



Summer Village of Burnstick Lake

LAND USE BYLAW NO. 94-2023

Office Consolidation

July 2023

Prepared by:

- The Summer Village of Burnstick Lake

Important Notice:

This document is a consolidation of the original Land Use Bylaw and amending bylaws into a single publication for the convenience of users. The official Bylaw and all amendments are available at the Summer Village of Burnstick Lake.

Office Consolidated Version Date: July 22, 2023

Bylaw Number	Purpose	Effective Date

SUMMER VILLAGE OF BURNSTICK LAKE

BYLAW 94 - 2023

Land Use Bylaw

A bylaw of the Summer Village of Burnstick Lake in the Province of Alberta for the purpose of repealing Land Use Bylaw 8/93 and adopting a Land Use Bylaw for the Summer Village of Burnstick Lake.

WHEREAS a Land Use Bylaw has been prepared for the Summer Village of Burnstick Lake;

AND WHEREAS the foresaid Land Use Bylaw describes the way in which the future development of the Summer Village may be carried out in an orderly and economic manner;

NOW THEREFORE, the Council of the Summer Village, duly assembled, and pursuant to the authority conferred upon it by the *Municipal Government Act, RSA 2000c. M-26* as amended, enacts as follows:

1. This new Bylaw may be cited as the "Summer Village of Burnstick Lake Land Use Bylaw".
2. The Land Use Bylaw of the Summer Village of Burnstick Lake attached hereto as Schedule "A" to this Bylaw is hereby adopted.
3. Bylaw 8/93, as amended, being the previous Land Use Bylaw of the Summer Village of Burnstick Lake is hereby repealed.
4. This Bylaw may be amended by Bylaw in accordance with the *Municipal Government Act, RSA 2000c. M-26* as amended.
5. This Bylaw shall come into force upon receipt of third and final reading.

Introduced and Given First Reading this 17th day of June 2023.

Original Signed

Mayor

Original Signed

CAO

Public Hearing Held this 22nd day of July 2023.

Given Second Reading this 22nd day of July 2023.

Given Third and Final Reading this 22nd day of July 2023.

Original Signed

Mayor

Original Signed

CAO

**SUMMER VILLAGE OF BURNSTICK LAKE
PROVINCE OF ALBERTA
LAND USE BYLAW NO 94-2023**

GUIDE TO USING THE LAND USE BYLAW

The Land Use Bylaw establishes the regulations on how land and buildings can be developed in the Summer Village. Regulations vary depending on the location and types of development. Other Bylaws or regulations of the municipality, province or federal government must also be followed.

There are several parts of the Land Use Bylaw that need to be examined to understand how it works. The steps below provide a brief method for researching the scope of development opportunities available for your property.

Step 1 – Determine Your Property’s Land Use District

Locate the property in question on the Land Use Map attached as Appendix A of this Bylaw. The map divides the Summer Village into Land Use Districts. Each District has a designation such as “R” (Residential District). Note which Land Use District the property is located in.

Step 2 – Review the Regulations in Your District

Check the Table of Contents and find the district that you are interested in. Each Land Use District is listed in Part 7. In each District you will find a list of permitted and discretionary uses, and regulations.

Step 3 – Review Part 6 - General Land Use Regulations affecting all Districts

Review the Table of Contents to see if there are any general regulations that apply. For example, Part 6 – General Land Use Regulations deals with such items as site conditions, decks, patios, home occupations, bed and breakfast homes, and signs.

Step 4 – Evaluate Your Development Plans Using This Bylaw

Discuss your project with the Summer Village’s Development Officer. They will assist you with your application and explain the process, whether you are applying for a development permit, subdivision, or Land Use Bylaw amendment.

PLEASE NOTE:

This page is intended only to assist the reader and does not form part of this bylaw.

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1 PURPOSE AND SCOPE

1.1 Purpose

- 1.1.1 This Bylaw may be referred to as “The Summer Village of Burnstick Lake Land Use Bylaw,” and may be referred to within as “the Land Use Bylaw” or “the Bylaw.”
- 1.1.2 The purpose of this bylaw is to regulate the use and development of land and buildings within the Summer Village of Burnstick Lake to achieve the orderly, economical and beneficial development of land, and to maintain and improve the quality of the physical environment.
- 1.1.3 This bylaw shall among other things:
- (a) implement the vision of Council and residents as expressed in the statutory and non-statutory plans that have effect within the municipality. The collective vision describes a low density mix of detached dwellings, which blend into the surrounding natural features that exemplify the Summer Village of Burnstick Lake as a peaceful setting where residents and visitors may enjoy the natural and recreational amenities of the area;
 - (b) divide the summer village into districts;
 - (c) describe the purpose for which land and buildings may be used within each district;
 - (d) establish the office of Development Officer;
 - (e) establish a method of making decisions on applications for development permits including the issuing of development permits; and,
 - (f) establish the procedure for notifying landowners likely to be affected by a development.

1.2 Scope

- 1.2.1 No development shall be carried out within the boundaries of the Summer Village except in accordance with this bylaw.

1.3 Compliance With Other Legislation

- 1.3.1 Compliance with this bylaw does not exempt any person undertaking a development from complying with all applicable municipal, provincial or federal laws and respecting any easements, covenants, agreements or contracts affecting the land or the development.

1.4 Sections Found Invalid

- 1.4.1 If one or more provisions of this Land Use Bylaw are for any reason declared to be invalid, it is intended that all remaining provisions are to remain in full force and effect.

1.5 Measurements

- 1.5.1 Imperial equivalents are provided beside every metric value in this Land Use Bylaw for convenience. Such equivalents are rounded to the nearest whole number. The metric value is the actual standard to be used.

2 DEFINITIONS

2.1 In this Land Use bylaw:

ACCESSORY BUILDING OR USE - means a building or use which is separate and subordinate to the main building or use located on the site. For the purposes of this bylaw, accessory buildings include but are not limited to tool sheds, garden sheds, garages, carports, soft sided buildings, sea cans, privies, and satellite dishes.

ACT - means the Municipal Government Act, Chapter M26.1 and amendments thereto;

ADJACENT LAND - means land that is contiguous to the parcel of land that is the subject of an application and includes land that would be contiguous if not for a highway, road, river or stream, and any other land that, in the opinion of the Development Authority, shall be deemed to be adjacent land;

ANTENNA STRUCTURES - means (public or private) structures, including satellite dishes, used for the purpose of transmitting, relaying or receiving television, radio, microwave and other similar signals.

BALCONY – means a projecting platform elevated greater than 0.6 m (1.97 ft) from grade and usually surrounded by a railing, attached to or extending horizontally from one or more main walls of a building with one side greater than 1.2 m (3.94 ft) in width open to the elements. It may be cantilevered from the building or supported from below.

BASEMENT - means the portion of a building or structure which is wholly or partially below grade and its ceiling no more than 1.8 m (6 ft.) above grade and lies below the finished level of the floor directly above. A basement does not constitute a storey for the purpose of this Bylaw.

BUILDING - means anything constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway;

BUILDING HEIGHT - means the distance from grade level at the exterior wall to the highest point of a building, excluding chimneys, skylights, ventilation fans, flagpole, antenna or similar devices or features which are not structurally essential to the building;

CARPORT - means an accessory building or part of the principal building consisting of a roofed enclosure used for the storage of motor vehicles, with at least 40% of the total perimeter open and unobstructed;

CAVEAT - means a formal notice expressing an interest in a parcel registered against the title to that parcel;

CHATTEL – means a movable item of personal property;

CANNABIS - means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time, and includes edible products that contain cannabis;

CANNABIS ACCESSORY - means a thing, including but not limited to, rolling paper or wraps, holders, pipes, water pipes, bongs and vaporizers, or any other thing described in the Cannabis Act (Canada) that is used in the consumption or production of cannabis;

CANNABIS PRODUCTION AND DISTRIBUTION - means an establishment used principally for one or more of the following activities as it relates to Cannabis:

- (a) The production, cultivation, and growth of Cannabis;
- (b) The processing of raw materials;
- (c) The making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished goods and products;
- (d) The storage or transshipping of materials, goods and products; or
- (e) The distribution and sale of materials, goods and products to Cannabis Retail Sales stores or to individual customers;

CANNABIS RETAIL SALES - means an establishment used for the retail sale of cannabis and cannabis accessories that is authorized by provincial or federal legislation. This use does not include Cannabis Production and Distribution;

CORNER LOT - means a lot having frontage on two or more streets;

COUNCIL - means the Council of the Summer Village of Burnstick Lake;

DECK - means an uncovered (without roof) and non-walled platform which the top surface is less than 0.6 m (2 ft.) above grade and greater than 1.8 m² (19.38 ft²) in area. It may be attached to or cantilevered from a building or free standing and supported from below and may have railing;

DEMOLITION - means the dismantling of a building, and/or the intentional destruction of a building, and/or followed by the removal of debris of a building;

DETACHED DWELLING - means a residential Building containing one (1) dwelling unit which is physically separate from any other residential building, and does not include a manufactured home;

DERELICT VEHICLE - means the storage, collection or accumulation of all or part of any wrecked vehicle or all or part of any motor vehicle which is not validly registered in accordance with the Traffic Safety Act and which is not housed in an enclosed building or structure;

DEVELOPMENT - means

- (a) an excavation or stockpile and the creation of either of them; or
- (b) a building or an addition to, or replacement or repair of a Building and the construction or placing in, on, over or under land of any of them; or
- (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or
- (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building; or

(e) the erection of signs.

DEVELOPMENT AUTHORITY - means the person or persons appointed pursuant to Development Authority Bylaw No. 91-2023;

DEVELOPMENT OFFICER - means a person appointed as a Development Officer pursuant to this Land Use Bylaw;

DEVELOPMENT PERMIT - means a document authorizing a development issued pursuant to this Land Use Bylaw;

DISCRETIONARY USE - means a use which may be compatible with other uses in the district, for which a Development Permit may be issued upon an application having been made;

DISTRICT - means the Land Use District within this bylaw;

DWELLING - means any building or structure used exclusively for human habitation and which is supported on a permanent foundation or base, and includes prefabricated and modular homes but does not include manufactured homes.

DWELLING UNIT - means a complete building or self-contained portion of a building for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separate sanitary facilities intended as a residence and having an independent entrance either directly from the outside of the building or through a common area inside the building;

ENCROACHMENT - means any obstruction or intrusion extending from a property onto an adjoining public right-of-way or onto adjoining land;

ENCROACHMENT AGREEMENT - means a written agreement between the municipality and a property owner which establishes particular circumstances and conditions under which a use or building on the property may incorporate the use of adjoining land owned or controlled by the municipality or a written agreement between two property owners which establishes particular circumstances and conditions under which a use or building on one property may incorporate the use of adjoining land owned or controlled by a different property owner;

EXCAVATION - means any breaking of ground, except common household gardening and ground care;

FENCE - means a vertical, physical barrier constructed to provide aesthetic decoration, visual screening, sound abatement, or to prevent unauthorized access;

FLOOR AREA - means the total area taken up by the habitable portions of a building including all interior living spaces and supporting structures, but excluding basements, carports, garages, sheds and decks, as determined from the exterior dimensions of the building;

FRONTAGE - means lots which have frontages on two parallel streets are recognized as having two front yards and the development shall comply with the front yard setbacks for the respective district. A corner lot is not considered to be a double frontage lot. Lot frontage or a

front yard is determined by the majority of the lots within the block with the narrowest width fronting on a street; an entrance to a building does not determine a front yard;

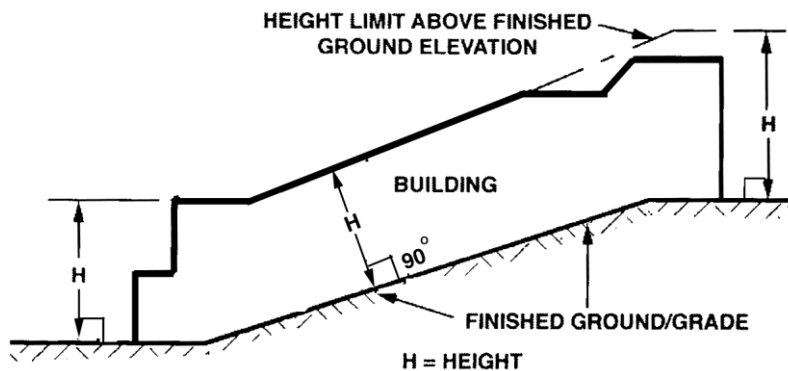
FRONT YARD - means that portion of the lot extending across the full width of the lot from the front property boundary of the lot to the front wall of the main building situated on the lot;

GARAGE - means an accessory building or a part of the main building, designed and used primarily for the storage of motor vehicles;

GRADE - means the ground elevation established for the purpose of regulating the height of a building. The building grade shall be the finished ground elevation adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level the grade shall be determined by averaging the finished ground elevation for each face of the building, or the level of the ground as established by an approved grade plan;

GUEST HOUSE - means a permanent building which has sleeping accommodation and may have a bathroom, but does not have kitchen or other cooking facilities, which provides overflow accommodation for a detached dwelling located on the same lot;

HEIGHT - means when used with reference to a building or structure, is the vertical distance measured at right angles to the finished grade level to the highest point of a building excluding a roof stairway entrance, elevator shaft, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall or parapet wall, a flagpole, antenna or similar device not structurally essential to the building. (See Illustration);



HOME OCCUPATION - means an occupation conducted within a building on a residential lot, which is clearly secondary to the residential use of the lot and is undetectable from outside the building. This does not include such uses as cannabis retail sales or cannabis production and distribution;

LANDING - means a projecting platform at or above grade, and located at an entrance to a structure and may be attached to or extending horizontally from one or more main walls of a building with one side no greater than 1.5 m (4.92 ft.) in width open to the elements and no more than 1.8 m² (19.38 ft²) in area. It may be cantilevered from the building or supported from below and may have a rail and steps leading to the platform;

LANDSCAPING – means the modification and enhancement of a lot or site through the use of the following elements:

- (a) natural landscaping consisting of vegetation such as trees, shrubs, hedges, grass and other similar ground cover, or
- (b) hard landscaping consisting of materials such as brick, stone, concrete, tile, wood or other similar materials, or
- (c) a combination of natural landscaping and hard landscaping, but does not include walkways or sidewalks deemed integral to building access;

LOT - means

- (a) a quarter section or part of a quarter section;
- (b) a river or settlement lot shown on an official plan, as defined in the Surveys Act, that is filed in a Land Titles Office;
- (c) a part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision, or;
- (d) a part of a parcel described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

MAIN OR PRINCIPAL BUILDING - means a building which, in the opinion of the Development Officer or the Municipal Planning Commission,

- (a) occupies the major or central portion of a lot,
- (b) is the chief or principal building among one or more buildings on the lot, or
- (c) constitutes by reason of its use the primary purpose for which the lot is used.
- (d) There shall be no more than one main or principal building on each lot unless specifically permitted otherwise in this Land Use Bylaw;

MAIN OR PRINCIPAL USE - means the primary purpose in the opinion of the Development Officer or the Municipal Planning Commission for which a building or lot is used. There shall be no more than one main use on each lot unless specifically permitted otherwise in this Land Use Bylaw;

MANUFACTURED HOME - means a residential building containing one dwelling unit built in a factory in one or more sections, suitable for long term occupancy designed to be transported on either its own wheels and chassis or other means to a suitable site, and further, which conforms to the Canadian Standards Association A277 and Z-240 Standards (or subsequent CSA Standards) or the Alberta Building Code. A manufactured home may be a single structure (commonly known as a “single wide”) or two parts which when put together comprises a complete dwelling (commonly known as a “double wide”). Manufactured homes do not include modular homes.

MODULAR HOME - means a single detached dwelling constructed in large sections, away from the home site. It does not refer to a type of dwelling but rather to a method of construction.

MUNICIPAL PLANNING COMMISSION - means a Municipal Planning Commission established pursuant to the Municipal Government Act;

MUNICIPALITY – means the Summer Village of Burnstick Lake.

NON-CONFORMING BUILDING - means a building,

- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated becomes effective, and
- (b) that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the Land Use Bylaw;

NON-CONFORMING USE - means a lawful specific use,

- (a) being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective, and
- (b) that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the Land Use Bylaw;

NUISANCE - anything that interferes with the use or enjoyment of property, endangers public health or safety, or is offensive to the senses;

ORDER - means a notice requiring compliance with this Bylaw issued in writing by the Development Authority;

OWNER - means the person who is registered under the Land Titles Act as the owner of the fee simple estate in the land and, in respect of any property other than land, the person in lawful possession of it;

PARCEL - means the aggregate of the one (1) or more areas of land described in a Certificate of Title or described in a Certificate of Title by reference to a plan filed or registered in a Land Titles Office;

PARKS AND PLAYGROUNDS - means areas of public land known for their natural scenery and/or preservation for public recreation either active or passive;

PATIO - means a hard surface created by laying cement, bricks, tiles, or blocks directly in or on the ground. The feature is uncovered (without roof) and non-walled.

PERMANENT FOUNDATION – means

- (a) a foundation meeting CSA Z240.10.1 standard, or
- (b) an engineer approved wood foundation, or
- (c) a poured concrete basement, or
- (d) a concrete block foundation;

PERMITTED USE - means the use of land or a building referred to as a permitted use in the Districts of this Land Use Bylaw and for which a development permit shall be issued, with or without conditions, where the use meets the applicable provisions of this Land Use Bylaw;

PRIVATE SEWAGE DISPOSAL SYSTEM - means on-site wastewater treatment systems as defined in the Alberta Private Sewage Systems Standard of Practice, for the treatment and disposal of wastewater that is not connected to a municipal wastewater utility system;

PUBLIC BUILDING - means a building which is used for public administration and services and includes uses such as assembly, instruction recreation, culture and community activities;

PUBLIC USE - means a development which is publicly owned, supported or subsidized involving public assembly or use. Public uses typically may include such uses as publicly funded schools, parks, libraries, arenas, museums, art galleries, hospitals, tennis courts, swimming pools and other indoor and outdoor recreational facilities;

PUBLIC UTILITY - means a Public Utility as defined in Part 17 of the Municipal Government Act;

REAR YARD - means that portion of the lot extending across the full width of the lot from the rear property boundary of the lot to the rear wall of the main building situated on the lot;

RECREATION VEHICLE - means a vehicle, or portable structure designed to be carried on a vehicle, providing temporary sleeping accommodation for travel and recreation purposes. Recreation vehicles include but are not limited to motor homes, fifth wheels, campers, tent trailers when not in their stowed position, and holiday trailers. Recreation vehicles do not include manufactured homes;

ROAD - means land;

- (a) shown as a road on a plan of survey that has been filed or registered in a Land Titles Office, or
- (b) used as a public road and includes a bridge forming part of a public road and any other structure incidental to a public road, but does not include a highway;

SCREEN - means a fence, berm, hedge, wall or building used to separate areas or functions which detract from the appearance of the street scene and the view from the surrounding areas;

SEA CAN - means a transportable storage container including a sea/land/rail shipping container, which is generally used as a storage vault. Sea Cans are considered an accessory building or use;

SETBACK - means the distance that a development, or a portion of it, must be set away from a property line, measured from the outer extremity of the development;

SIDE YARD - means that portion of the lot extending from the front yard to the rear yard and lying between the side property boundary of the lot and the nearest part of the main building;

SIGN - means an object or device intended to advertise or call attention to any person, place, thing or event;

SITE COVERAGE - means the combined area of all buildings or structures on a site, including accessory buildings or structures, measured at a point at grade directly below the outside surface of the exterior walls of the structure at the first story floor level, including projections less than 2.5 m. (8.20 ft) above finished grade which includes and is not limited to supported balconies, open or closed in and covered porches and veranda, covered terraces and all other spaces within a building, excluding, eaves, cornices, landings, steps and similar projections, and un-enclosed inner and outer courts and un-enclosed and uncovered decks and patios which are less than 0.6 m. (1.97 ft) above grade;

STREET - means any category of road except a lane;

SOFT SIDED BUILDING - means any building that is faced or finished, on any portion of the building exterior, with flexible sheeting capable of being rolled or folded. Soft sided buildings are considered an accessory building or use;

STRUCTURAL ALTERATION - means altering the Main Building components which support a Building;

STRUCTURE - means anything constructed or erected, either permanent or temporary, the use of which requires location on the ground or attachment to something having location on the ground;

SUBDIVISION AND DEVELOPMENT APPEAL BOARD - means the board established by Council pursuant to the Act;

SUBDIVISION AND DEVELOPMENT REGULATION - means the Matters Related to Subdivision and Development Regulation (AR 84/2022), as amended;

SUBDIVISION AUTHORITY - means the person, persons or organization appointed pursuant to the Subdivision Authority Bylaw;

TEMPORARY BUILDING - means an enclosed structure without any foundation or footings and which is removed when the designated time, activity or use for which the temporary structure was erected has ceased;

TOURIST HOME - means a discretionary use wherein a dwelling unit is offered for rent to guests for no less than thirty (30) days;

WALKWAY - means a public right-of-way for pedestrian use only, which is, for the purpose of this bylaw, considered as part of the Community Reserve and Recreation District (C);

YARD - means an area of open space on a site which is required to be unoccupied and unobstructed by any structure or a portion of a structure above grade of the graded lot unless otherwise permitted in this Land Use Bylaw;

All other words and expressions shall have the meaning respectfully assigned to them in Part 17 of the Act and the Matters Related to Subdivision and Development Regulation.

3 ADMINISTRATION

3.1 Establishment Of Development Officer

3.1.1 The office of the Development Officer is hereby established and shall be filled by a person or persons appointed by resolution of Council.

3.2 Duties Of Development Officer

3.2.1 The Development Officer shall:

- (a) exercise development powers and perform duties on behalf of the Summer Village in accordance with the Act and this Bylaw;
 - (b) keep and maintain for inspection by the public a copy of this Land Use Bylaw and all amendments thereto and ensure that a copy is available on the Summer Village's website;
 - (c) keep a register of all applications for development, including decisions made and reasons for these decisions;
- carry out the duties as Council may specify.

3.3 Establishment of Forms

3.3.1 For the purpose of administering the Land Use Bylaw, the Development Officer shall prepare such forms and notices as he or she may deem necessary.

3.3.2 Any such forms or notices are deemed to have the full force and effect of this Land Use Bylaw in the execution of the purpose for which they were designed, authorized and issued.

3.4 Establishment of Fees

3.4.1 The Development Permit application fee and fees for other matters arising through this Land Use Bylaw shall be as established by resolution of Council. Council may at any time by resolution increase, decrease or establish new fees for matters covered by this Land Use Bylaw.

3.5 Establishment of the Municipal Planning Commission

3.5.1 The Municipal Planning Commission established by bylaw shall perform such duties as are specified in Bylaw No 92-2023.

3.6 Establishment of the Subdivision and Development Appeal Board

3.6.1 The Subdivision and Development Appeal Board established by bylaw shall perform such duties as are specified in Bylaw No. 72-2018.

3.7 Amendment of the Land Use Bylaw

- 3.7.1 The Council on its own initiative may give first reading to a Bylaw to amend this Land Use Bylaw.
- 3.7.2 Any person may apply to have this bylaw amended, by applying in writing to Council.
- 3.7.3 All applications for amendment shall be accompanied by:
- (a) a statement of the specific amendment requested;
 - (b) the purpose and reasons for the application;
 - (c) if the application is for a change of District, the legal description of the lands, or a plan showing the location and dimensions of the lands;
 - (d) the applicant's interest in the lands; and
 - (e) the required application fee as established by resolution of Council, but if a bylaw respecting the proposed amendment is not given first reading, Council may determine that all or part of the fee be refunded.
 - (f) Council may refer the application for bylaw amendment to adjacent municipalities and such other agencies as it considers necessary for comment.
 - (g) If the amendment is for a redesignation of land, the Development Officer may require:
 - (i) an outline plan for the area to be redesignated, to the level of detail specified by the Development Officer; and
 - (ii) payment of a fee equal to the costs incurred by the Municipality to review the proposed redesignation and/or related outline plan, or if necessary to prepare an outline plan.
- 3.7.4 Upon receipt of an application for amendment to this Land Use Bylaw, the Development Officer shall determine when the application will be placed before Council and shall issue not less than five (5) days' notice to the applicant advising that he may appear before the Council at that time and speak to the application. An application for amendment shall be placed before the Council within 60 days of its receipt by the Development Officer.
- 3.7.5 Council, in considering an application for an amendment to this Land Use Bylaw, may in its sole discretion:
- (a) refuse the application; or
 - (b) refer the application for further information; or
 - (c) pass first reading to a bylaw to amend this Land Use Bylaw, with or without conditions or amendments; or
 - (d) defeat first reading of a bylaw to amend this Land Use Bylaw; or
 - (e) pass first reading of an alternative amendment to this Land Use Bylaw, with or without conditions.
- 3.7.6 Following first reading of an amending bylaw, Council shall:
- (a) establish the date, time and place for a public hearing on the proposed bylaw;
 - (b) if a bylaw to establish procedures for public hearings has not been passed,

- outline the procedures to be followed by any person, group of persons or person representing them who wish to be heard at the public hearing, and;
- (c) outline the procedure for conducting the public hearing.
- 3.7.7 Following first reading of an amending bylaw, the Development Officer must give notice of the public hearing by:
- (a) publishing notice at least once a week for two (2) consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed bylaw relates; or
 - (b) mailing or delivering notices to every residence in the area to which the proposed bylaw relates.
- 3.7.8 A notice of a public hearing must be advertised at least five (5) days before the public hearing occurs.
- 3.7.9 A notice must contain:
- (a) a statement of the general purpose of the proposed bylaw and public hearing;
 - (b) the address where a copy of the proposed bylaw and any document relating to it or the public hearing may be inspected; and
 - (c) the date, place and time where the public hearing will be held.
- 3.7.10 In the case of an amendment to change the land use designation of a parcel of land, the Development Officer must, in addition to the requirements of Section 3.7.9:
- (a) include in the notice
 - (i) the municipal address, if any, and the legal address of the Parcel of Land, and
 - (ii) a map showing the location of the Parcel of Land;
 - (b) give written notice containing the information described in clause (a) and Section 3.7.9 to the assessed Owner of that Parcel of Land at the name and address shown in the assessment roll of the Municipality; and
 - (c) give written notice containing the information described in clause (a) and Section 3.7.9 to each Owner of Adjacent Land at the name and address shown for each Owner on the assessment roll of the Municipality.
- 3.7.11 Notwithstanding Section 3.7.8, the Land Use Bylaw may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical or typographical errors and does not materially affect the Land Use Bylaw in principle or substance.
- 3.7.12 In the public hearing, the Council:
- (a) shall hear any person, group of persons, or person representing them, who claims to be affected by the proposed bylaw and who has complied with the procedures outlined by Council; and
 - (b) may hear any other person who wishes to make representations and whom the Council agrees to hear.

- 3.7.13 After considering the representations made to it about the proposed bylaw at the public hearing and after considering any other matter it considers appropriate, Council may:
- (a) pass the bylaw;
 - (b) refer it for further information or comment;
 - (c) make any amendment to the bylaw it considers necessary and proceed to pass it without further advertisement or hearing; or
 - (d) defeat the bylaw.
- 3.7.14 Prior to third reading of the proposed bylaw, Council may require the applicant to apply for a Development Permit and negotiate a development agreement in respect of the proposal which initiated the application for amendment.
- 3.7.15 After third reading of the proposed bylaw, the Development Officer shall send a copy of it to:
- (a) the applicant;
 - (b) the registered Owner of the land if not the applicant;
- 3.7.16 In this section, “Owner” means the person shown as the Owner of land on the assessment roll prepared pursuant to the Municipal Government Act.
- 3.7.17 The Development Officer shall not accept an application for an amendment which is identical or similar to an application which was refused by Council, for a period of six (6) months after the date of the refusal unless, in the opinion of the Development Officer, the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.

4 DEVELOPMENT APPLICATION PROCESS, CONTRAVENTION AND APPEAL

4.1 Control of Development

4.1.1 No development other than that designated in Section 4.2 shall be undertaken within the Summer Village unless a development permit has been obtained.

4.2 Development Not Requiring a Development Permit

4.2.1 No Development Permit will be required for any of the following types of development provided that such development complies with all applicable provisions of this Land Use Bylaw:

- (a) the repair or maintenance of any building provided the work does not include structural alterations;
- (b) the completion of a building which was lawfully under construction or for which a permit has lawfully been issued on the date that this bylaw comes into effect;
- (c) the construction, alteration or maintenance of fences, gates, walls, or other enclosures (except on corner lots) less than 1 m (3.28 ft) in height in front yards; (as per General Land Use Regulations in Section 6.8);
- (d) a temporary building which is incidental to the construction or alteration of a main building for which a permit has been issued, provided the temporary building is removed when the main building is occupied;
- (e) the maintenance and repair of public buildings, utilities and utility installations carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled provided that such development complies with all applicable provisions of this Land Use Bylaw;
- (f) patios and sidewalks;
- (g) decks that are less than 0.6 m (2 ft.) in height from grade and not enclosed by any materials, other than a rail or banister;
- (h) a maximum of two accessory buildings having an area less than 10 m² (108 ft²) each;
- (i) one temporary on-site commercial sign intended for advertising the sale or lease of a dwelling or property;
- (j) antenna structures for receiving television or radio signals attached to a building, not exceeding 10 m (32.81 ft.) in height above ground level, but does not include satellite dishes having a diameter greater than 1.0 m (3.28 ft.);
- (k) demolition of buildings with a floor area less than or equal to 10 m² (108 ft²);
- (l) construction of a single retaining wall less than 1 m (3.3 ft) in height measured from the lowest grade at any point adjacent to the retaining wall to the highest grade retained by the wall, and where all surface drainage remains on the same property as the retaining wall, and where no other retaining wall exists on the lot;
- (m) development specified in Section 618 of the Act which includes:
 - (i) a highway or public roadway
 - (ii) a well or battery within the meaning of the Oil and Gas Conservation Act;
 - (iii) a pipeline or an installation or structure incidental to the operation of a pipeline;
 - (iv) any other action, person, or thing specified by the Lieutenant Governor in Council by regulation.

4.3 Development Application

4.3.1 The Development Officer shall:

- (a) receive, consider and decide upon all applications for a Development Permit;
- (b) at his/her discretion refer to the Municipal Planning Commission any application which in his/her opinion should be decided by the Municipal Planning Commission;
- (c) refer any application to an adjacent municipality or any other agency or person which in his/her opinion may provide relevant comments or advice respecting the application;

4.3.2 An application form for a development permit shall be completed and submitted to the Development Officer and be accompanied by:

- (a) a Real Property Report, or other site plan that the Development Officer deems acceptable drawn to scale that shows the following:
 - (i) north arrow and scale of plan;
 - (ii) legal description of the property;
 - (iii) property lines, shown with dimensions;
 - (iv) location and dimensions of all existing and proposed buildings and their distance from the property lines (setbacks);
 - (v) location and dimensions of any other proposed improvements to all portions of the lot including parking, decks, patios, fences, retaining walls, and storage areas;
 - (vi) location of well and private sewage disposal system;
 - (vii) access and egress points to the parcel;
 - (viii) location of all registered utility easements and rights-of-way; and
 - (ix) area calculations including: size and square footage of entire lot; coverage of lot by main (principal) and accessory buildings; parking area(s); and landscaping.
- (b) building floor plans, drawn to scale, including the proposed use of the building(s) or addition, total floor space and dimensions of the building, and, where required, the allocation of floor space for different uses for parking calculations;
- (c) building elevations, drawn to scale, showing all sides of the building and indicating building height, exterior finishing materials and colors;
- (d) a lot grading plan, showing existing and proposed grades and slopes;
- (e) a landscaping plan may be required, as a condition of the approval of a development permit, showing the area to be retained in its natural state, any trees designated for removal and new landscaping to be installed following development;
- (f) the estimated commencement and completion dates;
- (g) the estimated cost of the project or contract price;
- (h) a copy of the Certificate of Title indicating ownership and any encumbrances;
- (i) if the applicant is not the landowner, a statement of the applicant's interest in the land together with the written consent of the Owner to the application;
- (j) such other plans and information as the Development Officer may consider necessary to properly evaluate the proposed development.
- (k) If a variance or relaxation to any stated minimum or maximum standard is required, in accordance with Section 6.27 a letter from the applicant stating reasons why the variance or relaxation is warranted and actions that will be undertaken to mitigate any consequences of granting the variance or relaxation;

- (l) If the intended development is for a development that requires a wastewater disposal system, the application shall also include a copy of the private wastewater disposal system permit issued by an accredited agency, or another qualified professional, approving the proposed method of wastewater treatment and disposal for the Development.
 - (m) should permission be requested for an addition to an existing Development, confirmation may be required in writing from a plumbing Safety Codes Officer that the existing private waste water disposal system is adequate for the proposed development.
- 4.3.3 The Development Authority may deal with an application and make a decision without all of the information required by Section 4.3 if it is the opinion of the Development Authority that a decision on the application can be properly made without such information.
- 4.3.4 Each application for a Development Permit shall be accompanied by a development permit fee. The Council may, by resolution or bylaw, impose a fee or a schedule of fees for the making of any development permit application, and no application for a development permit will be considered complete until such fee has been paid to the Summer Village.
- 4.3.5 Upon receipt of an application the Development Officer shall within 20 days determine whether the application is complete. An application is complete, if in the opinion of the Development Officer, the application contains the documents and other information necessary to review the application. The 20 day timeline may be extended if agreed upon in writing between the applicant and the Development Officer.
- 4.3.6 If the Development Officer deems a development permit application to be complete, the Development Officer shall issue a letter to the applicant indicating:
- (a) The date the application was received and deemed complete,
 - (b) Confirmation the Development Authority will begin processing the application, and
 - (c) The date the 40 days to process the application expires.
- 4.3.7 If the Development Officer determines an application is incomplete, the Development Officer shall issue a notice in writing to the applicant, indicating the following:
- (a) The application is considered incomplete;
 - (b) A detailed list of the outstanding documents and/or information required by the Development Officer in order for the application to be considered complete;
 - (c) The date which the required outstanding documents and/or information must be submitted to the Development Officer, as either set out in the notice, or as agreed upon between the applicant and Development Officer;
- prior to the expiry of the 20 day review period.
- 4.3.8 If the applicant fails to submit the outstanding information and documents requested by the Development Officer to complete the application on or before the date referred to in the notice issued to the applicant, the application is deemed to be refused.

- 4.3.9 If the applicant fails to submit the outstanding information and documents requested by the Development Officer to complete the application on or before the date referred to in the notice issued to the applicant, the application is deemed to be refused.
- 4.3.10 If the application is deemed refused because the applicant failed to provide the Development Officer with the requested information, the Development Officer shall issue to the applicant a letter indicating the application has been refused and the reason(s) for the refusal, within 7 days of the expiry date.
- 4.3.11 Despite that the Development Officer has issued a letter acknowledging an application as complete, in the course of reviewing the application, the Development Authority may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.
- 4.3.12 If the Development Officer does not make a determination of an application's completeness within 20 days of receiving the application, or within an alternative timeline agreed upon between the applicant and Development Officer, the application is deemed to be complete.
- 4.3.13 The Development Authority shall consider and decide on any application for a development permit, within 40 days of the date of issuance of a letter to an applicant indicating the application is complete, or within such longer period as the applicant may have agreed to in writing.
- 4.3.14 The Development Authority shall approve an application for a Development Permit if the application complies with the requirements of the Land Use Bylaw, the Act, the Subdivision and Development Regulation, and Statutory Plans.
- 4.3.15 Where an application for a development permit has been refused, except for those applications refused as incomplete applications, the Development Officer shall refuse to accept another application for the same or a similar use on the same lot or site until 6 months have passed from the date of such refusal unless in the opinion of the Development Officer the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.

4.4 Decision

- 4.4.1 The Development Officer shall approve, with or without conditions, an application for a permitted use in a District where the proposed development conforms in every respect with the bylaw.
- 4.4.2 The Development Officer may approve, with or without conditions, or may refuse an application for
- (a) a permitted use where the proposed development does not conform in every respect to this bylaw, and
 - (b) a discretionary use.

- 4.4.3 The Development Officer may require that, as a condition of issuing a development permit for a discretionary use in a District,
- (a) the use conforms to any or all provisions of this bylaw;
 - (b) measures be taken or the development used in a manner that ensures that
 - (i) the development is orderly,
 - (ii) any impact upon adjacent uses is mitigated,
 - (iii) the safety and free movement of pedestrians and vehicular traffic on adjacent public roadways is not prejudiced,
 - (iv) the use is developed in an aesthetic and environmentally sound manner, and the use is developed in conformance with any applicable statutory plan policies.
- 4.4.4 The Development Officer may refer an application to an adjacent municipality or any other agency or person which in his opinion may provide relevant comments or advice respecting the application.
- 4.4.5 The Development Officer may refer an application to an adjacent municipality or any other agency or person which in his opinion may provide relevant comments or advice respecting the application.
- 4.4.6 A decision of the Development Officer on an application for a development permit shall be given in writing.
- 4.4.7 When a Development Office refuses an application for a development permit, the decision shall contain reasons for the refusal.

4.5 Effective Date of Development Permit

- 4.5.1 A development permit does not come into effect until 21 days after the date an order, decision or development permit is issued, and any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- 4.5.2 When an appeal is made, a development permit does not come into effect until the appeal has been determined, at which time the permit may be approved, modified or rejected.
- 4.5.3 If the development authorized by a permit is not started within 12 months from the date of the permit's issue, and carried out with reasonable diligence, the Development Officer may declare the permit void, unless an extension has been granted.
- 4.5.4 A development, once begun, shall not be abandoned, or left in what the Development Officer considers to be an unsightly or unsafe condition, and shall be completed within 24 months of approval of the application, unless an extension has been granted.
- 4.5.5 A development permit issued according to this Bylaw is not a building permit and notwithstanding that the plans and specifications for buildings may have been submitted as part of an application for a development permit, work or construction shall neither

commence nor proceed until a building permit has been issued by the Safety Codes Agency contracted by the municipality and pursuant to applicable bylaws and regulations.

4.6 Public Notification

4.6.1 On the date a development permit is issued, the Development Officer shall:

- (a) post notice of the decision on the property for which the permit has been granted and/or
- (b) mail a notice of the decision to all persons whose use, enjoyment or value of property may, in the opinion of the Development Officer, be affected including, but not limited to adjacent property owners.

4.6.2 If the Development Officer approves a development permit in accordance with Section 6.27 (Variances), notice of this decision shall be sent to all adjacent landowners.

4.7 Development Agreement

4.7.1 The Development Authority may require, subject to approval by Council, that as a condition of issuing a development permit, the applicant enter into a development agreement with the municipality to ensure any of the following:

- (a) Construct or pay for the construction of public roadways, pedestrian walkways, or parking areas; and/or
- (b) Install or pay for the installation of utilities; and/or
- (c) Pay for an off-site levy or redevelopment levy imposed by bylaw.

4.7.2 To ensure compliance with the development agreement, the Summer Village may register a caveat against the certificate of title of the property that is being developed. This caveat shall be discharged when conditions of the development agreement have been met.

4.8 Enforcement, Contravention

4.8.1 If the Development Officer finds that a development, land use or use of a building is not in conformity with this Land Use Bylaw, Part 17 of the Act or the Subdivision and Development Regulation or a development permit or subdivision approval the Development Officer may, by written notice, order the Owner, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them, to:

- (a) stop the development or use of the land or building in whole or in part as directed by the notice;
- (b) demolish, remove or replace the development; or
- (c) carry out other actions required by the notice so that the development or use of the land or building complies with the Land Use Bylaw, Part 17 of the Act or the Subdivision and Development Regulation, a Development Permit or subdivision approval;
- (d) in such order the Development Officer may establish a time for reasonable compliance with such order. If a person fails or refuses to comply with an order or an order of the Subdivision and Development Appeal Board made pursuant to Part 17 of

the Act, the municipality may enter on the land or building and take any action necessary to perform and complete the order;

- (e) the municipality may register a caveat under the Land Titles Act in respect of an order against the Certificate of Title for the land that is the subject of the order, but if it does so the municipality must discharge the caveat when the order has been complied with.

4.9 Offences and Penalties:

- (a) A person who contravenes or does not comply with the Land Use Bylaw, Part 17 of the Act, the Subdivision and Development Regulation, an order under Section 4.8.1 of this Land Use Bylaw, a development permit or subdivision approval, or a condition therein, a decision of the Subdivision and Development Appeal Board, or who obstructs or hinders any person or persons in the exercise or performance of that person's or persons' powers or duties under this Land Use Bylaw is guilty of an offence.
- (b) A person who is guilty of an offence is liable to a fine of not more than \$10,000 or to imprisonment for not more than one (1) year, or to both fine and imprisonment.

4.10 Compliance with Other Legislation

4.10.1 Compliance with the requirements of the Land Use Bylaw does not exempt any person from:

- (a) the requirements of any federal, provincial or municipal legislation; and
- (b) complying with any easement, covenant, agreement or contract affecting the development.

4.11 Permit Cancellation

4.11.1 The Development Officer may cancel a development permit if:

- (a) the permit was issued in error, or
- (b) the permit was issued on the basis of incorrect information.

5 DEVELOPMENT APPEAL PROCESS

5.1 Procedure for Appeals

- 5.1.1 An appeal of an order, a decision or a failure to make a decision of the Development Authority may be made in writing to the Subdivision and Development Appeal Board in accordance with the provisions set forth in the Subdivision and Development Appeal Board Bylaw No.72-18.
- 5.1.2 An appeal may be made to the Subdivision and Development Appeal Board (SDAB) where a Development Authority:
- (a) fails or refuses to issue a development permit to a person; or
 - (b) issues a development permit with conditions; or
 - (c) issues an order under the Act;
 - (d) the person applying for the permit, or affected by the order may appeal to the SDAB.
- 5.1.3 An application for a development permit shall, at the option of the applicant, be deemed to be refused when the Development Authority fails to make a decision within forty (40) days of the date of the letter issued to an applicant acknowledging a complete application, and an applicant may appeal in writing, as provided for in this Land Use Bylaw, unless the applicant enters into an agreement with the Development Officer to extend the forty (40) day period.
- 5.1.4 An appeal may be made to the SDAB by any other person affected by an order, decision or development permit of a Development Authority.
- 5.1.5 No appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed, varied or misinterpreted.
- 5.1.6 A person desiring to appeal to the Subdivision and Development Appeal Board shall file with the Clerk of the Subdivision and Development Appeal Board written notice of appeal within the following time periods:
- (a) In the case of an appeal by an applicant for a development permit, within twenty-one (21) consecutive days of the date of the written decision on the application or the date of the deemed refusal;
 - (b) In the case of an appeal by a person affected by a stop order or a decision made by the Development Officer, within twenty-one (21) consecutive days of the date on which the order or decision was made,
 - (c) In the case of an appeal by a person affected by a development permit issued by the Development Officer, within twenty-one (21) consecutive days of the date of issuance of the Development Permit.
- 5.1.7 The date of receipt of a decision or order is deemed to be seven (7) days from the date that the decision or order is mailed or emailed where the recipient has opted to receive communications electronically.

5.1.8 Within 30 days of receiving a Notice of Appeal, the SDAB shall hold an appeal hearing in accordance with the Act.

5.1.9 The procedures followed for an appeal hearing are governed by the Act.

5.1.10 A notice of an appeal shall be accompanied by a fee in an amount established by Council, by resolution. The fee set shall be adjusted, from time to time, in accordance with the costs of hearing appeals.

5.2 Decision

5.2.1 The decision of the Subdivision and Development Appeal Board is final and binding upon all Parties subject only to an appeal upon a question of jurisdiction or law. An application for leave to appeal shall be made to a judge of the Court of Appeal within 30 days of the issue of the order, decision, permit or approval sought to be appealed.

6 GENERAL LAND USE REGULATIONS

6.1 Applicability

6.1.1 The following regulations apply to development in all districts, unless otherwise specified. Where these regulations may be in conflict with any land use district regulations, the general regulations shall take precedence.

6.2 Subdivision of Land

6.2.1 A Development requiring subdivision of land shall not be issued a Development Permit until such time as subdivision approval has been received from the Subdivision Approval Authority, or upon appeal, the Subdivision and Development Appeal Board or the Municipal Government Board.

6.3 Number Of Dwelling Units

6.3.1 Only one dwelling unit shall be permitted on a lot.

6.4 Non-Conforming Buildings and Uses

6.4.1 A non-conforming use of land or building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building shall conform with this bylaw.

6.4.2 A non-conforming use of a part of a building may be extended throughout the building, but the building shall not be enlarged or added to, and shall undergo no structural alterations.

6.4.3 A non-conforming use of a part of a lot shall not be extended or transferred in whole or part to any other part of the lot, and no additional buildings shall be constructed while the non-conforming use continues.

6.4.4 A non-conforming building shall not be enlarged, added to, rebuilt, or structurally altered except:

- (a) as may be necessary to make it a conforming building, or
- (b) as may be necessary for the routine maintenance of the building, or
- (c) as may be required by statute or bylaw.

6.4.5 If a non-conforming building is damaged or destroyed to the extent of more than 75% of its value above its foundation, the building shall not be repaired or rebuilt except in accordance with this bylaw.

6.4.6 A change of ownership, tenancy or occupancy of land or a building shall not be considered to affect its use.

6.4.7 If a development permit has been issued on or before the day on which a land use bylaw or a land use amendment bylaw comes into force in a municipality and the bylaw would make the development in respect of which the permit was issued a non-conforming use

or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.

- 6.4.8 When a building is a non-conforming building solely by reason of its encroachment into a required front, side, or rear yard, the Development Officer may allow an extension of, or an addition to, the building, if such extension or such addition is a lateral extension or addition or will not in itself constitute a further encroachment into any required yard, and if such extension or addition complies with the provisions of this bylaw.
- 6.4.9 A building that encroaches into a required front, side or rear yard by reason of conversion from imperial unit of measurement to metric units, or by reason of subsequent amendments that change the front, side or rear yard requirements for building is considered to be a conforming building.
- 6.4.10 Notwithstanding Section 6.4.1 a new use or a new building that is in conformity with the land use district for the lot may be allowed to occupy or be constructed on the lot while a non-conforming use or building occupies the lot.

6.5 Site Conditions

- 6.5.1 Development proposed on a portion of the lot having a grade in excess of 15% shall have a soil bearing and subsistence report, prepared by a professional engineer stating that the soil conditions can support the development, submitted with the application for development approval.
- 6.5.2 Unless satisfactory design and development measures are taken, the applicant shall provide evidence that the land to be developed is not characterized by soil instability, poor drainage or flooding.
- 6.5.3 To the maximum extent possible, trees and shrubs shall be retained on a site. Where landscaping is required, it shall be carried out within 24 months following the completion of construction.
- 6.5.4 No person shall remove topsoil in excess of 6 m³ (7.85 cu. yds.) without first obtaining a development permit.
- 6.5.5 Garbage shall be kept in weatherproof and animal-proof containers, screened from adjacent sites and public thoroughfares.
- 6.5.6 Where clearing of trees and shrubs has been authorized for the purposes of building construction, the parcel shall be graded to ensure that water does not drain directly onto adjoining property.

6.6 Development Design and The Preservation and Enhancement of Environmental Quality

- 6.6.1 The Development Officer is to be guided by the characteristics and natural setting of Burnstick Lake in reviewing and approving the design, location and architectural appearance of development requiring development permits.
- 6.6.2 The quality of development, with respect to building appearance, such as exterior finishes or materials used and style, and its location on the lot together with landscaping

features and general site amenities must be compatible with and equal to or better than the standard of surrounding development.

6.6.3 Where possible, new development should not negatively impact views and vistas of existing development on adjoining properties.

6.6.4 Development should not have a negative impact on municipal and recreational amenities.

6.7 Building Demolition

6.7.1 The demolition of a building having an area greater than 10 m² (108 ft²) shall require a permit. Such a permit shall not be approved without a written statement indicating:

- (a) how the demolition will be carried out so as to minimize dust, noise or other nuisance;
- (b) Written confirmation of compliance with the Alberta Occupational Health and Safety Code for removal of any hazardous materials from the site.
- (c) final reclamation of the site.

6.7.2 Whenever a development permit is issued that involves the demolition of a building, it shall be a condition of the permit that:

- (a) the site be properly cleaned, with all debris removed;
- (b) the site is left in a graded condition that removes or fills in excavations and is in accordance with the site drainage patterns; and
- (c) the applicant arranges for the safe disconnection of all municipal and private utilities serving the building to be demolished prior to demolition commencing.

6.8 Fences, Walls, Hedges, Enclosures

6.8.1 No fence, wall, hedge or other enclosure shall be higher than 1 m (3.28 ft.) in height in front yards and 2.5 m (8.20 ft.) in rear yards.

6.8.2 Electric and barbed wire fences shall not be permitted.

6.9 Retaining Walls

6.9.1 Retaining walls shall:

- (a) respect overland drainage patterns established for the lot at the time the lot was created;
- (b) maintain positive overland drainage on all portions of the site;
- (c) not divert overland drainage onto adjacent properties;
- (d) not be located within a right-of-way or easement intended for overland drainage; and
- (e) maintain a minimum horizontal separation of 1.0m (3 ft.) between retaining walls on a parcel.
- (f) be constructed with a guard or fence where the drop exceeds 600 mm (23.6 inches), consistent with the Building Code.

6.9.2 An application for development for a retaining wall that is greater than 1.0 m (3 ft.) in height or a series of retaining walls of any height, shall require the submission of a report prepared and sealed by a qualified, registered Professional Engineer, entitled to practice in the Province of Alberta, 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).

6.10 Decks and Balconies

6.10.1 The construction of a deck or balcony of which any part of it is enclosed by a wall higher than 1 m or with a roof or more than 0.6 m (1.97 ft) above finished grade shall require a development permit.

6.10.2 A built-in firepit is not allowed in decks or balconies.

6.11 Sanitary Facilities

6.11.1 Every building with plumbing shall be served by a Private Sewage Disposal System approved by the Safety Codes Agency contracted by the municipality.

6.11.2 Section 6.11.1 shall apply to new building construction and replacement of existing wastewater disposal systems. Existing wastewater disposal systems built before third reading of this bylaw, shall be permitted for the life of the respective system as long as they pass legally mandated inspections and until they require repair or replacement.

6.11.3 No owner of a parcel of land shall have, permit or allow an outdoor privy or any other system for the disposal of sewage or waste water that is not in compliance with the Alberta Private Sewage Systems Standard of Practice.

6.11.4 Only self-contained, private, individual wastewater disposal systems or a communal wastewater collection system using closed, sealed holding tank(s) are allowed.

6.12 Access to Property

6.12.1 The construction of a driveway shall require a development permit and shall be constructed in accordance with municipal standards adopted by resolution of Council.

6.13 Objects Prohibited or Restricted in Yards

6.13.1 No person shall keep or maintain in their yards:

- (a) any unlicensed, dismantled, wrecked or derelict vehicle for more than 14 consecutive days;
- (b) any object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the Summer Village;
- (c) any fur bearing animals, fowl or livestock other than domestic pets;
- (d) oversize vehicles that obstruct the view of other property owners;
- (e) any bulk fuel storage such as gasoline or diesel fuel, but excluding propane tanks;
- (f) any commercial vehicle loaded or unloaded with a gross vehicle weight rating in excess of 4600 kg. (10,000 lbs.);
- (g) any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken;
- (h) The Owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.

6.14 Nuisance

6.14.1 No use or activity shall be approved which, in the opinion of the Development Officer, constitutes a nuisance that may be generated by the proposed development such as noise, vibration, dust, smoke, smell, toxic or noxious matter, traffic, radiation, fire explosions, heat, humidity, glare, waste, water or steam.

6.15 Accessory Buildings

6.15.1 The construction or relocation of an accessory building with a floor area of more than 10 m² shall require a development permit.

6.15.2 The siting of an accessory building on an irregularly shaped parcel shall be as approved by the Development Officer.

6.15.3 Where a balcony that is less than 2.5 m (8.20 ft) or deck that is greater than 0.6 m (1.97 ft) above grade, and is either freestanding or attached or supported by the principal structure or is a structure that is either freestanding or attached to the principal building and is enclosed by walls 1.2 m (3.94 ft) in height for more than 33 % of the perimeter of the structure, it shall be considered to be an accessory building and included in the area calculation for site coverage. A landing is not considered to be an accessory building for purposes of this section. Exceptions to this rule may be granted given the topography of the site.

6.16 Signs and Advertising Structures

6.16.1 Subject to Section 4.2.1(i), any commercial sign or advertising structure, whether temporary or permanent, shall require a development permit, and

(a) shall be no more than 0.5 m² (5.38 sq. ft.), and

(b) only one shall be permitted per lot; and

(c) shall not be permitted if it might obscure traffic or be confused with a

(d) traffic sign; and

(e) shall not be illuminated.

6.17 Recreational Vehicles

6.17.1 No more than one recreational vehicle shall be permitted on a regular basis on a lot.

6.17.2 No recreational vehicle shall be kept and occupied on a lot for more than 14 consecutive days.

6.17.3 A maximum of one (1) recreational vehicle may be stored permanently on a residential lot.

6.17.4 A maximum of two (2) recreational vehicles may be used for living and sleeping accommodation for a maximum period of thirty (30) days per annum;

6.17.5 The parking of private recreation vehicles on Municipal or Environmental Reserve lots or Public Utility lots is prohibited.

6.18 Manufactured Homes

- 6.18.1 Manufactured homes shall meet or exceed Canadian Standards Association (CSA) Z240MH certification and the Alberta Building Code.
- 6.18.2 Installation and foundation requirements for manufactured homes and additions shall meet either the CAN/CSA Z240.10.1 standard or the Alberta Building Code.
- 6.18.3 Manufactured Homes shall be no older than ten (10) years as of the date of a completed development permit application for their placement and shall be similar and consistent with the character of the area.
- 6.18.4 The external appearance of a manufactured home shall be acceptable to the Development Authority having regard to compatibility with other buildings in the vicinity and shall have:
- (a) a minimum roof pitch of 4:12;
 - (b) a roof surface of wood or asphalt shingles, clay or concrete tiles, slate or wood shakes, or metal roofing;
 - (c) a minimum roof overhang or eaves of 0.40 m (16 inches) from each external wall;
 - (d) a maximum length to width ratio of 3:1;
 - (e) a minimum width of 6.1 m (20 ft) measured from external wall surface to external wall surface; and
 - (f) a minimum floor area that meets the minimum floor area requirements of the applicable district.

6.19 Tourist Homes

- 6.19.1 A development permit is required to operate a tourist home and will be issued for 2 years, after which the applicant may reapply for a development permit that may not have a set time limit.
- 6.19.2 Tourist homes shall be limited to one rental unit per parcel and shall be contained within the main or principal building only. Guest houses shall not be used.
- 6.19.3 No recreational vehicle shall be used as accommodation for tourist home guests.
- 6.19.4 The maximum number of people staying overnight in a tourist home shall be two (2) times the number of bedrooms. The maximum number of bedrooms allowed in a tourist home shall be three (3), and the number of approved bedrooms shall be stated on the development permit.
- 6.19.5 A floor plan is to be submitted at the time of application.
- 6.19.6 The operator of a tourist home shall provide the Summer Village with the name and phone number(s) of at least one person (adult) that is authorized to act in the owner/operator's absence. The owner/operator is responsible for informing the Summer Village of any changes in this information.
- 6.19.7 The minimum length of stay shall be no less than 30 days.

6.19.8 The tourist home shall always abide by the existing community bylaws and policies. A summary of key bylaws will be provided by Administration to the owner/operator.

6.19.9 In residential districts tourist homes shall not display any sign advertising the tourist home.

6.19.10 Adequate parking must be in place on the property of a minimum of one stall per bedroom.

6.19.11 Approval of a development permit does not exempt the owner/operator of a tourist home from complying with any federal, provincial, or other municipal legislation.

6.20 Home Occupations

6.20.1 A home occupation shall be clearly incidental to the main residential use of a lot and shall not change or disrupt the residential character of the Summer Village.

6.20.2 All permits issued for home occupations shall be granted for a period of one year. The Development Officer may revoke a permit if he considers that the use is or has become detrimental to the residential character of the Summer Village.

6.20.3 Home occupations are limited to those uses which:

- (a) do not create or become a public nuisance;
- (b) have only residents of the home employed in the home, and where non-resident employees of the business do not work at the residential premises;
- (c) are not visible from outside the building;
- (d) require no outside storage of materials, goods or equipment;
- (e) do not display advertising other than a single sign not larger than one square metre.

6.21 Relocation Of Buildings

6.21.1 Any person making application to move an existing building onto a lot as a main or accessory building shall:

- (a) make the usual application for a Development Permit;
- (b) provide recent color photographs of the building showing all elevations of the building.
- (c) provide a statement verifying the age, size and structural condition of the building;
- and,
- (d) a statement of proposed improvements to the building; and
- (e) state the present location and use of the building.

6.21.2 An application for a Development Permit may be approved by the Development Officer if the proposal meets all of the regulations specified under the appropriate Land Use District in which it is proposed to be located.

6.21.3 Where a Development Permit has been granted for the relocation of a building either on the same parcel or from another parcel, the Development Officer may require the applicant to provide a performance bond of such amount to ensure completion of any renovations set out as a condition of approval of a permit.

6.21.4 The Development Officer may, at his discretion, inspect the building, or cause the building to be inspected by a person he appoints, and shall determine the suitability of the building for the proposed use.

6.21.5 All structural and exterior renovations shall be completed within one (1) year of the issuance of a Development Permit.

6.22 Soft Sided Buildings

6.22.1 The Development Authority may approve an application for a Development Permit for a Soft Sided Building only if:

- (a) the building is an Accessory Building on the parcel and is not erected or placed within the Front Yard of a parcel, unless otherwise approved by the Development Authority, and
- (b) the structure meets Alberta Building Code requirements.

6.23 Sea Cans

6.23.1 Sea cans may be used as a building material in the construction of an accessory building on a parcel provided that:

- (a) the development is in full compliance with applicable provincial and national building codes;
- (b) the final architectural appearance of the building (siding, roofing, etc.) matches or compliments the exterior finish of the principal building or to the satisfaction of the Development Authority.

6.24 Antenna Structures Including Satellite Dishes

6.24.1 The installation of antenna structures shall require a development permit including satellite dishes greater than 1.0 m (3.28 ft) in diameter.

6.24.2 No advertising shall be permitted on an antenna structure.

6.24.3 Antenna structures shall not be illuminated.

6.25 Municipally Owned Lands

6.25.1 Private development on community reserve, environmental reserve, recreation lands or public utility lands is strictly prohibited.

6.25.2 Private development on municipally owned lands including road allowances is strictly prohibited.

6.25.3 All community, municipal, utility or environmental reserves shall be maintained in their natural state unless developed by the Summer Village for public purposes or as provided in Section 6.25.4 and 6.25.5 below.

6.25.4 The cutting and/or removal of trees or underbrush from municipally owned land is prohibited, unless prior written permission is obtained from Council.

6.25.5 The temporary placement of any structure, object or materials on municipally owned land is prohibited, unless prior written permission is obtained from Council.

6.26 Guest House

6.26.1 A guest house may be developed on a residential site in accordance with the requirements of this bylaw, including the following:

- (a) must be of similar design, construction and exterior finishing materials as the principal dwelling unit on the site; and
- (b) the extent of construction shall be limited to bathroom and sleeping facilities only; and
- (c) the maximum floor area shall be 22 m² (236.8 sq. ft.); and
- (d) only one building used for this purpose may be constructed on a lot and only when a dwelling unit exists on the lot; and
- (e) the setback requirements for principal buildings are met; and
- (f) limited to one storey.

6.26.2 An at grade guest house may be attached to a garage and shall have an entrance separate from the entrance to the garage. At grade guest houses shall be a maximum height of 5 m (16.4 ft.).

6.26.3 A guest house shall not be used for a tourist home.

6.27 Variances

6.27.1 Notwithstanding the provisions of the sections of this bylaw other than Section 6.27, the following variances of the requirements may, at the discretion of the Development Officer and having regard to Section 6.27.2 (a), (b) and (c), be deemed to comply with this bylaw if:

- (a) the proposed development provides not less than 90% of any stated minimum standard and meets the minimum requirements of the Act and any regulations thereto, and,
- (b) the proposed development does not provide in excess of 110% of any maximum standard, but the application of said variance shall be clearly stated on any permit or notice in regard to the proposed development.

6.27.2 When an existing building does not comply with the required floor area, height, side, front or rear yard setback requirements, an extension or an addition to that building may be allowed by the Development Officer provided the existing infringement does not constitute a public hazard and such extension or addition will not in itself constitute a further encroachment into any required yard or other minimum and/or maximum requirement and the proposed development would not:

- (a) unduly interfere with the amenities of the neighbourhood; or
- (b) materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
- (c) the proposed development conforms with the use prescribed for that land or building in the Land Use bylaw.

6.27.3 If the Development Officer does approve a development permit in accordance with Section 6.27.2, it shall be a requirement that notice of this decision shall be sent to all

adjacent property owners with 21 clear days' notice of the decision in order that anyone affected may appeal the decision to the Subdivision and Development Appeal Board.

6.28 Feeding of Wildlife

6.28.1 No person shall knowingly leave or store any refuse, food product, pet food, birdseed, grain or salt on public lands in a manner which could constitute a lure, attraction or enticement of wildlife and that would pose a risk to the safety of any person.

6.29 Alternative Energy Collecting and Storing Devices

6.29.1 Solar energy devices attached to a principal or accessory building shall:

(a) be integrated so as to mimic the roof or wall/structure. The mounted panel shall project no more than 0.15 m (6 in) from the surface of the building;

(b) where located on buildings with flat roofs, not project vertically more than 1.0 m (3.28 ft.) above the roof line; and, c. not extend beyond the outermost edge of the roof or wall to which it is mounted;

6.29.2 Solar energy devices not attached to a building shall:

(a) be located in a side or rear yard only;

(b) not exceed 2.5 m (8.2 ft.) in height above the ground; and

(c) be screened from adjacent properties with a fence or landscaping, to the satisfaction of the Development Authority.

6.29.3 Wind Energy Devices shall:

(a) be located in a side or rear yard only;

(b) be subject to the district requirements for height on the parcel which they are located;

(c) be sized appropriately to the district in which they are located. Devices located on residential lots shall be designed specifically to be for such use;

(d) not generate any noise that extends beyond the property boundary in a residential district;

6.29.4 The Development Authority may require provision of a visual and noise impact statement including steps proposed to mitigate such impacts.

6.30 Forms, Notices and Fees

6.30.1 For the purposes of administering the provisions of this bylaw, Council, by resolution, may authorize the preparation and the use of such forms, notices and fee schedules as in its discretion it may deem necessary. Any such forms, notices or fees are deemed to have

the full force and effect of this bylaw in execution of the purpose for which they were designed, authorized, and issued.

- 6.30.2 The forms, notices and fee schedules authorized by Council pursuant to this bylaw may be posted, issued, mailed, served or delivered in the course of the Development Officer's duties.

7 LAND USE DISTRICTS AND REGULATIONS

7.1 Establishment of Land Use Districts

7.1.1 The Summer Village of Burnstick Lake is hereby divided into the following land use districts:

R – Residential District

MR – Municipal Reserve and Recreational District

I – Institutional (Public Utility) District

ER– Environmental Reserve District

7.1.2 The boundaries of these districts are shown on Appendix “A” (the Land Use District Map) which forms part of this bylaw. In case of uncertainty as to the boundaries of a land use district, the following rules apply:

- (a) Where a boundary is shown as following a street or stream, it shall be deemed to follow the center line there-of.
- (b) Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.
- (c) Where rules (a) and (b) do not apply, the boundary shall be determined:
 - (i) where dimensions are set out on the Land Use District Map, by these dimensions, or
 - (ii) where no such dimensions are set out, by measurement and use of the scale shown on the Land Use District Map.

7.1.3 Where the boundary of a land use district cannot be determined by the above rules, the decision of Council shall govern.

7.2 Residential District - R

7.2.1 The purpose of this district is to provide an area for low density residential development in the form of detached, single family dwellings and associated uses.

7.2.2 Permitted Uses

Single family dwellings
Accessory buildings and uses

7.2.3 Discretionary Uses

Antenna structures, including satellite dish antennae
Demolition
Guest house
Home Occupations
Manufactured Homes
Parks and Playgrounds
Public Buildings
Public Uses
Sea Cans
Signs
Soft Sided Buildings
Tourist Homes

7.2.4 Regulations

- (a) Lot Size:
Minimum lot shall be 850 m² (0.21 ac.)
- (b) Building Height:
Main or principal buildings (dwelling units) shall not be higher than 10 m (32.80 ft.) from grade.
Accessory buildings: shall not be higher than 5 m (16.4 ft.) from grade. This height may be exceeded if the roof pitch is required to match the dwelling and there is no obstruction of views or vistas to adjoining residential lots.
Guest Houses: at-grade guest houses shall be a maximum height of 5 m (16.4 ft.).
- (c) Minimum Floor Area:
Principal Buildings - 46.5 m² (500.34 sq. ft.)
- (d) Minimum Depth of Front Yard:
Principal Buildings - 7 m (22.96 ft.)
Accessory Buildings - 7 m (22.96 ft.) except for garages whose side wall faces the street which shall be 4.5 m (14.75 ft.)
Guest Houses - 7 m (22.96 ft.)
- (e) Minimum Depth of Side Yard:
All Buildings - 2 m (6.56 ft.) or as required by the Alberta Building Code, whichever is greater.
- (f) Minimum Depth of Rear Yard
Principal Buildings - 7 m (22.96ft.)
Accessory Buildings - 1.2 m (4 ft.)

- (g) Minimum Distance Between Buildings
All Buildings - 2 m (6.56 ft.)
- (h) Site Coverage
All buildings - shall cover not more than 35% of the total area of the lot.
- (i) Sanitation
Shall be provided in accordance with Section 6.11.
- (j) Parking
A minimum of 2 off-street parking stalls at least 2.5 m (8.20 ft.) wide by 5.5 m (18.04 ft.) long with space for maneuvering on the lot shall be developed for each dwelling unit and each unit of ancillary living accommodation.

7.2.5 Projection Into Yards

- (a) Notwithstanding the setback provisions within this District, the following features or elements are allowed to project into the following yards:

<u>Feature</u>	<u>Yard Affected</u>	<u>Projection Permitted</u>
Sills, cornices, eaves, gutters, Chimneys, or pilasters	All	0.6 m (1.97 ft)
Steps and Staircases greater than 0.3 m (1 ft.) in height	Front and Rear	1.5 m (4.92 ft)
	One Side Yard	1.2 m (3.94 ft)
Landings, Staircases and Steps less than 0.6 m (1.97 ft.) in height	Front and Side	1.5 m (4.92 ft)
	Rear	2 m (6.56 ft)
Bay and Similar Windows	Front and Rear	1 m (3.28 ft)
	One Side Yard	0.6 m (1.97 ft)
Balconies and Decks 0.6 m or higher above grade	Front	1.4 m (4.59 ft)
	Rear and Side	2 m (6.56 ft)
Balconies and Decks 0.6 m below grade	Front	2 m (6.56 ft)
	Rear and Side	To property line
Driveways, sidewalks, and similar features at grade or less than 10 cm (3.94 in) above grade; fences and landscaping elements, and retaining walls less than 0.6 m (1.97 ft) in height	All	No limits but must be inside the property lines

- (b) In addition to those features listed in Section 7.2.5 (a), a projection into any designated yard may be allowed for a building feature such as cantilevered bays and sun windows, dining room alcoves and similar elements provided the feature does not encroach more than 0.6 m (1.97 ft) into any yard and the projecting facade does not exceed:

- (i) 30% to a maximum of 3.66 m (12 ft) in width, whichever is greater, of the exterior surface wall area exposed to the yard in which the feature is located for internal sites.
- (ii) 40% to a maximum of 4.87 m (15.97 ft) in width, whichever is greater, of the exterior surface wall area exposed to the yard facing a street and in which the feature is located.

and such encroachment complies with the Alberta Safety Code.

(c) The minimum distances required for yards do not apply to:

- (i) exterior finishing materials applied to principal buildings provided the material does not encroach more than 10 cm (3.94 in) into any yard.
- (ii) construction wholly beneath the surface of the ground.

7.3 Municipal Reserve and Recreational District - MR

7.3.1 The purpose of this district is to provide publicly owned lands for community and recreational areas and uses.

7.3.2 Permitted Uses

None

7.3.3 Discretionary Uses

Accessory Buildings
Antenna Structures, including Satellite Dishes
Community Buildings and Facilities
Decks for Lake Access
Parks and Playgrounds
Picnic Areas
Recreational Clubs and Facilities
Signs
Sports Fields
Stairs and Walkways for Lake Access
Swimming Pools
Trails

7.3.4 Regulations

- (a) Setbacks:
Shall be determined by the Development Officer having regard to the location of adjacent uses to the development is set back a sufficient distance to ensure that it will not be visually intrusive or have an adverse impact upon or by those adjacent uses.
- (b) Building Height:
Shall be no more than 10 m (32.8 ft.)
- (c) Sanitation:
Shall be provided in accordance with Section 6.11.

7.3.5 Regulations - Decks and Stairs Near the Shoreline

- (a) will be allowed on the municipal reserve with the approval of Council and provided an agreement is entered into between the municipality and the Owner that ensures that there is reasonable safety, aesthetics, environmental sensitivity, reasonable distance from the lake and no compromise of Summer Village ownership of the reserve lands.
- (b) Council or the Development Officer may establish special conditions and requirements for construction of decks. These shall be outlined in the development permit along with the following conditions:
 - (i) Surface shall be either natural pressure treated wood, preservable wood, unfinished or stained in earth tone colors, or other materials that blend in with the natural amenities of the area;

- (ii) Maximum height of the deck surface shall be no more than 30 centimeters (12 inches) above the highest point of land;
 - (iii) Maximum surface area of the deck shall be 13.37 sq. meters (144 sq. ft.).
When the deck is co-owned by owners of two (2) or more cabins with no other lakeshore deck the maximum surface area of the deck shall be 26.74 sq. meters (288 sq. ft.).
 - (iv) Excavation may be permitted if there are extenuating circumstances to support the excavation and it receives approval from the Development Officer.
- (c) Council or the Development Officer may establish special conditions and requirements for construction of stairways. These shall be outlined in the development permit along with the following conditions:
 - (i) Stairways shall be constructed only to preserve the bank's integrity and to prevent erosion of the bank or shoreline;
 - (ii) Surface shall be either natural pressure treated wood, or preservable wood, unfinished or stained in earth tone colors that blend in with the natural amenities of the area;
- (d) Trees shall not be cut down to create a deck;
- (e) Excavation may be permitted if there are extenuating circumstances to support the excavation and it receives approval from the Development Officer.
- (f) There shall be a limited number of decks and stairways allowed on the shoreline. For this reason, residents are urged to share ownership of decks. When two decks are side by side, there shall be a minimum distance of 4.57 m (15 feet) between the two.
- (g) All applications shall provide a photo of where the proposed decks will go on the shoreline. The photo shall include the proposed location precisely identified and flags placed on the ground outlining the entire perimeter of the deck and stairway.
- (h) All applicants must also post a sign at the proposed location noting that a deck/stairway is being proposed for the flagged area. The sign shall be weather proofed and identify the phone number and e-mail of the development officer to call for information.
- (i) Once constructed, the Owner is responsible to place the address on the deck. This will only include cabin number and close or crescent name.
- (j) The deck and/or stairway Owner shall indemnify the Municipality and save the Municipality harmless from all claims for damages the Municipality is required to pay to the owner or owner's lawful users of the deck and stairs arising from any negligence in the construction or maintenance of the deck and stairs.
- (k) The Owner shall maintain for the duration of the Agreement and at his expense, a minimum liability insurance policy in an amount determined by Council and name the Summer Village of Burnstick Lake an additional named insured.
- (l) It is the intention of the Municipality and the Owner that the Owner is to take responsibility for any required construction and maintenance of the deck and stairs and the costs thereof, and to take the responsibility for the payment of any liability incurred by the Municipality to the Owner and other lawful users of the deck and stairs resulting from negligence in the construction or maintenance of the deck in order to as closely as possible put the Owner in the same legal position with the Municipality and others as the Owner would be if the deck were wholly within the boundaries of the Owner's land.
- (m) Use of deck or stairway will not be allowed until a compliance report has been issued by the development officer that ensure all the above and other conditions are met.
- (n) All residents in a cul de sac will be notified by letter and the permits approved will be posted on the Bulletin Board.

- (o) The process for repair is the property owner(s) responsibility. If the deck and stairs are in poor repair, the Summer Village will engage in consultation with the property owner(s) and if required, the Summer Village will repair or replace and charge back to the owner(s).
- (p) Development must be completed in one year from date of approval.

7.4 Institutional (Public Utility) District - I

7.4.1 The purpose of this district is to provide publicly owned lands for utility facilities.

7.4.2 Permitted Uses

None

7.4.3 Discretionary Uses

Public Utility Installations and Facilities
Public or Quasi-public buildings and uses

7.4.4 Regulations

(a) Setbacks:

Shall be determined by the Development Officer having regard to the location of adjacent uses so that the development is set-back a sufficient distance to ensure that it will not be visually intrusive or have an adverse impact upon or by those adjacent uses.

(b) Building Height:

Shall be no more than 10 m (32.8 ft.).

(c) Sanitation:

Shall be provided in accordance with Section 6.11.

7.5 Environmental Reserve District – ER

7.5.1 The purpose of this District is to provide an area for the preservation of public land in its natural state, or for its development as a park and access opportunities to Burnstick Lake.

7.5.2 Permitted Uses

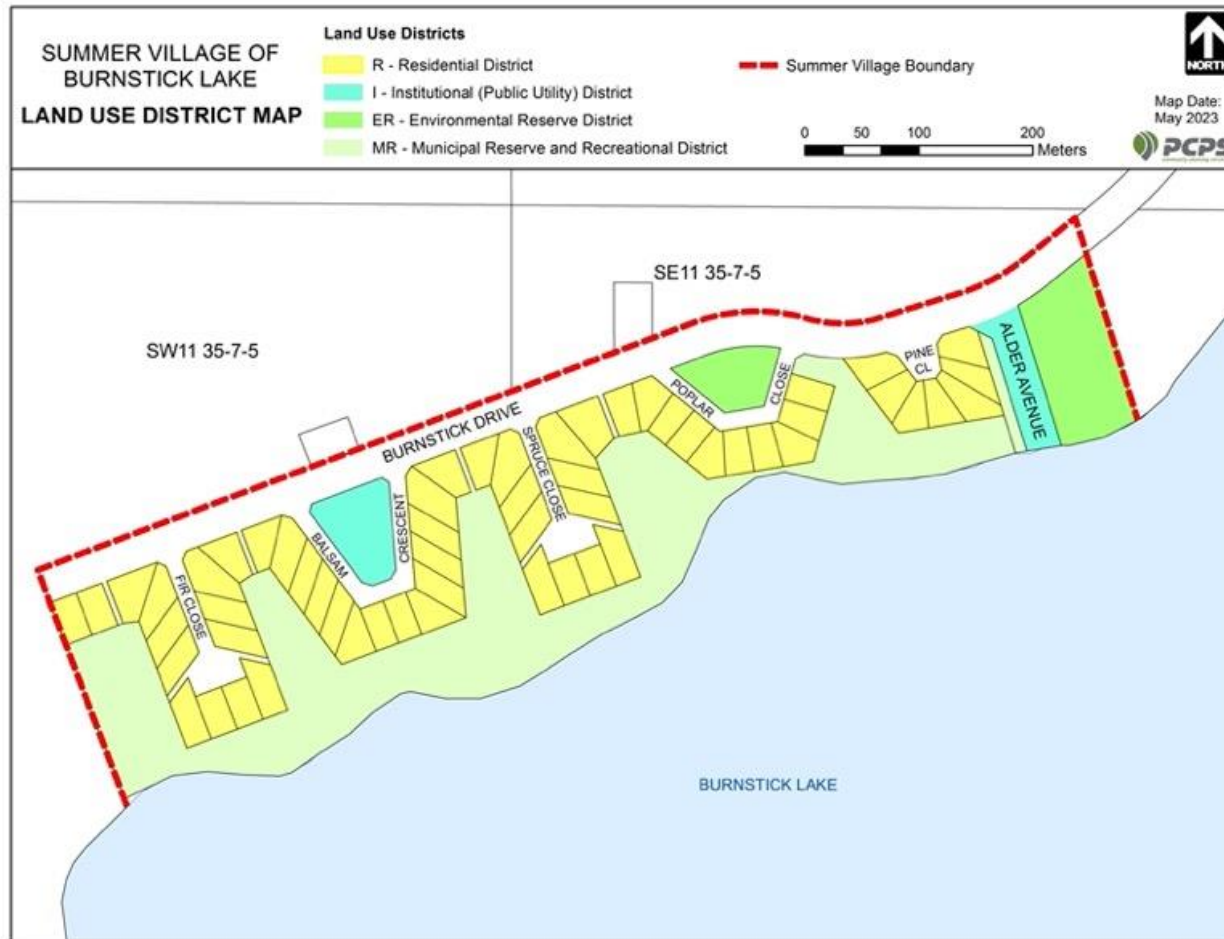
Natural environmental preservation

7.5.3 Discretionary Uses

Trails
Walkways

8. APPENDIX A

8.1 Land Use District Map



8 APPENDIX B

8.1 Yard Setback Illustration

