

# RESORT VILLAGE OF PASQUA LAKE

## BYLAW NO. 17-2025 Approach Bylaw

### A BYLAW TO REGULATE THE CONSTRUCTION, MODIFICATION, AND MAINTENANCE OF APPROACHES

The Council of the Resort Village of Pasqua Lake in the Province of Saskatchewan enacts as follows:

#### Short Title

1. This bylaw may be referred to as the “Approach Bylaw”.

#### Purpose

2. The purpose of this bylaw is to regulate the construction, modification, and maintenance of approaches.

#### Definitions

3. For the purpose of this bylaw, the following terms shall have the following meanings:
  - (a) **Approach** means an improved surface that serves as a private crossing of a municipal right-of-way (i.e. ditch).
  - (b) **Conforming approach** means an approach that is constructed and exists in a way that is complimentary to the Approach Bylaw.
  - (c) **Culvert** means a sub-surface pipe which acts as a conduit for water.
  - (d) **Development Officer** means the person so designated by the Resort Village Council to approve development permits and conduct inspections for conforming developments and improvements.
  - (e) **Ditch** means the channel located within the road right-of-way, including the side slopes up to the edge of the shoulder on the one side and up to the property line of the adjacent property on the other side.
  - (f) **Intersection** means the area within the projection or connection of the lateral boundary lines of two or more highways that meet one another at an angle whether or not one highway crosses the other.
  - (g) **Landowner** means the owner of the property and holder of the title to which the approach would or does grant access.
  - (h) **Non-conforming approach** means an approach constructed on or after the date on which this bylaw comes into force that does not comply with the conditions contained within this bylaw.
  - (i) **Resort Village** means the Resort Village of Pasqua Lake.
  - (j) **Road right-of-way** means the portion of the road allowance from the centre of the roadway to the property line of the adjacent property, including shoulder and ditch.
  - (k) **Roadway** means the portion of a public highway designed for vehicular travel.
  - (l) **Shoulder** means that part of a highway immediately adjacent to the roadway and having a surface of asphalt or gravel, for the use of vehicles.

## **Scope**

4. This bylaw applies to all construction of approaches in the Resort Village of Pasqua Lake.

## **Interpretation**

5. Headings are for reference purposes and shall not affect in any way the meaning or interpretation of the provisions of this bylaw.
6. It is declared that if any section, subsection or part of parts thereof be declared by a Court of Law to be bad, illegal, or ultra viers; such section, subsection or part of parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.
7. In this bylaw, a word interpreted in the singular number has a corresponding meaning when used in the plural.

## **Application for Approach Approval**

8. All approaches shall be constructed in accordance with the Driveway Approach Permit issued by the Resort Village.
9. No person shall construct, relocate, or alter a private approach without first obtaining a Driveway Approach Permit from the Resort Village.
10. Applications for a Driveway Approach Permit shall consist of:
  - a. a completed Driveway Approach Application
  - b. applicable fee

The applicable fee will be in accordance with the Fees and Charges Schedule Policy, # 5, which includes administration and inspection.
11. An application for approach approval under this bylaw shall be made by the landowner or an authorized representative of the owner.
12. If, after completion of an inspection of the proposed construction site, the Development Officer is satisfied that an application for an approach approval complies with the provision of this bylaw, written notice of approval shall be provided by the Resort Village. Written notice shall include any special conditions and minimum required culvert size, as per Schedule A.
13. All approaches shall be constructed in conformance with all existing government regulations, Resort Village bylaws, and plans.
14. If written notice of approval is granted, construction must be completed within six (6) months, unless granted an extension by the Development Offer as specified in the written notice of approval. If not completed within six months, the applicant may be required to submit a new application along with the applicable fee.
15. The applicant must request an inspection after the approach has been constructed.
16. Any costs or inconvenience resulting from delays shall be borne by the Applicant. If clean up is not completed within the specified period, the Resort Village may undertake the work and invoice the landowner for the costs incurred plus a 15% penalty surcharge.

## **General Regulations**

17. The approach shall be constructed with clean earth, such as lean granular/gravel/clay material. The material shall be free of objectionable materials such as frozen soil, topsoil, trees and large boulders.
18. No shared approaches between two properties will be approved unless otherwise directed by the Development Officer.
19. All approaches shall be constructed as set out in the Driveway Approach Standards outlined in Schedule A, as may be amended, modified, or revised by the Resort Village from time to time.

- 20. No approach shall be constructed in such a manner as to restrict sight lines or in any way adversely affect traffic safety.
- 21. All construction and all costs of construction are the responsibility of the Applicant. This includes all materials, equipment, rentals or purchases, labour costs or any other costs required to complete construction.
- 22. Material from within the municipal road right-of-way shall not be used for the construction of the approach.
- 23. The approach shall be constructed with no resulting damage to the road shoulder, road surface, sign slopes, and/or ditches.
- 24. The Applicant shall be responsible to locate all existing utilities within the right-of-way and ensure that construction does not result in any damage or interference.

**Non-Conforming Approaches**

- 25. Upon identification of a non-conforming approach, written notice shall be provided to the landowner specifying the remedial work that must be carried out.
- 26. If the owner has not completed the remedial work to the satisfaction of the Development Officer within 30 days of delivery of the written notice or if, in the opinion of the Development Officer there is a transportation or safety conflict, within the shorter period specified in the written notice, the Development Officer may order the remedial work to be done at the landowner’s expense, and all costs incurred by the Resort Village in completing the remedial work shall be paid by the owner, including a 15% penalty surcharge.

**Removal of the Approach**

- 27. Every person who removes an approach shall reinstate, at his or her expense, the shoulder and ditch to the Resort Village standards. Failure to do so shall result in the approach being declared a non-conforming approach.

**Maintenance and Upkeep of Approaches**

- 28. The maintenance and upkeep of approaches is the sole responsibility of the landowner of the property to which the approach grants access.

**Approach Modifications Required for Public Works**

- 29. Where the Resort Village undertakes any construction or reconstruction work that affects a conforming approach, the Resort Village shall undertake any necessary construction or reconstruction of the approach at no cost to the owner.

**Coming into Force**

- 30. This bylaw shall come into force and take effect on adoption.

\_\_\_\_\_ *original signed by* \_\_\_\_\_  
 Mayor

\_\_\_\_\_ *original signed by* \_\_\_\_\_  
 Chief Administrative Officer

Read a third time and adopted this 23<sup>rd</sup> day of April, 2025.

## **Schedule A**

### **Resort Village of Pasqua Lake**

### **Driveway Approach Standards**

#### **Construction**

1. At its sole discretion, the Resort Village may consider deviations to the applicable standards if:
  - a) the deviations are provided by a qualified Saskatchewan professional engineer,
  - b) the deviations do not affect the operations of the roadway, and
  - c) the deviations do not place the travelling public at risk.
2. The Driveway Approach Standards shall also be applied by the Resort Village on any private roadway, or roadway under the authority of another jurisdiction where the property driveway adjoins a Resort Village road.
3. The Owner is responsible for all costs associated with the construction of the driveway approach.

#### **Approvals and Permitting**

4. All applications shall include a site plan, which identifies the location and width of the proposed approach, and indicate if a culvert will be installed.
5. All approaches shall meet the requirements of the Resort Village's Zoning Bylaw and conditions of the associated approvals.
6. Approval shall be at the complete discretion of the Resort Village, with the operations, safety, and maintenance of the roadway taking priority over the landowner's desired location.

#### **Approvals as a Condition of Subdivision**

7. Every proposed subdivision, whether within or outside the Resort Village, that will access a roadway of the Resort Village require the approach or approaches to be included in the subdivision plan, and planned construction will be in accordance with the Standards.
8. In those instances where an approach cannot be constructed to meet these Standards, the Developer may consider developing a shared access between parcels, increasing the width of the proposed parcel(s), or relocating an existing approach.

#### **Location and Width**

9. No approach shall be located within 7.5m from the property line of an intersecting a roadway for private residential uses, and 10.0m for non-residential uses.
10. No approach shall be located within 1.5m from the property line for private residential uses, and 3.0m for non-residential uses.
11. For operations and maintenance, culvert approaches shall have a maximum width of 10.6 m.
12. For operations and maintenance, culvert approaches shall have a maximum clear spacing of 1.5m on either side.

13. The maximum grade of the approach, insofar as is practical, shall be 4% without altering the municipal road right-of-way.

#### Different Standards

14. The Resort Village may, at its sole discretion, consider different standards, provided the operations of the roadway, and the safety of travelling public are not placed at risk.
15. All such requests shall be certified by a qualified professional engineer registered in the Province of Saskatchewan.

#### Temporary Approaches

16. Notwithstanding the generality of the above, the Resort Village may consider lower standards for temporary approaches, which will have a specified limited term, and which will be removed immediately after the completion of the project.

### **Construction Specifications**

17. Approaches without culverts may be permitted at the sole discretion of the Resort Village.
18. All culverts shall be installed in approaches as per the drainage plan.
19. All approaches, with or without culverts, shall be constructed in accordance with the following criteria:
  - a) The location and width of the approach shall be in accordance with the site plan approved with the permit.
  - b) The intersecting angle of an approach and roadway shall be as close as possible to 90 degrees. Intersecting angles less than 75 degrees will not be accepted.
  - c) A grade of 4% on the approach is optimal. Approach grades of a larger degree must be accompanied by a report prepared by a qualified professional.
  - d) All organic or soft yielding material or stones larger than 75mm diameter shall be removed to a uniform depth throughout the entire length and diameter of the culvert and replaced with suitable unfrozen material compacted in lifts not exceeding 150mm in depth to provide a firm and uniform base which will not heave or settle.
  - e) The base of the culvert shall be graded to match the existing ditch, or have a minimum slope of 0.5%, whichever is greater.
  - f) The culvert shall be installed on the base, centered in the ditch bottom, without any vertical or horizontal deflections.
  - g) All culverts shall be corrugated steel pipe (CSP), with a minimum all thickness of 1.6mm, or approved equivalent such as HDPE.
  - h) Where culverts will experience significant water flow, both culvert ends shall be protected with riprap having a minimum dimension of approximately 150 mm and not exceeding 300 mm.
  - i) The minimum culvert diameter shall be 450mm.
  - j) The culvert shall not be sized smaller than the next downstream culvert to maintain the passage of existing flows.

- k) The base for the culvert shall be suitable backfill material, which does not contain any frozen, organic, soft yielding material, or stones larger than 75mm diameter

**General Specifications**

The following general specifications apply to the construction of all approaches:

- 20. All approaches may be surfaced with crushed gravel, recycled asphalt, concrete, hot mix pavement, cold mix pavement or any other material acceptable to the Resort Village.
- 21. The Approach shall not create drainage problem or change pre-existing drainage patterns along the roadway.
- 22. All disturbed areas shall be graded and reclaimed to the complete satisfaction of the Resort Village.
- 23. All excess waste material shall be removed and disposed of accordingly.