

**SUMMER VILLAGE
of
ROCHON SANDS**

**LAND USE BYLAW
#208-10**

July 2010

HOW TO USE THIS BYLAW

Rochon Sands' Land Use Bylaw establishes the regulations that govern how land and buildings can be developed in the municipality. The regulations vary depending on where the land is located and what kind of development is proposed. If you are not sure you understand the regulations, or if you would like someone to guide you through the process, simply call or visit the Summer Village's Development Officer. 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 Schedule A of this Bylaw.

The map divides the Summer Village into Land Use Districts. Each District has a designation such as "R1" (Residential District), or "C" (Central Commercial). 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 8. In each District you will find a list of permitted and discretionary uses, and regulations related to subdivision, development and use for land within that particular district.

Step 3 – Review the General Regulations Affecting all Districts

Review the Table of Contents to see if there are any general regulations that apply. For example, Part 7 – General Regulations deals with such items as parking and loading, accessory buildings/garages, home occupations, vehicular uses, bed and breakfast homes, and signs.

Step 4 – Evaluate Your Development Plans Using This Bylaw

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

We hope this guide has been useful. Again, if you need help, please ask.

**NOTE: This page is intended only to assist readers and does not form part of the Land Use Bylaw*

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SUMMER VILLAGE OF ROCHON SANDS
LAND USE BYLAW NO. 208-10

PART 1 LAND USE BYLAW PURPOSE AND APPLICABILITY

1.1 PURPOSE OF THE LAND USE BYLAW

- (a) The purpose of this Bylaw is to regulate the use and development of land and buildings within the Summer Village of Rochon Sands to achieve the orderly, economical and beneficial development of land and to maintain and improve the quality of the physical environment. This Bylaw shall among other things:
- (b) 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 lakeside and countryside detached dwellings, which blend into the surrounding natural features that exemplify Rochon Sands as a peaceful setting where residents and visitors may enjoy the natural and recreational amenities of the area.
- (c) divide the Summer Village into districts;
- (d) describe the purpose for which land and buildings may be used within each district;
- (e) establish the Development Authority;
- (f) establish the method of making decisions on applications for development permits;
- (g) establish the procedure for notifying landowners likely to be affected by a development; and
- (h) establish the number of dwelling units permitted on a lot.

1.2 DEVELOPMENT PERMIT REQUIRED

- 1.2.1** Any development carried out within the boundaries of the municipality shall be done in accordance with this Bylaw.

- 1.2.2** Except as provided in Section 1.3 of this Bylaw, a development permit application must be approved and a development permit obtained before development can commence or be allowed to continue.

1.3 DEVELOPMENTS NOT REQUIRING A PERMIT

- 1.3.1** Several types of development do not require a permit; however they must still comply with the provisions of this Bylaw. In any situation involving a development, the developer should consult with the Development Officer to ensure compliance with this Bylaw. The following developments do not require a development permit:
 - (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 had lawfully been issued on the date this Bylaw comes into effect;

 - (c) the construction, alteration or maintenance of fences, gates, walls, or other enclosures (except on corner lots) less than three feet in front yards and less than 6 feet in height in side and rear yards, in accordance with section 7.12 – Fences and Screening;

 - (d) a temporary building which is incidental to the construction or alteration of a principal building for which a permit has been issued, provided the temporary building is removed when construction of the principal building is completed;

 - (e) the cutting of trees and clearing of underbrush on:
 - (1) private parcels already containing a principal building; or

 - (2) private parcels less than 0.2 ha (½ acre) in area;

- (f) patios and sidewalks;
- (g) construction of the first accessory building on a lot provided the floor area does not exceed 13.4 m² (144 ft²), the height does not exceed 2.5 m (8 ft) and that it complies with all other requirements for accessory buildings, including section 7.7, of this Bylaw;
- (h) temporary buildings in accordance with section 7.9;
- (i) demolition of buildings with a floor area less than or equal to 13.4 m² (144 ft²)
- (j) satellite dishes with a dish diameter equal to or less than 1 m (3 ft);
- (k) construction of retaining walls less than 1 m (3 ft) in height and where all surface drainage remains on the same property as the retaining walls; and
- (l) traffic and directional signs authorized by Council.
- (m) the maintenance and repair of public building or public utilities carried out by or on behalf of federal, provincial or municipal authorities on land which is publicly owned or controlled;

1.4 COMPLIANCE WITH OTHER LAWS

- 1.4.1** Compliance with this Bylaw does not exempt any person from complying with all applicable municipal, provincial or federal laws, including Provincial Land Use Policies, and respecting any easements, covenants, agreements or contracts affecting the land or the development.

PART 2 THE DEVELOPMENT AUTHORITY

2.1 THE DEVELOPMENT OFFICER

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

2.1.2 The Development Officer shall:

- (a) Review development permit applications to determine its appropriate use definition and, if necessary, require the applicant to apply for a permit for a different use definition or make application to amend this Bylaw;
- (b) Receive, consider and may decide on applications for a development permit with respect to PERMITTED OR DISCRETIONARY USES in the subject land use district including attaching any terms and conditions deemed necessary by the Development Authority;
- (c) At their discretion, refer to the Municipal Planning Commission, for its consideration, any development permit application;
- (d) Provide notice of decisions on development permit applications in accordance with the notification requirements of this Bylaw;
- (e) Keep and maintain for the inspection of the public during all reasonable hours, a copy of this Land Use Bylaw and all amendments thereto;
- (f) Prepare and utilize forms and notices authorized by Council to administer this Bylaw; and
- (g) Keep a register of all applications for development, including the decisions thereon and the reasons therefore.

2.2 THE MUNICIPAL PLANNING COMMISSION

2.2.1 The Municipal Planning Commission shall:

- (a) Issue decisions including attaching any terms and conditions deemed necessary by the Development Authority on development permit applications referred by the Development Officer to the Municipal Planning Commission; and
- (b) Consider and if necessary, state terms and conditions or provide direction on any other planning or development matter referred by the Development Officer.

2.2.2 The Municipal Planning Commission may:

- (a) Direct the Development Officer/Administration to review, research or make recommendations on any other planning and development matter; and
- (b) Make recommendations to Council on planning and development matters.

PART 3 APPLYING FOR A DEVELOPMENT PERMIT

3.1 DEVELOPMENT PERMIT APPLICATIONS

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

- (a) a lot plan, in duplicate, drawn to scale that shows the following:
 - (1) north arrow and scale of plan;
 - (2) legal description of the property;
 - (3) property lines, shown with dimensions;
 - (4) location and dimensions of all existing and proposed buildings and their distance from the property lines (setbacks);
 - (5) location and dimensions of any other proposed improvements to all portions of the lot including parking, decks, patios, fences, retaining walls, storage areas, and location of lot services (water, septic);
 - (6) location of all registered utility easements and right-of-ways; and
 - (7) area calculations including: entire lot; coverage of lot by 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, showing the area to be retained in its natural state, any trees designated for removal and new landscaping to be installed following development.
- (f) Estimated commencement and completion dates;
- (g) If a relaxation to any stated minimum or maximum standard is required, in accordance with section 4.4 a letter from the applicant stating reasons why the relaxation is warranted and actions that will be undertaken to mitigate any consequences of granting the relaxation(s);
- (h) a copy of the Certificate of Title indicating ownership and any encumbrances; and
- (i) if the applicant is not the landowner, proof of authority to apply for a development permit.

3.1.2 Where demolition of a building requires a development permit, such a permit requires the applicant to provide details indicating:

- (a) How the demolition will be carried out; and
- (b) How the parcel will be reclaimed.

3.2 DEVELOPMENT PERMIT FEES

3.2.1 Each application for a development permit shall be accompanied by a non-refundable processing fee. Development permit fees shall be determined by and may be varied through a resolution of Council.

3.3 INCOMPLETE APPLICATIONS

3.3.1 When, in the opinion of the Development Officer, sufficient details have not been included with the application for a development permit, as set out in section 3.1.1, the Development Officer may return the application to the applicant to await further details. The application, so

returned, shall be deemed not to be in its complete and final form until all required information has been submitted.

3.4 WAIVER OF INFORMATION REQUIREMENTS

3.4.1 Permitted Uses – No relaxations requested:

The Development Officer may deal with an application for a permitted use that does not contain a request for a relaxation(s) and make a decision thereon without all the information required under section 3.1.1 if, in their opinion, a decision can be properly made without such information.

3.4.2 Permitted uses – Relaxations Requested; or Discretionary Uses:

Complete information shall be provided for all applications that:

- (a) require a relaxation from this Bylaw; or
- (b) are a discretionary use; or
- (c) require approval by the Municipal Planning Commission.

PART 4 DECISION PROCESS FOR DEVELOPMENT PERMITS

4.1 DEVELOPMENT PERMIT REFERRALS

4.1.1 The Development Authority may refer an application to an adjacent municipality or any other agency or person which in their opinion may provide relevant comments or advice respecting the application.

4.2 DECIDING ON PERMITTED USES

4.2.1 For a permitted use in any District other than a Direct Control District the Development Authority shall approve an application for a development permit if the application conforms to the requirements of this Bylaw, the *Municipal Government Act*, the *Subdivision and Development Regulation* and statutory plans subject to:

- (a) Arrangements satisfactory to the Development Authority for the supply of utilities including, but not limited to, water, electric power, sanitary sewer, storm sewer, natural gas, cable, or any one or more of them, including payment of the cost of installation or construction of any such utility or facility by the applicant;
- (b) Arrangements satisfactory to the Development Authority for vehicular and pedestrian access from public roads and trails, on-site vehicular and pedestrian circulation, parking, loading, landscaping or drainage, or any one or more of these matters, including payment of the costs of installation or construction of any such facility by the applicant;
- (c) The developer entering into a development agreement or an interim agreement, which shall form part of such development permit and may be required to be registered by caveat against title to the lot at the Land Titles Office, to do any or all of the following:
 - (1) to construct or pay for the construction of a road required to give access to the development;
 - (2) to construct, or pay for the construction of:

- (i) a pedestrian walkway system to serve the development, or
 - (ii) pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both;
- (3) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
- (4) to construct or pay for the construction of:
- (i) off-street or other parking facilities; and
 - (ii) loading and unloading facilities;
- (d) The developer paying an off-site levy or redevelopment levy imposed by a bylaw adopted pursuant to the Municipal Government Act;
- (e) The developer providing security to ensure compliance with this Bylaw, a development permit, an agreement under this clause and/or a statutory plan, which security may include, but is not limited to, an irrevocable letter of credit or charge against the title to the lot; and
- (f) The applicant being responsible for any damages to public or private property occurring as a result of a development.

4.2.2

If an application for a development permit for a permitted use does not conform to the requirements of this Bylaw, the *Municipal Government Act*, the *Subdivision and Development Regulation* and/or statutory plans, the Development Authority:

- (a) may refuse the application giving reasons for the refusal; or

- (b) may approve the application subject to conditions to ensure that the application conforms to the requirements of this Bylaw, the *Municipal Government Act*, the *Subdivision and Development Regulation* and statutory plans; or
- (c) may approve the application provided the requirements of section 4.4 – Granting Relaxations, are met to the satisfaction of the Development Authority.

4.3 DECIDING ON DISCRETIONARY USES

4.3.1 In making a decision on an application for a discretionary use, the Development Authority may approve the application for a development permit provided the application meets the requirements of this Bylaw, the *Municipal Government Act*, the *Subdivision and Development Regulation* and statutory plans subject to:

- (a) Conditions listed in 4.2.1
- (b) Any conditions that the Development Authority may deem appropriate to ensure compatibility with the amenities of the neighbourhood and the use, enjoyment and value of neighbouring parcels of land, including, but not limited to, the following:
 - (1) Limiting the time of operation including hours of the day, days of the week, and parts of the year;
 - (2) Limiting the number of patrons;
 - (3) Requiring attenuation or mitigation of noise or any other nuisances that may be generated by the proposed development;
 - (4) Regarding the location, character and appearance of buildings;
 - (5) Regarding the grading of the lot or such other matters as are necessary to protect the lot from other developments or to protect other developments from the lot;

- (6) Establishing the period of time for which a development permit is valid.

4.3.2 The Development Authority, at its discretion, may refuse an application for a development permit for a discretionary use giving reasons for its refusal.

4.3.3 If an application for a development permit for a discretionary use does not conform to the requirements of this Bylaw, the *Municipal Government Act* and the *Subdivision and Development Regulation* and statutory plans, the Development Authority:

- (a) may refuse the application giving reasons for the refusal; or
- (b) may approve the application subject to conditions to ensure that the application conforms to the requirements of this Bylaw, the *Municipal Government Act*, the *Subdivision and Development Regulation* and statutory plans; or
- (c) may approve the application provided the requirements of section 4.4 – Granting Relaxations are met to the satisfaction of the Development Authority.

4.4 GRANTING RELAXATIONS

4.4.1 Notwithstanding that a proposed development or real property report does not entirely comply with this Bylaw, the Development Authority may, with or without conditions:

- (a) approve an application for a development permit, or
- (b) advise that a real property report appears to conform with this Bylaw;

provided that:

- (c) the proposed development conforms with the use prescribed for the land or building; and
- (d) The Development Authority is satisfied that the proposed development would not unduly interfere with the amenities of the neighbourhood or materially

interfere with the use, enjoyment or value of neighbouring properties; and

4.4.2 In approving an application for a development permit pursuant to section 4.4.1, the Development Authority shall adhere to the following:

- (a) a relaxation of the regulations in this Bylaw shall only be considered when warranted by the merits of the proposed development and in response to irregular lot lines, parcel shapes, or lot characteristics which create difficulties in siting structures within the required setbacks or in meeting the usual bylaw requirements;
- (b) there shall be no relaxation from the following requirements of this Bylaw:
 - (1) lot coverage;
 - (2) building height; and
 - (3) On-site parking.
- (c) Prior to considering a relaxation the Development Authority shall require a letter from the applicant stating:
 - (1) reasons why they believe a relaxation is warranted; and
 - (2) steps proposed to minimize the impact of granting the relaxation e.g. additional landscaping, building orientation, window and door placement;

4.4.3 where the issuance of a development permit involves the exercise of any specified discretion of the Development Authority to relax a regulation of a district or any other regulation of this Bylaw, the Development Authority shall not permit any additional variance from that relaxation.

4.4.4 In the event that a relaxation is granted, the nature of the approved relaxation shall be specifically described in the development permit approval.

4.5 TIME LIMIT FOR DECISIONS ON DEVELOPMENT PERMITS

4.5.1 The Development Authority shall consider and decide on any application for a development permit within 40 days of the receipt of a completed application, or within such longer period as the applicant may have agreed to in writing.

4.5.2 Should an applicant for a development permit deem their application to be refused when a decision thereon is not made by the Development Authority within 40 days after receipt of a completed application by the Development Officer, or within such longer period as the applicant may have agreed to in writing, the applicant may appeal the refusal as provided in section 4.8 of this Bylaw.

4.6 NOTIFICATION OF DECISIONS ON DEVELOPMENT PERMITS

4.6.1 A decision of the Development Authority on an application for a development permit shall be given in writing and a copy of it sent by ordinary mail to the applicant.

4.6.2 When an application for a development permit is approved, the Development Authority shall publicize a notice of the approval of the permit in any or all of the forms described as follows:

- (a) post a notice of the decision on the property for which the permit has been granted;
- (b) mail a notice of the decision to all those persons whose use, enjoyment or value of property may, in the opinion of the Development Officer, be affected;
- (c) post a notice of the decision on the official website of the municipality.

4.6.3 When a development authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

4.7 EFFECTIVE DATE OF A DEVELOPMENT PERMIT

4.7.1 The effective date of an approved development permit shall be the latter of:

- (a) the date of decision of the Development Authority; or
- (b) if the development permit is appealed, the date the subdivision and development appeal board renders their decision.

- 4.7.2** An approved development permit shall not be issued to the applicant until the latter of:
- (a) 15 days after notice of the decision has been given in accordance with 4.6.2; and
 - (b) all conditions attached as part of the development permit approval have been met to the satisfaction of the Development Officer, with the exception of those conditions that are of a continuing nature.
- 4.7.3** Notwithstanding 4.7.2, where an appeal is made pursuant to section 4.8, a development permit shall not be issued or come into effect until the appeal has been heard and a decision rendered, whereby the original decision of the Development Authority may be modified or nullified.
- 4.7.4** Any development proceeded with by an applicant prior to the expiry of the notice period described in 4.6.2 is done solely at the risk of the applicant.
- 4.7.5** A development permit issued according to this Bylaw is not a building permit and notwithstanding that 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 pursuant to applicable bylaws and regulations.

4.8 APPEALING A DECISION OF THE DEVELOPMENT AUTHORITY

- 4.8.1** Where a Development Authority:
- (a) refuses or fails to issue a development permit; or
 - (b) issues a development permit with conditions; or
 - (c) issues an order;

the person applying for the permit, or affected by the order may appeal to the Subdivision and Development Appeal Board.

- 4.8.2** 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 40 days of receiving the application, unless the applicant and the Development Authority have entered into an extension agreement.

- 4.8.3** In addition to the appeal rights granted to the applicant by 4.8.1, any person affected by an order, decision or development permit approved by the Development Authority may appeal to the Subdivision and Development Appeal Board.
- 4.8.4** Despite 4.8.1 and 4.8.3, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed or misinterpreted.
- 4.8.5** An appeal shall be made by serving written notice of appeal, containing reasons for the appeal, to the Subdivision and Development Appeal Board within 14 days after;
- (a) the date the order, decision or permit was publicized; or
 - (b) the 40-day period referred to in Section 4.8.2 has expired.
- 4.8.6** Within 30 days of receiving a notice of appeal, the Subdivision and Development Appeal Board shall hold an appeal hearing in accordance with the *Municipal Government Act as described below*.
- 4.8.7** The Subdivision and Development Appeal Board shall give at least five days written notice of the appeal hearing to:
- (a) the appellant;
 - (b) the Development Authority;
 - (c) adjacent landowners; and
 - (d) any other person who, in the opinion of the Subdivision and Development Appeal Board, is affected by the order, decision or permit.
- 4.8.8** The Subdivision and Development Appeal Board shall make available for public inspection before the appeal hearing all relevant documents respecting the appeal including

development permit applications, its approval or refusal, the notice of appeal; or the order, as the case may be.

4.8.9 At the appeal hearing the Appeal Board shall hear:

- (a) the appellant;
- (b) the Development Authority;
- (c) any other person who was served with the notice of the hearing and who wishes to be heard; and
- (d) any other person who claims to be affected by the order, decision, permit or approval, and who the Appeal Board agrees to hear; or
- (e) any other person acting on behalf of these persons.

4.8.10 The Subdivision and Development Appeal Board shall give notice of its decision, with reasons, in writing within 15 days of the conclusion of the hearing.

4.8.11 The decision of the Subdivision and Development Appeal Board is final and binding upon all parties, subject only to an appeal upon the 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 that is being appealed.

4.9 CANCELLING A DEVELOPMENT PERMIT

4.9.1 The Development Authority may cancel a development permit if:

- (a) The development is not initiated or completed in accordance with section 4.9.2 below; or
- (b) the permit was issued in error; or
- (c) the permit was issued on the basis of incorrect information.

4.9.2 If the development authorized by a permit is not started within six months from the effective date of the permit and/or completed within 18 months from the effective date of the permit, the Development Authority may declare the

permit void, unless an extension has been granted. Unless otherwise noted on the development permit, a development is deemed complete once all exterior materials and if necessary painting/staining of exterior materials as indicated on the stamped development permit application is achieved. Landscaping shall be completed by the end of the first full growing season following the 18 month deadline.

- 4.9.3** A development, once begun, shall not be abandoned, or left for an extended period of time in what the Development Authority considers to be an unsightly or unsafe condition.

4.10 RE-APPLYING FOR A DEVELOPMENT PERMIT

- 4.10.1** Where a permit is refused, the Development Officer may refuse to accept a subsequent application for a permit on the same property and for the same or similar use for a period of at least six months after the date of the initial refusal unless, in the opinion of the Development Officer, the reasons for refusal have been adequately addressed or the circumstances have changed significantly.

PART 5 ENFORCING THE LAND USE BYLAW

5.1 CONTRAVENTION AND ENFORCEMENT

- 5.1.1** For the information of readers, the provisions of this Bylaw may be enforced by way of stop order, injunction or such other relief as may be available under the *Municipal Government Act* and include those described in the following section.
- 5.1.2** Where the Development Authority finds that a development or use of land or buildings is not in accordance with the *Municipal Government Act*, the regulations, a development permit, subdivision approval or this Bylaw, he/she may order the registered owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all of them to:
- (a) stop the development or use of the land or buildings, or;
 - (b) demolish, remove or replace the development, or;
 - (c) take such other measures as may be required to ensure compliance with the *Municipal Government Act*, the *Subdivision and Development Regulation*, this Bylaw, a development permit, or subdivision approval, within the timeframe set out in the notice.
- 5.1.3** Any person who receives an order under section 5.1.2 may appeal to the Subdivision and Development Appeal Board pursuant to Part 4 this Bylaw.
- 5.1.4** The Summer Village may register a caveat under the Land Titles Act in respect of an order referred to in section 5.1.2 against the certificate of title for the land that is the subject of the order. A caveat registered under this subsection must be discharged once the order has been complied with.
- 5.1.5** Where a person fails or refuses to comply with an order directed to him/her under section 5.1.2 or an order of the Subdivision and Development Appeal Board under the *Municipal Government Act* within the time specified, the municipality may seek a court order from the Court of Queen's Bench for any or all of the following:

- (a) a declaration that the person who received an order is in breach of this Bylaw, an order issued under this Bylaw and/or the Subdivision and Development Appeal Board's decision relating to an appeal of an order;
- (b) an injunction ordering the person who received an order referred to in section 5.1.2 to comply with this Bylaw within a certain period of time;
- (c) an order providing that, if compliance has not been achieved within the period stated in the court order, that the municipality or persons appointed by it has the right to enter upon the land and building and take steps necessary to achieve compliance with this Bylaw;
- (d) an order that legal costs and the costs to achieve compliance incurred by the municipality can be added to the tax roll for the land that is the subject of the court order; and
- (e) a provision that the court order may be registered against the certificate of title for the land that is the subject of the court order and discharged only on full compliance with the court order.

5.1.6 Where a person fails or refuses to comply with an order directed to him/her under section 5.1.2 or an order of the Subdivision and Development Appeal Board under the Municipal Government Act within the time specified, the Council or persons appointed by it may, in accordance with the Municipal Government Act, enter upon the land or building and take such action as is necessary to carry out the order.

5.1.7 Where the Council or persons appointed by it carries out an order, Council shall have the costs thus incurred placed on the tax roll as an additional tax on the property.

5.1.8 An Enforcement Officer may inspect premises in accordance with the provisions of the *Municipal Government Act* where there are reasonable grounds to believe that the premises are being used in contravention of this Bylaw. Without limiting the generality of the foregoing, such reasonable grounds would include:

- (a) complaints from the public that the premises are being used contrary to this Bylaw; or
- (b) the observations of an Enforcement Officer that there is excessive traffic, parking problems, unauthorized dwelling units, accumulated debris in a yard or other apparent breach of this Bylaw.

5.1.9 The provisions and regulations of the Provincial Offences Procedures Act, as amended, may apply to the provisions and enforcement of this Bylaw. The Chief Administrative Officer or designate is hereby authorized to enforce this Bylaw.

5.2 OFFENCES AND PENALTIES

5.2.1 A person who contravenes or does not comply with a provision of Division 5 of Part 13, or Part 17 of the Municipal Government Act, or this Bylaw, or who obstructs or hinders any person in the exercise or performance of their powers under Part 17 or regulations under Part 17 of the Municipal Government Act, is guilty of an offence.

5.2.2 A person who is guilty of an offence referred to in section 5.2.1 is liable upon summary conviction to the specified penalty set out in Schedule B, or in the case of an offence for which there is no specified penalty, to a fine of not less than \$150 and not more than \$10,000 or to imprisonment for not more than one year, or to both fine and imprisonment.

5.2.3 Where an Enforcement Officer reasonably believes that a person has contravened any provision of this Bylaw, the Enforcement Officer may, in addition to any other remedy at law, serve upon the person a violation ticket, in the form provided under the Provincial Offences Procedures Act, allowing payment of the specified penalty for the particular offence as provided in Schedule B of this Bylaw, and the recording of such payment by the Provincial Court of Alberta shall constitute acceptance of a guilty plea and the imposition of a fine in the amount of the specified penalty.

5.2.4 Where a person is convicted of a second, third or subsequent offence under a particular section of this Bylaw, and where that offence has occurred within 12 months after the date of

occurrence of the first offence under that section of this Bylaw, the specified penalties applicable upon conviction for such second, third or subsequent offence shall be the amount set out in columns two and three, respectively, of Schedule B.

- 5.2.5** This section shall not prevent any Enforcement Officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedures Act, or from a laying of information in lieu of issuing a violation ticket.
- 5.2.6** Where a person is found guilty of an offence under this Bylaw, the court may in addition to any other penalty imposed, order the person to comply with this Bylaw, or a development permit or condition attached thereto.
- 5.2.7** Development Permit applications submitted after lot preparation or construction has commenced may be subject to double permit fees.

PART 6 AMENDING THE LAND USE BYLAW

6.1 INITIATING AN AMENDMENT

- 6.1.1** The Council may, on its own initiative, amend this Bylaw.
- 6.1.2** Any person may apply to have this Bylaw amended, by applying in writing to Council using the prescribed form.
- 6.1.3** All applications for amendment shall be accompanied by:
- (a) A description of the amendment being requested;
 - (b) Reasons supporting the proposed amendment;
 - (c) the required application fee, the amount of which shall be determined from time to time by resolution of Council; but if the proposed amendment is adopted, Council may determine that all or part of the fee be refunded.
 - (d) If applicable, a certificate of title for the land affected by the proposed amendment, and a statement of the applicant's interest in the land;
 - (e) if applicable, drawings to scale, accurate, explicit and complete; and
 - (f) any other information as required by the Development Authority.

6.2 PROCESSING AN AMENDMENT

- 6.2.1** Upon receipt of an application for amendment to this Bylaw, the Development Officer shall undertake an analysis of the potential impacts of development that would be allowed as a result of the proposed amendment. The analysis shall be based on the full development potential of the proposed amendment and not on the merits of any particular development proposal. The analysis shall, among other things, consider the following criteria:
- (a) Relationship to and compliance with approved statutory plans and Council policies;

- (b) Relationship to and compliance with statutory plans or outline plans in preparation;
- (c) Compatibility with surrounding development in terms of land use function and scale of development;
- (d) Traffic impacts;
- (e) Relationship to, or impacts on, services such as water and sewage systems, and other public utilities and facilities such as recreation facilities and schools;
- (f) Relationship to municipal land, right-of-way or easement requirements;
- (g) Effect on stability, retention and rehabilitation of desirable existing uses, buildings, or both in the area;
- (h) Necessity and appropriateness of the proposed amendment in view of the stated intentions of the applicant; and
- (i) Relationship to the documented concerns and opinions of area residents regarding development implications.

6.2.2 Council may refer the application for an amendment to this Bylaw to such agencies as it considers necessary for comment.

6.2.3 All amendments to this Bylaw shall be made by Council by bylaw, in accordance with the procedures for public participation in bylaws set out in Section 230 of the Municipal Government Act.

PART 7 GENERAL REGULATIONS

7.1 APPLICABILITY

- 7.1.1** 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.

BUILDINGS

7.2 NUMBER OF BUILDINGS ON A LOT

- 7.2.1** The number of dwelling units permitted on a lot shall be limited to one, except where:
- (a) a development permit is issued for a guest house and complies with the following:
 - (1) the use conforms to the uses prescribed in Part 8 for the District in which the parcel is located; and
 - (2) subject to Section 4.4, the development complies with the provisions of this Bylaw.
 - (b) The maximum number of accessory buildings permitted on a parcel is three and are subject to section 7.7 – Accessory Buildings of this Bylaw.

7.3 NON-CONFORMING BUILDINGS AND USES

- 7.3.1** A non-conforming use of land or building(s) may be continued, but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building(s) shall conform to this Bylaw.
- 7.3.2** A non-conforming use of 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.

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

7.3.4 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;

7.3.5 If a non-conforming building is damaged or destroyed to the extent of 75 percent of its value, the building shall not be rebuilt except in accordance with this Bylaw.

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

7.4 BUILDING DEMOLITION

7.4.1 The demolition of any building larger than 13.4 m² (144 ft²) shall require a development permit. Such a permit shall not be approved without a statement indicating:

(a) how the demolition will be carried out; and

(b) how the parcel will be reclaimed;

that is to the satisfaction of the Development Authority.

7.5 RELOCATING BUILDINGS

7.5.1 The relocation of a building into or within the municipality shall require a development permit.

7.5.2 The Development Authority may inspect the building to determine its condition prior to issuing a development permit.

7.6 MANUFACTURED HOMES

- 7.6.1** Manufactured homes shall meet or exceed Canadian Standards Association (CSA) Z240 certification.
- 7.6.2** Manufactured homes shall be placed on a permanent foundation consisting of a basement, crawl space or slab on grade.
- 7.6.3** 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 (rise:run);
 - (b) a roof surface of wood or asphalt shingles, clay or concrete tiles, slates or wood shakes, or metal roofing;
 - (c) a minimum roof overhang or eaves of 0.40 m (1 ft) from each external wall;
 - (d) a maximum length to width ratio of 2.5:1;
 - (e) a minimum width of 6.09 m (20ft) 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.

7.7 ACCESSORY BUILDINGS

- 7.7.1** Where a building is attached to the main building by a roof, structure, floor or foundation, it shall be considered part of the main building and not an accessory building.
- 7.7.2** The construction or relocation of the first accessory building on a lot shall not require a development permit provided:
- (a) the floor area does not exceed 13.4 m² (144 ft²);
 - (b) the height does not exceed 2.5 m (8 ft); and
 - (c) it complies with any other applicable provisions of this Bylaw.
- 7.7.3** No accessory buildings may be constructed on a lot until a principal building has been constructed or a permit has been issued authorizing the construction of a principal building.

7.7.4 The following regulations shall apply to all accessory buildings:

General location on a lot

- (a) No accessory building shall be located in the front yard, except a garage may be located in the front yard of a back lot, and a boathouse may be located in the front yard of a lakefront lot provided it does not significantly restrict the view of the lake of other property owners;
- (b) The siting of an accessory building on an irregularly shaped parcel shall be as approved by the Development Authority;
- (c) Accessory buildings shall be separated from the principal building by a minimum of 1.5 m (5 ft);

Number of Accessory Buildings

- (d) The maximum number of accessory buildings on a lot shall not exceed three (3);

Appearance

- (e) The exterior materials and colour scheme of all accessory buildings shall directly relate to the materials and colour scheme of the principal building to the satisfaction of the Development Authority;

Floor area

- (f) The exterior dimensions any accessory building shall not exceed:
 - (1) the ground floor area of the principal building; or
 - (2) in the R1 District: 68 m² (728 ft²);
- (g) The maximum floor area of all accessory buildings on a lot shall not exceed any of the following limits:
 - (1) 20% of the lot area;
 - (2) 110 m² (1184 ft²); or

- (3) in conjunction with the principal building, the maximum lot coverage ratio provided for all buildings in the land use district that the lot is located;

Setbacks

- (h) In the case of corner lots, no accessory building shall be located on the yard having street frontage within 6 m (19.7 ft) of the intersection of the streets, lanes or a street and lane;

Side Yard

- (i) The minimum side yard shall be 0.9 m (3 ft) unless the accessory building contains a guest house whereby the required setback shall be 1.5 m (5 ft);
- (j) Where the vehicle entrance to a garage or carport faces the side boundary of the lot the building shall be a minimum of 6 m (19.6 ft) from the side boundary that the vehicle entrance faces;

Rear Yard: Lakefront Lots

- (k) The following yard regulations shall apply as the rear yard for lakefront lots:
 - (1) The minimum setback from the rear property boundary shall be 0.9 m (3 ft); and
 - (2) Where the vehicle entrance to a garage faces the rear boundary of the lot and the rear boundary is adjacent a street, the setback shall be a minimum of 6 m (19.6 ft);

Front Yard: Back Lots

- (l) The minimum front yard for garages located on back lots shall be 6.0 m (19.6 ft);
- (m) No other accessory buildings may be located in the front yard of a back lot;

Rear Yard: Back Lots

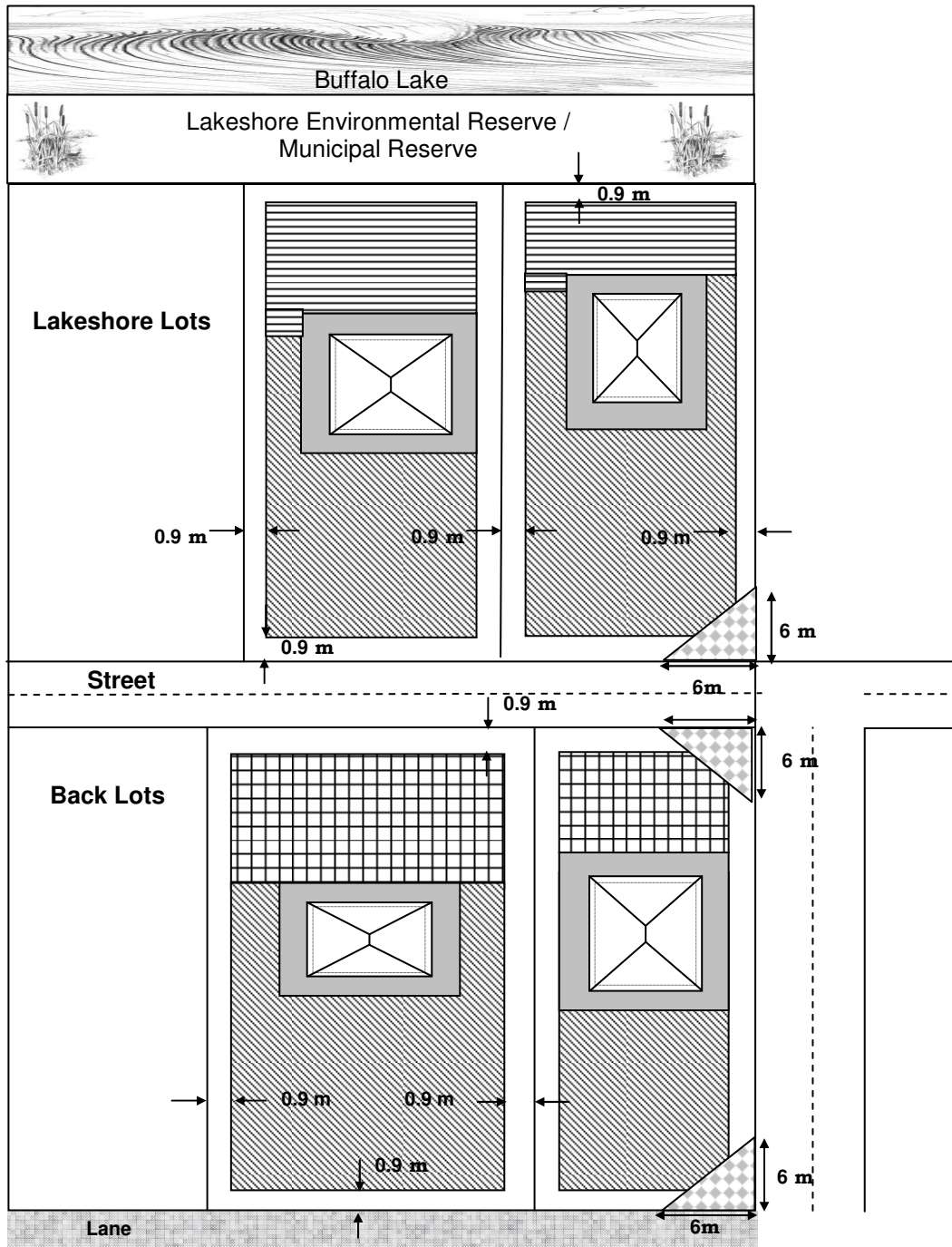
- (n) The minimum rear yard shall be 0.9 m (3 ft);





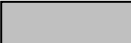
- (o) Notwithstanding (m), where the vehicle entrance to a garage faces the rear boundary of the lot and the rear boundary is adjacent a street, the setback shall be a minimum of 6 m (19.6 ft);

Building Height

- (p) The height of all accessory buildings shall be measured from the average grade adjacent the building to the highest point of the structure, not including extrusions, chimneys, aerials, etc.).
- (q) The height of an accessory building shall not exceed 4.9 m (16ft);
- (r) Notwithstanding (q), above, the height of an accessory building containing a guest house located on the second level shall not exceed:
 - (1) 6.1 m (20 ft) for buildings with a sloped roof; or
 - (2) 5.5 m (18 ft) for buildings with a flat roof; and
 - (3) the height of the principal building

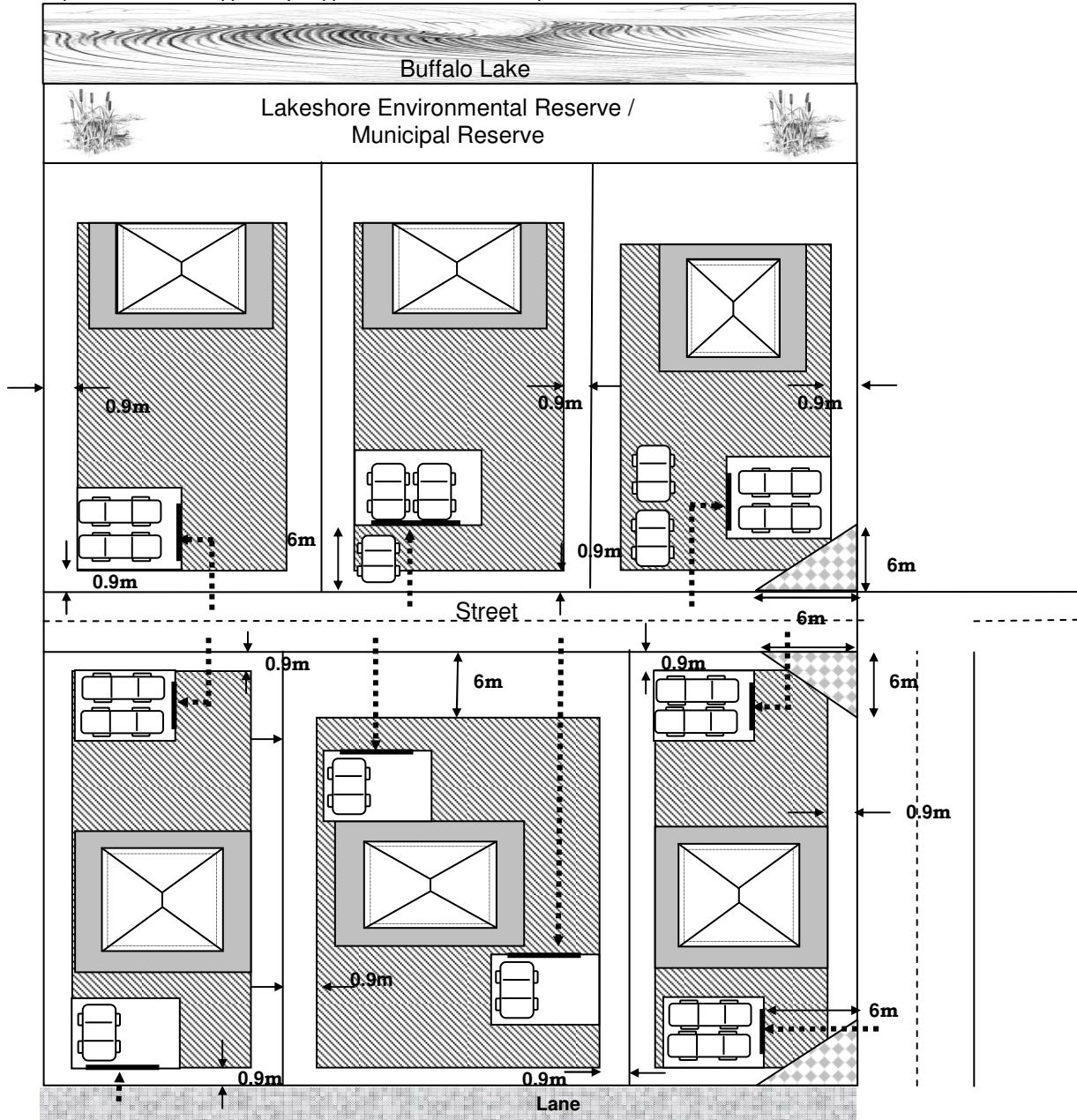
Figure 1: Available Locations for Accessory Buildings








- Allowable Area for Accessory Buildings**
 (Refer to Figure 2 - Garages Figure 3 - Guest Houses for additional requirements/setbacks)
-  Boathouse permitted
 -  Boathouse permitted
 -  Garage permitted (subject to location of vehicle entrance)
 -  Corner Sight Triangle – no fences, bushes, buildings taller than 0.9 m (3 ft)
 -  1.5 m required open area between principal/accessory buildings

- This diagram is for illustrative purposes only and is not drawn to scale. Where a conflict arises between this diagram and the bylaw text, the text shall prevail.
- All distances represent minimum requirements

Figure 2: Available Locations for Garages
(not containing sleeping accommodations)



-  Allowable Area for Garages
-  Corner Sight Triangle – no fences, bushes, buildings taller than 0.9 m (3 ft)
-  Garage footprints
-  Direction of Vehicle entrance to a garage
-  1.5 m required open area between principal/accessory buildings

- This diagram is for illustrative purposes only and is not drawn to scale. Where a conflict arises between this diagram and the bylaw text, the text shall prevail.
- All distances represent minimum requirements

7.8 GUEST HOUSES

7.8.1 General Purpose

The purpose of guest houses is to provide an option, which would allow landowners to construct an accessory building that contains additional sleeping accommodation. Any person that sleeps in a guesthouse at night shall still use the principal dwelling for cooking, eating and socializing. Guest houses shall not be used as independent revenue generating dwellings either as short-term rentals (e.g. tourist homes) or long-term rentals. Guest houses are a discretionary use subject to the regulations herein.

7.8.2 Only one guest house may be constructed on a lot.

7.8.3 Any accessory building containing sleeping accommodation is deemed to be a guest house and where such accommodation exists, a development permit is required and no free-standing guest house may be constructed on the lot.

7.8.4 In addition to the requirements of Section 3.1 an application to construct a guest house shall include a plan showing:

- (a) Location and total floor area dedicated for a guest house;
- (b) Location and dimensions of bedrooms, windows and, if included, washrooms;
- (c) Location on the lot and area to be dedicated for the required additional parking; and
- (d) Access to the suite.

7.8.5 A guest house shall not be constructed prior to construction of the principal dwelling unit on a lot.

7.8.6 A guest house shall only be located in the rear yard of the lot.

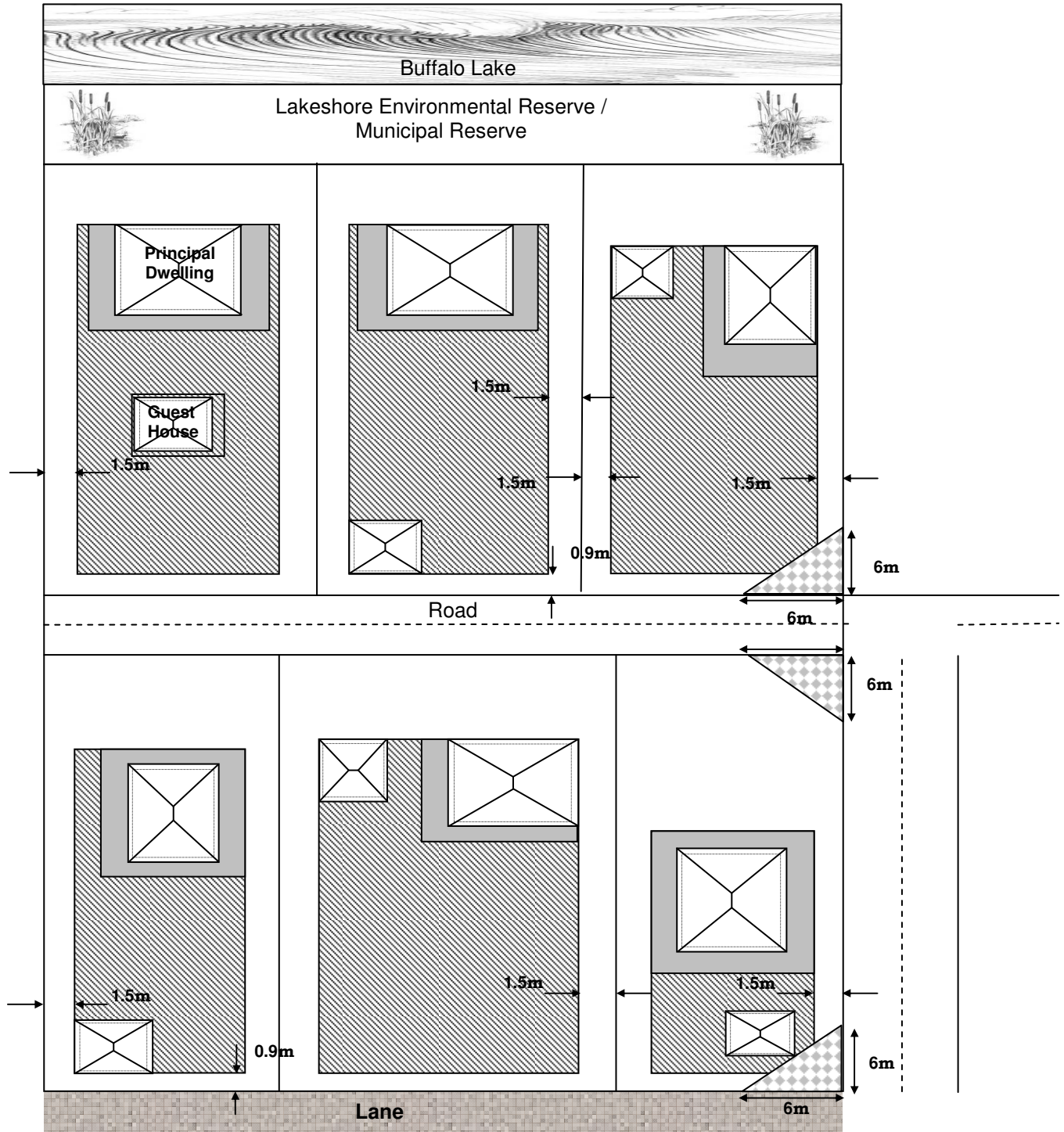
7.8.7 In addition to the required setbacks for accessory buildings, a guest house, or an accessory building incorporating a guest house, shall adhere to the following:




- (a) Minimum side yard: 1.5 m (5 ft);

- (b) Back Lots: no closer to the front yard property boundary than the principal dwelling

- 7.8.8** The maximum floor area of a standalone guest house, or the portion of an accessory building available for use as a guest house shall not exceed 40% of the total ground floor area of the principal dwelling on the lot;
- 7.8.9** A guest house located at ground level shall not be more than 4.9 m (16 ft) in height;
- 7.8.10** The height of a guest house situated above a garage shall not exceed:
 - (a) 6.1 m (20 ft) for buildings with a sloped roof; or
 - (b) 5.5 m (18 ft) for buildings with a flat roof; and
 - (c) the height of the principal building
- 7.8.11** In addition to the parking stalls required for the principal dwelling a guest house shall require provision of additional parking stalls as follows:
 - (a) Guest houses with a floor area less than or equal to 53.5 m² (576 ft²) – 1 stall; or
 - (b) Guest houses with a floor area greater than 53.5 m² (576 ft²) – 2 stalls
- 7.8.12** Tandem parking may be permitted in order to meet the required number of parking stalls.
- 7.8.13** The exterior materials and colour scheme of a guest house shall match the principal dwelling to the satisfaction of the Development Authority.
- 7.8.14** A guest house shall not be rented or leased except to a person who is concurrently renting or leasing the principal dwelling.
- 7.8.15** The windows of a guest house shall be oriented towards the front or rear property boundaries in order to respect the privacy of adjacent landowners.

Figure 3: Available Locations for Guest Houses



-  **Allowable Area for Guest Houses** (If attached beside or above a garage, the above noted 1.5 m setbacks shall prevail over 0.9 m setbacks noted in the figure for garages.)
-  Corner Sight Triangle – no fences, bushes, buildings taller than 0.9 m (3 ft)
-  1.5 m required open area between principal/accessory buildings

- This diagram is for illustrative purposes only and is not drawn to scale. Where a conflict arises between this diagram and the bylaw text, the text shall prevail.
- All distances represent minimum requirements

7.9 TEMPORARY BUILDINGS

7.9.1 A temporary building is considered an accessory building therefore its floor area will be included in the calculation of maximum lot coverage where required and they shall comply with the following:

- (a) there shall be no more than one temporary building per lot;
- (b) Notwithstanding the minimum side yard requirement for accessory buildings, temporary buildings shall be setback no less than 1.5 m (5 ft) from the side property line; and
- (c) The building shall be maintained in a neat and sturdy manner with no visible defects.

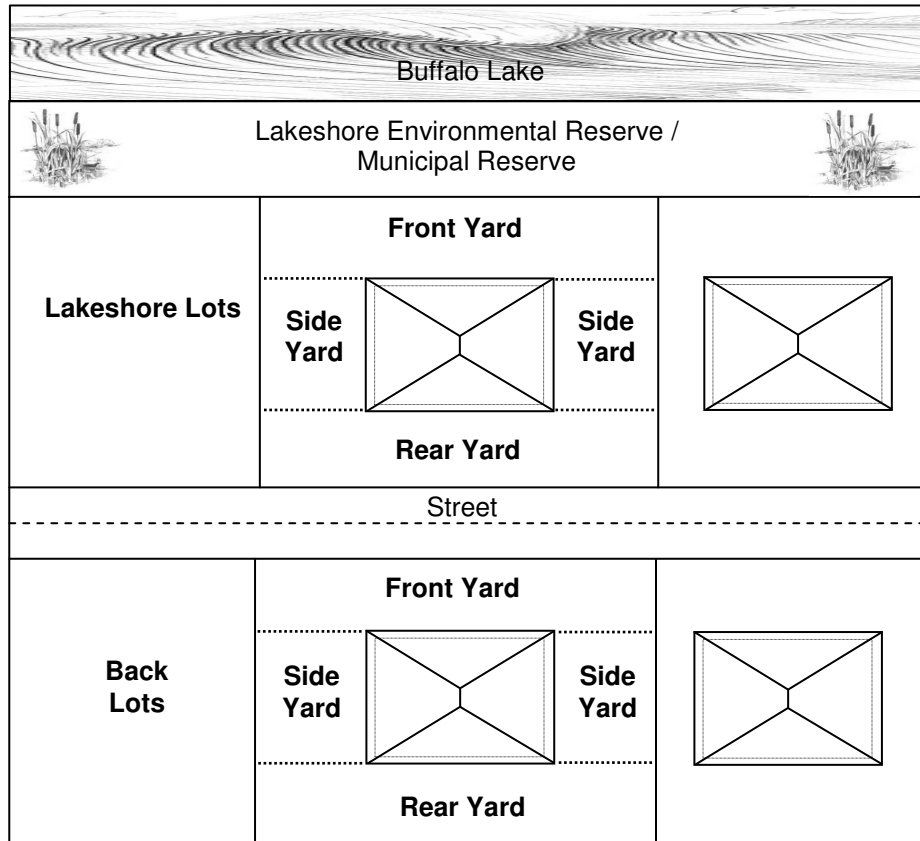
YARDS

7.10 PROJECTIONS OVER YARDS

7.10.1 In residential districts, the portion of and attachments to a main or accessory building that may project over or on a minimum yard are:

- (a) **Side Yard:** A cornice, sill, attached greenhouse, canopy, sundeck or eave, which projects a distance not exceeding one-half of the minimum side yard required for the building.
- (b) **Front Yard:** An eave, chimney, attached greenhouse, sundeck, porch or balcony, which projects not more than 1.5 m (5 ft) over or on the minimum front yard.
- (c) **Front and Rear Yard:** Unenclosed steps, if they do not project more than 2.4 m (8 ft) over or on a minimum front or rear yard.
- (d) **Rear Yard:** An eave, chimney, attached greenhouse, sundeck, porch or balcony which projects not more than 3 m (10 ft) over the minimum rear yard.

Figure 4 - Location of Yards



7.11 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

7.11.1 In addition to the regulations herein, landowners should refer to the *Unightly Premises* Bylaw for additional information regarding regulations and penalties.

7.11.2 No person shall keep or permit any of the following on any part of a lot in any residential District:

- (a) a motorized vehicle which is in a dilapidated or unsightly condition, or a derelict vehicle to remain or be parked on a parcel in a Residential District, unless it is suitably housed or screened to the satisfaction of the Development Authority; or
- (b) any object or chattel which, in the opinion of the Development Authority, is unsafe, unsightly or adversely affects the amenities of the district. This includes dismantled or wrecked motor vehicles, and

any excavation, stockpiling or storage of materials, non-operational appliances, explosives, flammable liquids, toxic chemicals, and diesel fuel and gasoline products etc.

7.11.3 Trailers used for carrying boats, snowmobiles, quads or utility trailers or tent trailers in their stowed position may be located on a lot provided:

- (a) they do not encroach upon the minimum area required to meet the parking requirements for the lot;
- (b) they are located a minimum of 0.9 m (3 ft) from any property boundary; and
- (c) they are stored neatly and the trailer(s) and its contents are not dilapidated or unsightly, in the opinion of the designated officer and/or the Development Authority.

7.11.4 No vehicles related to a commercial or industrial business shall be visible in a yard, with the exception of one vehicle weighing less than 6305 kg (14,000 lbs)

7.11.5 Sea cans shall not be permitted to be located on a lot unless there exists a valid development permit for construction of a principal building on the same lot and the sea can is removed immediately following completion of the development or expiry of the development permit, whichever is sooner.

7.12 FENCES AND SCREENING

7.12.1 No fence or other screening device shall be higher than:

- (a) 2.0 m (6.6 ft) in rear yards;
- (b) 2.0 m (6.6 ft) in side yards, except on corner lots where it shall not be higher than 0.9 m (3 ft) in the side yard having frontage on a street;
- (c) 0.9 m (3 ft) in front yards; and
- (d) 0.9 m (3 ft) within 6 m (19.6 ft) of the intersection of lanes, street, or a lane and a street.

7.12.2 Notwithstanding section 7.12.1, the Development Authority may approve a higher fence having regard to the location of fences in the surrounding area and the requirement for screening.

7.12.3 Electric and barbed wire fences shall not be permitted except on land abutting on farmland, and these shall require a development permit.

7.13 RESTRICTIONS ON CORNER LOTS

7.13.1 Notwithstanding any other provisions of this Bylaw, no person shall place or maintain in or upon that portion of a within a 6 m (19.7ft) sight triangle, a wall, fence, shrub, hedge, tree or other object or structure if such object or structure interferes with or obstructs the view of the driver of any vehicle using the streets abutting such lot. Refer to Figure #3 for an illustration.

VEHICLES

7.14 PARKING AND ACCESS

7.14.1 Parking spaces shall be provided onsite in accordance with the following table:

Use of Building or Lot	Minimum Number of Parking Spaces
Residential Uses	
Residential Detached Dwelling	2 per dwelling unit
Guest House	Guest houses with a floor area less than or equal to 53.5 m ² (576 ft ²) – 1 stall; Guest houses with a floor area greater than 53.5 m ² (576 ft ²) – 2 stalls
Bed and Breakfast	1 space per guest room in addition to the requirement for the principal building

Commercial Uses	
Retail sales	A minimum of five (5) stalls plus two (2) stalls for every additional 92.9 m ² (1,000 ft ²) beyond the first 185.8 mw (2,000 ft ²) of gross floor space
Restaurant	1 stall per 4 seats
Other uses	As determined by the Development Authority

7.14.2 Each required parking space shall have minimum dimensions of 2.75 m (9 ft) by 5.5 m (18 ft).

7.14.3 Parking spaces shall be located on the same parcel as the building for which they are being provided; however, at the discretion of the Development Authority, parking may be located on adjoining property provided that a restrictive covenant, restricting the use of the property for parking only, is registered against its title.

7.15 RECREATION VEHICLES

7.15.1 General Purpose

Recreation vehicles are recognized as being a common feature within a Summer Village so that families and friends can come together to enjoy each other’s company. The regulations below are written so that their presence does not overwhelm a property in terms of lot coverage, required parking, or affect the ability of adjacent property owners to enjoy the use of their property. This is in keeping with the vision for the Summer Village expressed in section 1.1 (a) of this Bylaw.

7.15.2 One (1) recreation vehicle may be parked for any length of time on a lot provided:

- (a) where a principal building exists on the lot:
 - (1) the vehicle is setback at least 0.9 m (3 ft) from the side property boundary of the lot; and
 - (2) the vehicle is not located in the front yard of a lakefront lot;

- (b) where no principal building exists on the lot:
 - (1) the vehicle shall be located on the lot such that it meets the setback requirements for a principal building on the lot;
- (c) the vehicle and, if applicable, the associated towing vehicle are parked entirely within the boundaries of the lot and do not encroach upon the area required to meet the parking requirement for the lot as stated in section 7.14 – Parking and Access; and
- (d) when the vehicle is in use as overnight accommodation, provisions are made, to the satisfaction of the Development Authority, for the disposal of sewage.

7.15.3 A second recreation vehicle may be located on a lot and used for temporary living and sleeping accommodation provided:

- (a) the second vehicle only being located on the lot and/or used for temporary living and sleeping accommodation for a maximum period of 30 days per year;
- (b) the recreation vehicle being setback at least 0.9 m (3 ft) from the side property boundary of the lot;
- (c) the recreation vehicle and, if applicable, the associated towing vehicle are parked entirely within the boundaries of the lot and do not encroach upon the area required to meet the parking requirement for the lot as stated in section 7.14; and
- (d) provisions are made, to the satisfaction of the Development Authority, for the disposal of sewage

7.15.4 At the discretion of the Development Authority, more than two (2) recreation vehicles may be located on a lot and used for temporary living and sleeping accommodation provided:

- (a) a permit is obtained from the Development Authority that specifies the total number and length of time that the recreation vehicles are to be located on the lot with such time period not to exceed five (5) days;

- (b) the recreation vehicles are setback at least 0.9 m (3 ft) from the side property boundary of the lot; and
- (c) the owner of the lot provides a site plan, to the satisfaction of the Development Authority, indicating how the recreation vehicles and all associated towing vehicles will be accommodated entirely within the boundaries of the lot without encroaching upon the area required to meet the parking requirement for the lot as stated in section 7.14.

7.15.5 During construction of a principal building on a lot, a maximum of two recreation vehicles may be parked on the lot and used as a temporary accommodation for longer than 30 days provided:

- (a) a valid development permit exists for construction of a principal building on the lot and construction has not been completed or the permit has not expired, whichever is sooner;
- (b) the vehicle(s) are setback at least 0.9 m (3 ft) from the side property boundary of the lot;
- (c) the vehicle(s) and, if applicable, the associated towing vehicle(s) are parked entirely within the boundaries of the lot and do not encroach upon the area required to meet the parking requirement for the lot as stated in section 7.14; and
- (d) provisions are made, to the satisfaction of the Development Authority, for the disposal of sewage.

MISCELLANEOUS

7.16 SUB-STANDARD LOTS

7.16.1 Development on existing substandard lots is permitted, subject to section 4.4, provided the applicant complies with the applicable regulations regarding water supply and sewage disposal and this Bylaw.

7.17 LOT CONDITIONS

- 7.17.1** Development shall not be permitted on slopes exceeding 15% where slope is measured over the portion of the lot on which the development is proposed to be located.
- 7.17.2** 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.
- 7.17.3** To the maximum extent possible, existing trees and shrubs shall be retained on the lot. Landscaping of a lot shall be carried out by the end of the first full growing season following completion of the development as defined in section 4.9.2.
- 7.17.4** Where clearing of trees and shrubs is undertaken the parcel shall be graded to ensure that water does not drain onto adjoining property, a roadway or into the lake.
- 7.17.5** Garbage shall be kept in weatherproof and animal proof containers, screened from adjacent lots and public thoroughfares.
- 7.17.6** All detached dwellings, guest houses, manufactured homes, accessory buildings, unenclosed verandas, porches and balconies erected or placed on a parcel shall be designed and sited such that, in the opinion of the Development Authority, the development will not cause any material loss of privacy, sunlight or daylight enjoyed by the users of adjacent buildings and parcels.

7.18 ENVIRONMENTAL PRESERVATION AND ENHANCEMENT

- 7.18.1** The Development Authority shall be satisfied with the design, siting, finish, and architectural appearance of all buildings having regard for the amenities and character of existing development in the municipality, and that the landscaping of the lot causes minimal environmental disruption.

7.19 SANITARY FACILITIES

- 7.19.1** All dwellings shall have a sealed pump-out tank in accordance with existing legislation at the time of installation.
- 7.19.2** New developments should locate their sanitary facilities having regard to the potential for a future requirement to connect to a regional or communal wastewater line.
- 7.19.3** After March 1, 2001, 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.

7.20 OUTDOOR HOT TUBS

- 7.20.1** Hot tubs located as part of a deck attached to the principal building or freestanding hot tubs located within 1 m (3.3 ft) of the principal building shall be considered part of the principal building. Outside of that area they shall be considered an accessory building.
- 7.20.2** Outdoor hot tubs shall not be located within 1.5 m (5 ft) of any side yard.
- 7.20.3** Outdoor hot tubs shall be secured against entry by the public other than owners, tenants, or their guests.

7.21 AIR CONDITIONERS

- 7.21.1** Freestanding air conditioners shall adhere to the following:
- (a) They shall not be permitted to encroach into a minimum side yard for the principal building;
 - (b) Where possible, they should be located adjacent the north face of the dwelling in order to maximize their efficient operation by drawing in the coolest exterior air;
 - (c) Plans showing installation of sound reduction and/or visual screening may be required if, in the opinion of

the Development Authority, the location of a freestanding air conditioner may affect the quiet enjoyment of adjacent properties including if they are proposed to be located within 5 m (16.4 ft) of a window existing at the date of application on an adjacent lot.

- 7.21.2** The operation of freestanding air conditioners and any other devices that emit noise beyond the boundaries of a lot shall be in compliance with the Summer Village's Noise Abatement Bylaw.

7.22 HOME OCCUPATIONS

- 7.22.1** A home occupation shall be clearly incidental to the residential use of a lot and shall not change or disrupt the residential character of the municipality.
- 7.22.2** All permits for home occupation shall be reviewed annually. The Development Authority may revoke a permit if it is determined that the use is or has become detrimental to the residential character of the municipality.
- 7.22.3** Home occupations are limited to those uses which:
- (a) Do not have customers visit the premises where the home occupation operates;
 - (b) Employ only residents of the lot;
 - (c) do not create or become a public nuisance or contravene the municipal *Noise Abatement* Bylaw;
 - (d) are not visible from outside the building;
 - (e) require no outside storage of materials, goods, or equipment with the exception of one vehicle weighing less than 6305 kg (14,000 lbs); and
 - (f) do not display advertising other than permitted under section 7.23 – Signs.

7.23 SIGNS

7.23.1 No sign or advertisement of a commercial, directional or informative nature shall be placed on land or affixed to any exterior surface of any building or structure unless an Application for this purpose has been approved and a Development Permit issued.

7.23.2 Notwithstanding Section 7.23.1, the following signs may be placed on land or affixed to the exterior surface of a building or structure without Application for a Development Permit provided that such signs are not illuminated and permission from the landowner(s) has been received

Type of Sign	Restrictions
Miscellaneous Signs	Signs not to exceed 0.55 m ² (6 ft ²). In the case of Home Occupations, the sign shall not exceed 0.37 m ² (4 ft ²)
Signs to be displayed as a means of identification, direction or warning;	
signs advertising the fact that a person is carrying on a profession at the premises	
Temporary Signs	Signs may not exceed 0.55 m ² (6 ft ²) and must be removed by the advertiser within 15 days of completion of the event or works to which the advertisements relate
Signs advertising that land or premises are for sale or lease;	
Signs relating to the carrying out of building, engineering or construction works; and	
Signs intended to advertise any local event being held for charitable purposes, which may be religious, educational, cultural, political, social or recreational, but not for any commercial purpose	
Functional Signs	No size restrictions. Maximum height of top of sign: 2.4 m (8 ft)
Signs needed by public bodies such as the municipality, local authorities and utility companies to give information or directions about the services they provide	

- 7.23.3** No sign or advertisement shall obstruct the view or be liable to be confused with any traffic sign or signal, or otherwise pose a potential hazard to traffic.
- 7.23.4** The Development Authority may, by resolution of Council, require the removal or renovation of any sign that is not kept in a safe, clean and tidy condition.

7.24 MUNICIPALLY-OWNED LANDS

- 7.24.1** Private development on municipal reserve or environmental reserve land is strictly prohibited.
- 7.24.2** Private development on municipally-owned land including road allowances is strictly prohibited.
- 7.24.3** The cutting and/or removal of trees or underbrush from municipally-owned land is strictly prohibited, unless written permission is received from Council.
- 7.24.4** The temporary placement of any structure, object or materials on municipally owned land is prohibited unless prior written permission is received from Council in accordance with the municipal Shoreline Management Plan.

7.25 DEVELOPMENT IN PROXIMITY TO OIL & GAS WELLS

- 7.25.1** In accordance with the Subdivision and Development Regulation, no building shall be constructed within 100 m (328 ft) of the well head of a gas or oil well, unless, in the opinion of the Development Authority, may be considered an infill development or is otherwise approved in writing by the Energy Resources Conservation Board (ERCB).

7.26 SETBACKS FROM LANDFILLS AND WASTE SITES

- 7.26.1** In accordance with the Subdivision and Development Regulation:
- (a) a school, hospital, food establishment or residence must not be approved and a residence must not be constructed if the building site is within the distances from a sanitary landfill, modified sanitary landfill,

hazardous waste management facility, dry waste site, waste processing site, waste storage site, waste sorting station or waste transfer station specified in the Subdivision and Development Regulations; and

- (b) a sanitary landfill, modified sanitary landfill, dry waste site, hazardous waste management facility, waste processing site, waste storage site, waste sorting station or waste transfer station must not be approved within the distances from the property boundary of a school, hospital, residence, or food establishment specified in the Subdivision and Development Regulations;

unless the development is approved in writing by the Deputy Minister of Alberta Environment

7.27 PROVINCIAL LAND USE POLICIES

- 7.27.1** Every action undertaken by the municipality and the Development Authority must be consistent with any land use policies established pursuant to the Municipal Government Act.

PART 8 LAND USE DISTRICTS AND REGULATIONS

8.1 ESTABLISHMENT OF LAND USE DISTRICTS

The Summer Village of Rochon Sands has the following Land Use Districts:

R1	Residential District
CR	Country Residential District
CRL	Country Residential Large Lot District
C	Commercial District
POS	Public Open Space District
RD	Reserved For Future Development District

The boundaries of these districts are shown on the Land Use District Map forming Schedule A of this Bylaw.

8.2 RESIDENTIAL DISTRICT (R1)

8.2.1 General Purpose

The purpose of this district is to provide for low density residential development in the form of detached dwellings and compatible uses, herein listed, which are serviced by private water and septic systems

8.2.2 Permitted Uses

- Accessory buildings and uses
- Detached dwellings less than or equal to 185 m² (2000 ft²) in ground floor area

8.2.3 Discretionary Uses

- Bed and breakfast establishments
- Detached dwellings greater than 185 m² (2000 ft²) in ground floor area
- Guest houses
- Home occupations
- Institutional, public or quasi-public facilities
- Manufactured homes
- Public parks, playgrounds and recreational facilities

8.2.4 Regulations

In addition to the general land use regulations contained in Part 7 of this Bylaw, the following requirements shall apply:

Lot Size

- (a) Minimum Lot Width – 30.48 m (100 ft)
- (b) Minimum Lot Area – 1858 m² (20,000 ft²)
- (c) Notwithstanding (a) and (b) above, lots listed in the table below shall adhere to the following:
 - (1) Minimum Lot Width - 15.2 m (50 ft)
 - (2) Minimum Lot Area - 650 m² (7,000 ft²)

Lot	Block	Plan
34	1	992 6670
35	1	992 6670
36	1	992 6670
37	1	992 6670
38	1	992 6670
39	1	992 6670

Building Height

- (d) The principal building shall not be higher than 7.3 m (24 ft), measured from the average grade to the highest point of the structure, not including extrusions (chimneys, aerials, etc.).

Yard Requirements

- (e) The minimum setbacks from property boundaries for the principal building shall be:

Front yard – 10% of lot length, minimum 7.6 m (25 ft)

Side yard – 10% of lot width, minimum 1.5 m (5 ft)

Rear yard – 10% of lot length, minimum 7.6 m (25 ft)

The siting principal building on irregular shaped lots shall be approved by the Development Authority.

Lot Coverage

- (f) The principal building and accessory buildings combined shall not cover more than 40% of the lot, excluding patios and sundecks.

Floor Area

- (g) The minimum floor area of detached dwellings shall be 55.7 m² (600 ft²).

Other Requirements

- (h) No construction or development that includes structural, electrical, plumbing, or gas installations may be commenced until the necessary permits from the Summer Village's accredited agency have been obtained.
- (i) Accessory Buildings – Refer to Section 7.7
- (j) Guest houses – Refer to Section 7.8

8.3 COUNTRY RESIDENTIAL DISTRICT (CR)

8.3.1 General Purpose

The purpose of this district is to provide for low density residential development in the form of detached dwellings and compatible uses, herein listed, which are connected to a communal water and sanitary sewer system. The keeping of livestock, as defined by the Livestock and Livestock Products Act, as amended, is not permitted in this district.

8.3.2 Permitted Uses

- Accessory buildings and uses
- Detached dwellings

8.3.3 Discretionary Uses

- Bed and Breakfast Establishments
- Guest house
- Home occupations
- Institutional, public, or quasi-public facilities
- Public parks, playgrounds, and recreational facilities, excluding campgrounds

8.3.4 Regulations:

In addition to the general land use regulations contained in Part 7 of this Bylaw, the following requirements shall apply:

Lot Size

- (a) Minimum: 0.405 ha (1 ac)
Maximum: 1.214 ha (3 ac)

Building Height

- (b) 7.3 m (24 ft) measured from the average grade to the highest point of the structure, not including extrusions (chimneys, aerials, etc.)

Yard Requirements

- (c) The minimum setbacks from property boundaries for the principal buildings shall be:
- | | |
|-------------|----------------------------|
| Front Yard: | a minimum of 7.6 m (25 ft) |
| Side Yard: | a minimum of 7.6 m (25 ft) |
| Rear Yard: | a minimum of 7.6 m (25 ft) |

Lot Coverage

- (d) Principal buildings and accessory buildings combined shall not cover more than 30% of the lot, excluding patios and sundecks.

Floor Area

- (e) The minimum floor area of detached dwellings shall be 83.6 m² (900 ft²).

Other Requirements

- (f) No construction or development that includes structural, electrical, plumbing, or gas installations may be commenced until the necessary permits from the Summer Village's accredited agency have been obtained.
- (g) Accessory Buildings: Refer to Section 7.7
- (h) Guest Houses: Refer to Section 7.8

8.4 COUNTRY RESIDENTIAL LARGE LOT DISTRICT (CRL)

8.4.1 General Purpose

The purpose of this district is to provide for low density residential development in the form of detached dwellings and compatible uses, herein listed, which are connected to a communal water and sanitary sewer system. The keeping of livestock, as defined by the Livestock and Livestock Products Act, as amended, is not permitted in this district.

8.4.2 Permitted Uses

- Accessory buildings and uses
- Detached dwelling

8.4.3 Discretionary Uses

- Bed and Breakfast Establishments
- Guest houses
- Home occupations
- Institutional, public, or quasi-public facilities
- Public parks, playgrounds, and recreational facilities, excluding campgrounds

8.4.4 Regulations:

In addition to the general land use regulations contained in Part 7 of this Bylaw, the following requirements shall apply

Lot Size

- (a) Minimum: 1.2 ha (3 ac)
Maximum: 1.2 ha (10 ac)

Building Height

- (b) 7.3 m (24 ft) measured from the average grade the highest point of the structure, not including extrusions (chimneys, aerials, etc.)

Yard Requirements

- (c) The minimum setbacks from property boundaries for the principal buildings shall be:
- | | |
|-------------|----------------------------|
| Front Yard: | a minimum of 7.6 m (25 ft) |
| Side Yard: | a minimum of 7.6 m (25 ft) |
| Rear Yard: | a minimum of 7.6 m (25 ft) |

Lot Coverage

- (d) Principal buildings and accessory buildings combined shall not cover more than 30% of the lot, excluding patios and sundecks.

Floor Area

- (e) The minimum floor area of detached dwellings shall be 83.6 m² (900 ft²).

Other Requirements

- (f) No construction or development that includes structural, electrical, plumbing, or gas installations may be commenced until the necessary permits from the Summer Village's accredited agency have been obtained.
- (g) Accessory Buildings: Refer to Section 7.7
- (h) Guest Houses: Refer to Section 7.8

8.5 COMMERCIAL DISTRICT (C)

8.5.1 General Purpose

The purpose of this district is to provide for attractive commercial development that is compatible with surrounding residential uses and which provides goods and services to residents of and visitors to the summer village and surrounding area. -

8.5.2 Permitted Uses

- Accessory buildings and uses
- Restaurant
- Retail sales, up to 185.8 m² (2,000 ft²)

8.5.3 Discretionary Uses

- Gas bar
- Home occupation
- Institutional, public, or quasi-public facilities
- One residence for the owner / operator of a commercial operation
- Retail sales over 185.8 m² (2000 ft²)

8.5.4 Regulations:

In addition to the general land use regulations contained in Part 7 of this Bylaw, the following requirements shall apply:

Lot Size

- (a) Minimum: 0.4 ha (1 ac)
Maximum: 0.8 ha (2 ac)

Building Height

- (b) 7.3 m (24 ft) measured from the average grade to the highest point of the structure, not including extrusions (chimneys, aerials, etc.)

Yard Requirements

- (c) The minimum setbacks from property boundaries for the principal building shall be:
- | | |
|-------------|-----------------------------|
| Front Yard: | a minimum of 7.6 m (25 ft) |
| Side Yard: | a minimum of 3.0 m (9.8 ft) |
| Rear Yard: | a minimum of 7.6 m (25 ft) |

Lot Coverage

- (d) The principal building and accessory buildings combined shall not cover more than 40% of the lot.

Landscaping

- (e) A minimum of 25% of the lot shall be landscaped
- (f) Landscaping and buffering from adjacent non-commercial uses shall be to the satisfaction of the Development Authority

Parking

- (g) Parking shall be provided in accordance with section 7.14
- (h) Total parking requirements are an aggregate of approved uses
- (i) Parking stalls shall be a minimum of 2.75 m X 5.5 m (9 ft. X 18 ft.) and there shall be sufficient maneuvering spaces for each stall to the satisfaction of the Development Authority

Other Requirements

- (j) No construction or development that includes structural, electrical, plumbing, or gas installations may be commenced until the necessary permits from the Summer Village's accredited agency have been obtained.
- (k) Accessory Buildings – Refer to Section 7.7

8.6 PUBLIC OPEN SPACE DISTRICT (POS)

8.6.1 General Purpose

The purpose of this district is to preserve and protect the environment while providing areas of public recreation access to the shoreline.

8.6.2 Permitted Uses

- Public recreation

8.6.3 Regulations

In addition to the general land use regulations contained in Part 7 of this Bylaw, the following requirements shall apply:

- (a) Private development in this district is strictly prohibited; and
- (b) Public development in this district is strictly limited to the maintenance, improvement, or replacement of existing public structures and facilities.

8.7 RESERVED FOR FUTURE DEVELOPMENT DISTRICT (RD)

8.7.1 General Purpose

To reserve land for future subdivision and development until an area structure or outline plan has been prepared for and approved by Council. Uses should not negatively impact or impede future urban subdivision and/or development

8.7.2 Permitted Uses

- Existing uses

8.7.3 Discretionary Uses

- Accessory buildings and uses which will not, in the opinion of the Development Authority materially alter the use of the land from that existing at the time of the enactment of this Bylaw.

8.7.4 Other Requirements:

- (a) The general land use regulations contained in Part 7 of this Bylaw shall apply to any development in this district.
- (b) No construction or development that includes structural, electrical, plumbing, or gas installations may be commenced until the necessary permits from the Summer Village's accredited agency have been obtained.
- (c) Accessory Buildings – refer to Section 7.7

PART 9 DEFINITIONS

In this Land Use Bylaw,

ACCESSORY BUILDINGS OR USE – means a building or use which is subordinate and incidental to the main building or use, located on the lot. For the purpose of this Bylaw, accessory buildings include, but are not restricted to tool sheds, garden shed, boathouses, garages, teepees, carports, and privies;

ACT – means The Municipal Government Act, Chapter M26.1 as amended;

ADJACENT LANDOWNERS – means owners of land that is contiguous to the land that is the subject of the an application; and includes owners of land that would be contiguous except for a public roadway, railway, rail or utility right-of-way, river or stream;

APPEAL BOARD – means a Subdivision and Development Appeal Board established in accordance with Section 627 of the Municipal Government Act;

BACK LOT – means any lot in the municipality that does not have a boundary that is adjacent the lake or a buffer strip of municipal reserve or environmental reserve that is located along the lakeshore;

BOATHOUSE – means an accessory building designed and used primarily for the storage of boats;

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 DEMOLITION – means the pulling down, tearing down or razing of a building;

BUILDING ENVELOPE – means that area of a residential lot, the boundaries of which are determined by setback requirements, where construction of a principal building and/or accessory building is permitted;

BUILDING HEIGHT – means the vertical distance from the average grade 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;

COUNCIL – means the Council of the Summer Village of Rochon Sands;

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 or any of them, or
- (c) a change of use of land or a building or an act done in relation to land or 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;

DEVELOPMENT AUTHORITY – means the person or persons appointed pursuant to Development Authority Bylaw No. 147;

DEVELOPMENT OFFICER – means a person appointed as a development Officer pursuant to this Bylaw;

DEVELOPMENT PERMIT – means a document authorizing a development issued pursuant to this Bylaw;

DILAPIDATED VEHICLE – means any vehicle that is subject to any two of the following items as listed below:

- (a) not used on a regular basis;
- (b) does not have a validated license plate attached to it;
- (c) is lacking one or more major parts (i.e., fenders, hoods, etc)
- (d) is lacking one or more of its power train parts (i.e. Motor, transmission, differential, etc.)

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;

DRIVE-IN BUSINESS – means an establishment with facilities for on-site services to customers who remain in their motor vehicles;

DWELLING UNIT – means a building or self-contained portion of a building containing one or more habitable rooms constituting a self-contained unit used

as a residence, each unit having sleeping, cooking, and access to toilet facilities;

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 for residential buildings, the total area of all floors in a building measured from the outside of exterior walls including a basement, enclosed porches, decks, and attached garages, but excluding floor areas of cellars, sheds, or carports;

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

GAS BAR – means an establishment which has one or more pump islands for the sale of gasoline or diesel fuel, but does not include facilities for the servicing or repair 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 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.

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;

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;

LAKESHORE LOT – means a lot which faces onto a lake and has any part of its frontage directly onto a lake or onto a buffer strip of municipal reserve or environmental reserve that is located along the lakeshore;

LANE – means a registered public roadway which provides alternate access to a lot;

LOT – means

- (a) a quarter section
- (b) a river, lake or settlement lot shown on an official plan, as defined in the Surveys Act, that is filed in the Land Titles Office; or
- (c) a part of a parcel where boundaries are described in a certificate of title;

LOT COVERAGE – means the area of a lot covered by principal buildings and accessory buildings excluding decks;

MANUFACTURED HOME – means a residential building containing one dwelling unit built in an off-site factory environment in one or more sections and intended to be occupied in a place other than where it was manufactured;

MAY – means the action is not obligatory;

MUNICIPALITY – means the Summer Village of Rochon Sands;

NON-CONFORMING BUILDING OR USE – means a building;

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

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

PATIO – means a hard surface created by laying cement, bricks, tiles or blocks directly on to the ground;

PERMITTED USE – means the use of land or a building provided for in a Land Use Bylaw for which a development permit shall be issued;

PRINCIPAL BUILDING – means a building in which is carried out the principal use of the land on which it is placed;

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 UTILITY – means systems or facilities for the:

- (a) production and distribution of electricity;
- (b) distribution of natural gas or oil;
- (c) storage, transmission, treatment, distribution or supply of water;
- (d) collection, treatment, movement or disposal of sewage;

- (e) provision of telephone services that are owned or operated by a utility company, the municipality, or the crown;

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;

RESTAURANT – means an establishment for the preparation and/or sale of food for consumption on the premises and may include takeout food service;

RETAIL SALES – means the sale of merchandise such as convenience goods, groceries, snacks and soft drinks, camping and recreation supplies and includes the indoor storage of merchandise in quantities limited to the needs of the outlet;

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;

SEA CAN – Steel transportable storage container, used for temporary dry storage and shipping of goods;

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;

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;

SHALL – means the action is obligatory;

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

STREET – means any category of road except a lane;

STRUCTURAL ALTERATION – means the construction or reconstruction of supporting elements of a building or other structure;

SUBDIVISION APPROVING AUTHORITY – means the person or authority empowered to approve a subdivision;

SUBSTANDARD LOT – means a lot created by legal subdivision prior to this Bylaw coming into effect which is smaller than the minimum permitted lot size a specified in this Bylaw;

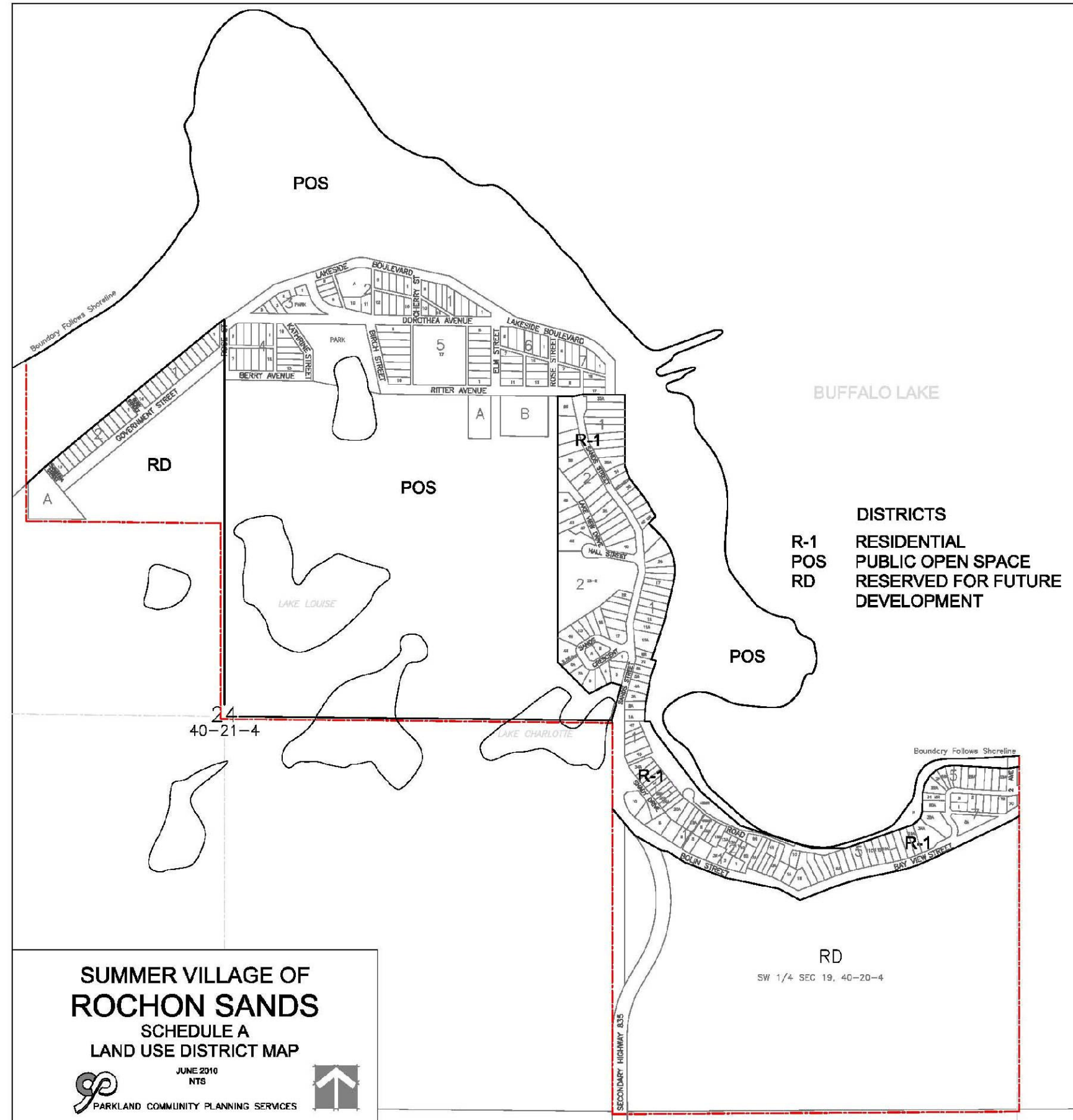
TEMPORARY BUILDING - means an enclosed structure without any foundation or footings and which is removed when the designated time, activity or use for which the temporary structure was erected has ceased;

WALKWAY – means a public right-of-way for pedestrian use only, which is registered as a walkway or as a reserve;

YARD – means a part of a parcel upon which no main building is erected and includes front, rear, and side yards. In the case of lakeshore lots, the front yard is the yard between the house and the lakeshore property line;

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

SCHEDULE A – LAND USE DISTRICT MAP



Schedule B – Specified Penalties for Offences

Description of Offence	First Offence	Second Offence	Third or Subsequent Offence
Sections 1.2 and 1.3 Commence development without a permit	\$500.00	\$1,000.00	\$5,000.00
Section 7.11 Breach of restrictions on objects prohibited or restricted in yards	\$150.00	\$250.00	\$500.00
Section 7.15 Recreational vehicles in contravention of this Bylaw	\$150.00	\$250.00	\$500.00
Section 7.7 Accessory building in contravention of this Bylaw	\$150.00	\$250.00	\$500.00
Section 7.8 Guest House in contravention of this Bylaw	\$500.00	\$1,000.00	\$5,000.00
Section 7.9 Temporary buildings in contravention of this Bylaw	\$150.00	\$250.00	\$500.00