



 Summer Village of  
**Norglenwold**  
LAND USE BYLAW

**BYLAW #267-22**

**SUMMER VILLAGE OF NORGLENWOLD  
LAND USE BYLAW  
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A bylaw of the summer village of Norglenwold in the province of Alberta for the purpose of repealing bylaw 208/13 and adopting a land use bylaw for the summer village of Norglenwold.


WHEREAS a Land Use Bylaw has been prepared for the Summer Village of Norglenwold based on public input and studies of land use, development, and other relevant data; and


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

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

1. This new Bylaw may be cited as the "Summer Village of Norglenwold Land Use Bylaw".
2. The Land Use Bylaw of the Summer Village of Norglenwold attached hereto as Schedule "A" to this Bylaw is hereby adopted.
3. Bylaw 208/13, as amended, being the previous Land Use Bylaw of the Summer Village of Norglenwold, is hereby repealed.
4. This Bylaw may be amended by Bylaw in accordance with the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended.
5. This Bylaw shall come into force upon receipt of third and final reading.

**INTRODUCED AND GIVEN FIRST READING** this 27<sup>th</sup> day of May 2022.

  
\_\_\_\_\_  
Cyril Garevitch, G.C., Mayor

  
\_\_\_\_\_  
Tanner Evans, C.A.O.

**PUBLIC HEARING HELD** this 24<sup>th</sup> day of June 2022.

**GIVEN SECOND READING** this 29<sup>th</sup> day of July 2022.

**GIVEN THIRD AND FINAL READING** this 29<sup>th</sup> day of July 2022.



Cyril Gurevitch, Q.C., Mayor



Tanner Evans, C.A.O.

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# Guide to Using THE LAND USE BYLAW

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The Summer Village of Norglenwold Land Use Bylaw (LUB) establishes regulations affecting the development and use of land within the municipality. Regulations vary depending on the location and type of development. In addition to the LUB other bylaws or regulations of the Summer Village of Norglenwold, the provincial government, and the federal government must also be followed.

There are several parts of the Land Use Bylaw that need to be examined to understand how it works:

1

The **Land Use District Map** divides the Summer Village of Norglenwold into four distinct land use districts.

2

The text of the Land Use Bylaw details **application, appeal, and enforcement processes** affecting the development and use of land within the Summer Village.

3

Additional regulations are provided in Sections 7, 8, and 9 that apply to specific uses and land use districts. These regulations **control what types of land uses and developments are allowed on a lot.**

The following steps may assist the user:

<b>LOCATE</b>	the <b>Land Use District Map</b> divides the Summer Village into <b>four land use districts</b> . Take note of which land use district the subject property is located in. Please note that Land use districts are often referred to as “Zones” or “Zoning.” In order to conform to the language of the Municipal Government Act, this document uses the terms “district” and “districting.”
<b>CHECK</b>	the <b>Table of Contents</b> and locate the land use district that applies to your lot. Each land use district is listed in Section 10. In each land use district you will find a list of permitted and discretionary uses, subdivision regulations, development regulations, and other miscellaneous regulations. These regulations determine how and what can be developed in the district. There are <b>definitions</b> in Section 1.4 that should also be consulted to ensure that words and terms used in the Land Use Bylaw are understood.
<b>REVIEW</b>	the Table of Contents should be reviewed to see if there are any <b>General or Specific Development Regulations</b> that apply to the development or use in question.
<b>DISCUSS</b>	we encourage you to discuss your proposal or concern with <b>Summer Village Administration</b> . Summer Village Administration is trained and eager to assist you with your development, subdivision, or general inquiry issues and to explain procedures. They can also assist with other situations such as enforcement or a Land Use Bylaw amendment.

Please note that the Guide to Using the Land Use Bylaw is only intended to assist users and does not form part of this bylaw.

## Section 1

# INTRODUCTION

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### 1.1 TITLE

1. This Bylaw may be cited as "The Summer Village of Norglenwold Land Use Bylaw."

### 1.2 PURPOSE

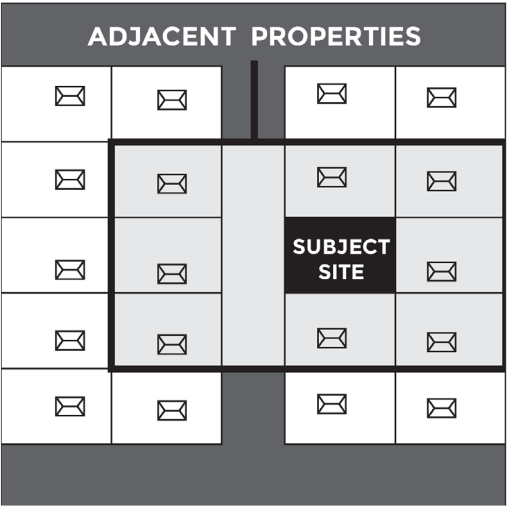
1. The purpose of this bylaw is to, amongst other things:
  - a. Divide the municipality into districts;
  - b. Regulate and control or to prohibit the use and development of land and buildings in each district;
  - c. Establish the office of the Development Officer;
  - d. Establish a method of making decisions on applications for Development Permits including the issuing of Development Permits;
  - e. Provide the manner in which notice of the issuance of a Development Permit is to be given; and
  - f. Protect the shoreline and water quality of Sylvan Lake.

### 1.3 RULES OF INTERPRETATION

1. Compliance with the policies in this Bylaw shall be interpreted and applied as follows:
  - a. "shall" and "must" means mandatory compliance;
  - b. "should" means compliance in principle, but is subject to the discretion of the Development Authority where compliance is impracticable or undesirable because of relevant planning principles or circumstances unique to a specific application; and
  - c. "may" means discretionary compliance or a choice in applying regulation. The regulation can be applied, enforced or implemented if the Development Authority chooses to do so. Application may depend on site specific circumstances.
2. Where a regulation involves two (2) or more conditions, provisions or events connected by a conjunction, the following shall apply:
  - a. "and" means all the connected items shall apply in combination;
  - b. "or" indicates that the connected items may apply singly or in combination; and
  - c. "either-or" indicates the items shall apply singly but not in combination;
  - d. words used in the singular include the plural and vice-versa;
  - e. words used in the present tense include the other tenses and derivative forms.
3. All measurements in this Bylaw are metric. In the case of any conflict between information expressed in metric units and in imperial units, the metric shall govern.
4. In the case of any conflict between a number written in numerals and a number written in letters, the number written in numerals shall govern.
5. In the case of any conflict between the text of this Bylaw and any maps or drawings used to illustrate any aspect of this Bylaw, the text shall govern.
6. Pursuant to Section 638.1 of the *Act*, in the event of a conflict or inconsistency between a land use bylaw and an *Alberta Land Stewardship Act* (ALSA) Regional Plan, the Regional Plan prevails to the extent of the conflict or inconsistency.
7. Words, phrases and terms not defined in this Bylaw shall be given their definition in the *Act*, the *Subdivision and Development Regulations*, or relevant enactments as the context requires. Other words shall be given their usual and customary meaning.
8. All references to legislation are to the most recent version of the legislation in effect, as amended, and any regulations enacted thereunder from time to time.

## 1.4 DEFINITIONS

1. In this Land Use Bylaw:

A		
<b>1</b>	<b>ABUT (OR ABUTTING)</b>	Means immediately contiguous or physically touching, and, when used with respect to a lot or site, means that the lot or site physically touches upon another lot or site, and shares a property line or boundary line with it.
<b>2</b>	<b>ACCESSORY BUILDING</b>	Means a building separate and subordinate to the principal building, the use of which is incidental to that principal building and is located on the same parcel of land and includes, in the residential districts, such things as storage sheds, garages, and a guest house. Accessory buildings are not intended for commercial purposes and do not include sea cans. Accessory buildings shall not be located in the lakeside front yard of a property.
<b>3</b>	<b>ACCESSORY USE</b>	Means a use customarily incidental and subordinate to the principal use and is located on the same parcel of land with such principal use.
<b>4</b>	<b>ACT (OR THE ACT)</b>	Means the <i>Municipal Government Act</i> , R.S.A. 2000, c. M-26, as amended.
<b>5</b>	<b>ADJACENT LAND</b>	<p>Means land or a portion of land that is contiguous to the land that is the subject of an application and includes land or a portion of land that would be contiguous except for a road, rail or utility right-of-way, river, or stream.</p> 
<b>6</b>	<b>ADJACENT LANDOWNER</b>	Means owners of land that is contiguous to the land that is the subject of an application, and includes owners of land that would be contiguous except for public roadway, railway, utility right-of-way, or watercourse.
<b>7</b>	<b>AGRICULTURAL OPERATION</b>	Means an agricultural operation as defined in the <i>Agricultural Operation Practices Act</i> , R.S.A. 2000, c. A-7, as amended.
<b>8</b>	<b>ANIMAL BOARDING AND LODGING</b>	Means a development where domestic pets are bred, boarded or trained. Animal breeding and boarding facilities include kennels but do not include animal shelters, veterinary clinics, or veterinary hospitals.
<b>9</b>	<b>APIARY</b>	Means the keeping of honey bees for honey production, and includes a place where bee colonies (beehives) are kept on a site and where raw honey is processed and stored.
B		
<b>10</b>	<b>BASEMENT</b>	Means a habitable portion of a building which is partly underground, but which has more than 50% percent of the distance, between the floor level and the underside of the ceiling joists, above adjacent ground elevation.
<b>11</b>	<b>BED AND BREAKFAST ESTABLISHMENTS</b>	Means an accessory use within a single detached, owner occupied dwelling where temporary sleeping accommodations (maximum of 4 (four), excluding those used by the

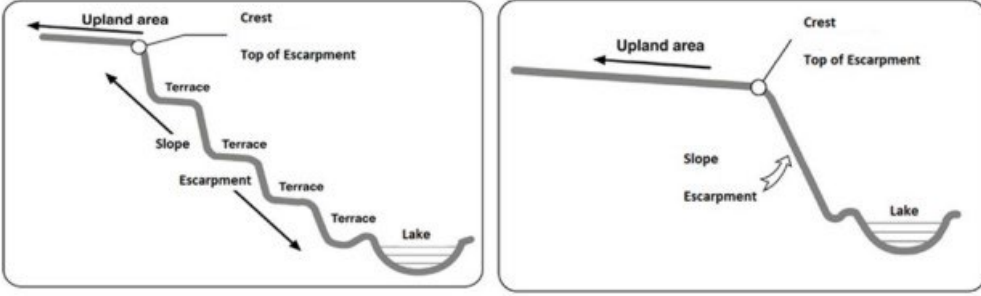


		owner/operator/primary resident(s)), with or without meals, are provided for remuneration to members of the public. This use does not include a boarding house.
12	<b>BERM</b>	Means a landscaped mound of earth.
13	<b>BOARDING HOUSE</b>	Means a building or a portion of a building without individual suites operated for the purpose of providing live-in accommodation (either room for rent or room and board) for five or more unrelated persons.
14	<b>BOAT HOUSE</b>	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. A boat house shall not include a dwelling, and shall not be located within the bed and shore of Sylvan Lake.
15	<b>BREEZEWAY</b>	Means a roofed open passage connecting two or more buildings. An accessory building connected to a principal building by way of a breezeway shall not be considered part of the principal building.
16	<b>BUFFER</b>	Means the use of berms, fencing and planting for the purpose of screening noises, views, dust, sprays and uses between properties where offsite impacts may occur.
17	<b>BUILDING</b>	Means anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge forming part of a highway or road.
18	<b>BUILDING AREA</b>	See "Floor Area."
19	<b>BUILDING DEMOLITION</b>	Means the pulling down, tearing down, razing, or removal of a building.
20	<b>BUILDING LINE</b>	Means a line, other than a parcel line, used to regulate the location of a building or structure in relationship to the abutting street(s).
21	<b>BUILDING HEIGHT</b>	Means the vertical distance of a building measured from the grade to the highest point of the building (see "Grade"). The highest point of a building shall be determined without considering an elevator housing, stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a firewall, a parapet wall, a flagpole or similar device or feature not structurally essential to the building.
22	<b>BUNK HOUSE</b>	See "Suite, Guest House."
<b>C</b>		
23	<b>CANNABIS</b>	Means the same as defined in the <i>Act to Control and Regulate Cannabis, S.A. 2017</i> , Chapter 21 and any amendments thereto, and included leaves stems, buds, oil and other parts or derivatives of the cannabis plant.
24	<b>CANNABIS, ACCESSORY</b>	Means an object that is commonly used in the consumption or production of cannabis. A cannabis accessory includes, but is not limited to, rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers.
25	<b>CANNABIS, MEDICAL</b>	Means cannabis that is intended for medical purposes in accordance with applicable federal law.
26	<b>CANNABIS PRODUCTION AND DISTRIBUTION FACILITY</b>	Means a development used principally for one or more of the following activities relating to cannabis: <ul style="list-style-type: none"> <li>a. the production, cultivation, and growth of cannabis;</li> <li>b. the processing of raw materials;</li> <li>c. the making, testing, manufacturing, assembling, or in any way altering the chemical or physical properties of semi-finished or finished cannabis goods or products;</li> </ul>

		<p>d. the storage or shipping of materials, goods, or products, or;</p> <p>e. the distribution and sales of materials, goods, and products to the Alberta Gaming, Liquor, and Cannabis Commission.</p>
27	<b>CANNABIS RETAIL SALES</b>	Means a development used for the retail sales of cannabis (or consumable products made with cannabis) that is authorized by provincial or federal legislation. This use may include retail sales of cannabis accessories, as defined in the <i>Cannabis Act</i> , S.C. 2018, c. 16, as amended or replaced. This use does not include cannabis production and distribution facilities.
28	<b>CARRIAGEWAY</b>	Means that portion of the road right-of-way available for vehicular movement. Included are travelling lanes, medians, parking and other auxiliary lanes. Not included are ditches, sidewalks and other pedestrian areas.
29	<b>CAVEAT</b>	Means a formal notice expressing an interest in a parcel registered at Land Titles Office against the title to that parcel.
30	<b>CELLAR</b>	Means a portion of a structure which is mainly underground, and which has less than fifty percent (50%) of the distance, between the floor level and the underside of the ceiling joists, above adjacent ground elevation.
31	<b>COMMERCIAL/ INDUSTRIAL USE</b>	Means a business through which products, services, or entertainment are available to consumers, whether the general public or other commercial establishments. Commercial use shall include: bus depots, business services, drive-in businesses, funeral homes, retail stores, greenhouses, medical clinics, hotels, mail and parcel delivery services, office uses, and personal services. This use does not include: the manufacturing of products, adult uses, cannabis lounges, cannabis accessory retail sales or cannabis retail sales establishments.
32	<b>COMMISSION</b>	Means the Municipal Planning Commission of the Summer Village of Norglenwold, unless otherwise noted.
33	<b>CONCEPTUAL SCHEME</b>	Means a detailed land use plan for a specified area of land which conforms to all statutory plans and is used to relate a subdivision application to the future subdivision and development of adjacent areas. A conceptual scheme is adopted by resolution of Council, pursuant to the <i>Municipal Government Act</i> .
34	<b>CONSTRUCTION MANAGEMENT PLAN</b>	Means a plan provided by a development proponent that includes strategies to manage activities during active and post construction phases of a development. Construction management plans include strategies to implement low impact development techniques and best management practices for stormwater management.
35	<b>COUNCIL</b>	Means the Council of the Summer Village of Norglenwold.
36	<b>CREST</b>	Means the break between the slope face and the generally flat area located above the escarpment. Crest may be determined through a professional Report.
<b>D</b>		
37	<b>DATE OF ISSUE</b>	Means the date on which the notice of a decision of the Development Authority is published, or five days after such a notice is mailed.
38	<b>DAY HOME</b>	Means an accessory use within a dwelling unit used to provide care and supervision, for adults or children in accordance with the <i>Child Care Licensing Act</i> , S.A. 2007, c. 10.5, as amended, as well as any other applicable Provincial or Federal legislation.
39	<b>DECK</b>	Means any open structure having a height greater than 0.6 m (2.0 ft.) above grade, thereby requiring stairs and railings as outlined in regulations approved under the <i>Safety Codes Act</i> , R.S.A. 2000, c. S-01, as amended. A deck shall not have walls higher than 1.25 m (4.1 ft.) from the surface of the deck floor, or a roof.

40	<b>DECIDUOUS</b>	Means trees, shrubs, and other forms of vegetation that seasonally shed leaves, petals, or fruit.
41	<b>DECORATIVE POND</b>	Means a made enclosed body of water for ornamental purposes, which may include vegetation and fish.
42	<b>DESIGNATED OFFICER</b>	Means a person authorized by Council to act as a development authority pursuant to Section 624(2) of the Act.
43	<b>DEVELOPER</b>	Means an owner, agent or any person, firm or company required to obtain or having obtained a development permit.
44	<b>DEVELOPMENT</b>	<p>Means:</p> <ul style="list-style-type: none"> <li>a. An excavation or stockpile and the creation of either of them; or</li> <li>b. A building or an addition to, or replacement or repair of a building and the construction or placing in, on, over and under land of any of them; or</li> <li>c. A change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or</li> <li>d. A change in the intensity of use of land or a building or an 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;</li> </ul> <p>and without restricting the generality of the foregoing, includes:</p> <ul style="list-style-type: none"> <li>e. in the case of a lot used for residential purposes, alterations made to a building or an additional building on the lot whether or not the building is a dwelling or part of a dwelling unit;</li> <li>f. in the case of a lot used for other than residential purposes, alterations or additions made to a building on the lot or a use of the lot which would increase either the capacity of the building or the intensity of use of the lot;</li> <li>g. the display of advertisements or signs on the exterior of a building or on any land;</li> <li>h. the deposit of earth, debris, waste materials, refuse, or any other material on any land, including land already being used for that purpose, or if the natural topography or drainage is altered;</li> <li>i. any increase in the number of households occupying and living in any building or on any site, and any construction or alterations or additions which would provide for an increase in the number of households which could occupy and live in any building or on any site, including any increase in the number of dwelling units in a building or on a site;</li> <li>j. the placing of refuse or waste material on any land;</li> <li>k. the recommencement of the use to which land or a building has been previously put if that use has been discontinued for a period of more than six months;</li> <li>l. the use of land for the storage or repair of motor vehicles or other machinery or equipment;</li> <li>m. the continued use of land or of a building for any purpose for which it is being used unlawfully when this Bylaw comes into effect;</li> <li>n. the demolition or removal of a building;</li> <li>o. the placement of an already constructed or a partially constructed building on a parcel of land;</li> <li>p. the use of land for the parking of trailers, bunk houses, portable dwellings, skid shacks, or any other type of portable building whatsoever, whether or not the same has been placed or affixed to the land in any way;</li> <li>q. the removal of topsoil from land;</li> </ul>

		<ul style="list-style-type: none"> <li>r. the use of land for storage purposes or for the repair of equipment, vehicles or other kinds of machinery;</li> <li>s. the installation of any type of sewage disposal system including but not limited to holding tanks; or</li> <li>t. the digging of a well or installation of a water cistern.</li> </ul>
<b>45</b>	<b>DEVELOPMENT AUTHORITY</b>	Means the person or persons appointed as the Development Authority pursuant to Development Authority Bylaw No. 140-95, as amended.
<b>46</b>	<b>DEVELOPMENT DESIGN PLAN</b>	<p>Means a non-statutory plan prepared by a development proponent in support of a proposal for development. The purpose of a development design plan is to mitigate negative impacts on watershed health as required in the Sylvan Lake Intermunicipal Development Plan. A development design plan includes the following details:</p> <ul style="list-style-type: none"> <li>a. A planting plan including native vegetation;</li> <li>b. A sediment control plan;</li> <li>c. A drainage plan; and</li> <li>d. Information about site coverage.</li> </ul> <p>A development design plan shall be required at the discretion of the Development Authority, and will be enforced as a condition of development approval.</p>
<b>47</b>	<b>DEVELOPMENT OFFICER</b>	Means the person(s) appointed as Development Officer(s) as established by this bylaw.
<b>48</b>	<b>DEVELOPMENT PERMIT</b>	Means a document authorizing a development issued pursuant to this Land Use Bylaw.
<b>49</b>	<b>DISCRETIONARY USE</b>	See "Use, Discretionary."
<b>50</b>	<b>DISTRICT (OR LAND USE DISTRICT)</b>	Means a designated area of the municipality within which certain uniform requirements and regulations govern the use of land, and the placement, spacing and size of structures.
<b>51</b>	<b>DRAINAGE DITCH</b>	Means a long narrow trench or furrow dug in the ground to accommodate over-land drainage.
<b>52</b>	<b>DRIVEWAY</b>	Means a vehicle access route between the carriageway of a public road and a use on a parcel.
<b>53</b>	<b>DWELLING</b>	Means any building or structure used exclusively for human habitation and which is supported on a permanent foundation or base.
<b>54</b>	<b>DWELLING, DUPLEX</b>	Means a dwelling containing two (2) dwelling units which share a common wall, and located side by side or one above the other.
<b>55</b>	<b>DWELLING, FOURPLEX</b>	Means a building containing four (4) dwelling units sharing a common wall either vertically, so dwellings are arranged one above the other, or horizontally, so that dwellings are arranged front-to-back or side-by-side. A separate, at grade, access is provided to each dwelling unit.
<b>56</b>	<b>DWELLING, MANUFACTURED HOME</b>	Means a dwelling which is 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). A manufactured home may be a single structure (commonly known as a "single wide") or two parts which when put together comprises a complete dwelling (commonly known as a "double wide").
<b>57</b>	<b>DWELLING, ROW HOUSING</b>	Means a building consisting of at least three (3) dwelling units with each unit having direct access to the outside grade, but shall not mean apartment.

58	<b>DWELLING, SEASONAL</b>	Means a dwelling that lacks one or more of the basic amenities or utilities required for year-round occupancy or use such as: a permanent heating system, insulation, and/or year-round usable plumbing.
59	<b>DWELLING, SINGLE DETACHED</b>	Means a building consisting of one (1) dwelling unit. A single detached dwelling is a dwelling which is normally constructed on-site. However, a single detached dwelling may be constructed in pieces offsite, or even in one piece, with the piece(s) being transported to the site for assembly on-site, and thus may be a modular dwelling.  Single detached dwellings do not include mobile home dwellings.
60	<b>DWELLING UNIT</b>	Means a complete self-contained residence that contains sleeping, cooking and sanitary facilities intended for domestic use, and is used or intended to be used permanently or semi-permanently as a residence for a household. A dwelling unit must have a separate private entrance from the exterior of a building or from a common hall, lobby or stairway inside the building. A dwelling unit includes suites as defined in this Bylaw.
<b>E</b>		
61	<b>EASEMENT</b>	Means a right to use land, generally for access to other property or as a right-of-way for a public utility.
62	<b>ENVIRONMENTAL RESERVE EASEMENT</b>	Means an environmental reserve easement as defined in accordance with the Act.
63	<b>ESCARPMENT</b>	Means an extended linear topographical feature of relatively steep slope and significant change in elevation, as per the diagrams below.   <p>Where an escarpment line has been previously altered, the top of escarpment shall be considered from the original escarpment line as determined by an Alberta Land Surveyor.</p>
64	<b>EVAPOTRANSPIRATION</b>	Means the process of water moving through a plant's roots to its leaves and stems, where it evaporates back into the atmosphere.
65	<b>EXCAVATION</b>	Means any breaking of ground, except common household gardening and ground care.
66	<b>EXTERIOR WALL</b>	Means the outermost point of a building projection, including, but not limited to, bay windows, oval windows, chimneys, veranda or other similar features, but not including roof overhangs less than 0.6 m (2.0 ft.).
<b>F</b>		
67	<b>FAMILY CARE FACILITY</b>	Means a facility which provides resident service in a dwelling to six (6) or fewer individuals. These individuals are handicapped, aged, disabled or in need of adult supervision and are provided service and supervision in accordance with their individual needs. This category includes boarding homes for children, group homes, and family homes.
68	<b>FENCE</b>	Means a physical barrier constructed from typical building material for the purpose of providing aesthetic decoration, visual screening, sound abatement, or to prevent unauthorized access.
69	<b>FINISHED GROUND ELEVATION</b>	Means the elevation of the finished ground at any point adjoining each exterior wall of a building or structure.

<b>70</b>	<b>FLOOR AREA</b>	Means for buildings, the total area of the floor(s) in a building measured from the outside of exterior walls and does not include a basement, cellars, attached garages, carports, or open porches.
<b>71</b>	<b>FRONTAGE</b>	Means the width of a lot or a site where it abuts a road.
<b>G</b>		
<b>72</b>	<b>GARAGE</b>	Means an accessory building or part of the principal building, designed and used primarily for the storage of non-commercial motor vehicles, recreational vehicles and other chattels.
<b>73</b>	<b>GRADE</b>	<p>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:</p> <ol style="list-style-type: none"> <li>a. If the applicant can show by reference to reliable surveys that the predevelopment elevation of the subject parcel varies by no more than 1.0 m (3.3 ft.) in 30 linear metres, the Development Authority may determine grade by calculating the average of the highest and lowest elevation on the parcel; or</li> <li>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</li> <li>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</li> <li>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.</li> </ol>
<b>74</b>	<b>GROSS AREA</b>	Means the area of a development, neighbourhood or planned area, before deductions for roads, municipal and environmental reserves and public utilities have been made.
<b>75</b>	<b>GROUP HOME</b>	Means a development consisting of the use of a dwelling as a facility which is authorized, licensed or certified by a public authority to provide room and board for foster children or disabled persons, or for persons with physical, mental, social or behavioral problems and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance or supervision. The residential character of the development shall be primary with the occupants living together as a single housekeeping group and using cooking facilities shared in common. This does not include drug or alcohol addiction treatment centres.
<b>76</b>	<b>GUARD (RAIL)</b>	Refers to a protective barrier or railing typically installed along the edge of a structure, pathway, road, or elevated area to prevent accidental falls or provide safety.
<b>77</b>	<b>GUEST HOUSE</b>	See "Suite, Guesthouse."
<b>H</b>		
<b>78</b>	<b>HARD LANDSCAPED AREA</b>	Means the use of non-vegetative material, such as but not limited to monolithic concrete, or asphalt.
<b>79</b>	<b>HEAVY VEHICLE</b>	Means a heavy vehicle, as per the Summer Village's Traffic Bylaw, Bylaw No. 207-12.
<b>80</b>	<b>HOME OCCUPATION</b>	<p>Means any occupation, trade, profession, or craft carried on by an occupant of a dwelling which is clearly secondary to the residential use of the building, and which does not change the character of or have any exterior evidence of such secondary use other than a sign as allowed in this Bylaw. For the purposes of this Bylaw, home occupations are divided into two sub-classifications - major home occupations and minor home occupations - with specific regulations for each as indicated in this Bylaw.</p> <p>A <u>minor home occupation</u> must not:</p> <ol style="list-style-type: none"> <li>a. include exterior signage advertising the occupation;</li> <li>b. generate pedestrian or vehicular traffic or parking and;</li> </ol>

		<p>c. include the employment of persons other than residents of the dwelling.</p> <p>A <u>major home occupation</u> may include a business which would normally:</p> <p>a. includes exterior signage advertising the occupation;</p> <p>b. generate pedestrian or vehicular traffic or parking; and/or</p> <p>c. includes the employment at the dwelling or accessory buildings of no more than two (2) paid assistants, other than residents of the dwelling.</p>
<b>I</b>		
<b>81</b>	<b>INCLUSIONARY HOUSING</b>	Means the provision of dwelling units or land, or money in place of dwelling units or land, for the purpose of community housing, as defined in the <i>Act</i> .
<b>82</b>	<b>INDUSTRIAL HEMP</b>	Means a cannabis plant – or any part of that plant – in which the concentration of THC is zero point three percent (0.3%) w/w or less in the flowering heads and leaves, as defined in the <i>Industrial Hemp Regulations, SOR/2018-145</i> , as amended or replaced.
<b>83</b>	<b>INDUSTRIAL HEMP PRODUCTION FACILITY</b>	Means the use of land, buildings, or structures licensed and/or authorized to possess, sell, provide, ship, deliver, transport, destroy, produce, export and/or import industrial hemp, including related research, under the <i>Industrial Hemp Regulations, SOR/2018-145</i> , as amended, or replaced. This does not include cannabis retail sales or cannabis production and distribution facility, or the outdoor cultivation of industrial hemp.
<b>84</b>	<b>INSTITUTIONAL USE</b>	Means a development of governmental, religious, social, health care, or cultural facilities serving the municipality, area, or region.
<b>J, K</b>		
<b>85</b>	<b>KITCHEN</b>	Means an area in a principal dwelling or suite that contains counters, cabinets, plumbing, appliances or wiring which taken together, is used for the preparation, storage, and/or cooking of food.
<b>L</b>		
<b>86</b>	<b>LAND USE BYLAW</b>	Means the Summer Village of Norglenwold Land Use Bylaw (Bylaw #267-22) as amended.
<b>87</b>	<b>LAND USE DISTRICT</b>	Means an area as described in Section 10 – Land Use Districts, and illustrated in Section 15 – Land Use District Map.
<b>88</b>	<b>LANDSCAPING</b>	Means to preserve or change the natural features of a parcel by adding lawns, trees, shrubs, ornamental plantings, fences, walks, or other structures and materials used in modern landscape architecture, but does not include stockpiling and excavation.
<b>89</b>	<b>LANE</b>	Means a narrow roadway intended chiefly to give access to the rear of buildings and parcels of land, also known as an alley as defined by the <i>Traffic Safety Act, R.S.A. 2000, c. T-6</i> , as amended.
<b>90</b>	<b>LOT</b>	<p>Means:</p> <p>a. a quarter section;</p> <p>b. a river lot or a lake lot shown on an official plan referred to in the <i>Surveys Act</i> that is filed or lodged in a Alberta Land Titles office;</p> <p>c. a settlement lot shown on an official plan referred to in the <i>Surveys Act</i> that is filed or lodged in an Alberta Land Titles office;</p>

		<p>d. a part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in the Certificate of Title other than by reference to a legal subdivision; or</p> <p>e. a part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in the Certificate of Title by reference to a plan of subdivision.</p>	
91	<b>LOT, CORNER</b>	Means a lot having frontage on two (2) or more rights-of-way, other than lands, or in the case of a bareland condominium, a unit as described in the <i>Condominium Property Act</i> , R.S.A. 2000, c. C-22, as amended, having two (2) contiguous property lines abutting common property used as road access. For the purposes of this definition, a road shall not include an alley or lane.	
92	<b>LOT, DOUBLE FRONTING</b>	Means a lot which abuts two (2) roads (except alleys or lanes as defined in the <i>Traffic Safety Act</i> , R.S.A. 2000, c. T-06, as amended) which are parallel or nearly parallel where abutting the lot, but does not include a corner lot.	
93	<b>LOT, INTERIOR</b>	Means a lot that abuts a road only on the front line.	
94	<b>LOT, LAKEFRONT</b>	Means a lot adjacent to a waterbody or, or that would be adjacent to a waterbody if not for a reserve lot.	
95	<b>LOT AREA</b>	Means the area of a lot as shown on a plan of subdivision or described in a certified copy of a Certificate of Title. Lot area includes any area dedicated to an easement or a right-of-way.	
96	<b>LOT COVERAGE</b>	See "Site Coverage."	
97	<b>LOT DEPTH</b>	Means the average horizontal distance between the front lot line and the rear lot line.	
98	<b>LOT LINE</b>	Means the legally defined limit of any lot.	
99	<b>LOT LINE, FRONT</b>	Means the boundary line of a lot lying adjacent to a highway or road, except for lakefront lots, then the front lot line shall be considered the boundary line adjacent to the lake. 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 line.	
100	<b>LOT LINE, REAR</b>	Means the boundary line of a lot lying opposite to and farthest from the front line of the lot. For lakefront lots, the rear lot line is the lot line farthest from the lake.	



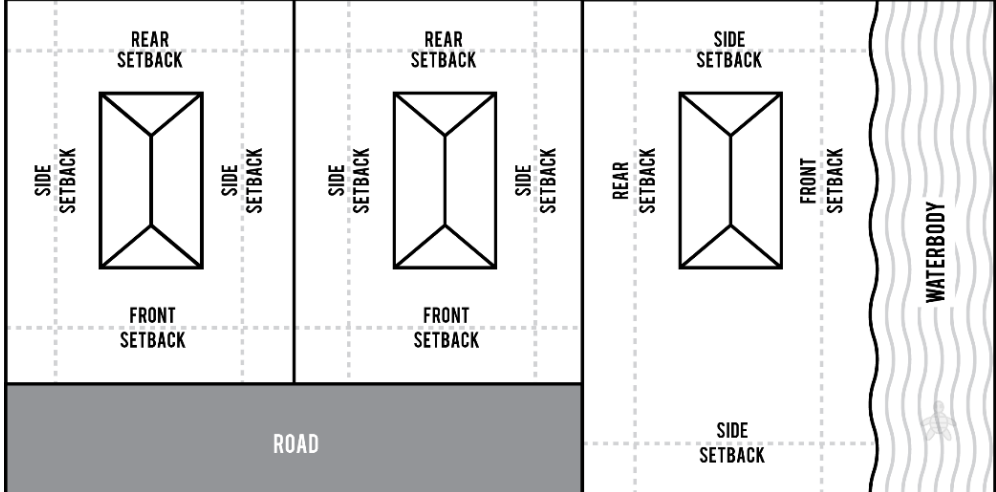
<b>101</b>	<b>LOT LINE, SIDE</b>	Means the boundary line of a lot lying between a front line and a rear line of a lot. In the case of a corner lot, the longer of the two boundary lines adjacent to the highway or road shall be considered a side lot line.
<b>102</b>	<b>LOT, UNDEVELOPED</b>	Means a lot that does not contain a developed residence, building or structure. May also be referred to as a 'vacant lot.'
<b>103</b>	<b>LOT WIDTH</b>	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.
<b>M</b>		
<b>104</b>	<b>MANUFACTURED DWELLING UNIT</b>	See "Dwelling, Manufactured Home."
<b>105</b>	<b>MECHANIZED EXCAVATION, STRIPPING, AND GRADING</b>	Means the use of motorized equipment to remove, relocate or stockpile soil or vegetation in excess of normal landscape maintenance requirements.
<b>106</b>	<b>MUNICIPALITY</b>	Means the Summer Village of Norglenwold, unless otherwise noted.
<b>107</b>	<b>MUNICIPAL GOVERNMENT ACT</b>	Means the <i>Municipal Government Act</i> , R.S.A 2000, c. M-26 as amended together with all regulations passed thereunder, and may be referenced in this Land Use Bylaw as the <i>Act</i> .
<b>108</b>	<b>MUNICIPAL PLANNING COMMISSION</b>	Means a commission established by the Municipal Planning Commission Bylaw No. 206-12, as amended.
<b>N</b>		
<b>109</b>	<b>NATURAL AREA</b>	Means an area that is to be preserved because: it is unsuitable in its natural state for development and/or areas that are desirable to be kept in their natural state.
<b>110</b>	<b>NO MOW ZONE</b>	Means a buffer strip of vegetation that includes native plantings that let aquatic vegetation grow to maintain a stable natural state, a no mow zone allows native plants to seed and reestablish and is to not be maintained. Native plantings to be selected from the Summer Village native plantings list that can be obtained at the administration office.
<b>111</b>	<b>NON-CONFORMING BUILDING</b>	Means a building: <ul style="list-style-type: none"> <li>a. That is lawfully constructed or lawfully under construction at the date this Land Use Bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and</li> <li>b. That on the date this Land Use Bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the Land Use Bylaw.</li> </ul>
<b>112</b>	<b>NON-CONFORMING USE</b>	Means a lawful specific use: <ul style="list-style-type: none"> <li>a. Being made of land or a building or intended to be made of a building lawfully under construction at the date that this Land Use Bylaw affecting the land or building becomes effective; and</li> <li>b. That on the date the Land Use Bylaw becomes effective does not, or in the case of a building under construction will not, comply with the Land Use Bylaw.</li> </ul>
<b>113</b>	<b>NON-PERMEABLE SURFACE</b>	Means any man-made surface that does not allow the absorption of water into the ground at a pre-development rate. A non-permeable surface consists of materials such as roofing materials, concrete, asphalt, unit pavers, and compacted gravel.
<b>114</b>	<b>NUISANCE</b>	Means any act or deed, or omission, or thing, which is or could reasonably be expected to be annoying, or troublesome, or destructive or harmful, or inconvenient, or injurious to another

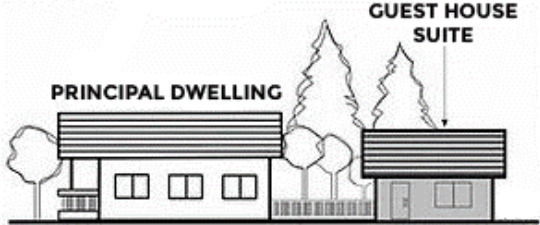
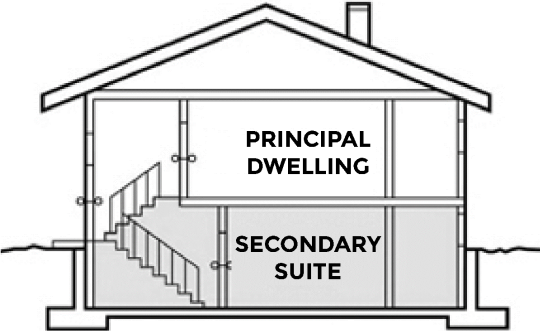
		person and/or their property, or anything troublesome or bothersome to other people for which complaints are received either by the Municipality's office or the Royal Canadian Mounted Police, whether or not such act or deed or omission or thing constitutes nuisance at common law.
<b>O</b>		
<b>115</b>	<b>OBNOXIOUS</b>	Means (when used with reference to a development) a use which by its nature, or from the manner of carrying on the same, may, in the opinion of the Development Authority, create noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become a nuisance, or which adversely affects the amenities of the neighbourhood, or which may interfere with the normal enjoyment of any land or building.
<b>116</b>	<b>OCCUPANCY</b>	Means the use or intended use of a building or part thereof for the shelter or support of persons or property.
<b>117</b>	<b>OCCUPANT</b>	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.
<b>118</b>	<b>OFFENSIVE</b>	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 noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become hazardous or injurious to health or safety, or which adversely affects the amenities of the neighbourhood, or interferes with or may interfere with the normal enjoyment of any land or building. For the purposes of this bylaw obnoxious shall not include activities associated with agricultural operations provided that they do not contravene generally accepted agricultural practices as defined in the <i>Agricultural Operations and Practices Act</i> R.S.A. 2000, c. A-07, as amended.
<b>119</b>	<b>ORDER</b>	Means a notice requiring compliance issued in writing by the Development Authority.
<b>120</b>	<b>OUTDOOR STORAGE AND DISPLAY</b>	Means the storage or display of equipment, goods, or materials in the open air on a permanent or continuous basis.
<b>121</b>	<b>OWNER</b>	Means: <ul style="list-style-type: none"> <li>a. in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or</li> <li>b. in the case of any other land, the person shown as the owner of land on the municipality's assessment role prepared under the <i>Act</i>.</li> </ul>
<b>P</b>		
<b>122</b>	<b>PARCEL</b>	Means the aggregate of one or more area of land described in a certificate of title by reference to a plan filed or registered in an Alberta Land Titles Office.
<b>123</b>	<b>PARCEL, INTERIOR</b>	Means a parcel abutting only one street other than a lane.
<b>124</b>	<b>PARCEL WIDTH</b>	Means the greater of either the width of the site at the building line or the front boundary of the parcel.
<b>125</b>	<b>PARKING AREA</b>	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.

126	PARK MODEL	<p>Mean:</p> <ol style="list-style-type: none"> <li>a. (Park Model Trailer) a unit designed to be towed by a heavy-duty tow vehicle (auto, van, pick-up truck, etc.) but is of restricted size and weight so that it does not require a special highway movement permit. The maximum width when being towed is 2.6 m (8.5 ft.). These units are designed for infrequent towing, and are not normally fitted with a 12-volt system for fixtures and appliances. Once on site in the set-up mode it normally must be connected to the local utilities. This style is normally built on a single chassis mounted on wheels. It usually has one or more slide-outs, but when in set-up mode the gross trailer area normally does not exceed 37.2 m<sup>2</sup> (400.0 ft.<sup>2</sup>). It conforms to the CSA Z-240 Standard for recreational vehicles.</li> <li>b. (Park Model Recreational Unit) a unit built on a single chassis mounted on wheels, which may be removed and returned to the factory. The unit is designed to facilitate occasional relocation, with living quarters for a temporary residence or seasonal use, and normally must be connected to those utilities necessary for the operation of installed fixtures and appliances. It normally has a floor area, including lofts, not exceeding 50.0 m<sup>2</sup> (540.0 ft.<sup>2</sup>) in the set-up mode and has a width greater than 2.6 m (8.5 ft.) in the transit mode. Park Model recreational units almost always require a special tow vehicle and a special permit to move on the road as the width of the unit is greater than 2.6 m (8.5 ft.). It conforms to the CSA Z-241 Standard for recreational vehicles.</li> </ol> <p>For the purposes of this Bylaw, park models are not allowed in any District within this Land Use Bylaw unless specifically identified as a permitted or discretionary use in the Residential District, and approved by the Development Authority within an approved development permit.</p>
127	PATIO	Means any developed surface adjacent to a building on a site which is less than 0.6 m (2.0 ft.) above ground level.
128	PERGOLA	Means a structure usually consisting of parallel colonnades supporting an open roof of girders and cross rafters.
129	PERMITTED USE	See "Use, Permitted."
130	PRE-DEVELOPMENT	Means immediately prior to development.
131	PRIVATE DEVELOPMENT	Means any development carried out by an individual.
132	PRIVATE POOL	Means any outdoor private swimming pool or hot tub, whether above or below the ground, containing water for the purpose of swimming, wading or immersion of human beings.
133	PRINCIPAL BUILDING	<p>Means a building which, in the opinion of the Development Authority:</p> <ol style="list-style-type: none"> <li>a. occupies the major or central portion of a parcel; or</li> <li>b. is the chief or principal building among one or more buildings on the parcel.</li> </ol>
134	PRINCIPAL USE	Means the primary purpose, in the opinion of the Development Authority, for which a building or parcel is used.
135	PROJECTION	Means part of a building or its accessory structures which projects beyond the main walls into the yards.
136	PUBLIC AND QUASI-PUBLIC USE	Means a use of land or a building for purposes of public administration and service and shall also include a building for the purpose of assembly, instruction, culture, recreation or other community activity.
137	PUBLIC PARK	Means a development designed or reserved for active or passive recreational use, including all natural and man-made open space and landscaping, facilities, playing fields, and buildings that are consistent with the general purposes of recreation, whether or not such recreational

		facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the public park. Public parks include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, baseball diamonds, football fields, soccer pitches, and similar outdoor sports fields.
<b>138</b>	<b>PUBLIC UTILITY</b>	Means a public utility as defined in the <i>Act</i> .
<b>139</b>	<b>PUBLIC UTILITY BUILDING</b>	Means a building in which the proprietor of a public utility, as defined in the <i>Act</i> , maintains its office or offices and/or maintains or stores any equipment used in connection with the public utility.
<b>Q, R</b>		
<b>140</b>	<b>REAL PROPERTY REPORT</b>	Means a codified standard report adopted by the Alberta Land Surveyor's Association which contains pertinent information on a parcel and the development which exists on the property.
<b>141</b>	<b>REAR LOT LINE</b>	"See Lot Line, Rear."
<b>142</b>	<b>REAR YARD</b>	"See Yard, Rear."
<b>143</b>	<b>RECREATIONAL FACILITY</b>	Means a public building and grounds for community entertainment, relaxation, social activity and other leisure needs.
<b>144</b>	<b>RECREATIONAL USE</b>	Means a recreational development conducted on a unified basis on a single site where the prime reason for location may be to take advantage of natural features. A recreational use may include the provision of day to day sporting and athletic facilities and the structures incidental thereto. A recreational use does not include: extensive recreation, or a campground, a recreational vehicle park or a recreation camp.
<b>145</b>	<b>RECREATIONAL VEHICLE</b>	Means a vehicle or a portable structure designed to be used as temporary sleeping accommodation for travel and recreation purposes. Recreational vehicles include, but are not limited to, motor homes, campers, holiday trailers, fifth wheels and park model recreation vehicles. Recreational vehicles do not include manufactured home dwellings or stick built units.
<b>146</b>	<b>REGISTERED OWNER</b>	Means: <ul style="list-style-type: none"> <li>a. In the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or</li> <li>b. In the case of any other land: <ul style="list-style-type: none"> <li>i. The purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title; or</li> <li>ii. In the absence of a person described in paragraph (i), the person registered under the Land Titles Act as the owner of the fee simple estate in the land.</li> </ul> </li> </ul>
<b>147</b>	<b>RELOCATED BUILDING</b>	Means a building that was constructed off-site in one (1) piece or in pieces and relocated to another site but does not include manufactured home dwellings.
<b>148</b>	<b>REMAINDER</b>	Means a portion of a lot for which subdivision approval is not requested or granted but which results from the approval of lots shown on a plan of subdivision.
<b>149</b>	<b>REMOVAL OF TREES AND/OR SHRUBS</b>	Means the removal of trees and/or shrubs, or the destruction thereof.
<b>150</b>	<b>RENOVATION</b>	Means an addition to, deletion from, or change to any building which does not require a permit other than a plumbing permit or an electrical permit pursuant to the <i>Safety Codes Act</i> .

151	<b>RESERVE</b>	Means a parcel of land owned and subject to the management of the municipality and reserved for use as natural 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.
152	<b>RESERVE, COMMUNITY SERVICES</b>	Means land designated Community Services Reserve (CSR) that may be used for community services (e.g. library, fire station, etc.), pursuant to the <i>Act</i> .
153	<b>RESERVE, CONSERVATION</b>	Means land designated Conservation Reserve (CR) that could not be required to be provided as environmental reserve, but which has environmentally significant features and which the municipality wishes to protect and conserve, pursuant to the <i>Act</i> .
154	<b>RESERVE, ENVIRONMENTAL</b>	Means land designated Environmental Reserve (ER) pursuant to the <i>Act</i> , when a subdivision occurs in an area where some of the land is undevelopable due to environmental factors.
155	<b>RESERVE, MUNICIPAL</b>	Means land owned by the Summer Village and designated as Municipal Reserve (MR) as defined under the <i>Act</i> . Municipal Reserve land does not include Environmental Reserve (ER) or School Reserve (SR) as defined in the <i>Act</i> .
156	<b>RESERVE, MUNICIPAL AND SCHOOL</b>	Means land designated Municipal and School Reserve (MSR) that may be used for municipal and school purposes, pursuant to the <i>Act</i> .
157	<b>RESERVE, SCHOOL</b>	Means land designated School Reserve (SR) that may be used for school purposes, pursuant to the <i>Act</i> .
158	<b>RESIDENTIAL USE</b>	Means the occupation and use of land and buildings as dwellings, whether on a seasonal or year-round basis.
159	<b>ROAD OR ROADWAY</b>	Means land: <ul style="list-style-type: none"> <li>a. Shown as a road on a plan of survey that has been filed or registered in an Alberta Land Titles Office; or</li> <li>b. Used as a public road; and includes a bridge forming part of a public road and any structure incidental to a public road.</li> </ul>
<b>S</b>		
160	<b>SAFETY CODES ACT</b>	Means the <i>Safety Codes Act</i> , RSA 2000 c. S-1, as amended, and includes the regulations enacted and codes adopted thereunder from time to time.
161	<b>SEA CAN (OR SHIPPING CONTAINER)</b>	Means a container, originally used or intended to be used for the transportation of goods, not used as a moveable storage unit. <div data-bbox="1019 1318 1516 1654" data-label="Image"> </div>
162	<b>SCREEN, SCREENED, OR SCREENING</b>	Means a fence, berm, hedge, wall or building used to separate areas or functions which detract from the appearance of the street scene and the view from the surrounding areas.
163	<b>SEDIMENT CONTROL MEASURES</b>	Means practices that stabilize erodible or sediment-producing areas through the use of grass, vegetation, sediment control traps, filters, barriers, swales, berms, and other measures that control the deposit of soil and earth materials. Sediment control measures may be identified in a Development Design Plan as methods of controlling sediment during active and post construction phases of development.

164	<b>SETBACK</b>	<p>Means a distance additional to minimum yard requirements which may be required on parcels adjacent to the roads.</p>  <p>The diagram illustrates setback requirements for a building. It shows three scenarios: 1. A building with front, rear, and side setbacks relative to a road. 2. A building with front, rear, and side setbacks relative to a road. 3. A building with side setbacks relative to a road and a rear setback relative to a waterbody.</p>
165	<b>SIGHT TRIANGLE</b>	<p>Means an area at the intersection of roads in which all buildings, fences, vegetation and finished ground elevations shall be less than 1.0 m (3.3 ft.) in height above the average elevation of the carriageway, in order that vehicle operators may see approaching vehicles in time to avoid collision.</p>
166	<b>SIGN</b>	<p>Means any word, letter, model, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction and its supporting structure.</p>
167	<b>SIGN, A-FRAME</b>	<p>Means a type of sign commonly referred to as “sandwich boards”, composed of two (2) hinged or otherwise joined boards which leans on the ground.</p>
168	<b>SIGN, CANOPY</b>	<p>Means a sign which is part of, or attached to, the outside edge of a canopy but which does not extend below the bottom edge or surface of the canopy.</p>
169	<b>SIGN, FASCIA</b>	<p>Means a sign attached to, marked or inscribed on and parallel to the face of a building wall but does not include a billboard.</p>
170	<b>SIGN, FREESTANDING</b>	<p>Means a sign that is supported independently of a building wall or structure but does not include a portable sign.</p>
171	<b>SIGN, PORTABLE</b>	<p>Means a sign which is not in a permanently installed or affixed position.</p>
172	<b>SIGN AREA</b>	<p>Means the total surface area within the outer edge of a sign, and, in the case of a sign comprised of individual letters, numerals, or symbols, shall be the area of a rectangle enclosing the letters, numerals, or symbols. Frames and structural members not bearing advertising matter shall not be included in the computation of the area of a sign.</p>
173	<b>SITE</b>	<p>Means a lot or parcel on which a development exists or for which an application for a development permit is made.</p>
174	<b>SITE COVERAGE</b>	<p>Means the total percentage of the parcel area covered by buildings or structures, including but not limited to the main building and any additions to it (e.g. covered decks), non-permeable synthetic turf, patios, parking facilities, non-permeable surfaced driveways, outdoor storage and display, and all other impervious surfaces but does not include steps, eaves, or similar projections permitted in this Land Use Bylaw.</p>
175	<b>SOLAR ARRAY</b>	<p>Means multiple solar panels used in conjunction to produce electricity.</p>
176	<b>SOLAR ENERGY CONVERSION SYSTEM</b>	<p>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.</p>
177	<b>SOLAR PANEL, FREESTANDING</b>	<p>Means a device which is used to convert energy contained within the sun’s rays into electricity, which is not mounted or attached to any other structure for support.</p>
178	<b>STREET</b>	<p>Means any category of road except a lane.</p>

179	<b>STRUCTURAL ALTERATION</b>	Means the addition to, deletion from, or change to any building which requires a permit other than a plumbing, gas or an electrical permit pursuant to the <i>Safety Codes Act</i> , R.S.A. 2000, c. S-01, as amended.
180	<b>SUBDIVISION AND DEVELOPMENT BOARD</b>	Means the Subdivision and Development Appeal Board appointed by Council.
181	<b>SUBSTANDARD LOT</b>	Means a lot created by legal subdivision prior to this bylaw coming into effect which is smaller, in area or in any dimension, than the minimum permitted lot size or dimension stipulated in the regulations of the District in which the lot is located.
182	<b>SUITE, GARAGE</b>	See “Suite, Guest House.”
183	<b>SUITE, GUEST HOUSE</b>	<p>Means an accessory building (or portion of an accessory building) containing a bathroom and sleeping facilities for temporary usage only, and shall not have a kitchen or other cooking facilities. A guest house provides additional accommodation for a single-detached dwelling located on the same parcel, is not available for rent by a third party, and does not include recreational vehicles and/or sea cans.</p> 
184	<b>SUITE, SECONDARY</b>	<p>Means a self-contained dwelling unit located within a single detached dwelling, and may include cooking, sleeping, and sanitary facilities.</p> 
185	<b>SUITE, SECURITY</b>	Means a self-contained dwelling unit, either detached or within a building, used to provide accommodation for security personnel in commercial or industrial development.
186	<b>SYNTHETIC TURF</b>	Means a surface of synthetic fibers made to look like natural grass.
<b>T</b>		
187	<b>TEMPORARY USE OR BUILDING</b>	Means a use or development for which a development permit has been issued and which is to exist for a timeframe of up to (but not exceeding) two years, at determined by the Development Authority.
188	<b>TOP OF BANK</b>	Means the upper valley break line or the line defining the uppermost or most obvious topographical discontinuity in slope distinguishing between the upper plateau and the valley wall. The “top of bank” is a natural boundary formed by the action of water for a long enough time to leave its signature on the ground. Unless coincidental, it is not a historic high water mark, a flood line, or the current waterline. An Alberta Land Surveyor may be required to define the top of bank.
189	<b>TOURIST HOME</b>	<p>Means a 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> <ol style="list-style-type: none"> <li>The intent of the occupant to stay for short-term (30 days or less) vacation purposes rather than use the property as a residence;</li> <li>The commercial nature of a tourist home;</li> </ol>

		<p>c. The management or advertising of the dwelling unit as a tourist home or “vacation rental,” on any website such as Airbnb or VRBO; and/or</p> <p>d. The use of a system of reservations, deposits, confirmations, credit cards, or other forms of electronic payments, etc.</p> <p>No recreational vehicle, dwelling unit or guest house suite shall be used as a tourist home.</p>
<b>190</b>	<b>TRAIL</b>	Means an area used for hiking, cross-country skiing or other forms of non- motorized recreational travel.
<b>U</b>		
<b>191</b>	<b>USE</b>	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.
<b>192</b>	<b>USE, DISCRETIONARY</b>	Means a use which may be compatible with other uses in the district, for which a Development Permit may be issued upon an application having been made.
<b>193</b>	<b>USE, PERMITTED</b>	Means a use which is compatible with other uses in the district and for which a Development Permit shall be issued provided it otherwise conforms to this Land Use Bylaw.
<b>194</b>	<b>UTILITY BUILDING</b>	Means the building in which the proprietor of a utility: <ul style="list-style-type: none"> <li>a. Maintains its office(s), and/or</li> <li>b. Maintains or houses equipment used in connection with the utility and which is not a public utility right-of-way.</li> </ul>
<b>V</b>		
<b>195</b>	<b>VACATION RENTAL</b>	Means the licensed use of any type of residential dwelling unit or suite as temporary lodging (less than 30 days at any one time) for paying guests.
<b>W</b>		
<b>196</b>	<b>WALKWAY</b>	Means a public right-of-way for use by pedestrians only, which is registered at the Alberta Land Titles Office as a walkway or a reserve.
<b>197</b>	<b>WALKING TRAIL</b>	Means an unregistered hard or granular surfaced pathway used primarily for leisure and active transportation purposes like walking and bicycling. Note: Added to differentiate from walkway (no right-of-way).
<b>198</b>	<b>WASTEWATER COLLECTION SYSTEM</b>	Means a privately or publicly owned system for treating sewage effluent, recognized by the appropriate regulatory agency, consisting of either a municipal or an on-site on-parcel sewage collection system.
<b>199</b>	<b>WIND ENERGY CONVERSION SYSTEM, LARGE</b>	Means one or more buildings designed to convert wind energy into mechanical or electrical energy, including a wind energy conversion system (WECS) consisting of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity of more than 300 kW.
<b>00</b>	<b>WIND ENERGY CONVERSION SYSTEM, MICRO</b>	Means a system of one or more buildings designed to convert wind energy into mechanical or electrical energy which has a rated capacity of less than 0.5 kW. Micro wind energy conversion systems are small in height and diameter and may be installed on the roof of a building.
<b>201</b>	<b>WIND ENERGY CONVERSION SYSTEM, SMALL</b>	Means a system of one or more buildings designed to convert wind energy into mechanical or electrical energy which has a rated capacity of not more than 300 kW and which is intended to provide electrical power for use on-site (either behind the meter or off-grid) and is not intended or used to produce power for resale.
<b>02</b>	<b>WOODSHED</b>	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 <sup>2</sup> (75.0 ft. <sup>2</sup> ).



<b>203</b>	<b>YARD</b>	Means an open space on the same site as a building and which is unoccupied and unobstructed from the ground upward except as otherwise provided herein.
<b>04</b>	<b>YARD, FLANKAGE</b>	Means the side yard which abuts a street on a corner parcel.
<b>205</b>	<b>YARD, FRONT</b>	Means: <ul style="list-style-type: none"> <li>a. In the case of parcels <u>abutting</u> Sylvan Lake or a reserve parcel abutting the lake, a yard extending across the full width of a parcel measured perpendicularly from the boundary of the parcel abutting the lake to the front wall of the principal building, situated on the parcel; or</li> <li>b. In the case of parcels <u>not abutting</u> Sylvan Lake or a reserve parcel abutting the lake, a yard extending across the full width of a parcel measured perpendicularly from the front boundary of the parcel to the front wall of the principal building situated on the parcel.</li> </ul>
<b>206</b>	<b>YARD, REAR</b>	Means: <ul style="list-style-type: none"> <li>a. In the case of parcels abutting Sylvan Lake or a reserve parcel abutting the lake, a yard extending across the full width of a parcel measured perpendicularly from the rear wall of the principal building situated on the parcel to the boundary abutting the street; or</li> <li>b. In the case of parcels not abutting Sylvan Lake or a reserve parcel abutting the lake, a yard extending across the full width of a parcel measured perpendicularly from the rear wall of the principal building situated on the parcel to the rear property boundary of the parcel.</li> </ul>
<b>207</b>	<b>YARD, SIDE</b>	Means a yard extending from the front yard to the rear yard between the side boundary of the parcel and the wall of principal building thereon.

All other words and expressions have the meaning respectively assigned to them in the *Act*, other Acts of the Province of Alberta, or common law.

### 1.5 ESTABLISHMENT OF FORMS

1. For the purpose of administering the provisions of this Land Use Bylaw, the Council shall, by resolution, authorize the preparation and the use of such forms and notices as it may deem necessary.
2. Any such forms or notices are deemed to have the full force and effect of this Land Use Bylaw in the execution of the purpose for which they were designed, authorized and issued.

### 1.6 ESTABLISHMENT OF FEES

1. Development Permit application fees and fees for other matters arising through this Land Use Bylaw will be established by Council in the Summer Village of Norglenwold Fees Bylaw. Council may amend the bylaw to increase, decrease, or establish new fees by an amendment bylaw.

### 1.7 SEVERABILITY

1. If one or more provisions of this Land Use Bylaw for any reason are declared to be invalid by a court of competent jurisdiction, that decision will not affect the validity of the remaining parts of this Bylaw.

### 1.8 REPEAL

1. Land Use Bylaw 208/13 and all amendments thereto are hereby repealed.

## Section 2

# AGENCIES

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### 2.1 DEVELOPMENT AUTHORITY

1. The Development Authority is established by the Summer Village's Development Authority Bylaw.
2. The Development Authority shall be appointed by resolution of Council.
3. The Development Authority shall be:
  - a. the Municipal Planning Commission of the Summer Village; and the
  - b. the Development Officer of the Summer Village.
4. If the decision on a development permit application is to be made by the Municipal Planning Commission, the term Development Authority, when used in this Bylaw, shall be the Municipal Planning Commission.
5. If the decision on a development permit application is to be made by the Development Officer, the term Development Authority, when used in this Bylaw, shall be the Development Officer.

### 2.2 DEVELOPMENT OFFICER

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

### 2.3 MUNICIPAL PLANNING COMMISSION

1. The Municipal Planning Commission:
  - a. Is authorized to act as the Development Authority in those matters prescribed in this Bylaw and the Municipal Planning Commission Bylaw No. 206-12, as amended;
  - b. Shall consider and if necessary state terms and conditions on any other planning or development matter referred by the Development Officer or Administration;
  - c. May direct the Development Officer or Administration to review, research or make recommendations on any other planning and development matter; and
  - d. Make recommendations to Council on planning and development matters.

### 2.4 SUBDIVISION AUTHORITY

1. The Subdivision Authority of the Summer Village shall be as established by the municipality's Subdivision Authority Bylaw to act on behalf of Council in those matters delegated to it by this Bylaw and the Subdivision Authority Bylaw.
2. The Subdivision Authority shall be appointed by resolution of Council.

### 2.5 COUNCIL

1. Council shall be authorized to decide upon all development permit applications within a Direct Control District and to issue such decisions that it sees fit.

## Section 3

# AMENDMENTS TO THE LAND USE BYLAW

### 3.1 AMENDMENTS

1. Subject to the *Act*, any Section of this Bylaw may be amended in accordance with this Bylaw.
2. Council may at any time initiate an amendment to this Bylaw by directing the Development Officer to initiate an amendment.
  1. A person may make application to the Development Officer for amendment to this Land Use Bylaw.
  2. All applications for amendment to this 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 district:
      - i. the legal description of the lands;
      - ii. a plan showing the location and dimensions of the lands; and
      - iii. a copy of the Certificate of Title for the land affected or other documents satisfactory to the Development Authority indicating the applicant's interest in the said land that is dated within thirty (30) days of application;
    - d. The applicant's interest in the lands; and
    - e. An application fee to be established by resolution of Council.
  3. If the amendment is for the redistricting of land, the Development Officer may require:
    - a. A conceptual scheme (or area structure plan) for the area to redistricted, to the level of detail specified by the Development Officer 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 services; 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 redesignation and/or related conceptual scheme, or if necessary to prepare a conceptual scheme; and
    - c. Technical studies requested by the Development Officer to assess site suitability and servicing requirements.
  4. Upon receipt of an application to amend this Land Use Bylaw, the Development Officer shall analyze the potential impacts of development 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, conceptual schemes, or plans in preparation;
    - c. Relationship to and compatibility with the Sylvan Lake Intermunicipal Development Plan;
    - d. Compatibility with surrounding development in terms of land use function and scale of development;
    - e. Traffic impacts;
    - f. Relationship to, or impacts on, water and sewage systems, and other public utilities and facilities such as recreation facilities and schools;
    - g. Relationship to municipal land, right-of-way, or easement requirements;
    - h. Effect on stability, retention and rehabilitation of desirable existing land uses, buildings, or both in the area;
    - i. Necessity and appropriateness of the proposed amendment in view of the stated intentions of the applicant; and
    - j. Relationship to the documented concerns and opinions of area residents regarding development implications.

5. Upon receipt of an application to amend the Land Use Bylaw, the Development Officer 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.
6. Council, in considering an application for an amendment to this Land Use Bylaw, 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.
7. Following first reading of an amending bylaw, Council shall establish the date, time and place for a public hearing on the proposed bylaw.
8. If a bylaw to establish procedures for public hearings has not been passed, the Summer Village shall:
  - a. Outline the procedures to be followed by any person, group of persons or person representing them who wish to be heard at the public hearing; and
  - b. Outline the procedure for conducting the public hearing.
9. Following first reading of an amending bylaw, the Development Officer must give notice of the public hearing by:
  - a. Publishing notice at least once a week for two (2) consecutive weeks in at least one (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 Summer Village.
10. A notice of a public hearing must be advertised at least five (5) days before the public hearing occurs.
11. 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.
12. In the case of an amendment to change the district designation of a parcel of land, the Development Officer must, in addition to the requirements of Section 3.1.11:
  - 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 3.1.12 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 3.1.12 to each owner of adjacent land at the name and address shown for each owner on the tax roll of the municipality.
13. If the land referred to in Section 3.1.13.c 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.

14. Notwithstanding Sections 3.1.7 to 3.1.9, the Land Use Bylaw may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical, or typographical errors and does not materially affect the Land Use Bylaw in principle or substance.
15. In the public hearing, Council:
  - a. 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
  - b. May hear any other person who wishes to make representations and whom the Council agrees to hear.
16. After considering the representations made to it about the proposed bylaw at the public hearing and after considering any other matter it considers appropriate, Council may:
  - a. Pass the bylaw;
  - b. 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.
17. 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.
18. After third reading of the proposed bylaw, the Development Officer shall send a copy of it to:
  - a. The applicant;
  - b. The registered owner of the land if not the applicant;
  - c. The municipality Planner; and
  - d. The adjacent municipality, if it received a copy of the proposed bylaw pursuant to Section 3.1.13.
19. The Development Officer shall not accept an application for an amendment which is identical or similar to an application which was refused by Council, for a period of six (6) months after the date of the refusal unless, in the opinion of the Development Officer, the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.

## Section 4

# PERMITS, PROCEDURES, AND CONTRAVENTIONS

### 4.1 CONTROL OF DEVELOPMENT

1. Development Permits are required to ensure that all development is achieved in an orderly manner.
2. No development other than that designated in Section 4.2 shall be undertaken within the Summer Village unless an application for it has been approved and a development permit has been issued.
3. In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to ensure and obtain other required provincial and federal approvals, permits and/or licenses.
4. Further, in addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to ensure that their development is consistent with the conditions of any registered easements or covenants which affect the subject site.
5. Notwithstanding Section 4.1.2 above, where a variance to any regulation in this Bylaw is required for any development listed in Section 4.2, a development permit shall be required.

### 4.2 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

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 improvement, maintenance, repairs or renovation 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 any development which has lawfully commenced before the passage of this Land Use Bylaw or any amendment thereof, provided that the development is completed in accordance with the terms of any permit granted in respect of it, and provided that it is completed within twelve (12) months of the date of notification of the permit;
  - c. The use of any such development as is referred to in Section 4.2.1.b for the purpose for which development was commenced;
  - d. The erection or construction of gates, fences, walls or other means of enclosures less than:
    - i. 1.0 m (3.3 ft.) in height in front yard;
    - ii. 1.0 m (3.3 ft.) in height in rear yards on lakefront lots; and
    - iii. and less than 2.0 m (6.6 ft.) in other yards;and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure unless the gate, fence, wall, etc. exceeds the regulations indicated in Section 9.4;
  - e. A temporary building other than a dwelling, the sole purpose of which is incidental to the carrying out of a development for which a permit has been issued under this Land Use Bylaw;
  - f. The installation, maintenance and repair of public works, services, or utilities carried out by or on behalf of federal, provincial, and/or municipal authorities on land that is publicly owned or controlled;
  - g. For the maintenance of private sewer systems that can be undertaken without excavation of all or part of the system;
  - h. Any development carried out by or on behalf of the Crown;
  - i. Any development carried out by or on behalf of the municipality provided that such development complies with all applicable provisions of this Land Use Bylaw;
  - j. Up to a maximum of two (2) accessory buildings with a floor area of 9.5 m<sup>2</sup> (102.3 ft.<sup>2</sup>) or less each and a building height of 2.5 m (8.2 ft.) or less on a lot, including garden or tool sheds, workshops, potting sheds and other similar structures provided that they are moveable and provided they otherwise comply with the provisions of this Land Use Bylaw.
  - k. Development specified in section 618 (1) and (4) of the Act, which includes:
    - i. A highway or road;
    - ii. A well or battery within the meaning of the *Oil and Gas Conservation Act*;

- iii. A pipeline or an installation or structure incidental to the operation of a pipeline; or
  - iv. Any other thing specified by the Lieutenant Governor in Council by regulation, which includes but is not limited to construction of buildings or the construction or installation of equipment, navigational aids, and communications systems for use in connection with the operation of airports owned by or on land vested in the Crown in right of Canada, the Crown in right of Alberta, or a municipal corporation;
- I. The erection of one (1) unilluminated sign of the following nature and size for each use within a building or on a parcel, provided such signs do not resemble or conflict with traffic signs;
- i. A fascia sign or freestanding sign for the purpose of identification, direction and warning not exceeding 0.2 m<sup>2</sup> (2.15 ft.<sup>2</sup>);
  - ii. A fascia sign or freestanding sign relating to a person, partnership or company carrying on a profession, business or trade not exceeding 0.3 m<sup>2</sup> (3.23 ft.<sup>2</sup>);
  - iii. A fascia sign or freestanding sign relating to a religious, educational, cultural, recreational or similar institution not exceeding 1.0 m<sup>2</sup> (10.76 ft.<sup>2</sup>);
  - iv. A portable sign or notice, relating to the sale or lease of land or buildings, sale of goods or livestock by auction, carrying out of construction, or the announcement of any local event of a religious, educational, cultural, political, or governmental nature not exceeding 3.0 m<sup>2</sup> (32.3 ft<sup>2</sup>) and limited in display to the period of completion of the sale, lease, construction or event; and
  - v. A flag attached to a single upright flag-pole;
- m. landscaping where the proposed grades will not adversely affect the subject or adjacent properties or result in an increase in surface water and sediment run-off into Sylvan Lake;
- n. development within a basement that does not change or add to the uses within a dwelling;
- o. a minor home occupation;
- p. apiaries for the keeping of a colony of up to 1,000 bees and no more than 1 queen;
- q. the erection of campaign signs for federal, provincial, municipal or school board elections on privately-owned lots for no more than thirty (30) days, or such time as regulated under provincial or federal legislation provided that:
- i. such signs are removed within one (1) day after the election date;
  - ii. such signs do not obstruct or impair vision or traffic; and
  - iii. such signs indicate the name and address of the sponsor and the person responsible for removal;
- r. roof mounted solar energy collection systems;
- s. a maximum of one woodshed with a floor area not more than 7.0 m<sup>2</sup> (75.0 ft.<sup>2</sup>);
- t. pergolas less than 10.0 m<sup>2</sup> (107.6 ft.<sup>2</sup>) in area and less than 4.3 m (14.1 ft.) in height;
- u. micro wind energy conversion systems; and
- v. the demolition or removal of any building or structure for which erection a development permit would not be required pursuant to Section 4.2.1.a to 4.2.1.u, both inclusive.

#### 4.3 NON-CONFORMING BUILDINGS AND USES

1. A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform to this Bylaw.
2. 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.
3. 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.
4. 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 variance powers possessed by the Development Authority pursuant to the Act and this Bylaw to approve a development permit despite any non-compliance with the regulations of this Bylaw.
5. If a non-conforming building is damaged or destroyed to the extent of more than seventy-five percent (75%) of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
  6. 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.

#### 4.4 APPLICATION FOR DEVELOPMENT

1. An application for development permit shall be completed and submitted to the Development Officer in writing, in the form required by the Development Officer, and shall be accompanied by:
  - a. post construction site and building elevations;
  - b. 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;
  - c. landscaping plans, including the location of existing and proposed trees, shrubs, grassed areas, fences, screenings, and outdoor furniture on the site and on adjacent boulevards within road rights-of-way;
  - d. drainage plans;
  - e. a Real Property Report;
  - f. a scaled site plan showing:
    - i. proposed site coverage, and as a percentage calculation of the total lot area;
    - ii. front, side and rear yards;
    - iii. north point;
    - iv. legal description of the property;
    - v. access and egress points to the property; and
    - vi. 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, access and egress points to the parcel, and major landscaped areas including buffering and screening areas where provided; and
  - g. a statement of existing and proposed use(s) or occupancy of all parts of the land and buildings, and such other information as may be required by the Development Officer.
2. Where a proposed development or redevelopment is within 30.0 m (98.4 ft.) of the top of bank or high water mark of Sylvan Lake, a Development Design Plan shall be submitted as part of a development permit application and enforced as a condition of approval. Determining which feature (top of bank or the high water mark of Sylvan Lake) is appropriate will be at the discretion of the Development Authority. Submission of the Development Design Plan shall be in accordance with the applicable policies of the Sylvan Lake Intermunicipal Development Plan.
3. In making a decision, the Development Authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include (but not limited to):
  - a. A geotechnical report, assessment or investigation prepared by a qualified geotechnical engineer for any proposed development, redevelopment, clearing or grading, excavation or adding fill within escarpment areas having ten (10) percent or greater slopes. The proposed development plan must show 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 shall be verified by accurate historical survey data or site specific information completed by a qualified surveyor;
  - b. A geotechnical report, prepared by a qualified geotechnical engineer, outlining seasonally adjusted and recommended water tables, location of on-site storage of sewage, and recommended building foundations, basement construction and soil bearing capabilities;
  - c. A visual impact assessment prepared by a qualified professional that assesses the impact of new development on view corridors and provides mitigation steps;
  - d. An environmental review prepared by a qualified professional, which shall include but is not limited to:
    - i. A description of the environmental sensitivity of the lands proposed for development and the surrounding area;



- ii. The identification of the nature and significance of any adverse impacts associated with the proposed development during construction;
  - iii. The identification of the nature and significance of any adverse impacts associated with activities that will result from the development; and
  - iv. The inclusion of an environmental protection plan to:
    - 1. Alleviate any adverse impacts;
    - 2. Monitor the performance of the environmental measures; and
    - 3. Identify any residual impacts and their significance on any or all of the following: fish and wildlife, vegetation, soils and terrain, water quantity and quality, shoreline, surface drainage and aquifers.
  - e. the location of existing and proposed municipal and private stormwater and sanitary sewage collection and disposal, and water supply and distribution utilities, landscaped areas and buffering and screening;
  - f. the height and horizontal dimensions of all existing and proposed buildings;
  - g. outlines of roof overhangs on all buildings;
  - h. existing and proposed elevations on the site and on adjacent sites, roads and lanes;
  - i. a construction management plan;
  - j. a hydrogeological assessment;
  - k. a wetland assessment;
  - l. a biophysical assessment;
  - m. a historic resource impact assessment;
  - n. future development plans for a site which is to be partially developed through the applicable development permit;
  - o. 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;
  - p. any other information or tests required by the Development Authority, at their discretion, respecting the site or adjacent lands, including an environmental screening of the site, geotechnical reports and/or flood hazard mapping;
  - q. a statutory declaration indicating that the information supplied is accurate; and
  - r. 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.
4. In addition to the information requirements indicated above, an application for a development permit for landscaping or the excavation or stripping of land that is proposed without any other development on the same land shall also include:
- a. An illustration indicating the location and area of the site where the landscaping or excavation is to take place;
  - b. A plan showing the existing trees and/or shrubs and identification of the trees and/or shrubs to be removed and/or added;
  - c. A statement on why the trees and/or shrubs are proposed to be removed and/or added;
  - d. 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;
  - e. The depth and variation in depth of groundwater encountered in test holes, if required at the discretion of the Development Authority;
  - f. The identification of potential for outdoor noise and the discharge of substances into the air,
  - g. Details outlining the measures that will be taken to ensure the integrity of trees and/or shrubs adjacent to those proposed to be removed is not compromised;
  - h. 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;
  - i. An indication of all municipal servicing costs associated with the development;
  - j. The proposed haul route, dust control plan and expected hours of operation; and

- k. A statement may be required, at the discretion of the Development Officer, from a qualified environmental specialist or another qualified professional assessing the implications of tree and/or shrub removal will have on Sylvan Lake water quality, habitat and slope stability if applicable.
5. The Development Authority may refuse to accept an application for Development Permit where the information required by Sections 4.3.1, 4.3.2, and 4.3.3 has not been supplied or where, in the opinion of the Development Authority, the quality of the material supplied is inadequate to properly evaluate the application.
  6. The Development Authority may deal with an application and make a decision without all of the information required by subsection Sections 4.3.1, 4.3.2, and 4.3.3 if it is the opinion of the Development Authority that a decision on the application can be properly made without such information.
  7. Each application for a Development Permit shall be accompanied by a non-returnable processing fee, the amount of which shall be determined from time to time by resolution of Council.

#### 4.5 PROCESSING OF DEVELOPMENT PERMIT APPLICATIONS

1. The Development Officer shall:
  - a. Receive all applications for a Development Permit;
  - b. Assess and provide notice in writing of a complete or incomplete application as required in Section 683.1 of the *Act*;
  - c. Refer all applications for development which would result in permanent overnight accommodation, including dwelling units, or public facilities to the Alberta Energy Regulator, if any of the land which is the subject of the application is within 1.5 km (0.9 miles) of a sour gas facility and the proposed development is not, in the opinion of the Development Authority, an infill development;
  - d. Refer any application to a municipality or agency as required by the Sylvan Lake Intermunicipal Development Plan or the Summer Village of Norglenwold Municipal Development Plan;
  - e. Refer any application to an adjacent municipality or any other agency or person which in their opinion may provide relevant comments or advice respecting the application;
  - f. Consider and decide on applications for Development Permit which meet the standards of this Land Use Bylaw for permitted uses; and
  - g. Refer with his/her recommendations, to the Municipal Planning Commission for its consideration and decision on all other applications for a Development Permit.
2. Notice of Complete or Incomplete Application
  - a. The Development Officer shall within twenty (20) days of the receipt of an application for a development permit, determine whether the application is complete.
  - b. The time period referred to in Section 4.5.2(a) may be extended by an agreement in writing between the applicant and the Development Authority.
  - c. An application is complete if, in the opinion of the Development Officer, the application contains the documents and other information necessary to review the application.
  - d. If the Development Officer determines that the application is complete, the Development Officer shall issue to the applicant, in writing or electronically, an acknowledgment that the application is complete.
  - e. If the Development Officer 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 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 Development Officer in order for the application to be considered complete.
  - f. If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Section 4.5.2(e), the Development Officer may deem the application to be refused.
  - g. Despite the Development Officer having issued an acknowledgment under Section 4.5.2(e) or 4.5.2(f), in the course of reviewing the application, the Development Officer may request additional information or documentation from the applicant that the Development Officer considers necessary to review the application.

3. Upon receipt of a completed application for a development permit, the Development Authority:
  - a. shall approve, with or without conditions, an application for a permitted use where the proposed development conforms to this Bylaw;
  - b. shall refuse an application for a permitted use if the proposed development does not conform with this Bylaw, subject to Section 4.4.3(d);
  - c. may refuse or approve, with or without conditions, an application for a discretionary use where the proposed development conforms to this Bylaw;
  - d. may approve, with or without conditions, an application for a permitted or discretionary use with variances to the Bylaw; and
  - e. prior to making a decision, the Development Authority may refer any application for a permitted or discretionary use to any municipal department, external agency or adjacent landowners for comment.
4. For a permitted use in any district:
  - a. The Development Officer shall approve, with or without conditions, an application for a Development Permit where the proposed development conforms in every respect to this Land Use Bylaw, the *Act*, the *Subdivision and Development Regulations*, approved statutory plans, and the Sylvan Lake Intermunicipal Development Plan; or
  - b. If an application for a Development Permit for a permitted use does not conform to the requirements of this Land Use Bylaw, the *Act*, the *Subdivision and Development Regulations*, approved statutory plans, and the Sylvan Lake Intermunicipal Development Plan, the Development Officer:
    - i. May refuse the application giving reasons for the refusal; or
    - ii. May consider issuing a variance (not greater than 15% of the applicable requirement of this Land Use Bylaw), consistent with the provisions in Section 4.7 – Variances of this Land Use Bylaw; or
    - iii. May approve the application subject to conditions to ensure that the application conforms to the requirements of the Land Use Bylaw, the *Act*, the *Subdivision and Development Regulations*, approved statutory plans, and the Sylvan Lake Intermunicipal Development Plan.
5. For a discretionary use in any land use district:
  - a. The Municipal Planning Commission may approve an application for a Development Permit:
    - i. With or without conditions;
    - ii. Based on the merits of the proposed development, including its relationship to any approved statutory plan, non-statutory plan, or approved policy, affecting the site;
  - b. If an application for a Development Permit for a discretionary use does not conform to the requirements of this Land Use Bylaw, the *Act*, the *Subdivision and Development Regulations*, approved statutory plans, and the Sylvan Lake Intermunicipal Development Plan, the Municipal Planning Commission:
    - i. May refuse the application giving reasons for the refusal; or
    - ii. May consider issuing a variance consistent with the provisions in Section 4.7 – Variances of this Land Use Bylaw; or
6. May approve the application subject to conditions to ensure that the application conforms to the requirements of the Land Use Bylaw, the *Act*, the *Subdivision and Development Regulations*, approved statutory plans, and the Sylvan Lake Intermunicipal Development Plan. The Development Authority may require with respect to a development that, as a condition of issuing a Development Permit, the applicant:
  - a. Submit a Real Property Report at the footings stage specifying the location of the development on the parcel; and
  - b. Enter into an agreement with the municipality to do all or any of the following:
    - i. To construct or pay for the construction of a road required to give access to the development;
    - ii. To construct or pay for the construction of pedestrian walkway systems;
    - iii. To install or pay for the installation of utilities that is necessary to serve the development;

- iv. construct or pay for the construction of off-street or other parking facilities, loading and unloading facilities;
  - v. To pay an off-site levy or redevelopment levy imposed by bylaw;
  - vi. To require the applicant to be responsible for the repair of any damage to the municipality's lands and works including but not necessarily confined to roads, drainage courses, trees and fences; and
- c. To pay to the municipality the costs paid by the municipality to any engineer or any other person for materials testing, inspections, monitoring of construction, review of construction drawings, and legal costs and expenses to which the municipality is put in connection with the development agreement and agreement relates;
  - d. To whom a Development Permit has been issued shall obtain, where applicable, from the appropriate authority, permits relating to building, electricity, gas, plumbing and sewage disposal, and all other permits required in connection with the proposed development; and
  - e. Shall be financially responsible during construction for any damage caused by the applicant, his/her servants, employees, suppliers, agents or contractors to any public or private property.
7. Prior to imposing any condition upon the issue of a Development Permit pursuant to Section 4.4.6, the Development Authority shall consult with Council as may be required in the circumstances and shall specify the terms and content of the agreement in the condition in the Development Permit.

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 was applied for and refused by the Development Authority or the Subdivision and Development Appeal Board within six (6) months of the date of the current application.

8. After receipt of a development permit application, the Development Authority shall give notice to the applicant by email as per the email address listed on the Development Permit Application, that the application is deemed complete or incomplete.
- a. If the application is deemed incomplete, the notice shall contain any outstanding documents and information required, and a date the outstanding documents and information shall be submitted, set out in the notice or a later date agreed on between the applicant and the development authority in order for the application to be considered complete.
  - b. If the applicant fails to submit all the outstanding information and documents on or before the date referred to in the email, the application is deemed to be refused. The development authority must issue to the applicant a notice by ordinary mail.

#### 4.6 DEVELOPMENT AGREEMENTS AND CONDITIONS

1. 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 public roadways, pedestrian walkways, or parking areas; and/or
  - b. Complete lot grading; and/or
  - c. Provide finished ground elevations; and or
  - d. Provide for the control of offsite drainage; and/or
  - e. Install or pay for the installation of utilities; and/or
  - f. Pay for an off-site levy or redevelopment levy imposed by bylaw.
2. A refundable completions deposit will be required when a development permit is issued. At the discretion of the Development Authority, the amount will depend on the estimated project cost, as establish. The deposit shall be refunded after completion of the construction including landscaping as per the development permit, subject to the Summer Village's Development Completions Deposit Policy.
3. To ensure compliance with the development agreement, the Summer Village may:
- a. 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; and
  - b. require securities in the form of cash or an irrevocable letter of credit, satisfactory to the Development Authority.

## 4.7 VARIANCES

1. The Development Officer may consider issuing a variance for a permitted use, where the variance requested does not exceed 10% of the applicable requirement of this Land Use Bylaw, and the requested variance does not affect maximum site coverage or maximum building height requirements.
2. The Municipal Planning Commission 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 land use bylaw.
3. The Municipal Planning Commission may approve an application for Development Permit even though the proposed development does not comply with the regulations of this bylaw or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building if, in the opinion of the Municipal Planning Commission;
  - a. The proposed development would not:
    - i. Unduly interfere with the amenities of the neighbourhood; or
    - ii. Materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
  - b. The proposed development conforms to the use prescribed for that land or building in this bylaw.
4. In approving an application for development pursuant to Sections 4.7.2.a and 4.7.2.b, the Municipal Planning Commission shall adhere to the following:
  - a. A variance shall be considered only where warranted by the merits of the proposed development and in response to irregular parcel lines, parcel shapes or site characteristics which create difficulties in siting structures within the required setback or in meeting the usual bylaw requirements. Except as otherwise provided in this bylaw, there shall be no variance from the following:
    - i. Site coverage; and
    - ii. Building height.
  - b. Where a variance is granted, the nature of the approved variance shall be specifically described in the Development Permit approval.
  - c. Where the issuance of a Development Permit involves the exercise of any specified discretion of the Municipal Planning Commission to relax a regulation of a district or any other regulation of this bylaw, the Municipal Planning Commission shall not permit any additional variance from that regulation.

## 4.8 NOTICE OF DECISION

1. When a development permit has been issued for a **permitted use and no variance to any regulation has been granted**, the Development Authority shall within five (5) working days after the decision on a development permit application has been granted, send a notice by regular mail of the decision to the applicant and post a notice on the Summer Village's website. Mailing the notice is not required when an applicant picks up a copy of the decision.
2. In addition to the above, within five (5) working days after a decision on a development permit application for a **discretionary use or after a variance has been granted**, the Development Officer shall:
  - a. send notice by regular mail (or by electronic mail if agreed to in advance by the applicant) to all affected adjacent land owners, 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
  - 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.
3. The notice indicated in **Sections 4.8.1 and 4.8.2** 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;

- e. whether an appeal lies to the subdivision and development appeal board or to the Land and Property Rights Tribunal; and
  - f. how an appeal might be made and the deadline for such appeal.
4. Pursuant to this Section, a permit granted pursuant to this Part does not come into effect until twenty-one (21) days after the date that notice of the 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 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. 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.
  6. If the development authorized by a permit is not commenced within twelve (12) months from the date of the date of the issue of the development permit, and completed within twelve (12) months of the commencement of the development, the permit is deemed to be void.
  7. A development, once begun, shall not be abandoned or left for an extended period of time in what the Development Authority considers to be an unsightly or unsafe condition.
  8. The application may be responsible for any damages to public or private property occurring as a result of development.
  9. A decision of the Development Authority on an application for a development permit shall be given in writing.

#### **4.9 CANCELLATION**

1. The Development Authority may cancel a Development Permit if:
  - a. The permit was issued in error; or
  - b. The permit was issued on the basis of incorrect information.

#### **4.10 COMPLIANCE WITH OTHER LEGISLATION**

1. Compliance with the requirements of this Land Use Bylaw does not exempt any person from:
  - a. The requirements of any federal, provincial or municipal legislation; and
  - b. Complying with any easement, covenant, agreement or contract affecting the development.

## Section 5

# SUBDIVISION OF LAND

### 5.1 SUBDIVISION APPLICATION REQUIREMENTS

1. All Subdivision applications for lands within the Summer Village of Norglenwold shall comply with the provisions under this Section.
2. Approval of an area structure plan or conceptual scheme, prepared by a Registered Professional Planner (RPP), is required for multi-lot subdivisions that will result in a total of six (6) or more lots within a quarter section including the remainder of the quarter section. Additional supporting information may be required depending on the magnitude and complexity of the proposed subdivision.
3. 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.
4. Multi-lot subdivisions shall be developed in accordance with the provisions of the land use district affecting the subject site at time of application.
5. 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. 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.
7. 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.
8. 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.
9. The Summer Village may also require an applicant to submit to the Subdivision Authority any or all of the following:
  - a. a figure showing topographic contours at no greater than 1.5 m (4.9 ft.) intervals;
  - b. if the proposed subdivision is not to be served by a water distribution system, information supported by the report of a qualified professional, registered in the Province of Alberta, respecting the provision, availability, and suitability of potable water on or to the land to be subdivided;

- c. an assessment of subsurface characteristics of the land that is to be subdivided including, but not limited to, susceptibility to slumping or subsidence, depth to water table, and suitability for any proposed on-site sewage disposal system(s), prepared and signed by a qualified professional registered in the Province of Alberta;
- d. a storm water management plan, prepared by a qualified professional, which must be approved by Alberta Environment and Parks including:
  - i. topography;
  - ii. proposed minor drainage system (ditches/pipes/catch basin locations/flow rate);
  - iii. proposed major drainage systems (direction of surface drainage/flow rate);
  - iv. proposed on-site detention/retention facility (location/size/capacity);
  - v. location of outflow/outfall structures; and
  - vi. any related modeling and calculation information;
- e. if the land that is the subject of an application is located in a potential Flood Plain, a figure showing the 1:100-year Flood Plain or highest and most frequent rain event series relevant to flooding of the land;
- 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 conceptual scheme that relates the application to future subdivision and development of adjacent lands.

## 5.2 SUBDIVISION PROCESS

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



### 5.3 DUTIES OF THE SUBDIVISION AUTHORITY

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

### 5.4 SUBDIVISION REQUIREMENTS AND CONDITIONS

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

## Section 6

# PROCESS FOR APPEALS

### 6.1 DEVELOPMENT APPEALS

1. An appeal may be made if the Development Authority:
  - a. Fails or refuses to issue a development permit;
  - b. Issues a development permit subject to conditions; or
  - c. Issues a stop order under Section 645 of the *Act*;By the applicant of the development permit or any person affected by the order.
2. In addition to Section 6.1.1, any person affected by an order, decision, or development permit made or issued by the Development Authority may appeal the decision in accordance with Section 685(2) of the *Act*.
3. Despite Sections 6.1.1 and 6.1.2, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted or the application for the development permit was deemed to be refused under section 683.1(8) of the *Act*.
4. Despite Sections 6.1.1, 6.1.2, and 6.1.3, if a decision with respect to a development permit application in respect of a direct control district:
  - a. is made by a council, there is no appeal to the Subdivision and Development Appeal Board; or
  - b. is made by a development authority, the appeal is limited to whether the development authority followed the directions of council, and if the board hearing the appeal finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority's decision.
5. An appeal of a decision of the Development Authority for lands identified in Section 685(2.1)(a) of the *Act* shall be made to the Land and Property Rights Tribunal, and shall proceed in accordance with the processes identified in the *Act* and the Land and Property Rights Tribunal Act.
6. An appeal of a decision of the Development Authority for lands identified in Section 685(2.1)(b) of the *Act* shall be made to the Subdivision and Development Appeal Board of the Summer Village of Norglenwold.
7. An appeal with respect to an application for a development permit may be made by a person identified in Section 6.1.1 may be made by serving a written notice of appeal to the board hearing the appeal:
  - a. Within twenty-one (21) days after the date on which the written decision is given; or
  - b. If no decision is made with respect to the application within the 40-day period (or within any extension to that period under Section 684 of the *Act*), within twenty one (21) days after the date the period or extension expires; or
  - c. With respect to an order under Section 645 of the *Act*, within 21 days after the date on which the order is made.
8. An appeal with respect to an application for a development permit may be made by a person identified in Section 6.1.2 may be made by serving a written notice of appeal to the board hearing the appeal within twenty-one (21) days after the date on which the written decision is given.
9. An appeal to the Land and Property Rights Tribunal may be made by filing a notice to the Land and Property Rights Tribunal. The notice submission requirements shall be as established by the Land and Property Rights Tribunal.
10. An appeal to the Subdivision and Development Appeal Board may be launched by filing a notice by providing the following:
  - a. the appeal application fee as identified in the Summer Village's Fees and Charges Bylaw;
  - b. the legal description and/or the municipal address of the property to which the decision, order, or issuance of the development permit relates;
  - c. the name, contact information, and address of the appellant; and
  - d. the reasons for the appeal and the issue or condition in the decision or order that are the subject of the appeal.
11. Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board, if:

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

## 6.2 SUBDIVISION APPEALS

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

## 6.3 APPEAL HEARINGS AND DECISIONS

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

## Section 7

# ENFORCEMENT

## 7.1 GENERAL PROVISIONS

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

## 7.2 PROHIBITIONS

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

## 7.3 RIGHT OF ENTRY

1. After reasonable notice (generally to mean 48 hours) to the owner or occupant in accordance with the *Act*, a Designated Officer may enter 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.
2. A person shall not prevent or obstruct a Designated Officer from carrying out any official duty under this Bylaw. If consent is not given, the Summer Village may apply to the Court of Queen's Bench for an authorizing order.

## 7.4 VIOLATION WARNING

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

## 7.5 WARNING AND FINAL WARNING NOTICE

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

## 7.6 OFFENSES AND FINES

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

## 7.7 STOP ORDERS

1. On finding that a development, land use, or use of a building does not conform to the *Act* or its regulations, a development permit or subdivision approval or the conditions of either, or this Bylaw, the Development Authority may, by written notice, direct the owner of the property, the person in possession of the land, building, or sign, or the person responsible for a contravention or any or all of them, to:
  - a. stop the development or use of the land or building in whole or part as directed by the notice;
  - b. demolish, remove, or replace the development or landscaping; or
  - c. carry out any other actions required by the notice for compliance.
2. The notice shall specify a deadline for compliance.
3. A person named in a stop order may appeal to the Subdivision and Development Appeal Board.

## 7.8 ENFORCEMENT OF STOP ORDERS

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

## 7.9 VIOLATION TAGS AND TICKETS

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

## Section 8

# GENERAL DEVELOPMENT REGULATIONS

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### 8.1 ACCESS AND EGRESS

1. In all land use districts, all vehicle entrances and exits onto roads shall only be allowed in location approved by the Development Authority.

### 8.2 BUILDING DEMOLITION

1. An application to demolish a building shall not be approved without a statement or plan which indicates:
  - a. How the operation will be carried out so as to create a minimum of dust and other nuisances; and
  - b. The reclamation plan for the site including lot grading and landscaping; and
  - c. Proposed haul routes for the removal of site materials;that is satisfactory to the Development Authority.

### 8.3 BUILDING ORIENTATION AND DESIGN

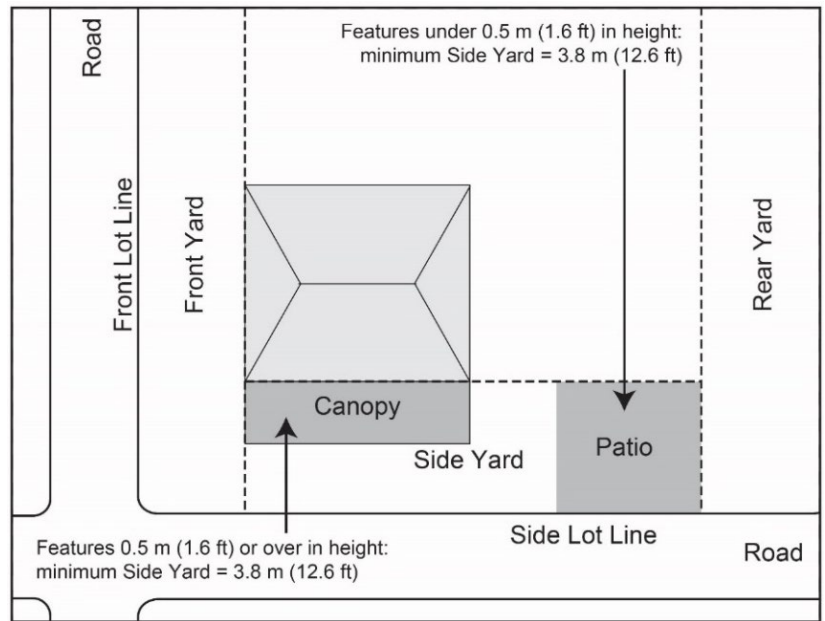
1. The design, character and appearance of any building, or series of buildings, structures or signs proposed to be erected or located in any district must be acceptable to the Development Authority having due regard to the following:
  - a. Amenities such as daylight, sunlight and privacy.
  - b. The character of existing development in the district.
  - c. Impact of proposed development on adjacent parcels.
  - d. Crime Prevention Through Environmental Design (CPTED), principles to discourage crime by reducing concealment opportunities, providing lighting to minimize dark spaces, placing windows to maximize surveillance, and easily identifiable addresses.
  - e. Proposed type of finish and use of building materials on all elevations and the roof.
  - f. The exterior finish on all buildings shall be of permanent material satisfactory to the Development Authority.
  - g. The roof pitch and width of the eaves.
  - h. The depth of the principal building shall not be greater than three (3) times its width.
  - i. The Development Authority may require additional building setbacks in order to accommodate any local, area or natural drainage courses or over land drainage issues. Surface drainage from one (1) parcel may not be directed onto or over an adjacent parcel without approval of the Development Authority.

### 8.4 CONDOMINIUMS AND MULTIPLE OWNERSHIP

1. The density of development and of population in a condominium shall be no greater than would be allowed for a similar land use which was being developed through the normal subdivision procedure.
2. Development in condominiums and on property owned in common by a number of people must be laid out in such a way that, should subdivision be undertaken at some future date, individual owners can obtain title to lots which meet the requirements of the *Act* and this Bylaw for separate titles and individual lots.

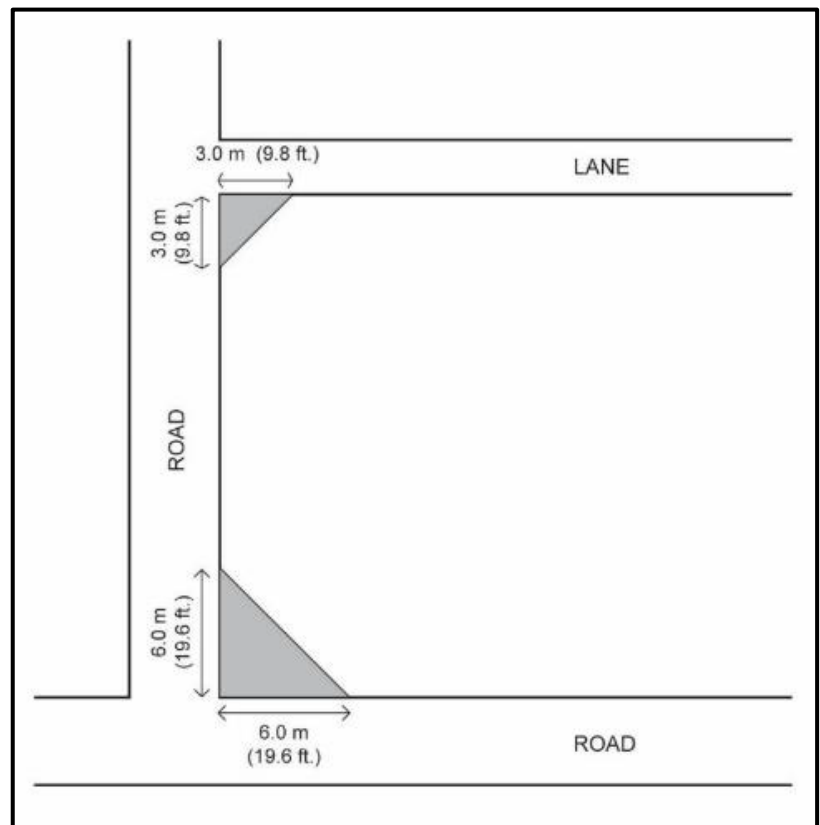
## 8.5 CORNER AND DOUBLE FRONTING LOTS

1. In the case of double fronting lots, the front yard shall be that portion of the lot abutting the road on which the front yards of adjacent lots face. If adjacent lots have front yards facing both roads, front yards shall be considered to be on both roads and the lot may thus have no rear yard;
2. Notwithstanding any other provision of this Bylaw to the contrary, the Development Authority may require that a development on a corner lot or on a double fronting lot provide two (2) minimum required front yards, after having regard to the orientation of adjacent lots and to the location of accesses to the development;
3. Notwithstanding any other provision of this Bylaw to the contrary, where a second minimum front yard is not required on a corner lot, the minimum required side yard on the side adjacent to the road shall not be less than 3.8 m (12.5 ft.);
4. Notwithstanding Subsection 8.5.3, features under 0.5 m (1.6 ft.) in height may project to the side line where a second minimum front yard is not required on a corner lot.



## 8.6 CORNER SITE AND SITE LINE PROTECTION

1. On corner sites no fence, wall, tree, bush, structure or object more than 1.0 m (3.3 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road right-of-way lines (or their projections) and a straight line joining points on the road right-of-way lines 6.0 m (19.7 ft.) from their intersection.
2. At the intersection of roads and lanes and at the intersection of driveways and roads, no fence, wall, tree, bush, structure or object more than 1.0 m (3.3 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road and lane right-of-way lines on the road or lane right-of-way lines 3.0 m (9.8 ft.) from their intersection.
3. Notwithstanding any other provision of this Bylaw to the contrary, no sign shall be located in any district such that any part of the sign face is located between the heights of 1.0 m (3.3 ft.) and 3.0 m (9.8 ft.) above grade.



## 8.7 DEVELOPER'S RESPONSIBILITY

1. The applicant/landowner to whom a development permit has been issued shall obtain from the appropriate Provincial Authority, where applicable, permits relating to building, plumbing, gas, private sewage disposal systems, utilities municipal services, highways and all other provincial permits required in connection with the proposed development.

## 8.8 EASEMENTS

1. A development permit shall not be issued for a development, other than a fence or landscaping, that encroaches in or over a utility easement or right-of-way without the written consent from the person to whom the easement is registered or the person whose utility is located in the easement and the Development Officer.

## 8.9 ENVIRONMENTAL SCREENING

1. Where the potential for prior contamination of a site exists, the approving Authority may require that a Phase 1 Environmental Site Assessment be conducted according to applicable provincial requirements and/or guidelines prior to a decision being issued. If the Phase 1 Environmental Assessment indicates that a Phase 2 Environmental Assessment should be undertaken, the approving Authority may require a Phase 2 Environmental Assessment be conducted and submitted prior to issuance of the decision affecting a subdivision or development application.

If follow-up assessments or remedies are required, and if such remedies are determined to be reasonably achievable, then completion of required remedies may be identified as conditions of subdivision or development approval.

## 8.10 EXISTING SUBSTANDARD LOTS

1. Proposed developments on existing substandard lots which do not meet the provisions of this Bylaw shall be considered by the Development Authority. The Development Authority may or may not issue a development permit for the site, having regard for the limitations of the site.
2. Development on a substandard lot is still required to meet all other provincial and federal legislation and regulations, including but not limited to the *Safety Codes Act*.

## 8.11 LANDSCAPING, ENVIRONMENTAL CONSERVATION, AND DEVELOPMENT

1. Landscaping in all developments within the Summer Village shall be to the satisfaction of the Development Authority.
2. As a condition of subdivision or development approval, a security in the form of an irrevocable letter of credit may be required by the Development Authority, up to a value of one hundred twenty five percent (125%) of the estimated cost of the proposed landscaping to ensure that the landscaping is carried out with reasonable diligence (in accordance with the approved landscaping plan), to the satisfaction of the Development Authority. A condition of the security shall be that the landscaping shall be completed in accordance with this Bylaw and the plan within one (1) growing season after the completion of the development. If the landscaping does not survive a two (2) year maintenance period, the amount shall be paid to the Summer Village to complete the landscaping.
3. A development permit for landscaping may be required where the proposed landscaping would result in the clearing of vegetation, stripping, or grading of the site.
4. Where a landscaping plan is required with an application for a development permit, no landscaping shall commence prior to the plan being approved by the Development Authority.
5. Landscaping plans shall incorporate (where possible) recommendations from the Alberta Clean Runoff Action Guide 2020 including:
  - a. Grading of lots to drain and retain runoff to control and reduce surface water leaving the lot;
  - b. Inclusion of the following clean runoff landscaping strategies:
    - i. Within planting beds and natural areas, keep the areas rough, with dished areas for trapping water.
    - ii. Where possible include a depression to intercept surface water (including snowmelt) before it leaves the site.
    - iii. Minimize turf areas on lakefront lots to decrease soil compaction and the proliferation of invasive weeds.
    - iv. Incorporate tools for capturing, treating, and using runoff into lot grading and landscaping.
    - v. Incorporate deciduous native plant species and wild flowers into landscaping plans to encourage fire suppression, support biodiversity, and increase evapotranspiration.
6. Landscaping plans shall include the following information which adheres to the following standards:
  - a. north arrow;
  - b. outlines of all buildings and structures on the subject site;
  - c. location of parking areas, vehicle and pedestrian circulation systems on the subject site;
  - d. location, height and materials of all proposed fences, screens, and walls on the subject site;



- e. location of any existing or proposed lighting, proposed recreational facilities and garbage collection areas on the subject site;
  - f. existing vegetation, including mature trees, on the subject site, labeled by common name; and
  - g. the proposed final grading and drainage plan of the area and the placing and spreading of topsoil. In particular, all areas to be landscaped shall be graded to drain to the lake, into catch basins or into adjacent drainage easements. Under no circumstances shall an area be designed, built or landscaped to drain onto adjacent property without appropriate easements.
7. In addition to the requirements of Section 8.11.5, landscaping plans shall also include pre-built and as-built shots to prove that the proposed final grading and drainage plan function properly.
8. The following standard of landscaping shall be required for all areas of a parcel not covered by buildings, non-permeable driveways, storage and display areas:
- a. The conservation of existing trees and shrubs to the maximum extent possible;
  - b. The retention, in their natural state, of:
    - i. Wetlands, gullies and natural drainage courses;
    - ii. Unstable land;
    - iii. Land subject to flooding and/or located within a 1:100 year floodway or flood fringe area as determined by an engineer or flood study;
    - iv. Land with slope areas with a gradient of fifteen (15) percent or greater; and
    - v. Land located below the top of the bank of the lake, or any water body or water course.
  - c. The appropriate screening of outside storage areas, parking facilities and loading areas from adjacent buildings and roads.
  - d. A sufficient depth of topsoil to facilitate growth in the soft-landscaped areas, with areas not planted to trees and shrubs being seeded to grass, sodded or left with its natural grass cover; and
  - e. Completion of the landscaping within two (2) years of the date of issue of the Development Permit.
9. The following standards shall be required for all escarpment areas:
- a. A geotechnical report, assessment or investigation prepared by a qualified geotechnical engineer for any proposed development, redevelopment, clearing or grading, excavation or adding fill within escarpment areas having ten (10) percent or greater slopes.
  - b. When remedial actions are required on the escarpment, an engineered report is required to provide evidence that such actions are necessary. Remedial actions must preserve the natural surroundings while improving the bank stability.
  - c. Alterations to the escarpment area will only be considered below the top of escarpment where necessary to stabilize in order to prevent failure of the slope, not to accommodate walk out basements, or other aesthetic choices. Development for reasonable lake access should be permitted upon successful application.
  - d. Further to subsection (a), retaining wall proposals are required to include an engineered report specific to the onsite installation and location of the walls, soil type and on-site conditions, materials, design parameters, site preparation, side slope protection, block placement, drainage, and testing/inspection requirements.
  - e. Further to subsection (a), retaining wall height shall not exceed 0.91m (3') in height unless specifically required in the geotechnical report and no other option is available. The maximum height allows for the escarpment area to remain as natural as possible. Retaining wall structures shall be made out of natural rock, wood, or a stamped design giving the appearance of natural rock.
  - f. Minimum 50% of the escarpment area to be covered by native, deep rooting plants or trees planted in grass or topsoil (no gravel, mulch, or turf). Aside from the stairs and retaining walls, no hard landscaping will be permitted.
  - g. It is required to allow for visual access to the yard of the lot, to the satisfaction of the Development Authority. Should a guard (rail) be required in accordance with safety codes regulations on a tiered escarpment, it is to include a vegetative guard no smaller than 2' thick, and 42" tall along the guard.
  - h. Minimum 1m (3.28') no mow zone required adjacent to the bank.

## 8.12 LIGHTING AND SURVEILLANCE EQUIPMENT

1. Outdoor lighting shall be located such that rays of light:
  - a. are not directed at an adjacent site or skyward; and
  - b. do not adversely affect an adjacent site or traffic safety.
2. Outdoor surveillance equipment shall not be directed at or into the private spaces (rear and side yards, dwellings, windows) on adjacent property, thereby materially, negatively interfering with or affecting the privacy, use, enjoyment or value of neighbouring lots.

## 8.13 MECHANIZED EXCAVATION, STRIPPING, AND GRADING OF PARCELS

1. A development permit is required prior to the commencement of mechanized excavation, stripping, or grading.
2. A temporary fence shall be erected around all excavations which in the opinion of the Development Authority may be hazardous to the public.
3. Where finished ground elevations are established, all grades shall comply therewith.
4. All topsoil shall be retained on the parcel, except where it must be removed for building purposes.
5. Finished ground elevations must be provided to the Development Authority for any dwelling unit containing a walkout basement.
6. Retaining walls greater than 1.0 m (3.3 ft.) in height above any adjoining grade requires a Development Permit.
7. Sediment control measures shall be required to ensure sediment is not transmitted to Sylvan Lake.

## 8.14 NUMBER OF BUILDINGS ON A PARCEL

1. A Development Permit shall not be issued for more than one (1) principal dwelling on a lot.
2. A Development Permit shall not be issued for more than two (2) accessory buildings on a lot.
3. Notwithstanding 8.14.2, a development permit for additional accessory buildings on lots greater than 0.2 ha (0.5 acres) in area may be issued at the discretion of the Development Authority if the total site coverage does not exceed the Maximum Site Coverage regulation in the applicable Land Use District.

## 8.15 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

1. No person shall allow a recreational vehicle or other object which is in a dilapidated or unsightly condition, or a derelict vehicle to remain or be parked on a parcel in the residential districts, unless it is suitably housed or screened to the satisfaction of the Development Authority.
2. No person shall allow a vehicle of more than 1,000 kg (2,204.62 lbs) Gross Vehicle Weight to be parked or stored in the residential districts, except boats, boat trailers, school buses and recreational vehicles.
3. No person shall allow the parking or storage of a helicopter on a parcel.

## 8.16 ON-SITE AND OFF-SITE IMPROVEMENTS

1. Where any on-site services or improvements or any off-site local improvements are required to service a proposed development, a developer shall not begin the excavation for the foundation nor commence the development until the Development Authority is satisfied that such services or improvements will be undertaken and the required securities have been provided.
2. In order to satisfy the Development Authority, the developer may be required to enter into a development agreement with the municipality as a condition of development permit approval, and provide security in the form of cash or an irrevocable letter of credit, satisfactory to the Development Authority.
3. All future development areas must be serviced to the satisfaction of the Development Authority. Servicing shall be consistent with the Summer Village's Municipal Development Plan, the Sylvan Lake Intermunicipal Development Plan, approved intermunicipal collaboration framework(s), area structure plan(s) and/or conceptual scheme(s).

## 8.17 PROJECTION INTO YARDS

1. In the residential districts the portion of and attachments to a main or accessory building which may project over or on a minimum yard are:
  - a. Side yard:

- i. Any projection, including unenclosed steps or eaves, not exceeding one-half of the minimum side yard required for the building.
  - b. Front yard and rear yard:
    - i. Any projection not exceeding 2.5 m (8.2 ft.) over or on a minimum front yard or rear yard.
    - ii. Unenclosed decks, if they do not project more than 50% of the minimum yard.
- 2. In all other districts, the portion of and attachments to a main or accessory building which may project over or on a minimum yard are:
  - a. Any projection not exceeding 1.5 m (4.9 ft.) into a front yard or rear yard;
  - b. Any projection not exceeding 0.6 m (2.0 ft.) into a side yard;
  - c. Any projection that is an exterior fire escape not exceeding 1.2 m (3.9 ft.) in width.
- 3. No portion of a building other than eaves, signs or canopies may project into a public or private right-of-way.

## 8.18 RELOCATION OF BUILDINGS

- 1. No person shall:
  - a. Alter the location on a parcel of a building which has already been constructed on that parcel; or
  - b. Place on a parcel a building which is to be relocated or moved from a different parcel or location;
 unless a Development Permit has been issued by the Development Authority.
- 2. In addition to the requirements of Section 4.3, the Development Authority may require an application for a Development Permit to be accompanied with:
  - a. Recent colour photographs showing all elevations of the building;
  - b. A statement verifying the age, size and structural condition of the building; and
  - c. A statement of proposed improvements to the building.
- 3. An application for a Development Permit may be approved by the Development Authority if the proposal meets all of the regulations specified under the appropriate land use district in which it is proposed to be located.
- 4. Where a Development Permit has been granted for the relocation of a building either on the same parcel or from another location, the Development Officer may require the applicant to provide a performance bond of such amount to ensure completion of any renovations set out as a condition of approval of a Development Permit.
- 5. All structural and exterior renovations shall be completed within one (1) year of the issuance of a Development Permit.

## 8.19 SIGHT LINES AT INTERSECTIONS OF ROADWAYS

- 1. At the intersection of roadways, the Development Authority may require the calculation of sight triangles where:
  - a. One (1) or more rights-of-way is less than 15.0 m (49.2 ft.); or
  - b. Regulated vehicle speed exceeds 50 km/h; or
  - c. One (1) of the carriageways is not centered in its right-of-way; or
  - d. An intersection leg is curved or skewed; or
  - e. An intersection leg is sloped at 2% or greater.
- 2. Sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distances for roadways.

## 8.20 SITE CONDITIONS

- 1. Unstable Slopes
  - a. Development shall not be permitted on unstable slopes, land characterized by soil instability or land exhibiting evidence of poor drainage unless it can be demonstrated to the satisfaction of the Development Authority that unique site requirements warrant otherwise.
- 2. Steep Slopes

- a. All development shall be setback a minimum of 15.0 m (49.2 ft.) from the toe and crest of any slope and slopes of fifteen percent (15%) or greater, unless a lesser amount is identified in a geotechnical study prepared by a qualified professional engineer registered in the Province of Alberta.
3. Flood Plains
    - a. No development shall be permitted in the 1:100 year flood plain of a waterbody or water course, or as established by Alberta Environment and Parks as otherwise prone to flooding or subsidence, unless the applicant demonstrates to the satisfaction of the Development Authority that preventative engineering and construction measures can be used to make the site suitable.
  4. Wetlands
    - a. All subdivision and development must be consistent with the requirements of the Alberta Wetland Policy. In order to ensure consistency with this policy a proponent may be required at time of subdivision, development, area structure plan preparation, or Land Use Bylaw amendment to provide the Summer Village with a Wetland Assessment, prepared by a Certified Wetland Professional, which delineates and classifies all wetlands within the proposed development area. Development that would cause the permanent destruction of permanent wetlands will be discouraged and will not be permitted without the consent of Alberta Environment and Parks.
  5. Subdivision and Development Setback
    - a. The Subdivision Authority shall, as a condition of subdivision approval where applicable, require a 30.0 m (98.4 ft.) Environmental Reserve be provided from all the top of bank of Sylvan Lake.
    - b. The Subdivision Authority shall, as a condition of subdivision approval, require a 30.0 m (98.4 ft.) Environmental Reserve be provided from all naturally occurring tributaries to Sylvan Lake, unless the recommendations of a qualified professional as part of an environmental assessment identify that the Environmental Reserve indicate a greater or lesser reserve area. The Environmental Reserve shall be measured from top of bank of the tributary.
    - c. the Development Authority may impose a greater setback requirement from a waterbody, tributary, escarpment bank, or any steep slope as part of a Development Permit application if the need for a greater setback is:
      - i. consistent with surrounding developments;
      - ii. supported by a geotechnical or environmental study prepared by a qualified professional; or
      - iii. identified by Alberta Environment and Parks.
  6. Protection of Treed Areas
    - a. the Development Authority may impose conditions on the approval of a development permit requiring the retention of trees, or additional planting of such a type and extent that is considered necessary by the Development Authority;
    - b. a site plan detailing the protection of existing treed areas and site topography may be required prior to issuance of a permit for development.
  7. Buffering
    - a. The Development Authority may prescribe setback and/or buffering requirements for uses which may be incompatible with adjacent land uses.
  8. Screening
    - a. The Development Authority may prescribe conditions for screening for those uses which include the outdoor storage of goods, machinery, vehicles, building materials, waste materials and other similar uses.
  9. Pipelines
    - a. No development shall be permitted within a pipeline right-of-way or the required setback area from active wells, batteries, processing plants or pipelines as recommended by the licensee and/or identified within the Subdivision and Development Regulations.
    - b. further, all development near abandoned wells shall occur in accordance with the Subdivision and Development Regulations, AER Directive 079, Surface Development in Proximity to Abandoned Wells, and any other applicable federal or provincial legislation and/or regulation(s).

## 8.21 SOUR GAS FACILITIES

1. No development shall be permitted within 100.0 m (328.1 ft.) of a Level 1 sour gas facility (consisting of a well) as determined by the AER.
2. In the case of a Level 2 sour gas facility as determined by the AER:
  - a. no permitted dwelling shall be permitted within 100.0 m (328.1 ft.) of the sour gas facility; and
  - b. no rural public facility shall be permitted within 500.0 m (1, 640.4 ft.); of the sour gas facility.
3. In the case of a Level 3 sour gas facility as determined by the AER:
  - a. no permanent dwelling shall be permitted within 100.0 m (328.1 ft.) of the sour gas facility;
  - b. no unrestricted country residential development having a density of more than eight (8) dwelling units per quarter section shall be permitted within 500.0 m (1640.4 ft.) of the sour gas facility; and
  - c. no rural public facility shall be permitted within 1500.0 m (4921.3 ft.) of the sour gas facility.

## 8.22 WELLS AND PIPELINES

1. All development in proximity to a well, pipeline or sour gas facility shall adhere to the setback requirements as determined by the Alberta Energy Regulator.

## Section 9

# SPECIFIC DEVELOPMENT REGULATIONS

### 9.1 ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS

1. An accessory building in a residential district shall be subordinate to the principal use in size, height, and use.
2. An accessory building shall not be constructed on an undeveloped lot unless it is associated with an approved development permit for a principal dwelling.
3. The Development Authority shall only approve the development of an accessory building where there is an existing or approved principal use or principal building on the site.
4. Subject to the provisions of Sections 9.1.2 and 9.1.3, accessory buildings shall be sited having regard to their:
  - a. Environmental impact;
  - b. Use;
  - c. Accessibility; and
  - d. Location in relation to other buildings on the parcel and the future use and/or subdivision of the parcel.
5. An accessory building on a parcel abutting Sylvan Lake or a reserve parcel abutting Sylvan Lake shall be situated a minimum of:
  - i. 3.0 m (9.8 ft.) from any side boundary abutting a street, or reserve parcel;
  - ii. 1.0 m (3.3 ft.) from the other side boundary; and
  - iii. 6.0 m (19.7 ft.) from the rear parcel boundary.
6. An accessory building on a parcel not abutting Sylvan Lake or a reserve parcel not abutting Sylvan Lake shall be situated so that:
  - a. On an interior parcel, a minimum of:
    - i. 1.0 m (3.3 ft.) from the side parcel boundary;
    - ii. 3.0 m (9.8 ft.) from the rear parcel boundary;
    - iii. 6.0 m (19.7 ft.) from the front parcel boundary, and
  - b. On a corner parcel, a minimum of:
    - i. 3.0 m (9.8 ft.) from the side boundary abutting the street;
    - ii. 1.0 m (3.3 ft.) from the other side parcel boundary;
    - iii. 6.0 m (19.7 ft.) from the front parcel boundary; and
    - iv. 3.0 m (9.8 ft.) from the rear parcel boundary.
  - c. Notwithstanding the above, an accessory building or any portion thereof may be erected or placed on the front or side boundary common to two parcels provided the accessory building serves the two abutting parcels.
7. An accessory building without a guest house above a garage shall not be more than 5.0 m (16.4 ft.) in building height measured from grade.
8. An accessory building with a guest house above a garage shall not be more than 7.6 m (25.0 ft.) in building height measured from grade.
9. An accessory building erected or placed on a parcel shall not be used as a principal dwelling.
10. The exterior of an accessory building must be finished to match or compliment the exterior finish of the principal building.
11. The footprint of an accessory building on lots smaller than 0.2 hectares (0.5 acres) in area shall be a maximum of 111.5 m<sup>2</sup> (1,200 ft.<sup>2</sup>), and shall not exceed the maximum site coverage provisions in the applicable land use district.
12. The footprint of an accessory building on lots 0.2 hectares (0.5 acres) or more in area shall be a maximum of 223.0 m<sup>2</sup> (2,400 ft.<sup>2</sup>), and shall not exceed the maximum site coverage provisions in the applicable land use district.

### 9.2 DETACHED GARAGES

1. Parcels abutting Sylvan Lake or a reserve parcel abutting the lake:

- a. In addition to the accessory building setbacks prescribed in Section 9.1, a detached garage shall be located a minimum of 6.0 m (19.7 ft.) from the rear parcel boundary if the overhead doors of the garage face a lane, street or rear property boundary.
  - b. Side entry detached garages:
    - i. Will only be permitted on parcels greater than 12.0 m (39.4 ft.) in width; and
    - ii. Shall be located a minimum of 3.6 m (12.0 ft.) from the rear parcel boundary.
2. Parcels not abutting Sylvan Lake or a reserve parcel abutting the lake:
- a. In addition to the accessory building setbacks prescribed in Section 9.1, a detached garage shall be located a minimum of 6.0 m (19.7 ft.) from the front parcel boundary if the overhead doors of the garage face a lane, street or front parcel boundary.
  - b. Side entry detached garages:
    - i. Will only be permitted on parcels greater than 12.0 m (39.4 ft.) in width; and
    - ii. Shall be located a minimum of 3.6 m (12.0 ft.) from the front parcel boundary.

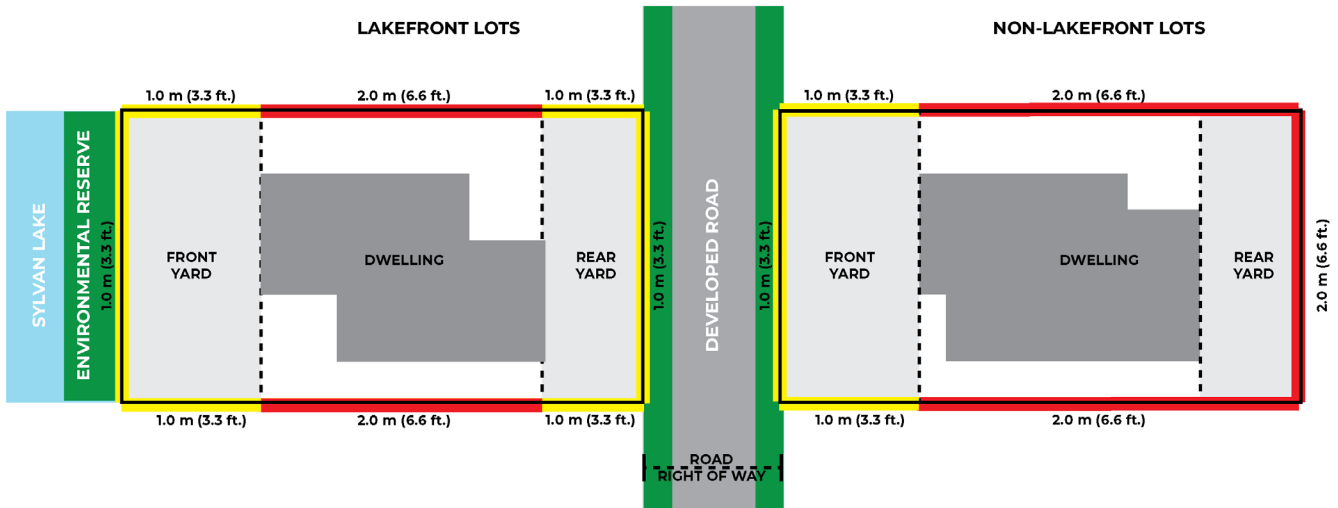
### 9.3 DRIVEWAYS AND PARKING

1. A developed non-permeable surfaced 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.
2. A development permit shall be required for a new driveway, or to increase the area of an existing driveway.
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.
4. Culverts shall be designed and installed to municipal standards at no cost to the Summer Village.
5. The maximum width of a driveway shall be 10.0 m (32.8 ft.). Driveway width shall be measured within the carriageway.
6. Driveways on corner parcels shall be setback from the street intersection not less than 6.0 m (19.7 ft.) where the driveway serves not more than four (4) dwelling units.
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.
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. No operator or owner of a heavy vehicle shall park a heavy vehicle on a parcel within a Residential District.

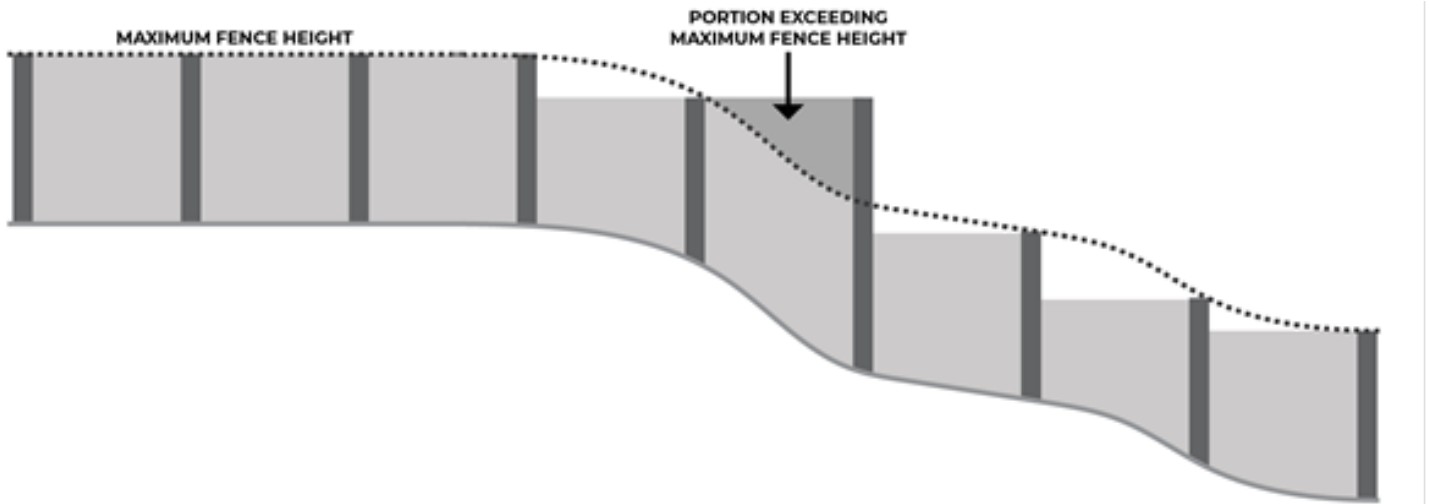
### 9.4 FENCING

1. Within the residential districts:
  - a. For lakefront parcels abutting Sylvan Lake or a reserve parcel abutting the lake, fences:
    - i. Located within a rear yard of a parcel shall not exceed 1.0 m (3.3 ft.) in height.
    - ii. Located within a side yard of a parcel shall not exceed 2.0 m (6.6 ft.) in height.
    - iii. Located within the front yard of a parcel shall not exceed 1.0 m (3.3 ft.) in height.
    - iv. Located within the flankage yard of a parcel shall not exceed 1.0 m (3.3 ft.) in height.
  - b. For parcels not abutting Sylvan Lake or a reserve parcel abutting the lake, fences:
    - i. Located within a rear yard or side yard of a parcel shall not exceed 2.0 m (6.6 ft.) in height.
    - ii. Located within the front yard of a parcel shall not exceed 1.0 m (3.3 ft.) in height.
    - iii. Located within the flankage yard of a parcel shall not exceed 1.0 m (3.3 ft.) in height.
  - c. Fence height shall be determined by measuring from the top of the fence to the ground.

**MAXIMUM FENCE HEIGHTS WITHIN THE RESIDENTIAL DISTRICTS**



2. Notwithstanding the requirements of Section 9.4.1.a.i, a fence in the rear yard of a lakefront lot may exceed 1.0 m (3.3 ft.) to a maximum of 2.0 m (6.6 ft.) if the portion of the fence that exceeds 1.0 m (3.3 ft.) in height is constructed to allow for visual access to the rear yard of the lot, to the satisfaction of the Development Authority.
3. Within other districts, a fence shall be sited to the discretion of the Development Authority.



**9.5 HOME OCCUPATIONS**

1. Home occupations shall not involve:
  - a. activities that use or store hazardous material in quantities exceeding those found in a normal household; or
  - b. any use that would, in the opinion of the development authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties.
2. A home occupation shall not occupy more than 20% of the floor area of the main dwelling or 35 m<sup>2</sup> (375 ft.<sup>2</sup>), whichever is the lesser.
3. A minor home occupation shall comply with the following regulations:
  - a. A minor home occupation shall not employ any person on-site other than a resident of the dwelling.
  - b. No offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance detectable beyond the boundary of the lot on which the minor home occupation is located shall be produced by the home occupation.



- c. There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the minor home occupation allowed on the site. Storage related to the minor home occupation shall be allowed only in either the dwelling or accessory buildings.
  - d. Business activities must be carried out entirely within the dwelling.
  - e. Exterior alterations or additions to accommodate a minor home occupation shall not be allowed.
  - f. There shall be no exterior signage, display, or advertisement.
4. A major home occupation shall comply with the following regulations:
- a. 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.
  - b. The number of non-resident employees working on-site shall not exceed one (1) on-site, non-occupant employees.
  - c. Up to eight (8) business visits per day are allowed.
  - d. No more than one (1) commercial vehicle up to but not exceeding a gross vehicle weight of 5,500 kg (12,225 lbs.), to be used in conjunction with the major home occupation, shall be parked or maintained on the site in a residential district. The parking space for the commercial vehicle shall be adequately screened and sited behind the principal building to the satisfaction of the Development Authority.
  - e. The outdoor storage of productions and materials shall be prohibited.
  - f. Any interior or exterior alterations or additions to accommodate a major home occupation may be allowed at the discretion of the Development Authority, as long as such alterations comply with this Bylaw and the *Alberta Safety Codes Act* and the regulations made thereunder.
  - g. There shall be no exterior signage, display or advertisement other than a business identification sign, the size of which shall be entirely at the discretion of the Development Authority.
  - h. Business activities must be carried out entirely within the dwelling.
  - i. When a development permit is issued for a major home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.
5. A permit issued for a major home occupation is valid for one (1) year or longer as determined by the Development Authority. It is the obligation of the developer to seek renewal of a development permit prior to the expiry of the time period for which the initial permit was issued. The Development Authority shall consider the renewal on its merits.
6. A stop order may be issued at any time if, in the opinion of the Development Authority, the operator of the home occupation has violated any provisions of this Bylaw or conditions of the approval of a development permit and complaints based on the operation of the home occupation have been received.

## 9.6 PRIVATE POOLS AND DECORATIVE PONDS

1. For lots abutting Sylvan Lake or a reserve parcel abutting the lake, a private pool or decorative pond shall be located:
  - a. at least 1.5 m (4.9 ft.) from the side and rear property lines;
  - b. at least 6.0 m (19.7 ft.) from the front property line;
  - c. In a front yard or side yard in an interior lot; and
  - d. On a corner lot, located in a front yard or the side yard not adjacent to a public roadway.
  - e. A decorative pond may be located in a rear yard if:
    - i. The pond is 0.6 m (23.6 inches) or less in depth; and
    - ii. The pond is located a minimum of 1.5 m (4.9 ft.) from the rear and side property lines.
2. For lots not abutting Sylvan Lake or a reserve parcel abutting the lake, a private pool or decorative pond shall be located:
  - a. At least 1.5 m (4.9 ft.) from the side and rear property lines;
  - b. In a rear yard or side yard in an interior lot; and
  - c. On a corner lot, located in a rear yard or the side yard not adjacent to a public roadway.
  - d. A decorative pond may be located in a front yard if:

- i. The pond is 0.6 m (23.6 inches) or less in depth; and
  - ii. The pond is located a minimum of 1.5 m (4.9 ft.) from the front and side property lines.
3. A private pool shall be enclosed by a secure lockable lid or fencing equipped with gates that lock in accordance with the Alberta Building Code in effect at the date of the application for Development Permit.

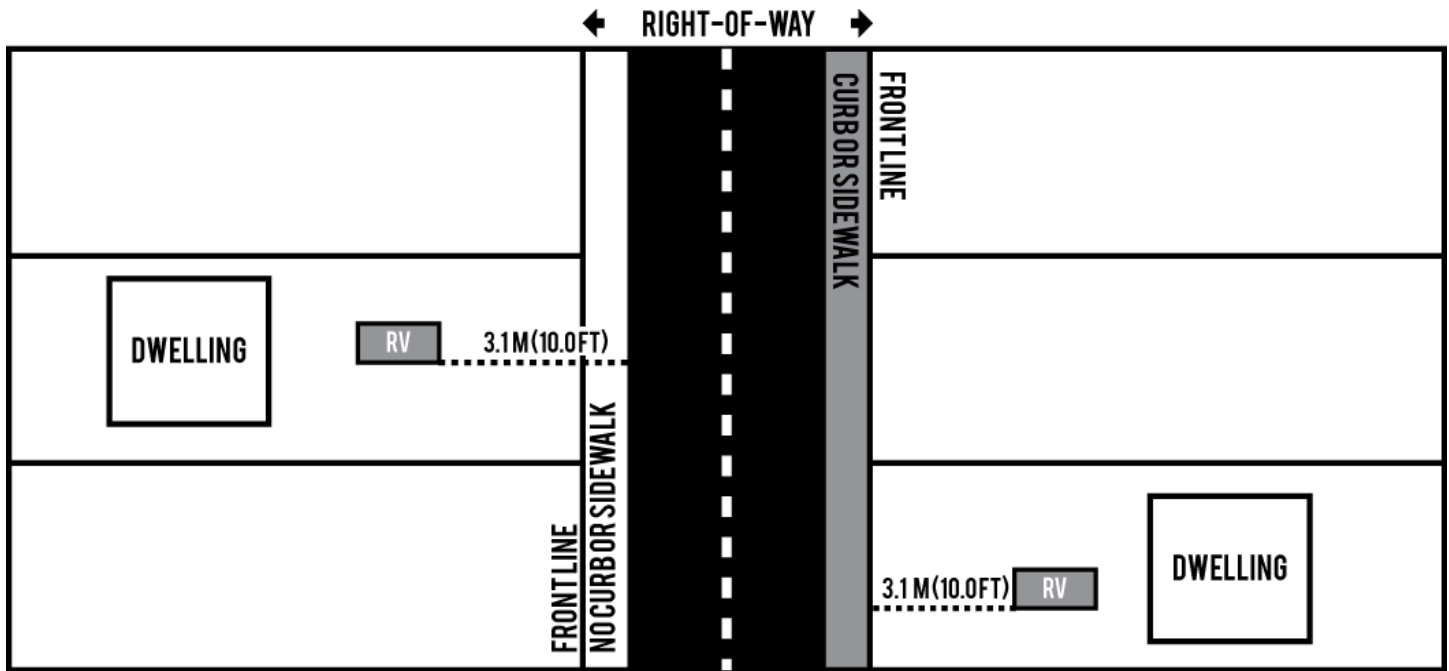
## 9.7 PUBLIC PROPERTIES

1. Parking or leaving a vehicle on public property shall be in accordance with the Summer Village of Norglenwold Traffic Bylaw 207-12, as amended.
2. The removal of trees and/or shrubs, excavation, grading or drainage alteration on any municipal reserve, environmental reserve or other municipal owned land, without expressed written approval from the municipality, is prohibited.
3. Private development on any municipal reserve, environmental reserve or other municipal owned land is prohibited.
4. The prohibition in **Section 9.7.3** does not apply to any uses listed in an applicable land use district and subject to expressed written approval from the municipality.
5. No person shall erect or cause to be erected any fence on any property owned by the municipality without their expressed written approval.

## 9.8 RECREATIONAL VEHICLES

1. The placement of a recreational vehicle on a lot requires a development permit.
2. A development permit application to place an recreational vehicle on a lot shall indicate:
  - a. where the recreational vehicle will be placed on a lot on a permanent basis;
  - b. how potable water, wastewater, and utilities will be provided; and
  - c. where onsite parking will be provided.
3. Except as noted in 9.8.4 below, a recreational vehicle shall not be placed on an undeveloped lot.
4. A maximum of one (1) recreational vehicle is permitted on an undeveloped lot on a temporary basis (with a development permit) in order to provide temporary accommodation (during construction) for a principal dwelling for which a development permit has been issued. The recreational vehicle must have approved potable water system and wastewater system that complying with current provincial requirements.
5. Additional recreational vehicles may be allowed on a lot on a temporary basis at the discretion of the Development Authority.
6. Recreational vehicles shall adhere to the front, rear, and side yard requirements of dwellings and accessory buildings identified in the applicable Land Use District.
7. A recreational vehicle on a lot 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.
8. Recreational vehicles on developed lots must be located entirely within the boundaries of the lot.
9. The towing vehicle associated with the recreational vehicle shall be parked entirely on the lot and not on the adjacent roadway.
10. Recreational vehicles shall not be located within a front yard on a lakefront lot.
11. All recreational vehicles shall not be permitted to dispose of wastewater and greywater on the ground within the Summer Village.
12. A maximum of one (1) recreational vehicle may be stored permanently on a residential lot.
13. The storage of a recreational vehicle year-round on a residential lot may be allowed under the following conditions:
  - a. The recreational vehicle:
    - i. Is entirely contained within the lot;
    - ii. Conforms to the front, rear, and side yard requirements of dwellings and accessory buildings identified in the applicable Land Use Districts and the regulations in Section 9.8.8; and
    - iii. Is located on a hard surfaced or gravel pad.

14. Notwithstanding section 9.8.13 above, at the discretion of the Development Authority Officer a recreational vehicle may be allowed year-round in a front yard on a hard surfaced or gravel pad if there is a minimum of 3.1 m (10.0 ft.) between the recreational vehicle when parked and the edge of sidewalk or, where there is no sidewalk, 3.1 m (10.0 ft.) from the back of curb adjacent to the lot. Where there is no curb or sidewalk, the required setback from a front lot line shall normally be 3.1 m (10.0 ft.).



15. Underground permanent utilities (e.g. water, wastewater, and dedicated power connections) are strictly prohibited for recreational vehicles in the Summer Village.
16. Recreational vehicles and recreational vehicle stalls shall not be rented for compensation.
17. Recreational vehicles must remain on private property at all times and cannot be stored or used on municipal land.
18. In no instance will the placement of a recreational vehicle in a front yard be allowed where the recreational vehicle would impede or obstruct the safety of pedestrians or vehicle traffic on adjacent sidewalks or roadways.

## 9.9 SUITES

1. A maximum of one (1) guest house suite is allowed on a lot.
2. A guest house suite (including a garage suite) shall not be allowed on an undeveloped lot.
3. Secondary suites and security suites shall be prohibited in the Summer Village.
4. In situations where a detached dwelling is being rented out and there is a guest house on the parcel, the guest house shall not be rented out to a separate party other than those renting the detached dwelling.
5. A guest house suite may not include a food preparation area, refrigerator, stove or provision of 220 volt wiring.
6. A site plan showing the location of the guest house suite on the lot, provisions for off-street parking and access to the guest house shall be provided by the applicant.
7. As a condition of the development permit, the guest house suite shall be connected to the municipal wastewater disposal system. The applicant shall be required to demonstrate that the system has sufficient capacity for the additional use and meets the requirements of the Wastewater Commission and the Summer Village.

8. Other requirements for suites shall be as per the table below:

	<b>GUEST HOUSE SUITES</b>
<b>MAXIMUM HEIGHT</b>	7.6 m (25.0 ft.)
<b>MINIMUM FLOOR AREA</b>	30.0 m <sup>2</sup> (323.0 ft. <sup>2</sup> )
<b>MAXIMUM FLOOR AREA</b> (and shall not exceed the floor area of the principal building)	83.6 m <sup>2</sup> (900.0 ft. <sup>2</sup> )
<b>MINIMUM # OF ADDITIONAL ON-SITE PARKING SPACES REQUIRED</b>	1

9. The maximum floor area for a guest house shall not enable a scenario whereby the total development on a lot exceeds the maximum site coverage regulations in the applicable Land Use District.

### 9.10 TOURIST HOMES

1. Tourist homes are not permitted within the Summer Village of Norglenwold.
2. The rental of dwellings in the Summer Village for a period longer than 30 consecutive days does not constitute a tourist home.
3. Persons found operating a tourist home within the Summer Village may be issued a penalty for the offense as identified in the Summer Village’s Fees Bylaw.

### 9.11 GUIDELINES FOR OTHER LAND USES

1. All uses which are not covered by the regulations of Sections 8 and 9 of this Land Use Bylaw shall, in accordance with the following guidelines, be:
  - a. Separated from adjacent uses by such a distance as to ensure that there will be no adverse impact upon or by those adjacent uses;
  - b. At a density which is consistent with that prevailing in the area, unless otherwise provided for in a statutory plan;
  - c. Setback from any parcel boundary abutting a road or a reserve a sufficient distance to ensure that the development will not be visually intrusive, having regard to any possible changes in surrounding uses;
  - d. Of a height which will be consistent with that prevailing in the area;
  - e. Developed in such a manner that there will be no adverse impact upon or by traffic on adjacent roads; and
  - f. Developed in conformance with any applicable statutory plan policies.

### 9.12 LAKESIDE BUILDINGS

1. All buildings, such as decks, outdoor patio areas, pergolas, woodsheds and other similar structures are not considered an accessory building and shall be setback a minimum 3m (9.8’) from top of escarpment.
2. Any decks (not considered a projection), and patios shall be ground level only and with a maximum floor area of 18.58m<sup>2</sup> (200ft<sup>2</sup>).
3. Any pergolas, woodsheds or other similar structures shall be a maximum height of 3.04m (10’).
4. No buildings shall be located on or project over the escarpment.

# LAND USE DISTRICTS

## 10.1 ESTABLISHMENT OF LAND USE DISTRICTS

1. For the purpose of this Land Use Bylaw, the municipality is divided into the following districts:

LAND USE DISTRICT	SYMBOL	COLOUR
SHORELINE RESIDENTIAL	R1	YELLOW
ESTATE RESIDENTIAL	R2	ORANGE
ENVIRONMENTAL OPEN SPACE	EO	GREEN
COMMUNITY AND RECREATION	CR	BLUE

2. The boundaries of the districts listed in **Section 10.1.1** are as delineated on the Land Use District Map show in **Section 15** of this Land Use Bylaw. All roads, water courses and lakes are excluded from the land use districts.

3. Where the location of district boundaries on the Land Use District Map is not clearly understood, the following rules shall apply:
- A boundary shown as approximately following a parcel boundary shall be deemed to follow the parcel boundary;
  - A boundary which does not follow a parcel boundary shall be located by measurement of the Land Use District Map; and
  - A boundary location which cannot be satisfactorily resolved, shall be referred to Council for an official interpretation.

# SHORELINE RESIDENTIAL DISTRICT

## 11.1 GENERAL PURPOSE

- To provide an area for low density residential development in the form of single-detached dwellings and compatible uses.

## 11.2 USES

A. PERMITTED USES	B. DISCRETIONARY USES
i. Accessory Buildings where the total floor area is 53.5 m <sup>2</sup> (578.0 ft. <sup>2</sup> ) or less	i. Accessory Buildings where the total floor area is over 53.5 m <sup>2</sup> (578.0 ft. <sup>2</sup> )
ii. Day Homes	ii. Apiaries (for colonies greater than 1,000 bees and/or more than 1 queen)
iii. Dwellings, Single-Detached	iii. Suites, Guest House
iv. Home Occupations, Minor	iv. Home Occupations, Major
	v. Modular Home
	vi. Parks and Playgrounds
	vii. Public and Quasi-Public Uses
	viii. Signs
	ix. Temporary Buildings
	x. Walkways

## 11.3 MINIMUM PARCEL REQUIREMENTS

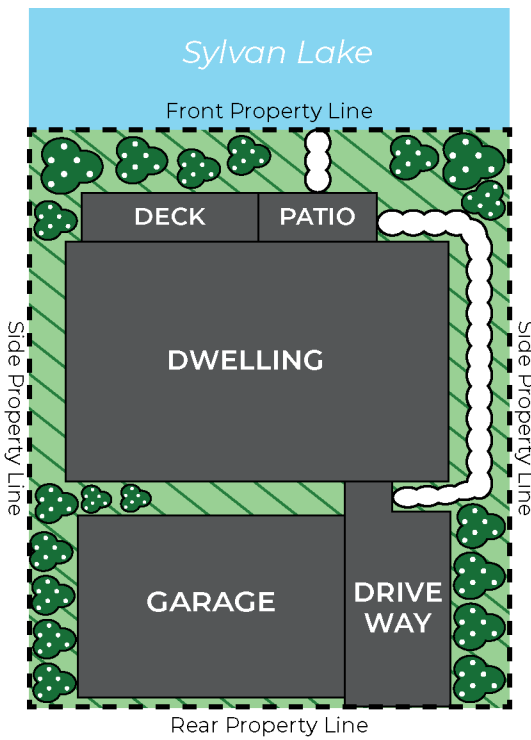
<b>A. WIDTH</b>	15.2 m (50.0 ft.)
<b>B. AREA</b>	697.0 m <sup>2</sup> (7,502 ft. <sup>2</sup> )
	Parcels not complying with the foregoing and legally created prior to promulgation of Alberta Regulation 132/78 (April 1978) are not subject to foregoing, but shall have an area not less than 520.0 m <sup>2</sup> (5,597 ft. <sup>2</sup> ).

## 11.4 PARCEL SERVICING

- No building may be erected or development commenced on parcels which are not proposed to be served by a piped water or wastewater system until arrangements, satisfactory to the Provincial Plumbing Inspector, Alberta Labour and the Public Health Unit, have been made for collection, storage, if any, and disposal of wastewater.
- The Development Authority shall either refuse to issue a Development Permit for any building, structure or works, unless arrangements under (1) above have been completed, or issue a Development Permit subject to the conditions that arrangements under (1) above shall be completed prior to the commencement of the development.
- Electrical power from the property line of any parcel to any building situate on the parcel shall be constructed underground.

## 11.5 SITE DEVELOPMENT

1. Unless otherwise provided in a development agreement registered by the municipality by caveat on the title to any parcel the following provisions shall apply:

<p><b>A. MINIMUM FRONT YARD</b></p>	<p>7.5 m (24.6 ft.) to the habitable dwelling unit from:</p> <ol style="list-style-type: none"> <li>The front parcel boundary; or</li> <li>The top of the escarpment; or</li> <li>The high water mark;</li> </ol> <p>Whichever is closest to the dwelling unit.</p>
<p><b>B. MINIMUM SIDE YARD</b></p>	<p>6.0 m (19.7 ft.) to a garage attached to (and structurally part of) the principal building.</p>
<p><b>C. MAXIMUM SITE COVERAGE</b></p>	<p>1.5 m (4.9 ft.) or ten (10) percent of the parcel width, whichever is greater, to a maximum of 3.0 m (9.8 ft.), or as required by the Alberta Building Code (whichever is greater).</p>
<p><b>D. MINIMUM VEGETATION COVERAGE</b></p>	<p>50%</p> <p>45%, of which 10% of the total lot area must be covered in trees and shrubs.</p> <div style="display: flex; align-items: flex-start;"> <div style="flex: 1;">  <p>The diagram illustrates a residential lot with a central dwelling, a garage, a driveway, a deck, and a patio. The lot is bounded by Sylvan Lake to the north, a front property line, side property lines, and a rear property line. The site coverage includes non-permeable surfaces (grey), vegetation (green hatched), trees and shrubs (green circles), and a flex area (white cloud shape). A dashed line indicates the lot boundary.</p> </div> <div style="flex: 1; padding-left: 20px;"> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: grey; margin-right: 5px;"></span> Non-permeable Surfaces (Maximum 50%)</li> <li><span style="display: inline-block; width: 15px; height: 15px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, green 2px, green 4px); margin-right: 5px;"></span> Vegetation, includes trees and shrubs (Minimum 45%)</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: green; border-radius: 50%; border: 1px solid black; margin-right: 5px;"></span> Trees and Shrubs (Minimum 10% of total lot area)</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; border-radius: 50%; margin-right: 5px;"></span> Flex Area - Soft Landscaping Elements (5%)</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 2px dashed black; margin-right: 5px;"></span> Lot Boundary</li> </ul> <p>The total vegetation coverage requirement is a minimum 45% of the total lot area. Included in this 45% minimum requirement, 10% of the total lot area must be covered in trees and shrubs.</p> <p>Flex area means the remainder of the lot area where soft landscaping elements or permeable surfaces (e.g. gravel, rock gardens, synthetic turf, permeable pavement) are encouraged.</p> </div> </div> <p>Note: This illustration demonstrates an example of site coverage only and is not representative of requirements for setbacks, building floor area, and siting. This illustration is not to scale. The location of buildings, decks, non-permeable surfaces, vegetation (including trees and shrubs), and flex area is an example only.</p>
<p><b>E. MAXIMUM DWELLING HEIGHT</b></p>	<p>10.0 m (32.8 ft.) measured from grade.</p>
<p><b>F. MINIMUM FLOOR AREA</b></p>	<p>100.0 m<sup>2</sup> (1,076 ft.<sup>2</sup>)</p>
<p><b>G. PARKING STALLS</b></p>	<p>All parking stalls shall have a dimension of not less than 2.7 m (9.0 ft.) by 5.5 m (18.0 ft.).</p>
<p><b>H. MINIMUM PARKING (DETACHED DWELLING)</b></p>	<p>Two (2) parking stalls per dwelling.</p>

## **I. MINIMUM PARKING (ALL OTHER USES)**

As required by the Development Authority.

### **11.6 ADDITIONAL REGULATIONS**

1. All uses must comply with the regulations in Section 8 and 9 of this Land Use Bylaw.
2. Shoreline erosion control measures are prohibited unless prior written approval has been received from the Alberta Environment and Parks and the Summer Village of Norglenwold.
3. Lot grading and landscaping shall comply with the regulations in Sections 8.11 and 8.13 of this Land Use Bylaw.
4. Lands subject to an environmental reserve easement must remain in their natural state.



# ESTATE RESIDENTIAL DISTRICT

## 12.1 GENERAL PURPOSE

- To provide an area for very low density residential development in the form of detached dwellings and compatible uses, on parcels not abutting the lake or a reserve parcel abutting the lake.

## 12.2 USES

A. PERMITTED USES	B. DISCRETIONARY USES
i. Accessory Buildings where the total floor area is 53.5 m <sup>2</sup> (578.0 ft. <sup>2</sup> ) or less	i. Accessory Buildings where the total floor area is over 53.5 m <sup>2</sup> (578.0 ft. <sup>2</sup> )
ii. Day Homes	ii. Apiaries (for colonies greater than 1,000 bees and/or more than 1 queen)
iii. Dwellings, Single-Detached	iii. Suites, Guest Houses
iv. Home Occupations, Minor	iv. Home Occupations, Major
	v. Modular Home
	vi. Parks and Playgrounds
	vii. Public and Quasi-Public Uses
	viii. Signs
	ix. Temporary Buildings
	x. Walkways

## 12.3 MINIMUM PARCEL REQUIREMENTS

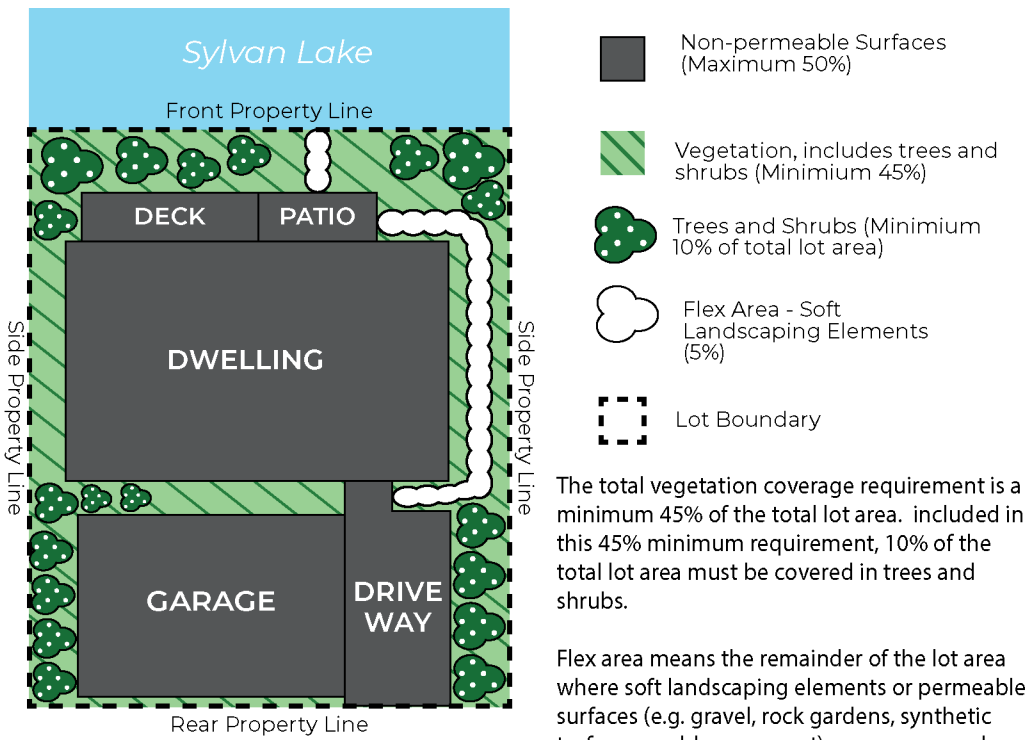
<b>A. WIDTH</b>	30.5 m (100.0 ft.)
<b>B. AREA</b>	1,860 m <sup>2</sup> (20,020 ft. <sup>2</sup> )
	Parcels not complying with the foregoing and legally created prior to promulgation of Alberta Regulation 132/78 (April 1978) are not subject to foregoing, but shall have an area not less than 520.0 m <sup>2</sup> (5,597 ft. <sup>2</sup> ).

## 12.4 PARCEL SERVICING

- No building may be erected or development commenced on parcels which are not proposed to be served by a piped water or sewerage system until arrangements, satisfactory to the Provincial Plumbing Inspector, Alberta Labour and the Public Health Unit, have been made for collection, storage, if any, and disposal of sewage.
- The Development Authority shall either refuse to issue a Development Permit for any building, structure or works, unless arrangements under (1) above have been completed, or issue a Development Permit subject to the conditions that arrangements under (1) above shall be completed prior to the commencement of the development.
- Electrical power from the property line of any parcel to any building situate on the parcel shall be constructed underground.

## 12.5 SITE DEVELOPMENT

1. Unless otherwise provided in a development agreement registered by the municipality by caveat on the title to any parcel the following provisions shall apply:

<b>A. MINIMUM FRONT YARD</b>	7.5 m (24.6 ft.) to the habitable dwelling unit from the front parcel boundary. 6.0 m (19.7 ft.) to a garage attached to (and structurally part of) the principal building.
<b>B. MINIMUM SIDE YARD</b>	1.5 m (4.9 ft.) or ten (10) percent of the parcel width, whichever is greater, to a maximum of 3.0 m (9.8 ft.), or as required by the Alberta Building Code (whichever is greater).
<b>C. MAXIMUM SITE COVERAGE</b>	50%
<b>D. MINIMUM VEGETATION COVERAGE</b>	<p>45%, of which 10% of the total lot area must be covered in trees and shrubs.</p>  <p>The total vegetation coverage requirement is a minimum 45% of the total lot area. Included in this 45% minimum requirement, 10% of the total lot area must be covered in trees and shrubs.</p> <p>Flex area means the remainder of the lot area where soft landscaping elements or permeable surfaces (e.g. gravel, rock gardens, synthetic turf, permeable pavement) are encouraged.</p> <p>Note: This illustration demonstrates an example of site coverage only and is not representative of requirements for setbacks, building floor area, and siting. This illustration is not to scale. The location of buildings, decks, non-permeable surfaces, vegetation (including trees and shrubs), and flex area is an example only.</p>
<b>E. MAXIMUM DWELLING HEIGHT</b>	10.0 m (32.8 ft.) measured from grade.
<b>F. MINIMUM FLOOR AREA</b>	100.0 m <sup>2</sup> (1,076 ft. <sup>2</sup> )
<b>G. PARKING STALLS</b>	All parking stalls shall have a dimension of not less than 2.7 m (9.0 ft.) by 5.5 m (18.0 ft.).
<b>H. MINIMUM PARKING (DETACHED DWELLING)</b>	Two (2) parking stalls per dwelling.
<b>I. MINIMUM PARKING (ALL OTHER USES)</b>	As required by the Development Authority.

## 12.6 ADDITIONAL REGULATIONS

1. All uses must comply with the regulations in Section 8 and 9 of this Land Use Bylaw.
2. Lot grading and landscaping shall comply with the regulations in Sections 8.11 and 8.13 of this Land Use Bylaw.

# ENVIRONMENTAL OPEN SPACE DISTRICT

## 13.1 GENERAL PURPOSE

- To provide an area for the preservation of municipal land in its natural state.

## 13.2 USES

A. PERMITTED USES	B. DISCRETIONARY USES
i. Natural Areas	i. Accessory Buildings and Uses
ii. Parks and Playgrounds	ii. Signs (public)
	iii. Trails
	iv. Utility Buildings
	v. Walkways
	vi. Any use that is similar, in the opinion of the Development Authority, to the permitted uses or discretionary uses described above.

## 13.3 SITE DEVELOPMENT

<b>A. PARKING STALLS</b>	All parking stalls shall have a dimension of not less than 2.7 m (9.0 ft.) by 5.5 m (18.0 ft.).
<b>B. MINIMUM PARKING (ALL USES)</b>	As required by the Development Authority.

## 13.4 ADDITIONAL REGULATIONS

- All uses must comply with the regulations in Section 8 and 9 of this Land Use Bylaw.

# COMMUNITY AND RECREATION DISTRICT

## 14.1 GENERAL PURPOSE

- To provide an area for the development of public land for major multi-use recreational facilities, and other uses, herein listed, which are compatible with the area.

## 14.2 USES

A. PERMITTED USES	B. DISCRETIONARY USES
i. Parks and Playgrounds	i. Accessory Buildings and Uses
ii. Recreation Facilities	ii. Parking Facilities, Public
	iii. Public and Quasi-Public Uses
	iv. Signs (public)
	v. Utility Buildings
	vi. Any use that is similar, in the opinion of the Development Authority, to the permitted uses or discretionary uses described above.

## 14.3 SITE DEVELOPMENT

- Unless otherwise provided in a development agreement registered by the municipality by caveat on the title to any parcel the following provisions shall apply:

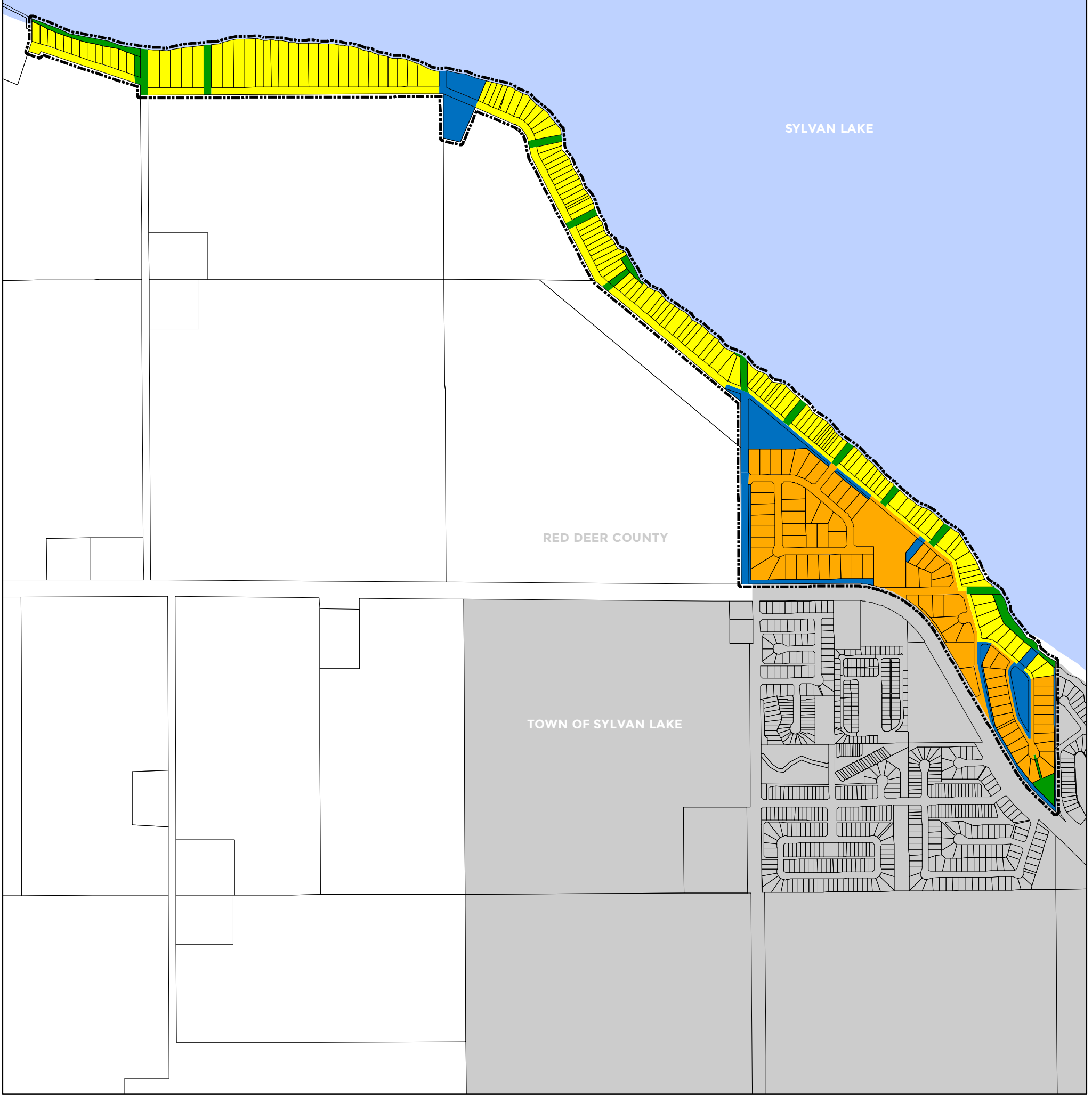
<b>A. MINIMUM FRONT YARD</b>	9.0 m (29.5 ft.)
<b>B. MINIMUM SIDE YARD</b>	3.0 m (9.8 ft.) or as required in the Alberta Building Code, whichever is greater
<b>C. MINIMUM REAR YARD</b>	6.0 m (19.7 ft.)
<b>D. MAXIMUM BUILDING HEIGHT</b>	12.0 m (39.4 ft.)
<b>E. PARKING STALLS</b>	All parking stalls shall have a dimension of not less than 2.7 m (9.0 ft.) by 5.5 m (18.0 ft.).
<b>F. MINIMUM PARKING (ALL USES)</b>	As required by the Development Authority.
<b>G. OUTDOOR STORAGE AND DISPLAY</b>	Outdoor storage shall be screened.
	Outdoor display is not allowed.

## 14.4 ADDITIONAL REGULATIONS

- All uses must comply with the regulations in Section 8 and 9 of this Land Use Bylaw.

# LAND USE DISTRICT MAP

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# SUMMER VILLAGE OF NORGLNWOLD

# LAND USE DISTRICT MAP

### LAND USE DISTRICTS

- R1 - Shoreline Residential District
- R2 - Estate Residential District
- CR - Community and Recreation District
- EO - Environmental Open Space District

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

