMENT GUIDELINES (CONTINUED)

MAIN FLOOR AREA OF COTTAGE EXAMPLES

- If have a 1200ft² Cottage, you can **either**:
 - Add 200ft² to your Cottage;
 - Add a 200ft² as a covered Deck; or
 - Any combination of the 2 not exceeding 200ft²
 - **Total of Cottage and covered Deck cannot exceed 1400ft²**
 - If you plan to build a new 1400ft² Cottage or add 200ft² to an existing 1200ft² Cottage:
 - Then no **Covered** Deck (subject to below regarding Accessory Buildings)
-

COTTAGE DEVELOPMENT GUIDELINES (CONTINUED)

ACCESSORY BUILDINGS

- Floor Area in aggregate for all Accessory Building on a Cottage Lot shall not exceed 37m² or 398ft²
 - Total Floor Area of Terraces, Decks or Patios covered with a permanent roof structure **that is separate from Cottage**, or attached to an Accessory Building, shall be included in the total Floor Area of the **Accessory Buildings**
 - If have a 1400ft² Cottage, you can either:
 - Have 400ft² Accessory Building;
 - A 200ft² Accessory Building and a 200ft² covered Terrace, Deck or Patio (**not connected to Cottage**) or
 - Any combination of the 2 not exceeding 400ft²
-

COTTAGE DEVELOPMENT GUIDELINES (CONTINUED)

ACCESSORY BUILDINGS

- Accessory Building distance from the Cottage shall be no less than 1.22m or **4.0 feet**
- This was an accommodation by PCA
- Accessory Building shall be 1m (3.4ft) from lot lines if in Side Yard Setback or Rear Yard Setback that does not abut street, otherwise 5m (or 16.4ft)
- No Accessory Buildings in the Front Yard

PARKING STALLS

- Issue:
 - PCA requests that no less than 2 parking stalls per site (9ft wide x 20ft long).
 - Former Cottage Regulations only required 1 parking stall.
 - Grandfathering Clause would be applicable.
- **Main Issue:** When would a cottage owner be required to add a second parking stall?

COTTAGE DEVELOPMENT GUIDELINES (CONTINUED)

COMPROMISE POSITION ON PARKING STALLS

Two off-street parking stalls required if:

- Replace an existing Cottage with new Cottage
- Construct a new Cottage where none was present before
- Materially change (50% or more) the Cottage Lot landscaping or the orientation of the existing Structures on a Cottage Lot (**Still under discussion**)
- Create a new room or addition that **could reasonably** be used as a bedroom, office or den

COTTAGE DEVELOPMENT GUIDELINES (CONTINUED)

COMPROMISE POSITION ON PARKING STALLS

Two off-street parking stalls required if:

- Increase the Floor area of an existing Cottage, unless 85% or more of the increased Floor Area is attributable to the addition of, or expansion of any existing:
 - Shared living space (such as a living room, kitchen or bathroom)
 - Laundry space, utility room, mechanical room, or dedicated closet space
 - Covered Patio, Roofed Porch or Roofed Terrance
- Parking stalls in locations approved by Superintendent

COTTAGE DEVELOPMENT GUIDELINES (CONTINUED)

COMPROMISE POSITION ON PARKING STALLS

- Request for approval of variance to parking stall requirements, Superintendent required to consider:
 - The special layout and terrain of the Cottage Lot
 - **Whether Cottage Lot is located in area that routinely experiences significant congestion issues (*Not Agreed to by PCA*)**
 - The aesthetic compatibility of parking stalls
 - Potential impacts on natural and cultural resources in Park
 - Cost to Leaseholder of construction such parking stalls
- Other Parking Stall Guidelines

COTTAGE DEVELOPMENT GUIDELINES (CONTINUED)

PAINTING, SIDING OR SHINGLING

- If re-siding, re-shingling or re-roofing Cottage or Accessory Building with different materials or colours than were approved in most recent permit, building permit is required.
- Routine maintenance of any developments previously approved do not require a permit.
- “Routine Maintenance” maintaining or repairing structure that does not alter dimensions, colour of finish or building, fire, plumbing, electrical or energy codes.

COTTAGE DEVELOPMENT GUIDELINES (CONTINUED)

HEIGHTS

- Maximum Cottage height shall not exceed $1\frac{1}{2}$ stories or 6m (19.69ft), whichever is lesser.
- Maximum height of Accessory Building walls shall not exceed 3m or 9.8 ft
- Fence heights no more than 1.5 metres above grade
- Deck guardrails are to be a minimum of 0.91m (36 inches) and maximum of 1.09m or 42 inches

COTTAGE DEVELOPMENT GUIDELINES (CONTINUED)

DECKS

- Decks must comply with all Front Yard Setback, Side Yard Setback and Rear Yard Setback requirements.
- Decks measuring 0.6m (2.0ft) above ground level must have guardrails

DECK AND COTTAGE SKIRTING

- Deck skirting shall be installed around full perimeter of Deck less than 1.2m (4ft) in height
- Cottage Skirting shall be installed around the full Cottage perimeter except where it adjoins a Deck area, or the Cottage is resting on solid concrete or wood foundation.
- Skirting is to be vented.

COTTAGE DEVELOPMENT GUIDELINES (CONTINUED)

LANDSCAPING

- Park town site office has guidelines for landscaping and suggested plant species
- Tree removal permit required to remove or delimb any tree or shrub on leasehold property.
- Miscellaneous
 - Cannot use parking stalls as parking area for non-functioning vehicle.

COTTAGE DEVELOPMENT GUIDELINES (CONTINUED)

INFORMAL DISPUTE RESOLUTION PROCESS AND REVIEWS OF GUIDELINES

- Allows leaseholder to make a written request to PCA to agree to meet in person, by videoconference or teleconference to review and discuss issues in good faith prior to invoking formal review or dispute mechanisms relating to cottage development and permitting.
- Reviews of the Guidelines may be requested any of WCC, WSRA or PCA
- Review to be conducted within 90 days of December 31, 2027



QUESTIONS?
