

# LAND USE BYLAW

Summer Village of  
Sundance Beach





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**A BYLAW OF THE SUMMER VILLAGE OF SUNDANCE BEACH IN THE PROVINCE  
OF ALBERTA FOR REGULATION AND CONTROL OF THE USE AND  
DEVELOPMENT OF LAND AND BUILDINGS IN THE SUMMER VILLAGE OF  
SUNDANCE BEACH**

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**WHEREAS** section 639 of the Municipal Government Act (Alberta) provides that every municipality must pass a land use bylaw;

**NOW THEREFORE**, the Council of the Summer Village of Sundance Beach duly assembled, enacts as follows:

**1. REPEAL**

- 1.1 This Bylaw shall replace Bylaw No. P3 – 155 and all amending bylaws including Bylaw No. P14 and Bylaw No. 2022-07, and Bylaw No. P3 - 155 and amending Bylaws No. P14 and Bylaw No. 2022-07 are hereby repealed.

**2. COMING INTO FORCE**

- 2.1 This amendment to the Land Use Bylaw shall come into full force and effect upon final passing.

**READ** a first time this 5<sup>th</sup> day of September, 2024.

**READ** a second time this \_\_\_\_ day of \_\_\_\_\_, 2024.

**READ** a third and final time his \_\_\_\_ day of \_\_\_\_\_, 2024.

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Brian Waterhouse, Mayor  
Summer Village of Sundance Beach

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June Boyda, Chief Administrative Officer  
Summer Village of Sundance Beach

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# Part 1 Interpretation and Map

# 1.10 Title, Purpose, and Interpretation

## 1 Title

- 1.1 This Bylaw may be cited as the “Summer Village of Sundance Beach Land Use Bylaw”.

## 2 Contents of Bylaw

- 2.1 The contents of this Bylaw include:
  - 2.1.1 Part 1 – Interpretation and Map
  - 2.1.2 Part 2 – Definitions
  - 2.1.3 Part 3 – Administrative Regulations
  - 2.1.4 Part 4 – General Development Regulations
  - 2.1.5 Part 5 – Land Use Districts
  - 2.1.6 Part 6 – Master Use and Structure Table

## 3 Purpose

- 3.1 The purpose of this Bylaw is to regulate and control the use and Development of land and Buildings within the Summer Village to achieve the orderly and economic Development of land and to:
  - 3.1.1 divide the Summer Village into Land Use Districts;
  - 3.1.2 prescribe and regulate for each Land Use District the purposes for which land and Buildings may be used;
  - 3.1.3 confirm the establishment of the offices of the Developmental Authority and the Subdivision Authority;
  - 3.1.4 establish a method of making decisions on applications for Development Permits and Subdivisions;
  - 3.1.5 prescribe a manner in which notice of the issuance of a Development Permit is to be given; and
  - 3.1.6 establish a system for appealing decisions of the Development Authority and the Subdivision Authority.

## 4 General Interpretation

### 4.1 Grammatical Reference Regulations

- 4.1.1 Unless otherwise provided in this Bylaw, words capitalized in this Bylaw refer to the Definitions in Part 2 of this Bylaw.
- 4.1.2 Headings or subheadings in this Bylaw are inserted for ease of reference and guidance and do not form part of this Bylaw.
- 4.1.3 When a word or expression is defined in this Bylaw, other parts of speech and grammatical forms of the same word or expression have corresponding meanings.
- 4.1.4 Words not capitalized as Definitions should be given their plain and ordinary meaning as the context requires.
- 4.1.5 Words in the singular include the plural, words in the plural include the singular, and words importing the use of any gender shall include all genders.

### 4.2 General Reference Regulations

- 4.2.1 “Section” in this Bylaw refers to a contained set of regulations within a Part of this Bylaw.
- 4.2.2 “Subsection” in this Bylaw refers to a specific regulation or set of regulations within a Section.
- 4.2.3 “Sections” or “Subsections” containing tables listing Permitted and Discretionary Uses form part of this Bylaw.
- 4.2.4 Flowcharts outlining processes do not form part of this Bylaw.
- 4.2.5 Diagrams exemplifying regulations form part of this Bylaw.
- 4.2.6 Where, under this Bylaw, an Applicant is required to submit information to the Development Authority or the Subdivision Authority that has been prepared or reviewed by an expert or professional, including, but not limited to, an engineer, architect, arborist, or surveyor, the expert or professional shall be an Accredited Professional, licensed to practice in Alberta to the satisfaction of those approving authorities.
- 4.2.7 Nothing in this Bylaw relieves a Person from complying with any provision of any federal, provincial, or bylaw (including the Summer Village Bylaws) or regulation or any requirement of any lawful permit, order, or license.



### 4.3 Resolving Conflict

- 4.3.1 Each provision of this Bylaw is independent of, and severable from, all other provisions. If any provision is declared invalid or unenforceable for any reason by a court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.
- 4.3.2 If there is any conflict or inconsistency between the MGA and any provision of this Bylaw, then the MGA shall govern to the extent of such conflict or inconsistency.
- 4.3.3 In the case of any conflict between the text of this Bylaw and any photos, diagrams, or drawings used to illustrate any aspect of this Bylaw, the text takes precedence.
- 4.3.4 In the case of any conflict between a number written in numerals and a number written in letters, the number written in numerals must govern.
- 4.3.5 In the case of any conflict between information expressed in metric units and imperial units, the metric units must govern.
- 4.3.6 Unless specified elsewhere in this Bylaw, units must be rounded to the tenth decimal place.
- 4.3.7 Where this Bylaw references an act, regulation, code or bylaw (including the Summer Village Bylaws), such reference shall be interpreted using its most updated version as amended.
- 4.3.8 Where this Bylaw references an act, regulation, code or bylaw (including the Summer Village Bylaws) that no longer exists, such reference shall be interpreted using its replacement.
- 4.3.9 After this Bylaw comes into effect, all applications for Development Permits, whether new or in the process of being considered, shall be required to comply with this Bylaw.

# 1.20 Establishment of Land Use Districts and Land Use District Map

## 1 Establishment of Land Use Districts

1.1 This Bylaw establishes the following Land Use Districts within the Summer Village:

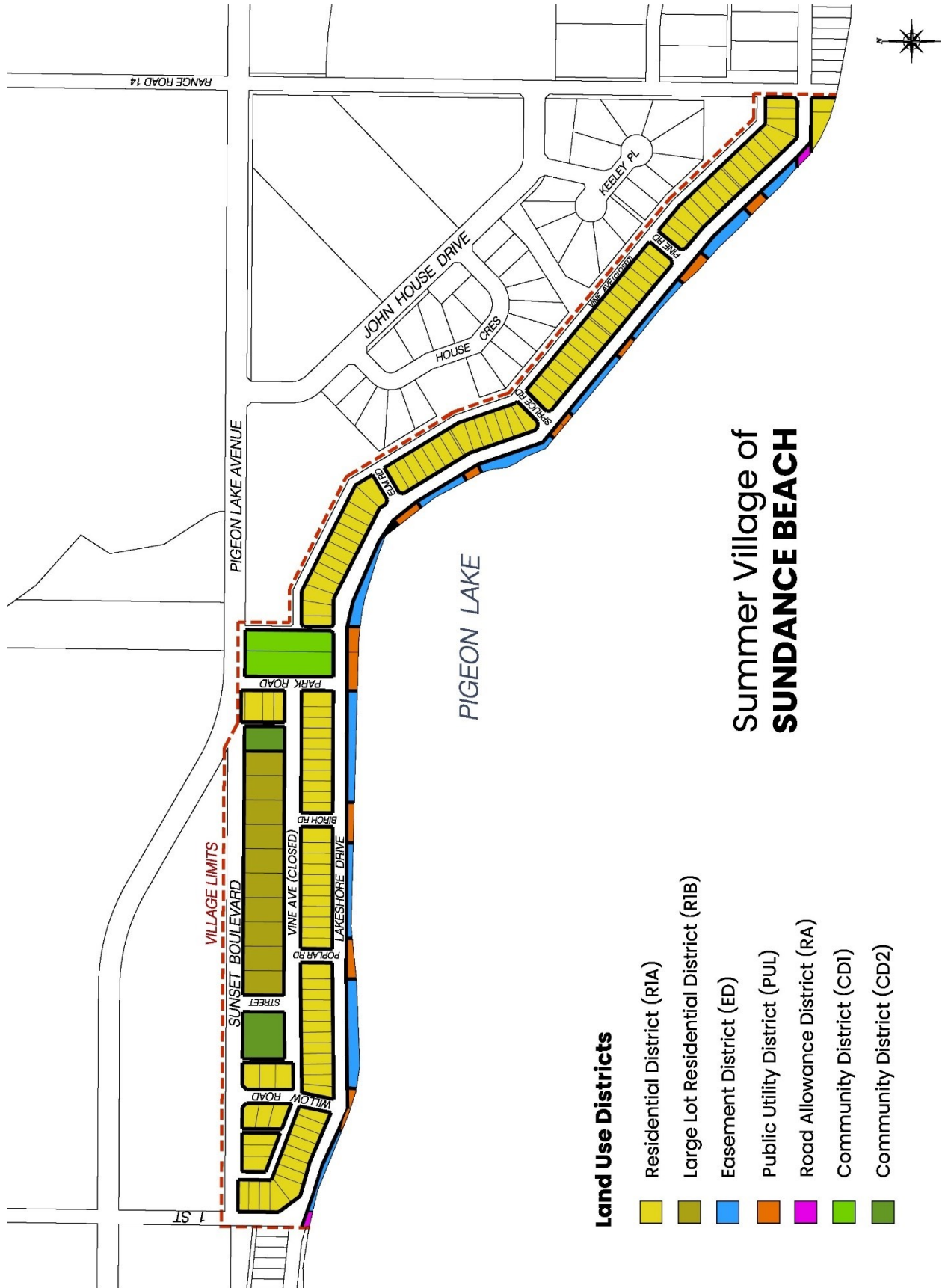
- 1.1.1 Residential District (R1A)
- 1.1.2 Large Lot Residential District (R1B)
- 1.1.3 Easement District (ED)
- 1.1.4 Public Utility District (PUL)
- 1.1.5 Road Allowance District (RA)
- 1.1.6 Community District (CD1)
- 1.1.7 Community District (CD2)

1.2 If there is any uncertainty regarding the boundaries of a Land Use District and any maps (including the Land Use District Map), then the uncertainty shall be resolved by a decision of Council.

1.3 The locations, boundaries and areas comprising the Land Use Districts are shown in the Land Use District Map attached to this Bylaw and referenced below.

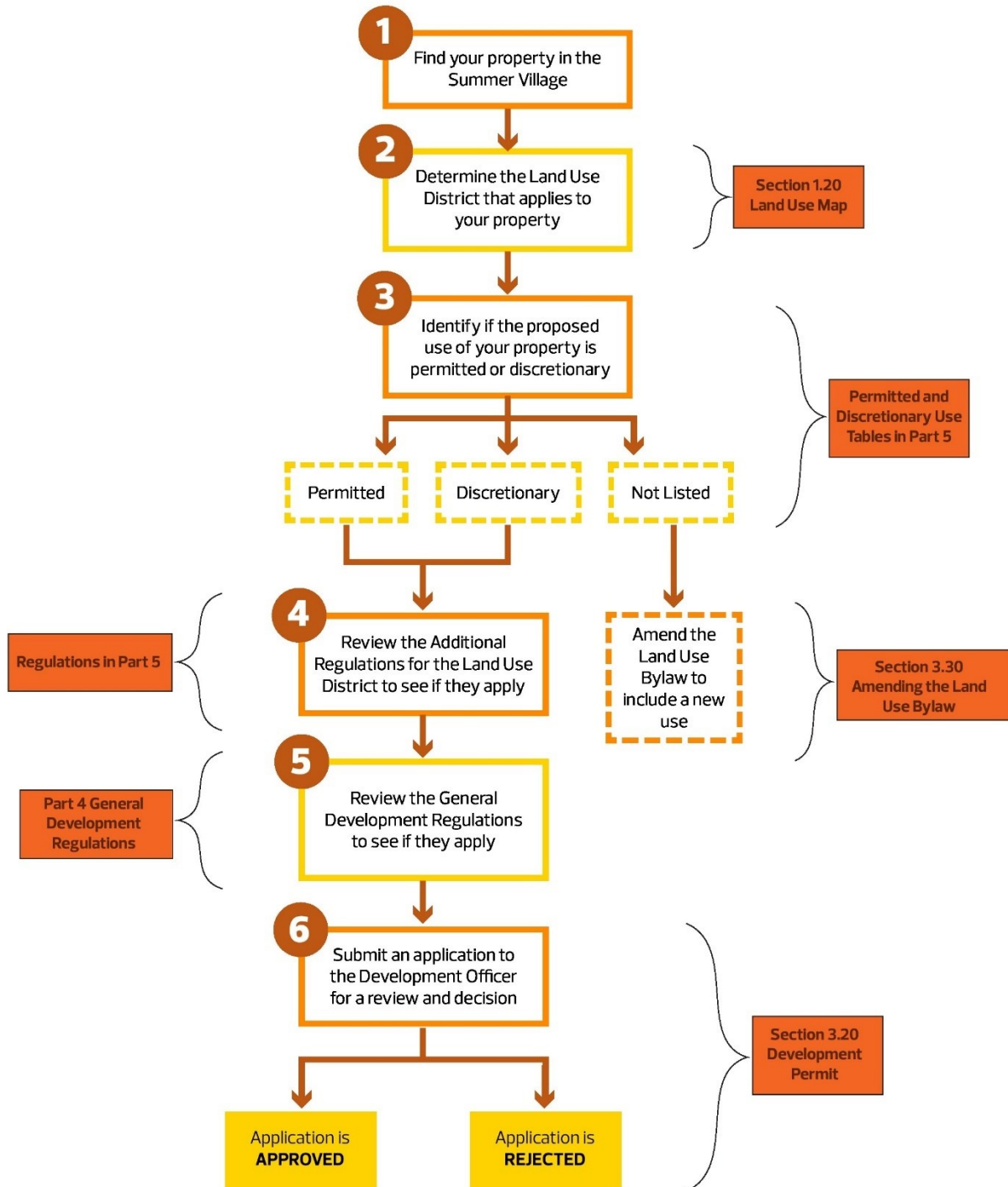
1.4 Land Use District Map

- 1.4.1 [Link to Map](#)
- 1.4.2 Refer to the next page for a print of the Land Use District Map.





# FLOWCHART: HOW TO USE THE LAND USE BYLAW



# Part 2      Definitions

## 2.10 Definitions

### 1 MGA Terms and Words

1.1 Unless otherwise stated in this Bylaw, terms and words which are used in this Bylaw and which are defined in the MGA have the meanings attributed to those terms and words in the MGA. These terms and words include:

“Building”	“Land Use Bylaw”
“Court of Appeal”	“Non-Conforming Use”
“designated officer”	“Subdivision”
“Development Authority”	“Subdivision and Development Appeal Board” (SDAB)
“Development Permit”	“Subdivision Authority
“Land and Property Rights Tribunal” (LPRT)	

1.2 Other terms and words are defined below:

### 2 Land Use Bylaw Terms and Words

#### A

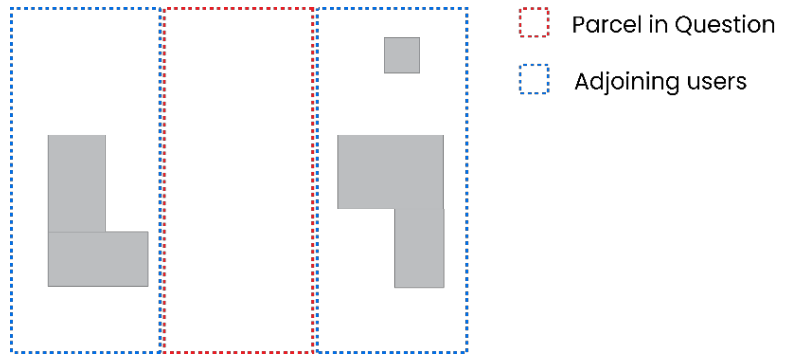
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“Accessory Building”	means a Building which is located on the same Lot as the Principal Building, and which is of a type normally incidental to the Principal Building, and which is subordinate to and normally incidental to the use of the Principal Building and “Accessory Building” includes a Garage, and a Guesthouse;
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“Applicable Adjoining Users”

means (1) the Lot Adjoining Users with respect to a proposed Development on a Lot, (2) the Easement Adjoining Users with respect to a proposed Development on an Easement Parcel, (3) the PUL Adjoining Users with respect to a proposed Development on a PUL Parcel, and (4) the Road Allowance Adjoining Users with respect to a proposed Development on a Road Allowance Parcel. For greater certainty, “Applicable Adjoining Users” excludes the Sundance Estates Residents;



“Applicant”

means the Person who is the Owner or Occupant of the Property and who has applied, or authorized a third party to apply, for a Development Permit or a Subdivision applicable to that Property;

**B**

“this Bylaw”

means the Summer Village of Sundance Beach Land Use Bylaw;

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**C**


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"CAO"	means the Chief Administrative Officer of the Summer Village;
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"Class A Development"	means, with respect to the applicable Property, a proposed Development which is a Permitted Use for that Property, or which is accessory to a Permitted Use for that Property and which, in each case, complies in all respects with the requirements of this Bylaw;
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"Class B Development"	means, with respect to the applicable Property, a proposed Development which is a Permitted Use for that Property but requires variances or which is a Discretionary Use for that Property and which, in each case, complies in all respects with the requirements of this Bylaw;
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"Community Centre"	means the Property located in the Summer Village and known as the "Sundance Beach Community Centre" and includes the Buildings, Structures, Garages, Accessory Buildings, Storage Buildings, Patios, Parking Areas and playground located on such Property; ;
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"Council"	means the Council of the Summer Village;
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**D**


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"Deck"	means an unenclosed platform which is intended for use as an outdoor amenity space and which
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may be attached to or cantilevered from a Building or free-standing and supported from below and may have railings;

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“Development” means development as defined in the MGA and, in addition, includes (1) relocating a Building from one location to another location; (2) making a material Grading Change on a Property in a manner which is not done on a temporary basis as part of a Development; (3) installing or removing an under-ground holding tank or other component forming part of a wastewater collection system, (4) drilling, installing or removing a water well or cistern or other component forming part of a domestic water supply system, and (5) placing or removing earth, rocks, sand or other materials on a Property in a manner which materially alters the topography of a Property and which is not done on a temporary basis as part of a Development;

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“Development Officer” means the Development Officer described in section 3.10.1 of this Bylaw;

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“Discretionary Use” means the use of a Property, Building, or other Structure in a Land Use District for which a Development Permit may be issued at the discretion of the Development Authority with or without conditions;

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“Driveway” means that rectangular shaped portion of a Lot which is used by motor vehicles to access a Principal Building or Garage located on such Lot from a Road adjacent to such Lot;

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"Dwelling"	means any Building or other Structure used primarily for human habitation including, without limitation, Manufactured Homes and Modular Homes but excluding Mobile Homes and Recreational Vehicles;
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## E

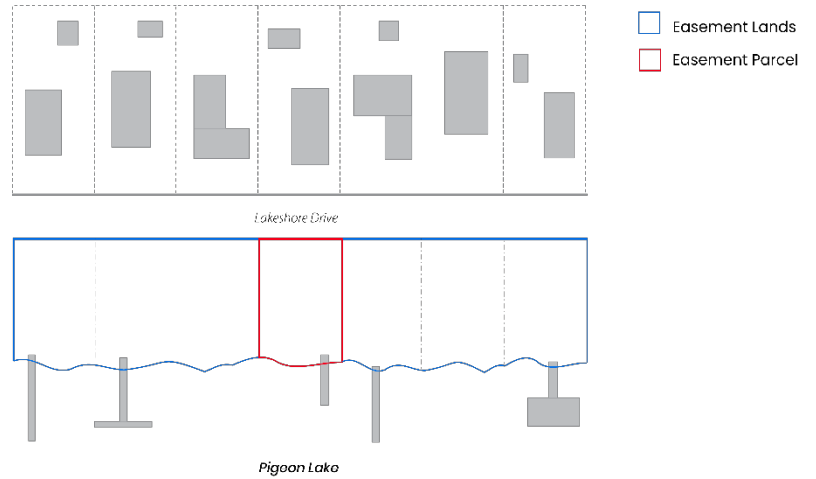
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"Easement Adjoining User"	means, with respect to an Easement Parcel, (1) those Easement Users who are authorized to use and occupy the Easement Parcels located immediately adjacent to and on either side of such Easement Parcel, (2) those PUL Users (if any) who are authorized to use and occupy the PUL Parcels located immediately adjacent to and on one side of such Easement Parcel, and (3) those Road Allowance Users (if any) who are authorized to use and occupy the Road Allowance Parcels located immediately adjacent to and on one side of such Easement Parcel;
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“Easement Lands”

means the lands (1) which are located in the Summer Village, (2) which the EHA owns, and (3) which are located between the shoreline of Pigeon Lake and Lakeshore Drive;



“Easement Parcel”

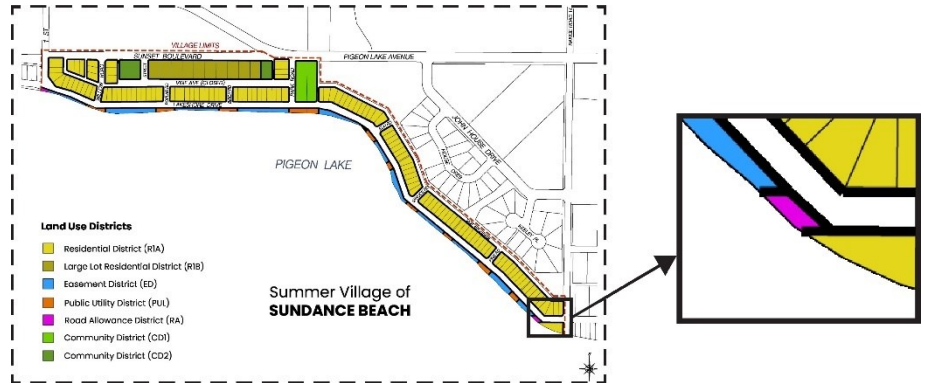
means a portion of the Easement Lands which one or more Easement Users are entitled to use and occupy under a written easement agreement granted by the EHA or its predecessor in title;

“Easement User”

means, with respect to an Easement Parcel, the one or more Persons who are authorized to use and occupy such Easement Parcel under a written easement agreement granted by the EHA or its predecessor in title;

“East Road Allowance Lands”

means the portion of the municipal road bounded on the southwest side by Pigeon Lake and on the east side by Lakeshore Drive and having the appearance of a continuation of Lakeshore Drive;



“East Waterfront Lots”

means the Lots which are legally described as Plan 5423 KS Lots A and B and which are located immediately to the east of the East Road Allowance Lands;

“EHA”

means the Alberta society known as the Sundance Beach Easement Holders Association;

“EHA Directors”

means the board of directors of the EHA, as constituted from time to time;

“Engineer’s Report”

means a written report (1) which is signed and stamped by a duly licensed Alberta professional engineer, (2) which is addressed to the Development Authority, and (3) which provides a written assessment of the applicable Property, and, if applicable, the likely impact of the proposed Development on such Property;

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**F**

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"Fence" means a vertical physical barrier on a Property constructed to prevent visual intrusion, and/or sound abatement, and/or unauthorized access;

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"Floor Area" means the total area of all floors (other than basement floors) of all Buildings located on a Lot or Parcel including, without limitation, all Accessory Buildings located on the Lot or Parcel;

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"Front Yard" means that portion of a Yard extending across the full width of the Lot from the front property line of the Lot up to the front wall of the Principal Building on the Lot;

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**G**

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"Garage" means an Accessory Building which may or may not be attached to the Principal Building and which is designed and used primarily for the storage of motor vehicles and watercraft;

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"Grading Change" means an alteration to the existing grade, existing surface drainage pattern or topography of a Lot or Parcel which is not done temporarily as part of a Development and which can be caused by the removal or the placement of trees, earth, rocks, or other materials on a Lot or Parcel;

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"Guesthouse"	means an Accessory Building (1) which contains sleeping accommodation, (2) which may contain a bathroom, (3) which does not contain cooking facilities, (4) which is not intended to be used as a self-contained Dwelling, and (5) which is intended to provide overflow accommodation for the Principal Building located on the Lot, either as a stand-alone Building, or a Loft;
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## H

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"Hard Surfacing"	means asphalt, concrete, paving stone, or similar material satisfactory to the Development Authority that is used in the construction of a Driveway, Parking Pad, Patio or stairs but does not include gravel or granular materials;
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"Home Business"	means the use of a residential Building or Accessory Building to conduct a business that is incidental or subordinate to the primary residential function;
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## L

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"Lakefront District"	means the Easement District (ED), Public Utility District (PUL), and Road Allowance District (RA);
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"Lakefront Parcel"	means one or more of an Easement Parcel, a PUL Parcel or a Road Allowance Parcel;
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"Landscaping"	means to change or modify the natural features of a Lot or Parcel by adding lawns, trees, shrubs,
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ornamental plantings, fencing, walks, driveways, or other Structures and materials;

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“Land Use District”

means one of the Land Use Districts established in accordance with section 1.20.1 of this Bylaw;

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“Loft”

means a Guesthouse unit which is located on the second floor of a Garage, and which is intended to provide overflow accommodation for the Principal Building located on the Lot;

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“Lot”

means a Property or a portion of a Property which is located in the Residential District (R1A), the Large Lot Residential District (R1B) or the Community Districts (CD1 and CD2) and for which a certificate of title has been issued by the Land Titles Office (Alberta) and which, for greater certainty, includes the East Waterfront Lots;

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“Lot Adjoining Users”

means, with respect to a Lot, (1) those Owners of the Lots located immediately adjacent to and on either side of such Lot, and (2) those Owners of Lots located immediately in front of, or behind, such Lot, but, for greater certainty, excludes Sundance Estates Residents;

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“Lot Coverage”	means the total horizontal area of all Buildings or Structures on a Lot or Parcel which are located at or higher than 1.8 metres (5.9 feet) above grade, including Accessory Buildings or Structures, calculated by perpendicular projection onto a horizontal plane from one point located at an infinite distance above all Buildings and Structures on the Lot or Parcel. This definition does not include (1) steps, eaves, cornices, and similar projections; (2) driveways, aisles and Parking Lots unless they are part of a Garage which extends 1.0 metres (3.3 feet) or more above grade; or (3) unenclosed inner and outer courts, terraces, and Patios where these are less than 1.8 metres (5.9 feet) above grade;
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## M

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“Manufactured Home”	means a Building or Structure, whether ordinarily equipped with wheels or not, (1) which is constructed or manufactured in a manufacturing facility certified to build homes to the CSA A277 or CSA 2240 MH standards, (2) which is designed to be moved from one point to another as a single unit, and (3) which provides completely self-contained, year-round residential accommodation. For greater certainty, a Manufactured Home includes a Mobile Home, but does not include a Modular Home, or a Recreational Vehicle;
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“MGA”	means the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26;
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“Mobile Home” Means a year-round, portable residential Structure which (1) is constructed in one or more parts on a permanent undercarriage or chassis, (2) is specifically designed with the intent of being easily transported from time to time from one location to another location, and (3) is designed to be occupied without being placed on a permanent foundation;

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“Modular Home” means a Building or Structure which is prefabricated or factory built in compliance with the National Building Code (NBC) as adopted by the Government of Alberta and applied via CSA A277 Procedure for Certification of Prefabricated Buildings, Modules and Panels, where the Building or Structure will be located. The Building or Structure may be assembled on the Lot or Parcel in sections, but such sections shall not have chassis, running gear, or wheels, and such sections may be stacked side-by-side or vertically. For greater certainty, a Modular Home does not include a Manufactured Home, a Mobile Home, or a Recreational Vehicle;

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“MRSDR” means the Matters Related to Subdivision and Development Regulation, Alberta Regulation 84/2022, passed as a regulation under the MGA;

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“Municipal Tag” means a ticket issued by the Summer Village pursuant to the MGA for a breach of the Summer Village’s bylaws;

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## N

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“Non-Conforming Structure”	means, with respect to any given date, a Structure which was lawfully constructed under the Summer Village’s land use bylaw in effect immediately prior to such date and which no longer complies with this Bylaw as at the date that this Bylaw is in effect;
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**O**

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“Occupant”	means a Person, other than an Owner or a User, (1) who is in possession or control of a Property, or (2) who has the right to use or occupy a Property, in each case whether under a lease, tenancy, rental arrangement, easement, license, agency arrangement or otherwise;
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“Owner”	means the registered owner of a Property;
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**P**

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“Parcel”	means an Easement Parcel, a PUL Parcel or a Road Allowance Parcel, as the case may be;
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“Park”	means any public outdoor land used specifically for passive or active recreation and includes all natural and man-made Landscaping, facilities, accesses, trails, preserved natural areas, and Buildings;
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“Parking Area”	means those portions of the Lot on which the Community Centre is located and which are used for the parking of motor vehicles;
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"Parking Pad"	means, if applicable, a hard surfaced area which is located on a Lot and which is used for the parking of motor vehicles;
"Parking Stall"	means that portion of a Parking Pad which is used for the parking of motor vehicles and which shall not exceed 5.5 metres (18 feet) in length and 2.4 metres (7.9 feet) in width;
"Patio"	means a hard unenclosed surface created by laying cement, bricks, tiles, wooden decking, tiles or blocks directly in or on the ground;
"Permitted Use"	means the use of a Property, Building, or other Structure in a Land Use District for which a Development Permit shall be issued by the Development Authority with or without conditions provided that such use complies with this Bylaw;
"Person"	means an individual and includes partnership, corporation, trustee, executor, joint venture, proprietorship, association, society and any other legal entity;
"POPA"	means the Provincial Offences Procedure Act, Revised Statutes of Alberta, 2000 Chapter P-34;
"Principal Building"	means a Building (1) which is the chief or principal Building amongst all Buildings on a Lot or Parcel, and (2) which exemplifies, because of character or intended function, the primary use of the Lot or Parcel upon which it is located;

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“Property” means any land or real property which is located in the Summer Village, and which is (1) privately owned, (2) owned or controlled by the Summer Village, or (3) owned by the EHA;

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“PUL Adjoining User” means, with respect to a PUL Parcel, (1) those PUL Users (if any) who are authorized to use and occupy the PUL Parcels located immediately adjacent to and on either side of such PUL Parcel, (2) those Easement Users (if any) who are authorized to use and occupy the Easement Parcels located immediately adjacent to and on either side of such PUL Parcel, (3) those other PUL Users (if any) who, as a group, are authorized to use and occupy such PUL Parcel, and (4) those Road Allowance Users (if any) who are authorized to use and occupy the Road Allowance Parcels located immediately adjacent to and on one side of such PUL Parcel, but, for greater certainty, excludes Sundance Estate Residents;

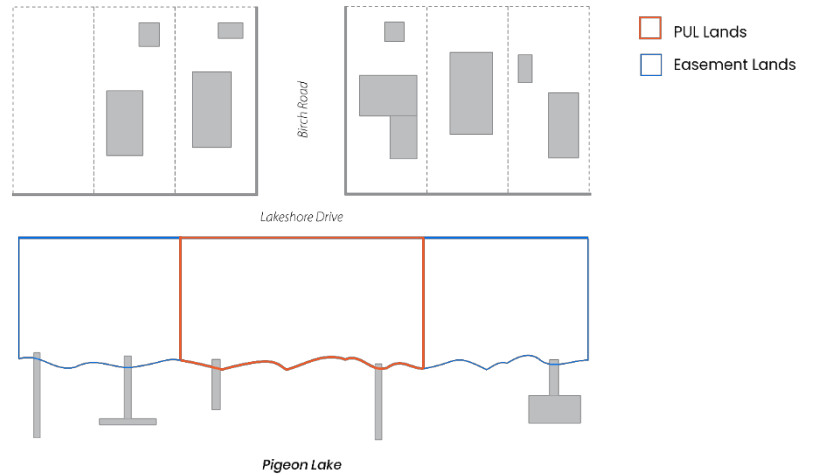
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“PUL Parcel” means a portion of the PUL Lands which one or more PUL Users are entitled to use and occupy under a written easement agreement, or a written license agreement granted by the Summer Village;

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“PUL Lands”

means the lands (1) which are designated as public utility lots, (2) which are located in, and owned by, the Summer Village, and (3) which are located between the shoreline of Pigeon Lake and Lakeshore Drive;



“PUL User”

means, with respect to a PUL Parcel, the one or more Persons who are authorized to use and occupy such PUL Parcel under a written easement agreement or a written license agreement granted by the Summer Village but, for greater certainty excludes Sundance Estates Residents;

## R

“Rear Yard”

means that portion of a Yard extending across the full width of the Lot from the rear property line of the Lot up to the rear wall of the Principal Building located on the Lot;

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"Recreational Amenity"	means any Structure or equipment for either active or passive recreation, excluding washroom and changing facilities;
"Recreational Vehicle"	means a mobile unit (1) which is designed to be used as temporary living or sleeping accommodation (whether or not it has been modified to no longer be mobile or capable of being mobile), and (2) which includes but is not limited to holiday trailers, tent trailers, truck campers, camper vans and motor homes. For greater certainty, a Recreational Vehicle does not include a Mobile Home;
"Retaining Wall"	means a vertical Structure which holds or retains soil, gravel or other materials behind it and which may also be used to prevent visual intrusion, and/or sound abatement, and/or unauthorized access;
"Remedy Order"	means an order issued in accordance with Section 545 or 546 of the MGA;
"Right of Access"	means the right of the Development Officer or any designated officer of the Summer Village to enter on a Property to inspect such Property in accordance with Section 542 of the MGA and determine if there are conditions that may contravene or fail to comply with this Bylaw;
"Roads"	means the roads located in the Summer Village and known as Lakeshore Drive, Sunset Boulevard, Willow Road, Poplar Road, Birch Road, Park Road, Elm Road, Spruce Road, and Pine Road;

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Road Allowance Adjoining User	means, (1) with respect to the West Road Allowance Lands, (a) those Easement Users who are authorized to use and occupy the Easement Parcel located immediately to the east of the West Road Allowance Lands and (b) those other Road Allowance Users (if any) who, as a group, are authorized to use and occupy the West Road Allowance Lands, and (2) with respect to the East Road Allowance Lands, (a) the Owners of the East Waterfront Lots, (b) those Easement Users (if any) who are authorized to use and occupy the Easement Parcel located immediately to the west of the East Road Allowance Lands, and (c) those other Road Allowance Users (if any) who, as a group, are authorized to use and occupy the East Road Allowance Lands;
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“Road Allowance Parcel”	means that portion of the Road Allowance Lands which the applicable Road Allowance Users are entitled to use and occupy under a written license agreement granted by the Summer Village;
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“Road Allowance User”	means, with respect to a Road Allowance Parcel, those Persons who are authorized to use and occupy such Road Allowance Parcel pursuant to a written license agreement granted by the Summer Village;
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**S**

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"Shipping Container"	means a shipping container which was originally used to transport goods and which is currently used for storage;
"Short Term Rental"	means an arrangement where Persons may rent all, or part of a Property for 30 consecutive days or less within a calendar year;
"Side Yard"	means that portion of a Yard extending along the full depth of the Lot from the side property line of the Lot up to the side wall of the Principal Building located on the Lot;
"Single Detached Dwelling"	means a Dwelling which consists of a Building containing only one dwelling unit and supported on a permanent foundation or basement and which is separated from any other Building, or Dwelling. Single Detached Dwellings do not include Manufactured Homes, Mobile Homes, Guesthouses, or Recreational Vehicles;
"Storage Building"	means a Building which is used for the storage of miscellaneous items and which does not include a Building to be used as a Dwelling, or a Garage;
"Structure"	means a Building, Deck, Patio, set of steps, stairway, Retaining Wall, fire pit, planter and other type of improvement located, constructed, to be located, or to be constructed on a Property;
"Subdivision Approval"	means an approval issued by the Subdivision Authority under this Bylaw and approving a Subdivision;

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“Summer Village”	means the Summer Village of Sundance Beach;
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“Sundance Estates Residents”	means the residents of the subdivision known as “Sundance Estates” and forming part of the County of Leduc;
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## U

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“User”	means a Person, other than an Owner or an Occupant, who has the right to use or occupy a Property, whether as a guest, relative or otherwise;
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## V

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“Violation Ticket”	means a ticket issued under Part 2 or Part 3, as applicable, of the Provincial Offences Procedure Act (POPA);
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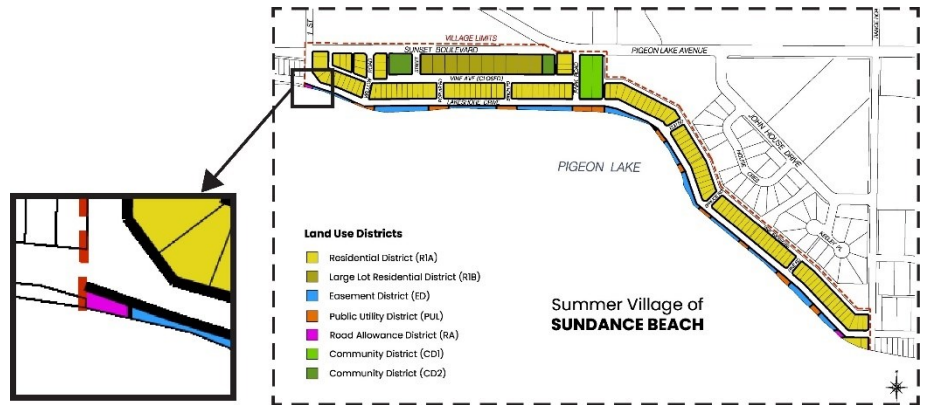
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## W

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“West Road Allowance Lands”

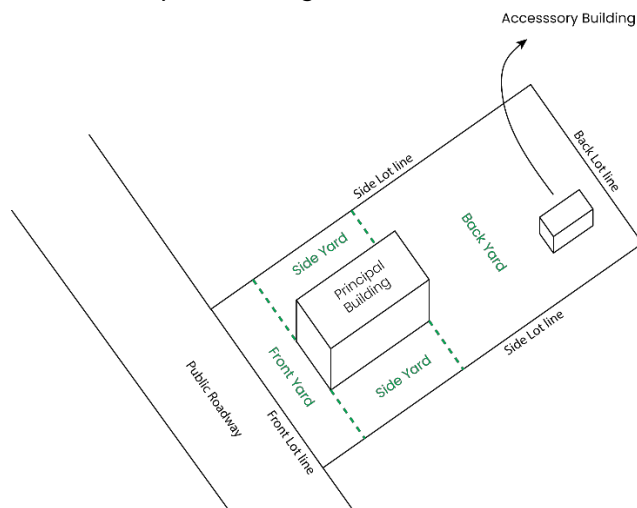
means the portion of the municipal road bounded on the southwest side by Pigeon Lake and on the north side by Lakeshore Drive and having the appearance of a continuation of the road known as First Street on the south side of Lakeshore Drive;



**Y**

“Yard”

means that portion of a Lot upon or over which no Principal Building is located.



# **Part 3      Administrative Regulations**

## 3.10 Authorities and Communication

### 1 Development Authority

- 1.1 The powers and duties of the Development Authority shall be as follows:
- 1.1.1 In all Land Use Districts, the administration of the Development approval process shall be exercised and carried out by the Person appointed by the Council as the Development Officer.
  - 1.1.2 If no Person is appointed as the Development Officer, then the CAO shall act as the Development Officer.
- 1.2 For ease of reference, the Development Authority may also be referred to as the Development Officer.
- 1.3 The Development Authority shall:
- 1.3.1 receive, consider, and decide on all applications for Development Permits in accordance with this Bylaw and the MGA;
  - 1.3.2 ensure that the Development is carried out in accordance with the Development Permit;
  - 1.3.3 make available for inspection by members of the public:
    - (i) a copy of this Bylaw, and
    - (ii) a list of all applications for Development Permits and the decisions rendered in connection with the applications;
  - 1.3.4 ensure that this Bylaw is posted on the Summer Village's website and that copies of this Bylaw can be purchased by the public at a reasonable price; and
  - 1.3.5 perform such additional duties as may be established by this Bylaw or by the direction of Council to enforce this Bylaw in accordance with the MGA.

## **2 Subdivision Authority**

- 2.1** The powers and duties of the Subdivision Authority and the administration of the Subdivision Approval process shall be exercised and carried out by the Person appointed by Council for that purpose. If no Person is appointed, then the CAO shall act as the Subdivision Authority.
- 2.2** The Subdivision Authority shall:
- 2.2.1** receive, consider and decide on all applications for Subdivision Approval in accordance with this Bylaw and the MGA;
  - 2.2.2** perform such duties as are established for a Subdivision Authority from time to time in accordance with the MGA and the Matters Related to Subdivision and Development Regulation (MRSDR); and
  - 2.2.3** perform such additional duties as may be established by this Bylaw or by the direction of Council to enforce this Bylaw in accordance with the MGA.

## **3 Fines and Enforcement**

- 3.1** A Person who contravenes any provision of this Bylaw or any condition of any Development Permit or Subdivision Approval issued pursuant to this Bylaw is guilty of an offence under this Bylaw.
- 3.2** The Development Officer or any designated officer of the Summer Village is hereby authorized to enforce this Bylaw and to exercise any of the rights or remedies available to the Summer Village, the Development Authority, or the Subdivision Authority under the MGA.
- 3.3** Without limiting the generality of subsection 3.2 above, the Development Officer or any designated officer of the Summer Village may:
- 3.3.1** exercise the Right of Access to enter any Property for the inspection of the conditions that may contravene or fail to comply with the provisions of this Bylaw; and/or
  - 3.3.2** issue a warning notice to the Owner, Occupant or User of the Property in question, advising of the condition and directing as to what conditions are to be rectified within the time limit specified in the warning notice; and/or



- 3.8 When a Violation Ticket is issued with a specified penalty, the amount of the fine indicated therein may be paid in accordance with the Violation Ticket in lieu of prosecution.
- 3.9 Nothing in this Bylaw shall preclude the Development Officer or any designated officer of the Summer Village from issuing a Violation Ticket for a mandatory court appearance to any Person who contravenes any provision of this Bylaw.

## 3.20 Development Permits

### 1 Approvals Required

- 1.1 No Development shall be undertaken in the Summer Village unless:
  - 1.1.1 an application for the proposed Development has been approved by the Development Authority and a Development Permit has been issued;
  - 1.1.2 The Development has been authorized by the SDAB, the LPRT, or the Court of Appeal; or
  - 1.1.3 the proposed Development does not require a Development Permit under this Bylaw.
- 1.2 With respect to any given Land Use District, unless a Development in that Land Use District is described in this Bylaw as not requiring a Development Permit, such Development will require a Development Permit.

### 2 Development Permit Required

- 2.1 For greater certainty, except as specified in section 3 below, the following types of Developments require a Development Permit:
  - 2.1.1 relocating a Building from one location to another location;
  - 2.1.2 a material Grading Change in a manner which is not done temporarily as part of a Development. A Grading Change shall be deemed to be material if it could reasonably be expected to affect the drainage pattern on the Lot or Parcel or if it could have an adverse impact on the neighbouring properties or roadways;
  - 2.1.3 installing or removing an underground holding tank or other component forming part of a wastewater collection system;
  - 2.1.4 drilling, installing or removing a water well cistern or other component forming part of a domestic water supply system;
  - 2.1.5 construction, modification, repair, replacement, demolition or removal of a Building or Structure
    - (i) which is used or will be used as a utility, garden or storage shed,
    - (ii) which is used or will be larger than 10.2 square metres (110.0 square feet), and



- (iii) which is used or will be located within the Rear Yard of the Lot;
- 2.1.6 construction, modification, repair, replacement, demolition or removal of material amounts of shoreline protection including, without limitation, rocks;
- 2.1.7 construction, modification, repair, replacement, demolition or removal of a culvert or ditch;
- 2.1.8 creation of an excavation or a stockpile of materials which is not done temporarily as part of a Development;
- 2.1.9 Landscaping;
- 2.1.10 except in the Residential District (RIA) and the Large Lot Residential District (RIB), cutting or removal of healthy trees; and
- 2.1.11 change in use of a Building.

### **3 No Development Permit Required**

3.1 The following Developments do not require a Development Permit:

- 3.1.1 completion of a Structure which was lawfully under construction at the time that this Bylaw came into effect;
- 3.1.2 routine maintenance of, or routine repairs to, a Structure provided that the work to be done does not constitute structural repairs or alterations;
- 3.1.3 routine maintenance of Landscaping including, without limitation, cutting grass and trimming plants, shrubs and trees;
- 3.1.4 Landscaping of a minor nature made to, or removed from, a Property such as but not limited to earth, rock, sand or other materials, and which does not constitute a material Grading Change;
- 3.1.5 cutting or removal of a dangerous tree which is located on a Property and which has fallen or is about to fall, and poses a threat to public safety;
- 3.1.6 placement and use, on a temporary basis, of lawn chairs, benches, tables, umbrellas, furniture, and other portable items on a portion of any Parcel located in the Lakefront District by the authorized User of such portion of such Parcel;

- 3.1.7 temporary storage of small watercraft, watercraft lifts, piers, pier sections, pier stands and similar items on a portion of any Parcel located in the Lakefront District by the authorized User of such portion of such Parcel during off-season months;
- 3.1.8 minor Structures which are not more than 2.0 metres (6.6 feet) in height and which are accessories to a residential use, such as a barbecue, bird feeder, doghouse, or lawn sculpture; and
- 3.1.9 the following signs:
  - (i) privately owned signs which are not illuminated and which have a maximum area of 1.5 square metres (16.0 square feet);
  - (ii) prohibitive signs such as “no trespassing” and “no hunting”;
  - (iii) signs on federal or provincial land;
  - (iv) municipal or provincial directional and traffic control devices; and
  - (v) public signs necessary for the construction, operation, or maintenance of a public utility.

## 4 Development Permit Application

- 4.1 The Development Authority may, with the approval of Council as evidenced by resolution:
  - 4.1.1 set any fees payable by the Applicant concerning any proposed Development including, without limitation, an application fee for a Development Permit in the manner prescribed by the applicable Summer Village Bylaw; and
  - 4.1.2 prescribe any forms to be completed by the Applicant concerning any proposed Development including, without limitation, the application form for a Development Permit.
- 4.2 An application for a Development Permit shall be made to the Development Authority in writing on a standard form prescribed by the Development Authority.
- 4.3 In the case of a change of Use or structural alterations to a Building, the Development Authority may require an inspection report, in form and substance satisfactory to the Development Authority, setting out the condition of the Building, the suitability of the Building for its intended use and the nature of any

improvements or repairs required to ensure that the Building meets the requirements of this Bylaw.

- 4.4 If an application for a Development Permit has been refused (whether initially or on appeal) and if, within 12 months following such refusal, another application for a Development Permit is made by or on behalf of the same Applicant for the same Property, then the Development Authority may refuse to accept such application if the Development Authority believes that the circumstances applicable to such application have not changed substantially.

## 5 Application for a Class A Development

- 5.1 A Development Permit Application for a Class A Development shall be accompanied by those documents, fees and other information as may be prescribed by the Development Authority including, without limitation, any of the following:
- 5.1.1 an accurate, scaled site plan of the proposed Development drawn to scale showing:
    - (i) the location of all proposed and existing Buildings;
    - (ii) vehicle access and parking, utility lines, gas lines, electricity lines, water wells, water lines, sewer lines, septic tanks;
    - (iii) any existing encroachments;
    - (iv) the location and dimensions of all required setbacks;
    - (v) the location of the high water mark of Pigeon Lake for all Lots or Parcels fronting onto Lakeshore Drive or Pigeon Lake and Lots 1-4, Block 2, Plan 4816HW fronting onto Front 1<sup>st</sup> Street or Pigeon Lake. ;
    - (vi) the calculations of Lot Coverage; and
    - (vii) details regarding the Landscaping proposed for the Lot or Parcel (may be provided in a separate landscape plan) showing the existing vegetation and any vegetation which is proposed to be removed or impacted.
  - 5.1.2 a statement of existing and proposed principal use and a statement of the ownership of the Property and interest of the Applicant therein;
  - 5.1.3 the estimated commencement and completion dates;
  - 5.1.4 the estimated cost of the project or contract price;

- 5.1.5 the required application fee;
- 5.1.6 if the proposed Development includes a new Building:
- (i) a real property report prepared by a qualified Alberta land surveyor;
  - (ii) floor plans and elevations and sections, showing cross sections of foundations or footings, including all height and horizontal dimensions and the location of exterior windows, doors and other openings in the Buildings;
  - (iii) any other improvements located and proposed to be located on the Lot or Parcel; and
  - (iv) a drawing or rendering of the finished Building.
- 5.1.7 if the proposed Development could reasonably be expected to cause a material Grading Change, a grading and drainage plan stamped by a licensed professional acceptable to the development officer:
- (i) showing the pre-Development grade and drainage of the Lot or Parcel and the proposed post-Development grade and drainage of the Lot or Parcel; and
  - (ii) designed to prevent any adverse impact on neighbouring Properties, roadways or Pigeon Lake.
- 5.1.8 If the proposed Development includes shoreline modifications or activities such as stripping, grading, or landscaping, a grading and drainage plan or landscape plan as per subsection 5.1.7 above.
- 5.1.9 If the proposed Development includes a hot tub:
- (i) proof of insurance liability; and
  - (ii) proof that Alberta Building Code requirements have been complied with.
- 5.1.10 If the proposed development includes a Retaining Wall greater than 1.0 metres (3.0 feet) in height or a series of Retaining Walls of any height, a report prepared by a qualified, registered professional indicating that the structural and geotechnical design of the Retaining Wall(s) is suitable for the site, conditions and intended purpose of the Retaining Wall(s).

## 6 Application for a Class B Development

6.1 Without restricting the generality of the documents or information which may be required by the Development Authority for a Development Permit Application for a Class A Development, the Development Authority may require additional information for a Class B Development Application including, without limitation:

- 6.1.1 a construction management plan prepared by a qualified professional providing details about:
- (i) how the site will be managed during construction for the preservation of natural vegetation and topsoil, for the protection of roadways and infrastructure of the Summer Village, and
  - (ii) the proposed management strategies for minimizing and controlling erosion, mud and sediment-laden run-off;
- 6.1.2 an environmental review report prepared by a qualified professional providing details about:
- (i) a description of the environmental sensitivity of the lands and features;
  - (ii) the nature of the impacts of land use activities on land, water, wildlife and fish during construction and upon completion of the Development;
  - (iii) an environmental mitigation/protection strategy to alleviate any adverse impacts.

## **7 Development Permit Completeness**

- 7.1 The Development Authority must, within 20 days after the receipt of an application for a Development Permit, determine whether the application is complete.
- 7.2 An application for a Development Permit shall not be deemed complete until the Development Authority has received all the information described in sections 5 and 6 above.
- 7.3 If an application is determined incomplete, the Development Authority shall advise the Applicant of the outstanding documents and information to be submitted within a specified timeframe to be considered a complete application. After the outstanding documents and information are submitted and reviewed to determine if the application is complete, the Development Authority shall send a notice in writing and mailed or emailed to the Applicant confirming whether or not the application is complete.
- 7.4 Failure to submit the outstanding documents and information within the timeframe of the notice or a timeframe as agreed between the Applicant and the Development Authority, may result in the application being deemed to be refused and the Development Authority shall proceed to issue a notice of decision for refusal with reasons.

## **8 Decisions on Development Permit Applications**

- 8.1 When deciding on an application for a Development Permit:
- 8.1.1 In the case of a Class A Development without variances, the Development Authority shall approve, with or without conditions, an application for a Development Permit provided that the proposed Development complies with the requirements of this Bylaw.
- 8.1.2 In the case of a Class A Development with variances or a Class B Development with or without variances, the Development Authority:
- (i) may approve the application unconditionally, provided that the proposed Development complies with the requirements of this Bylaw; or
  - (ii) may approve the application subject to conditions which are imposed by the Development Authority, and which shall be applicable permanently or for a limited time, as determined by

the Development Authority, provided that the proposed Development complies with the requirements of this Bylaw; or

(iii) may refuse the application.

- 8.2 The Development Authority shall refuse an application for a Development Permit in circumstances where the use of the proposed Development is neither a Permitted Use nor a Discretionary Use in the Land Use District in which the proposed Development is to be located.
- 8.3 In the case of a Class A Development with variances or a Class B Development with or without variances, the Development Authority shall:
- 8.3.1 give to the Applicable Adjoining Users, not less than 21 days prior written notice of the proposed Development including a description of the non-complying aspects of the proposed Development;
  - 8.3.2 record any written objections to the proposed Development made by an Applicable Adjoining User to the Development Authority before the expiration of the 21-day notice period;
  - 8.3.3 consider Applicable Adjoining Users' feedback when deciding to approve or withhold approval of the application for the Development Permit; and
  - 8.3.4 specify the nature of the approved variance in the Development Permit approval.
- 8.4 In the case of a proposed Development within the Easement District (ED), the Development Authority shall request input and comments from the EHA Directors and shall not render a decision before receiving and considering such input and comments;
- 8.5 The Development Authority may request an environmental review report from the appropriate Provincial agencies for comment and recommendations before approving or refusing an application for a Development Permit.
- 8.6 The Development Authority may use the recommendations of any technical report as a basis for reasons to refuse or approve, with or without conditions, a Development Permit.

## 9 Development Permit Conditions

- 9.1 The conditions referred to in subsections 9.1.1 and 9.1.2. below may include any conditions which the Development Authority considers appropriate including, without limitation, any one or more of the following:
- 9.1.1 the Applicant must amend the application to conform to this Bylaw or other bylaws of the Summer Village;
  - 9.1.2 the Applicant must pay an off-site levy or redevelopment levy imposed in accordance with a bylaw of the Summer Village;
  - 9.1.3 the Applicant must enter into any agreement in accordance with the MGA concerning the servicing of the Property;
  - 9.1.4 the Applicant must register an easement to protect a utility line;
  - 9.1.5 the Applicant must repair any improvements that may be damaged as a result of the Development;
  - 9.1.6 the Applicant must complete the Development within a specified period;
  - 9.1.7 the Applicant must grade the Property to the satisfaction of the Development Authority and provide a final grading certificate;
  - 9.1.8 the Applicant must incorporate parking in the Development to meet the requirements of this Bylaw or the regulations applicable to the Land Use District in which the proposed Development is to be located;
  - 9.1.9 the Applicant must provide a cash deposit, letter of credit or performance bond to secure the Applicant's obligation to perform any of the conditions imposed by the Development Authority;
  - 9.1.10 the Applicant must provide to the Development Authority a real property report prepared by a qualified Alberta land surveyor at the time that the foundation or footings are complete, but before the framing has started; and
  - 9.1.11 the Applicant must comply with any other applicable Summer Village Bylaws and Policies.
- 9.2 The Development Authority may register against the certificate of title to the Property by way of caveat or otherwise notice of one or more of the conditions imposed by the Development Authority and applicable to the Applicant's application for a Development Permit.



## 10 Limitation of Variance

10.1 The Development Authority may approve an application for a Development Permit in circumstances where the proposed Development does not comply with the requirements of this Bylaw provided that:

10.1.1 in the opinion of the Development Authority, the proposed Development would not

- (i) unduly interfere with the amenities of the Summer Village, or
- (ii) materially interfere with or affect the Use, enjoyment or value of the Properties adjacent to the Lot or Parcel on which the proposed Development is to be located.

10.1.2 in the opinion of the Development Authority, the proposed Development conforms with the Use prescribed by this Bylaw for the Property or the Buildings on the Property; and

10.1.3 the Owners of the Properties located within 60.0 metres (196.9 feet) of the Lot or Parcel have received by mail or email a written notice of the proposed non-compliance and the Development Authority has waited for at least 14 days following the communication of such notice to receive and consider the input and comments from such Owners.

10.2 In applying the regulations outlined in this Bylaw, the Development Authority may consider a variance of up to (but not more than) 2% of the maximum Building height and 5% of quantitative development standards such as, but not limited to, setbacks and lot coverage provided that the Development Authority is satisfied that:

10.2.1 there are circumstances of unnecessary hardship or practical difficulties peculiar to the Use, character, or situation of the Lot or Parcel or a Building, which are not generally common to other Properties in the same Land Use District; and

10.2.2 adequate mitigation measures will be used to reduce negative impacts on any adjoining Properties.

10.3 Except as otherwise provided in this Bylaw, there shall be no variance to the maximum number of Dwellings on a Lot or Parcel.

- 10.4 A Development Permit application for an enlargement, alteration or addition to a Non-Conforming Structure shall be deemed a Class B Development. The Development Authority may approve the Development Permit if:
- 10.4.1 the enlargement, alteration or addition does not require a variance; and
  - 10.4.2 the Non-Conforming Structure complies with the Uses prescribed for the applicable Lot or Parcel in this Bylaw.

## 11 Notification of Development Permit Decisions

- 11.1 Upon deciding on an application for a Development Permit, the Development Authority shall:
- 11.1.1 issue the decision in writing;
  - 11.1.2 if applicable, include in the decision reasons for a refusal of the application;
  - 11.1.3 state in the decision that the Applicant or any Person affected by such decision has the right to appeal such decision and set out reasonable particulars of the appeal process;
  - 11.1.4 mail or otherwise give a copy of the decision to the Applicant within 40 days following the making of such decision; and
  - 11.1.5 post on the Summer Village's website a summary of relevant details of the Development Permit, as determined by the Development Authority.
- 11.2 The decision of the Development Authority concerning an application for a Development Permit shall be mailed, emailed, or otherwise provided to the Applicant and to any other Person who has filed an interest in the application.
- 11.3 If the Development Authority fails to comply with subsection 11.1.4 above, then the Development Authority shall be deemed to have refused the Applicant's application for a Development Permit and the Applicant may appeal the deemed decision of the Development Authority in accordance with subsection 14 below.

## 12 Validity and Cancellation of Development Permits

- 12.1 When the Development Authority has approved a Development Permit, the Development Permit shall not be valid:
- 12.1.1 unless and until all conditions of approval (other than conditions of a continuing nature) have been satisfied; and

- 12.1.2 until the statutory period for filing an appeal of the issuance of the Development Permit has expired.
- 12.2 Upon the issuance of a Development Permit, it shall be the responsibility of the Applicant to ensure that all contractors, subcontractors, suppliers and other Persons who are working on, or providing services in connection with, the Development are aware of, and comply with, all the conditions of, and the requirements under, the Development Permit.
- 12.3 After the issuance of a Development Permit, the Development authorized by the Development Permit shall be:
- 12.3.1 commenced within six months following such issuance unless, subject to subsection 13 below, the Development Authority grants an extension of such six-month deadline, and the Applicant complies with any conditions applicable to such extension; and
- 12.3.2 completed within 18 months following such issuance unless the Development Authority grants an extension of such 18-month deadline and the Applicant complies with any conditions applicable to such extension.
- 12.4 After the issuance of a Development Permit, a placard provided by the Development Authority setting out the details of the Development Permit (including, without limitation, any applicable variances) shall be posted in a visible location near the entrance to the Property before any work commences and such placard shall remain posted throughout construction.
- 12.5 The Development Authority may revoke a Development Permit in circumstances where the Development Authority believes that the Development Permit was obtained by misrepresentation or non-disclosure of material facts by the Applicant. In such circumstances, the Applicant shall have the right to appeal such revocation.
- 12.6 When an appeal of the issuance of a Development Permit or the imposition of one or more conditions imposed by the Development Authority has been filed before the expiration of the applicable statutory appeal period, the Development Permit shall be suspended and deemed invalid pending the withdrawal of the appeal or the final decision of the SDAB, the LPRT, or the Court of Appeal, as the case may be.

## **13 Development Permit Time Extension**

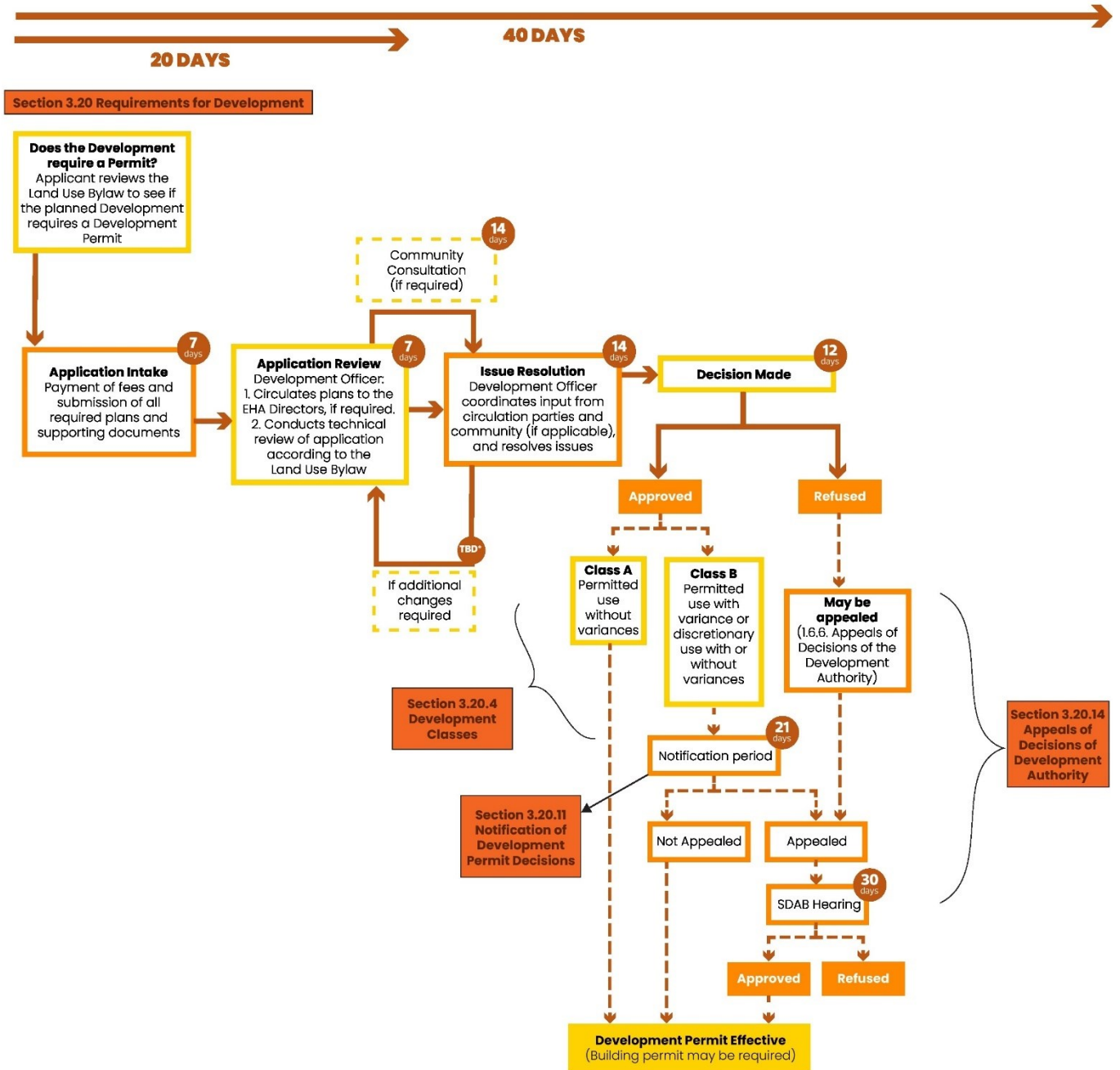
- 13.1 Upon request, the Development Authority may extend the date that the Development must commence as specified in this Bylaw if:
- 13.1.1 the Development Permit is not for a change of Use;
  - 13.1.2 the length of the extension is less than two years from the date on which the Development must commence according to the applicable Development Permit; and
  - 13.1.3 the request is made in writing or on a form approved by the CAO.
- 13.2 The request for an extension may be granted before the date on which the Development must commence according to the applicable Development Permit.
- 13.3 No more than one extension shall be granted for any Development Permit.

## **14 Appeals of Decisions of Development Authority**

- 14.1 The SDAB and the LPRT are established to hear appeals to decisions of the Development Authority in accordance with the MGA.
- 14.2 Any Person affected by any decision of the Development Authority shall have the right to appeal such decision to the SDAB or the LPRT, as stated by the Development Authority in its decision.
- 14.3 An appeal of a decision of the Development Authority shall be made following the process and the requirements set out in the MGA.



# FLOWCHART: DEVELOPMENT PERMIT PROCESS



TBD\* : Timeline for this stage is dependent on the applicants desire to advance the application

## **15 Subdivision Approval Application**

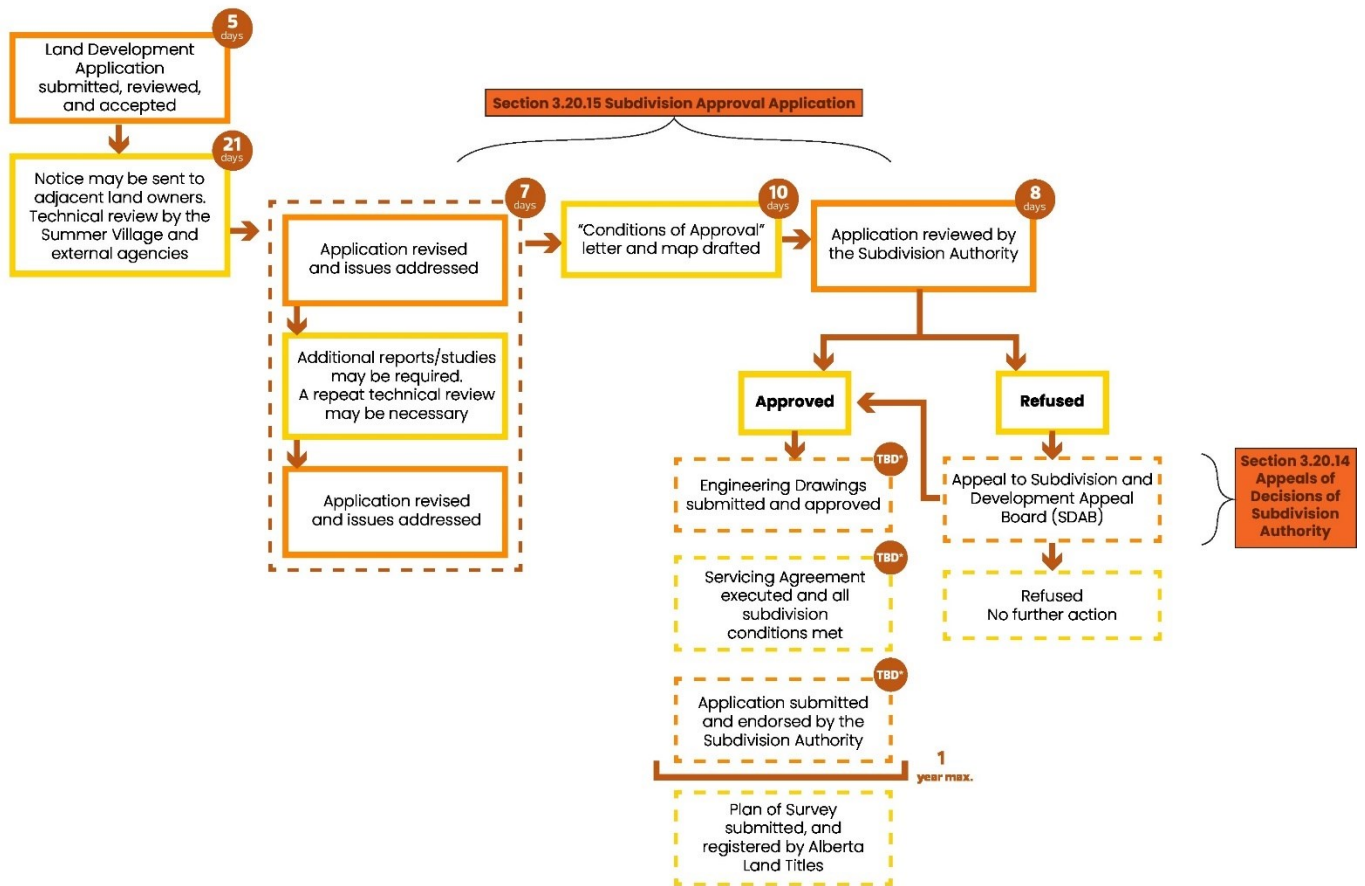
- 15.1 No Subdivision shall be undertaken in the Summer Village unless an application for Subdivision Approval has been approved by the Subdivision Authority.
- 15.2 An application for Subdivision Approval shall be made to the Subdivision Authority in writing on a standard form prescribed by the Subdivision Authority. An application for Subdivision Approval shall be accompanied by those documents, fees and other information as may be prescribed by the MGA, the MRSDR and the Subdivision Authority.
- 15.3 Upon receiving an application for Subdivision Approval, the Subdivision Authority shall comply with the requirements set out in the MGA and the MRSDR with respect to applications for Subdivision Approval.
- 15.4 The decision of the Subdivision Authority with respect to an application for Subdivision Approval shall be given in writing and, in doing so, the Subdivision Authority shall comply with the requirements set out in the MGA and the MRSDR with respect to decisions of a Subdivision Authority.

## **16 Appeals of Decisions of Subdivision Authority**

- 16.1 The SDAB and the LPRT are established to hear appeals of decisions of the Subdivision Authority in accordance with the MGA.
- 16.2 Any Person affected by any decision of the Subdivision Authority shall have the right to appeal such decision to the SDAB, LPRT, or the Court of Appeal as stated by the Subdivision Authority in its decision.
- 16.3 An appeal of a decision of the Subdivision Authority shall be made following the process and the requirements set out in the MGA.



# FLOWCHART: SUBDIVISION PROCESS CHART



TBD\* : Timeline for this stage is dependent on the applicants desire to advance the application

## 3.30 Amending the Land Use Bylaw

### 1 Procedure for Amendments

- 1.1 Council or the CAO may, at any time, initiate the process for a proposed amendment to this Bylaw, but before giving first reading to any proposed amendment, it shall be referred to the Development Authority for comments and recommendations.
- 1.2 Any Owner shall have the right to submit a request to Council to amend this Bylaw.
- 1.3 A request to amend this Bylaw shall be made in writing or on a form approved by the CAO.
- 1.4 An amendment to this Bylaw shall be made in accordance with the process and the requirements set out in the MGA.

### 2 Resubmission Interval

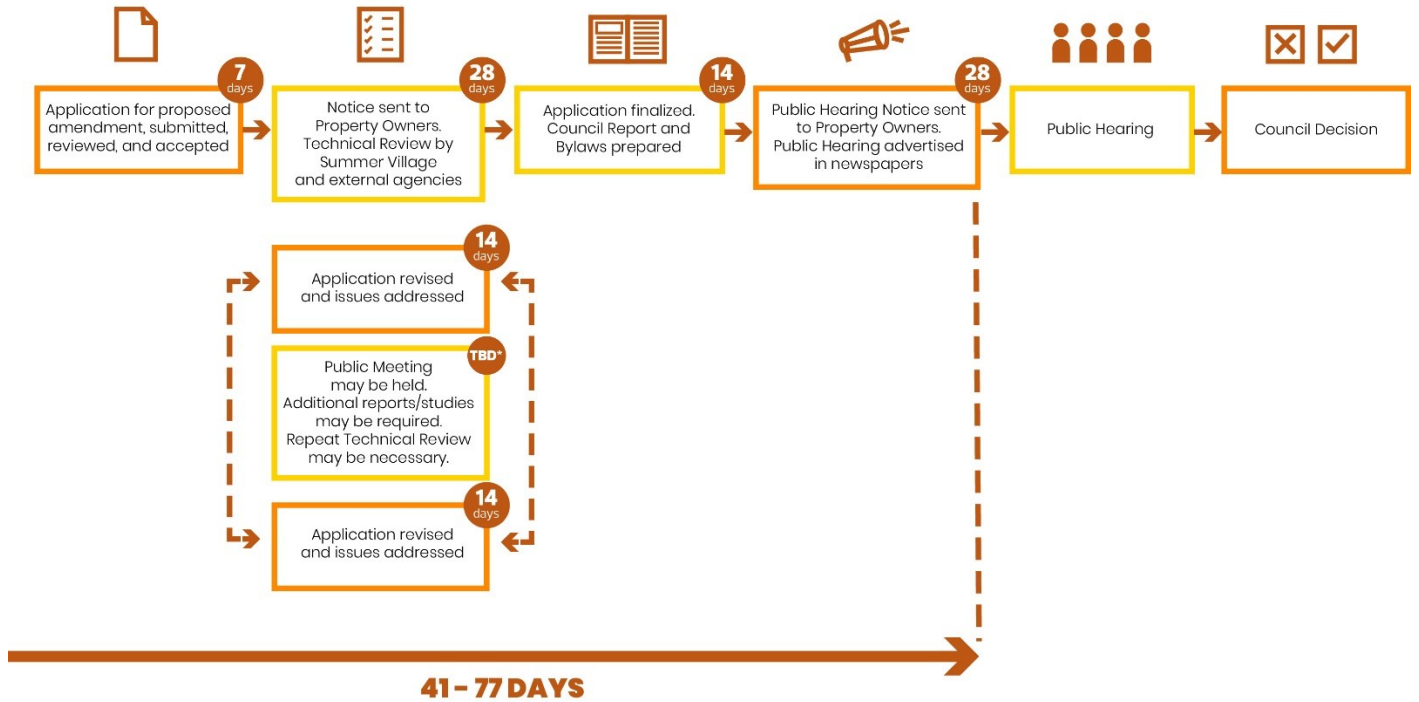
- 2.1 Where an application for a proposed amendment to this Bylaw has been refused by Council, another application for the same or substantially the same amendment shall not be considered within 12 months of the date of the refusal unless Council otherwise directs.



# FLOWCHART: LAND USE BYLAW AMENDMENT PROCESS



**Section 3.30.1 Procedure for Amendments**



**TBD\*** : Timeline for this stage is dependent on the application's revision and the submission of additional reports/studies

# **Part 4      General Development Regulations**

## 4.10 Site Organization

### 1 Development Density

- 1.1 The maximum number of Buildings on a Lot located in the Residential District (RIA) shall be:
  - 1.1.1 One Principal Building; and
  - 1.1.2 Two Accessory Buildings, one of which may be a Garage or a Guesthouse.
- 1.2 The maximum number of Buildings on a Lot located in the Large Residential District (RIB) shall be:
  - 1.2.1 One Principal Building; and
  - 1.2.2 That number of Accessory Buildings as permitted by the RIB Lot Coverage regulations set out in this Bylaw.
- 1.3 The maximum number of Buildings on a Lot located in the Community District (CD2) shall be as permitted by the CD2 Lot Coverage regulations set out in this Bylaw.
- 1.4 The maximum number of Buildings or Structures on a Lakefront Parcel (ED, PUL, RA) shall be as Permitted by the Lot Coverage regulations set out in this Bylaw in each respective Land Use District.

### 2 Driveways and Parking

- 2.1 The number of Driveways on a Lot in the Residential District (RIA) and the Large Lot Residential District (RIB) shall be limited to
  - 2.1.1 One Driveway on a Lot with less than 30.5 metres (100.0 feet) of frontage; and
  - 2.1.2 Two Driveways for Lots with more than 30.5 metres (100.0 feet) of frontage.
- 2.2 A second Driveway may be permitted at the discretion of the Development Authority on a corner Lot if the second Driveway shall not exceed 6.0 metres (20.0 feet) in width.

- 2.3 The width of Driveways shall not exceed 4.3 metres (14.0 feet) unless, in the opinion of the Development Authority, additional width is required for public safety or to effectively convey traffic between a Lot and the applicable Road.
- 2.4 The number of Parking Stalls and Parking Pads located on a Lot in the Residential District (RIA) and the Large Lot Residential District (RIB) shall be restricted to the number set out in the regulations applicable to those Land Use Districts.
- 2.5 No Driveways, Parking Pads or Parking Stalls shall be permitted on any Lakefront Parcel.
- 2.6 Driveways and Parking Pad materials shall be permeable or semi-permeable, such as gravel, paving stones, and pavers. The use of concrete and asphalt shall be discouraged.
- 2.7 Any Driveway which crosses a ditch on a Lot shall be constructed with a culvert which is satisfactory to the Development Authority, and which does not interfere with the natural flow, drainage or absorption of water.
- 2.8 The Development Authority may require a swale on the Property to prevent flooding of the adjacent Property.

### **3 Tree Removal**

- 3.1 The removal of healthy trees in any Land Use District shall be discouraged.
- 3.2 The Development Authority may determine as a condition of a Development Permit, that trees and planting features included in a landscape plan may be removed in the future subject to a replacement planting which shall not need to be planted in the same location from which the original planting was removed.

### **4 Landscaping Standards**

- 4.1 Required Landscaping must be
- 4.1.1 installed within 12 months of occupancy of the Development, and
  - 4.1.2 be maintained in a healthy condition from the date of installation until a minimum of 36 months after the occupancy of the Development.
- 4.2 The area of the Lot or Parcel with vegetation coverage shall be a minimum of 35% of the total area of the Lot or Parcel and may include:
- 4.2.1 new planting or existing vegetation that comprises native vegetation (including trees and shrubs); or

- 4.2.2 other soft Landscaping elements, and permeable surfaces other than vegetation (e.g., rock gardens, gravel, permeable pavement, etc.).

## 4.20 Structure and Site Standards

### 1 Standards for Structures

- 1.1 Any Building or other Structure on a Lot or Parcel shall comply with all current Alberta Building Code and all current safety codes and shall not otherwise threaten public health or safety.
- 1.2 The building materials used to construct a Building or other Structure shall conform to the following requirements:
  - 1.2.1 materials shall not contain any toxic substances which could reasonably be expected to leach into Pigeon Lake or any groundwater;
  - 1.2.2 paving stones shall be permitted for Patios and fire pits so long as any water run-off can drain between the individual stones or as long as the requirements of subsection 1.2.3. below are met; and
  - 1.2.3 non-permeable materials used for horizontal surfaces shall not be permitted unless any water run-off from such surfaces is directed into a filtration area such as a grassy area, a shrub bed, or a flower bed.
- 1.3 No Person shall erect, keep, or permit on any part of a Property in any Land Use District any excavation, storage or piling up of building materials or supplies required during the construction of a Development unless all necessary safety measures are undertaken, and such condition does not continue longer than the Development Authority considers necessary for completion of construction work on the Property.

### 2 Accessory Structures

- 2.1 A Deck which is attached to a Building shall be deemed to form part of the Building.
- 2.2 Any Building which does not share a foundation or footings with a Principal Building shall be deemed to be an Accessory Building and shall not be deemed to form part of the Principal Building even if the Buildings are attached by a roof, breezeway, Deck, Patio or other at-grade or above-grade connection.
- 2.3 A Deck or Patio which does not exceed 0.3 metres (1.0 foot) in height in any part of the Deck or Patio shall not be subject to the requirements described in the

minimum setbacks subsections of the applicable Land Use District even though the Deck or Patio is attached to the Principal Building.

#### 2.4 Retaining Walls shall:

- 2.4.1 not disrupt overland drainage patterns established for the Lot or Parcel at the time the Development Permit application was submitted and shall not create adverse impacts on the neighbouring Properties;
- 2.4.2 maintain functional overland drainage on all portions of the Lot or Parcel;
- 2.4.3 not divert overland drainage onto adjacent Properties;
- 2.4.4 maintain a minimum horizontal separation of 1.0 metres (3.0 feet) between Retaining Walls on a Lot or Parcel; and
- 2.4.5 be constructed with a guard or Fence on top of the Retaining Wall where the elevation change exceeds 600 millimetres (23.6 inches), consistent with the Alberta Building Code.

### 3 Privacy Screen

- 3.1 The Development Authority may require the Owner to construct or install a privacy screen on a Deck or on other platform structures to provide a visual barrier and mitigate the negative impacts of the Development on adjacent Properties or public areas. Typical examples include lattices, trellises, parapet walls, wooden boards, translucent glass, or any combination of these or similar features.

### 4 Encroachment

- 4.1 If a site plan submitted as part of a Development Permit application shows an encroachment, the Development Authority shall, before proceeding with the review:
  - 4.1.1 require the Applicant to rectify the encroachment by removing the encroaching Structure; or
  - 4.1.2 submit an Encroachment Agreement to be signed by the Applicant and the Owner of the affected Property.
- 4.2 The submission of an Encroachment Agreement shall not be interpreted as the granting of a variance to the Applicant. The Development Authority shall render its decision concerning the Encroachment based on compliance with all other applicable regulations in this Bylaw.

## 5 Permitted and Non-Permitted Structures

- 5.1 A Modular Home is a Permitted Use in the Residential District (RIA), the Large Lot Residential District (RIB), the Community District (CD1) and the Community District (CD2) but a Modular Home is neither a Permitted Use nor a Discretionary Use in any other Land Use District.
- 5.2 A Manufactured Home is neither a Permitted Use nor a Discretionary Use in any Land Use District.
- 5.3 A Shipping Container is a Discretionary Use in the Community District (CD1) and Community District (CD2) but a Shipping Container is neither a Permitted Use nor a Discretionary Use in any other Land Use District.
- 5.4 Subject to section 5.10.6 below, a Recreational Vehicle is a Permitted Use in the Residential District (RIA) and the Large Lot Residential District (RIB) but a Recreational Vehicle is neither a Permitted Use nor a Discretionary Use in any other Land Use District.



## 4.30 Non-Conforming Structures

### 1 Non-Conforming Structures on a Property

- 1.1 A Structure which is located on a Property in any Land Use District, and which is a Non-Conforming Structure at the time that this Bylaw becomes effective shall be permitted to remain provided that:
- 1.1.1 such Non-Conforming Structure complied with all building codes and safety codes applicable to such Non-Conforming Structure at the time of construction of such Non-Conforming Structure;
  - 1.1.2 subject to subsections 1.1.3. and 1.1.4. below, such Non-Conforming Structure is maintained in good condition and repair;
  - 1.1.3 such Non-Conforming Structure is not enlarged, added to, rebuilt or structurally altered except
    - (i) to make such a Non-Conforming Structure conform with this Bylaw;
    - (ii) for routine maintenance of such Non-Conforming Structure if the Development Authority considers such routine maintenance to be necessary, or
    - (iii) in accordance with minor variances approved by the Development Authority.
  - 1.1.4 if such Non-Conforming Structure is damaged or destroyed to the extent of more than 75% of the value of such Non-Conforming Structure, then such Non-Conforming Structure may not be repaired or rebuilt unless, upon completion thereof, such Non-Conforming Structure conforms with this Bylaw.
- 1.2 Permanently installed utilities which are located on a Property in any Land Use District at the time that this Bylaw becomes effective shall be permitted to remain provided that:
- 1.2.1 such utilities comply with all building codes and safety codes applicable to such utilities at the time of installation of such utilities; and
  - 1.2.2 such utilities are maintained in good condition and repair.

- 1.3 Toxic materials which form part of a Structure located on a Property in any Land Use District at the time that this Bylaw becomes effective shall be permitted to remain provided that:
- 1.3.1 the toxic materials are not leaching into Pigeon Lake or any groundwater;
  - 1.3.2 such Structure complied with all building codes and safety codes applicable to such Structure at the time of construction of such Structure;
  - 1.3.3 subject to subsection 1.4. below, such Structure is maintained in good condition and repair; and
  - 1.3.4 any toxic materials which are to be replaced as part of any repairs described in subsection 1.3.3 above shall be replaced with non-toxic materials.
- 1.4 If, at any time, the Development Authority becomes aware of the fact that any Owner, Occupant or User of a Property is no longer in compliance with one or more of the requirements set out in subsections 1.1., 1.2. or 1.3. above, as the case may be, then:
- 1.4.1 the Development Authority may give written notice of such non-compliance to such Owner, Occupant or User within 10 days following the date that the Development Authority became aware of such non-compliance;
  - 1.4.2 in the case of a Non-Conforming Structure, within 45 days following the end of the 10-day notice period, such Owner, Occupant or User shall either:
    - (i) remedy the non-compliance, or
    - (ii) remove the Non-Conforming Structure from the Property;
  - 1.4.3 in the case of permanently installed utilities, within 45 days following the end of the 10-day notice period, such Owner, Occupant or User shall either:
    - (i) remedy the non-compliance, or
    - (ii) remove such utilities from the Property;
  - 1.4.4 in the case of toxic materials, within 45 days following the end of the 10-day notice period, such Owner, Occupant or User shall either
    - (i) remedy the non-compliance, or

- (iii) remove the toxic materials from the Property;
- 1.4.5 no later than the end of the 45-day period described in subsections 1.4.2., 1.4.3., or 1.4.4. above, as the case may be, such Owner, Occupant or User shall provide to the Development Authority evidence, in form and substance satisfactory to the Development Authority, that such Owner, Occupant or User has satisfied the requirements set out in subsections 1.4.2., 1.4.3., or 1.4.4. above, as the case may be; and
- 1.4.6 if such Owner, Occupant or User fails to comply with subsection 1.4.5. above, the Development Authority shall be entitled to exercise and enforce one or more of the rights, powers and remedies available to the Development Authority under the MGA including, without limitation, sections 645 and 646 of the MGA.

# Part 5 Land Use Districts

## 5.10 Regulations that Apply to Residential Districts (RIA and RIB)

### 1 Specific Regulations for the Residential Districts (RIA and RIB)

1.1 Building facades facing a street must be constructed using two or more of the following design techniques or features:

- 1.1.1 variations in rooflines;
- 1.1.2 vertical or horizontal building wall projection or recessions;
- 1.1.3 visual breaks of building facades into smaller sections;
- 1.1.4 features such as windows, balconies, or porches;
- 1.1.5 use of a combination of finishing materials; or
- 1.1.6 other similar techniques or features.

1.2 No electric or barbed wire Fence shall be allowed on a Lot.

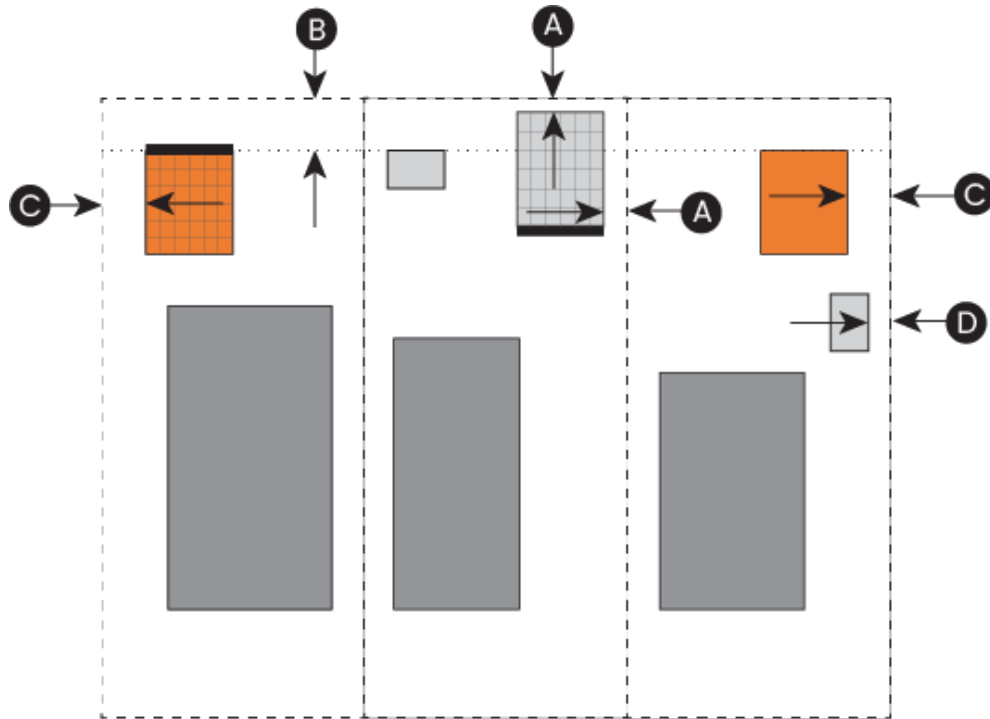
1.3 With respect to the East Waterfront Lots, no trees or vegetation shall be cleared from within 6.0 metres (20.0 feet) of the high water mark of Pigeon Lake except to provide physical access to Pigeon Lake and only to a maximum width of 3.0 metres (10.0 feet), or where such trees or vegetation are diseased, dying or endangering Structures on the Property or public safety.

### 2 Re-Subdivision of Lots

2.1 Re-subdivision of a Lot shall not be allowed in the Residential District (RIA).

2.2 In case of re-subdivision of a Lot through lot consolidation, the minimum area of new residential Lots in the Residential District (RIB) shall be 696.7 square meters (7,500.0 square feet).

### 3 Accessory Buildings

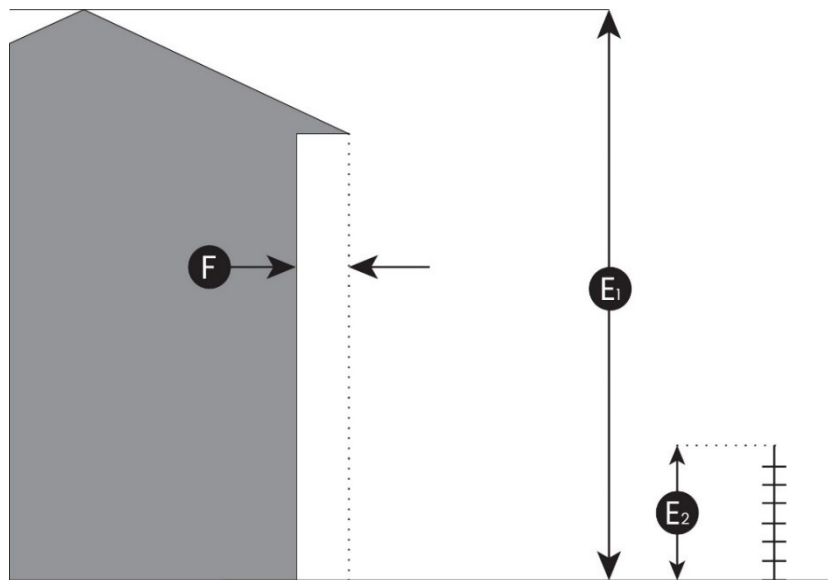


- Legend**
- Lot Line
  - One Storey Accessory Building
  - Two Storey Accessory Building
  - Principal Building
  - Garage
  - Main Overhead Door

- 3.1 An Accessory Building shall not be located in the Front Yard of a Lot and shall be located between the Principal Building and the rear property line of the Lot.
- 3.2 The minimum Rear Setback for Accessory Buildings shall be as follows:
  - 3.2.1 1.0 metre (3.3 feet) for one-storey Accessory Buildings, including Garages, A with the main overhead door facing the front or side Lot lines.
  - 3.2.2 3.0 metres (10.0 feet) for all two-storey Accessory Buildings other than Garages with the main overhead door facing the rear Lot line; B
- 3.3 The minimum Side Setback for Accessory Buildings shall be as follows:
  - 3.3.1 1.8 metres (5.9 feet) for two-storey Accessory Buildings C
  - 3.3.2 1.5 metres (4.9 feet) for one-storey Accessory Buildings D

- 3.4 An Accessory Building that contains sleeping accommodation shall be deemed to be a Guesthouse.
- 3.5 A Guesthouse or Loft may be built on a second storey of a Garage which shall be deemed a two-storey Accessory Building.
- 3.6 The maximum Floor Area of a Guesthouse shall be 55.0 square metres (592.0 square feet), excluding the stairway and landing Floor Area.

## 4 Building Height and Extensions



**Legend**  
 ----- Lot Line  
 † † Fence

- 4.1 Height shall be measured between the highest point of the foundation or footings and the highest point of the roof peak as follows:
  - 4.1.1 8.5 metres (28.0 feet) maximum for Principal Building and Accessory Building; E<sub>1</sub>
  - 4.1.2 1.8 metres (6.0 feet) maximum for any Fence or other means of enclosure unless, in the opinion of the Development Authority, a higher height is reasonably required to ensure privacy. E<sub>2</sub>
- 4.2 The eaves, bay windows, chimneys and cantilevered extensions (beyond the foundation or footings) of a Principal Building shall not encroach more than 0.6 metres (23.0 inches) into a setback. F

## **5 Relocation of Buildings**

- 5.1 The relocation of a Building for which a Development Permit has been issued shall constitute a Development and require the issuance of a Development Permit.

## **6 Recreational Vehicles**

- 6.1 The maximum number of Recreational Vehicles that may be located on a Lot at any given time shall be one.
- 6.2 A Recreational Vehicle located on a Lot for more than seven days shall constitute a Development and shall require the issuance of a Development Permit.
- 6.3 Despite subsection 6.2 above, the CAO may waive the fees required for a Development Permit application.
- 6.4 A Recreational Vehicle shall not be used as a permanent Dwelling.
- 6.5 The CAO may authorize a Recreational Vehicle to remain on a Lot for more than seven days without the issuance of a Development Permit provided that:
  - 6.5.1 they receive a written request for approval no later than two weeks before the date that the Recreational Vehicle is to be moved onto the Lot;
  - 6.5.2 are satisfied with the reason for the request for approval (e.g.: off-season storage, etc.); and
  - 6.5.3 they find the location of the Recreational Vehicle on the Lot to be acceptable.

## **7 Home Business**

- 7.1 A Home Business shall be construed as a Discretionary Use and shall conform to, and comply with, any bylaws or policies of the Summer Village which are applicable to a Home Business.

## **8 Short Term Rental**

- 8.1 A Short Term Rental shall be construed as a Discretionary Use and shall conform to, and comply with, any bylaws or policies of the Summer Village which are applicable to a Short Term Rental.



# 5.20 Residential District (RIA) Land Uses and Development Standards

## 1 Uses and Structures

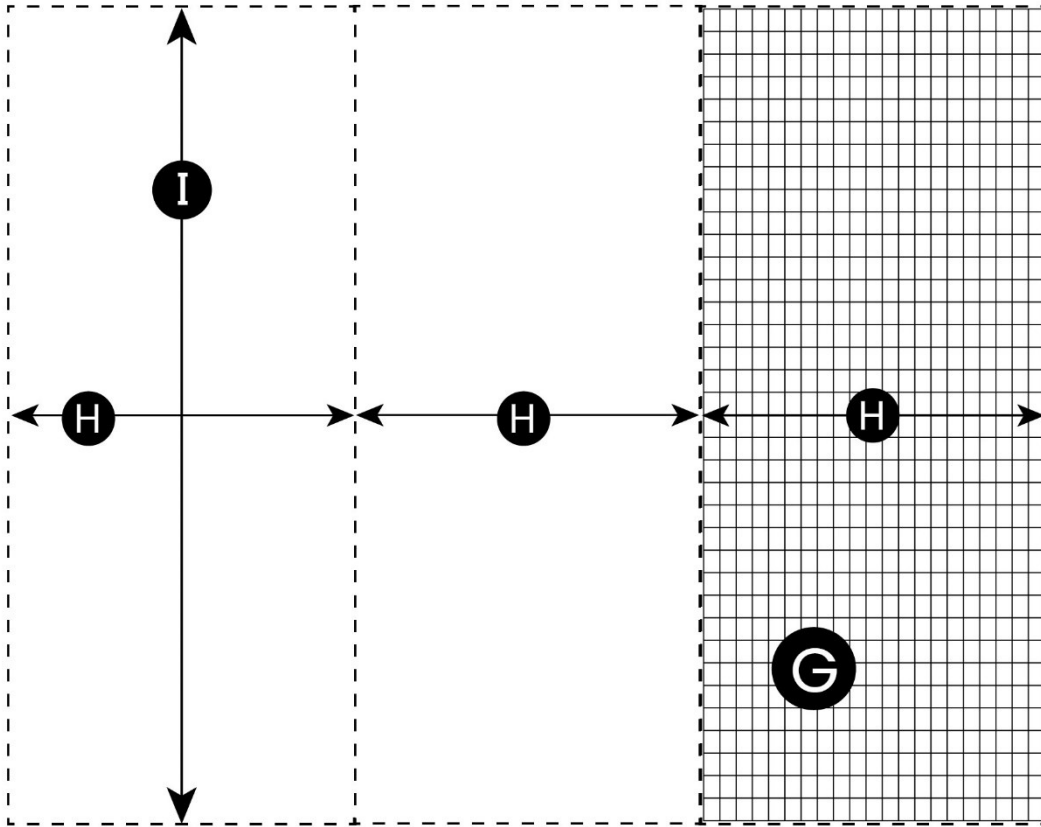
### 1.1 Permitted and Discretionary Uses

Use	P/D
Existing Community Centre and Associated Accessory Buildings and Uses	-
Driveway	P
Garage	P
Home Business	D
Manufactured Home	-
Mobile Home	-
Modular Home	P
Parking	P
Park	-
Recreational Amenity	-
Recreational Vehicle	D
Storage Building	P
Single Detached Dwelling	P
Shipping Container	-
Short Term Rental	D

### 1.2 Permitted and Discretionary Structures

Structure	P/D
Deck	P
Fence	P
Firepit	P
Patio	P
Planter	P
Retaining Wall	P
Stairs	P
Storage of Piers, Docks, Boat Lifts, and Watercraft Lifts	P

## 2 Development Standards

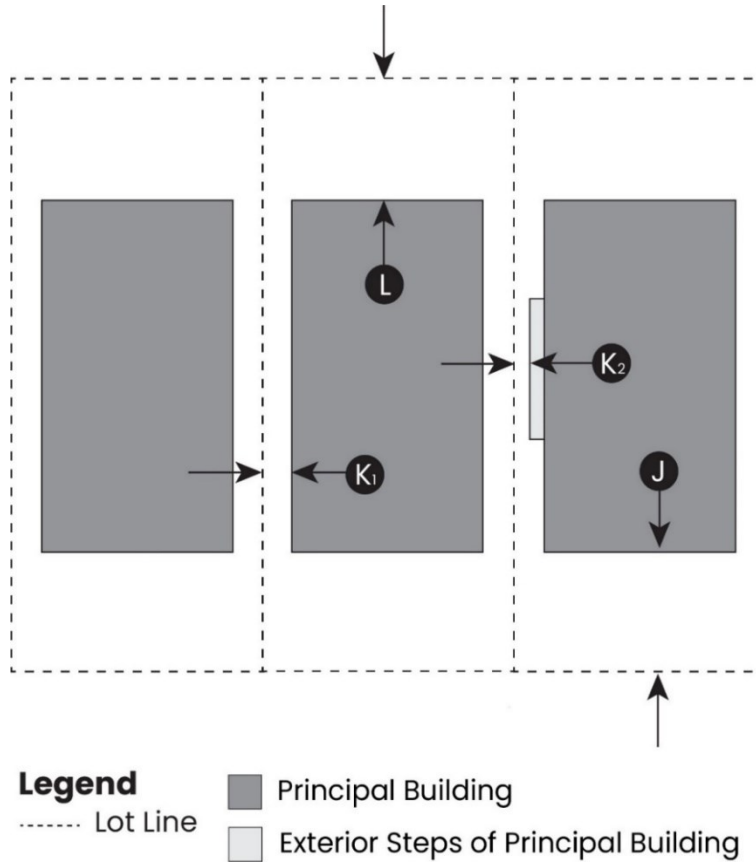


### Legend

----- Lot Line

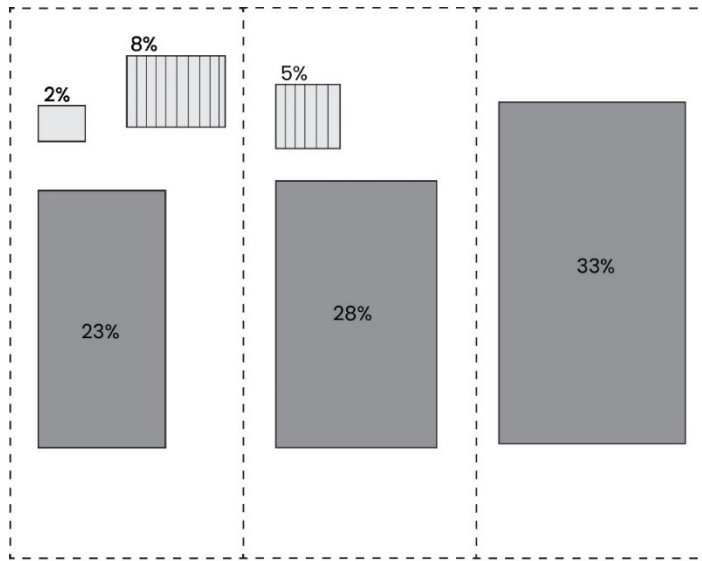
#### 2.1 Lot Dimensions

2.1.1	Minimum Lot Area	696.7 square meters (7,500.0 square feet)	G
2.1.2	Minimum Lot Width	15.2 metres (50.0 feet)	H
2.1.3	Minimum Lot Depth	45.7 metres (150.0 feet)	I



2.2 Minimum Setbacks

2.2.1 From the Front Lot Line	<ul style="list-style-type: none"> <li>i. 8.0 metres (26.0 feet) to the Principal Building <b>J</b></li> <li>ii. In the case of a corner Lot, 5.0 metres (17.0 feet) from the Principal Building</li> </ul>
2.2.2 From the Side Lot Line	<ul style="list-style-type: none"> <li>i. 1.8 metres (5.9 feet) to the two-storey Principal Building or 1.5 metres (4.9 feet) to the one-storey Principal Building <b>K</b></li> <li>ii. 1.0 metre (3.3 feet) to the exterior steps of the Principal Building <b>K<sub>2</sub></b></li> </ul>



**Legend**  
 ..... Lot Line  
 ■ Principal Building  
 ■ Accessory Building  
 ▨ Garage/Guest House

#% : Percentage of Lot Area

**2.2.3** From the Rear Lot Line 8.0 metres (26.0 feet) to the Principal Building

**2.3** Lot Coverage

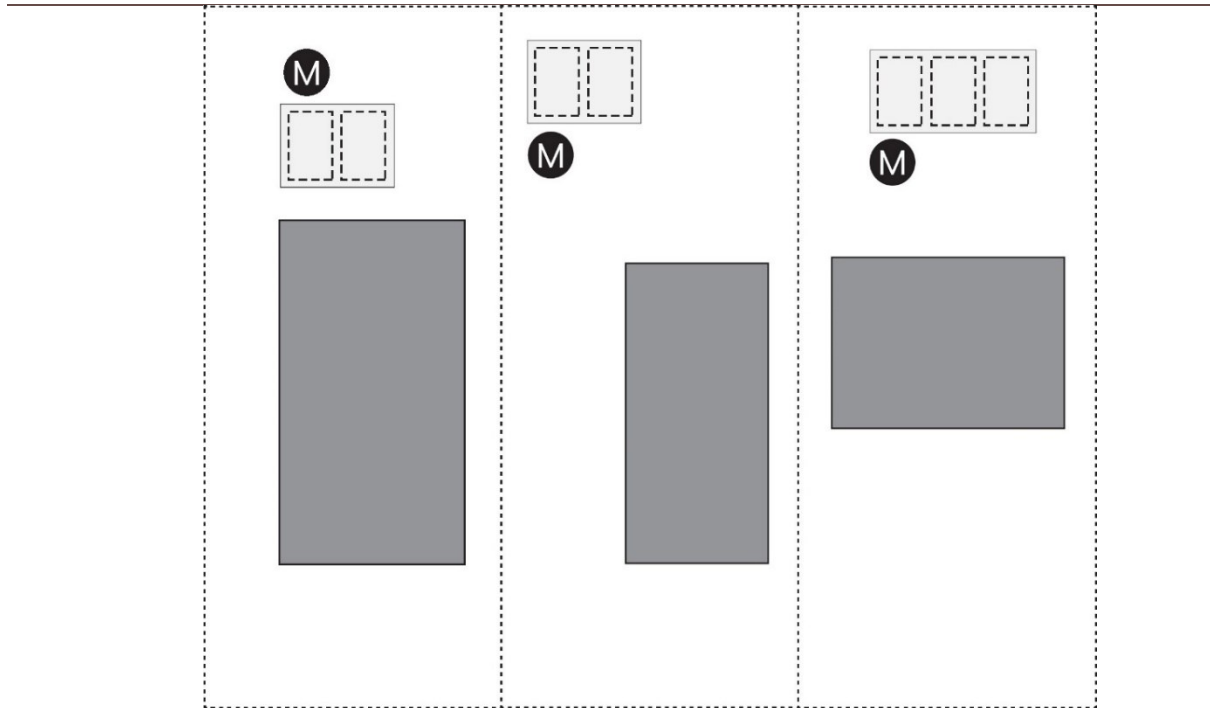
**2.3.1** The maximum combined Lot Coverage of all Buildings on a Lot shall be; 33%

**2.3.2** The maximum Lot Coverage of a Principal Building on a Lot without Accessory Buildings shall be; 33%

**2.3.3** The maximum Lot Coverage of Accessory Buildings on a Lot shall be;

- i.** 10% for all Accessory Buildings Combined
- ii.** 8% for Garages and Guesthouses

iii. 2% for any other Accessory Buildings



- Legend**
- Lot Line
  - Principal Building
  - Parking Pad
  - Parking Stall

2.4 Parking

2.4.1 The maximum number of Parking Pads on a Lot shall be one.

M

2.4.2 The maximum number of Parking Stalls on a Parking Pad shall be two.

# 5.30 Large Lot Residential District (R1B) Land Uses and Development Standards

## 1 Uses and Structures

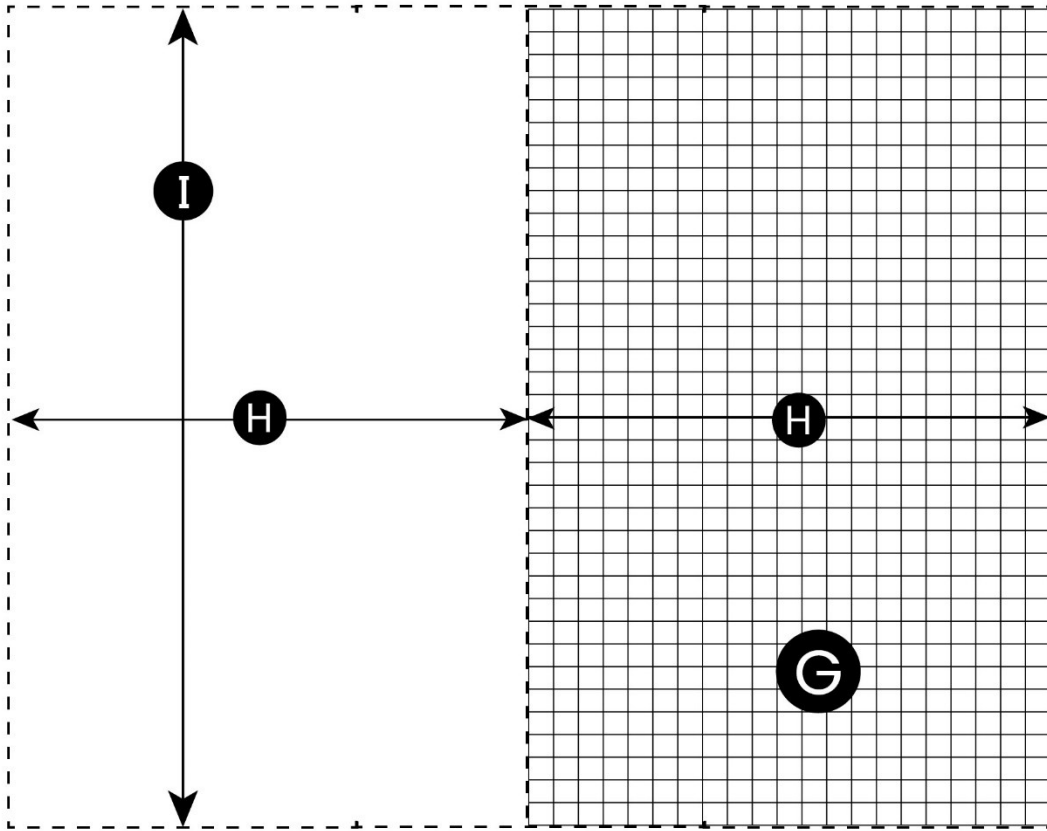
### 1.1 Permitted and Discretionary Uses

Use	P/D
Existing Community Centre and Associated Accessory Buildings and Uses	-
Driveway	P
Garage	P
Home Business	D
Manufactured Home	-
Mobile Home	-
Modular Home	P
Parking	P
Park	-
Recreational Amenity	-
Recreational Vehicle	D
Storage Building	P
Single Detached Dwelling	P
Shipping Container	-
Short Term Rental	D

### Permitted and Discretionary Structures

Structure	P/D
Deck	P
Fence	P
Firepit	P
Patio	P
Planter	P
Retaining Wall	P
Stairs	P
Storage of Piers, Docks, Boat Lifts, and Watercraft Lifts	P

## 2 Development Standards

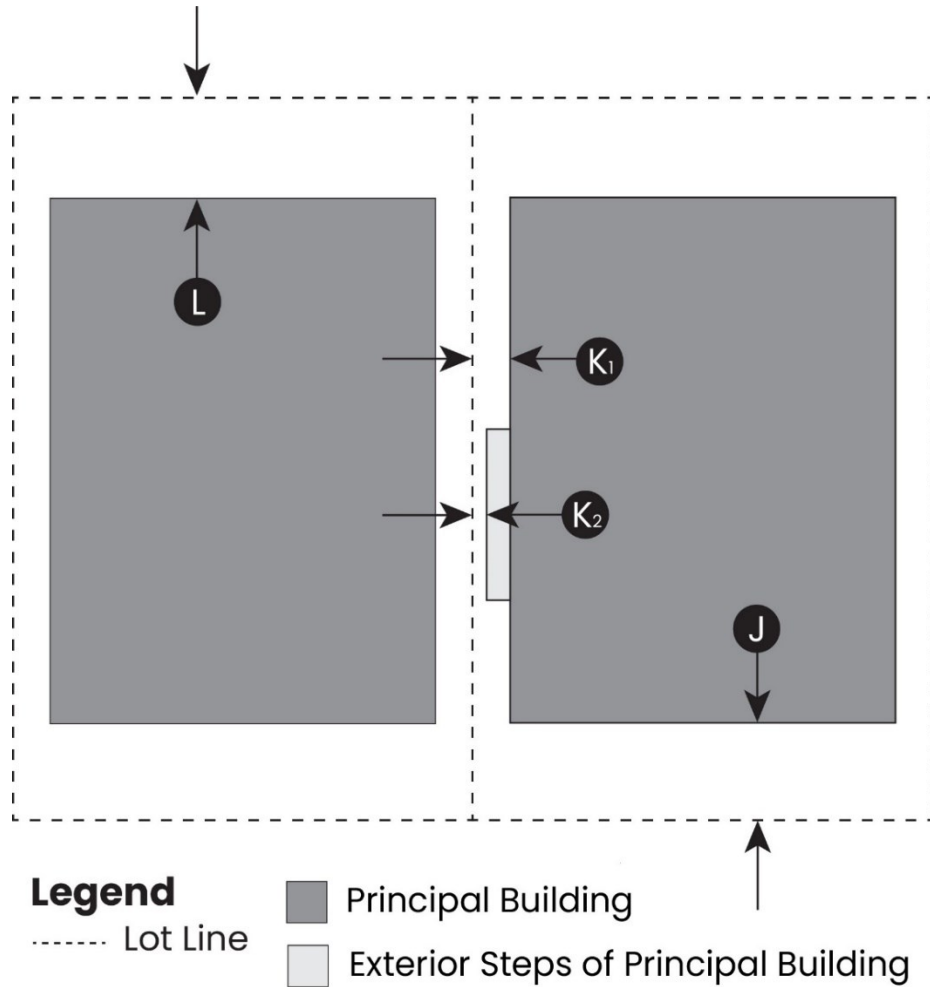


### Legend

----- Lot Line

#### 2.1 Lot Dimensions

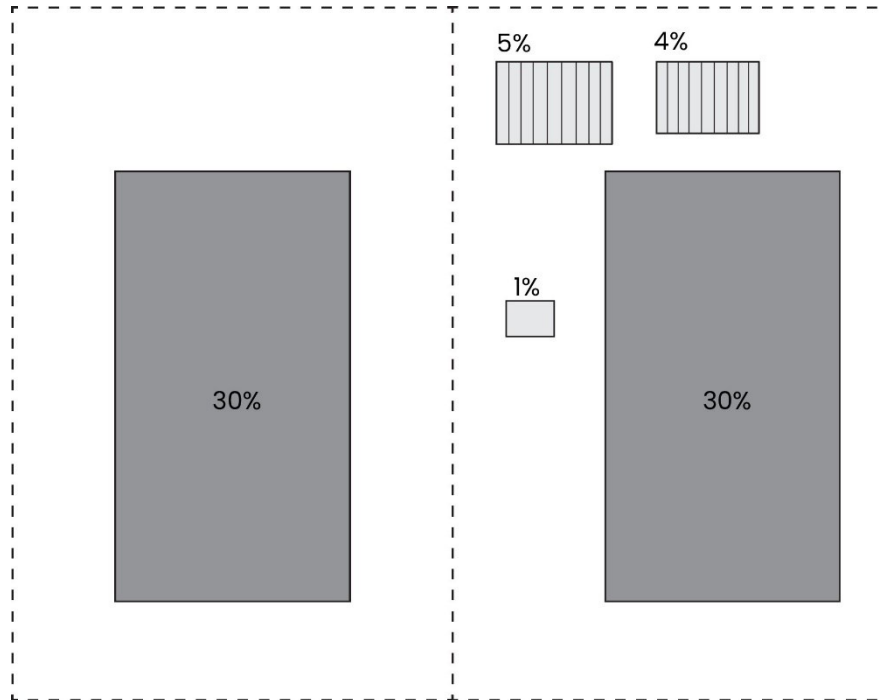
2.1.1	Minimum Lot Area	1,858.0 square metres (20,000.0 square feet)	G
2.1.2	Minimum Lot Width	30.5 metres (100.0 feet)	H
2.1.3	Minimum Lot Depth	60.9 metres (200.0 feet)	I



2.2 Minimum Setbacks

2.2.1	From the Front Lot Line	8.0 metres (26.0 feet) to the Principal Building	J
2.2.2	From the Side Lot Line	<ul style="list-style-type: none"> <li>i. 2.4 metres (7.9 feet) to the Principal Building</li> <li>ii. 1.0 metre (3.3 feet) to the exterior steps of the Principal Building</li> </ul>	<div style="display: flex; flex-direction: column; align-items: center;"> <div style="margin-bottom: 10px;">K<sub>1</sub></div> <div>K<sub>2</sub></div> </div>
2.2.3	From the Rear Lot Line	8.0 metres (26.0 feet) to the Principal Building	L



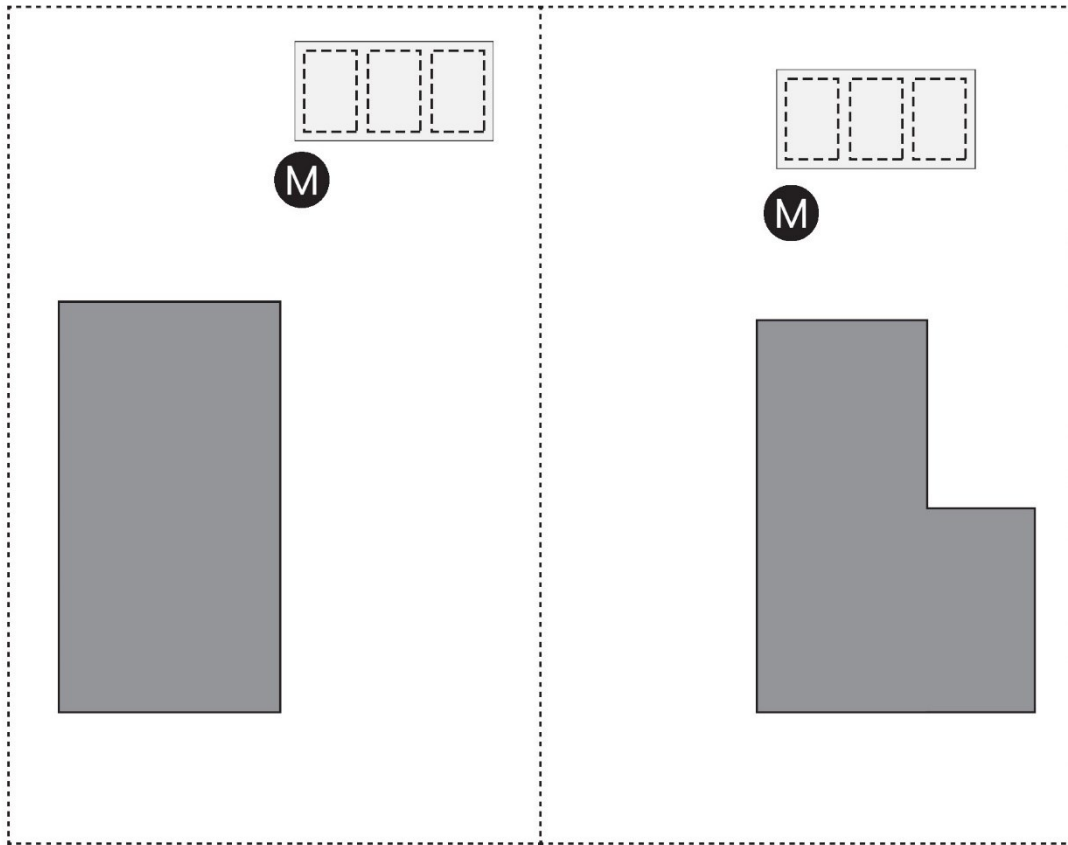




- Legend**
- ..... Lot Line
  - Principal Building
  - Accessory Building
  - ▨ Garage/Guest House

#% : Percentage of Lot Area

**2.3** Lot Coverage

<b>2.3.1</b>	The maximum combined Lot Coverage of all Buildings on a Lot shall be;	40%
<b>2.3.2</b>	The maximum Lot Coverage of a Principal Building on a Lot shall be;	30%
<b>2.3.3</b>	The maximum Lot Coverage of Accessory Buildings on a Lot shall be;	<ul style="list-style-type: none"> <li><b>i.</b> 10% for all Accessory Buildings Combined</li> <li><b>ii.</b> 5% for Garages and Guesthouses</li> <li><b>iii.</b> 1% for any other Accessory Buildings</li> </ul>



- Legend**
- ..... Lot Line
  -  Principal Building
  -  Parking Pad
  -  Parking Stall

2.4 Parking

---

2.4.1 The maximum number of Parking Pads on a Lot shall be one.

M

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2.4.2 The maximum number of Parking Stalls on a Parking Pad shall be three.

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## 5.40 Regulations that Apply to Lakefront Districts (ED, PUL, RA)

### 1 Specific Regulations for the Lakefront Districts (ED, PUL, RA)

- 1.1 The Lakefront Parcels shall be designed and landscaped to minimize disturbance to the natural environment and protect environmentally sensitive areas from damage. In doing so:
  - 1.1.1 building materials used to construct a Structure shall be environmentally friendly;
  - 1.1.2 Fences between Parcels, permanently installed utilities, including, without limitation, natural gas, propane, water wells and wastewater holding tanks shall be prohibited; and
  - 1.1.3 low impact development (LID) technologies are encouraged.
- 1.2 No trees or vegetation shall be cleared from within 6.0 metres (20.0 feet) of the high water mark of Pigeon Lake except to provide physical access to Pigeon Lake and only to a maximum width of 3.0 metres (10.0 feet), or where such trees or vegetation are diseased, dying or endangering Structures on the Property, or public safety.
- 1.3 Decks and Patios shall not be allowed on top of Storage Buildings.

## 5.50 Easement District (ED) Land Use and Development Standards

### **1 Specific Regulations for the Easement District (ED)**

- 1.1 Nothing in these regulations shall restrict, limit or adversely affect the power or ability of the EHA to enforce or exercise its rights and powers under, any written easement agreement for Easement Lands granted by the EHA or its predecessor in title in favour of an Easement User or his/her predecessor in title.
- 1.2 If, with respect to a proposed Development on an ED Parcel, the written easement agreement or the written license agreement applicable to such ED Parcel contains or sets out one or more requirements, conditions, limitations or prohibitions which apply to such proposed Development and which are more restrictive than the requirements, conditions, limitations or prohibitions contained or set out in these regulations, then the more restrictive requirements, conditions, limitations or prohibitions contained or set out in such written easement agreement or such written license agreement shall apply to such proposed Development on such ED Parcel unless the Development Authority decides otherwise.

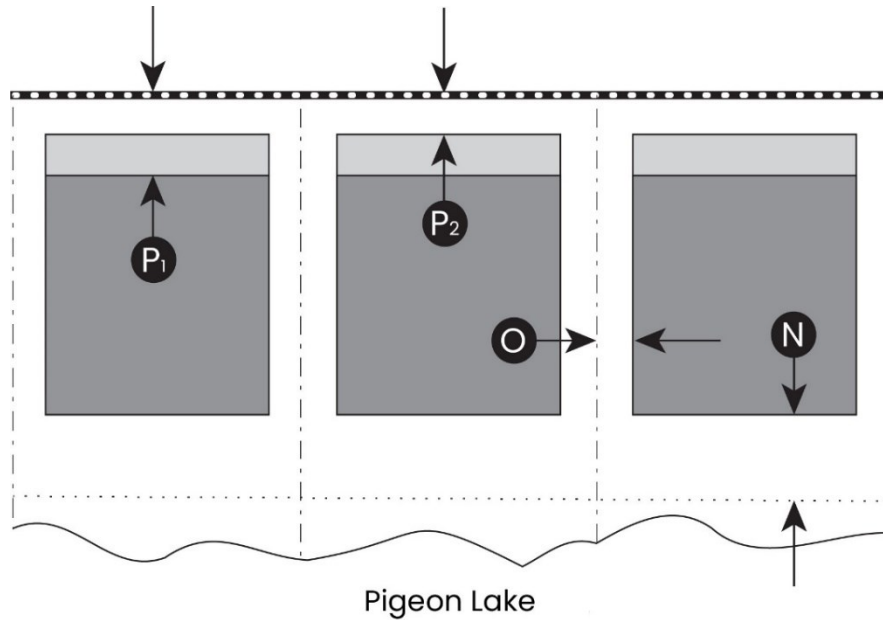
## 2 Uses and Structures

### 2.1 Permitted and Discretionary Uses

Use	P/D
Existing Community Centre and Associated Accessory Buildings and Uses	-
Driveway	-
Garage	-
Home Business	-
Manufactured Home	-
Mobile Home	-
Modular Home	-
Parking	-
Park	-
Recreational Amenity	-
Recreational Vehicle	-
Storage Building	P
Single Detached Dwelling	-
Shipping Containers	-
Short Term Rental	-

### 2.2 Permitted and Discretionary Structures

Structure	P/D
Deck	P
Fence	-
Firepit	P
Grading	D
Landscaping	D
Patio	P
Planter	P
Retaining Wall	P
Stairs	P
Storage of Piers, Docks, Boat Lifts, and Watercraft Lifts	P



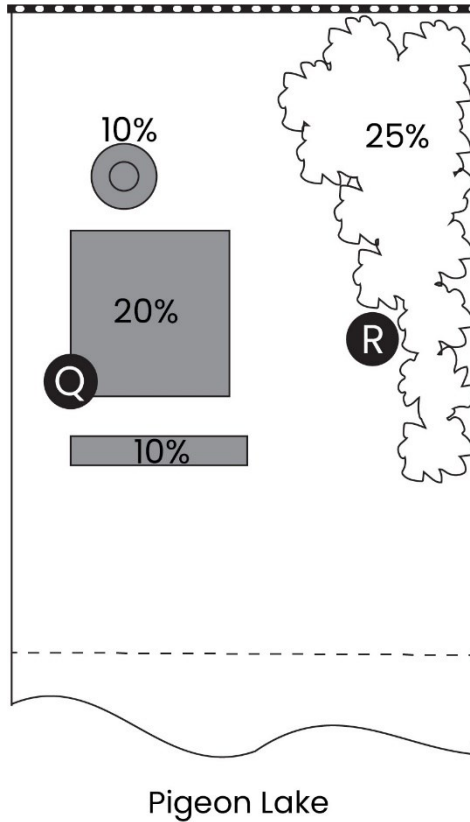
**Legend**

- ..... High Water Mark of Pigeon Lake
- Lakeshore Drive Boundary
- - - Side Boundaries of Easement Parcel
- Buildable Area for all Structures
- Building Area for Stairs and Planters

**3 Development Standards**

**3.1 Minimum Setbacks**

<b>3.1.1</b>	From the High Watermark of Pigeon Lake	3.0 metres (10.0 feet)	N
<b>3.1.2</b>	From the side boundaries of the Easement Parcel	0.9 metres (3.0 feet)	O
<b>3.1.3</b>	From the edge of the travelled portion of Lakeshore Drive	i. 3.0 metres (10.0 feet) for Structures other than the exceptions below ii. 1.5 metres (5.0 feet) for Stairs, Stairways, and Planters	P <sub>1</sub> P <sub>2</sub>

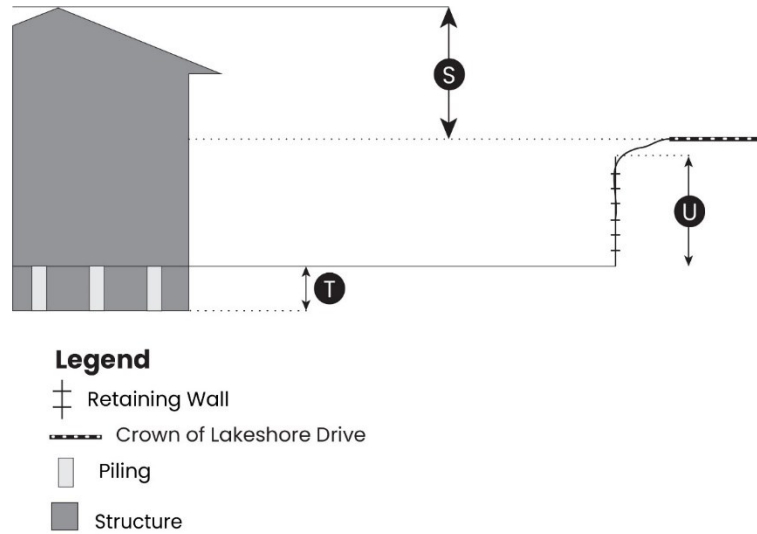


**Legend**

- High Water Mark of Pigeon Lake
- Lakeshore Drive Boundary
- Side Boundaries of Easement Parcel
- Structures
- ☁ Trees and Natural Vegetation
- #% : Percentage of Easement Parcel

**3.2 Lot Coverage**

<p><b>3.2.1</b> Maximum Lot Coverage for all Structures on an Easement Parcel</p>	<p>40% of the total area of the Easement Parcel</p>	<p>Q</p>
<p><b>3.2.2</b> Minimum Lot Coverage for trees and natural vegetation on an Easement Parcel</p>	<p>25% of the total area of the Easement Parcel</p>	<p>R</p>



**3.3 Additional Regulations for Specific Structures**

**3.3.1 For Storage Buildings:**

- i. The height shall not exceed 1.5 metres (5.0 feet) above the crown of Lakeshore Drive **S**
- ii. The total area shall not exceed 9.3 square metres (100.0 square feet)

**3.3.2 Maximum excavated depth below the existing grade of any footing or piling used to support a Structure**

- i. 0.6 metres (2.0 feet) or, in the discretion of the Development Authority, such greater depth as is specified in an Engineer’s Report acceptable to the Development Authority provided that the increase in such depth shall not exceed 2% **T**
- ii. Screw piles and concrete pads shall not be used to support a Structure

**3.3.3 Maximum Height of a Retaining Wall**

1.5 metres (5.0 feet) or, in the discretion of the Development Authority, such greater height as is specified in an Engineer’s Report acceptable to the Development Authority provided that the increase in such height shall not exceed 2% **U**



## 5.60 Public Utility District (PUL) Land Use and Development Standards

### 1 Specific Regulations for the Public Utility District (PUL)

- 1.1 Nothing in these regulations shall restrict, limit, or adversely affect the power or ability of the Summer Village to enforce or exercise its rights and powers under, any written access easement agreement or written license agreement granted by the Summer Village in favour of a PUL User or his/her predecessor in title.
- 1.2 If, with respect to a proposed Development on a PUL Parcel, the written easement agreement or the written license agreement applicable to such PUL Parcel contains or sets out one or more requirements, conditions, limitations or prohibitions which apply to such proposed Development and which are more restrictive than the requirements, conditions, limitations or prohibitions contained or set out in these regulations, then the more restrictive requirements, conditions, limitations or prohibitions contained or set out in such written easement agreement or such written license agreement shall apply to such proposed Development on such PUL Parcel unless the Development Authority decides otherwise.
- 1.3 If more than one PUL User is authorized to use and occupy a PUL Parcel, then, with respect to a proposed Development on such PUL Parcel:
  - 1.3.1 all PUL Users of such PUL Parcel shall be Applicants for any Development Permit applicable to such proposed Development;
  - 1.3.2 all costs applicable to such proposed Development including, without limitation, application fees, construction costs and ongoing maintenance and repair costs shall be shared equally by all PUL Users;
  - 1.3.3 the ownership, use and enjoyment of any Structures forming part of such proposed Development shall be shared equally by all PUL Users; and
  - 1.3.4 all of the liabilities, obligations and responsibilities applicable to or associated with such proposed Development including, without limitation, any Structures forming part of such proposed Development shall be shared equally by all PUL Users;

unless the PUL Users agree otherwise in writing with respect to one or more of the statements set out in subsections 1.3.1, 1.3.2, 1.3.3, or 1.3.4 above and such agreement of the PUL Users is approved in writing by the Development Authority.

1.4 The decision of the Development Authority to:

- 1.4.1 give or withhold its approval of a proposed Development in accordance with subsection 1.1 above;
- 1.4.2 apply one or more less restrictive requirements, conditions, limitations or prohibitions to a proposed Development in accordance with subsection 1.2. above, or
- 1.4.3 approve a decision of the PUL Users not to adopt or agree to one or more of the statements set out in subsections 1.3.1, 1.3.2, 1.3.3, or 1.3.4 above;

shall be within the sole and unfettered discretion of the Development Authority provided that, in making its decision, the Development Authority shall take into account the requirements set out in these regulations and any other matters which are deemed relevant by the Development Authority including, without limitation, the terms of any easement agreement, license agreement, restrictive covenant or caveat registered against the title to the PUL Parcel which is the subject of such proposed Development.

## 2 Uses and Structures

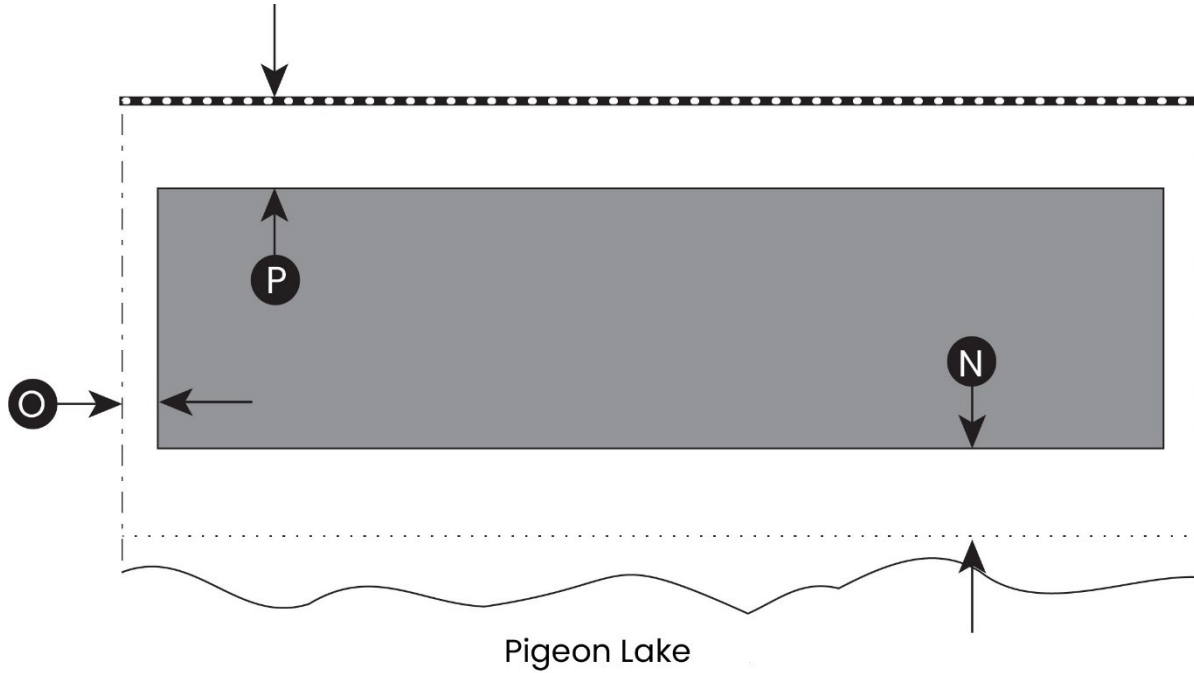
### 2.1 Permitted and Discretionary Uses

Use	P/D
Existing Community Centre and Associated Accessory Buildings	-
Driveway	-
Garage	-
Home Business	-
Manufactured Home	-
Mobile Home	-
Modular Home	-
Parking	-
Park	-
Recreational Amenity	-
Recreational Vehicle	-
Storage Building	P
Single Detached Dwelling	-
Shipping Containers	-
Short Term Rental	-

### 2.2 Permitted and Discretionary Structures

Structure	P/D
Deck	P
Fence	-
Firepit	P
Grading	D
Landscaping	D
Patio	P
Planter	P
Retaining Wall	P
Stairs	P
Storage of Piers, Docks, Boat Lifts, and Watercraft Lifts	P

### 3 Development Standards

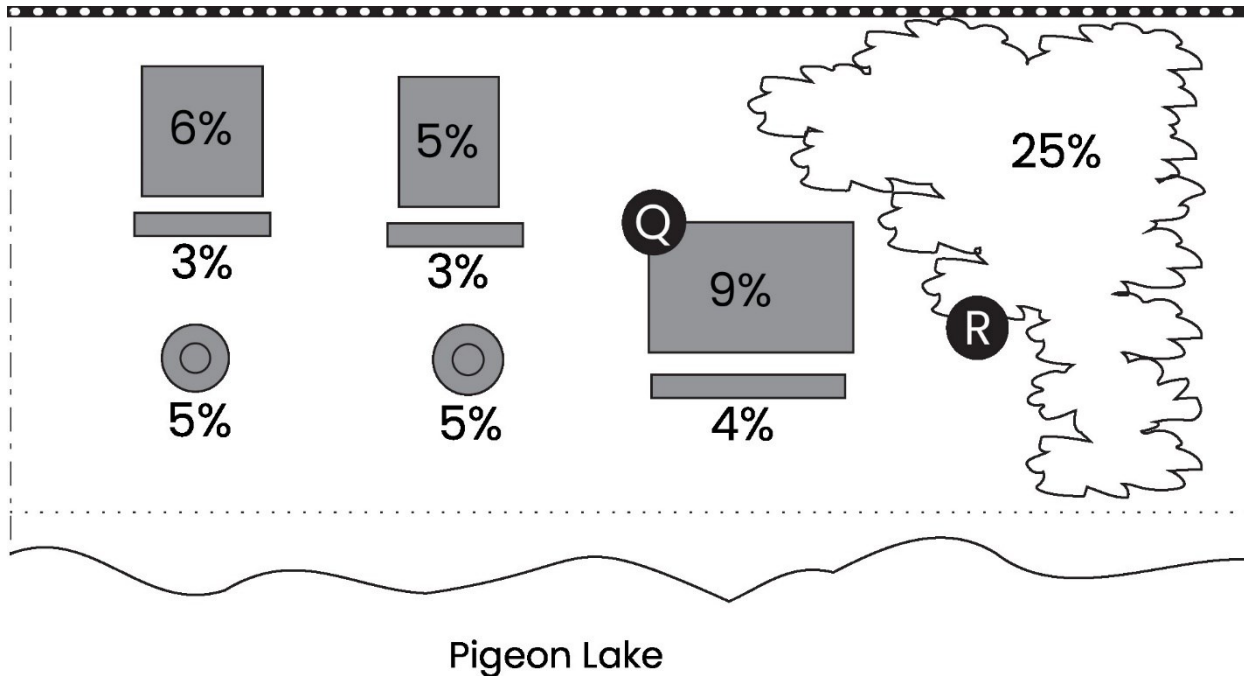


#### Legend

- ..... High Water Mark of Pigeon Lake
- — — Lakeshore Drive Boundary
- - - Side Boundaries of PUL Parcel
- Buildable Area for all Structures

#### 3.1 Minimum Setbacks

<b>3.1.1</b>	From the High Watermark of Pigeon Lake	3.0 metres (10.0 feet)	<b>N</b>
<b>3.1.2</b>	From the side boundaries of the PUL Parcel	0.9 metres (3.0 feet)	<b>O</b>
<b>3.1.3</b>	From the edge of the travelled portion of Lakeshore Drive	3.0 metres (10.0 feet)	<b>P</b>



**Legend**

- High Water Mark of Pigeon Lake
- ▬ Lakeshore Drive Boundary
- Side Boundaries of PUL Parcel
- Structures
- ☁ Trees and Natural Vegetation
- #% : Percentage of PUL Parcel

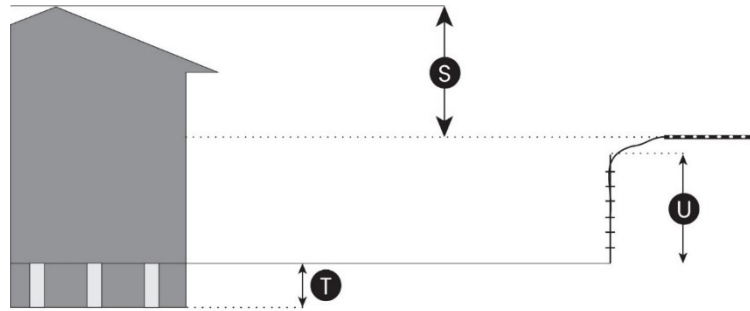
3.2 Lot Coverage

3.2.1 Maximum Lot Coverage for all Structures on a PUL Parcel 40% of the total area of the PUL Parcel







3.2.2 Minimum Lot Coverage for trees and natural vegetation on a PUL Parcel 25% of the total area of the PUL Parcel





**Legend**

-  Retaining Wall
-  Crown of Lakeshore Drive
-  Piling
-  Structure

**3.3 Additional Regulations for Specific Structures**

**3.3.1 For Storage Buildings:**

- i.** The height shall not exceed 1.5 metres (5.0 feet) above the crown of Lakeshore Drive
- ii.** The total area shall not exceed 9.2 square metres (100.0 square feet)

**S**

**3.3.2 Maximum excavated depth below the existing grade of any footing or piling used to support a Structure**

- i.** 0.6 metres (2.0 feet) or, in the discretion of the Development Authority, such greater depth as is specified in an Engineer’s Report acceptable to the Development Authority provided that the increase in such depth shall not exceed 2%
- ii.** Screw piles and concrete pads shall not be used to support a Structure

**T**

**3.3.3 Maximum Height of a Retaining Wall**

1.5 metres (5.0 feet) or, in the discretion of the Development Authority, such greater height as is specified in an Engineer’s Report acceptable to the Development Authority provided that the increase in such height shall not exceed 2%

**U**

## 5.70 Road Allowance District (RA) Land Use and Development Standards

### 1 Specific Regulations for the Road Allowance District (RA)

- 1.1 The Road Allowance District (RA) is made up of the East Road Allowance Lands and the West Road Allowance Lands.
- 1.2 Nothing in these regulations shall restrict, limit, or adversely affect the power or ability of the Summer Village to enforce or exercise its rights and powers under, any written access easement agreement or written license agreement granted by the Summer Village in favour of a Road Allowance User or his/her predecessor in title.
- 1.3 If, with respect to a proposed Development on a Road Allowance Parcel, the written easement agreement or the written license agreement applicable to such Road Allowance Parcel contains or sets out one or more requirements, conditions, limitations or prohibitions which apply to such proposed Development and which are more restrictive than the requirements, conditions, limitations or prohibitions contained or set out in these regulations, then the more restrictive requirements, conditions, limitations or prohibitions contained or set out in such written access easement agreement or such written license agreement shall apply to such proposed Development on such Road Allowance Parcel unless the Development Authority decides otherwise.
- 1.4 If more than one Road Allowance User is authorized to use and occupy a Road Allowance Parcel, then, with respect to a proposed Development on such Road Allowance Parcel:
  - 1.4.1 all Road Allowance Users of such Road Allowance Parcel shall be Applicants for any Development Permit applicable to such proposed Development;
  - 1.4.2 all costs applicable to such proposed Development including, without limitation, application fees, construction costs and ongoing maintenance and repair costs shall be shared equally by all Road Allowance Users;
  - 1.4.3 the ownership, use and enjoyment of any Structures forming part of such proposed Development shall be shared equally by all Road Allowance Users; and

1.4.4 all liabilities, obligations, and responsibilities applicable to or associated with such proposed Development including, without limitation, any Structures forming part of such proposed Development shall be shared equally by all the Road Allowance Users;

unless the Road Allowance Users agree otherwise in writing with respect to one or more of the statements set out in subsections 1.4.1, 1.4.2, 1.4.3, or 1.4.4 above. and such agreement of the Road Allowance Users is approved in writing by the Development Authority.

1.5 The decision of the Development Authority to:

1.5.1 give or withhold its approval of a proposed Development in accordance with subsection 1.2 above;

1.5.2 apply one or more less restrictive requirements, conditions, limitations or prohibitions to a proposed Development in accordance with subsection 1.3 above, or

1.5.3 approve a decision of the Road Allowance Users not to adopt or agree to one or more of the statements set out in subsection 1.4 above;

shall be within the sole and unfettered discretion of the Development Authority provided that, in making its decision, the Development Authority shall take into account the requirements set out in these regulations and any other matters which are deemed relevant by the Development Authority including, without limitation, the terms of any easement agreement, license agreement, restrictive covenant or caveat registered against the title to the Road Allowance Parcel which is the subject of such proposed Development.



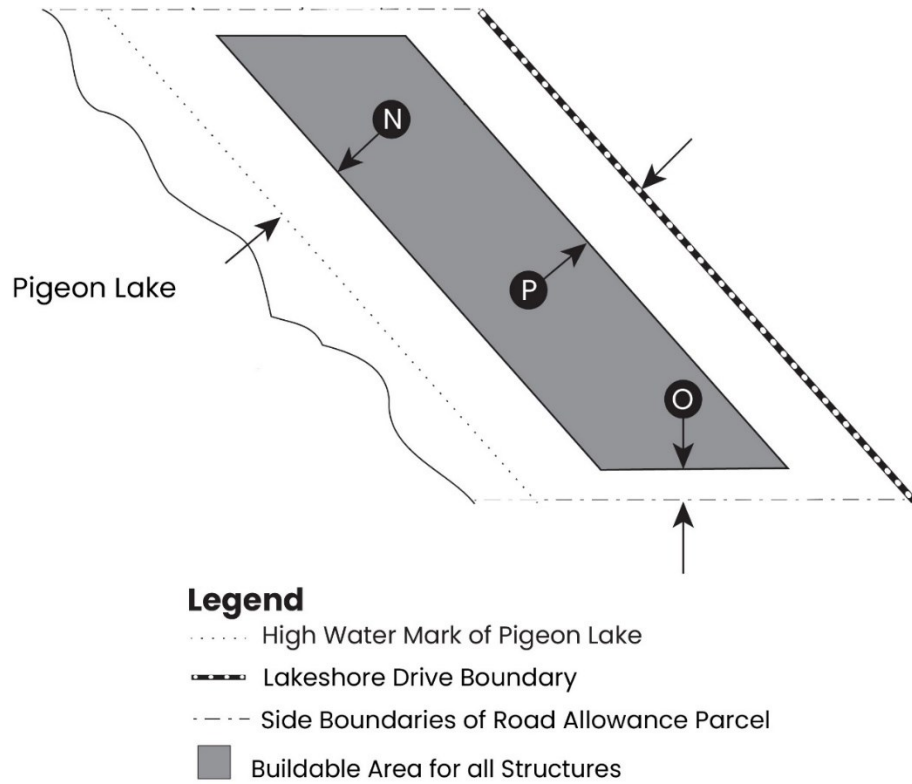
## 2 Uses and Structures

### 2.1 Permitted and Discretionary Uses

Uses	P/D
Existing Community Centre and Associated Accessory Buildings and Uses	-
Driveway	-
Garage	-
Home Business	-
Manufactured Home	-
Mobile Home	-
Modular Home	-
Parking	-
Park	-
Recreational Amenity	-
Recreational Vehicle	-
Storage Building	A
Single Detached Dwelling	-
Shipping Containers	-
Short Term Rental	-

### 2.2 Permitted and Discretionary Structures

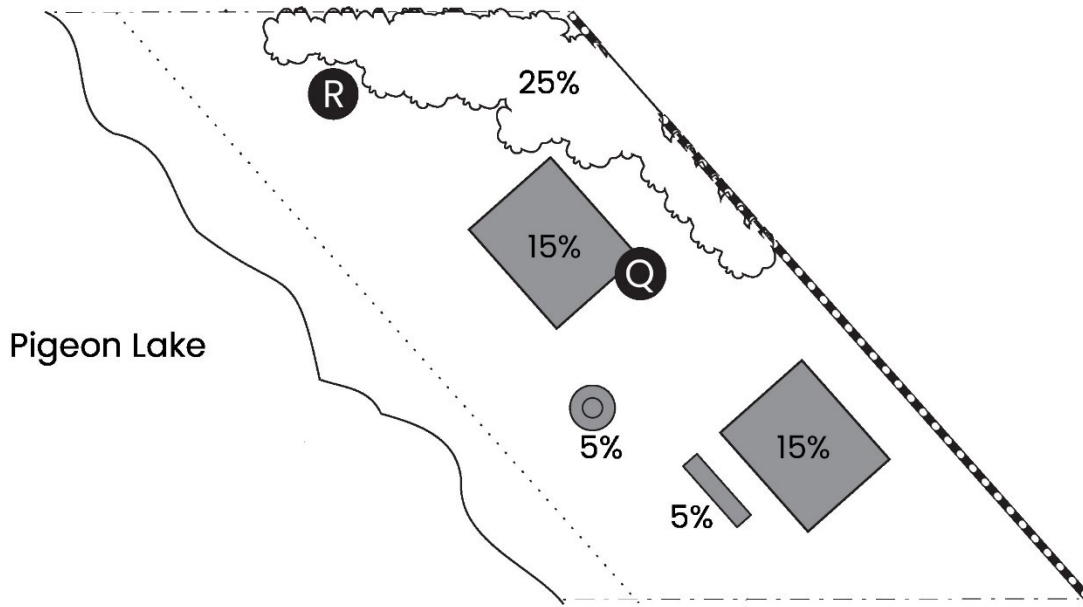
Structures	P/D
Deck	P
Fence	P
Firepit	P
Grading	P
Landscaping	P
Patio	P
Planter	P
Retaining Wall	P
Stairs	P
Storage of Piers, Docks, Boat Lifts, and Watercraft Lifts	P



### 3 Development Standards

#### 3.1 Minimum Setbacks

<b>3.1.1</b>	From the High Watermark of Pigeon Lake	3.0 metres (10.0 feet)	<b>N</b>
<b>3.1.2</b>	From the side boundaries of the Road Allowance Parcel	0.9 metres (3.0 feet)	<b>O</b>
<b>3.1.3</b>	From the edge of the travelled portion of Lakeshore Drive	3.0 metres (10.0 feet)	<b>P</b>

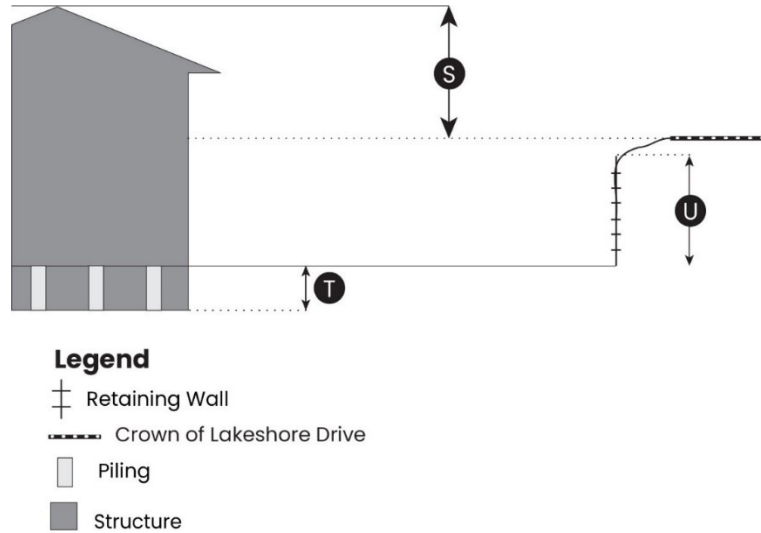


**Legend**

- ..... High Water Mark of Pigeon Lake
- Lakeshore Drive Boundary
- ..... Side Boundaries of Road Allowance Parcel
- Buildable Area for all Structures

**3.2 Lot Coverage**

<p><b>3.2.1</b> Maximum Lot Coverage for all Structures on a Road Allowance Parcel</p>	<p>40% of the total area of the Road Allowance Parcel</p>	<p>Q</p>
<p><b>3.2.2</b> Minimum Lot Coverage for trees and natural vegetation on a Road Allowance Parcel</p>	<p>25% of the total area of the Road Allowance Parcel</p>	<p>R</p>



**3.3 Additional Regulations for Specific Structures**

- 3.3.1** For Storage Buildings:
- i. The height shall not exceed 1.5 metres (5.0 feet) above the crown of Lakeshore Drive **S**
  - ii. The total area shall not exceed 9.3 square metres (100.0 square feet)

- 3.3.2** Maximum excavated depth below the existing grade of any footing or piling used to support a Structure
- i. 0.6 metres (2.0 feet) or, in the discretion of the Development Authority, such greater depth as is specified in an Engineer’s Report acceptable to the Development Authority provided that the increase in such depth shall not exceed 2%
  - ii. Screw piles and concrete pads shall not be used to support a Structure

- 3.3.3** Maximum height of a Retaining Wall
- 1.5 metres (5.0 feet) or, in the discretion of the Development Authority, such greater height as is specified in an Engineer’s Report acceptable to the Development Authority provided that the increase in such height shall not exceed 2% **U**

## 5.80 Community District (CDI) Land Use and Development Standards

### **1 Specific Regulations for the Community District (CDI)**

- 1.1 The Community District (CDI) refers to the Lot legally described as Lot 5PUL, Plan 4816 HW & Lot P (Park Reserve), Block 9, Plan 2683 KS, 50 Lakeshore Drive, Mulhurst, Alberta.
- 1.2 The Existing Community Centre and Associated Accessory Buildings and Uses (including the Buildings, Structures, Garages, Accessory Buildings, Storage Buildings, Patios, Parking Areas and the playground) forming part of the Community Centre shall be permitted.
- 1.3 At the time of the adoption of this Bylaw, the improvements described in section 1.2 above shall be deemed conforming Uses and Structures.

## 5.90 Community District (CD2) Land Use and Development Standards

### 1 Specific Regulations for the Community District (CD2)

- 1.1 The Community District (CD2) refers to the two vacant Lots legally described as Lot 4R, Block 3, Plan 792 2255 & Lot 12R, Block 7, Plan 792 2255.
- 1.2 No outdoor parking, trash collection or outdoor storage areas shall be developed within 3.0 m of any Lot line that Abuts a Residential District.
- 1.3 To minimize the perception of the massing of Buildings when viewed from adjacent residential areas and roadways, two or more of the following design techniques or features must be employed:
  - 1.3.1 sloped roofs or variations in rooflines;
  - 1.3.2 variations in building setbacks and articulation of Building façades.
  - 1.3.3 vertical or horizontal building wall projection or recessions;
  - 1.3.4 visual breaks of building facades into smaller sections;
  - 1.3.5 use of a combination of finishing materials; or
  - 1.3.6 other similar techniques or features.

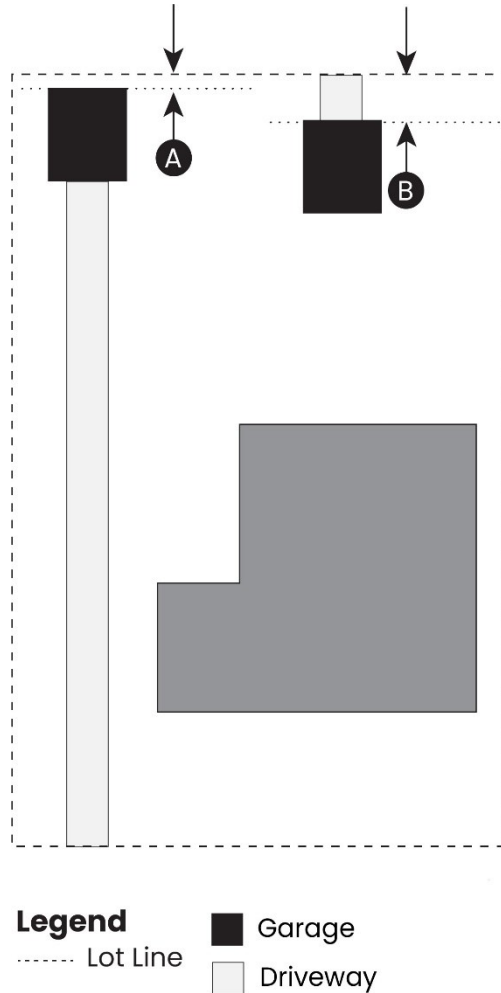
## 2 Uses and Structures

### 2.1 Permitted and Discretionary Uses

Use	P/D
Existing Community Centre and Associated Accessory Buildings and Uses	P
Driveway	P
Garage	P
Home Business	-
Manufactured Home	-
Mobile Home	-
Modular Home	D
Parking Areas	P
Park	P
Recreational Amenity	P
Recreational Vehicle	P
Storage Building	P
Single Detached Dwelling	-
Shipping Containers	D
Short Term Rental	-

### 2.2 Permitted and Discretionary Structures

Structure	P/D
Deck	P
Fence	P
Firepit	P
Patio	P
Planter	P
Retaining Wall	P
Stairs	P
Storage of Piers, Docks, Boat Lifts, and Watercraft Lifts	P

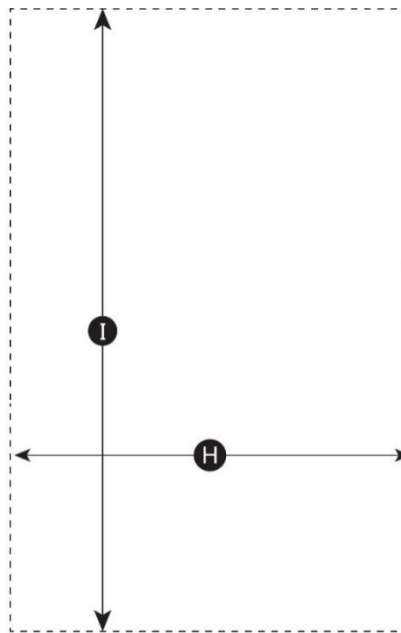


### 3 Accessory Buildings

- 3.1 An Accessory Building shall not be located in the Front Yard of a Lot and shall be located between the Principal Building and the rear Property line of the Lot.
- 3.2 An Accessory Building that contains sleeping accommodation shall be deemed to be a Guesthouse and shall not be permitted.
- 3.3 The minimum Rear Setback for Garages shall be as follows:
  - 3.3.1 1.0 metres (3.0 feet) if the main overhead door of the Garage faces the front or side Lot line. Ⓐ
  - 3.3.2 3.0 metres (10.0 feet) if the main overhead door of the Garage faces the rear or side Lot Line; Ⓑ



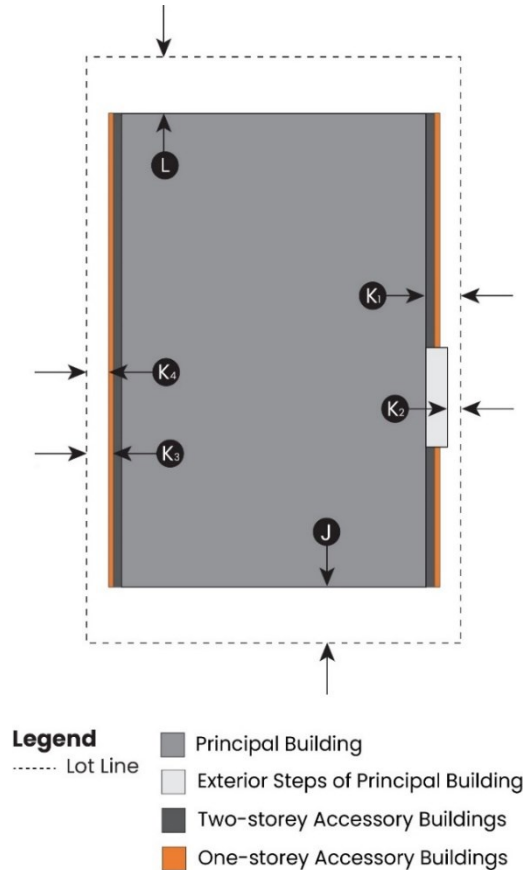
## 4 Development Standards



**Legend**  
 ..... Lot Line

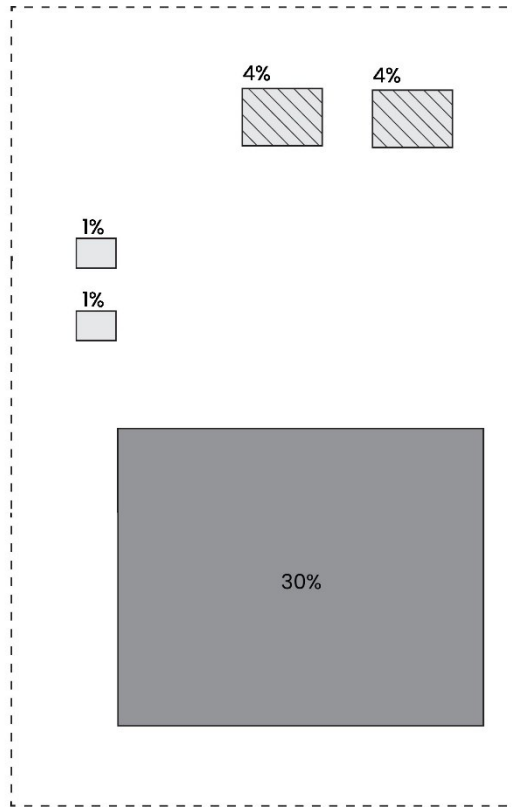
### 4.1 Lot Dimensions

4.1.1	Minimum Lot Area	At the discretion of the Development Authority in consultation with the Subdivision Authority.
4.1.2	Minimum Lot Width	At the discretion of the Development Authority in consultation with the Subdivision Authority.
4.1.3	Minimum Lot Depth	At the discretion of the Development Authority in consultation with the Subdivision Authority.



4.2 Minimum Setbacks

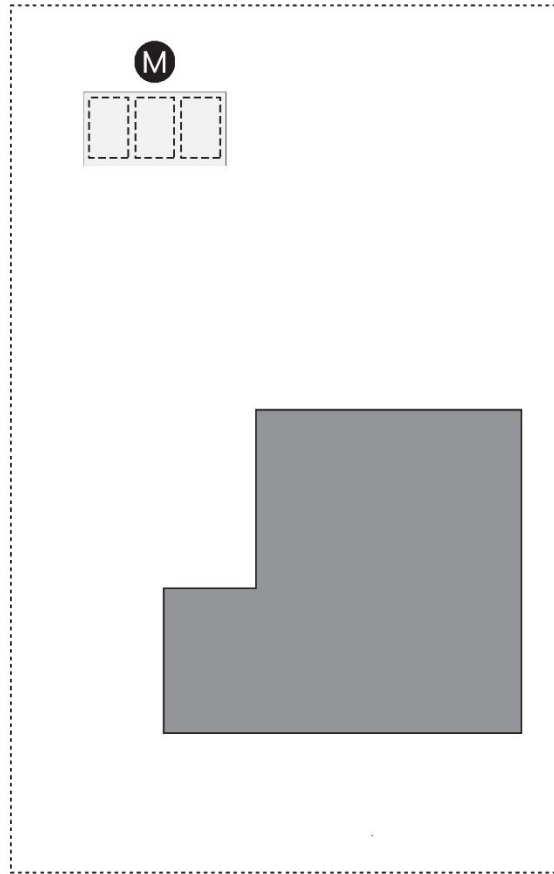
4.2.1	From the Front Lot Line	8.0 metres (26.0 feet) to the Principal Building and Accessory Buildings	J
4.2.2	From the Side Lot Line	<ul style="list-style-type: none"> <li>i. 2.4 metres (7.9 feet) to the Principal Building</li> <li>ii. 1.0 metre (3.3 feet) to the exterior steps of the Principal Building</li> <li>iii. 1.8 metres (5.9 feet) to two-storey Accessory Buildings</li> <li>iv. 1.5 metres (4.9 feet) to one-storey Accessory Buildings</li> </ul>	<ul style="list-style-type: none"> <li>K<sub>1</sub></li> <li>K<sub>2</sub></li> <li>K<sub>3</sub></li> <li>K<sub>4</sub></li> </ul>
4.2.3	From the Rear Lot Line	8.0 metres (26.0 feet) to the Principal Building and Accessory Buildings	L



**Legend**  
 ----- Lot Line  
 ■ Principal Building  
 □ Accessory Building  
 ▨ Garage  
 #% : Percentage of Lot Area

4.3 Lot Coverage

4.3.1	The maximum combined Lot Coverage of all Buildings on a Lot shall be;	40%
4.3.2	The maximum Lot Coverage of a Principal Building on a Lot shall be;	30%
4.3.3	The maximum Lot Coverage of Accessory Buildings on a Lot shall be;	i. 10% for all Accessory Buildings Combined ii. 5% for Garages and Guesthouses iii. 1% for any other Accessory Buildings



- Legend**
- Lot Line
  - Principal Building
  - Parking Pad
  - Parking Stall

4.4 Parking

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4.4.1 The minimum number of off-street Parking Stalls provided on a Lot shall be three.

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# Part 6 Master Use Table

## 6.10 Master Use and Structure Table

<b>Permitted and Discretionary Uses</b>	<b>R1A</b>	<b>R1B</b>	<b>ED</b>	<b>PUL</b>	<b>RA</b>	<b>CD1</b>	<b>CD2</b>
<b>Existing Community Centre and Associated Accessory Buildings and Uses</b>	-	-	-	-	-	P	P
<b>Driveway</b>	P	P	-	-	-	P	P
<b>Garage</b>	P	P	-	-	-	P	P
<b>Home Business</b>	D	-	-	-	-	-	-
<b>Manufactured Home</b>	-	-	-	-	-	-	-
<b>Mobile Home</b>	-	-	-	-	-	-	-
<b>Modular Home</b>	P	P	-	-	-	D	D
<b>Parking</b>	P	P	-	-	-	P	P
<b>Parks</b>	-	-	-	-	-	P	P
<b>Recreational Amenity</b>	-	-	-	-	-	P	P
<b>Recreational Vehicle</b>	D	D	-	-	-	P	P
<b>Storage Building</b>	P	P	P	P	P	P	P
<b>Single Detached Dwelling</b>	P	P	-	-	-	-	-
<b>Shipping Container</b>	-	-	-	-	-	D	D
<b>Short Term Rental</b>	D	-	-	-	-	-	-
<b>Permitted, Discretionary and Allowable Structures</b>	<b>R1A</b>	<b>R1B</b>	<b>ED</b>	<b>PUL</b>	<b>RA</b>	<b>CD1</b>	<b>CD2</b>
<b>Structure</b>	P	P	P	P	P	P	P
<b>Deck</b>	P	P	P	P	P	P	P
<b>Fence</b>	P	P	P	P	P	P	P
<b>Firepit</b>	P	P	D	D	P	P	P
<b>Patio</b>	P	P	D	D	P	P	P
<b>Planter</b>	P	P	P	P	P	P	P
<b>Retaining Wall</b>	P	P	P	P	P	P	P
<b>Stairs</b>	-	-	P	P	P	P	P
<b>Storage of Piers, Docks, Boat Lifts, and Watercraft Lifts</b>	P	P	P	P	P	P	P