



# **Cottage Lot Guide & Policy for Wikwemikong Unceded Indian Reserve Lands**



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# Preface

A cottager's life is not, necessarily, about life in a cottage. From an urban setting to a forest camp atmosphere, a cottage life is a state of mind and heart; a chance to renew that connection to nature and time in which we all had when we were children. It is an opportunity for a transcendent celebration of hours, days and seasons, shared with family, with friends; and the profound richness of meaning found in the simplest of moments and easy living lifestyle.

The term cottage lot has changed substantially over the years when families in the 60's, 70's and 80's would venture out to a section of a remote area of our land and camp for days or weeks and enjoy the days, count the stars and watch the children play along the shoreline. Today, a cottage lot is becoming a more highly developed lot, a cottage that is used more frequently and for longer times of the year.

Therefore, this guide will be a set of measures that will protect the environment, protect the water quality, and attempt to meet the needs as well as future needs of our band membership as they come forward to request a lot for recreational purposes.

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# Requests and Allotments

## Land Tenure for a Cottage Lot

As a cottage lot is only to be utilized as a form of recreational/pleasure use. The form of land tenure secured to a cottage lot will be in the form of a Permit to Use. No other form of land entitlement such as a Certificate of Possession will be allowed. However, if a form of land verification is required for insurance purposes, a Letter of Land Entitlement/Verification from the Wikwemikong Lands office can be requested.

As per the Lands Policy, each cottage lot Permit to Use will be reviewed every 5 years for verification purposes.

**\*Due to limited available shoreline for cottage development, no individual will be allowed to request any additional cottage lots for the purpose of development or for resale.**

## Obtaining a Lot and Administration Fee

Only Wikwemikong band members over the age of 18 years of age can request a cottage claim. To initiate the request, the band member must pay a **five-hundred dollar {\$500} Administration Fee**. This Administration Fee is to cover costs of administrative work and is not the cost of the cottage lot itself. Administration Fee payments must be made at the Accounts Receivable office and if paying by a cheque/money orders, these should be made payable to the Wikwemikong Band. Upon payment, a copy of the receipt along with a written letter of request detailing the proposed location must be submitted to the Wikwemikong Lands Office. The Wikwemikong band member who is making the claim must submit their own letter and their own Administration Fee to ensure that it is their own intent to build a cottage.

Upon selection and verification of a site, a formal request will be forwarded to the Lands Director. The Lands Director will then provide a tentative approval or recommend further research or denial (pending any conflicting issues on such property). Upon tentative approval, a Six Week Posting is advertised within public common buildings within the Wikwemikong Reserve.

## Penalties for Unauthorized Buildings/Land Developments

Service fee of \$50.00 for each site visit required.

No development or improvements shall take place on band land without approval from the Lands office and Lands & Resources Committee. Any person undertaking development or improvement activities on band land shall be held fully responsible for their actions.

No development or improvements shall take place during the general land request (six-week posting) on the proposed land request without prior written approval by the Lands Office. Any person who is issued a land interest shall be fully responsible for any unauthorized development or improvements undertaken on said land.

refer to sect. 3.9 of Interim Land Policy.

### **Buying, Selling or Transferring Your Lot**

When you sell or transfer your lot, it is up to you, as the owner of the lot, to initiate the process according to Lands Cottage Lot Policy.

To transfer your lot to someone else who either buys or is given as a transfer, you should obtain a Quit Claim form from the Wikwemikong Lands office. Complete the form and return it.

Before purchasing a cottage lot from another Band Member, verify:

- That the property is registered in the land occupant's name(s) within the Wikwemikong Lands records.
- That all structures forming part of the sale are owned by the seller.
- That all structures forming part of the sale are within the lot boundaries and are not in serious or dangerous state (unless a new cottage will be built on existing site)

### **Surveying Lots**

The Wikwemikong Lands office will not be responsible for surveying of any cottage lots. Boundaries or verification of lot corners will be conducted by the Lands Technician. Any further boundary or verification lot confirmations will require an additional fee of fifty dollars {\$50} payable to the Wikwemikong Band.

Any disputes between cottagers relating to lot boundaries or the location of buildings and other development relative to boundaries, will be handled between both parties and the Wikwemikong Lands office.

### **Changing or Adding a Name to a your Lot Entitlement**

Contact the Wikwemikong Lands office regarding such procedures. The required quit claim form relating to such issues will be completed by the lot occupant and returned back to the office.

#### **Lot Permit Inspections**

When you apply for a cottage lot, your lot will be inspected to confirm that:

- Your lot is free and clear of any dangerous or hazardous materials
- There appears to be no problem with allowable development on such property due to terrain or other related issues
- There are no other developments on the requested site

# Developing Your Lot

## Lot Size

Lot sizes are generally fixed at a size of 100' x 300'. Under no circumstances will the waterfront of the lot be extended beyond the 100' allowance.

## Permit Expiry

After you obtain a letter from the Wikwemikong Lands office for final approval of your cottage lot, erection or construction of a cottage/camp structure must begin and be completed within 2 Years (24 months) of the date on the letter of issuance. If no construction of a floor or footing is in place by the end of the 2 years, the cottage lot will be reverted back to Band Land. However, (a one year) one-time construction extension will be allowed pending the payment of a \$150 extension fee and a letter of such request by the lot owner.

## Lot Development Conditions

- Only one cottage lot is allowed per family household.
- That the cottage lot is only for recreational use and not to be utilized as a permanent residence. (this is for personal safety and emergency purposes)

## Structure Accommodations

Only one building for sleeping accommodation can be erected on a cottage lot. Other forms of structures allowed will be

- Storage sheds, sauna, gazebo and outhouses

Mobile homes, travel trailers over 24' in length will be allowed as a form of sleeping accommodations but must be secured to a permanent base.

## “Grandfathering”

Many developments of cottages/camps took place prior to the numerous requests of today. In many cases these developments pre-dated the existence of any guidelines established by any governing authority of the Wikwemikong Unceded Indian Reserve.

At the discretion of the Wikwemikong Lands office, non-conforming developments that pre-date 2007 may be allowed to remain. This may be reviewed on a case by case basis where the development creates problems for neighbours.

# Use of the Marine Shoreline Allowance

## Guidelines for Use

In general, the shoreline in front of a cottage lot is recognized as being primarily for the use of the cottage owner, but is also a shoreline allowance that allows for the following purposes:

- Other people may walk across the area while reasonably and conveniently on their way to another destination.
- Boats may land on the area only under unusual or emergency circumstances.

No gates or fences will be allowed to be built that prohibits the free movement along this shoreline allowance.

## Working near Water

In order to safeguard and protect fish, habitat and the eco-system any activities that may occur below the high water mark must be approved by the Wikwemikong Lands office.

## Shoreline Changes

Lakefront lot holders are not permitted to do work, including minor work, on the shoreline to add fill for docks, create beaches or breakwaters or complete drenching to allow for boat launching or docking.

## Docks

Only one dock may be permitted per cottage. If there is not sufficient allowance in a particular area to permit individual dock sites or due to the littoral sensitivity of the area (fish habitat), the Wikwemikong Lands office will notify the cottage lot owner by letter and signature by the lot owner.

Only wooden pole (no hydro poles or railway ties), rock filled timber cribbing, and removable docks will be allowed. Although permits or a letter of allowance for a dock is not issued by the Wikwemikong Lands office, the Wikwemikong Lands office and its governing authority have the authority to determine the length, width and other key dimensions and specific location of a dock if rights are not respected or there is a littoral or environmental zone issue.

All rights to occupy a dock site will be cancelled if the holder fails to comply with this policy or any applicable policies.

**You are fully responsible for the structural adequacy and safety of the dock.**

# Roads and Entrances

## Public Lanes

In general, cottage roads will not be maintained or enhanced by the Wikwemikong Public Works department. However, if the governing authorities of the Wikwemikong Unceded Indian Reserve feel that a road(s) leading to cottages must be maintained or enhanced then work will be carried out by the Wikwemikong Public Works dept. or its designate.

The Wikwemikong Unceded Indian Reserve assumes no responsibility for liability associated with a privately built road.

## Privately Built Roads on Reserve Lands

An owner or a group of owners of cottage lots who wish to build and maintain a private road on Reserve Lands (other than driveways leading to a single cottage) shall:

- Request to the Wikwemikong Lands office and the Wikwemikong Lands & Resources Committee for allowance and submit a plot plan indicating the exact location of the proposed road.
- Upon approval, work in conjunction with the Wikwemikong Lands office in flagging the road for proper mapping and construction.
- Indicate the timing of the proposed construction and the construction methods to be used on the road.
- Not allow the road to adversely affect other cottage users.

The Wikwemikong Unceded Indian Reserve assumes no responsibility with compensating an individual(s) for the construction of a road on Reserve Lands or for the allowance of others who may use a privately built road on across Reserve Lands.

## Gates

Only in special circumstances and only with written permission by the Wikwemikong Lands office, may a cottage lot owner of a privately built road place a gate on the road or otherwise prevent use of the road by the general public on Reserve Lands.

Gates may only be placed at the boundary cottage lot limit where a driveway leads to a cottage lot. Gates placed on Reserve Lands that prohibit access to other cottage lots will be removed unless access is joint cottage lots is agreed on by the effected lot owners.

## Fences

Fences must be located along the survey line of the cottage lot and must be mutually agreed with the neighbouring lot owner(s). For boundary line confirmations, the assistance of a Wikwemikong Lands staff will be provided when requested.

No fences shall be erected along the shoreline allowance. Any clarification on shoreline allowance limits will be outlined by the Wikwemikong Lands office.

## **Environmental Issues**

### **Environmental Assessment**

In compliance with current Wikwemikong Housing Authority policies, an environmental assessment of where a cottage structure and outhouse will be built will be the responsibility of the owner. Clarification of any environmental assessments can be placed with the Environmental Office of the Wikwemikong Health Centre.

### **Outhouses**

All outhouses must be set back at as indicated from the following:

- Surface water- 30 m (100 ft)
- Property Boundary- 8 m (26 ft)
- Building- 6 m (20 ft)

Due to environmental concerns and for cottage lots to be utilized for recreational purposes, allowance for septic tanks and field beds will be permitted for a cottage lot providing Environmental Permits are secured by the Environmental Health Officer, Health Canada standards and further the cost is to be incurred by the cottage lot owner.

## **Other**

### **Fire**

Due to road conditions and accessibility, any structural fires on a cottage lot may not be attended by the local Fire Department.

The cottage lot owner is liable and responsible for any fire originating on your lot and must be kept free of brush and other debris that may represent a fire hazard.

Cottagers are to comply with fire restrictions when fire warnings are issued.

### **Scrap Metals and Garbage**

No cottage lot will be allowed to be utilized for storage of scrap metal or other such materials. Scrap metal and debris should be disposed off at the designated landfill site.

Garbage must also be disposed of at the designated landfill site. Garbage should not be allowed to accumulate or be left behind for wildlife to become in contact with.



## **“Tear-down” Construction Material**

When a cottage is torn down or when an alteration to an existing cottage produces a large amount of mixed material (old lumber, asphalt shingles, plywood sheets, etc...) disposal of such material should be made at the designated landfill site.

## **Tree Removal**

Removal of trees on a cottage lot will be permitted for the following:

- Purpose of clearing an area for a cottage/camp
- Purpose of a driveway/entrance or parking
- Removal of dead, blown down or trees posing a risk of damage to a cottage/camp.

Trees will not be removed from a cottage lot for the purpose of commercial sale. Only trees removed for one of the above allowances will be permitted.

## **Abandonment**

Due to the safety and verification of cottage lots to the general band membership, any cottage found to be in abandonment for a period of 5 years or more will be reviewed with the lot owner for future use and occupancy. In the event that the cottage will not be used for future use, the said land will be reverted back to Wikwemikong Reserve Lands.