

Draft Summer Village of Golden Days

# LAND USE BYLAW

Draft 11 March 2022

# Land Acknowledgement

The Summer Village of Golden Days respectfully acknowledges that the Summer Village is situated on **Treaty 6 territory**, traditional lands of **First Nations and Métis people**, whose footsteps have marked these lands and shores for generations.

## Table of Contents

<b>LAND ACKNOWLEDGEMENT .....</b>	<b>1</b>
<b>GUIDE TO USING THE LAND USE BYLAW .....</b>	<b>1</b>
<b>PART 1. INTRODUCTION .....</b>	<b>3</b>
1.1 TITLE .....	4
1.2 REPEAL .....	4
1.3 PURPOSE .....	4
1.4 APPLICATION .....	4
1.5 CONFORMITY .....	4
1.6 COMPLIANCE .....	4
1.7 SEVERABILITY .....	5
<b>PART 2. INTERPRETATION .....</b>	<b>6</b>
2.1 MEASUREMENTS .....	7
2.2 DEFINITIONS .....	7
<b>PART 3. AUTHORITIES .....</b>	<b>25</b>
3.1 COUNCIL .....	26
3.2 DEVELOPMENT AUTHORITY .....	26
3.3 DEVELOPMENT OFFICER .....	26
3.4 SUBDIVISION AUTHORITY .....	26
3.5 SUBDIVISION AND DEVELOPMENT APPEAL BOARD .....	26
<b>PART 4. LAND USE BYLAW AMENDMENTS .....</b>	<b>27</b>
4.1 APPLICATIONS .....	28
<b>PART 5. DEVELOPMENT PROCESS .....</b>	<b>31</b>
5.1 CONTROL OF DEVELOPMENT .....	32
5.2 DEVELOPMENT NOT REQUIRING A PERMIT .....	32
5.3 NON-CONFORMING BUILDINGS AND USES .....	34
5.4 APPLICATION REQUIREMENTS FOR DEVELOPMENT PERMITS .....	34
5.5 NOTICE OF COMPLETE OR INCOMPLETE APPLICATIONS .....	36
5.6 DEVELOPMENT PERMITS AND NOTIFICATION .....	37
5.7 VALIDITY OF PERMITS .....	38
5.8 VARIANCES .....	38
5.9 CONDITIONS OF DEVELOPMENT PERMITS AND DEVELOPMENT AGREEMENTS .....	39
<b>PART 6. SUBDIVISION PROCESS .....</b>	<b>40</b>
6.1 APPLICATION REQUIREMENTS FOR SUBDIVISIONS .....	41
6.2 PROCESS .....	42
6.3 DUTIES OF THE SUBDIVISION AUTHORITY .....	43
6.4 REQUIREMENTS AND CONDITIONS OF SUBDIVISION .....	43
<b>PART 7. SUBDIVISION AND DEVELOPMENT APPEALS .....</b>	<b>45</b>
7.1 DEVELOPMENT APPEALS .....	46
7.2 SUBDIVISION APPEALS .....	47
7.3 APPEAL HEARINGS AND DECISIONS .....	47
<b>PART 8. ENFORCEMENT .....</b>	<b>48</b>
8.1 GENERAL PROVISIONS .....	49
8.2 PROHIBITION .....	49
8.3 RIGHT OF ENTRY .....	49
8.4 VIOLATION WARNING .....	49
8.5 WARING AND FINAL WARNING NOTICES .....	49
8.6 OFFENSES AND FINES .....	49

8.7 STOP ORDERS .....	49
8.8 ENFORCEMENT OF STOP ORDERS.....	50
8.9 VIOLATION TAGS AND TICKETS .....	50
<b>PART 9. GENERAL REGULATIONS .....</b>	<b>51</b>
9.1 ACCESSORY BUILDINGS AND USES.....	52
9.2 APPEARANCE OF BUILDINGS .....	52
9.3 DWELLING UNITS ON A LOT .....	52
9.4 ENVIRONMENTAL PROTECTION.....	53
9.5 LAKE POLLUTION CONTROL.....	54
9.6 FENCES AND WALLS.....	54
9.7 FIRE SEPERATION .....	54
9.8 GRADING, STRIPPING, AND DRAINAGE ON LOTS .....	55
9.9 EROSION AND SEDIMENT CONTROL.....	55
9.10 GUEST HOUSES.....	56
9.11 HEIGHT OF BUILDINGS.....	57
9.12 PRIVATE INSTITUTIONAL CAMPS.....	57
9.13 MOVED-IN BUILDINGS .....	57
9.14 OBJECTS PROHIBITED IN YARDS .....	58
9.15 POOLS AND HOT TUBS.....	58
9.16 RECREATIONAL VEHICLES .....	58
9.17 SCREENING AND FENCING.....	59
9.18 SEA CANS .....	59
9.19 SIGNS .....	59
9.20 SITE COVERAGE AND LANDSCAPING .....	60
9.21 TREE REMOVAL .....	62
9.22 SERVICING .....	63
9.23 TEMPORARY USES.....	63
9.24 HOME OCCUPATIONS .....	63
9.25 CORNER LOTS .....	64
9.26 DOUBLE FRONTING LOTS .....	64
9.27 SOLAR ENERGY COLLECTION SYSTEMS.....	65
9.28 WIND ENERGY CONVERSION SYSTEMS (MICRO) .....	65
9.29 TOURIST HOMES .....	65
<b>PART 10. LAND USE DISTRICTS .....</b>	<b>66</b>
10.1 ESTABLISHMENT OF LAND USE DISTRICTS .....	67
10.2 BOUNDARIES .....	67
<b>PART 11. RESIDENTIAL DISTRICT R1.....</b>	<b>68</b>
11.1 PURPOSE.....	69
11.2 PERMITTED USES.....	69
11.3 DISCRETIONARY USES .....	69
11.4 SUBDIVISION REGULATIONS.....	69
11.5 DEVELOPMENT REGULATIONS .....	69
<b>PART 12. INSTITUTIONAL CAMP DISTRICT IC.....</b>	<b>71</b>
12.1 PURPOSE.....	72
12.2 PERMITTED USES.....	72
12.3 DISCRETIONARY USES .....	72
12.4 SUBDIVISION REGULATIONS.....	72
12.5 DEVELOPMENT REGULATIONS.....	72
<b>PART 13. UNSUBDIVIDED COTTAGE DISTRICT UC.....</b>	<b>73</b>
13.1 PURPOSE.....	74

13.2 PERMITTED USES.....	74
13.3 DISCRETIONARY USES .....	74
13.4 SUBDIVISION REGULATIONS.....	74
13.5 DEVELOPMENT REGULATIONS.....	74
<b>PART 14. PARKS AND RESERVES DISTRICT PR.....</b>	<b>76</b>
14.1 PURPOSE.....	77
14.2 PERMITTED USES.....	77
14.3 DISCRETIONARY USES .....	77
14.4 SUBDIVISION AND DEVELOPMENT REGULATIONS .....	77
<b>PART 15. DIRECT CONTROL DISTRICT DC.....</b>	<b>78</b>
15.1 PURPOSE.....	79
15.2 PERMITTED USES.....	79
15.3 DISCRETIONARY USES .....	79
15.4 SUBDIVISION REGULATIONS.....	79
15.5 DEVELOPMENT REGULATIONS.....	79
<b>PART 16. INACTIVE LANDFILL DEVELOPMENT SETBACK OVERLAY .....</b>	<b>81</b>
16.1 PURPOSE.....	82
16.2 REGULATIONS.....	82
<b>PART 17. LAND USE DISTRICT MAP.....</b>	<b>83</b>
<b>APPENDIX A – ESRD GUIDELINES.....</b>	<b>85</b>

# **Guide to Using the Land Use Bylaw**



The Land Use Bylaw (LUB) establishes regulations for how land can be developed within the Summer Village of Golden Days. Regulations vary depending on the location and type of development. A development permit must be obtained prior to any new construction, structural renovations, opening of a new business and/or changing the use of an existing building. Development permits provide municipal approval for the use of land and well as the placement, size and location of new buildings or structures. In addition to the LUB, other bylaws, regulations and policies of the Summer Village of Golden Days, Provincial and Federal governments must also be followed.

The following steps may assist the user of the Land Use Bylaw:

<b>LOCATE</b>	<p>Locate the subject property on the Land Use Districts Map in Part 15.</p> <p>This map divide the Summer Village into five different land use districts. Take note of which land use district the subject property is located in. Note that land use districts are often referred to as “Zones” or “Zoning.”</p> <p>In order to conform to the language of the <i>Municipal Government Act</i>, this Land Use Bylaw uses the terms “district” and “districting.”</p>
<b>CHECK</b>	<p>Check the Table of Contents and locate the land use district you are interested in. Each land use district is listed in Part 10. In each land use district you will find a list of permitted and discretionary uses, subdivision regulations, development regulations and other miscellaneous regulations. This determines how and what can be developed in any given land use district. There are definitions in Part 2 that should also be consulted to ensure that words and terms used in the Land Use Bylaw are understood.</p>
<b>REVIEW</b>	<p>Review the Table of Contents to see if there are any regulations that apply to the situation or use in question. For example, Part 9 contains general and specific regulations affecting accessory buildings, recreational vehicles, sea cans, and guest houses, among many others.</p>
<b>DISCUSS</b>	<p>Discuss your proposal or concern with Summer Village Administration. Administration is trained and eager to assist you with your development, subdivision, or general inquiry issues and to explain procedures. They can also assist with other situations such as enforcement or a Land Use Bylaw amendments.</p>

Please note that this guide is only intended to assist users and does not form part of the Summer Village of Golden Days Land Use Bylaw.

## PART 1. Introduction

## 1.1 TITLE

1. The title of this Bylaw shall be the Summer Village of Golden Days Land Use Bylaw (Bylaw XXXXXX – Note: To be added when bylaw number is assigned).

## 1.2 REPEAL

1. The Summer of Village's previous Land Use Bylaw (Bylaw No. 254) and any amendments thereto are hereby repealed and shall cease to have effect on the day that this Land Use Bylaw comes into effect.

## 1.3 PURPOSE

The purpose of this bylaw is to prohibit, regulate, and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land, and for that purpose, among other things:

- a. to divide the municipality into land use districts;
- b. to prescribe and regulate for each land use district the purposes for which land and buildings may be used unless the district is designated as a Direct Control District pursuant to section 641 of the Municipal Government Act, R.S.A. 2000, c. M-26, as amended;
- c. to establish the office of Development Authority;
- d. to establish a method of making decisions on applications for development permits and issuing development permits;  
to provide the manner in which notice of the issuance of a development permit is to be given;
- e. to establish a system of appeals against the decisions of the Development Authority or Subdivision Authority;
- f. to establish the number of dwelling units permitted on a parcel of land;
- g. to protect the shoreline and water quality of Pigeon Lake; and
- h. to follow:
  - i. adopted statutory plans and watershed management plans;
  - ii. the Municipal Government Act, R.S.A. 2000, c.M-26, as amended;
  - iii. the Subdivision and Development Regulation, AR43/2002, as amended; and
  - iv. the Provincial Land Use Policies (or, where applicable, a regional plan adopted under the Alberta Land Stewardship Act, S.A. 2009, c. A-26.8, as amended).

## 1.4 APPLICATION

1. The regulations of this Land Use Bylaw apply to all land and buildings within the boundaries of the Summer Village of Golden Days.

## 1.5 CONFORMITY

1. No person shall commence any subdivision or development unless it is in accordance with the terms and conditions of this Land Use Bylaw.

## 1.6 COMPLIANCE

1. Compliance with the requirements of this bylaw does not exempt a person from:
  - a. the requirements of any federal, provincial or municipal legislation; and

- b. complying with any easement, covenant, agreement or contract affecting the development.

## **1.7 SEVERABILITY**

1. It is the intention of the Council that each separate provision of this Bylaw shall be deemed independent of all other provisions.
2. If any provision of this Bylaw be declared invalid, that provision shall be severed and all other provisions of the Bylaw shall remain in force and effect.

Draft 11 March 2022

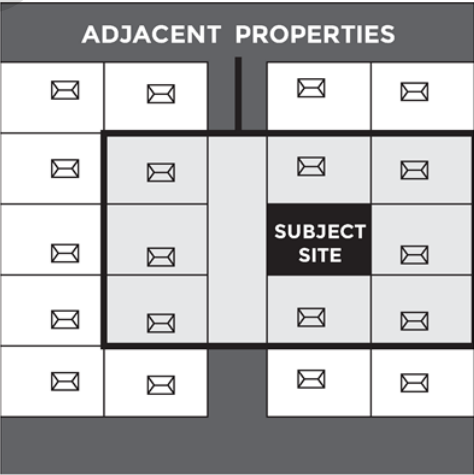
## PART 2. Interpretation

## 2.1 MEASUREMENTS

1. The metric measurement shall take precedence for the purposes of interpretation of this Land Use Bylaw.
2. The imperial measures are approximate and are provided only for information.
3. Unless specified elsewhere in this Land Use Bylaw, measurements shall be rounded to the tenth decimal place.
4. Notwithstanding 2.1.3, measurements shall not be rounded up for the purpose of determining minimum side widths on a lot.

## 2.2 DEFINITIONS

1. In this Land Use Bylaw:

1. ABUT	means immediately contiguous to, or physically attaching to, and when used in respect of a parcel, means that the parcel physically touches upon another parcel and shares a property line with it.
2. ACCESSORY BUILDING	means a building separate and subordinate to the main principal building, including, but not limited to, garages, storage sheds or storage buildings for boats and other equipment.
3. ACCESSORY USE	means a use of land or a building which is subordinate to and is normally incidental to any use of land or use of the principal building lawfully occurring on a site.
4. ACT	means the <i>Municipal Government Act</i> , R.S.A. 2000 c. M—26 as amended.
5. ADJACENT LAND	<p>means land that is contiguous to a particular parcel of land and includes:</p> <ol style="list-style-type: none"> <li>a. land that would be contiguous if not for a highway, road, road, lane, walkway, watercourse, utility lot, pipeline right-of-way, power line, railway, or similar feature; and</li> <li>b. any other land identified in this Bylaw as adjacent for the purpose of satisfying Section 5.6 of this Bylaw.</li> </ol> 
6. AGRICULTURAL OPERATION	means an agricultural operation as defined in the Agricultural Operation Practices Act, R.S.A. 2000, c. A-7, as amended.
7. ALBERTA CLEAN RUNOFF ACTION GUIDE	means the most current guide created by the Pigeon Lake Watershed Association in partnership with the Alberta Low Impact Development Partnership to encourage lake-friendly development and landscaping to minimize runoff.
8. AQUIFER	Refers to a sub-surface layer or layers of porous rock which hold water within the spaces between the rocks (interstitial spaces).
9. ARBORIST REPORT	Means a report prepared by a certified arborist includes an inventory of the trees on the site and identifies a plan to manage the trees on the site to best preserve their health and function.
10. BACK LOT	See “Lot, Back”

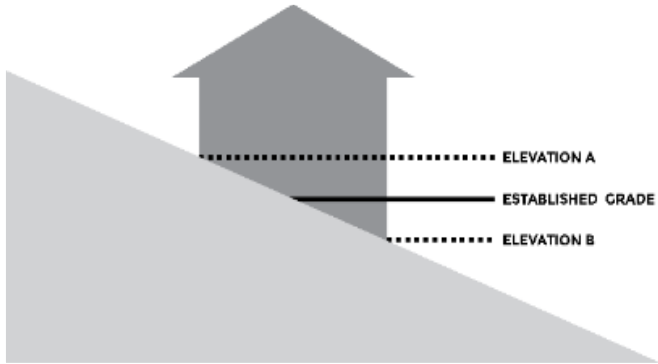
11. BASEMENT	means the portion of a building which is wholly or partially below grade, having above grade no more than 1.8 m (5.9 ft.) of its clear height which lies below the finished level of the floor directly above.
12. BED AND BREAKFAST ESTABLISHMENT	means a home occupation within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of three (3) bedrooms, with or without meals, are provided for remuneration to members of the public.
13. BED AND SHORE	means the bed and shore of a body of water shall be the land covered so long by water as to wrest it from vegetation or as to mark a distinct character on the vegetation where it extends into the water or on the soil itself" as per Section 17(3) of the <i>Surveys Act</i> .
14. BUFFER	means a row of trees, shrubs, berm(s), or fencing to provide visual screening and separation between sites and incompatible land uses.
15. BUILDING	includes anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge that forms part of a highway or road.
16. BUNKHOUSE	means an accessory building offering basic sleeping accommodations for guests of the primary residents of the lot, and does not include washroom or cooking facilities.
17. CANOPY	means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun.
18. CARPORT	means a roofed structure used for storing or parking of not more than two private vehicles which has not less than 40% of its total perimeter open and unobstructed.
19. CHATTEL	means a moveable item of personal property.
20. CLEAR WIDTH	Is the minimum distance between side yard property lines where the main principal building is located.
21. COMMERCIAL USE	means a development without a residential component through which products, services, or entertainment are available to consumers, whether the general public or other commercial establishments, and is not developed as a home business.
22. COUNCIL	means the Council of the Summer Village of Golden Days.
23. DEVELOPMENT	<p>means:</p> <ul style="list-style-type: none"> <li>a. an excavation or stockpile and the creation of either of them; or</li> <li>b. a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land; or</li> <li>c. a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or Building; or</li> <li>d. a change in the intensity of use of land or a building or an action done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building; or</li> <li>e. redevelopment of a previously developed parcel of land; or</li> <li>f. removal or demolition of a building or structure in whole or in part; or</li> <li>g. vegetation removal; or</li> <li>h. tree removal; or</li> <li>i. stripping; or</li> <li>j. grading; or</li> </ul>

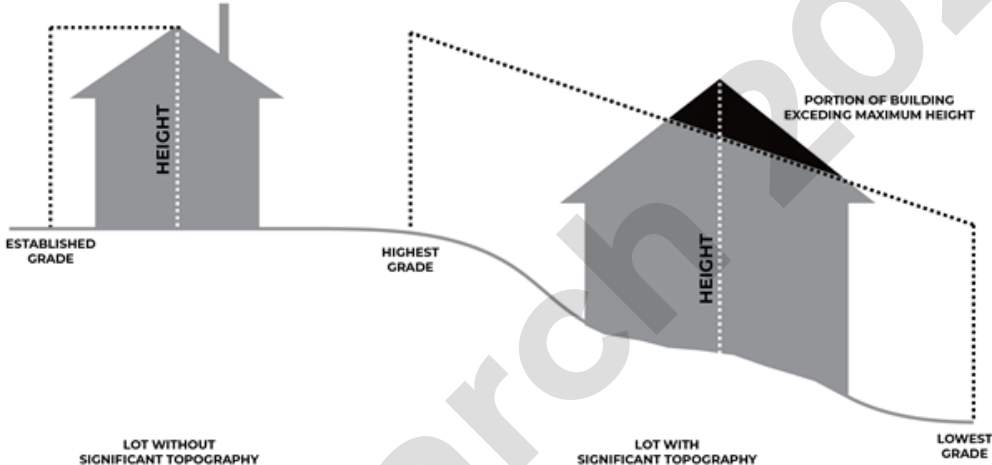
	<ul style="list-style-type: none"> <li>k. recontouring; or</li> <li>l. a change of use of land or a building that alters natural drainage patterns; or</li> <li>m. without restricting the generality of the foregoing, also includes: <ul style="list-style-type: none"> <li>i. in the case of a lot used for residential purposes, alterations made to a building or an additional building on the lot whether or not the building is a dwelling or part of a dwelling unit;</li> <li>ii. in the case of a lot used for other than residential purposes, alterations or additions made to a building on the lot or a use of the lot which would increase either the capacity of the building or the intensity of use of the lot;</li> <li>iii. the display of advertisements or signs on the exterior of a building or on any land;</li> <li>iv. the deposit of earth, debris, waste materials, refuse, or any other material on any land; including land already being used for that purpose, or if the natural topography or drainage is altered;</li> <li>v. any increase in the number of households occupying and living in any building or on any site, and any construction or alterations or additions which would provide for an increase in the number of households which could occupy and live in any building or on any site, including any increase in the number of dwelling units in a building or on a site;</li> <li>vi. the placing of refuse or waste material on any land;</li> <li>vii. the recommencement of the use to which land or a building has been previously put if that use has been discontinued for a period of more than six months;</li> <li>viii. the use of land for the storage or repair of motor vehicles or other machinery or equipment;</li> <li>ix. the continued use of land or of a building for any purpose for which it is being used unlawfully when this Bylaw comes into effect;</li> <li>x. the demolition or removal of a building;</li> <li>xi. the placement of an already constructed or a partially constructed building on a parcel of land;</li> <li>xii. the use of land for the parking of recreational vehicles, trailers, guest house suites, portable dwellings, skid shacks, or any other type of portable building whatsoever, whether or not the same has been placed or affixed to the land in any way;</li> <li>xiii. the removal of topsoil from land;</li> <li>xiv. the use of land for storage purposes or for the repair of equipment, vehicles or other kinds of machinery;</li> <li>xv. the installation of any type of sewage disposal system including but not limited to holding tanks; or</li> <li>xvi. the digging of a well or installation of a water cistern.</li> </ul> </li> </ul>
24. DEVELOPMENT, MAJOR	means a development that has regional significance due to the size, economic value, or the potential impacts to local infrastructure (transportation, municipal water, wastewater, or stormwater) generated in part or in whole by the development.
25. DEVELOPMENT AUTHORITY	means the Development Authority established by this Land Use Bylaw and as appointed by Council.
26. DEVELOPMENT OFFICER	means the person(s) appointed to the office of Development Officer (or, Development Officer), as established by this bylaw.

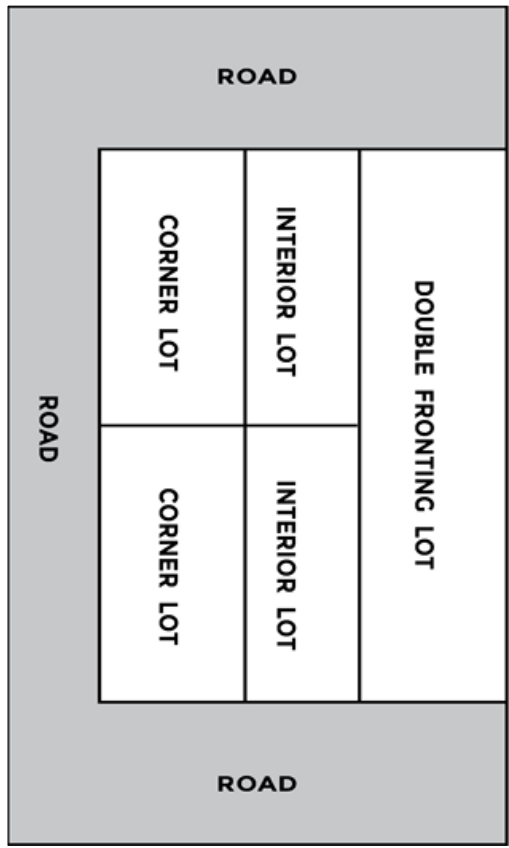


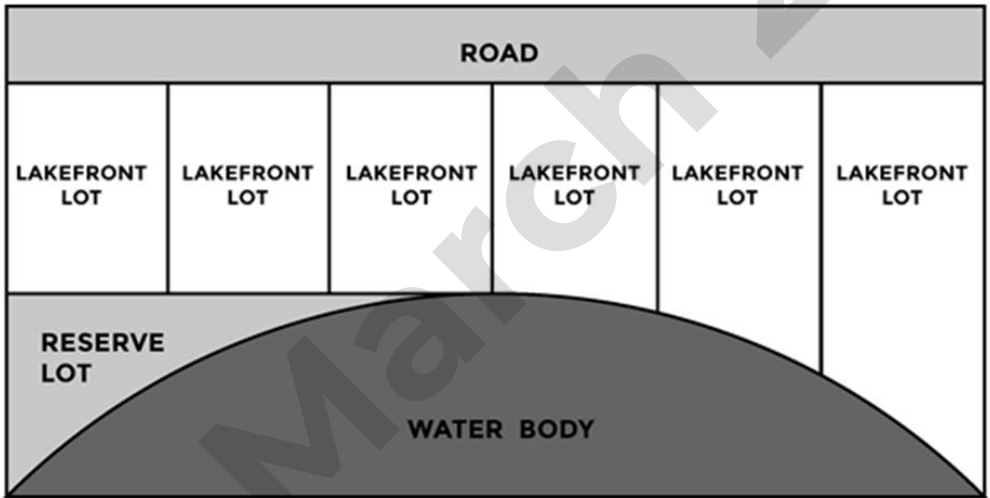
27. DEVELOPMENT PERMIT	means a document authorizing a Development issued pursuant to this Bylaw.
28. DISCRETIONARY USE	means the use of land or a building provided for in this bylaw for which a development permit may or may not be issued, at the discretion of the Development Authority. Discretionary uses are listed in the land use districts in which they may be considered.
29. DRAINAGE	means the process or system by which natural run off water flows away.
30. DWELLING	means any building used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level. This definition shall include single detached dwellings and modular dwellings.
31. DWELLING, MANUFACTURED HOME	means a dwelling, constructed with a chassis or related assembly that allows for the permanent or temporary attachment of a hitch and assembly to enable relocation of the dwelling, and further, which conforms to the Canadian Standards Association A277 and Z-240 Standards (or subsequent CSA Standards).
32. DWELLING, MODULAR HOME	means a single detached dwelling constructed in large sections, away from the home site, and under controlled conditions, and which appears indistinguishable in design and finish from a site built dwelling. It does not refer to a type of dwelling but rather to a method of construction. A modular dwelling is not considered a park model or a manufactured home.
33. DWELLING, MULTI-UNIT	means a development containing two or more dwelling units, and includes residential uses such as duplexes, triplexes, and apartment buildings.
34. DWELLING, SINGLE DETACHED	means a building consisting of one (1) dwelling unit. A single detached dwelling is a dwelling which is normally constructed on-site. However, a single detached dwelling may be constructed in pieces offsite, or even in one piece, with the piece(s) being transported to the site for assembly on-site, and thus may be a modular dwelling. Single detached dwellings do not include manufactured home dwellings, guesthouses, or recreational vehicles.
35. DWELLING, TINY HOME	means a dwelling that is 37.2 m <sup>2</sup> (400.0 ft <sup>2</sup> ) or less in floor area, whether on wheels or a temporary or permanent foundation.
36. DWELLING UNIT	means a complete dwelling or self-contained portion of a dwelling, or a set or suite of rooms which contains sleeping, cooking and separated or shared toilet facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for a household, and which is not separated from direct access to the outside by another separate dwelling unit.
37. EASEMENT	means a right to use land, generally for access to other property or as a right-of-way for a public utility.
38. EASEMENT, ENVIRONMENTAL RESERVE	means an environmental reserve easement as determined in accordance with the Act.
39. EDUCATION SERVICE	means the assembly for education, training, or instruction.
40. ENVIRONMENTALLY SENSITIVE AREA	Means: <ul style="list-style-type: none"> <li>a. Hazardous lands and areas that are unsuitable for development in their natural state (i.e. floodplains, steep and unstable slopes);</li> <li>b. Areas that perform a vital environmental, ecological or hydrological function (i.e. aquifer or recharge groundwater storage areas);</li> </ul>

	<ul style="list-style-type: none"> <li>c. Areas that contain unique geological or physiological features;</li> <li>d. Areas, buildings or features that are important for cultural, historical, prehistoric or archeological reasons;</li> <li>e. Areas that contain significant rare or endangered animal or plant species;</li> <li>f. Areas containing unique habitats with limited representation in the region or small remnants of previously abundant habitats which have virtually disappeared;</li> <li>g. Areas that contain large, relatively undisturbed habitats and provide shelter for species that are intolerant of human disturbance;</li> <li>h. Areas that provide an important link for the natural migration of wildlife; and/or</li> <li>i. Riparian areas of water bodies, wetlands and watercourses.</li> </ul>
41. ENVIRONMENTALLY SIGNIFICANT AREA	ESAs are generally defined as areas that are important to the long-term maintenance of biological diversity, physical landscape features and/or other natural processes, both locally and within a larger spatial context. ESAs are determined by the Government of Alberta as per the criteria and evaluation matrix outlined in <i>Environmentally Significant Areas in Alberta: 2014 Update</i> .
42. EROSION AND SEDIMENT CONTROL PLAN	Means a plan that satisfies the requirements of the Development Authority, which is to be provided to the contractor for implementation to address erosion and sedimentation issues both through temporary measures during construction and permanent measures to address post-construction conditions. It provides details about how the site will be managed during construction for the preservation of vegetation, top soils, and municipal infrastructure and must detail how noise, erosion, mud, and sediment transport will be controlled and minimized, how the disturbance of vegetation and topography will be minimized.
43. EXCAVATION	means any breaking of ground, except common household gardening and ground care.
44. EXISTING	means existing on the date on which this bylaw comes into force, unless otherwise noted.
45. EXTERIOR WALL	means the outermost point of a building projection, including, but not limited to, bay windows, oval windows, chimneys and verandas, but not including roof overhangs less than 0.6 m (2.0 ft.).
46. FENCE	means a physical barrier constructed from typical building material for the purpose of providing aesthetic decoration, visual screening, sound abatement, or to prevent unauthorized access.
47. FIREWALL	means a type of fire separation of non-combustible construction which subdivides a Building or separates adjoining Buildings to resist the spread of fire and which has a fire-resistance rating as prescribed in the Alberta Building Code and has structural stability to remain intact under fire conditions for the required fire-rated time.
48. FIRST STOREY	<p>means the lowermost storey having its floor level not more than 2.0 m (6.6 ft.) above grade. A basement does not constitute the first storey as long as the floor level above it is consistent with this definition.</p> <p>The Development Authority may, at its discretion, determine that a floor level that is mostly recessed below grade, but is at-grade in a localized area due to sloping of the land is a walk-out basement, and in this circumstance the floor level above the walk out basement can be considered the first storey even though it is more than 2.0 m (6.6 ft.) above grade at the localized, walk-out area of the basement.</p>
49. FLOOR AREA	means the area of all finished floors at or above grade, measured from the inside of the exterior walls.
50. FLOOR AREA, GROSS	means the total area of all floors of all buildings on a site above grade within the outside surface of exterior walls or within the glass line of exterior walls and the centreline of firewalls, but not including the floor area of basements, attached garages, accessory buildings, open porches or breezeways.

51. FOUNDATION	means the lower portion of a building and includes the footings which transfer the weight of and loads on a building to the ground. Though normally below grade, a foundation may be above or at grade.
52. FRAGMENTED PARCEL	means a parcel of land that is separated from the balance of a titled area by a natural barrier such as a water body or a coulee, or by a physical barrier such as a road or highway, either of which may prohibit reasonable or normal access.
53. FRONT	for a lakefront lot, "front" means the side facing or closest to the lake where the lot abuts the lake or a reserve parcel that abuts the lake, and for a lot that does not abut the lake, "front" means the side facing a public road.
54. GARAGE	means an accessory building or part of a main principal building designed and used primarily for the storage of motor vehicles, recreational vehicles, and/or boats, and other chattel and is not intended to be occupied.
55. GARDEN/STORAGE SHED	means an accessory building used for storage that does not exceed 15m <sup>2</sup> (161 ft <sup>2</sup> ).
56. GEOTECHNICAL REPORT	Means a report prepared by a qualified professional that may include the following: <ul style="list-style-type: none"> <li>a. Slope stability, including slope setback distances, cross-sections of the slope area both before and after development and final grading (The height and existing angle of the slope verified by accurate historical survey data or site specific information completed by a qualified surveyor);</li> <li>b. Seasonally adjusted and recommended water tables;</li> <li>c. Location of on-site storage of sewage;</li> <li>d. Recommended building foundations and basement construction;</li> <li>e. Soil bearing capabilities.</li> </ul>
57. GRADE (OF A LOT)	means the existing undisturbed elevation of the property at its property line.
58. GRADE, BUILDING	for the purposes of determining building height means the average level at which the existing undisturbed ground intersects the building foundation.
59. GRADE, ESTABLISHED	<p>means the average of the highest (A) and lowest (B) elevation of finished surface of the ground where it meets the exterior main walls of a building or the average elevation of the finished grade of the ground immediately surrounding a structure, exclusive in both cases of any artificial embankment or entrenchment.</p> 
60. GRADE, FINISHED	means the local elevation of the ground after landscaping.
61. GRADING	means the recontouring or sloping of the land in such a way that surface drainage from rainstorms, snowmelt or groundwater is directed away from the buildings and is controlled in a manner that eliminates or minimizes the impact on adjacent properties.
62. GROSS FLOOR AREA	See "Floor Area, Gross."

63. GUEST HOUSE	<p>means a permanent building that contains sleeping accommodation and may have a bathroom and cooking facilities, but is not intended to be used as a principal dwelling.</p> <p>A guesthouse may be a standalone single storey structure or built above an accessory building, as an independent single storey space, subject to the provisions of this bylaw.</p>
64. HEIGHT	<p>means the vertical distance of a building measured from the average grade to the highest point of the building. The highest point of a building shall be determined without considering an elevator housing, stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a firewall, a parapet wall, a flagpole or similar device or feature not structurally essential to the building.</p> 
65. HISTORIC RESOURCE	<p>means a building, structure, or area designated by a municipal, provincial, or federal authority to be historically significance.</p>
66. HOME BUSINESS 67. HOME OCCUPATION, MAJOR	<p>means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling and/or within the accessory buildings associated with that dwelling by at least one permanent resident of said dwelling, and which may increase traffic circulation in the neighbourhood in which it is located. A home occupation does not change the character of the dwelling in which it is located or have any exterior evidence of secondary use other than a small sign as provided for in this Bylaw.</p> <p>Major home occupations may generate some external impacts on the neighborhood due to regular business activities. These impacts may include: traffic generation due to client visits to the site, dust, and noise due to use of equipment on the site, or visual impacts due to outdoor storage.</p>
68. HOME OCCUPATION, MINOR	<p>means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling, but not within any accessory buildings associated with that dwelling, by at least one permanent resident of said dwelling, and which does not increase traffic circulation in the neighbourhood in which it is located.</p> <p>A minor home occupation does not change the character of the dwelling in which it is located or have any exterior evidence of secondary use other than a small sign as provided for in this Bylaw.</p>
69. IMPERVIOUS SURFACE	<p>See “Non-permeable Surface.”</p>
70. INSTITUTIONAL USE	<p>means the use of land, buildings or other structures non-commercial public or social purpose. Uses include but are not limited to libraries and cultural exhibits, community halls, private institutional camps, information kiosks, memorials, and cemeteries, but do not include detoxification centres or remand and/or correction centres.</p>

71. INVASIVE SPECIES	Invasive species are non-native species that have been introduced, that threaten our ecosystems and biodiversity.
72. LANDSCAPING	<p>means the incorporation, preservation, modification or enhancement of vegetation and other materials on a site which are intended to improve the aesthetic appeal of the site, contribute to the character of a neighbourhood, and/or harmonize the site with its surrounding natural environment and may include the placement or addition of any or a combination of soft landscaping elements and/or hard landscaping elements.</p> <p>This does not include stripping, grading, shoreline modification, and architectural elements (i.e. decorative fencing, sculpture).</p>
73. LANDSCAPING ELEMENTS, HARD	means a non-permeable surface or landscaping element such as, but not limited to, ceramic, brick, stone, wood, concrete, marble excluding monolithic concrete and asphalt. Retaining walls, are also considered as hard landscaping elements.
74. LANDSCAPING ELEMENTS, SOFT	means vegetation such as, but not limited to, grass, hedges, ground cover, flowering plants, shrubs, trees, gardens, wood chips and may also include non-grass alternatives such as rock gardens that incorporate vegetation and xeriscaping.
75. LANDSCAPING PLAN	Means a site plan detailing the design of the non-building area of a site.
76. LEGAL BANK	means "the line where the bed and shore of the body of water cease and the line is to be referred to as the bank of the body of water" as per Section 17(2) of the <i>Surveys Act</i> . The legal bank in Alberta is the line separating the Crown-owned bed and shore from the adjoining upland.
77. LIVESTOCK	is as defined in the <i>Agricultural Operation Practices Act</i> .
78. LIVESTOCK OPERATION	is as defined in the <i>Agricultural Operation Practices Act</i> .
79. LOT	<p>means:</p> <ol style="list-style-type: none"> <li>a quarter section;</li> <li>a river lot or a lake lot shown on an official plan referred to in the <i>Surveys Act</i> that is filed or lodged in a land titles office;</li> <li>a settlement lot shown on an official plan referred to in the <i>Surveys Act</i> that is filed or lodged in a land titles office;</li> <li>a part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in the Certificate of Title other than by reference to a legal subdivision; or</li> <li>a part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in the Certificate of Title by reference to a plan of subdivision.</li> </ol>  <p>The diagram shows a rectangular area representing a lot or a section of land. It is bounded by a thick grey line labeled 'ROAD' on the top, bottom, and left sides. Inside this area, there are four smaller rectangular lots arranged in a 2x2 grid. The top-left lot is labeled 'CORNER LOT', the top-right lot is labeled 'INTERIOR LOT', the bottom-left lot is labeled 'CORNER LOT', and the bottom-right lot is labeled 'INTERIOR LOT'. To the right of this 2x2 grid, there is a larger rectangular area labeled 'DOUBLE FRONTING LOT'.</p>

80. LOT, BACK	Means a lot that is not lakefront.
81. LOT, CORNER	means a lot with boundary lines on two separate roads or highways or a single road or highway that curves at an angle of sixty (60) degrees or more at the subject lot. For the purposes of this definition, a road or highway shall include a lane.
82. LOT, DEPTH	means the average distance between front and rear property lines of a lot.
83. LOT, DOUBLE FRONTING	means a lot which abuts two (2) roads (except alleys or lanes as defined in the Traffic Safety Act, R.S.A. 2000, c. T-06, as amended) which are parallel or nearly parallel where abutting the lot, but does not include a corner lot.
84. LOT, INTERIOR	means a lot which is bordered by only one road.
85. LOT, LAKEFRONT	<p>means a lot adjacent to a water body or would be adjacent to a water body if not for a reserve lot or public/crown land parcel.</p> 
86. LOT, NOTATIONAL	means a portion of a property designed and intended to function similar to a planned lot within a residential land use district.
87. LOT, SUBSTANDARD	means any lot which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the land use district in which the lot is located.
88. LOT, UNDEVELOPED	means a lot which does not contain a residence, building or structure.
89. LOT GRADING AND DRAINAGE PLAN	Means a plan that specifies design elevations, surface gradients, swale locations, and other drainage information required for lot grading.
90. LOT WIDTH	means the length of a line parallel to the front property line or, in a lot with a curved front property line, perpendicular to a line running between the mid-point of the front property line and the mid-point of the rear property line, measured at a distance from the front property line equal to the minimum required front yard.
91. LOW IMPACT DEVELOPMENT (LID)	A land planning and engineering design approach for managing stormwater runoff. LID emphasizes conservation, the minimization of hard surfaces, and use of natural features and processes to replicate predevelopment hydrology in terms of rate, volume and quality. Both natural and engineered solutions are employed to prevent and manage runoff as close to its source as possible with a treatment-train approach using the processes of evaporation, transpiration, storage, infiltration and treatment. The term “green infrastructure” or “green stormwater infrastructure” or

	“natural/ engineered natural infrastructure” are sometimes used to refer to the constructed components of an LID approach.
92. MAINTENANCE	means the upkeep of the physical form of any building, which upkeep does not require a permit pursuant to the Safety Codes Act. Maintenance will include painting, replacing flooring, replacing roofing materials, and repair of any facility related to a development, but will not include any activity that will change the habitable floor area of any dwelling unit or the internal volume of any building.
93. MAY	is an operative word meaning a choice is available, with no particular direction or guidance intended.
94. MAIN BUILDING	See “Principal Building.”
95. MOVED-IN BUILDING	is a building or structure that is transported from another location. A moved-in building does not include a manufactured home dwelling or a recreational vehicle.
96. MUNICIPALITY	means the Summer Village of Golden Days, unless otherwise noted.
97. MUNICIPAL BUILDING AND USE	means a building or use owned, operated or predominantly utilized by a municipality in order to provide public services to the municipality.
98. NATURAL OPEN SPACE AREAS	means areas of protected or conserved land or water on which development is indefinitely set aside. The purpose of a natural open space area may include the preservation or conservation of a community’s natural or historic character; the conservation or preservation of a land or water area for the sake of recreational, ecological, environmental, aesthetic, or agricultural interests.
99. NATURAL STATE	Means a condition where the natural environment is left undisturbed, and where the only allowed development shall be limited to a walking trail with associated amenities such as benches, trash cans and fences to delineate the natural state area. The removal of existing tree cover shall be limited to the development of a walking trail and associated amenities.
100. NON-CONFORMING BUILDING	means a building: <ul style="list-style-type: none"> <li>a. that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or the land on which the building is situated becomes effective; and</li> <li>b. that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw.</li> </ul>
101. NON-CONFORMING USE	means a lawful specific use: <ul style="list-style-type: none"> <li>a. being made of land or a building or intended to be made of a building lawfully under construction at the date a land use Bylaw affecting the land or building becomes effective; and</li> <li>b. that on the date the land use Bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use Bylaw.</li> </ul>
102. NON-PERMEABLE SURFACE	means any man-made solid surface which does not allow the absorption of water into the ground at a pre-development rate, forcing it to run off. A non-permeable surface consists of materials such as (but not limited to) roofing materials, concrete, asphalt, unit pavers, and compacted gravel. Non-permeable surfaces are also know as impervious surfaces.
103. NUISANCE	means any use of or activity upon any property which in the opinion of a Designated Officer of the Summer Village, the Province of Alberta, or the Royal Canadian Mounted Police is dangerous to health, or has or may have a detrimental impact upon any person or other property in the neighbourhood, or which creates an unreasonable interference with the use or enjoyment of other property, and without limiting the generality of the foregoing, includes the posting or exhibiting of

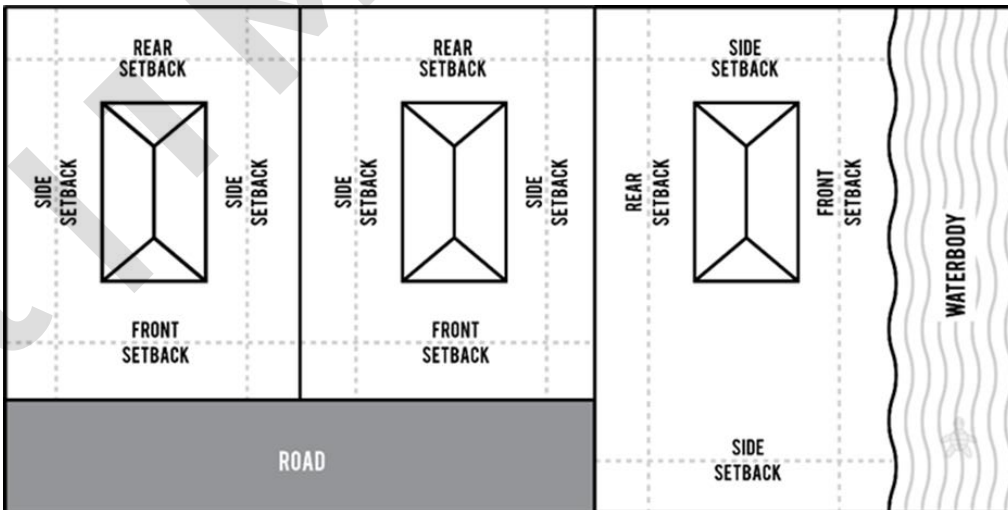


	posters, signs, billboards, placards, writings or pictures upon any fence or wall on any property, where the same are accumulated and become in a dilapidated and unsightly condition whether or not their posting or exhibiting is permitted by this or any other Bylaw.
104. OBJECTIONABLE	See "Offensive."
105. OCCUPANCY	means the use or intended use of a building or a part thereof for the shelter or support of persons or property.
106. OCCUPANT	means any person occupying or having control over the condition of any property and the activities conducted on the property, and includes the owner, lessee, tenant or agent of the owner.
107. OFFENSIVE	<p>means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of:</p> <ul style="list-style-type: none"> <li>a. noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter;</li> <li>b. radiation, fire or explosion hazard, heat, humidity, glare; or</li> <li>c. the unsightly storage of goods, materials, salvage, junk, waste or other materials.</li> </ul> <p>Such a use may adversely affects the amenities of the neighbourhood, or interfere with the normal enjoyment of any land, building or structure. An offensive or objectionable use may be further defined and/or regulated in a specific Community Standards bylaw of the Summer Village.</p>
108. ONE AND A HALF STOREY STRUCTURE BUILDING	means a building where the height of the second level cannot exceed 75% of the height of the main floor.
109. OWNER	<p>means:</p> <ul style="list-style-type: none"> <li>a. in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or</li> <li>b. in the case of any other land, the person shown as the owner of the lot on the current Certificate of Title.</li> </ul>
110. PARK MODEL	means a recreational vehicle conforming to Canadian Standards Association (CSA) standards or an equivalent, which may be mounted on a single chassis or wheels; which can be relocated from time to time; which has a maximum length of 12.8 m (42.0 ft.) and a maximum width of 3.66 m (12.0 ft.), excluding all extensions, pull outs, tip outs, etc.
111. PARKING AREA	means the area set aside for the storage and/or parking of vehicles and include parking stalls, loading spaces, aisles, entrances and exits to the parking area, and traffic islands where they are part of the parking area. A parking area may be within a building.
112. PARKING, OFF-SITE	means an area for the parking vehicles that is located on a lot and not on a highway or road, or the right-of-way for a highway or road.
113. PARKING STALL	means a designated space for the parking of one (1) vehicle in a parking area.
114. PERMEABLE SURFACE	means a natural or man-made surface which allows the absorption of water into the ground (vegetation, soil, etc.) at a pre-development rate to recharge the water table. Permeable surfaces allow for the absorption of water into the ground and minimizes runoff (e.g., vegetated areas, flower beds, grass, gravel, etc.). Permeable surfaces are also known as porous or pervious surfaces.
115. 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 upon application having been made, provided that all of the regulations of this Bylaw have been met to the satisfaction of the Development Authority.



116. PRINCIPAL BUILDING	means a building in which, in the sole opinion of the Development Authority, the main or principal use of the lot on which it is erected is conducted. There shall only be one principal building on a site.
117. PRINCIPAL USE	means the use which, in the sole opinion of the Development Authority, is the main or principal use of the lot on which the use is located.
118. PRIVATE INSTITUTIONAL CAMP	means social, educational, or recreational activities of members of an institutional, philanthropic, athletic, commercial, or non-profit organization, or their guests. Private institutional camps may include bathrooms and cooking facilities, as well as facilities for sleeping, assembly, instruction, recreation, and assembly purposes for campers or groups affiliated with the organization that owns and operates the facility.
119. PROPERTY LINE	means the legal perimeter demarcation as indicated by an Alberta Land Surveyor or on a real property report prepared by an Alberta Land Surveyor.
120. PROPERTY LINE, FRONT	means the boundary line of a lot lying adjacent to a highway or road. In the case of a corner lot, the shorter of the two boundary lines adjacent to the highway or road shall be considered the front property line.
121. PROPERTY LINE, REAR	means the boundary line of a lot lying opposite to the front property line of the lot and/or farthest from a highway or road.
122. PROPERTY LINE, SIDE	means the boundary line of a lot lying between a front property line and a rear property line of a lot. In the case of a corner lot, the longer of the two boundary lines adjacent to the road shall be considered a side property line.
123. PUBLIC OR QUASI-PUBLIC BUILDING	means a building which is owned or leased by a department or agency of the federal or provincial government, or the municipality for purposes of public administration and services and shall also include a building for the purpose of assembly, instruction, culture or enlightenment, or for community activities.
124. PUBLIC OR QUASI-PUBLIC USE	means a use undertaken by a department or agency of the federal or provincial government, or the municipality, for public administration and services and shall also include uses for the purpose of assembly, instruction, culture or enlightenment, or for community related activities.
125. PUBLIC PARK	means an outdoor area accessible to the public where passive and active recreation activities may take place, and which may include the placement of recreational equipment.
126. PUBLIC UTILITY	means a public utility, as defined in the Act.
127. RECREATION, OUTDOOR	means lands used for recreational activities which are primarily conducted outdoors and which utilize tracts of land and may or may not require facilities or structures. Typical uses include, but are not limited to active transportation trails and paths, sports fields, basketball and tennis courts, and playgrounds. Outdoor recreation facilities do not include outdoor motorized vehicle recreation, or recreational vehicle parks.
128. RECREATIONAL VEHICLE	A recreational vehicle may be, but is not limited to, a tent trailer, travel trailer, park model trailer, truck camper, or motor home. A recreational vehicle is not a dwelling.
129. RECONTOURING	means the addition or removal of soil (or other material) on a parcel of land that alters its natural topography to promote a building site and/or to create an aesthetically appealing area.
130. RENOVATION	means an addition to, deletion from, or change to any building which does not require a permit other than a plumbing, gas or an electrical permit pursuant to the Safety Codes Act, R.S.A. 2000, c. S-01, as amended.

131. RESERVE	means a parcel of land owned and subject to the management of the municipality and reserved for use as natural environment preservation areas, walkways or parks and playgrounds separating areas used for different purposes, and registered at an Alberta Land Titles Office as reserve, environmental reserve, or municipal reserve parcels.
132. RESERVE, COMMUNITY SERVICES	means land designated Community Services Reserve (CSR) that may be used for community services (e.g. library, fire station, etc.), pursuant to the Act.
133. RESERVE, CONSERVATION (CR)	<p>means land designated Conservation Reserve (CR) at time of subdivision pursuant to the Act, that:</p> <ul style="list-style-type: none"> <li>a. in the opinion of the subdivision authority, the land has environmentally significant features;</li> <li>b. The land is not land that could be required to be provided as environmental reserve;</li> <li>c. The purpose of taking the conservation reserve is to enable the municipality to protect and conserve the land; and</li> <li>d. The taking of the land as conservation reserve is consistent with the municipality's municipal development plan and area structure plan.</li> </ul> <p>The municipality must pay compensation to the landowner in an amount equal to the market value of the land at the time the application for subdivision approval was received by the subdivision authority.</p>
134. RESERVE, ENVIRONMENTAL (ER)	<p>means land designated Environmental Reserve (ER) pursuant to the Act, when a subdivision occurs in an area where some of the land is undevelopable due to environmental factors. Lands designated as "Environmental Reserve" are lands designated at time of subdivision that are left in a natural state or may be used as a public park. Lands may be designated as "Environmental Reserve" if they consist of the following:</p> <ul style="list-style-type: none"> <li>a. a swamp, gully, ravine, coulee or natural drainage course,</li> <li>b. land that is subject to flooding or is, in the opinion of the subdivision authority, unstable, or</li> <li>c. a strip of land, not less than 6 metres in width, adjacent to the bed and shore of any body of water.</li> </ul> <p>Environmental Reserves are primarily used to establish development setbacks from water bodies and watercourses to prevent development from occurring too close to the shoreline.</p>
135. RESERVE - ENVIRONMENTAL RESERVE EASEMENT (ERE)	means lands that would normally be taken as Environmental Reserve at the time of subdivision may instead be the subject of an Environmental Reserve Easement pursuant to the Act. The lands are owned by the landowner and not the municipality; however, the lands subject to the ERE must remain in a natural state as if they were owned by the municipality and the ERE may be enforced by the municipality.
136. RESERVE, MUNICIPAL (MR)	means land owned by the Summer Village and designated as Municipal Reserve (MR) as defined under the Act. Municipal Reserve land does not include Environmental Reserve (ER) or School Reserve (SR) as defined in the Act. Lands designated as Municipal Reserve are lands designated at time of subdivision for schools, parks and public recreation purposes.
137. RESERVE, MUNICIPAL AND SCHOOL (MSR)	means land designated Municipal and School Reserve (MSR) that may be used for municipal and school purposes, pursuant to the Act.
138. RESERVE, SCHOOL (SR)	means land designated School Reserve (SR) that may be used for school purposes, pursuant to the Act.

139. RESIDENTIAL USE	means the occupation and use of land and buildings as dwellings, whether on a seasonal or year-round basis.
140. RETAINING WALL	means a structure designed and constructed to resist the lateral pressure of soil, loose rock, or similar material, which creates a change to site grades.
141. RIPARIAN AREA	means the transitional areas between upland and aquatic ecosystems. They have variable width and extent above and below ground and perform various functions. These lands are influenced by and exert an influence on associated water bodies, including alluvial aquifers and floodplains. Riparian lands usually have soil, biological, and other physical characteristics that reflect the influence of water and hydrological processes.
142. ROAD	means land: <ul style="list-style-type: none"> <li>a. shown as a road on a plan of survey that has been filed or registered in an Alberta Land Titles Office; or</li> <li>b. used as a public road; and includes a bridge forming part of a public road and any structure incidental to a public road.</li> </ul>
143. RUNOFF	refers to water that moves over the surface of the ground. Runoff collects sediments and contaminants as it moves from higher elevations to lower elevations.
144. SAFETY CODES OFFICER	means an individual certified as a Safety codes officer under section 27 of the <i>Safety Codes Act</i> .
145. SEA CAN	means a shipping container which is used as a storage vault and includes sea/land/rail shipping containers.
146. SETBACK	<p>Means the minimum distance from a building to property lines, water body or water course. The distance is typically measured from the closest approach between the building foundation at finished grade and the property line or the legal bank of the water body or watercourse.</p> 
147. SHALL	is an operative word which means the action is obligatory.
148. SHORELINE	means the line of the bed and shore of a water body.
149. SHORELINE MODIFICATION	means any activity, modification, alteration that alters the shoreline including but not limited to placing sand, removing rocks and vegetation, tilling, armouring with rip rap or vegetative rip rap, constructing retaining walls or other permanent structures such as piers, groins, and docks.

150. SHOULD	is an operative word which means that, in order to achieve local goals and objectives it is strongly advised that the action be taken. Exceptions shall be made only under extenuating circumstances.
151. SHRUB	means plant species with woody stems that are distinguished from trees by their lower stature and multiple stems, and may be native or horticultural.
152. SINGLE DETACHED DWELLING	See "Dwelling, Single Detached."
153. SIGN	means any word, letter, model, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction and its supporting structure.
154. SIMILAR USE	means a use which, in the opinion of the Development Authority, closely resembles another specified use with respect to the type of activity, structure and its compatibility with the surrounding environment.
155. SITE	means a lot or parcel on which a development exists or for which an application for a development permit is made.
156. SITE BUILT	means a building that is constructed primarily on its site. Although some components may be prefabricated off-site, the building is erected, framed, and finished on location using stock materials.
157. SITE, CORNER	means a part of a lot adjacent to two separate roads or lanes, or any combination of them, or adjacent to a single road or lane that curves at an angle of sixty (60) degrees or more at the subject lot. The corner site shall be the triangular area formed by the intersecting road or lane right-of-way boundary lines and a straight line joining points on the road or lane right-of-way boundary line a distance of 6.0 m (19.7 m) from their intersection.
158. SITE COVERAGE	means the combined area of all buildings of the lot, measured at ground level, including but not limited to, porches and verandas, open or covered, but excluding open and enclosed terraces at grade, steps, cornices, eaves and similar projections.
159. SITE PLAN	means a plan drawn to scale showing the boundaries of the lot, the location of all existing and proposed buildings upon that lot, and the use or the intended use of the portions of the lot on which no buildings are situated, and showing fencing, screening grassed areas, and the location and species of all existing and proposed shrubs and trees within the development.
160. SOLAR ENERGY COLLECTION SYSTEM	means the complete system required to convert solar rays into useable electricity for private use, including solar panels, mounting equipment and additional required conversion electronics.
161. STAFF RESIDENCE	means a dwelling unit for the occupancy of the owner, operator, caretaker or other essential administrative and operational personnel and which is accessory to an approved development on the lot.
162. STOREY	means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.
163. STORMWATER MANAGEMENT PLAN (SWMP)	means a plan prepared by a qualified professional that outlines the design and implementation of systems that mitigate and control the impacts of man-made changes to the runoff and other components of the hydrologic cycle. Stormwater management plans should include design considerations to minimize flooding, erosion, and impacts on groundwater, water bodies and watercourses. SMWPs must include: <ul style="list-style-type: none"> <li>a. Topography;</li> </ul>

	<ul style="list-style-type: none"> <li>b. Proposed plan to control runoff;</li> <li>c. Proposed minor drainage system (ditches/pipes/catch basin locations/flow rate);</li> <li>d. Proposed major drainage systems (direction of surface drainage/flow rate);</li> <li>e. Proposed on-site detention/retention facility (location/size/capacity);</li> <li>f. Location of outflow/outfall structures;</li> <li>g. Any related modeling and calculation information; and</li> <li>h. Conform with approved master drainage plans.</li> </ul>
164. STRIPPING	means the removal of some or all vegetation and topsoil on lot in preparation for construction activities.
165. SUBDIVISION AUTHORITY	means a subdivision authority established and appointed pursuant to a Summer Village Bylaw and the Act.
166. SUBDIVISION AND DEVELOPMENT APPEAL BOARD	means the Subdivision and Development Appeal Board established by the Council in accordance with the Subdivision and Development Appeal Board Bylaw adopted pursuant to the Act.
167. SUBSTANDARD LOT	See "Lot, Substandard"
168. SUMMER VILLAGE ADMINISTRATOR	is the Chief Administrative Officer of the Summer Village of Golden Days named by Council.
169. TEMPORARY	means a period of time up to one year, or a period of time determined by the Development Authority.
170. TEMPORARY USE	means a use that has been allowed to be located and/or operate for a limited time only.
171. TOURIST HOME	<p>means a dwelling (or a portion of a dwelling) operated as a temporary place to stay for compensation (less than 1 month in duration). An example of a tourist home is a dwelling (or portion of a dwelling) advertised for short term rental on a website such as Airbnb).</p> <p>For the purposes of this bylaw, a tourism home does not include bed and breakfasts.</p> <p><b>NOTE: FLAGGED FOR ENGAGEMENT (RE: AIRBNB)</b></p>
172. TRAILER	means a licensed portable vehicular structure enclosed or unenclosed, that is designed to be attached to or drawn by a motor vehicle and to transport property, household goods, tools, equipment, supplies, off-highway vehicles, etc. For the purposes of this definition, a recreational vehicle is not a trailer.
173. TREE	means a woody perennial plant, either deciduous or coniferous, that typically has a single self-supporting trunk and in most species the trunk produces secondary limbs, called branches.
174. TREE REMOVAL	means the cutting down and/or removal of trees or shrubs other than for commercial logging. This does not include the removal of dead trees or shrubs, or selective management by a qualified arborist to maintain tree stand health and remove hazards.
175. UNDEVELOPED LOT	See "Lot, Undeveloped"
176. USE	means the purpose or activity for which a site, a parcel of land, or a lot and any buildings located on it are designed, arranged, developed, or intended, or for which it is occupied or maintained.

177. UTILITY	means a building, system or works to provide water, steam, sewage disposal, transportation, irrigation, drainage, fuel, electric power, heat, waste management, and telecommunications, for public consumption, benefit or use.
178. VEGETATION	means non-invasive plant species that are native and/or appropriate for the relevant plant hardiness zone and are: <ul style="list-style-type: none"> <li>a. Structurally sound, well-balanced, healthy and vigorous;</li> <li>b. Of normal growth habits; and/or</li> <li>c. Densely foliated when in leaf, with a healthy, well developed root system.</li> </ul>
179. VEGETATION, NATIVE	means those plant species that are indigenous to a particular region. They have adapted over time in association with landscape and climate.
180. VEHICLE, HEAVY	means any vehicle, with or without a load, that exceeds a maximum gross vehicle weight of 4,500 kg (10,080 lbs.) or higher, or a bus with a designated seating capacity of more than ten (10). Heavy vehicles do not include recreational vehicles.
181. WASTEWATER	means the composite of water and water-carried sewage or waste from a premise or any other source.
182. WATER BODY	any location where water flows or is present, whether or not the flow or the presence of water is continuous, intermittent or occurs only during a flood. This includes, but is not limited to, wetlands and aquifers.
183. WATERCOURSE	is the bed and shore of a river, stream, lake, creek, lagoon, swamp, marsh or other natural body of water, or a canal, ditch, reservoir or other artificial surface feature made by humans, whether it contains or conveys water continuously or intermittently.
184. WETLAND	means land that is saturated with water long enough to promote wetland or aquatic processes as indicated by poorly drained soils, water-loving vegetation, and various kinds of biological activity which are adapted to a wet environment.
185. WETLAND ASSESSMENT	means an assessment prepared by a qualified wetland professional that delineates and classifies wetland(s) within the site and is consistent with the requirements of Alberta Environment and Parks, the <i>Alberta Wetland Policy</i> , and the <i>Alberta Wetland Identification and Delineation Directive</i> .
186. WIDTH	means the length of a line parallel to the front property line or, in a lot with a curved front property line, perpendicular to a line running between the mid-point of the front property line and the mid-point of the rear property line, measured at a distance from the front property line equal to the minimum required front yard.
187. WIND ENERGY CONVERSION SYSTEM (MICRO)	means a small-scale wind turbine, which is small in height and diameter and can be installed on the roof of a building or structure.
188. YARD	means that part of a lot upon or over which no main principal building is erected.
189. YARD, FRONT	means that portion of the site extending across the full width of the site and lying between the front property line and the exterior wall(s) of the main building situated on the site. For lakefront lots, the front yard is the yard closest to the lake.
190. YARD, REAR	means that portion of the site extending across the full width of the site and lying between the rear property line and the exterior wall(s) of the main building situated on the site. For lakefront lots, the rear yard is the yard furthest from the lake.

191. YARD, SIDE

means that portion of the site extending from the front yard to the rear yard and lying between the side property line and the nearest portion of the exterior wall(s) of the main building.

2. All other words and expressions shall have the meanings assigned to them in the Act, other applicable provincial legislation, or the Summer Village of Golden Days Municipal Development Plan.

Draft 11 March 2022

## PART 3. Authorities



### 3.1 COUNCIL

1. The Council of the Summer Village of the Summer Village of Golden Days shall perform such duties as are specified for it in this Bylaw.
2. Council shall decide upon all development permit applications within a Direct Control Districts, as per the Act.

### 3.2 DEVELOPMENT AUTHORITY

1. The office of Development Authority is hereby established.
2. The Development Authority shall be filled by a person or persons appointed by resolution of the Council. If no person is appointed, the Chief Administrative Officer shall act as Development Authority.
3. For the purposes of section 542 of the Act, the person (or persons) holding the office of Development Authority is a designated officer of the Municipality.
4. The Development Authority shall perform such duties that are specified in this Bylaw.

### 3.3 DEVELOPMENT OFFICER

1. Council shall appoint one or more Development Officer(s) who shall be designated officers within the meaning of the Act.
2. The Development Officer shall perform such duties that are specified in this Land Use Bylaw, including among other things:
  - a. Keeping and maintaining for the inspection of the public a copy of this Land Use Bylaw and all amendments thereto; and
  - b. Keeping a register of all applications for development, including the decisions thereon and the reasons therefore. This information will be released to the public upon request in accordance with the Freedom of Information and Protection of Privacy Act.

### 3.4 SUBDIVISION AUTHORITY

1. The Subdivision Authority of the Summer Village of Golden Days shall be established by the Summer Village's Subdivision Authority Bylaw.
2. The Subdivision Authority shall be appointed by resolution of Council.
3. The Subdivision Authority shall perform such duties as are specified in this Bylaw and the Subdivision Authority Bylaw.

### 3.5 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

1. The Subdivision and Development Appeal Board established by the Summer Village's Subdivision and Development Appeal Board Bylaw shall perform such duties as are specified in Section 6 of this Bylaw.

## **PART 4. Land Use Bylaw Amendments**

#### 4.1 APPLICATIONS

1. Subject to the Act, any section this Land Use Bylaw may be amended.
2. Council may at any time initiate an amendment to this Land Use Bylaw by directing Summer Village Administration to initiate an application therefore.
3. All applications for amendment to this Land Use Bylaw shall be accompanied by the following:
  - a. A statement of the specific amendment requested;
  - b. The purpose and reasons for the application;
  - c. If the application is for a change of a land use district:
    - i. the legal description of the lands;
    - ii. a plan showing the location and dimensions of the lands; and
    - iii. a copy of the Certificate of Title for the land affected or other documents satisfactory to the Development Authority indicating the applicant's interest in the said land that is dated within thirty (30) days of application;
  - d. The applicant's interest in the lands; and
  - e. An application fee to be established by resolution of Council.
4. If the amendment is for the redistricting of land, Summer Village Administration may require:
  - a. A conceptual scheme (or area structure plan) for the area to be redistricted, to the level of detail specified by Summer Village Administration that provides Council with information to determine:
    - i. If the site is suitable for the intended use;
    - ii. If the site can be reasonably and cost effectively serviced; and
    - iii. That the proposed amendment will not unduly impact the rights of adjacent landowners to use and enjoy their property; and
  - b. Payment of a fee equal to the costs incurred by the municipality to review the proposed redistricting and/or related conceptual scheme, or if necessary to prepare a conceptual scheme; and
  - c. Technical studies requested by the Summer Village Administration to assess site suitability and servicing requirements.
5. Upon receipt of an application to amend this Land Use Bylaw, Summer Village Administration shall refer the application to the Summer Village's planning and engineering service providers, who shall analyze the potential impacts on local land use, development, infrastructure, and servicing that would result from the proposed amendment. This analysis must consider the full development potential for the proposed amendment and shall, among other things, consider the following impact criteria:
  - a. Relationship to and compliance with approved statutory plans and Council policies;
  - b. Relationship to and compliance with approved statutory plans, outline plans, or plans in preparation;
  - c. Relationship to and compatibility with the Pigeon Lake Watershed Management Plan;
  - d. Compatibility with surrounding development in terms of land use function and scale of development;
  - e. Traffic impacts;
  - f. Relationship to, or impacts on, water and sewage systems, and other public utilities and facilities such as recreation facilities and schools;
  - g. Relationship to municipal land, right-of-way, or easement requirements;
  - h. Effect on stability, retention and rehabilitation of desirable existing land uses, buildings, or both in the area;
  - i. Necessity and appropriateness of the proposed amendment in view of the stated intentions of the applicant; and

- j. Relationship to the documented concerns and opinions of area residents regarding development implications.
6. Upon receipt of an application to amend the Land Use Bylaw, Summer Village Administration shall:
  - a. prepare a report with recommendations on the proposed amendment for Council and an amending Bylaw for consideration of first reading by Council;
  - b. mail notify or deliver in person a written notice to landowners who are adjacent to the parcel of land affected by the proposed amendment or to a larger area as directed by Council;
  - c. provide notice of the Public Hearing to the applicant, the owner of the subject land if different than the applicant, to all directly adjacent property owners, and any other individuals or organizations identified by Council;
  - d. prepare a report and recommendation, including maps and other material, on the application, prior to a Public Hearing on the application for amendment; and
  - e. inform the applicant of the recommendation to Council.
7. At the same time as forwarding the application for amendment to Council, Summer Village Administration may, at its sole discretion, refer the application for further information to any person or agency it wishes.
8. In considering an application for amendment to this Bylaw, Council may, at its sole discretion:
  - a. Refuse the application; or
  - b. Refer the application for further information; or
  - c. Pass first reading to a bylaw to amend this Land Use Bylaw, with or without amendments; or
  - d. Defeat first reading of a bylaw to amend this Land Use Bylaw; or
  - e. Pass first reading of an alternative amendment to this Land Use Bylaw.
9. Following its first consideration, the Council shall establish the date, time and place for a Public Hearing on the proposed amendment.
10. Following establishment of the date, time and place for a public hearing, Summer Village Administration shall issue a notice of the public hearing by:
  - a. Publishing notice at least once a week for two (2) consecutive weeks in at least one (1) newspaper or other publication circulating in the area to which the proposed bylaw relates; or
  - b. Mailing or delivering notice to every residence in the area to which the proposed bylaw relates.
11. A notice of a public hearing must be advertised at least five (5) days before the public hearing occurs.
12. A notice must contain:
  - a. A statement of the general purpose of the proposed bylaw and public hearing;
  - b. The address where a copy of the proposed bylaw and any document relating to it or the public hearing may be inspected; and
  - c. The date, place and time where the public hearing will be held.
13. In the case of an amendment to change the land use district designation of a parcel of land, Summer Village Administration must, in addition to the requirements of section 4.12:
  - a. Include in the notice:
    - i. The municipal address, if any, and the legal address of the parcel of land; and
    - ii. A map showing the location of the parcel of land;
  - b. Give written notice containing the information described in Section 4.13.a to the owner of that parcel of land at the name and address shown on the certificate of title (or tax roll); and
  - c. Give written notice containing the information described in Section 4.13.a to each owner of adjacent land at the name and address shown for each owner on the tax roll of the municipality.

- d. If the land referred to in section 4.13 is in an adjacent municipality, the written notice must be given to that municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of that municipality.
  - e. Notwithstanding Section 4.9, the Land Use Bylaw may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical, or typographical errors and does not materially affect the Land Use Bylaw in principle or substance.
  - f. In the public hearing, Council:
    - i. Must hear any person, group of persons, or person representing them, who claim(s) to be affected by the proposed bylaw and who has complied with the procedures outlined by Council; and
    - ii. May hear any other person who wishes to make representations and whom the Council agrees to hear.
14. After considering any representations made at the Public Hearing, and any other matter it considers appropriate, Council may:
- a. Pass the bylaw;
  - b. Defer it for further information or comment;
  - c. Make any amendment to the bylaw it considers necessary and proceed to pass it without further advertisement or hearing; or
  - d. Defeat the bylaw.
15. Prior to third reading of the proposed Bylaw, Council may require the applicant to apply for a development permit and negotiate a development agreement in respect of the proposal which initiated the application for amendment.
16. After third reading of the Bylaw, the Development Authority shall send a copy of it to:
- a. the applicant;
  - b. the registered owner of the land (if different from the applicant);
  - c. The Summer Village's subdivision and planning services provider; and
  - d. the adjacent municipality, if it received a copy of the proposed bylaw pursuant to section 4.13.

## **PART 5. Development Process**

## 5.1 CONTROL OF DEVELOPMENT

1. Development Permits are required to ensure that all development is achieved in an orderly manner.
2. No development other than that designated in section 5.2 shall be undertaken within the Municipality Summer Village of Golden Days unless an application for it has been approved and a development permit has been issued.
3. In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to ensure and obtain other required provincial and federal approvals, permits and/or licenses.
4. Further, in addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to ensure that their development is consistent with the conditions of any registered easements or covenants which affect the subject site.
5. For the purposes of this section, signs, posters and billboards are deemed to be developments.
6. Notwithstanding Section 5.2, where a variance to any regulation in this Bylaw is required for any development listed in Section 5.2, a development permit shall be required.

## 5.2 DEVELOPMENT NOT REQUIRING A PERMIT

1. The following developments shall not require a development permit provided that the development otherwise complies with all other regulations of this Bylaw:
  - a. the carrying out of works of improvement, maintenance, renovation, or repair to any (but not limited to) building, deck, and/or driveway provided that such works do not include structural alterations, additions, or drainage alterations and that the works comply with the regulations of this Land Use Bylaw.
  - b. the completion of a development which was lawfully under construction at the date of the approval of this Bylaw (or any amendment thereof), provided that the development is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided also that the development is completed within a period of twelve (12) months from the notification of the permit;
  - c. the use of any such buildings as referred to in Section 4.2.1.b for the purpose for which development was commenced;
  - d. the erection, construction, or maintenance, improvement or alteration of gates, fences, walls or other means of enclosure, unless the gate, fence, wall, etc. exceeds the regulations indicated in 9.6 – Fences and Walls of this Bylaw;
  - e. a temporary building other than a dwelling unit, the sole purpose of which is incidental to the carrying out of a development for which a permit has been issued under this Land Use Bylaw;
  - f. the installation, maintenance and repair of public works, services, or utilities carried out by or on behalf of federal, provincial, and/or municipal authorities on land that is publicly owned or controlled;
  - g. a maximum of one single storey accessory building with a floor area not more than 10.2 m<sup>2</sup> (110.0 ft.<sup>2</sup>) and a height not more than 2.5 m (8.2 ft.) 3.0 m (10.0 ft.), provided that the accessory building:
    - i. is not a garage; and
    - ii. satisfies the setback requirements for accessory buildings in the land use district in which it is located;

**FLAGGED FOR ENGAGEMENT: CURRENT REGULATION ALLOWS FOR UP TO 160.0 FT<sup>2</sup> WITHOUT A DEVELOPMENT PERMIT. REVISED TO BE CONSISTENT WITH BUILDING PERMIT REQUIREMENTS.**
  - h. a development carried out by or on behalf of the municipality provided that such development complies with all applicable provisions of this Land Use Bylaw;
  - i. a development that is exempted from requiring a development permit pursuant to the Act;
  - j. the following signs:

- i. signs posted or exhibited within a building;
- ii. signs posted or exhibited in or on an operating motor vehicle if the vehicle is not temporarily or permanently parked solely for the purpose of displaying the sign;
- iii. a statutory or official notice of a function of the municipality;
- iv. traffic signs authorized by the municipality and/or provincial authorities;
- v. signs posted or exhibited solely for the identification of the land or building on which the signs are displayed, or to give directions to visitors, including professional, corporate, or trade name plates identifying the occupants, and signs indicating the street address of a building or lot, if the total area of the signs on a lot does not exceed 0.5 m<sup>2</sup> (5.4 ft<sup>2</sup>) in area, subject to all other orders, bylaws, and regulations affecting such signs;
- vi. a maximum of two (2) on-site signs relating to the sale, lease or rental of the buildings on the lot or the land on which the signs may be erected or attached, provided that:
  - 1. such signs on any lot in any residential land use district do not exceed 0.5 m<sup>2</sup> (5.4 ft<sup>2</sup>) in area each; and
  - 2. such signs are not illuminated;
- vii. campaign signs for federal, provincial, municipal, or school board elections on lots for no more than thirty (30) days, or such other time as regulated under provincial or federal legislation, provided that:
  - 1. such signs are removed within fourteen (14) days after the election date;
  - 2. the consent of the lot owner and/or occupant is obtained;
  - 3. such signs do not obstruct or impair visibility or traffic;
  - 4. such signs are not attached to trees or utility poles; and
  - 5. such signs indicate the name and address of the sponsor and the person responsible for the sign's removal.
- viii. signs on land or buildings used for public or quasi-public uses, provided that:
  - 1. such signs do not exceed 1.10 m<sup>2</sup> (12.0 ft<sup>2</sup>) in area each; and
  - 2. there are no more than one (1) sign for each side of the land or buildings on a different road.
- ix. signs of building contractors relating to construction work in progress on the lot on which the signs are erected, provided that:
  - 1. such signs do not exceed 3.0 m<sup>2</sup> (32.0 ft<sup>2</sup>) in area each;
  - 2. there are no more than one (1) sign for each side of the land or buildings on a different road; and
  - 3. such signs are removed within fourteen (14) days of occupancy of the building which has been constructed.
- k. landscaping which is entirely located within the boundaries of the subject site and where the proposed grades and surface drainage patterns of and from the site will not adversely affect the subject site or adjacent properties, or result in an increase of surface water and sediment runoff into Pigeon Lake;
- l. the construction, maintenance and repair of retaining walls:
  - i. up to 1.0 m 1.2 m (3.9 ft.) in height provided the wall does not encroach onto public land or into a utility right-of-way; and
  - ii. over 1.0 m 1.2 m (3.9 ft.) in height that meet the setback requirements for the principal building on site provided the wall does not encroach onto public land or into a utility right-of-way;
- m. exterior steps;
- n. roof repairs such as replacement of shingles or their underlay;
- o. any mechanical, plumbing, or electrical work providing the use of the building and the number of dwelling units within the building or on the site do not change;



- p. roof mounted solar energy collection systems;
  - q. micro wind energy conversion systems; and
  - r. the demolition or removal of any building or use for which erection or use a development permit would not be required pursuant to this section.
  - s. Removal of invasive species, removal of dead vegetation, cutting grass, pruning, and typical yard maintenance.
2. Notwithstanding any regulation in this section, other permits and approvals (such as building permits) may be required.

### 5.3 NON-CONFORMING BUILDINGS AND USES

1. Buildings and uses which do not conform to this Bylaw are subject to the provisions of the Act respecting non-conforming uses and buildings, which define the conditions under which they may be continued or altered.
2. A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform to this Bylaw.
3. A non-conforming use of part of a building may be extended throughout the building. The building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made thereto or therein.
4. A non-conforming use of part of a lot may not be exceeded or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed upon the lot while the non-conforming use continues.
5. A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
  - a. to make it a conforming building;
  - b. for the routine maintenance of the building, if the Development Authority considers it necessary; or
  - c. in accordance with the powers possessed by the Development Authority pursuant to the Act and this Bylaw to approve a development permit despite any non-compliance with the regulations of this Bylaw.
6. If a non-conforming building is damaged or destroyed to the extent of more than seventy-five percent (75%) of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
7. The use of land or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.
8. If the Development Authority has reasonable basis to believe a building or development on a lot encroaches onto an adjacent lot the Development Authority may require the owner to provide a Real Property Report at their expense. The Development Authority may require the removal of the building or development that encroaches onto the adjacent lot, and (if necessary) can arrange for the removal of the building or development at the owner's expense. The Development Authority may require a lot owner to erect permanent, visible markers at the corners of any lot, to a standard approved by the Development Authority.

### 5.4 APPLICATION REQUIREMENTS FOR DEVELOPMENT PERMITS

1. An application for development permit shall be completed and submitted to the Development Authority in writing, in the form required by the Development Authority, and shall be accompanied by:
  - a. a non-refundable application fee, as established by Council;
  - b. a site plan showing:
    - i. front, side and rear yards;
    - ii. north point;
    - iii. legal description of the property;

- iv. access and egress points to the property; and
    - v. the location and dimensions of existing and proposed municipal and private local improvements, principal building and other structures including accessory buildings, garages, carports, fences, driveways, paved areas, and major landscaped areas including buffering and screening areas where provided;
  - c. a statement of the proposed use(s) or occupancy of all parts of the land and buildings, and such other information as may be required by the Development Authority;
  - d. a statement of ownership of the land and the interest of the applicant therein; and
  - e. a statutory declaration indicating that the information supplied is accurate.
2. In making a decision, the Development Authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include (but not limited to):
- a. the location of existing and proposed municipal and private storm and sanitary sewage collection and disposal, and water supply and distribution utilities, landscaped areas and buffering and screening;
  - b. the height and horizontal dimensions of all existing and proposed buildings;
  - c. outlines of roof overhangs on all buildings;
  - d. existing and proposed elevations on the site and on adjacent sites, roads and lanes;
  - e. post construction site and building elevations;
  - f. floor plans, elevations and sections of any proposed buildings, including the lowest floor elevation in either the basement or on the main floor in the principal and accessory buildings;
  - g. Arborist Report;
  - h. Biophysical Assessment;
  - i. Erosion and Sediment Control Plan;
  - j. Historic Resource Impact Assessment;
  - k. Hydrogeological Assessment;
  - l. Geotechnical Report; Landscaping Plan;
  - m. Lot Grading and Drainage Plan;
  - n. Real Property Report prepared by an Alberta Land Surveyor;
  - o. Slope Stability Analysis;
  - p. Wetland Assessment;
  - q. in a residential land use district, the suggested location for a future driveway and garage or carport, if the application itself does not include such buildings as part of the proposal;
  - r. future development plans for a site which is to be partially developed through the applicable development permit;
  - s. in the case of a proposed home occupation, information concerning the number of employees, the location of any goods to be kept or stored, and an estimate of the number of client visits to be expected to the site each week; and
  - t. for a moved-in (relocated) building, pictures of the exterior of the structure which provide information relating to the age and condition of the building and its compatibility with the land use district in which it is to be located.
3. In addition to the information requirements indicated above, an application for a development permit for the excavation or stripping of land that is proposed without any other development on the same land, may include with the application, the following information:
- a. location and area of the site where the excavation is to take place;

- b. existing land use and vegetation;
  - c. the type and dimensions including average depth of the excavation to be done, and the potential, if any, to affect existing drainage patterns on and off the site;
  - d. the depth and variation in depth of groundwater encountered in test holes, if required at the discretion of the Development Authority;
  - e. identification of potential for outdoor noise and the discharge of substances into the air;
  - f. the condition in which the site is to be left when the operation is complete, including the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening erosion or dust from the site;
  - g. an indication of all municipal servicing costs associated with the development; and
  - h. the proposed haul route, dust control plan and expected hours of operation.
4. In addition to the information requirements indicated above, each application for a sign may be accompanied by additional information at the discretion of the Development Authority.
5. In addition to the information requirements indicated above, the Development Authority may also require any phase of an environmental assessment to determine the possible contamination of the subject site and the mitigating measures necessary to eliminate such contamination. Alternative to or in addition to the foregoing, the Development Authority may require a biophysical assessment to determine the potential effects of a proposed development on the natural environment, and the measures necessary to mitigate such effects.
6. At the sole discretion of the Development Authority, any new development within an existing subdivision may be required to provide to the Development Authority, for approval, an elevation plan of the subject site which indicates where the stormwater is to be directed. Stormwater from the subject site is not to be directed onto adjoining properties unless appropriate drainage easements or rights-of-way are in place. If the applicant for a development permit indicates that the municipality is to verify compliance with the elevation and/or stormwater management plan, the cost to verify that the lot grades have been completed according to the plan shall be included in the cost of the development permit.
7. The Development Authority may refer any application for a development permit to any municipal, provincial or federal department, or any other person or agency considered affected by the Development Authority for comments and recommendations.
8. When, in the opinion of the Development Authority, sufficient details of the proposed development have not been included with the application for a development permit, the Development Authority may, at its sole discretion, deem the application incomplete and request the applicant provide further details or make a decision on the application with the information it has available.
9. The Development Authority may refuse to accept an application for a development permit if the application is for a similar development on the same property as a development permit which has been applied for and refused by the Development Authority or the Subdivision and Development Appeal Board within the last six (6) months.
10. Where a development permit for an accessory building has been applied for before a principal building or principal use has been developed on a lot, the applicant must provide a site plan which identifies the proposed location for the principal building or principal use on the lot as part of the application.

## **5.5 NOTICE OF COMPLETE OR INCOMPLETE APPLICATIONS**

1. The Development Authority shall, within 20 days of the receipt of an application for a development permit, determine whether the application is complete.
2. The time period referred to in Part 5.5.1 may be extended by an agreement in writing between the applicant and the Development Authority.
3. An application is complete if:

- a. in the opinion of the Development Authority, the application contains the documents and other information necessary to review the application; or
  - b. the Development Authority does not make a determination within 20 days after receipt of an application for a development permit.
4. If the Development Authority determines that the application is complete, the Development Authority shall issue to the applicant, by means of posted letter or electronic notification, an acknowledgment that the application is complete.
5. If the Development Authority determines that the application is incomplete, the Development Authority shall issue, to the applicant a notice, in writing or electronically, that the application is incomplete. This notice shall list any outstanding documents and information required to review the application, and provide a date by which the documents or information must be submitted in order for the application to be considered complete.
6. If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Part 5.5.5, the Development Authority must deem the application to be refused.
7. Despite that the Development Authority has issued an acknowledgment under Part 5.5.5 or Part 5.5.6, in the course of reviewing the application, the Development Authority may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.

## 5.6 DEVELOPMENT PERMITS AND NOTIFICATION

1. A decision of the Development Authority on an application for a development permit must be in writing and a copy of the decision, together with a written notice specifying the date on which the written decision was given and containing any other information required by the regulations, must be given or sent to the applicant on the same day the written decision is given.
2. When a development permit has been issued for a **permitted use and no variance to any regulation has been granted**, the Development Authority shall (on the same day the decision is given) give (or send) a decision on a development permit application send a notice by regular mail of the decision to the applicant and post a notice on the Summer Village's website, indicating the disposition of the application. Mailing the notice is not required when an applicant picks up a copy of the decision.
3. In addition to 5.6.1 and 5.6.2, within five (5) working days after a decision on a development permit application for a **discretionary use or after a variance to any regulation has been granted**, the Development Authority shall:
  - a. send notice by regular mail (or by electronic mail if agreed to in advance by the applicant) to all affected adjacent land owners within 100.00 (300.ft) of the subject site, as identified on the Summer Village Assessment Roll, to provide notice of the decision and right of appeal; and
  - b. post notice of the decision on the Summer Village's website; and **may**
  - c. send notice by regular mail (or by electronic mail if agreed to in advance by the applicant) to any other landowner, business, agency, adjacent municipality, person, group, organization or similar body that the Development Authority deems may be affected to provide notice of the decision and right of appeal.
4. The notice indicated in Parts 5.6.2 and 5.6.3 shall state:
  - a. the legal description and the street address of the site of the proposed development;
  - b. the uses proposed for the subject development;
  - c. any discretion that was granted in the approval of the development, whether by use or by interpretation of this Bylaw, and any variation or relaxation in regulation that was made by the Development Authority when the development permit was approved;
  - d. the date the development permit was issued; and
  - e. how an appeal might be made to the Subdivision and Development Appeal Board and the deadline for such appeal.

5. Except for those permits described in Part 5.6.2 hereof, a permit granted pursuant to this Part does not come into effect until twenty-one (21) days after the date that notice of an order, decision, or development permit is received. For the purposes of this Bylaw, notice is deemed to be received on the 5th day after the date of the issuance of the order, decision, or permit. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
6. Where an appeal is made, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit has been confirmed, modified or nullified thereby.
7. If the development authorized by a permit is not substantially commenced within twelve (12) months from the date of the date of the issue of the development permit, and completed within twelve (12) months of the commencement of the development, the permit is deemed to be void; unless an alternate time frame has been identified in the conditions, or an extension to this period is granted by the Development Authority.
8. 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.
9. The application may be responsible for any damages to public or private property occurring as a result of development.
10. A decision of the Development Authority on an application for a development permit shall be given in writing.
11. When a Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

### 5.7 VALIDITY OF PERMITS

1. A Development Permit does not come into effect until at least twenty—one (21) days have elapsed from the date it is granted and in any event does not come into effect until the plans for the building have been approved by an accredited Safety Codes Inspector and all necessary permits pertaining to the construction of the Building have been obtained and copies sent to the Municipality, and posted on site.
2. If an appeal (which includes an appeal to the Subdivision and Development Appeal Board and the Court of Appeal of Alberta) is filed against a Development Permit, the permit is suspended until the appeal is heard or abandoned.
3. A Development Permit is valid for one (1) year from the date it comes into effect and work authorized pursuant to a Development Permit must be commenced within six (6) months and completed within twelve (12) months from the date the Development Permit comes into effect. Extensions may be granted at the sole discretion of the Development Authority at a cost of 50% of the original development permit fee.
4. If it appears to the Development Authority that a Development Permit has been obtained by fraud or misrepresentation, or has been issued in error, the Development Authority may suspend, revoke or modify the permit and shall have the right to suspend all construction activity on the site.

### 5.8 VARIANCES

1. The Development Authority may grant a variance to reduce the requirements of any use of the Land Use Bylaw and that use will be deemed to comply with this bylaw.
2. The Development Authority may approve an application for Development Permit even though the proposed development does not comply with the regulations of this bylaw or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building if, in the opinion of the Development Authority the proposed development conforms to the use prescribed for that land or building in this bylaw and would not:
  - a. Unduly interfere with the amenities of the neighbourhood; and/or
  - b. Materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.
3. In approving an application for development pursuant to Sections 5.9.2.a and 5.9.2.b, the Development Authority shall adhere to the following:

- a. A variance shall be considered only where warranted by the merits of the proposed development and in response to irregular parcel lines, parcel shapes or site characteristics which create difficulties in siting structures within the required setback or in meeting the usual bylaw requirements. No variance will be granted to increase the maximum height of a building beyond what is permitted in this Land Use Bylaw.
4. Where a variance is granted, the nature of the approved variance shall be specifically described in the Development Permit approval.
5. 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 regulation.

## 5.9 CONDITIONS OF DEVELOPMENT PERMITS AND DEVELOPMENT AGREEMENTS

1. The Development Authority may require the following conditions as part of development permit approval:
  - a. Compliance with the Erosion and Sediment Control Plan;
  - b. Compliance with the Landscaping Plan;
  - c. Compliance with the Lot Grading and Drainage Plan;
  - d. Any other conditions requested by the Development Authority.
2. The Development Authority may require that as a condition of issuing a development permit, the applicant to enter into an agreement to:
  - a. Construct or pay for the construction of culverts, public roadways, pedestrian walkways, or parking areas; and/or
  - b. Install or pay for the installation of utilities; and/or
  - c. Pay for an off-site levy or redevelopment levy imposed by bylaw.
3. To ensure compliance with the development agreement, the Summer Village may register a caveat against the certificate of title of the property that is being developed. This caveat shall be discharged when conditions of the development agreement have been met.

## PART 6. Subdivision Process

## 6.1 APPLICATION REQUIREMENTS FOR SUBDIVISIONS

1. All Subdivision applications for lands within the Summer Village of Golden Days shall comply with the provisions under this Section.
2. A subdivision application may be submitted by:
  - a. the registered owner of the land to be subdivided; or
  - b. a person with written authorization to act on behalf of the registered owner.
3. Subdivisions shall be developed in accordance with the provisions of the land use district affecting the subject site at time of application.
4. If the proposed subdivision requires an environmental assessment under the Canadian Environmental Assessment Act, the applicant shall file an environmental assessment in accordance with the Canadian Environmental Assessment Act. A copy of the environmental assessment shall be submitted with the subdivision application.
5. If the proposed subdivision is required to obtain assessments and/or approvals from relevant Federal or Provincial agencies and organizations, the applicant shall file and obtain the appropriate reports and/or approvals with relevant agencies and organizations. A copy of the required reports and/or approvals or licenses shall be submitted with the subdivision application.
6. Information on abandoned oil and gas wells as required by the Subdivision and Development Regulations and Alberta Energy Regulator Directive 079 shall accompany every subdivision application.
7. The tentative plan of subdivision shall:
  - a. clearly outline the location, dimensions, and boundaries of the land which the applicant wishes to subdivide;
  - b. show the location, dimensions and boundaries of:
    - i. each new lot to be created;
    - ii. reserve land(s), if required;
    - iii. the rights-of-way of each public utility, if required; and
    - iv. other rights-of-way, if required;
  - c. indicate the use, location, and dimensions of existing buildings on the land that is the subject of the application, if any, and specify whether the buildings are proposed to be demolished or moved;
  - d. show the location of any river, stream, watercourse, lake, or other body of water (natural or man-made) that is contained within the boundaries of the proposed parcel of land;
  - e. identify the location of any existing or proposed water wells, the locations and type of any private sewage disposal system(s), and the distance from these to existing or proposed buildings and property lines;
  - f. include information provided by the Alberta Energy Regulator identifying the location of any active wells, batteries, processing plants or pipelines within the proposed subdivision; and
  - g. identify the existing and proposed access to the proposed parcels and the remainder of the titled area.
8. The Summer Village may also require an applicant to submit to the Subdivision Authority any or all of the following:
  - a. a figure showing topographic contours at no greater than 1.5 m (4.9 ft.) intervals;
  - b. if the proposed subdivision is not to be served by a water distribution system, information supported by the report of a qualified professional, registered in the Province of Alberta, respecting the provision, availability, and suitability of potable water on or to the land to be subdivided;
  - c. an assessment of subsurface characteristics of the land that is to be subdivided including, but not limited to, susceptibility to slumping or subsidence, depth to water table, and suitability for any proposed on-site sewage disposal system(s), prepared and signed by a qualified professional registered in the Province of Alberta;
  - d. Arborist Report;



- e. Erosion and Sediment Control Plan;
- f. Geotechnical Report;
- g. Landscaping Plan;
- h. Lot Grading and Drainage Plan;
- i. Slope Stability Analysis;
- j. Stormwater Management Plan;
- k. Water Report;
- l. Wetland Assessment;
- m. if the land that is the subject of an application is located in a potential Flood Plain, a figure showing the 1:100-year Flood Plain or highest and most frequent rain event series relevant to flooding of the land;
- n. information respecting the land surface characteristics of land within 0.8 km (0.5 miles) of the land proposed to be subdivided;
- o. if any portion of the parcel of land affected by the proposed subdivision is situated within 1.5 km (0.9 miles) of a sour gas facility, a map showing the location of the sour gas facility; and
- p. where the proposed subdivision is staged or includes only a portion of the developable area within the subject site, an approved Area Structure Plan or Outline Plan that relates the application to future subdivision and development of adjacent lands.

## 6.2 PROCESS

1. The Subdivision Authority shall:
  - a. participate in a pre-application submission meeting with development proponents (as requested);
  - b. receive all applications for subdivision applications;
  - c. assess and provide notice of a complete or incomplete application; and
  - d. issue notices in writing as required in the Act.
2. Notice of Complete or Incomplete Application:
  - a. The Subdivision Authority shall within twenty (20) days of the receipt of an application for subdivision, determine whether the application is complete.
  - b. The time period referred to in Section 6.2.2.a may be extended by an agreement in writing between the applicant and the Subdivision Authority or, if applicable, in accordance with the Land Use Bylaw made pursuant to section 640.1(a) of the Act.
  - c. An application is complete if, in the opinion of the Subdivision Authority, the application contains the documents and other information necessary to review the application.
  - d. If the Subdivision Authority determines that the application is complete, the Subdivision Authority shall issue to the applicant, in writing or electronically, an acknowledgment that the application is complete.
  - e. If the Subdivision Authority determines that the application is incomplete, the Subdivision Authority shall issue to the applicant a notice, in writing or electronically, that the application is incomplete and that any outstanding documents and information referred to in the notice must be submitted by a date set out in the notice or a later date agreed on between the applicant and the Subdivision Authority in order for the application to be considered complete.
  - f. If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Section 5.2.2.e, the Subdivision Authority must deem the application to be refused.
  - g. Despite that the Subdivision Authority has issued an acknowledgment under Section 6.2.2.d or 6.2.2.e, in the course of reviewing the application, the Subdivision Authority may request additional information or documentation from the applicant that the Subdivision Authority considers necessary to review the application.

### 6.3 DUTIES OF THE SUBDIVISION AUTHORITY

1. Upon receipt of a completed subdivision application, the Subdivision Authority:
  - a. shall approve, with or without conditions, a subdivision application for a permitted use where the proposed subdivision conforms to:
    - i. this Bylaw;
    - ii. applicable statutory plans; and
    - iii. the Act and the Regulations thereunder;
  - b. shall refuse an application for a subdivision if the proposed subdivision does not conform with:
    - i. applicable statutory plans; and/or
    - ii. the Act and the Regulations thereunder;
  - c. shall refuse an application for a subdivision if the proposed subdivision does not conform with this Bylaw, subject to Section 5.3.1.d;
  - d. may approve, with or without conditions, an application for subdivision that does not comply with this Bylaw if, in the opinion of the Subdivision Authority, the proposed subdivision:
    - i. would not unduly interfere with the amenities of the neighbourhood;
    - ii. would not materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
    - iii. conforms to the use prescribed for that land in this Bylaw;
  - e. prior to making a decision, shall refer the subdivision application to any external agencies and adjacent landowners for comment and may refer the subdivision application to any municipal department as required.

### 6.4 REQUIREMENTS AND CONDITIONS OF SUBDIVISION

1. The Subdivision Authority shall abide by the requirements of and consider the matters indicated in Sections 652 to 670 of the Act.
2. Subdivision approvals must comply with Part 17 and 17.1 of the Act and the Regulations therein.
3. For the purposes of this Bylaw, an unsubdivided quarter section shall include those quarter sections where a separate title exists for a public utility or an institutional use.
4. Where the development involves a subdivision of land, no development permit shall be issued until the subdivision has been registered with Alberta Land Titles.
5. More than one active subdivision application will not be allowed affecting a single titled area. Where a subdivision is proposed for a titled area which is, at time of receipt of the new application, affected by an active subdivision file, the new application will not be accepted and processed until the existing open file has been closed or finalized to the satisfaction of the Subdivision Authority.
6. The Subdivision Authority shall not approve a subdivision which is inconsistent with the Summer Village of Golden Days Municipal Development Plan and/or the provisions of any statutory plans that affect the land proposed to be subdivided.
7. As a condition of subdivision approval, Environmental Reserves will be taken according to Section 664 of the Act either in the form of a lot (ownership transferred to the Summer Village) or as an Environmental Reserve Easement (private ownership is retained).
8. As a condition of subdivision approval, the Summer Village may require that the proponent provide hazard land as Environmental Reserve.

9. As a condition of subdivision approval, where a subdivision is proposed on lands adjacent to Pigeon Lake, a watercourse, or wetland, reserves shall be required as provided for in the Act. When determining the width and size of the Environmental Reserve the following shall be taken into consideration:
  - a. Recommendations by qualified professionals; and/or
  - b. Riparian Setback Matrix Model (RSMM); and/or
  - c. The Government of Alberta's Stepping Back from the Water: A Beneficial Management Practices Guide for New Development Near Water Bodies in Alberta's Settled Region; and/or
  - d. Sustainable Resource Development Recommended Setbacks Chart (see Appendix)
10. Property taxes must be up to date prior to final endorsement of any Subdivision within the Summer Village.
11. The developer may be required to provide for Inclusionary Housing in accordance with the Act and the Regulations therein.
12. All proposed parcels being created shall be designed to not, in the opinion of the Subdivision Authority, prejudice the future efficient development of the remnant lands.
13. The Subdivision Authority may require the following conditions as part of subdivision approval:
  - a. Compliance with an approved Erosion and Sediment Control Plan;
  - b. Compliance with an approved Landscaping Plan;
  - c. Compliance with an approved Lot Grading and Drainage Plan;
  - d. Compliance with an approved Stormwater Management Plan;
  - e. Any other conditions requested by the Subdivision Authority.

## **PART 7. Subdivision and Development Appeals**

## 7.1 DEVELOPMENT APPEALS

1. An appeal may be made if the Development Authority:
  - a. fails or refuses to issue a development permit;
  - b. issues a development permit subject to conditions; or
  - c. issues a stop order under Section 645 of the Act;by the applicant of the development permit or any person affected by the order.
2. In addition to Section 7.1.1, any person affected by an order, decision or development permit made or issued by the Development Authority may appeal the decision in accordance with Section 685(2) of the Act.
3. Despite Sections 7.1.1 and 7.1.2, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted or the application for the development permit was deemed to be refused under Section 683.1(8) of the Act.
4. Despite Sections 7.1.1, 7.1.2 and 7.1.3, if a decision with respect to a development permit application in respect of a direct control district:
  - a. is made by a council, there is no appeal to the Subdivision and Development Appeal Board; or
  - b. is made by a Development Authority, the appeal is limited to whether the Development Authority followed the directions of council, and if the board hearing the appeal finds that the Development Authority did not follow the directions it may, in accordance with the directions, substitute its decision for the Development Authority's decision.
5. An appeal of a decision of the Development Authority for lands identified in Section 685(2.1)(a) of the Act shall be made to the Land and Property Rights Tribunal and shall proceed in accordance with the processes identified in the Act and the Land and Property Rights Tribunal Act.
6. An appeal of a decision of the Development Authority for lands identified in Section 685(2.1)(b) of the Act shall be made to the Subdivision and Development Appeal Board of the Summer Village.
7. An appeal with respect to an application for a development permit may be made by a person identified in Section 7.1.1 may be made by serving a written notice of appeal to the board hearing the appeal:
  - a. within 21 days after the date on which the written decision is given; or
  - b. if no decision is made with respect to the application within the 40-day period (or within any extension to that period under Section 684 of the Act), within 21 days after the date the period or extension expires; orWith respect to an order under Section 645 of the Act, within 21 days after the date on which the order is made.
8. An appeal with respect to an application for a development permit may be made by a person (identified in Section 7.1.2) by serving a written notice of appeal to the board hearing the appeal within 21 days after the date on which the written decision is given.
9. An appeal to the Land and Property Rights Tribunal may be made by filing a notice to the Land and Property Rights Tribunal. The notice submission requirements shall be as established by the Land and Property Rights Tribunal.
10. An appeal to the Subdivision and Development Appeal Board may be launched by filing a notice by providing the following:
  - a. the appeal application fee as identified in the Summer Village's Fees and Charges Bylaw;
  - b. the legal description and/or the municipal address of the property to which the decision, order or issuance of the development permit relates;
  - c. the name, contact information and address of the appellant; and
  - d. the reasons for the appeal and the issue or condition in the decision or order that are the subject of the appeal.
11. Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is

deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board, if:

- a. in the case of a person referred to in Section 6.1.1 the person files the notice with the wrong board within 21 days after receipt of the written decision or the deemed refusal; or
- b. in the case of a person referred to in Section 6.1.2, the person files the notice with the wrong board within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

## **7.2 SUBDIVISION APPEALS**

1. The decision of a Subdivision Authority on an application for subdivision approval may be appealed:
  - a. by the applicant for the approval;
  - b. by a government department if the application is required by the Subdivision and Development Regulations to be referred to that department;
  - c. by the council of the municipality in which the land to be subdivided is located if the council, a Designated Officer of the municipality or the Municipal Planning Commission of the municipality is not the Subdivision Authority; or
  - d. by a school board with respect to:
    - i. the allocation of municipal reserve and school reserve or money in place of the reserve;
    - ii. the location of school reserve allocated to it; or
    - iii. the amount of school reserve or money in place of the reserve.
2. An appeal of a decision of the Subdivision Authority for lands identified in Section 678(2)(a) of the Act shall be made to the Land and Property Rights Tribunal, and shall proceed in accordance with the processes identified in the Act and the Land and Property Rights Tribunal Act.
3. An appeal of a decision of the Subdivision Authority for lands identified in Section 678(2)(b) and 678(2.1) of the Act shall be made to the Subdivision and Development Appeal Board of the Summer Village.
4. An appeal to the Land and Property Rights Tribunal may be made by filing a notice to the Land and Property Rights Tribunal. The notice submission requirements shall be as established by the Land and Property Rights Tribunal.
5. An appeal to the Subdivision and Development Appeal Board may be launched by filing a notice by providing the following:
  - a. the appeal application fee as identified in the Summer Village's Fees and Charges Bylaw;
  - b. the legal description and/or the municipal address of the property to which the decision, order, or issuance of the development permit relates;
  - c. the name, contact information, and address of the appellant; and
  - d. the reasons for the appeal and the issue or condition in the decision or order that are the subject of the appeal.
6. If the applicant files a notice of appeal within 14 days after receipt of the written decision or the deemed refusal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board.

## **7.3 APPEAL HEARINGS AND DECISIONS**

1. Hearings for development appeals and decisions made by the board hearing the appeal shall be in accordance with Section 686 and 687 of the Act.
2. Hearings for subdivision appeals and decisions made by the board hearing the appeal shall be in accordance with Section 679, 680 and 681 of the Act.

## PART 8. Enforcement

## 8.1 GENERAL PROVISIONS

1. Enforcement may be conducted by a Designated Officer through the issuance of a violation warning, warning notice, final warning notice, stop order, violation tags or any other authorized action to ensure compliance.

## 8.2 PROHIBITION

1. No person shall contravene or permit a contravention of this Bylaw. No person shall commence or undertake a development, use, or sign that is not permitted by this Bylaw.
2. No person shall contravene a condition of a development permit or subdivision approval issued under this Bylaw.
3. No person shall authorize or undertake any development that is not compliant with the description, specifications or plans that were the basis for the issuance of a development permit.
4. No person shall modify any description, specifications, or plans that were the basis for the issuance of any permit by the Development Authority.

## 8.3 RIGHT OF ENTRY

1. After reasonable notice (generally to mean 48 hours) to the owner or occupant in accordance with the Municipal Government Act, a Designated Officer may enter the property at reasonable times (generally to mean between the hours of 7:30 a.m. and 10:00 p.m.) to ascertain if Bylaw requirements are being met. A Designated Officer may enter the property outside of the identified time period if, in their opinion, a possible violation constitutes an immediate health, safety, or environmental concern.
2. A person shall not prevent or obstruct a Designated Officer from carrying out any official duty under this Bylaw. If consent is not given, the Summer Village may apply to the Court of Queen's Bench for an authorizing order.

## 8.4 VIOLATION WARNING

1. A Designated Officer may issue a violation warning for minor offences by outlining the nature of the violation, corrective measures that may be taken, and the deadline for corrective measures.

## 8.5 WARNING AND FINAL WARNING NOTICES

1. A Designated Officer may issue a warning notice or a final warning outlining the nature of the violation, corrective measures that may be taken, and the deadline for corrective measures, or both.

## 8.6 OFFENSES AND FINES

1. A person who violates the provisions of this Bylaw or permits a contravention of this Bylaw, is guilty of an offence and is liable to a fine for a first offence and for each subsequent offense as specified in the Fees and Charges Bylaw.
2. If the fine is not paid, the person is liable for imprisonment for not more than one year, or to both fine and imprisonment.

## 8.7 STOP ORDERS

1. On finding that a development, land use, or use of a building does not conform to the Municipal Government Act or its regulations, a development permit or subdivision approval or the conditions of either, or this Bylaw, the Development Authority may, by written notice, direct the owner of the property, the person in possession of the land, building, or sign, or the person responsible for a contravention or any or all of them, to:
  - a. stop the development or use of the land or building in whole or part as directed by the notice;
  - b. demolish, remove, or replace the development or landscaping; or



- c. carry out any other actions required by the notice for compliance.
2. The notice shall specify a deadline for compliance.
3. A person named in a stop order may appeal to the Subdivision and Development Appeal Board.

## **8.8 ENFORCEMENT OF STOP ORDERS**

1. Subject to Section 542 of the Municipal Government Act, if a person fails to comply with the order of the Development Authority, a Designated Officer, or the Subdivision and Development Appeal Board, a Designated Officer may enter on the land or building and take any action necessary to carry out the order.
2. The Summer Village may register a caveat against the certificate of title for the land that is subject to the order, provided that the caveat is discharged when the order has been complied with.
3. The Summer Village's costs of carrying out any actions required for compliance may be added to the tax roll of the land subject to the order.

## **8.9 VIOLATION TAGS AND TICKETS**

1. In accordance with the Provincial Offences Procedures Act, a Designated Officer may issue a violation tag to a person for specific offences in contravention of a violation issuing a warning notice, a final warning notice, or stop order where there is reasonable and probable grounds to believe there is a contravention of this Bylaw.
2. A violation tag may be issued to a person either personally or by registered mail.
3. The violation tag shall be in a form approved by the Summer Village and shall include the name of the person thought to have created the contravention, the offence, the penalty for the offence, a requirement that the penalty be paid within 30 days of issuance of the violation tag, the method by which the tag may be paid, and other information as may be required by the Summer Village.
4. Offences and related fines are as specified in the Summer Village's Fees and Charges Bylaw.
5. Where a contravention is of a continuing nature, further violation tags may be issued.
6. The person to whom the violation tag is issued may, in lieu of being prosecuted, sign the plea of guilty on the violation tag and pay the specified fine to the location indicated on the violation tag.
7. If payment is not made within the time specified on the tag, a Designated Officer may issue a violation ticket requiring the person to whom the violation ticket is issued to appear in court on the date specified in the summons portion of the ticket.
8. Nothing in this Bylaw shall prevent a Designated Officer from immediately issuing a violation ticket for the mandatory court appearance of any person who contravenes any provision of this Bylaw.

## PART 9. General Regulations

## 9.1 ACCESSORY BUILDINGS AND USES

1. A building or structure which does not share footings with the principal building on a lot is deemed to be an accessory building even if it is connected to the principal building by a roof, breezeway, deck, patio, or other at grade or above grade connection.
2. An accessory building shall only be located on a lot with an existing building with an approved development permit.
3. Notwithstanding 9.1.2, a temporary development permit for an accessory building may be issued for a lot for which a development permit for a dwelling has been issued and is under construction.  
The maximum number of accessory buildings on a lot with an existing building with an approved development permit shall be two.
4. Accessory buildings shall be of new, conventional construction or prefabricated construction installed on a properly designed and permanent foundation;
5. Accessory buildings on lakefront lots shall only be allowed in the rear yard of the lot.
6. Accessory buildings on a backlot may be allowed within the front yard or rear yard of the lot.
7. Unless specifically allowed in the land use district in which the accessory building is located, and unless specifically developed to include a dwelling unit, an accessory building shall not be used (either in whole or in part) as a dwelling or a dwelling unit.
8. No accessory building or uses other than a fence, pool, deck, or patio shall be located:
  - a. Within 2.0 m (6.6 ft.) of a principal building; or
  - b. Within any easement or right-of-way.
9. The maximum height of an accessory building shall be as provided for in 9.11 – Height of Buildings.
10. The maximum area of an accessory building shall be as provided for in the land use districts.
11. The siting of an accessory building on an irregularly-shaped lot shall be as required by the Development Authority.
12. Where a structure is attached to the principal building on a lot by a roof or an open or enclosed structure it is to be considered a part of the principal building and is not an accessory building.
13. Boat houses shall not be allowed in the Summer Village.

## 9.2 APPEARANCE OF BUILDINGS

1. The design, siting, external finish, architectural appearance, and landscaping of all buildings, including accessory buildings, structures, signs, and any reconstruction, shall be to the satisfaction of the Development Authority.
2. The exterior finish on all buildings shall be of a permanent material and be of a character and quality satisfactory to the Development Authority.
3. The design, character and appearance of any development or sign must be acceptable to the Development Authority having regard to:
  - a. the policies of any statutory plan or conceptual scheme applicable to the design, character, or appearance of the development;
  - b. amenities such as daylight, sunlight, and privacy on the subject site and on adjacent sites;
  - c. the character of existing development in the area of the proposed development; and
  - d. the effect of the proposed development on adjacent lots.

## 9.3 DWELLING UNITS ON A LOT

1. No permit shall be issued for more than one dwelling on a lot in a residential land use district.
2. In addition to one (1) dwelling on a residential lot, a development permit may be issued for guest house, as provided for in Section 9.10 – Guest Houses and the applicable land use district.

## 9.4 ENVIRONMENTAL PROTECTION

1. No trees or vegetation shall be cleared from within 6.0 m (20 ft.) of the legal bank of water bodies, wetlands and watercourses except:
  - a. To provide physical access to the water feature and only to a maximum width of 3.0 m (10 ft.);
  - b. where such trees or vegetation are diseased, dying or endangering buildings or property; or
  - c. where required as a part of a development permit application for shoreline modification to prevent erosion.
2. Steeply sloping banks, ravines, dense tree covered areas (forests) and/or water recharge areas shall be taken into municipal environmental reserve when land is subdivided. Alternatively, an environmental reserve easement may be registered to protect tree cover.
3. Any lot that has been cleared beyond the requirements of this section nor, without a Development Permit, shall be subject to review and the Development Authority may require the Owner of the land to:
  - a. restore, remediate or replace that which has been cleared, and
  - b. be subject to a penalty of \$10,000.00 pursuant to this Bylaw.
4. Notwithstanding any of the above, lots requiring remediation such as those encountering peat or other such non—structural or unsatisfactory materials, or requiring disease control may be subjected to clearing and re—vegetating in a manner acceptable to the Development Authority; prior to any activity on site. Such measures shall only be considered by the Development Authority upon receipt of a report prepared by a soils engineer, soils investigation authority or arborist, containing recommendations for remediation and re—vegetation.
5. The permanent disturbance of watercourses, wetlands, other water bodies shall be prohibited.
6. Applications for development and/or subdivision on sites that may be affected by a wetland must include a wetland assessment prepared by a qualified professional that delineates and classifies wetland(s) within the building pocket on the site.
7. Development permits shall be required for shoreline modifications on lands adjacent to the legal bank to Pigeon Lake.
8. Where shoreline modifications are proposed in the bed and shore of Pigeon Lake, approval from the Government of Alberta shall be required.
9. Where shoreline modifications are proposed adjacent to the legal bank of Pigeon Lake that alter the flow of water, approval from the Government of Alberta may be required.
10. Shoreline modifications shall be discouraged except for erosion protection.
11. Shoreline modifications shall:
  - a. Incorporate re-vegetation and the use of soft landscaping elements;
  - b. Incorporate low impact development strategies; and
  - c. Minimize the use of hard landscaping elements.
12. The addition of sand to the bed and shore of Pigeon Lake and or lands adjacent to the bed and shore of Pigeon Lake shall not be allowed.
13. Where shoreline modifications include activities such as stripping, grading, or landscaping, the regulations in Grading, Stripping, and Drainage on Lots section and Landscaping section shall apply.

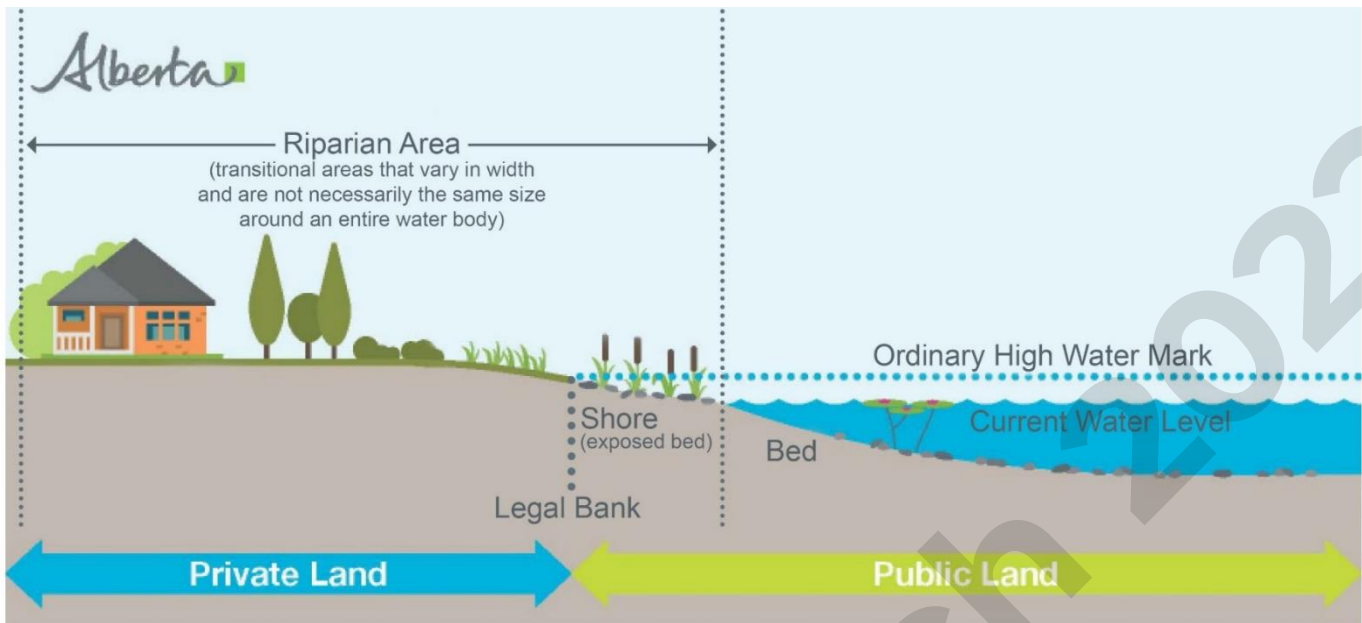


Figure 1. Cross-section of Shoreline and Riparian Area (adapted from Government of Alberta)

## 9.5 LAKE POLLUTION CONTROL

1. In order to maintain the lake environment, no waste solids or liquids or chemicals of any kind shall be allowed to discharge or be discharged into the lake. All ratepayers are required to maintain waste water and grey water systems connected to the Summer Village infrastructure, at all times.
2. No storage or activity shall be undertaken which in the opinion of the Development Authority constitutes a danger or annoyance to persons on the site, public property, or on any other sites, by reason of the generation of noise, radiation hazards, vibration, fire and explosive hazards, dust and other particulate matter, heat, humidity, glare, smoke, waste matter, toxic and noxious matter, traffic, water or steam.
3. Landscaped areas including natural areas, privacy screens, fences, gates and refuse storage areas shall be suitably maintained and kept in a neat and orderly manner.
4. Motorized vehicles shall be restricted to driveways and roads to protect and preserve soft landscaped areas, required yards and landscaping along Summer Village road allowances.
5. Open fires are under the authority of the County of Leduc and all ratepayers are required to comply with fire bans as applicable. All open fires in the Summer Village shall be contained in a non-combustible pit or enclosure. Under no circumstances shall chemicals or any other products or sources of combustion be burned.

## 9.6 FENCES AND WALLS

1. No fence or screen shall be higher than 1.8 m (6.0 ft.) above grade.
2. Fences in the front yard of a backlot shall be no higher than 1.0 m (3.0 ft.) above the level of the ground at that point.
3. No fencing shall be allowed across the front property line in a front yard of a lakefront lot.

## 9.7 FIRE SEPERATION

1. Every Building served by electricity or a heating system shall be located at least 3.0 m (10.0 ft.) from every other building unless a waiver has been obtained under the Alberta Building Code.

## 9.8 GRADING, STRIPPING, AND DRAINAGE ON LOTS

1. Development permits shall be required for:
  - a. Stripping and/or grading that would alter surface water drainage from the site, adversely affect neighbouring property or public lands, or deviate from an approved lot grading and drainage plan;
  - b. Moving, depositing, or removal of topsoil, fill, aggregate or similar material; and
  - c. Any other development that:
    - i. Alters drainage on the site;
    - ii. Increases runoff onto adjacent lands; or
    - iii. Alters the quantity or quality of runoff into a watercourse or water body.
2. Site grading shall not be permitted to impede or interfere with the natural flow of surface water onto adjacent municipal lands or public ditches.
3. A lot grading and drainage plan shall be required as part of the development permit application for:
  - a. Stripping and/or grading that would alter surface water drainage from the site, adversely affect neighbouring property or public lands, or deviate from an approved lot grading and drainage plan; and
  - b. Any other development that:
    - i. Alters drainage on the site;
    - ii. Increases runoff onto adjacent lands; or
    - iii. Alters the quantity or quality of runoff into a watercourse or water body.
4. Where a lot grading and drainage plan is required, it shall be prepared by a qualified professional and shall:
  - a. Identify pre-development and proposed grades;
  - b. Specify design elevations, surface gradients, and swale locations;
  - c. Demonstrate how runoff will be controlled on the site; and
  - d. Include any other drainage information required by the Development Authority.
5. A stormwater management plan may be required for multi-lot subdivisions and major developments, at the discretion of the Approving Authority.
6. Where a stormwater management plan is required, it must:
  - a. Demonstrate that runoff will be managed on the site;
  - b. Conform to municipal stormwater management systems and practices, where applicable; and
  - c. Incorporate best management practices and low impact development strategies and technologies for:
    - i. Treating stormwater prior to discharge into water bodies, watercourses or riparian areas;
    - ii. Preventing pollution of water bodies, watercourses or riparian areas; and
    - iii. Minimizing or mitigating impacts of runoff on adjacent environmentally sensitive lands and hazardous lands.

## 9.9 EROSION AND SEDIMENT CONTROL

1. An erosion and sediment control plan shall be required to control and restrict sediment from leaving the site where a development impacts drainage on the site or on adjacent lots, including but not limited to:
  - a. Grading;
  - b. Stripping;
  - c. Moving, depositing, storage, or removal of topsoil, fill, aggregate or similar material;
  - d. Landscaping;
  - e. Dwelling; or

- f. Accessory Building or Use;
2. Where an erosion and sediment control plan is required in this Land Use Bylaw, applicants shall be required to submit the erosion and sediment control plan with the development permit application. Compliance with the erosion and sediment control plan shall be a condition of development permit approval.
3. When an erosion and sediment control plan is required, it may be required to include the following:
  - a. Description of the proposed land disturbing activities, existing site conditions and adjacent areas (such as creeks and buildings) that might be affected by the land disturbance;
  - b. Description of critical areas on the site – areas that have potential for serious erosion problems such as severe grades, highly erodible soils, and areas near watercourses, wetlands or other water bodies;
  - c. Construction schedule that includes the date stripping and grading will begin and the expected date of stabilization;
  - d. Description of the management of construction vehicles and materials;
  - e. Description of the measures that will be used to minimize erosion and control sedimentation on the site, when they will be installed, and where they will be located for the following:
    - i. The stockpiling and retention of top-soils removed during construction;
    - ii. The control of mud and earthen materials on nearby roads and trails;
    - iii. The control of stormwater runoff and drainage channels;
    - iv. The control of onsite sediments and treatment of runoff flows;
  - f. Description of how the compaction of soils will be minimized;
  - g. Dust, noise, and light control measures;
  - h. Identification of the vegetation, trees and shrubs that are to be retained on the site;
  - i. The provision of protective fencing around trees, tree stands, shrubs, and vegetation that is to be retained on the site;
  - j. Shutdown plans where construction activities are delayed for an extended period of time. ESC shutdown plans need to address ongoing maintenance and inspection issues;
  - k. Any other matter requested by the Development Authority.
4. A site plan identifying the location of control measures may be required to accompany the erosion and sediment control plan.

## 9.10 GUEST HOUSES

**Note: NEW/REVISED REGULATIONS FLAGGED FOR ENGAGEMENT.**

1. The development of a guest house shall require a development permit.
2. A guest house shall only be located on a lot in a residential land use district with an existing dwelling with an approved development permit.
3. The maximum number of guest houses on a lot shall be one.
4. All guest houses shall be of new, conventional construction (or prefabricated construction) installed on a permanent foundation to the satisfaction of the Development Authority.
5. A development permit for a guest house shall not be issued for a development that consists of a manufactured home, recreational vehicle, or sea can.
6. On lakefront lots in a residential land use district, guest houses may only be allowed within the rear yard of the lot.
7. On backlots in a residential land use district, guest houses may be allowed in the front or rear yard of the lot, and shall be subject to the setback requirements of the principal dwelling.
8. Guest house shall only consist of one storey.
9. A guest house may occupy the second storey of an accessory building that contains a ground floor garage.

10. The maximum floor area of a guest house shall be 80.0 m<sup>2</sup> (861.1 ft<sup>2</sup>).
11. Notwithstanding the above, the maximum floor area of a guest house developed above an accessory building may be the floor area of the ground floor level of the accessory building.
12. The maximum height of a guest house shall be as regulated in Section 9.11 – Height of Buildings.
13. A guest house may include bathroom and cooking facilities.

### 9.11 HEIGHT OF BUILDINGS

1. No building in the Summer Village shall exceed 9.2 m (30.2 ft.) in height, measured from grade to the roof peak, excluding chimneys and aerials.
2. Accessory buildings will not exceed 5.0 m (16.5 ft.) in height, measured from the grade to the roof peak.
3. Guesthouses above a garage will not exceed 8.0 metres (28.0 ft.) in height from grade to roof peak.

### 9.12 PRIVATE INSTITUTIONAL CAMPS

1. When considering an application for the development of a private institutional camp the Development Authority shall have regard for the suitability of the site based on its physical attributes, accessibility, surrounding land uses, local environmental features, and the health of Pigeon Lake and the Pigeon Lake watershed.
2. An application for development permit that affects an existing private institutional camp shall include a detailed site plan showing:
  - a. proposed and existing developments onsite;
  - b. the location of proposed and existing vegetation;
  - c. vehicle circulation and parking;
  - d. pedestrian pathways;
  - e. utilities;
  - f. proposed and existing campsites/stalls; and
  - g. any other information that the Development Authority considers necessary to assess the suitability of the site for the proposed development.
3. The number and layout of campsites/stalls within a private institutional camp shall be to the satisfaction of the Development Authority.

### 9.13 MOVED-IN BUILDINGS

1. The use of a moved-in building as a dwelling, accessory building, guest house, or private institutional camp use in the Summer Village of Golden Days shall require a Development Permit.
2. Further to 9.13.1, the following shall not be considered a moved-in building:
  - a. Manufactured homes;
  - b. Recreational vehicles;
  - c. Sea cans;
  - d. Any buildings or structures that the Development Authority considers to be in violation of 9.13 – Objects Prohibited in Yards.
3. An application for a development permit for a moved-in building shall, in addition to other requirements of the development permit:
  - a. make the usual application for a Development Permit;
  - b. identify the present location and use of the building; and
  - c. provide current photographs showing:



- i. all exterior sides of the building, including the roof;
  - ii. all interior walls of the building; and
  - iii. any other detail of the building that the Development Authority considers necessary to properly assess its appearance and state of construction.
4. The Development Authority may inspect the building, or cause the building to be inspected by a person it so appoints, and may issue a Development Permit subject to the condition that the building be improved once it is moved on site.
5. The cost of inspection shall be added to the fee for a Development Permit.
6. The Development Authority may require the development proponent to provide cost estimates for the works deemed necessary and may require the developer to provide a bond for specific performance of the works within a specific period of time.

#### 9.14 OBJECTS PROHIBITED IN YARDS

1. All properties shall be kept in a neat and orderly manner and no yard shall contain loose garbage, wrecked or abandoned vehicles, or other unsightly or dangerous items.
2. No animals shall be kept in any district other than common domestic pets to a maximum of three (3) per Lot.
3. No person shall keep or permit in any part of a yard in any residential land use district:
  - a. any dismantled or wrecked vehicle for more than 14 successive days; or
  - b. any vehicle weighing in excess of 4500 kg gross vehicle weight for longer than is reasonably necessary to load or unload such a vehicle.
  - c. any object or chattel that, in the opinion of the Development Authority, is unsightly or may adversely affect the use and enjoyment of adjacent or surrounding properties;
  - d. any excavation, storage, or stockpile of materials required during the construction stage unless all necessary safety measures are undertaken to the satisfaction of the Development Authority. The owner of such materials or excavations must assume full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.
  - e. any portable or permanent gas or fuel tanks larger than 100 litres.

#### 9.15 POOLS AND HOT TUBS

1. Recreational Accessories are to be included in the overall site coverage of the lot and shall include but are not limited to hot tubs, swimming pools and saunas, provided there is other approved development on the lot.
2. The development of a pool or hot tub in the Summer Village shall require a development permit.
3. A pool or hot tub shall only be located on a lot in a residential land use district with an existing dwelling with an approved development permit.
4. As part of a development permit application for a pool or hot tub, proof of \$2 million insurance liability shall be required.
5. The development of a pool or hot tub shall comply with all applicable safety and utility requirements of the Alberta Building Code. Proof that Alberta Building Code requirements have been complied with shall be required as part of a development permit.

#### 9.16 RECREATIONAL VEHICLES

**Note: NEW/REVISED REGULATIONS FLAGGED FOR ENGAGEMENT.**

1. The placement of a recreational vehicle on a lot requires a development permit.
2. An development permit application to place a recreational vehicle on a lot shall indicate:
  - a. where the recreational vehicle will be placed on a lot on a permanent basis;

- b. where an recreational vehicle may be placed on a temporary basis;
  - c. how potable water, wastewater, and utilities shall be provided; and
  - d. where onsite parking shall be provided.
3. A maximum of one (1) recreational vehicle is permitted on a developed lot on a permanent basis. The recreational vehicle must be connected to onsite water and wastewater systems, complying with current provincial requirements.
4. A maximum of one (1) recreational vehicle is permitted on an undeveloped lot on a permanent basis with a development permit. The recreational vehicle must have approved potable water system and wastewater system that complying with current provincial requirements.
5. Recreational vehicles must be located entirely within the boundaries of the lot.
6. Recreational vehicles on an undeveloped lot shall adhere to the front, rear, and side yard requirements of a dwelling in the applicable land use district.
7. Recreational vehicles on a lakefront lot shall only be allowed in a rear yard.
8. Recreational vehicles on a backlot shall only be allowed in a rear yard.
9. The Development Authority may allow one additional Recreational Vehicle on a lot for an extraordinary event with an approved temporary development permit.
10. No recreational vehicles shall not be permitted to dispose of wastewater or greywater on the ground within the Summer Village.
11. One (1) onsite parking stall must be provided for each recreational vehicle.

#### 9.17 SCREENING AND FENCING

1. No fence or screen shall be higher than 1.8 m (6.0 ft.) above grade.
2. Fences in the front yard shall be no higher than 1.0 m (3.0 ft.) above the level of the ground at that point and no fencing shall be allowed across the front property line for lakefront lots.

#### 9.18 SEA CANS

1. As a condition of granting a development permit for a sea can, the Development Authority may require the sea can to conform aesthetically to buildings in the immediate and general area. This may include, but is not limited to, buffering it from public view and/or enclosing it entirely within a building.
2. Sea cans shall only be allowed as accessory buildings and shall not be used as a principal building on a site.
3. A sea can shall be used for storage purposes only.
4. The maximum number of sea cans that shall be allowed on a parcel of land to be used as an accessory building shall be at the sole discretion of the Development Authority.
5. Sea cans shall be strictly prohibited in any front yard of the property and shall meet all other required setback regulations for the applicable land use district.
6. Sea cans shall not be stacked. The maximum height for a sea can allowed on any parcel is 3.0 m (10.0 ft.).
7. No human or animal habitation shall be allowed within a sea can.
8. Notwithstanding any regulation in this section, a sea can may be used as a building material for a principal dwelling, at the discretion of the Development Authority.

#### 9.19 SIGNS

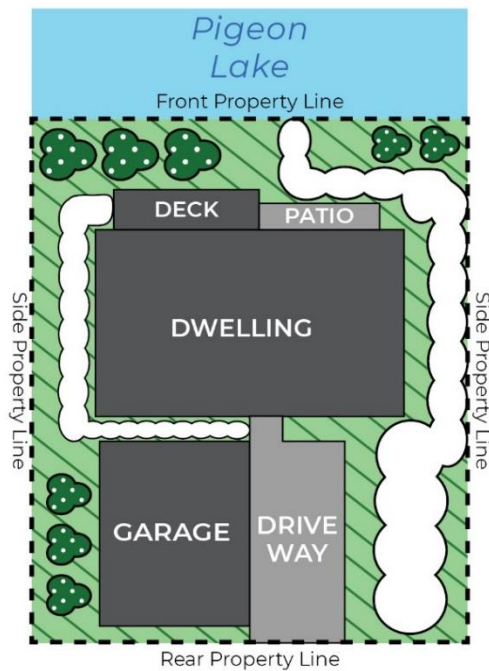
1. Except for those signs noted in 5.2 – Development Not Requiring a Permit, a development permit shall be required for the erection of permanent and temporary signs in the Summer Village.

2. The requirements for a development permit for a sign shall be as required by the Development Authority, who shall have regard for:
  - a. The sign's size (including area of copy and height);
  - b. Materials used for the sign and any supporting structures/posts;
  - c. The placement of the sign on a lot;
  - d. Offsite impacts due to lighting, noise, vibration, traffic safety, shadowing, loss of views, and potential property damage due to severe wind/weather events.

## 9.20 SITE COVERAGE AND LANDSCAPING

### NOTE: NEW SECTION FLAGGED FOR ENGAGEMENT (RE: NON-PERMEABLE SURFACE COVER)

1. A development permit shall be required for all landscaping that:
  - a. Alters the natural drainage patterns on the site;
  - b. Alters the quantity or quality of runoff into a watercourse or water body, including Pigeon Lake.
2. A landscaping plan may be required as part of the development permit application for:
  - a. Landscaping that alters natural drainage patterns on the site or alters the quantity or quality of runoff into a watercourse or water body, including Pigeon Lake;
  - b. Stripping;
  - c. Grading;
  - d. The construction of new buildings or redevelopment of existing buildings; and
  - e. Any other development that alters drainage on the site.
3. Where a landscaping plan is required it shall include the site plan requirements outlined in Section 5.4.1.b and the following:
  - a. Boundaries and dimensions of the site, location, and name of adjacent streets;
  - b. Location of adjacent sidewalks, pathways, driveway entrances, easements, rights-of-way (ROW), and laneways;
  - c. All existing and proposed berms, contours, walls (including retaining walls), fences, screening, and outdoor furniture on the site and on adjacent boulevards within road rights-of-way ;
  - d. Proposed lot grading and drainage;
  - e. Location of all existing vegetation to be retained;
  - f. Location, dimensions, areas, and description or illustrations of all existing and proposed:
    - i. Non-permeable surfaces;
    - ii. Vegetation (including trees and shrubs);
    - iii. Vegetation that comprises native vegetation (including trees and shrubs);
    - iv. Other soft landscaping elements and permeable surfaces other than vegetation (e.g., rock gardens, gravel, permeable pavement, etc.)
4. The area of the lot covered in vegetation shall be a minimum of 30% of the total lot area and shall include trees and shrubs. See Figure 2 for an illustration of the landscaping site coverage requirements.
5. Of the 30% minimum vegetation cover in 9.20.6, 10% of the total lot area shall be native vegetation and shall include native trees and native shrubs. See Figure 2 for an illustration of landscaping site coverage requirements.
6. The area of the lot covered in non-permeable surfaces (e.g., driveways, patios, paving stones, sidewalks, asphalt, concrete) excluding the buildings shall not exceed 12% or 140.0 m<sup>2</sup> (1,500 ft<sup>2</sup>), whichever is less.



Symbol	Type	% of Lot Area
	Buildings	35% Maximum
	Non-permeable Surfaces	12% Maximum
	Native Vegetation*	10% Minimum
	Other Vegetation* (may include native vegetation)	20% Minimum
	Flex Area**	20%

\*The total vegetation coverage requirement is 30% minimum of the total lot area:  
10% **native vegetation** + 20% other **vegetation** = 30%

\*\*Flex Area: This can include **soft landscaping elements** and **permeable surfaces** (such as gravel, rock gardens, etc.)

Note: Illustration demonstrates an example of site coverage only and is not representative of setback, building floor area, and siting requirements. The location of Vegetation and the Flex Areas are examples only.

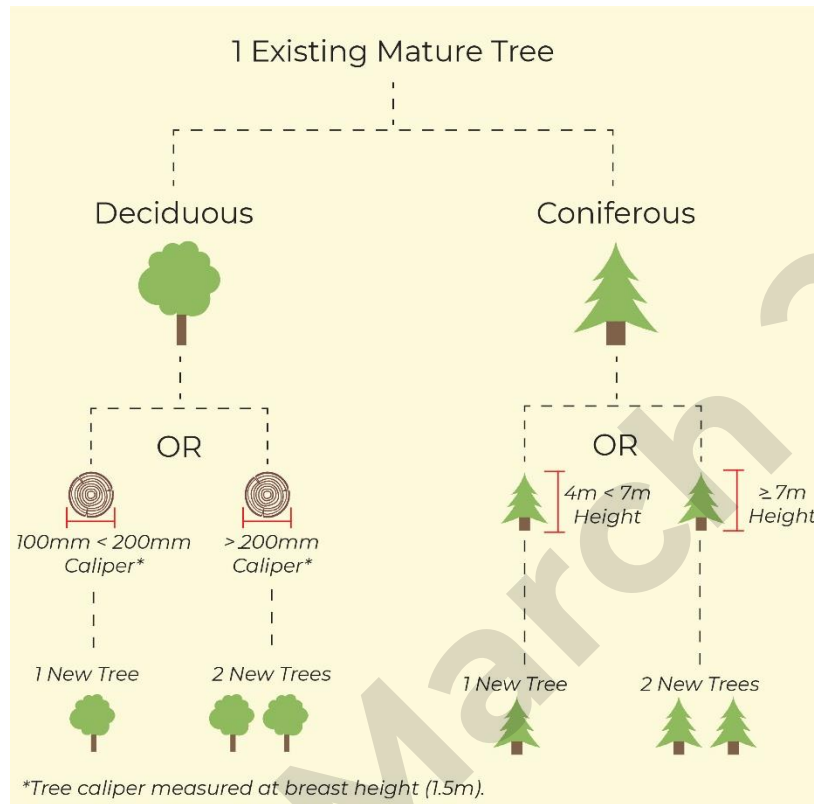
Figure 2. Landscaping Site Coverage Requirements

7. Landscaping should be designed to maximize water infiltration on the site.
8. Landscaping plans shall incorporate low impact development and design strategies to slow and filter excess nutrients and pollutants from entering the lake from runoff including but not limited to:
  - a. Grading of lots to drain and retain runoff to control and reduce runoff leaving the lot;
  - b. Inclusion of the following clean runoff landscaping strategies:
    - i. Within planting beds and natural areas, keep the areas rough, with dished areas for trapping water;
    - ii. Where possible include a depression to intercept surface water (including snowmelt) before it leaves the site;
    - iii. Minimize turf areas on lakefront lots to decrease soil compaction and the proliferation of invasive species;
    - iv. Incorporate tools for capturing, treating, and using runoff into lot grading and landscaping;
    - v. Incorporate deciduous native plant species and wildflowers into landscaping plans to encourage fire suppression, support biodiversity, and increase evapotranspiration.

## 9.21 TREE REMOVAL

### NOTE: NEW SECTION FLAGGED FOR ENGAGEMENT

1. Tree removal shall require a development permit unless exempted by this Bylaw.



**Figure 3. Mature Tree Replacement**

2. Where mature trees are removed from a lot, they shall be replaced with new trees on the following basis:
  - a. Where an existing deciduous tree has a caliper between 100 mm and 200 mm, one (1) new tree shall be required;
  - b. Where an existing deciduous tree has a caliper greater than or equal to 200 mm, two (2) new trees shall be required;
  - c. Where an existing coniferous tree has a height between 4.0 m and 7.0 m, one (1) new tree shall be required; and
  - d. Where an existing coniferous tree has a height greater than or equal to 7m, two (2) new trees shall be required.
3. Further to 9.21.2, the tree caliper shall be measured at breast height (1.5 m).
4. As part of an application for tree clearing, an applicant may be required to provide the following information:
  - a. Reasons for the proposed tree clearing;
  - b. A description of the trees or shrubs to be cleared;
  - c. A site plan with dimensions showing the area to be cleared and any significant natural features on and adjacent to the area to be cleared;
  - d. A proposed schedule for tree clearing and hauling;
  - e. The proposed access and haul routes for removing timber;
  - f. Arborist report; and/or

- g. Proposed landscaping plan, if applicable.
- 5. When considering an application for tree removal, the Development Authority shall have regard for whether the site to be cleared is within an environmentally sensitive area, and the potential impacts on adjacent lands, watercourses and water bodies.
- 6. Tree removal shall be discouraged within 6.0 m of the road right of way.

## 9.22 SERVICING

- 1. Pursuant to Bylaw 120, the Mandatory Sewer Connection Bylaw, all Buildings and facilities producing sewage or grey water must be connected to the municipal sewer system as a condition of any Development Permit.

## 9.23 TEMPORARY USES

- 1. A development permit for a temporary dwelling (to be occupied by the owner of the lot) may be issued by the Development Authority if there is an approved development permit for a permanent dwelling that is to be constructed within 12 months.

## 9.24 HOME OCCUPATIONS

- 1. All development permits issued for home occupations shall be revocable at any time by the Development Authority, if, in its opinion, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.
- 2. A major home occupation shall comply with the following regulations:
  - a. The major home occupation shall not, in the opinion of the Development Authority, generate pedestrian or vehicular traffic or parking which is excessive for its location relative to other dwellings.
  - b. The number of non-resident employees working on-site shall not exceed one.
  - c. No more than one commercial vehicle up to but not exceeding a gross vehicle weight of 4,500 kg (10,080 lbs) to be used in conjunction with the major home occupation, shall be parked or maintained on the site in a residential Land Use District. The parking space for the commercial vehicle shall be adequately screened and sited behind the principal building to the satisfaction of the Development Authority.
  - d. The outdoor storage of productions and materials shall be prohibited.
  - e. Any interior or exterior alterations or additions to accommodate a major home occupation may be allowed at the discretion of the Development Authority, as long as such alterations comply with this bylaw and the Safety Codes Act and the regulations made thereunder.
  - f. There shall be no exterior signage, display or advertisement except for a business identification sign, the size of which shall be entirely at the discretion of the Development Authority.
  - g. Business activities must be carried out entirely within the principal dwelling or an accessory building.
  - h. The major home occupation shall not be allowed if, in the opinion of the Development Authority, such use would be more appropriately located in a Commercial Land Use District having regard for the overall compatibility of the use with the residential character of the area.
- 3. A minor home occupation shall comply with the following regulations:
  - a. a minor home occupation shall not employ any person on-site other than residents of the dwelling.
  - b. no offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance detectable beyond the boundary of the lot on which the minor home occupation is located shall be produced by the home occupation.
  - c. There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the minor home occupation allowed on the site. Storage related to the minor home occupation shall be allowed only in either the dwelling or accessory buildings.
  - d. Business activities must be carried out entirely within the dwelling.

- e. Exterior alterations or additions to accommodate a minor home occupation shall not be allowed.
  - f. There shall be no exterior signage, display, or advertisement.
4. All home occupations shall comply with the following requirements:
- a. The home occupation shall not create any nuisance by way of noise, dust, odour, or smoke, or anything of an offensive or objectionable nature.
  - b. The peace, quiet, dignity and other amenities of the neighbourhood shall not be disturbed in any manner.
  - c. A home occupation shall not change the principal character or external appearance of the dwelling involved, nor use more than 20% or 35.0 m<sup>2</sup> (377.0 ft<sup>2</sup>), whichever is less, of the dwelling unit for business usage. Except as noted in 9.24.2.f herein, there shall be no exterior signage, display or advertisement, but there may be a limited volume of on-premises sales.
  - d. No more than one commercial vehicle used in or for the home occupation shall be parked on the subject site or on the adjoining road.
  - e. There shall be no mechanical or electrical equipment used which creates external noise, or visible or audible interference with home electronics or computer equipment in adjacent dwellings.
  - f. In addition to a development permit application, each application for a home occupation - major shall be accompanied by a description of the business to be undertaken, an indication of the anticipated number of business visits per week, and details for the provision of parking along with other pertinent details of the business operation.
  - g. When a development permit is issued for a home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.
  - h. Home occupations shall not involve:
    - i. activities that use or store hazardous material in quantities exceeding those found in a normal household; or
    - ii. any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties.
5. A stop order may be issued at any time if, in the opinion of the Development Authority, the operator of the home occupation has violated any provisions of this bylaw or conditions of the approval of the development permit and complaints based on the operation of the home occupation have been received.
6. This use does not include either a cannabis retail store or a cannabis production and distribution facility.

## 9.25 CORNER LOTS

- 1. Notwithstanding any other provision contained in this bylaw, landscaping, the erection of fences, walls, or other means of enclosure on a corner lot shall be to the satisfaction of the Development Authority to ensure that vision around the corner is not hindered.
- 2. In order to implement Section 9.25.1, no fence, wall, tree, bush, structure or thing more than 0.9 m (3.0 ft) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road or lane lines and a straight line joining points on the road or lane 6.0 m (19.7 ft) from their intersection.

## 9.26 DOUBLE FRONTING LOTS

- 1. A parcel abutting two or more streets shall have a front yard setback on each street in accordance with the front yard setback requirements of this bylaw.
- 2. One flanking yard on a lot may be subject to side yard setback requirements in all land use districts unless a separate flanking setback is described in the subject land use district.

### 9.27 SOLAR ENERGY COLLECTION SYSTEMS

1. A development permit is required for ground mounted solar energy collection systems.
2. Solar energy collection systems shall only be allowed as accessory developments.
3. Ground mounted solar collectors shall be located in a side or rear yard only.
4. The Summer Village shall not be held responsible for protecting access to solar energy on private land.
5. No solar energy collection system that is tied into a grid shall be installed until evidence has been given that the franchise utility provider has been informed of the customer's intent to install an interconnected customer-owner generator. A copy of a letter to the applicant's utility provider is sufficient. No response or evidence of approval from the utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.

### 9.28 WIND ENERGY CONVERSION SYSTEMS (MICRO)

1. The only form of wind energy conversion systems allowed in the Summer Village are micro systems.
2. Notwithstanding any other provisions in this Bylaw, micro wind energy conversion systems, which are systems with a rated capacity of less than 0.5 KW, may only be roof mounted or ground mounted within a side or rear yard.
3. Micro wind energy conversion systems shall be required to conform to set back requirements for accessory buildings.
4. The maximum height shall be the maximum height provisions that apply within the District in which the micro wind energy conversion system is located.
5. One micro wind energy conversion system is allowed per lot. A second system may be allowed at the discretion of the Development Authority if the applicant can demonstrate that there is adequate room on the lot.

### 9.29 TOURIST HOMES

**NOTE: NEW SECTION, FLAGGED FOR ENGAGEMENT RE: AIRBNB**

1. Tourist homes shall not be allowed in the Summer Village.
2. Notwithstanding the above, the rental of a single detached dwelling in the Summer Village for a period longer than 1 month for the purpose of providing permanent living accommodations shall not be considered a tourist home, and may be allowed in accordance with the regulations of this bylaw.



## PART 10. Land Use Districts

## 10.1 ESTABLISHMENT OF LAND USE DISTRICTS

- For the purpose of this Land Use Bylaw, the Summer Village of Golden Days is divided into the following land use districts:

LAND USE DISTRICT NAME	SYMBOL	MAP COLOUR
Residential District	R1	Yellow
Institutional Camp District	IC	Blue
Unsubdivided Cottage District	UC	Orange
Parks and Reserves District	PR	Green
Direct Control District	DC	Grey

- The Land Use District Map in this Land Use Bylaw divides the Summer Village of Golden Days into land use districts.
- Section 9: General Regulations applies to land use and development within all land use districts in the Summer Village.
- All lands within the Inactive Landfill Development Setback Overlay are subject to the regulations of Part 16 - Inactive Landfill Development Setback Overlay.

## 10.2 BOUNDARIES

- The boundaries of the Land Use District Map shall be interpreted as follows:
  - where a boundary is shown as following a street, lane, or watercourse, it shall be deemed to follow the centre line thereof;
  - where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line;
  - in circumstances not covered by 10.2.1.a or 10.2.1.b above, the location of the land use district boundary shall be determined by the Development Authority by measurement of, and use of the scale shown on the Land Use District Map.
- Where the application of the rules outlined in Section 10.2.1 does not determine the exact location of the boundary of a land use district, or there is a dispute regarding the exact boundary of the land use district, then Council may determine the boundary, either:
  - on its motion; or
  - upon written application being made to it by any person requesting the determination of the exact location of the boundary in question.
- After Council has fixed a land use district boundary pursuant to the provisions of Section 10.2.2, the boundary shall not be altered, except by an application to amend this Bylaw.
- The Development Authority shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

## PART 11. Residential District

# R1

## 11.1 PURPOSE

1. To provide for the development and redevelopment of residential uses in the Summer Village of Golden Days.

## 11.2 PERMITTED USES

1. Dwellings, single detached
2. Guest houses
3. Natural open space areas
4. Public and quasi-public buildings and uses
5. Public parks
6. Public utilities
7. Buildings and uses accessory to a permitted use

## 11.3 DISCRETIONARY USES

1. Home occupations, minor
2. Home occupations, major
3. Moved-in buildings
4. Sea Cans
5. Solar energy collection systems
6. Tree removal
7. Other uses that, in the opinion of the Development Authority, are similar to the permitted and discretionary uses
8. Building and uses accessory to a discretionary use

## 11.4 SUBDIVISION REGULATIONS

1. <b>Minimum Lot Area, Lakefront Lot</b>	1,000 m <sup>2</sup> (10,764 ft. <sup>2</sup> )
2. <b>Minimum Lot Area, Back Lot</b>	1,860 m <sup>2</sup> (20,000 ft. <sup>2</sup> )

1. <b>Minimum Lot Width, Lakefront Lot</b>	23.0 m (75.0 ft.) The minimum Lot width required by this Land Use Bylaw shall not prevent: <ol style="list-style-type: none"> <li>a. the adjustment of a property line where no additional Lots are being created, or</li> <li>b. the subdivision of a lot formed by the consolidation of two or more previously existing lots.</li> </ol>
2. <b>Minimum Lot Width, Back Lot</b>	30 m (100.0 ft.) The minimum lot width required by this Land Use Bylaw shall not prevent: <ol style="list-style-type: none"> <li>a. the adjustment of a property line where no additional lots are being created, or</li> <li>b. the re—subdivision of a lot formed by the consolidation of two or more previously existing lots or titles.</li> </ol>

## 11.5 DEVELOPMENT REGULATIONS

1. <b>Maximum Lot Coverage</b>	The combined total square footage of the foundation area and above grade decks of all buildings on a lot shall be no more than 35% of the total area of the lot. In the case of two or more consolidated lots or two or more consolidated titles, the combined total square footage of all buildings and above grade decks on a lot shall be no more than 25% of the total area of the consolidated lots or titles.
2. <b>Maximum Number of Buildings on a Lot</b>	The maximum number of buildings per Lot including principal buildings, accessory buildings requiring a development permit shall be three.

	For the purposes of this Land Use Bylaw a structure comprising of a combined accessory building and guest house shall be considered one building.
3. <b>Minimum Front and Rear Yards, Principal Buildings</b>	8.0 m (26.0 ft.) from the front and rear property lines unless otherwise permitted in this Land Use Bylaw.
	The minimum front and rear yards shall be 8.0 m (26.0 ft.).
	Where a developer wishes to build closer to the front of the lot than the principal building on adjacent lots, the Development Authority may require a larger setback than indicated above. If there is no building on an adjacent site, the required minimum setback shall be maintained.
4. <b>Minimum Side Yards, Principal Buildings</b>	<p>Unless otherwise permitted in this Land Use Bylaw, all buildings shall be located so as to give a side yard of:</p> <ul style="list-style-type: none"> <li>a. at least 10% of the lot width; or</li> <li>b. one half the vertical distance from grade to the highest eave or roofline on that side of the Building; (whichever is greater).</li> </ul>
5. <b>Front and Rear Yards, Accessory Buildings and Guest Houses</b>	<p>The minimum front yard setback for an accessory building or guest house of a backlot shall be 8.0 m (26.0 ft.).</p> <p>Where a development proponent wishes to build closer to the front of the lot than the principal building on adjacent lots, the Development Authority may require a larger setback than indicated above. If there is no building on an adjacent site, the required minimum setback shall be maintained.</p>
	Accessory buildings and guest houses shall not be allowed within the front yard of a lakefront lot.
	The minimum rear yard setback for an accessory building or guest house shall be 2.0 m (6.6 ft.).
	If the main doors of a garage face a property line, the garage shall be located at least 6.0 m (20.0 ft.) from the property line.
6. <b>Encroachment into Yards</b>	Unless specifically excluded in this Land Use Bylaw, eaves, bay windows, chimneys, and extensions cantilevered beyond the building footings may encroach into a required yard or setback by no more than 0.6 m (2.0 ft.).
	Exterior steps may be constructed in a yard provided that they are no closer than 1.0 m (3.3 ft.) to a property line.
	If any part of a deck or patio is more than 0.6 m (2.0 ft.) above grade, it is governed by the same yard and setback requirements as a building. It also requires a handrail as per the Alberta Building Code.
7. <b>Minimum Side Yards, Accessory Buildings and Guest Houses</b>	<p>Unless otherwise permitted in this Land Use Bylaw, all buildings shall be located so as to give a side yard of:</p> <ul style="list-style-type: none"> <li>a. at least 10% of the lot width; or</li> <li>b. one half the vertical distance from grade to the highest eave or roofline on that side of the Building; (whichever is greater).</li> </ul>
	An accessory building that has a total floor area of less than 15.0 m <sup>2</sup> (161.0 ft <sup>2</sup> ) will have a minimum side yard setback of 0.6 m (2.0 ft.).
8. <b>Setbacks from Wetlands and Watercourses</b>	Where a watercourse or wetland are adjacent to or run through a lot, development setbacks shall be determined by the Development Authority who shall take into consideration the site characteristics and the recommended setbacks outlined in the ESRD Recommended Setbacks Chart (See Appendix).

## PART 12. Institutional Camp District

IC

## 12.1 PURPOSE

1. To provide for the continued use and development of Camp Bar-V-Nok.

## 12.2 PERMITTED USES

1. Dwelling, staff residences
2. Public and quasi-public buildings and uses
3. Private institutional camps
4. Natural open space areas
5. Public parks
6. Public utilities
7. Buildings and uses accessory to permitted uses

## 12.3 DISCRETIONARY USES

1. Moved-in buildings
2. Sea Cans
3. Solar energy collection systems
4. Tree removal
5. Other uses that, in the opinion of the Development Authority, are similar to the permitted and discretionary uses
6. Buildings and uses accessory to discretionary uses

## 12.4 SUBDIVISION REGULATIONS

1. <b>Maximum Lot Area</b>	As determined by the Development Authority.
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## 12.5 DEVELOPMENT REGULATIONS

1. <b>Front, Rear, and Side Yards</b>	As determined by the Development Authority, who shall have regard for the potential for off-site impacts, public safety, and the use and enjoyment of adjacent residential lots.
2. <b>Lot Coverage</b>	No more than 20% of the area of a lot in the IC – Institutional Camp District shall be covered by buildings.
3. <b>Additional Considerations</b>	<ol style="list-style-type: none"> <li>1. When issuing a Development Permit, the Development Authority may specify the maximum number of:               <ol style="list-style-type: none"> <li>a. People;</li> <li>b. Vehicles; and</li> <li>c. Recreational Vehicles;</li> </ol>               That will be on the site at any time. Any increase in these numbers shall require a new Development Permit.             </li> </ol>
4. <b>Setbacks from Wetlands and Watercourses</b>	Where a watercourse or wetland are adjacent to or run through a lot, development setbacks shall be determined by the Development Authority who shall take into consideration the site characteristics and the recommended setbacks outlined in the ESRD Recommended Setbacks Chart (See Appendix A).

## PART 13. Unsubdivided Cottage District

# UC



### 13.1 PURPOSE

1. To provide for the continued use and development of the Vasa Lodge as a comprehensive development, and the individual notational lots within the development.

### 13.2 PERMITTED USES

1. Dwellings, single detached
2. Public and quasi-public buildings and uses
3. Public parks
4. Public utilities
5. Recreation, outdoor
6. Buildings and uses accessory to permitted uses

### 13.3 DISCRETIONARY USES

1. Moved-in buildings
2. Sea Cans
3. Solar collection systems, minor
4. Tree Removal
5. Buildings and uses accessory to discretionary uses
6. Other uses that, in the opinion of the Development Authority, are similar to the permitted and discretionary uses

### 13.4 SUBDIVISION REGULATIONS

1. <b>Maximum Lot Area</b>	As determined by the Development Authority.
2. <b>Maximum Lot Area, Notational Lots</b>	As determined by the Development Authority.
3. <b>Subdivision</b>	No further subdivision shall be allowed within the UC – Unsubdivided Cottage District.

### 13.5 DEVELOPMENT REGULATIONS

1. <b>Maximum Number of Buildings, Notational Lots</b>	The maximum number of buildings on a notational lot shall be two (2), a maximum of one principle building and one accessory building.
2. <b>Maximum Lot Coverage, Notational Lots</b>	30%
3. <b>Maximum Building Area, Principal Building</b>	102.0 m <sup>2</sup> (1,100 ft. <sup>2</sup> )
4. <b>Maximum Building Area, Principal Building</b>	18.6 m <sup>2</sup> (200.0 ft. <sup>2</sup> )
5. <b>Front and Rear Yards</b>	All buildings shall be located in relation to front and rear property lines as determined by the Development Authority, who shall take into account the location of buildings on adjacent lots as well as adjacent notational lots. No accessory buildings shall be located in a front yard.
6. <b>Side Yards</b>	Unless otherwise permitted below, all buildings shall provide a side yard of at least 10% of the width of the lot and/or the notational lot. Eaves, bay windows, chimneys and extensions cantilevered beyond the Building footings may not encroach into a required side yard.
7. <b>Decks and Patios</b>	If any part of a deck or patio is more than 0.3 m (1 ft.) above grade it is governed by the same yard and setback requirements as a building.

8. <b>Maximum Building Height</b>	No building shall exceed 7.5 m (25.0 ft.) in height-
	No principal building on a notational lot shall be constructed as a two storey building; principle buildings on a notational lot may be developed as single or one and half storey buildings only.
9. <b>Setbacks from Wetlands and Watercourses</b>	Where a watercourse or wetland are adjacent to or run through a lot, development setbacks shall be determined by the Development Authority who shall take into consideration the site characteristics and the recommended setbacks outlined in the ESRD Recommended Setbacks Chart (See Appendix).

1. An application for a development permit shall be made to the Development Authority in writing in the appropriate form and shall comply with the provisions of this Land Use Bylaw except that instead of a real property report or professional survey as required, the applicant shall provide the Development Authority with drawings of the property detailing:
  - a. the location of any Development on the property and/or specifying the location of any proposed development on the property; and
  - b. detailing the proposed front, rear, and side yards; and
  - c. locations of all existing buildings and all existing buildings on adjacent lots; and
  - d. any provision for off-street loading and vehicle parking and access points.

The plan submitted shall be certified by the Vasa Land Committee as being accurate in every respect.

**PART 14. Parks and Reserves**  
**District**

**PR**

#### 14.1 PURPOSE

1. To provide for the preservation of environmentally lands that have the capability to support watershed management, environmental conservation, and outdoor recreational opportunities.

#### 14.2 PERMITTED USES

1. Public and quasi-public buildings and uses
2. Public parks
3. Public utilities
4. Recreation, outdoor
5. Buildings and uses accessory to permitted uses

#### 14.3 DISCRETIONARY USES

1. Moved-in buildings
2. Sea Cans
3. Tree Removal
4. Other uses that, in the opinion of the Development Authority, are similar to the permitted uses

#### 14.4 SUBDIVISION AND DEVELOPMENT REGULATIONS

1. As determined by the Development Authority.
2. Where a watercourse or wetland are adjacent to or run through a lot, development setbacks shall be determined by the Development Authority who shall take into consideration the site characteristics and the recommended setbacks outlined in the ESRD Recommended Setbacks Chart (See Appendix).

## PART 15. Direct Control District

# DC

### 15.1 PURPOSE

1. To provide for the development of lands within the Summer Village where, in the opinion of Council, site-specific controls are required and the application of an existing land use district would be inappropriate or inadequate.

### 15.2 PERMITTED USES

1. Uses as determined by Summer Village Council.

### 15.3 DISCRETIONARY USES

1. Uses as determined by Summer Village Council.

### 15.4 SUBDIVISION REGULATIONS

1. No subdivision shall be allowed within the DC – Direct Control District unless the form, density, and type of development on lands within the subject site is:
  - a. Consistent with the in the Summer Village of Golden Days Municipal Development Plan; and
  - b. Supported by an Area Structure Plan or Conceptual Scheme prepared by the developed proponent and adopted by Council.

### 15.5 DEVELOPMENT REGULATIONS

1. For lands with the DC – Direct Control District Council shall act as Development Authority, and, notwithstanding anything in this Bylaw to the contrary, may make decisions on all development permit applications without reference to the Development Authority.
2. Where a watercourse or wetland are adjacent to or run through a lot, development setbacks shall be determined by the Development Authority who shall take into consideration the site characteristics and the recommended setbacks outlined in the ESRD Recommended Setbacks Chart (See Appendix).
3. Further to 15.5.2, all other site requirements shall be at the discretion of Council, based upon a review of the merits of the development proposal and the relevant land use planning consideration.
4. Council may decide on other requirements as deemed necessary, having regard to the nature of the proposed development.
5. All development in a Direct Control district shall conform to the Village of Golden Days Municipal Development and the Pigeon Lake North Intermunicipal Development Plan.
6. Council may refer to other sections off this Land Use Bylaw to determine development permit application requirements.
7. Council may refer to other sections off this Land Use Bylaw to determine requirements for specific types of proposed land uses on lands within this land use district. However, Council is not bound by any other provisions of this Bylaw other than those contained within this land use district.
8. When deciding upon a development permit application for lands within this land use district, Council shall consider the following:
  - a. The existing and future land use of neighbouring properties;
  - b. The suitability of the site for the proposed use;
  - c. The provision of services;
  - d. Access and future road networks;
  - e. How the proposed development conforms to the Summer Village's Municipal Development Plan and the Pigeon Lake North Intermunicipal Development Plan; and

- f. Any considerations which are unique to the proposed development.
- 9. There shall be no appeal to the Subdivision and Development Appeal Board on decisions made by Council on applications for proposed development on lands within the DC – Direct Control District.

Draft 11 March 2022

# PART 16.

## Inactive Landfill Development Setback Overlay



## 16.1 PURPOSE

1. To ensure that subdivision development within the Inactive Landfill Development Setback Overlay conforms to provincial setback requirements.

## 16.2 REGULATIONS

1. The Summer Village's Subdivision and Development Authorities will not approve applications for subdivision or development within the legislated setback distance of a landfill for the following land uses:

- a. residences;
- b. schools;
- c. hospitals; or
- d. eating establishments;

Unless consent for a setback variance has been granted by Alberta Environment and Parks. The Summer Village will work with the County and the Province of Alberta to explore opportunities to reduce or remove the setback requirements from the non-operating landfill.

## PART 17. Land Use District Map

Itaska  
Beach

LEDUC  
COUNTY

COUNTY OF  
WETASKIWIN  
NO. 10

Pigeon Lake

Argentina  
Beach

- Residential District
- Institutional Camp District
- Unsubdivided Cottage District
- Parks and Reserves District
- Direct Control District
- Golden Days Municipal Boundary
- Inactive Landfill
- Inactive Landfill Development Setback Overlay - 300m



# LAND USE DISTRICT MAP

## SUMMER VILLAGE OF GOLDEN DAYS

February 2022

Bylaw No. XXX

Digital Information: Geogratis,  
Geodiscover, Altalis  
Projection: UTM NAD 83 12N



## Appendix A – ESRD Guidelines

### Sustainable Resource Development Recommended Guidelines for Minimum Environmental Reserve/Easement Widths

In reference to Section 664 of the *Municipal Government Act*, the following are recommended where a boundary to a proposed subdivision is a water body or watercourse.

**Table 1. Standard recommended minimum widths for Environmental Reserves or Environmental Reserve Easements based on type of water feature.**

Water Feature	Minimum ER Width <sup>2</sup>	Notes
Reservoirs & Regulated Lakes	30 m from right of way or easement boundary	A regulated lake is a lake where water levels are established to a predetermined elevation and actively managed through use of a licensing requirement (e.g. to pump water into the water body).
Lake (natural & controlled)	30 m from natural boundary	On controlled lakes, 30 m from sill elevation of licensed control structure.
Swamp/wetland <sup>1</sup>	Variable, include wet meadow zone	Wet meadow zone can be extensive in some situations, and in these instances the ER should be wide enough to preserve ecological function.
Large River (≥ 15m width)	30+ m	See additional requirements for hazardous lands.
Small River/Large Stream (6-15 m)	15 m	See additional requirements for hazardous lands.
Medium Stream (3 - 6 m)	10 m	See additional requirements for hazardous lands.
Small Stream (≤ 3 m)	6 m	See additional requirements for hazardous lands.
Ephemeral watercourse (no defined channel)	0 m	Use by law to regulate tree cutting within a defined distance from feature to maintain riparian vegetation and drainage.
Braided Stream	10 m from outside boundary of active floodway	

<sup>1</sup> Sustainable Resource Development views the term “swamp” to mean any area with hydrological conditions of sufficient duration to have developed saturated soils and hydrophytic vegetation (i.e. wetlands or peatlands).

<sup>2</sup> In addition to the recommended ER width for the water feature itself, associated landscape features may require the ER width to be modified to factor in additional inherent hazards to development.

For lands described in section 664(1)(b) of the *Municipal Government Act* (unsuitable for development because they are subject to flooding, have high risk of erosion, or have existing topographical or geo-technical constraints) the following are recommended.

**Table 2. Additional factors that may necessitate an increase in the width of an Environmental Reserve or Environmental Reserve Easement.**

Hazardous Lands	ER Modifier	Notes
Floodplain	<ul style="list-style-type: none"> <li>The width of the 1:100 year flood line or 30m from the natural boundary of a watercourse or lake, whichever is less.</li> <li>The width of meander belt for watercourses that tend to meander or entire floodplain if it is highly constrained within a confined valley.</li> </ul>	<ul style="list-style-type: none"> <li>Residential development within a floodplain is discouraged.</li> <li>Development within flood fringe area should only be considered if flood proofing undertaken to reduce risk of flood damage. Flood risk mapping or delineation of the 1:100 year flood line generally defines the extent of expected flood occurrence (see Alberta Environment policy and guidelines).</li> <li>The width of a meander belt is determined by multiplying bankfull width by 20 for each reach, and is split equally on either side of creek along axis of meander belt.</li> </ul>
Erosion prone areas	Provide for a toe erosion allowance.	Consider highly erosive soils and annual recession rates.
Gully, ravine, coulee, or valley escarpments	Provide for a stable slope allowance. Apply construction and building setbacks from this line.	Boundary of stable slope allowance measured from top of crest of plateau (terrace), valley slope or tableland.
Steep Slopes (>15%)	3X escarpment height or as recommended by a geotechnical report on slope stability, rate of erosion, etc.	