

SUMMER VILLAGE *of* BONDISS

LAND USE BYLAW | BYLAW 5-24

LIST OF AMENDMENTS

The following is a list of amendments to the Summer Village of Bondiss Land Use Bylaw. This page is provided for information only and is not approved as part of the bylaw.

Bylaw	Third Reading Date	Description

GUIDE TO USING THE LAND USE BYLAW

The Summer Village of Bondiss Land Use Bylaw establishes the regulations on how land can be developed (that is, how land can be used, and how buildings can be constructed or moved) in the Summer Village. Regulations vary depending on the location, type, and density/intensity development proposed. Other bylaws, policies, and regulations of the Summer Village must also be followed, as well as all applicable acts, laws, and regulations of the Provincial and Federal governments.

There are several parts of the Land Use Bylaw that need to be reviewed together to understand how the Land Use Bylaw affects the use and development of lands within the Summer Village.

The following steps may assist in the review of the Land Use Bylaw by a prospective development or subdivision proponent:

LOCATE

1

Locate the subject property on the Land Use District maps. These maps divide the Summer Village into various Land Use Districts. Each Land Use District has a designation such as 'R' for Residential Land Use District.

Please note that Land Use Districts are commonly referred to as "Zones" or "Zoning." To conform to the language of the Municipal Government Act, this Land Use Bylaw uses the terms "District" and "Districting."

CHECK

2

Check the table of contents and locate the Land Use District you are interested in. Each Land Use District is listed in Section 10 – Land Use Districts. In each Land Use District, you will find a list of permitted and discretionary uses, subdivision regulations, and regulations for specific types of development. These districts identify what can be developed in any given Land Use District. The definitions provided in Section 3.2 – Definitions should also be consulted to ensure that words and terms used in the Land Use Bylaw are understood.

REVIEW

3

Review the table of contents to see if there are any general regulations that apply to the situation or use in question. For example, Section 5 describes the enforcement procedure, and Section 9.1 contains general regulations about accessory buildings.

DISCUSS

4

Discuss your proposal/concern with Summer Village Administration. They can also assist with other situations such as enforcement or initiating a Land Use Bylaw amendment.

Please note that this page is intended to assist the reader of the Land Use Bylaw and does not form part of the approved bylaw.

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1. ADMINISTRATION

1.1 TITLE

1.1.1 The title of this Bylaw shall be the Land Use Bylaw of the Summer Village of Bondiss.

1.2 REPEAL

1.2.1 Bylaw No. 01-98, the former Summer Village of Bondiss Land Use Bylaw (as amended) is repealed and shall cease to have effect on the day that this Land Use Bylaw comes into effect.

1.3 PURPOSE

1.3.1 The purpose of this Bylaw is to prohibit or 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 amongst other things:

- a. to divide the municipality into districts;
- b. to prescribe and regulate for each 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 including the issuing of development permits;
- e. to provide the manner in which notice of the issuance of a development permit is to be given;
- f. to establish a system of appeals against the decisions of the Subdivision Authority and the Development Authority;
- g. to establish the number of dwelling units permitted on a lot;
- h. To protect the shoreline and water quality of Skeleton Lake; and
- i. 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 COMMENCEMENT

1.4.1 This Bylaw comes into effect upon the date of its third reading by Council.

1.5 AREA OF APPLICATION

1.5.1 The provisions of this Bylaw apply to all land and buildings within the boundaries of the Summer Village of Bondiss

1.6 CONFORMITY

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

1.7 COMPLIANCE

- 1.7.1 Compliance with the requirements of this Bylaw does not exempt a person from:
- a. The requirements of any federal or provincial legislation;
 - b. The policies and regulations of Summer Village statutory plans and bylaws; and
 - c. Complying with any easement, covenant, agreement, or contract affecting the development.
- 1.7.2 Nothing in this Bylaw removes the obligation of a person to obtain other permits, licenses or approvals required by other legislation, statutory plans, or bylaws.

1.8 SEVERABILITY

- 1.8.1 Each separate provision of this Bylaw shall be deemed independent of all other provisions.
- 1.8.2 If any provision of this Bylaw is declared invalid, that provision shall be severed, and all other provisions of the Bylaw shall remain in force and effect.

2. AUTHORITIES

2.1 COUNCIL

- 2.1.1 Council shall perform such duties as are specified for it in this Bylaw.
- 2.1.2 In addition, Council shall decide upon all development permit applications within a Direct Control Districts, as stated in the Act.

2.2 DEVELOPMENT AUTHORITY

- 2.2.1 The office of the Development Authority is hereby established.
- 2.2.2 The Development Authority shall be filled by a person or persons appointed by the resolution of Council as the Development Officer. If no person is appointed, the Chief Administrative Officer shall act as Development Authority.
- 2.2.3 The Development Authority shall perform such duties and responsibilities that are specified in this Bylaw.
- 2.2.4 The Development Authority shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto; keep a register of all applications for development, including the decisions thereof and the reasons, therefore.
- 2.2.5 For the purposes of Section 542 of the Act, the Development Authority is a designated officer of the Summer Village.

2.3 DEVELOPMENT OFFICER

- 2.3.1 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.

2.4 SUBDIVISION AUTHORITY

- 2.4.1 The Subdivision Authority of the Summer Village of Bondiss shall be established by the Summer Village's Subdivision Authority Bylaw, as amended or replaced.
- 2.4.2 The Subdivision Authority shall be appointed by resolution of Council.
- 2.4.3 The Subdivision Authority shall perform such duties as are specified in this Bylaw and the Subdivision Authority Bylaw, as amended or replaced.

2.5 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- 2.5.1 The Subdivision and Development Appeal Board established by the municipality's Subdivision and Development Appeal Board Bylaw shall perform such duties as are specified in Section 7 of this Bylaw.

3. INTERPRETATION

3.1 MEASUREMENTS

- 3.1.1 The metric measurement shall take precedence for the purposes of interpretation of this Land Use Bylaw.
- 3.1.2 The imperial measures are approximate and are provided only for information.
- 3.1.3 Unless specified elsewhere in this Land Use Bylaw, measurements shall be rounded to the tenth decimal place.

3.2 DEFINITIONS

3.2.1 In this Bylaw:

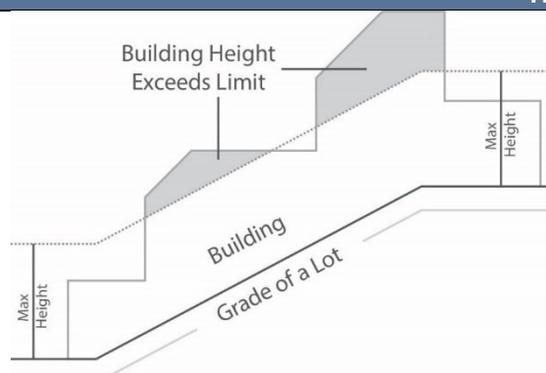
			A
1	ABUT	Means immediately contiguous to, or physically attaching to, and when used in respect of a parcel, means that the parcel physically touches upon another parcel and shares a property line with it.	
2	ACCESSORY BUILDING	Means a building separate and subordinate to the main building, the use of which is incidental to that of the main building and is located on the same lot. An accessory building shall be secondary and subordinate to the principal building on the lot in size and use. A building which does not share footings with the main building on the lot is deemed to be an accessory building even if it is connected to the main building by a roof, breezeway, deck, patio, or other at grade or above grade connection.	
3	ACCESSORY USE	Means a use separate and subordinate to any use of land or use of the principal building lawfully occurring on a site.	
4	ACT (OR THE ACT)	Means the Municipal Government Act R.S.A. 2000 c. M—26 as amended.	
5	ADJACENT	Means land that is immediately contiguous to a contiguous parcel of land or would be immediately contiguous to a site if not for a road, lane, walkway, watercourse, utility lot, pipeline right-of-way, power line, railway, or similar feature.	
6	ADJACENT LANDOWNER	Means owners of land that is contiguous to the land that is the subject of an application, and includes owners of: <ul style="list-style-type: none"> a. land that would be contiguous if not for a highway, road, river or stream; and b. any other land identified in this Bylaw as adjacent for the purpose of satisfying Section 5.7 of this Bylaw. 	
7	AIRBNB	See “Tourist Home.”	

8	APIARY	Means a place in which a colony or colonies of bees are kept, as a stand or shed for beehives or a bee house containing a number of beehives.
9	APPLICANT	Means the person applying for a development permit, subdivision, or an amendment, who shall be the registered owner(s) of the land to be developed or the representative or agent of the owner(s), duly authorized by the owner in writing to make application on behalf of the owner(s) as evidenced on the application form.
10	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.
B		
11	BASEMENT	Means the portion of a building which is wholly or partially below grade, having above grade no more than 1.8 m (6.0 ft.) of its clear height which lies below the finished level of the floor directly above.
12	BED AND BREAKFAST ESTABLISHMENT	Means 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 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.
14	BOAT HOUSE	Means an accessory building designed and used primarily for the storage of boats and is normally designed such that the main door faces the lake as to permit the direct removal of boats from the water to the structure.
15	BUFFER	Means a row of trees, shrubs, berm(s), or fencing to provide visual screening and separation between sites and incompatible land uses.
16	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.
17	BUILDING HEIGHT	See "Height of Building."
18	BUILDING POCKET	Means the land on which the main building on the site and all accessory buildings will be situated.
C		
19	CANOPY (OR, AWNING)	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.
20	CARPORT	Means a roofed structure used for storing or parking of not more than two private vehicles (including recreational vehicles and boats) which has not less than 40% of its total perimeter open and unobstructed.
21	CHATTEL	Means a moveable item of personal property.
22	COMMERCIAL USE	Means a development without a residential component through which products, services, or entertainment are available to consumers, whether the public or other commercial establishments and is not developed as a home business.
23	CORNER	Means the intersection of any two property lines of a site.
24	COUNCIL	Means the Council of the Summer Village of Bondiss.
D		

25	DECK	Means any open structure attached to a building having a height greater than 0.6 m (2.0 ft.) above grade, and thereby requiring stairs and railings as outlined in regulations approved under the Safety Codes Act. A deck shall not have walls higher than 1.25 m (4.1 ft.).
26	DEMOLITION	Means the tearing down, wrecking, destroying, or removal of a development, and is considered a form of development.
27	DEVELOPER	Means an owner, agent or any person, firm or company required to obtain or having obtained a development permit.
28	DEVELOPMENT	Means: <ul style="list-style-type: none"> a. an excavation or stockpile and the creation of either of them; or b. a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land; or c. removal or demolition of a building or structure in whole or in part; d. 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 e. a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building; or f. the placement of an already constructed or a partially constructed building on a lot; g. redevelopment of a previously developed parcel of land; h. vegetation removal; i. tree removal; j. stripping; k. grading; l. recontouring; or m. a change of use of land or a building that alters natural drainage patterns.
29	DEVELOPMENT AUTHORITY	Means the Development Authority established by this Land Use Bylaw and as appointed by Council.
30	DEVELOPMENT OFFICER	Means the person(s) appointed as the Summer Village's Development Officer as established by this bylaw.
31	DEVELOPMENT PERMIT	Means a document authorizing a development issued pursuant to this Bylaw.
32	DISCONTINUED	Means the time at which, in the sole opinion of the Development Authority, substantial construction activity, or a non-conforming use or conforming use, or the use of a non-conforming building or conforming building has ceased.
33	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.
34	DWELLING	Means any building used exclusively for human habitation and which includes kitchen, bathroom and sleeping facilities. This definition shall include single detached dwellings and manufactured home dwellings.
35	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).
36	DWELLING, MULTI-UNIT	Means a development containing two or more dwelling units, and includes residential uses such as duplexes, triplexes, and apartment buildings.

37	DWELLING, SINGLE DETACHED	Means a building consisting of one (1) dwelling unit. A single detached dwelling is normally constructed on-site. However, a single detached dwelling may be a modular dwelling. Single detached dwellings do not include manufactured home dwellings, mobile home dwellings, suites, park models, relocatable industrial accommodations (i.e., ATCO trailers), or recreational vehicles. A single detached dwelling must: <ul style="list-style-type: none"> a. have a front door facing the road or clearly visible from the road directly into the main level of building; b. occupy a greater floor area than the attached garage in the building; and c. comply with the provisions in 9.2 – Building Orientation and Design.
38	DWELLING UNIT	Means a complete dwelling or self-contained portion of a dwelling, or a set 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.
E		
39	EASEMENT	Means a right to use land, generally for access to other property or as a right-of-way for a public utility.
40	ENVIRONMENTALLY SENSITIVE AREA	Means: <ul style="list-style-type: none"> a. Hazardous lands and areas that are unsuitable for development in their natural state (i.e., floodplains, steep and unstable slopes); b. Areas that perform a vital environmental, ecological, or hydrological function (i.e., aquifer or recharge groundwater storage areas); c. Areas that contain unique geological or physiological features; d. Areas, buildings, or features that are important for cultural, historical, prehistoric, or archeological reasons; e. Areas that contain significant rare or endangered animal or plant species; f. Areas containing unique habitats with limited representation in the region or small remnants of previously abundant habitats which have virtually disappeared; g. Areas that contain large, relatively undisturbed habitats and provide shelter for species that are intolerant of human disturbance; h. Areas that provide an important link for the natural migration of wildlife; and/or i. Riparian areas of water bodies, wetlands, and watercourses.
41	ENVIRONMENTALLY SIGNIFICANT AREA	Are 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 Environmentally Significant Areas in Alberta: 2014 Update.
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, topsoil, 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, landscaping, 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.).
F		
46	FENCE	Means a vertical physical barrier constructed to prevent or reduce visual intrusion, noise, or unauthorized access.
47	FLOOR AREA	Means the total area of all floors of all buildings including accessory buildings located on any lot, excluding the area of basement floors.
48	FLOOR AREA, GROSS	Means the area of all finished floors at or above lot grade, measured from the inside of the exterior walls.
49	FOUNDATION	Means the total area of all floors of all buildings on a site above lot 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.
50	FRAGMENTED PARCEL	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 lot grade, a foundation may be above or at lot grade.
51	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.
52	FRONT LINE	Means the boundary line of a lot lying adjacent to a road or, in the case of a lakeshore lot, the lot line closest to or adjacent to the waterbody. In the case of a corner lot, the shorter of the two boundary lines adjacent to the road shall be considered the front line.
G		
53	GARAGE	Means an accessory building, or part of a main building, designed and used primarily for the storage of motor vehicles, recreational vehicles, boats, and chattel and is not intended to be occupied.
54	GARAGE SUITE	Means a self-contained dwelling unit located above a detached garage and which is accessory to a single-detached dwelling. Garage suites have an entrance which is separated from the vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the building.
55	GARDEN SUITE	Means a subordinate self-contained dwelling which is separate from the principal single detached house. It has cooking, sleeping and bathroom facilities which are separate from those of the principal dwelling located on the lot.
56	GEOTECHNICAL REPORT	Means a report prepared by a qualified professional that may include the following: <ul style="list-style-type: none"> 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); b. Seasonally adjusted and recommended water tables; c. Location of on-site storage of sewage; d. Recommended building foundations and basement construction; and e. Soil bearing capabilities.

57	GOLF COURSE	Means land developed for golfing purposes including, a driving range, fairways and greens, and may include a professional shop, clubhouse with a lounge, and/or restaurant.
58	GRADE OF A LOT	Means the ground elevation established for the purpose of determining building height. In determining grade, the Development Authority shall select from the following methodologies, whichever one best ensures compatibility with neighbouring developments: <ul style="list-style-type: none"> a. If the applicant can show by reference to reliable surveys that the pre-development elevation of the subject parcel varies by no more than 1.0 m in 30 linear metres, the Development Authority may determine grade by calculating the average of the highest and lowest elevation on the parcel; or b. The Development Authority may determine grade by calculating the average of the pre-development elevations at the corners of the parcel as shown on a reliable survey; or c. The Development Authority may determine grade by calculating the average elevation of the corners of the principal buildings on all properties abutting the subject parcel; or d. the average of the pre-development elevations at the corners of the building as shown on a survey prepared by an Alberta Land Surveyor.
59	GRADE OF AN ADJACENT LOT	Means the average elevation of the comers of the main building on the adjacent lot.
60	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.
61	GUEST HOUSE	Means an accessory building or secondary suite which has sleeping accommodations, a bathroom, and cooking facilities. This use includes garage suites and garden suites.
H		
62	HEIGHT OF A BUILDING	Means the vertical distance of a building measured from the grade of the lot to the highest point of a building (see “Grade of a Lot”). The highest point of a building shall be determined without considering an elevator housing, a mechanical housing, a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smokestack, a fire wall, a parapet wall, a flagpole or similar device not structurally essential to the building. 
63	HISTORIC RESOURCE	Means a building, structure, or area designated by a municipal, provincial, or federal authority to be historically significance.
64	HOME OCCUPATION	Means a business, occupation, trade, profession, or craft carried on by an occupant of a dwelling as a use secondary to the residential use of the building which does not change the character thereof. For the purposes of this Bylaw, home occupations are divided into two types:

		<ul style="list-style-type: none"> a. minor home occupations; and b. major home occupations.
65	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. A major home occupation does not include Bed and Breakfast Establishments.</p> <p>A major home occupation shall not include a hobby farm or a farming operation.</p>
66	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>
I		
67	INSTITUTIONAL USE	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.
68	INVASIVE SPECIES	Means non-native species that have been introduced, that threaten our ecosystems and biodiversity.
J, K		
69	KENNEL	Means a development in which domestic pets are maintained, boarded, trained, cared for, bred, or raised for remuneration or for sale, or the keeping of more than one (1) unsprayed female domestic pet over the age of six (6) months.
L		
70	LAND ELEVATION	Means the distance above sea level of a given location.
71	LANDSCAPING	<p>Means the incorporation, preservation, 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>Landscaping does not include stripping, grading, shoreline modification, and architectural elements (i.e., decorative fencing, sculpture).</p>
72	LANDSCAPING ELEMENTS, HARD	Means a non-permeable surface or landscaping element such as, but not limited to, ceramic, brick, wood, concrete, or marble. Retaining walls, are also considered as hard landscaping elements.

73	LANDSCAPING ELEMENTS, SOFT	Means vegetation such as, but not limited to, grass, hedges, ground cover, flowering plants, shrubs, and trees and may also include non-grass alternatives such as rock gardens that incorporate vegetation and xeriscaping.
74	LANDSCAPING PLAN	Means a site plan detailing the design of the non-building area of a site.
75	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. The legal bank in Alberta is the line separating the Crown-owned bed and shore from the adjoining upland.
76	LOT	<p>Means:</p> <ul style="list-style-type: none"> a. a quarter section; or b. a river or a settlement lot shown on an official plan referred to in the Surveys Act that is filed or lodged in a Land Titles Office; or c. a part of a parcel of land described in a certificate of title if the boundaries of the part are separately described in the certificate of title other than by reference to a legal subdivision; or d. a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.
77	LOT, BACK	Means a lot that is not lakefront.
78	LOT, CORNER	Means a lot with boundary lines on two separate roads or a single road that curves at an angle of sixty (60) degrees or more at the subject lot. For the purposes of this definition, a road shall not include a lane.
79	LOT COVERAGE	Means the combined area covered by all buildings, structures, and non-permeable surfaces on a lot, expressed as a percentage of the lot area, measured as the area of the projection of the outline of the buildings and structures onto a horizontal plane.
80	LOT DEPTH	Means the average distance between front and rear property lines of a lot.
81	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) to the lot but does not include a corner lot.
82	LOT, INTERIOR	Means a lot which is bordered by only one road.

83	LOT, LAKEFRONT	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.	ROAD					
			LAKEFRONT LOT	LAKEFRONT LOT	LAKEFRONT LOT	LAKEFRONT LOT	LAKEFRONT LOT	LAKEFRONT LOT
			 <p style="text-align: center;">RESERVE</p> <p style="text-align: center;">LAKE</p>					
84	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.						
85	LOT, UNDEVELOPED	Means a lot which does not contain a residence, building or structure.						
86	LOT GRADING AND DRAINAGE PLAN	Means a plan that specifies design elevations, surface gradients, swale locations, and other drainage information required for lot grading.						
87	LOT WIDTH	Means the length of a line parallel to the front line or, in a lot with a curved front line, perpendicular to a line running between the mid-point of the front line and the mid-point of the rear line, measured at a distance from the front line equal to the minimum required front yard.						
			M					
88	MAIN BUILDING	Means a building in which is conducted the main or principal use of the lot on which it is erected.						
89	MANUFACTURED HOME	Means a structure that is designed to be transported on its own wheels or by other means, and upon arriving at the site for location is, apart from incidental operations such as placement of foundation supports and connections of utilities, ready for year-round use as dwelling accommodation for a single household. This definition shall include a building that would otherwise be considered to be a one family dwelling if the ratio of depth vs. width (or width vs. depth) were less than 2.5:1, or if the depth of eaves were greater than 1 foot (0.3 m). If the ratio is greater than 2.5:1 or if the depth of eaves is less than 1 foot (0.3 m), the building shall be considered to be a manufactured home unit.						
90	MAIN USE OR BUILDING	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.						
91	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.						
92	MAY	Is an operative word meaning a choice is available, with no direction or guidance intended.						
93	MOBILE HOME	See “Dwelling, Manufactured Home.”						
94	MODULAR BUILDING	Means a structure that is manufactured off-site, is capable of being moved from one place to another by being towed or carried and can provide year-round living accommodation for one or more people and can be connected to utilities.						
95	MUNICIPALITY	Means the Summer Village of Bondiss, unless otherwise noted.						
			N					

96	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.
97	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. Clearing of existing tree cover shall be limited to the development of a walking trail and associated amenities.
98	NON-CONFORMING BUILDING	Means a building that: <ul style="list-style-type: none"> a. 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 b. on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw.
99	NON-CONFORMING USE	Means a lawful specific use: <ul style="list-style-type: none"> a. being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective, and b. that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw.
100	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.
O		
101	OBJECTIONABLE	See "Offensive."
102	OCCUPANCY	Means the use or intended use of a building or part thereof for the shelter or support of persons or property.
103	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.
104	OFFENSIVE	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: <ul style="list-style-type: none"> a. noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter; b. radiation, fire or explosion hazard, heat, humidity, glare; or c. the unsightly storage of goods, materials, salvage, junk, waste, or other materials. Such a use may adversely affect 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.
105	OWNER	Means: <ul style="list-style-type: none"> 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 b. in the case of any other land, the owner of the land as the owner of the lot on the current Certificate of Title.
P		

106	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.
107	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 3.7 m (12.0 ft.), excluding all extensions, pull outs, tip outs, etc. A park model that is permanently located on a lot (whether on wheels or with wheels removed) is considered a dwelling. A park model that is located on a lot for less than thirty (30) days in a calendar year is considered a recreational vehicle.
108	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.
109	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.
110	PARKING STALL	Means a designated space for the parking of one (1) vehicle in a parking area.
111	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 all the regulations of this Bylaw have been met to the satisfaction of the Development Authority.
112	PRIVY	Means an outdoor/portable toilet and/or outhouse.
113	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.
114	PROPERTY LINE, FRONT	Means the property line closest to the shore of Bondiss Lake (for a lakefront lot). For a backlot, the front property line is 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.
115	PROPERTY LINE, REAR	Means the boundary line of a lot lying opposite to the front property line of the lot.
116	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.
117	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.
118	PUBLIC UTILITY	Means a public utility, as defined in the Act.
119	PUBLIC UTILITY BUILDING	Means a building in which the proprietor of the public utility maintains its offices and/or maintains or houses any equipment used in connection with the public utility.
Q		
120	QUALIFIED WETLAND PROFESSIONAL	Means a registered member of an Alberta Professional Regulatory Organization who is also an approved Wetland Practitioner under the Alberta Wetland Policy.
R		
121	REAL PROPERTY REPORT	Means a drawing prepared by an Alberta Land Surveyor showing the location of improvements on a lot.
122	REAR LINE	Means the boundary line of a lot lying opposite to the front line of the lot.

123	RECREATIONAL VEHICLE	Means a mobile unit that is designed to be used as temporary living or sleeping accommodation, whether it has been modified to no longer be mobile or capable of being mobile, and includes but is not limited to holiday trailers, tent trailers, truck campers, fifth wheel trailers, camper vans, and motor homes, but does not include manufactured home dwellings.
124	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.
125	RENOVATION	Means an addition to, deletion from, or change to any building which does not require a permit other than a plumbing, gas, or electrical permit pursuant to the Safety Codes Act, R.S.A. 2000, c. S-01, as amended.
126	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.
127	RESIDENTIAL USE	Means the occupation and use of land and buildings as dwellings, whether on a seasonal or year-round basis.
128	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 lot grades.
129	RIPARIAN AREA	Means 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.
130	ROAD	Shall mean a "road" as defined in the Act. For the purposes of this Bylaw, 'road' shall include a highway.
131	RUNOFF	Means water that moves over the surface of the ground. Runoff collects sediments and contaminants as it moves from higher elevations to lower elevations.
S		
132	SEA CAN	Means a shipping container which is used as a storage vault and includes sea/land/rail shipping containers.
133	SECONDARY SUITE	Means a subordinate self-contained dwelling unit located in a structure in which the principal use is a single-detached dwelling or semidetached dwelling. A secondary suite has cooking, food preparation, sleeping and bathing facilities which are separate from those of the principal dwelling within the structure. Secondary suites also must have a separate entrance from the dwelling. This use includes conversion of basement space to a dwelling, or the addition of new floor space for a secondary suite to an existing dwelling. This use does not include duplexes, triplexes, fourplexes, row housing, or apartments where the structure was initially designed for two or more dwellings and does not include boarding and lodging houses. Garden suites and garage suites are not considered secondary suites.

134	SETBACK	Means the distance from a building to the front, side, or rear property line of the building site.	
135	SHALL	Is an operative word which means the action is obligatory.	
136	SHORELINE	Means the line of the bed and shore of a water body.	
137	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.	
138	SHOULD	Is an operative word which means that, to achieve local goals and objectives it is strongly advised that the action be taken. Exceptions shall be made only under extenuating circumstances.	
139	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.	
140	SIDELINE	Means the boundary line of a lot lying between a front line and a rear 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 sideline.	
141	SIGN	Means an object or device intended for the purpose of advertising or calling attention to any person, matter, thing, or event.	
142	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.	
143	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.	
144	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.	
145	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.	
146	STORMWATER MANAGEMENT PLAN	<p>Means a plan prepared by a qualified professional that outlines the design and implementation of systems that mitigate and control the impacts of human-caused changes to the runoff and other components of the hydrologic cycle. Stormwater Management Plans (SMWPs) should include design considerations to minimize flooding, erosion, and impacts on groundwater, water bodies and watercourses. SMWPs must include:</p> <ol style="list-style-type: none"> a. Topography; b. Proposed plan to control runoff; c. Proposed minor drainage system (ditches/pipes/catch basin locations/flow rate); 	

		<ul style="list-style-type: none"> d. Proposed major drainage systems (direction of surface drainage/flow rate); e. Proposed on-site detention/retention facility (location/size/capacity); f. Location of outflow/outfall structures; g. Any related modeling and calculation information. <p>SWMPs must conform to approved master drainage plans.</p>
147	STRIPPING	Means the removal of some or all vegetation and topsoil on lot in preparation for construction activities.
148	SUBDIVISION AUTHORITY	Means a subdivision authority established and appointed pursuant to a Summer Village Bylaw and the Act.
149	SUBDIVISION AND DEVELOPMENT APPEAL BOARD	Means the Subdivision and Development Appeal Board established by the Council by the Subdivision and Development Appeal Board Bylaw adopted pursuant to the Act.
150	SUBSTANDARD LOT	See “Lot, Substandard.”
151	SUMMER VILLAGE ADMINISTRATOR	Is the Chief Administrative Officer of the Summer Village of Bondiss named by Council.
152	SURFACE, NON-PERMEABLE	Means solid surfaces, including hard landscaping elements that do not allow water to penetrate, forcing it to run off. (e.g., asphalt, concrete, paving stones, etc.).
153	SURFACE, PERMEABLE	Means surfaces (also known as porous or pervious surfaces) allow water to percolate into the vegetation and/or soil to filter out pollutants and 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.).
T		
154	TEMPORARY	Means a period up to one year, or a period determined by the Development Authority.
155	TEMPORARY USE	Means a use that has been allowed to be located and/or operate for a limited time only.
156	TENTED STRUCTURE	Means a building that uses masts or poles and tensile membrane (e.g., polyester, fabric, animal hide, etc.) to create a temporary enclosure. Portable garages and reception tents are examples of tented structures. Tented structures do not include gazebos and awnings permanently affixed to a principal dwelling, patio, or deck.
157	TOURIST HOME	<p>Means a dwelling or dwelling unit operated as a temporary place to stay, with compensation, and includes all vacation rentals of a dwelling unit. The characteristics distinguish a tourist home from a dwelling unit used as a residence may include any of the following:</p> <ul style="list-style-type: none"> a. The intent of the occupant to stay for short-term (30 days or less) vacation purposes rather than use the property as a residence; b. The commercial nature of a tourist home; c. The management or advertising of the dwelling unit as a tourist home on any website such as Airbnb or VRBO; and/or d. The use of a system of reservations, deposits, confirmations, credit cards, or other forms of electronic payments, etc. <p>Recreational vehicles shall not be used as a tourist home.</p>
158	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.
159	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.

160	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.	
			U
161	UNDEVELOPED LOT	See “Lot, Undeveloped.”	
162	UNSIGHTLY	Means: <ul style="list-style-type: none"> a. in respect of a structure, includes a structure whose exterior shows signs of significant physical deterioration; and b. in respect of land, includes land that shows signs of a serious disregard for general maintenance or upkeep. 	
163	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.	
164	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.	
			V
165	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"> a. Structurally sound, well-balanced, healthy and vigorous; b. Of normal growth habits; and/or Densely foliated when in leaf, with a healthy, well developed root system.	
166	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.	
			W
167	WASTEWATER	Means the composite of water and water-carried sewage or waste from a premise or any other source.	
168	WATER BODY	Any location where water flows or is present, whether 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.	
169	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> .	
170	WETLAND BOUNDARY	Means the furthest ecological extent of a wetland bordering upland or other non-wetland habitat, as indicated by a shift in soils and vegetation. Indicators of a wetland boundary are delineated by a Qualified Wetland Professional.	
171	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.	
172	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.	
173	WOODSHED	Means a structure for the storage of firewood. A woodshed may have a hard or soft surface roof/cover and shall include a maximum of three walled sides. A woodshed has a maximum floor area of 7.0 m ² (75.0 ft. ²).	
			Y
174	YARD	Means a part of a lot upon or over which no main building is to be erected.	
175	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.	

176	YARD, REAR	Means a yard extending across the full width of a lot from the nearest wall of the main building situated on the lot to the rear line of the lot.
177	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.

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

4. AMENDMENTS

4.1 APPLICATIONS

- 4.1.1 Subject to the Act, any section in this Land Use Bylaw may be amended.
- 4.1.2 Notwithstanding this section, 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.
- 4.1.3 Council may at any time initiate an amendment to this Land Use Bylaw by directing Summer Village Administration to initiate an application, therefore. Depending on the complexity of the application, Administration could undertake the application or use the Summer Village's planning services provider.
- 4.1.4 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 Council.
- 4.1.5 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.
- 4.1.6 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. Compatibility with surrounding development in terms of land use function and scale of development;
 - d. Traffic impacts;
 - e. Relationship to, or impacts on, water and sewage systems, and other public utilities and facilities such as recreation facilities and schools;
 - f. Relationship to municipal land, right-of-way, or easement requirements;
 - g. Effect on stability, retention and rehabilitation of desirable existing land uses, buildings, or both in the area;
 - h. Necessity and appropriateness of the proposed amendment in view of the stated intentions of the applicant; and
 - i. Relationship to the documented concerns and opinions of area residents regarding development implications.

- 4.1.7 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.
- 4.1.8 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.
- 4.1.9 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.
- 4.1.10 Following its first consideration, the Council shall establish the date, time, and place for a Public Hearing on the proposed amendment.
- 4.1.11 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 the 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.
- 4.1.12 A notice of a public hearing must be advertised at least five (5) days before the public hearing occurs.
- 4.1.13 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.
- 4.1.14 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 4.13:
- 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. 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.

- 4.1.15 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.
- 4.1.16 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.
- 4.1.17 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 4.14.

5. DEVELOPMENT PERMITS

5.1 CONTROL OF DEVELOPMENT

- 5.1.1 Development Permits are required to ensure that all development is achieved in an orderly manner.
- 5.1.2 No development other than that designated in Section 5.2 shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.
- 5.1.3 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.
- 5.1.4 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.
- 5.1.5 For the purposes of this section, signs, posters, and billboards are deemed to be developments.
- 5.1.6 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 DEVELOPMENT PERMIT

- 5.2.1 The following development 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 maintenance 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 building which was lawfully under construction at the date of the approval of this Bylaw, provided that the building 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 building, whether or not a permit was granted, is completed within a period of twelve (12) months from the date of the approval of this Bylaw.
 - c. The use of any such buildings as referred to in 5.2.b for the purpose for which construction was commenced.
 - d. The erection, construction, or maintenance, improvement or alteration of gates, fences, walls or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than 0.9 m (3.0 ft.) in height in front yards and less than 1.8 m (6.0 ft.) in side and rear yards (subject to the regulations in Section 9.9 – Fences and Walls), and the maintenance, improvement and other alterations of any gates, fences, walls or other means or enclosure.
 - e. A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a development permit has been issued under this Bylaw provided that the temporary building is removed within two (2) years of the date of the issuance of the relevant development permit.
 - f. The installation, maintenance, and repair of public works, services and utilities carried out by or on behalf of federal, provincial, and municipal public authorities on land which is publicly owned or controlled.
 - g. 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.
 - h. A maximum of one accessory building or structure with a gross floor area of under 11.1 m² (120.0 ft.²), provided that the accessory building:
 - i. is not a garage;
 - ii. is not a privy or outhouse;
 - iii. satisfies the setback requirements for accessory buildings in the land use district in which it is located;
 - iv. complies with lot coverage regulations; and
 - v. is not a boat house. All boat houses shall require a development permit.
 - i. A development that is exempted from requiring a development permit pursuant to the Act.

- j. The construction, maintenance, and repair of retaining walls 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.
- k. Exterior steps.
- l. Roof repairs such as replacement of shingles or their underlay.
- m. 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.
- n. A maximum of one woodshed with a floor area not more than 7.0 m² (75.0 ft. ²);
- o. Roof mounted solar energy collection systems;
- p. Micro wind energy conversion systems; and
- q. 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.

5.2.2 Notwithstanding Section 9.25, the following signs may be erected on land or affixed to the exterior surface of a building or structure without a development permit, provided that no such signs shall be illuminated.

- a. Signs for the purpose of identification, direction and warning or relating to a person, partnership or company carrying on a profession, business or trade, or relating to an institution of a religious, educational, cultural, recreational or similar character, not exceeding 1.1 m² (12.0 ft. ²) and limited to one (1) sign per lot.
- b. Temporary advertisements relating to the sale or letting of land, the sale of goods or livestock, the carrying out of building or similar work, announcements of any local event of a religious, educational, cultural, political, or similar character not exceeding 1.8 m² (20.0 ft. ²), provided that all such temporary advertisements shall be removed by the advertiser within fifteen (15) days of the completion of the event or works to which such advertisements relate.
- c. Advertisements or signs in relation to the function of local authorities, utility boards, or other public or quasi-public bodies.
- d. A statutory or official notice of a function of the municipality.
- e. Traffic signs authorized by the municipality and/or provincial authorities.
- f. 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:
 - i. such signs are removed within fourteen (14) days after the election date;
 - ii. the consent of the lot owner and/or occupant is obtained;
 - iii. such signs do not obstruct or impair visibility or traffic;
 - iv. such signs are not attached to trees or utility poles on municipally owned property; and
 - v. such signs indicate the name and address of the sponsor and the person responsible for the sign's removal.

5.2.3 No development permit is required for landscaping, provided that the proposed lot grades and surface drainage patterns on and from the site will not adversely affect the subject site or adjacent properties or result in an increase of runoff and sediment into Skeleton Lake.

5.2.4 No development permit is required for the removal of invasive species, removal of dead or hazardous trees or vegetation, cutting grass, pruning, and typical yard maintenance.

5.2.5 Notwithstanding any regulation in this section, other permits and approvals (such as building permits) may be required.

5.2.6 No development permit is required for a tented structure erected:

- a. after September 1 and removed before May 31 and used to shelter boats or other chattel during winter months; or
- b. used temporarily (to a maximum of one week) for a special event (e.g., wedding).

5.3 NON-CONFORMING BUILDINGS AND USES

- 5.3.1 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.
- 5.3.2 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 with this Bylaw.
- 5.3.3 A non-conforming use of part of a building may be extended throughout the building but 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.
- 5.3.4 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.
- 5.3.5 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 notwithstanding any non-compliance with the regulations of this Bylaw.
- 5.3.6 If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
- 5.3.7 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.
- 5.3.8 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 FOR DEVELOPMENT PERMITS

- 5.4.1 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.
- 5.4.2 A Real Property Report prepared by an Alberta Land Surveyor (or some other sketch or form of Report prepared by an Alberta Land Surveyor which serves the same purpose as a Real Property Report) may be required at the discretion of the Development Authority.

- 5.4.3 In making a decision, the Development Authority may also require additional information 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. Reports, plans, and studies prepared by qualified professionals, including:
 - i. Arborist Report;
 - ii. Erosion and Sediment Control Plan;
 - iii. Geotechnical Report;
 - iv. Landscaping Plan;
 - v. Slope Stability Analysis;
 - vi. Wetland Assessment; and
 - vii. Any other reports, plans, and studies that provides information requested by the Development Authority;
 - h. 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;
 - i. future development plans for a site which is to be partially developed through the applicable development permit;
 - j. 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
 - k. 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.
- 5.4.4 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.
- 5.4.5 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.
- 5.4.6 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.

- 5.4.7 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.
- 5.4.8 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.
- 5.4.9 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.
- 5.4.10 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.
- 5.4.11 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.
- 5.4.12 As a condition of issuing a development permit, the Development Authority may require the applicant to post a \$10,000 bond to cover the cost of repairing roads and other municipal improvements damaged because of the work authorized in the permit.

5.5 PERMISSION FOR DEMOLITION

- 5.5.1 The demolition of a structure not identified in Section 5.2 shall require a development permit.
- 5.5.2 The demolition of any structure must be done in accordance with the Alberta Building Code and Canadian Standards Association Standard S350-M1980, “Code of Practice for Safety in Demolition of Structures” and/or any subsequent Alberta Building Code or Canadian Standards Association Standards.
- 5.5.3 In addition to the requirements of Section 5.4 of this Bylaw, an application for a development permit for the demolition of a building or structure shall include the following information:
 - a. the value of the development;
 - b. the alternatives to demolition if the building is of historic or architectural value;
 - c. the purpose of the building demolition and the type of structure to replace the demolished building, if applicable;
 - d. a work schedule of the demolition and site clean-up (the sequence of demolition must be such that at no time will a wall or a portion of a wall be left standing unsupported in an unstable condition or in danger of accidental collapse);
 - e. the destination of debris materials;
 - f. where redevelopment of the site is proposed, the length of time before the site is to be redeveloped and treatment of the site after demolition but prior to development (if materials are to be stored on site, a site plan will be required indicating the location of such materials in relation to property lines and other buildings);
 - g. a copy of the original development approval including building permits where applicable;
 - h. the form of demolition to be used (heavy equipment or by hand);
 - i. the method whereby public safety is to be protected (normally a fence that is at least 1.8 m (6.0 ft.) in height is required around the excavation or structure to be demolished);
 - j. an indication that all utility services to the site and/or the building have been disconnected to the satisfaction of the Development Authority;

- k. an indication that buildings on adjoining properties have been considered to ensure that damage will not occur to them or their foundations from the demolition;
 - l. where a fire safety plan is required, an indication that the local Fire Chief has been consulted for determining the fire safety plan required; and
 - m. an indication that any tanks containing flammable or combustible liquids will be removed before demolition begins and be purged of inert materials to the satisfaction of the Development Authority and any other applicable provincial agencies.
- 5.5.4 Before consideration of a development permit application for demolition, the Development Authority may also require the applicant to:
- a. Identify proposed haul routes and destination for the demolition materials;
 - b. Complete a Hazardous Materials Assessment Report; and/or
 - c. Complete any phase of an environmental site assessment to determine whether the site is contaminated, and the mitigation measures necessary to eliminate such contamination.
- 5.5.5 As a condition of approving a development permit for the demolition of a building, the Development Authority may, in addition to other requirements:
- a. Require that the applicant undertake all actions the Development Authority deems necessary to ensure the complete and safe demolition of the building, disposal of materials and debris, and site clean-up; and
 - b. Require the applicant to post a \$10,000 bond to cover the cost of repairing roads and other municipal improvements damaged because of the work authorized in the permit.

5.6 NOTICE OF COMPLETE OR INCOMPLETE DEVELOPMENT PERMIT APPLICATIONS

- 5.6.1 The Development Authority shall, within 20 days of the receipt of an application for a development permit, determine whether the application is complete.
- 5.6.2 The period referred to in Part 5.6.1 may be extended by an agreement in writing between the applicant and the Development Authority.
- 5.6.3 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.
- 5.6.4 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.
- 5.6.5 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 for the application to be considered complete.
- 5.6.6 If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Part 5.6.5, the application is deemed refused.
- 5.6.7 Despite that the Development Authority has issued an acknowledgment under Part 5.6.5 or Part 5.6.6, the Development Authority may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.

5.7 DEVELOPMENT PERMIT NOTIFICATION

- 5.7.1 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.
- 5.7.2 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 or email 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.

- 5.7.3 In addition to 5.7.1 and 5.7.2, 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 landowners 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.
- 5.7.4 The notice indicated in Parts 5.7.2 and 5.7.3 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.
- 5.7.5 Except for those permits described in Part 5.7.2 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.
- 5.7.6 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.
- 5.7.7 If the development authorized by a permit is not substantially commenced within six (6) months from the date of the date of the issue of the development permit and completed within eighteen (18) 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.
- 5.7.8 A development, once begun, shall not be abandoned or left for an extended period in what the Development Authority considers to be an unsightly or unsafe condition.
- 5.7.9 The applicant may be responsible for damage to public or private property occurring because of development.
- 5.7.10 A decision of the Development Authority on an application for a development permit shall be made in writing.
- 5.7.11 When a Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

5.8 DEVELOPMENT PERMIT CONDITIONS AND DEVELOPMENT AGREEMENTS

- 5.8.1 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; and
 - d. Any other conditions requested by the Development Authority.
- 5.8.2 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.

- 5.8.3 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.

5.9 VALIDITY OF DEVELOPMENT PERMITS

- 5.9.1 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.
- 5.9.2 If an appeal (which includes an appeal to the Subdivision and Development Appeal Board, the Land and Property Rights Tribunal, and the Court of Appeal of Alberta) is filed against a Development Permit, the permit is suspended until the appeal is heard or abandoned.
- 5.9.3 A Development Permit is valid for eighteen (18) months 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 eighteen (18) 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.
- 5.9.4 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 development permit and shall have the right to suspend all construction activity on the site.

5.10 VARIANCES

- 5.10.1 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.
- 5.10.2 The Development Authority may approve an application for a development permit notwithstanding that the proposed development does not comply with this Bylaw if, in their opinion the proposed development would not:
- a. unduly interfere with the amenities of the neighbourhood; or
 - b. materially interfere with or affect the use, enjoyment, or value of neighbouring properties; and
 - c. the proposed development conforms to the use prescribed for that land or building in the Land Use Bylaw.
- 5.10.3 A variance shall be considered only when 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. Except as otherwise provided in this bylaw, there shall be no variance from the following:
- a. Lot coverage;
 - b. Fence height; and
 - c. Building height.
- 5.10.4 Where a variance is granted, the nature of the approved variance shall be specifically described in the Development Permit approval.
- 5.10.5 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.

6. SUBDIVISION APPLICATIONS

6.1 DENSITY RESTRICTIONS

6.1.1 No further subdivisions which increase density shall be allowed in the Summer Village of Bondiss.

6.2 SUBDIVISION APPLICATION REQUIREMENTS

6.2.1 All subdivision applications for lands within the Summer Village of Bondiss shall comply with the provisions under this Section.

6.2.2 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.

6.2.3 Subdivisions shall be developed in accordance with the provisions of the land use district affecting the subject site at time of application.

6.2.4 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.

6.2.5 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.

6.2.6 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.

6.2.7 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.

6.2.8 The Summer Village may also require an applicant to submit to the Subdivision Authority any 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. reports, plans, and studies prepared by qualified professionals, including:
 - i. Arborist Report;
 - ii. Geotechnical Report;
 - iii. Lot Grading and Drainage Plan or Stormwater Management Plan;
 - iv. Slope Stability Analysis;
 - v. Water Report;
 - vi. Wetland Assessment;
 - vii. Any other reports, plans, and studies that provides information requested by the Subdivision Authority;
- e. if the land that is the subject of an application is located within 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;
- f. information respecting the land surface characteristics of land within 0.8 km (0.5 miles) of the land proposed to be subdivided;
- g. 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
- h. 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.

6.3 SUBDIVISION AUTHORITY PROCESS

- 6.3.1 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.

6.4 NOTICE OF COMPLETE OR INCOMPLETE APPLICATION

- 6.4.1 The Subdivision Authority shall, within twenty (20) days of the receipt of an application for subdivision, determine whether the application is complete.
- 6.4.2 The period referred to in Section 6.4.1 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.
- 6.4.3 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.
- 6.4.4 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.
- 6.4.5 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.
- 6.4.6 If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Section 6.4.5, the Subdivision Authority must deem the application to be refused.

- 6.4.7 Despite that the Subdivision Authority has issued an acknowledgment under Section 6.4.4 or 6.4.5 while 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.

6.5 DUTIES OF THE SUBDIVISION AUTHORITY

- 6.5.1 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 6.4.1.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
 - e. conforms to the use prescribed for that land in this Bylaw;
- 6.5.2 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.

6.6 REQUIREMENTS AND CONDITIONS OF SUBDIVISION APPROVAL

- 6.6.1 The Subdivision Authority shall abide by the requirements of and consider the matters indicated in Sections 652 to 670 of the Act.
- 6.6.2 Subdivision approvals must comply with Part 17 and 17.1 of the Act and the Regulations therein.
- 6.6.3 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.
- 6.6.4 Where the development involves a subdivision of land, no development permit shall be issued until the subdivision has been registered with Alberta Land Titles.
- 6.6.5 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.
- 6.6.6 The Subdivision Authority shall not approve a subdivision which is inconsistent with the Summer Village of Bondiss Municipal Development Plan and/or the provisions of any statutory plans that affect the land proposed to be subdivided.
- 6.6.7 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).
- 6.6.8 As a condition of subdivision approval, the Summer Village may require that the proponent provide hazard land as Environmental Reserve.
- 6.6.9 Where a subdivision is proposed on lands adjacent to Skeleton Lake, a watercourse or wetland, reserves shall be required as a condition of subdivision approval 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. The Recommended Setbacks Chart (see Appendix A).
- 6.6.10 Property taxes must be up to date prior to final endorsement of any Subdivision within the Summer Village.
- 6.6.11 The developer may be required to provide for Inclusionary Housing in accordance with the Act and the Regulations therein.
- 6.6.12 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.
- 6.6.13 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; and/or
 - e. Any other conditions requested by the Subdivision Authority.

7. APPEALS

7.1 DEVELOPMENT APPEALS

- 7.1.1 An appeal may be made if the Development Authority:
- fails or refuses to issue a development permit;
 - issues a development permit subject to conditions; or
 - issues a stop order under Section 645 of the Act;
- 7.1.2 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.
- 7.1.3 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.
- 7.1.4 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:
- is made by a council, there is no appeal to the Subdivision and Development Appeal Board; or
 - 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.
- 7.1.5 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.
- 7.1.6 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.
- 7.1.7 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:
- within 21 days after the date on which the written decision is given; or
 - 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; or
 - with respect to an order under Section 645 of the Act, within 21 days after the date on which the order is made.
- 7.1.8 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.
- 7.1.9 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.
- 7.1.10 An appeal to the Subdivision and Development Appeal Board may be launched by filing a notice by providing the following:
- the appeal application fee as identified in the Summer Village's Fees and Charges Bylaw;
 - the legal description and/or the municipal address of the property to which the decision, order or issuance of the development permit relates;
 - the name, contact information and address of the appellant; and
 - the reasons for the appeal and the issue or condition in the decision or order that are the subject of the appeal.
- 7.1.11 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:
- in the case of a person referred to in Section 7.1.1 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 7.1.2, 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

- 7.2.1 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.
- 7.2.2 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.
- 7.2.3 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.
- 7.2.4 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.
- 7.2.5 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.
- 7.2.6 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 HEARING AND DECISION

- 7.3.1 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.
- 7.3.2 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.

8. ENFORCEMENT

8.1 PROVISION OF ENFORCEMENT

- 8.1.1 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

- 8.2.1 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.
- 8.2.2 No person shall contravene any condition of a development permit or subdivision approval issued under this Bylaw.
- 8.2.3 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.
- 8.2.4 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

- 8.3.1 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.
- 8.3.2 A Designated Officer may enter the property outside of the identified period if, in their opinion, a possible violation constitutes an immediate health, safety, or environmental concern.

8.4 VIOLATION WARNINGS

- 8.4.1 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.
- 8.4.2 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.

8.5 OFFENSES AND FINES

- 8.5.1 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 offence as specified in the Fees and Charges Bylaw.
- 8.5.2 If the fine is not paid, the person is liable for imprisonment for not more than one year, or to both fine and imprisonment.

8.6 STOP ORDERS

- 8.6.1 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:
- stop the development or use of the land or building in whole or part as directed by the notice;
 - demolish, remove, or replace the development or landscaping; or
 - carry out any other actions required by the notice for compliance.

- 8.6.2 The notice shall specify a deadline for compliance.
- 8.6.3 A person named in a stop order may appeal to the Subdivision and Development Appeal Board.
- 8.6.4 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.
- 8.6.5 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.
- 8.6.6 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.
- 8.6.7 A stop order removal fee shall be charged as per the Summer Village's Fees and Charges Bylaw.

8.7 VIOLATION TAGS AND TICKETS

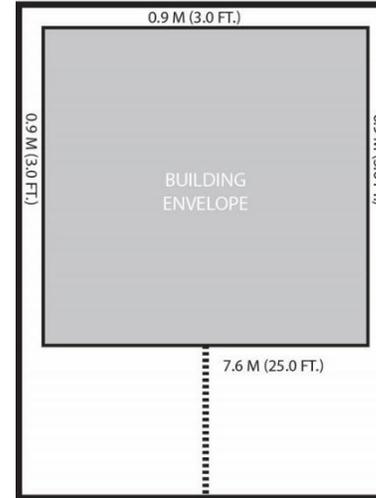
- 8.7.1 In accordance with the Provincial Offences Procedures Act, a Designated Officer may issue a violation tag to a person for specific offences in contravention of a violation issuing a warning notice, a final warning notice, or stop order where there are reasonable and probable grounds to believe there is a contravention of this Bylaw.
- 8.7.2 A violation tag may be issued to a person either personally or by registered mail.
- 8.7.3 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.
- 8.7.4 The Development Authority is hereby authorized and empowered to issue a violation tag to any person who the Development Authority has reasonable and probable grounds to believe has contravened any provision of this bylaw.
- 8.7.5 Offences and related fines are as specified in the Summer Village's Fees and Charges Bylaw.
- 8.7.6 Where a contravention is of a continuing nature, further violation tags may be issued by the Development Authority, provided however that no more than one violation tag shall be issued for each day that the contravention continues.
- 8.7.7 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.
- 8.7.8 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.
- 8.7.9 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.

9. GENERAL AND SPECIFIC LAND USE REGULATIONS

9.1 ACCESSORY BUILDINGS

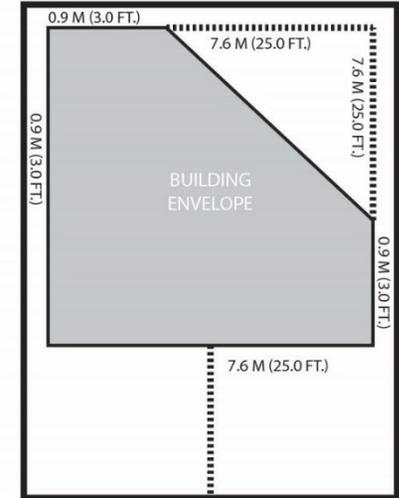
- 9.1.1 An accessory building shall not be used as a dwelling.
- 9.1.2 An accessory building (e.g., shed, garage, etc.) shall only be allowed on a lot with an existing dwelling with an approved development permit, subject to the regulations of the applicable land use district.
- 9.1.3 Notwithstanding 9.1.2, a development permit for an accessory building may be approved on a lot that has an approved development permit for a dwelling that is currently under construction, at the discretion of the Development Authority.
- 9.1.4 Accessory buildings shall be located such that the minimum distances between the accessory buildings and main buildings, lot lines, and other buildings, structures, and uses are provided.
- 9.1.5 The siting of an accessory building on an irregular-shaped lot shall be as approved by the Development Authority.
- 9.1.6 No accessory buildings, other than fences and boat houses that otherwise comply with this Bylaw, shall be located in the front yard.
- 9.1.7 No accessory building, other than a fence, deck, or patio, shall be located closer than 2.1 m (7.0 ft.) to a main building.
- 9.1.8 The height of an accessory building shall not exceed 4.6 m (15.0 ft.).

BACK LOT (INTERIOR)

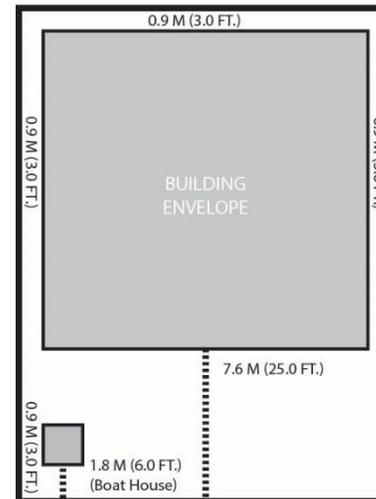


ROAD

BACK LOT (CORNER)

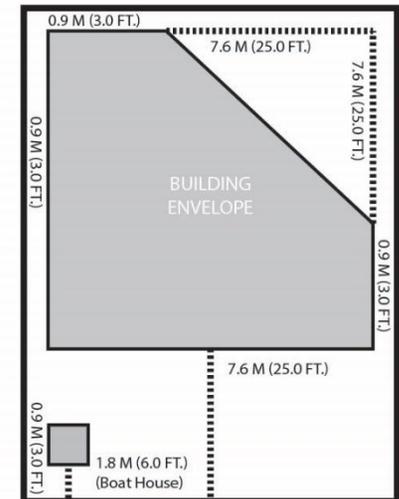


ROAD

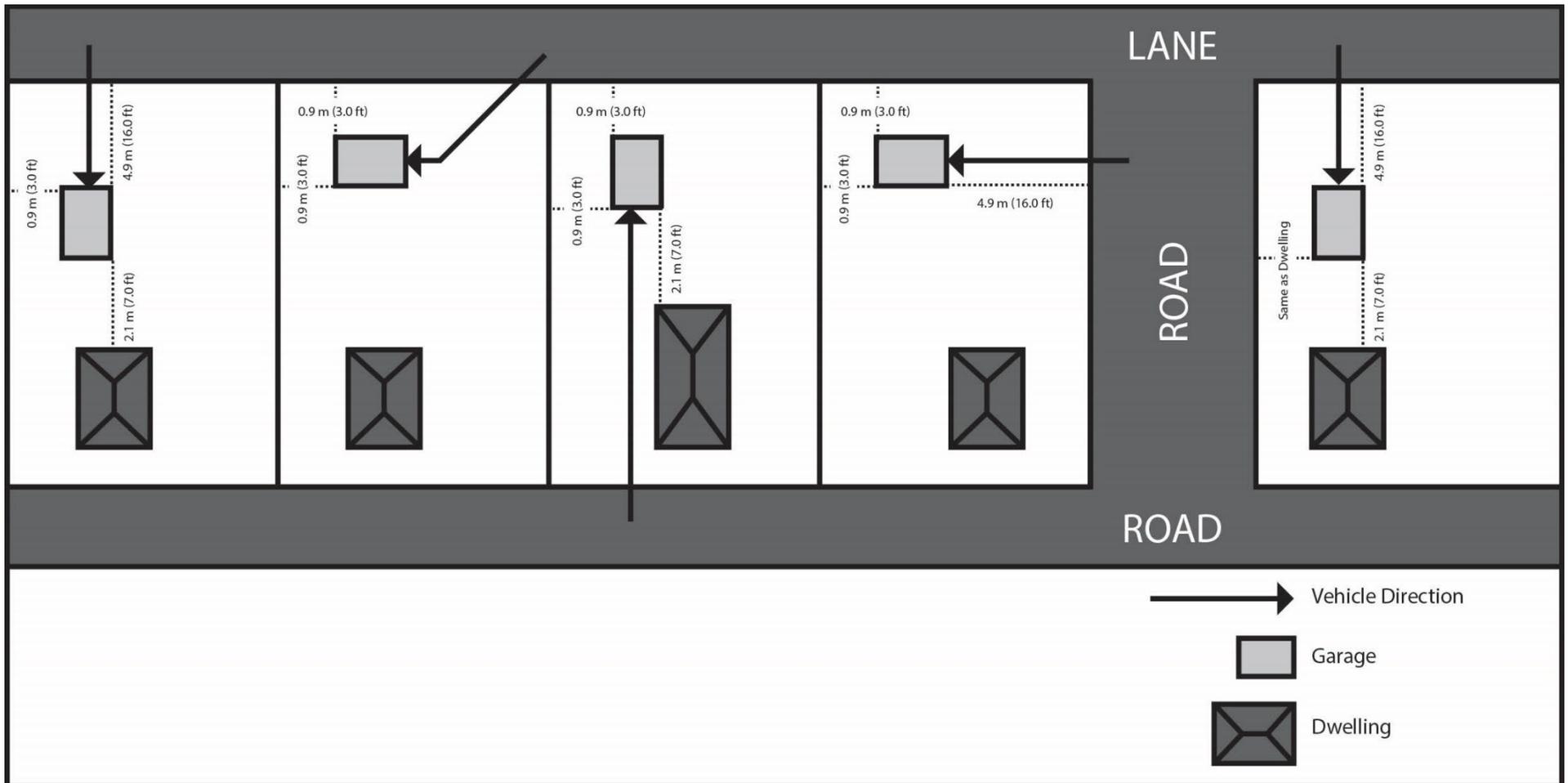


LAKESHORE, ENVIRONMENTAL RESERVE, OR MUNICIPAL RESERVE

LAKEFRONT LOT (INTERIOR)

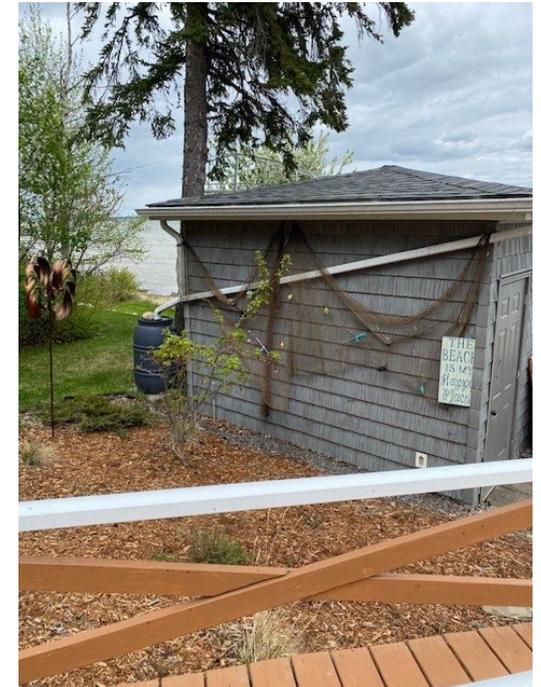


LAKEFRONT LOT (CORNER)



9.2 ACCESSORY BUILDING, BOAT HOUSES

- 9.2.1 Notwithstanding Section 9.1, the following apply to development and use of boat houses in the Summer Village.
- 9.2.2 All boat houses shall require a development permit.
- 9.2.3 The maximum number of boat houses allowed on a lot shall be one (1).
- 9.2.4 On lake front parcels, a boat house may be built in the front yard of a lot.
- 9.2.5 The height of a boat house shall be the same as for an accessory building in Section 9.1 – Accessory Buildings and the applicable land use district of this Bylaw.
- 9.2.6 The maximum size of a boat house shall be 10 m².
- 9.2.7 Sleeping accommodations shall not be allowed in boat houses.
- 9.2.8 Boat houses shall include the following design elements:
- Low-slope roof (3:12 roof or less, or flat roof) to minimize view obstruction; and
 - Gutters on all down-sloping sides of the building and downspouts that are directed away from Skeleton Lake and into rain barrels and/or rain gardens.
- 9.2.9 Boat houses shall be built on piles or skids, where possible.



9.3 APIARIES

- 9.3.1 As part of the Animal Health Act, S.A. 2007, c. A-40.2, as amended, owners of bees must have a premises identification account and premises identification number for the bees. This requirement is part of a traceability system designed to address potential threats of disease outbreaks that could affect animal health, public health, and food safety.
- 9.3.2 As a part of the Bee Act, R.S.A. 2000, c. B-2, as amended, and the Bee Regulation, AR 194/2003, as amended, beekeepers must register with the Provincial Apiculturist every year by June 30.
- 9.3.3 Every person who owns, possesses, or keeps bees and every person on whose property bees are kept shall:
- maintain the bees in such a condition so as to reasonably prevent undue swarming or aggressive behaviour by bees;
 - ensure that the bees are re-queened if they are subject to undue swarming or aggressive behaviour; and
 - provide adequate water to prevent the bees from seeking water from neighbourhood swimming pools, birdbaths, ponds, or other bodies of water.
- 9.3.4 No person shall locate an apiary within 7.5 m (24.6 ft.) of any property line except where the hive is situated either:
- 2.5 m (8.2 ft.) or more above the adjacent ground level, and not less than 1.5 m (4.9 ft.) from the property line; or
 - less than 1.8 m (6.0 ft.) above the adjacent ground level and behind a solid fence or hedge at least 1.8 m (6.0 ft.) in height running parallel to any property line and extending at least 6.0 m (19.7 ft.) beyond the hive in both directions.
- 9.3.5 No person shall locate an apiary within 7.5 m (24.6 ft.) of any property line except where the hive is situated either:
- 2.5 m (8.2 ft.) or more above the adjacent ground level, and not less than 1.5 m (4.9 ft.) from the property line; or

- b. less than 1.8 m (6.0 ft.) above the adjacent ground level and behind a solid fence or hedge at least 1.8 m (6.0 ft.) in height running parallel to any property line and extending at least 6.0 m (19.7 ft.) beyond the hive in both directions.
- 9.3.6 A Development Permit application for an apiary shall include a letter of support from all landowners 200.0 m (656.2 ft.) of the subject property. These letters must be accompanied by landowner contact information so that the letters may be verified.

9.4 BED AND BREAKFAST ESTABLISHMENTS

- 9.4.1 A bed and breakfast establishment shall not change the principal character or external appearance of the dwelling involved.
- 9.4.2 A bed and breakfast establishment shall have a maximum of three (3) sleeping units.
- 9.4.3 Cooking facilities shall not be located within the sleeping units. All facilities shall meet public health regulations.
- 9.4.4 A bed and breakfast establishment shall be operated by a live-in owner(s) and shall not change the character of the surrounding area.

9.5 BUILDING ORIENTATION AND DESIGN REQUIREMENTS

- 9.5.1 The design, character and appearance of any building, or series of buildings, structure or sign proposed to be erected or located in any district must be acceptable to the Development Authority having due regard to:
 - a. Amenities such as daylight, sunlight, and privacy;
 - b. The character of existing development in the district; and
 - c. Its effect on adjacent parcels.

9.6 DRIVEWAYS AND PARKING

- 9.6.1 A developed non-permeable surface driveway shall be considered part of a lot's site coverage and (along with other developments on the lot) shall not exceed the maximum site coverage regulation in the applicable Land Use District.
- 9.6.2 A development permit shall be required for a new driveway, or to increase the area of an existing driveway.
- 9.6.3 Driveway construction shall not disturb or disrupt municipal stormwater management infrastructure and shall be constructed in such a manner not to interfere with the natural flow or absorption of surface water.
- 9.6.4 Culverts shall be designed and installed to municipal standards at no cost to the Summer Village.
- 9.6.5 The maximum width of a driveway shall be 10.0 m (32.8 ft.).
- 9.6.6 Driveway width shall be measured within the carriageway.
- 9.6.7 In residential districts, the number of driveways shall be limited to not more than one (1) driveway on a property with less than or equal to 40.0 m (131.2 ft.) and not more than two (2) driveways for properties with more than 40.0 m (131.2 ft.) of frontage.
- 9.6.8 Where the road storm drainage flow will be impacted by the construction of a driveway, at the discretion of the Development Authority, driveways shall contain culverts and be graded to the satisfaction of the municipality.
- 9.6.9 No operator or owner of a heavy vehicle shall park a heavy vehicle on a parcel within a Residential District.

9.7 DWELLING UNITS ON A LOT

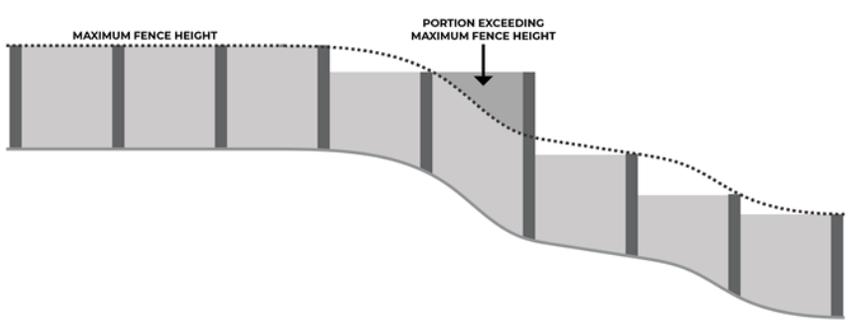
- 9.7.1 No permit shall be granted for the erection of more than one (1) dwelling unit on a lot.

9.8 EXISTING SUBSTANDARD LOTS

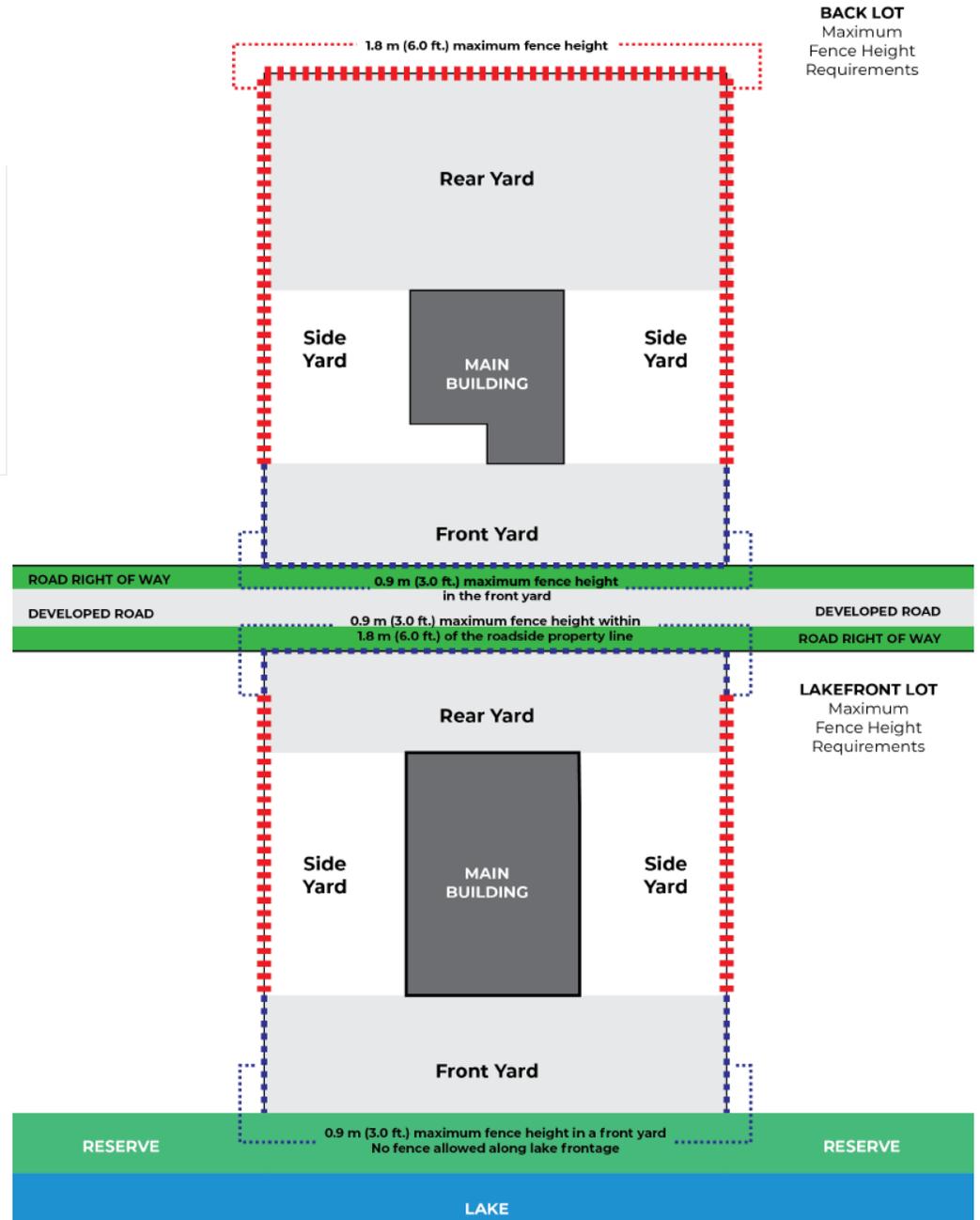
- 9.8.1 With the approval of the Development Authority the minimum lot area may be less in the case of existing substandard lots.

9.9 FENCES AND WALLS

- 9.9.1 A fence or wall may be constructed along a boundary line of a lot except as identified in 9.9.3.a.
- 9.9.2 Where a fence is located on a lot with variations in elevation, no portion of the fence shall exceed the maximum height identified in Section 9.9.3 and as illustrated in the figures in this section.



- 9.9.3 No fence or wall on a **lakefront lot** in any Residential District shall be:
- Constructed along the lake frontage of a front yard;
 - Greater than 0.9 m (3.0 ft.) in height along the side property boundaries of the front yard;
 - Greater than 1.8 m (6.0 ft.) in height within the side and rear yards (excepted as identified in 9.9.3.d below); and
 - Greater than 0.9 m (3.0 ft.) in height within 1.8 m (6.0 ft.) of the roadside property line in the rear yard.
- 9.9.4 No fence or wall on a **back lot** in any Residential District shall be:
- Greater than 1.8 m (6.0 ft.) in height within the rear or side yards; and
 - Greater than 0.9 m (3.0 ft.) in height within the front yard.
- 9.9.5 In no situation shall a development permit be approved for a fence within the right of way of a road.



9.10 LANDSCAPING

9.10.1 Vegetation clearing for reasons of lake access shall require a development permit.

9.10.2 A development permit shall be required for all landscaping that:

- a. Alters the natural drainage patterns on the site; or
- b. Alters the quantity or quality of runoff into a watercourse or water body, including Skeleton Lake.

9.10.3 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 Skeleton Lake;
- b. Stripping and grading;
- c. The construction of new buildings or redevelopment of existing buildings; and
- d. Any other development that alters drainage on the site.

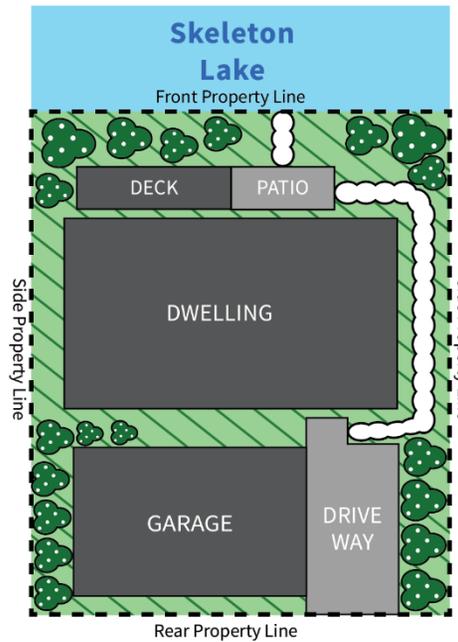
9.10.4 Where a landscaping plan is required, it shall include the site plan requirements outlined in Section 5.4.1.b. and the following:

- 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 berms, contours, walls (including retaining walls), fences;
- d. Proposed lot grading and drainage plan;
- e. Location of all existing vegetation to be retained;
- f. Locations, dimensions, areas, and description or illustrations of all existing and proposed:
 - i. Non-permeable surfaces;
 - ii. Native vegetation (including trees and shrubs);
 - iii. Other vegetation (including trees and shrubs);
 - iv. Soft landscaping elements; and
 - v. Permeable surfaces.

9.10.5 The area of the lot covered in vegetation (including lawn) shall be a minimum of 30% of the total lot area. Of that minimum vegetation cover, 10% of the total lot area shall be trees and shrub coverage.

9.10.6 The maximum parcel coverage area (including buildings and non-permeable surfaces such as hard-surfaced patios or driveways) in the R District is 45% of the parcel.

9.10.7 The lot is to be in the process of being landscaped within one (1) year of project completion, to the satisfaction of the Development Authority.



Residential District (R)

Symbol	Type	% of Lot Area
	Buildings (dwellings, decks, accessory buildings)	35% Maximum
	Non-permeable surfaces	10% Maximum
	Vegetation	30% Minimum (of which, 1/3 (10% of the lot area) shall include tree and shrub coverage)
	Trees and shrubs	
	Flex area	25%**
	Lot Boundary	100%

** Flex Area means the remainder of the lot area where soft landscaping elements or permeable surfaces (e.g., gravel, rock gardens, permeable pavement) are encouraged.

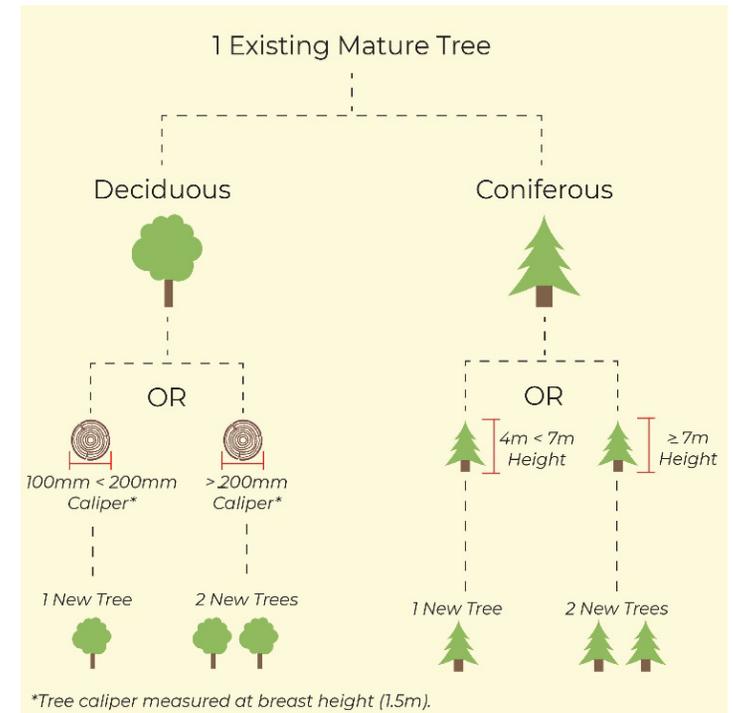
Note: This illustration demonstrates an example of site coverage only and is not representative of the requirements for setbacks, building floor area, and siting. The location of buildings, decks, non-permeable surfaces, vegetation (including trees and shrubs), and flex area is an example only.

9.11 LANDSCAPING, TOPSOIL EXCAVATION

- 9.11.1 No person shall commence or continue the removal of topsoil without first obtaining a development permit. Permits shall only be granted where it is shown to the satisfaction of the Development Authority that the land will not be adversely affected by topsoil removal.
- 9.11.2 The Development Authority may refer any application for removal of topsoil to any agent or officer for input into [their](#) decision.

9.12 LANDSCAPING, TREE REMOVAL

- 9.12.1 Tree removal that will result in less than 10% of the total lot area being covered by tree canopy shall require a development permit.
- 9.12.2 Where mature trees are removed from a lot, and their removal results in less than 10% of the total area of the lot being covered by tree canopy, they shall be replaced with new trees on the following basis as illustrated in Figure X:
- Where an existing deciduous tree has a caliper between 100.0 mm and 200.0 mm, one (1) new tree shall be required;
 - Where an existing deciduous tree has a caliper greater than or equal to 200.0 mm, two (2) new trees shall be required;
 - Where an existing coniferous tree has a height between 4.0 m and 7.0 m, one (1) new tree shall be required; and
 - Where an existing coniferous tree has a height greater than or equal to 7.0 m, two (2) new trees shall be required; and
- 9.12.3 An estimate of the average tree canopy at maturity for the tree species selected should be used to determine lot coverage percentages on a required landscaping plan.
- Further to the previous subsection, the tree caliper shall be measured at 1.5 m above ground level.
- 9.12.4 As part of an application for tree removal, an applicant may be required to provide the following information:
- Reasons for the proposed tree removal;
 - A description of the trees to be cleared;
 - 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;
 - A proposed schedule for tree removal and hauling;
 - The proposed access and haul routes for removing timber;
 - Arborist report; and/or
 - Proposed landscaping plan, if applicable.



9.13 PROTECTION FROM EXPOSURE HAZARDS

- 9.13.1 LPG containers with a water capacity of less than 2,000 gal. shall be located in accordance with regulations under the Safety Codes Act.
- 9.13.2 No anhydrous ammonia storage shall be permitted within the municipality.

9.14 PROJECTION INTO YARDS

- 9.14.1 Except for fences as noted in Section 9.9 of this Bylaw and for the features of buildings as described in Section 9.14.3, no building or structure shall be located or project into a required front yard.
- 9.14.2 If fireplaces or balconies are developed as part of a dwelling, yard requirements shall be measured from the leading edge of the fireplace or balcony.
- 9.14.3 The following features may project into a required yard:
- a. steps, eaves, gutters, sills, and patios, or other similar projections, with the amount of the projection to be as allowed by the Development Authority;
 - b. any other features which, in the opinion of the Development Authority, are similar to the foregoing.

9.15 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

- 9.15.1 No person shall keep or allow in any part of any yard in any Residential District:
- a. any dismantled or wrecked vehicle for more than fourteen (14) successive days;
 - b. any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district in which it is located;
 - c. any excavation, storage or piling up of materials required during construction unless all necessary safety measures are taken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work; or
 - d. any heavy vehicle such as logging trucks, tractor units with or without trailers, gravel trucks and graders, excluding recreational vehicles.

9.16 KEEPING OF ANIMALS

- 9.16.1 No fur bearing animals, fowl, or livestock other than domestic pets shall be permitted on parcels lying within the municipality.

9.17 POLLUTION AND ADVERSE EFFECTS

- 9.17.1 The matters of pollution and adverse effects on other properties by holdings created shall be such that no use be allowed which may be offensive to a neighbouring owner or municipality. The word “offensive” here implies sight, smell and/or anything which may adversely affect a neighbouring owner or municipality.

9.18 MANUFACTURED HOME DWELLINGS

- 9.18.1 Manufactured homes must comply with current CSA Z240 MH National Manufactured Home Standard and the Alberta Building Code (ABC). If the CSA Z240 sticker or the Alberta Municipal Affairs sticker verifying compliance to the ABC is missing, the Development Authority may require the applicant to provide certification from an Alberta Safety Codes Officer or structural engineer indicating that the structure meets current code requirements for a dwelling.
- 9.18.2 A development permit for a manufactured home shall only be approved for manufactured homes constructed within five (5) years of the date of the development permit application.
- 9.18.3 All accessory structures, such as patios, porches, additions, and skirtings, shall be:
- a. designed and erected as to harmonize with the manufactured homes,
 - b. considered as part of the main building, and
 - c. erected only after obtaining a Development Permit.
- 9.18.4 A manufactured home shall be skirted from the floor level to the ground level. The skirting shall match the external finish of the manufactured home.
- 9.18.5 The maximum permitted floor area of porches and additions shall be proportionate to the floor area of the manufactured home, and this relationship shall be determined by the Development Authority.

- 9.18.6 The storage of any furniture, domestic equipment, or seasonally used equipment shall be adequately covered or screened, either individually on the mobile home stall or communally, and said storage shall conform to the Building, Fire, Electrical and Plumbing Codes.
- 9.18.7 The following regulations apply to all manufactured homes:
- a. The hitch and wheels are to be removed from the manufactured home.
 - b. All manufactured homes shall be placed on a foundation or base. The manufactured home is to be attached by means of bolting or otherwise to the foundation or base.
 - c. Minimum lot area and width may be less in the case of existing registered substandard lots, with the approval of the Development Authority.

9.19 GUEST HOUSES SUITES AND SECONDARY SUITES

- 9.19.1 Guest houses suites and secondary suites are prohibited in the Summer Village of Bondiss.

9.20 HOME OCCUPATIONS

- 9.20.1 All development permits issued for home occupations may be subject to the condition that the permit be renewed annually and may be revoked at any time by the Development Authority, if, in its opinion, the use is or has become detrimental to the amenities or residential character of the neighbourhood in which it is located.
- 9.20.2 **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, in excess of that which is characteristic of the Land Use District in which it is located.
 - b. The number of non-resident employees or business partners working on-site shall not exceed one (1) at any time.
 - c. There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business allowed on the site. Storage related to business activities shall be allowed in either the dwelling or accessory buildings.
 - d. Articles offered for sale shall be limited to those produced within the dwelling or the accessory building(s).
 - e. 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 or an Industrial District having regard for the overall compatibility of the use with the residential character of the area.
- 9.20.3 **A minor home occupation** shall comply with the following regulations:
- a. The minor home occupation shall not employ any person on-site other than a resident of the dwelling. Nor shall the business be such that any clients come to the dwelling.
 - b. There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business allowed on the site. Storage and the business activity itself shall only be allowed inside the dwelling and not in an accessory building. The minor home occupation does not involve the display of goods in the interior of the residence.
- 9.20.4 **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, residential character and other amenities of the neighbourhood shall not be disturbed in any manner.
- 9.20.5 A home occupation shall not change the principal character or external appearance of the dwelling involved, nor use more than 20% or 31.0 m² (334 sq. ft.), whichever is less, of the dwelling unit for business usage. Except as noted in Section 9.20.6.c, there shall be no exterior signage, display, or advertisement, but there may be a limited volume of on-premises sales.
- a. 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.
 - b. 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.

- c. Notwithstanding any other provisions of this Bylaw to the contrary, a dwelling in which a home occupation is located may have one sign placed on the property.
- d. In addition to a Development Permit Application, each application for a major home occupation shall be accompanied by a description of the business to be undertaken in the dwelling, 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.
- e. Notwithstanding any other provision of this Bylaw to the contrary, 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.

9.20.6 Home occupations shall not involve:

- a. activities that use or store hazardous material in quantities exceeding those found in a normal household;
- b. the display or storage of goods or equipment apparent under normal scrutiny;
- c. any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties; or
- d. any use causing a substantial fire rating change in the structure or the District.

9.21 RECREATIONAL VEHICLES

- 9.21.1 On a lot with a principal dwelling, a maximum of 1 recreational vehicle may be stored on the lot without a development permit. The recreational vehicle must comply with all site coverage and setback requirements for accessory buildings in this Land Use Bylaw.
- 9.21.2 On an undeveloped lot, a maximum of 2 recreational vehicles may be stored on the lot without a development permit. The recreational vehicle must comply with all site coverage and setback requirements for accessory buildings in this Land Use Bylaw.
- 9.21.3 In addition to 9.21.1 and 9.21.2, one additional recreational vehicle may be stored on an undeveloped or developed lot for up to (but not exceeding) four days without a development permit, if the property has the room required to park the additional recreational vehicle. The recreational vehicle must comply with all site coverage and setback requirements for accessory buildings in this Land Use Bylaw.
- 9.21.4 At no time may a person store any derelict Recreational Vehicle on a property. Dereliction may be assessed by inoperability, immobility, excessive rust, decay or damage, fluid leaks, abandonment, lack of registration, or any or all of these.
- 9.21.5 Recreational Vehicles (and vehicles used for the towing of the recreational vehicle) must be located entirely within the boundaries of the lot.
- 9.21.6 Recreational Vehicles shall not be powered by generators. Electrical use shall be limited to direct connection to lot power facilities or solar power generation systems.
- 9.21.7 Recreational Vehicles situated on a lot on a permanent or quasi-permanent basis shall be required to be connected to an approved private sewage disposal system that conforms to current Provincial Private Sewage Regulation requirements.

9.22 RELOCATED BUILDINGS

- 9.22.1 A development permit shall be required to relocate a main building or accessory building into the municipality. The Development Authority shall require an inspection report from a certified building inspector prior to the issuance of a development permit.
- 9.22.2 The Development Authority may require photos of the building that is to be relocated.

9.23 SANITARY FACILITIES

- 9.23.1 All buildings erected, placed, or moved into the municipality which are to be used as a dwelling or located within any Commercial Recreational District shall be provided with sanitary disposal facilities which satisfy Provincial regulations.
- 9.23.2 No development permit shall be issued for any building until the Development Authority is satisfied that there are satisfactory arrangements for the lawful disposal of sewage.

- 9.23.3 No new pit toilets, septic fields, mounds, or surface discharge systems shall be allowed. All new private sewage disposal systems shall be below ground holding tanks, which conform to current Provincial Private Sewage Regulation requirements.
- 9.23.4 No treated or un-treated sewage, including grey water, shall be directly pumped out or discharged on the surface of any grounds, on any lot or on any part of the municipality.

9.24 SEA CANS

- 9.24.1 The placement of a sea can on a lot shall require a development permit.
- 9.24.2 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 upon adjacent properties and those within the District. This may include, but is not limited to, buffering it from public view, adding cladding, and/or enclosing it entirely within a building.
- 9.24.3 A maximum of one (1) sea can will be permitted on a residential lot.
- 9.24.4 Sea cans are considered accessory buildings and shall be included in maximum lot coverage percentages.

9.25 SIGNS

- 9.25.1 No signs or advertising structures of a commercial, directional, or informative nature shall be erected on land or affixed to any exterior surface of any building or structure unless an application for this purpose has been approved and a development permit has been issued.
- 9.25.2 No signs or advertising structures shall be erected on or affixed to private property without the prior consent of the property owner or tenant.
- 9.25.3 No signs, billboards, advertising structures or signboards shall be erected on or affixed to public property without the prior consent of the appropriate public body.
- 9.25.4 No sign or advertisement shall resemble or conflict with a traffic sign, nor shall it be a traffic hazard.

9.26 TOURIST HOMES

- 9.26.1 The development of a Tourist home in the Summer Village of Bondiss shall require a Development Permit.
- 9.26.2 No development permit for a tourist home may be issued for a lot that does not conform with all other provisions of this land use bylaw.
- 9.26.3 The development of a Tourist home in the Summer Village of Bondiss shall require a Development Permit annually. A development permit for a Tourist home shall only be issued for a temporary period up to but not exceeding 12 months.
- 9.26.4 An application for a development permit for a tourist home shall include (in addition to the requirements of Section 5.4):
 - a. the applicable fee as established in the Summer Village's Fees and Charges Bylaw;
 - b. signatures of all property owners listed on the title;
 - c. identification of what portion of the dwelling or suites are to be utilized as a tourist home, and total number of bedrooms;
 - d. a home safety and evacuation floor plan of the premises;
 - e. a parking plan that identifies the total area of the lot to be used for parking;
 - f. information on where (or on what website) the tourist home will be listed for rental.
- 9.26.5 A maximum of one tourist home may be developed on a lot. A tourist home may be developed within:
 - a. an entire principal dwelling for which a development permit has previously been issued;
 - b. a portion of a principal dwelling for which a development permit has previously been issued;
- 9.26.6 A maximum of one rental booking may be scheduled at a time within an approved tourist home.
- 9.26.7 A tourist home with an approved development permit shall visibly display in the main entrance of the tourist home:
 - a. a copy of the development permit outlining the maximum occupancy of the tourist home and the primary contact telephone number and email of the owners; and

- b. a home safety and evacuation floor plan of the premises.
- 9.26.8 A tourist home shall not be developed within:
- a. a recreational vehicle;
 - b. a tent or tented structure; or
 - c. an accessory building;
- 9.26.9 The maximum occupancy of a tourist home shall be the total number of bedrooms times two (2), to a maximum of 8.
- 9.26.10 Children under the age of 12 do not calculate into the maximum occupancy of a tourist home.
- 9.26.11 A minimum of one (1) parking space per bedroom in the tourist home, plus one (1) extra shall be provided for on a lot. The parking space shall be included in the calculation of lot coverage. No offsite parking (i.e., parking within the adjacent road right of way, on municipal land, or on adjacent private land) shall be allowed.
- 9.26.12 The owner(s) may be required to facilitate periodic inspections within a 72-hour notice of the tourist home as requested by the Development Authority to ensure compliance with the regulations of this land use bylaw.
- 9.26.13 The owner(s) shall be required to cooperate with the Development Authority, emergency services providers, and Alberta Health Services during an investigation of any complaint associated with the tourist home.
- 9.26.14 No signs advertising the rental of the tourist home shall be permitted onsite.
- 9.26.15 The owner(s) must provide each guest with a copy of the Summer Village Bylaws.
- 9.26.16 The minimum booking length for tourist homes shall be four (4) days.

10. LAND USE DISTRICTS

10.1 ESTABLISHMENT OF DISTRICTS

- 10.1.1 For the purpose of this Bylaw, the Summer Village of Bondiss is divided into the following Districts:
- a. R – Residential Land Use District
 - b. P – Public Recreational Land Use District
 - c. C – Commercial-Recreational Land Use District
 - d. UR – Urban Reserve District
- 10.1.2 The boundaries of the districts listed in Section 10.1.1 are as delineated on the Land Use District Map in Section 11 of this bylaw.
- 10.1.3 Where uncertainty exists as to the boundaries of Districts as shown on the Land Use District Map, the following rules shall apply:
- a. Where a boundary is shown as following a road, lane, or water course, it shall be deemed to follow the centre line thereof.
 - b. Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.
 - c. In circumstances not covered by Sections 10.1.3.a and 10.1.3.b, the location of the boundary shall be determined:
 - i. where dimensions are set out on the Land Use District Map, by the dimensions so set, or
 - ii. where no dimensions are set out on the Land Use District Map with respect to such boundary, by measurement of and use of the scale shown on the Land Use District Map.
- 10.1.4 Where the application of the above rules does not determine the exact location of the boundary of a District, Council (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) shall fix the portion of the District boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.
- 10.1.5 After the Council has fixed a District boundary pursuant to the provisions of 10.1.4, the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this Bylaw.
- 10.1.6 The Development Authority shall maintain a list of Council's decisions with respect to boundaries or portions thereof fixed by Council.

10.2 R – RESIDENTIAL DISTRICT

10.2.1 General Purpose

- a. To permit development of one family dwellings, with associated uses at the discretion of the Development Authority.

10.2.2 Permitted Uses

- a. Dwellings, single detached
- b. Home occupations, minor
- c. Accessory buildings and uses

10.2.3 Discretionary Uses

- a. Apiaries
- b. Bed and breakfast establishments
- c. Dwellings, manufactured homes
- d. Home occupations, major
- e. Parks
- f. Public and quasi-public buildings and use
- g. Public utilities
- h. Tourist homes
- i. Buildings and uses accessory to a discretionary use
- j. Other uses which, in the opinion of the Development Authority, are similar to the above-mentioned permitted and discretionary uses.

10.2.4 Regulations

a. Relating to Single Detached Dwellings and Manufactured Home Dwellings

i.	Minimum Lot Area	1,858 m ² (20,000 ft. ²)
		For the purposes of subdividing Lot 7, Block 1, Plan 6249MC, the minimum lot size and width may be less than 1,858 m ² (20,000 ft. ²) and 30.5 m (100.0 ft.) respectively.
ii.	Minimum Lot Width	30.5 m (100.0 ft.)
iii.	Minimum Front Yard	7.6 m (25.0 ft.) or at the discretion of the Development Authority
iv.	Minimum Rear Yard	7.6 m (25.0 ft.) or at the discretion of the Development Authority
v.	Minimum Side Yard	the lesser of 10% of lot width or 1.5 m (5.0 ft.), whichever is less
vi.	Minimum Floor Area	46.5 m ² (500.0 ft. ²) for 1 storey buildings
		69.7 m ² (750.0 ft. ²) for 1.5 storey buildings
		92.9 m ² (1,000 ft. ²) for 2 storey buildings
vii.	Maximum Lot Coverage	Dwelling: 23%
		Accessory Building: 12%

b. Relating to All Other Uses

- i. All regulations shall be as required by the Development Authority.

10.3 P – PUBLIC RECREATIONAL DISTRICT

10.3.1 General Purpose

- a. To permit the use of land for service, mainly of a public nature, with a primary orientation toward the community.

10.3.2 Permitted Uses

- a. Parks
- b. Public and quasi-public buildings and use
- c. Buildings and uses accessory to a permitted use

10.3.3 Discretionary Uses

- a. Public utilities
- b. Buildings and uses accessory to a discretionary use.
- c. Other uses which, in the opinion of the Development Authority, are similar to the above-mentioned permitted and discretionary uses.

10.3.4 Regulations

- a. All regulations shall be as required by the Development Authority

10.4 UR - URBAN RESERVE DISTRICT

10.4.1 General Purpose

- a. The General Purpose of this District is to reserve those lands which, by their relationship to existing land uses and the main road system will, in time, become suitable for general urban uses.

10.4.2 Permitted Uses

- a. None

10.4.3 Discretionary Uses

- | | |
|--|---|
| <p>a. Dwellings, single detached</p> <p>b. Dwellings, manufactured homes</p> <p>c. Home occupations, major</p> <p>d. Home occupations, minor</p> <p>e. Public or quasi-public buildings and uses</p> | <p>f. Public utilities</p> <p>g. Buildings and uses accessory to a permitted or discretionary use</p> <p>h. Other uses which, in the opinion of the Development Authority, are similar to the above-mentioned permitted and discretionary uses.</p> |
|--|---|

10.4.4 Regulations

a. Relating to Single Detached Dwellings and Manufactured Home Dwellings

i.	Minimum Lot Area	1,858 m ² (20,000 ft. ²)
		For the purposes of subdividing Lot 7, Block 1, Plan 6249MC, the minimum lot size and width may be less than 1,858 m ² (20,000 ft. ²) and 30.5 m (100.0 ft.) respectively.
ii.	Minimum Lot Width	30.5 m (100.0 ft.)
iii.	Minimum Front Yard	7.6 m (25.0 ft.) or at the discretion of the Development Authority
iv.	Minimum Rear Yard	7.6 m (25.0 ft.) or at the discretion of the Development Authority
v.	Minimum Side Yard	the lesser of 10% of lot width or 1.5 m (5.0 ft.), whichever is less
vi.	Minimum Floor Area	46.5 m ² (500.0 ft. ²) for 1 storey buildings
		69.7 m ² (750.0 ft. ²) for 1.5 storey buildings
		92.9 m ² (1,000 ft. ²) for 2 storey buildings
vii.	Maximum Lot Coverage	Dwelling: 23%
		Accessory Building: 12%

b. Relating to All Other Uses

- i. All regulations shall be as required by the Development Authority.

10.4.5 Requirement For A Conceptual Scheme

- a. The following shall not be approved the UR - Urban Reserve Land Use District until such time as a conceptual scheme or area structure plan is adopted by Council for the subject site(s):

- i. Development, other than for the above listed permitted and discretionary uses; and
 - ii. Subdivision.
- b. A conceptual scheme shall identify:
 - i. The overall subdivision design for the subject site;
 - ii. The proposed land use districts;
 - iii. The location and area of reserves to be dedicated; and
 - iv. How the subject site will be accessed and serviced.

10.5 C – COMMERCIAL-RECREATIONAL DISTRICT

10.5.1 General Purpose

- a. To permit commercial development appropriate for the municipality.

10.5.2 Permitted Uses

- a. None

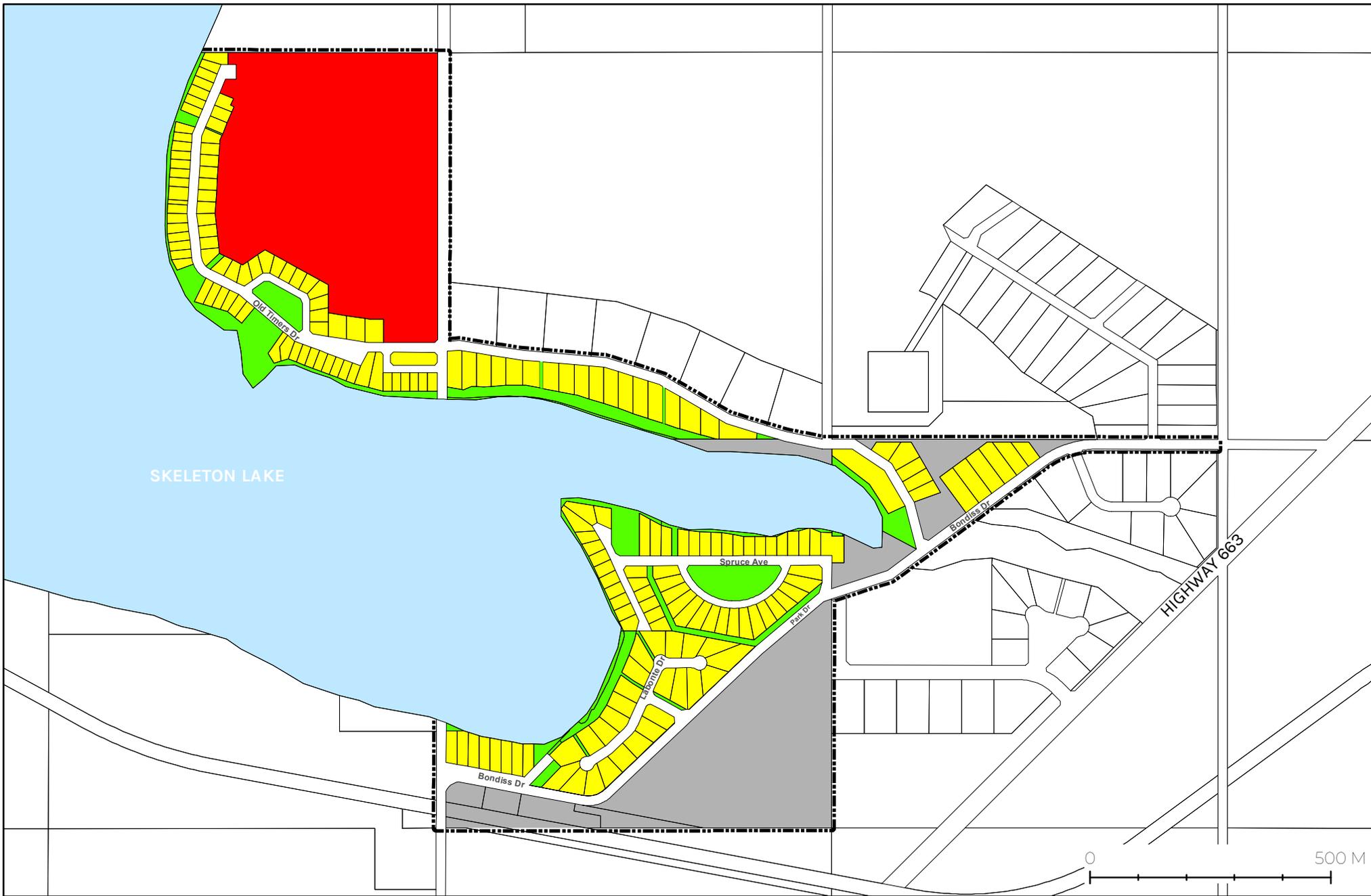
10.5.3 Discretionary Uses

- | | |
|--|--|
| <ul style="list-style-type: none">a. Apiariesb. Golf coursesc. Recreational vehicle parksd. Parkse. Public or quasi-public buildings and uses. | <ul style="list-style-type: none">f. Public utilitiesg. Buildings and uses accessory to a permitted or discretionary useh. Other uses which, in the opinion of the Development Authority, are similar to the above-mentioned permitted and discretionary uses. |
|--|--|

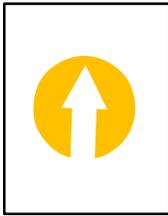
10.5.4 Regulations

- a. All regulations shall be as required by the Development Authority.

11. LAND USE DISTRICT MAP



SUMMER VILLAGE *of* BONDISS
11. LAND USE DISTRICT MAP



- R - Residential District
- P - Public Recreational District
- UR - Urban Reserve District
- C - Commercial Recreational District