

SUMMER VILLAGE OF BONNYVILLE BEACH

LAND USE BY-LAW

BYLAW #143-2014

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NOTE: References in square brackets [] show the applicable section of the Municipal Government Act Chapter M-26.1 as amended.

SUMMER VILLAGE OF BONNYVILLE BEACH LAND USE BYLAW #143-2014

PART 1. PURPOSE AND SCOPE

1.1 PURPOSE

The purpose of this bylaw is to regulate the use and development of land and buildings within the Summer Village of Bonnyville Beach to achieve the orderly, economical and beneficial development of land and to maintain and improve the quality of the physical environment. This bylaw shall, among other things:

- (a) divide the Summer Village into districts; [640][2][a]
- (b) describe the purposes for which land and buildings may be used within each district; [640][2][b]
- (c) establish Development Authority; (by bylaw) [624]
- (d) establish a method of making decisions on applications for development permits; [640][2][c]
- (e) establish the procedure for notifying landowners likely to be affected by a development; and [640][2][d]
- (f) establish the number of dwelling units permitted on a lot [640][2][e].

1.2 SCOPE

No development shall be carried out within the boundaries of the municipality except in accordance with this bylaw.

1.3 COMPLIANCE WITH OTHER LAWS

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

PART 2. ADMINISTRATION

2.1 FEES

Council may, by resolution of Council, at a regularly constituted meeting of Council, establish such fees as are required for the purpose of administering this bylaw.

2.2. FORMS

Council may authorize the preparation and use of such forms and notices as are required for the purpose of administering this bylaw. [640][2][c]

PART 3. DEVELOPMENT APPLICATION PROCESS

3.1 CONTROL OF DEVELOPMENT

No development other than that designated in Section 3.2 shall be undertaken with the municipality unless a development permit has been obtained.

3.2 DEVELOPMENT NOT REQUIRING A PERMIT

The following development shall not require a development permit:

- (a) the repair or maintenance of any building provided the work does not include structural alterations;
- (b) the completion of a building which was lawfully under construction, or for which a permit had lawfully been issued on the date that this bylaw comes into effect;
- (c) the construction, alteration or maintenance of fences, gates, walls, or other enclosures (except on corner lots) less than six feet in front yards and less than 6 feet in height in side and rear yards;
- (d) a temporary building which is incidental to the construction or alteration of a principal building for which a permit has been issued, provided the temporary building is removed when construction of the principal building is completed;
- (e) the cutting of trees and clearing of underbrush on private property;
- (f) the maintenance and repair of public buildings or public utilities carried out by or on behalf of federal, provincial or municipal authorities on land which is publicly owned or controlled; and
- (g) sidewalks , patios and decks not exceeding one (1) meter above ground.

3.3 DEVELOPMENT APPLICATION

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

- a) site plan (to scale) clearly showing site boundaries; the location of existing and proposed buildings; the use or the intended use of all areas of the site not covered by buildings including decks, fences, driveways, paved areas, easements, utility lines, and major landscaping features including trees, shrubs, and planted areas; and proposed setbacks from property lines; and those portions of the site which shall be left in their natural state; and
- b) a complete set of building plans, showing floor plans, elevations, and height of building;
- c) in the case of a building or structure to be relocated into the Municipality, an inspection report must be included with the application,
- d) the appropriate application fee.

3.4 APPLICATION/PERMIT DECISION

3.4.1 In making a decision, the Development Authority may approve the application with or without conditions or refuse the application. A development permit must be issued if the application conforms to the Land Use Bylaw [642][1].

3.4.2 The Development Authority may refer an application to an adjacent municipality or any other agency or person who is in his/her opinion may provide relevant comments or advice respecting the application

3.4.3 Where a proposed use of land or a building is not provided for in any district in this bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for that district.

3.4.4 The Development Authority may approve an application for a development permit if the proposed development does not comply with this bylaw, if, [640][6]

- (a) he/she is satisfied that the proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and

(b) the proposed development conforms with the use prescribed for the land or building. [640](6)(b)

3.4.5 A decision of the Development Authority on an application for a development permit shall be given in writing. [640][2][d]

3.4.6 When a Development Authority refuses an application for development permit, the decision shall contain reasons for the refusal. [642][4]

3.4.7 Where a permit is refused, the Development Authority may refuse to accept a subsequent application for a permit on the same property and for the same or similar use for at least six months after the date of the initial refusal. [640][5]

3.5 CONDITIONS OF DEVELOPMENT PERMIT

3.5.1 A development permit does not come into effect until 15 days after the notification of the decision. [686][1]

3.5.2 When an appeal is made, a development permit does not come into effect until the appeal has been determined, at which time the permit may be approved, modified or rejected.

3.5.3 If the development authorised by a permit is not started within six months from the effective date of the permit and completed within 18 months from the effective date of the permit, the Development Authority may declare the permit void, unless an extension has been granted.

3.5.4 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.

3.5.5 The applicant may be responsible for any damages to public or private property occurring as a result of development.

3.6 PUBLIC NOTIFICATION

When a permit has been issued, the Development Authority shall immediately:

(a) post a notice of the decision on the property for which the permit has been granted; and/or

(b) mail or hand deliver a notice of the decision to all those persons owning property adjacent to the property for which the permit has been granted.

3.7 DEVELOPMENT AGREEMENT

3.7.1 The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement to:

- (a) construct or pay for the construction of public roadways, pedestrian walkways, or parking areas; and/or
- (b) install or pay for the installation of utilities; and/or
- (c) pay an off-site levy or redevelopment levy imposed by bylaw [647] & [648]

3.7.2 To ensure compliance with the development agreement, the municipality may register a caveat against the certificate of title of the property that is being developed. This caveat shall be discharged when conditions of the development agreement have been met.[650]][2][3]

3.8 ENFORCEMENT

3.8.1 Where the Development Authority finds that a development or use of land or buildings is not in accordance with the Act, the regulations, a development permit, subdivision approval or the land use bylaw, he/she may order the registered owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all of them, to:

- (a) stop the development or use of the land or buildings, or;
- (b) demolish, remove or replace the development, or;
- (c) take such other measures as may be required to ensure compliance with the Act, the regulations, a development permit, subdivision approval, or the land use bylaw, as the case maybe. [645][1]

3.8.2 Where a person does not comply with an order, a designated officer may enter upon the land or building and take such action as is necessary to carry out the order. [542][4]

3.8.3 Where a designated officer carries out an order, Council shall have the costs thus incurred placed on the tax roll as an additional tax on the property.

- 3.8.4** A person who does not comply with this bylaw is guilty of an offence and is liable upon conviction to a fine of not more than \$10,000.00 [7][i][ii]

PART 4. DEVELOPMENT APPEAL PROCESS

4.1 PROCEDURE FOR APPEALS

4.1.1 Where a Development Authority

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

the person applying for the permit, or affected by the order, or any other person, may appeal to the Subdivision and Development Appeal Board. [685][1]

- 4.1.2** An application for a development permit shall, at the option of the applicant, be deemed to be refused when the Development Authority fails to make a decision within 40 days of receiving the application, unless the applicant and the Development Authority have entered into an extension agreement. [684]

- 4.1.3** An appeal shall be made by serving a written notice of appeal to the Subdivision and Development Appeal Board within 14 days after;

- (a) the date the order, decision or permit was publicised; or
- (b) the 40 day period referred to in Section 4.1.2 has expired. [686][1][a][i]

4.2 PUBLIC HEARING

- 4.2.1** Within 30 days of receiving a notice of appeal, the Subdivision and Development Appeal Board shall hold a public hearing. [686][2]

- 4.2.2** The Subdivision and Development Appeal Board shall give at least five days written notice of the public hearing to:

- (a) the appellant;
- (b) the Development Authority
- (c) adjacent landowners; and

(d) any other person who, in the opinion of the Subdivision and Development Appeal Board, is affected by the order, decision or permit. (686)[3]

4.2.3 The Appeal Board shall make available for public inspection before the public hearing all relevant documents respecting the appeal including the development permit application, its approval or refusal, the notice of appeal; or the order, as the case may be. [686][4]

4.2.4 At the public hearing the Appeal Board shall hear:

- (a) the appellant; or any person acting on behalf of the appellant
- (b) the development authority from whose order, decision or development permit the appeal is made, or a person acting on behalf of the development authority
- (c) any other person who was given a notice of the hearing and who wishes to be heard; or a person acting on behalf of that person, and
- (d) any other person who claims to be affected by the order, decision, permit or approval, and who that the development appeal board agrees to hear, or a person acting on behalf of that person.

[687][1]

4.3 DECISION

4.3.1 The Appeal Board shall give notice of its decision, with reasons, in writing within 15 days of the conclusion of the hearing. [687][2] and that all provisions of 687(3) be met as indicated in RSA 2000 cM-26 s687:2009 cA-26.8 s83 of the Municipal Government Act.

4.3.2 The decision of the Appeal Board is final and binding upon all parties, subject only to an appeal upon a question of jurisdiction or law. An application for leave to appeal shall be made to a judge of the Court of Appeal within 30 days of the issue of the order, decision, permit or approval that is being appealed. [688][2]

PART 5. GENERAL LAND USE REGULATIONS

The following regulations apply to development in all districts, unless otherwise specified.

5.1 NUMBER OF DWELLING UNITS

Only one dwelling unit shall be permitted on a lot. [640][2][e]

5.2 NON-CONFORMING BUILDINGS AND USES

- 5.2.1** A non-conforming use of land or building may be continued, but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building shall conform with this bylaw. [643][2]
- 5.2.2** A non-conforming use of part of a building may be extended throughout the building, but the building shall not be enlarged or added to, and shall undergo no structural alterations. [643][3]
- 5.2.3** A non-conforming use of part of a lot shall not be extended to any other part of the lot, and no additional buildings shall be constructed while the non-conforming use continues. [643][4]
- 5.2.4** A non-conforming building shall not be enlarged, added to, rebuilt or structurally altered except:
- (a) as may be necessary to make it a conforming building;
 - (b) as may be necessary for the routine maintenance of the building;
 - (c) as may be required by statute or bylaw. [643][5]
- 5.2.5** If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of its value, the building shall not be rebuilt except in accordance with this bylaw. [643][6]
- 5.2.6** A change of ownership, tenancy or occupancy of land or a building shall not be considered to affect its use. [643][7]

5.3 SUBSTANDARD LOTS

Development on existing substandard lots will be considered by the Development Authority provided the applicant complies with all applicable regulations regarding water supply and sewage disposal.

5.4 SITE CONDITIONS

- 5.4.1** Development shall not be permitted on slopes exceeding 15%, where slope is measured over that portion of the site on which the development is to be located.
- 5.4.2** Unless satisfactory design and development measures are taken, the applicant shall provide evidence that the land to be developed is not characterised by soil instability, poor drainage or flooding.

- 5.4.3 To the maximum extent possible, trees and shrubs shall be retained on a site. Where landscaping is required, it shall be carried out within a reasonable time period following the completion of construction.
- 5.4.4 Garbage shall be kept in weatherproof and animal-proof containers, on a prescribed garbage stand.
- 5.4.5 Where clearing of trees and shrubs is done, the parcel shall be graded to ensure that water does not drain onto adjoining property, a roadway or into the lake.

5.5 PRESERVATION AND ENHANCEMENT OF ENVIRONMENTAL QUALITY

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

5.6 BUILDING DEMOLITION

The demolition of a building shall require a development permit. Such a permit shall not be approved without a statement indicating:

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

5.7 FENCES/WALLS/HEDGES/ENCLOSURES

5.7.1 No fence, hedge or other enclosure shall be higher than:

- (a) 2 metres (6.6 ft) in rear yards;
- (b) 2 metres (6.6 ft) in side yards, except on corner lots where it shall not be higher than 1 metre (3.3 ft.) in the side yard having frontage;
- (c) 1 metre (3.3 ft) in front yards;
- (d) 1 meter (3.3ft) within 6 meters (19 ft) of the intersection of lanes, street, or a lane and a street.

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

5.8 SANITARY FACILITIES

All dwellings shall be provided with sanitary facilities in accordance with existing legislation at the time of installation.

No privies shall be permitted on lots located in the Summer Village.

5.9 PARKING AND ACCESS

The owner or developer shall provide one off-street parking space on each lot.

5.10 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

No persons shall keep in their yards:

- (a) any object or chattel, which, in the opinion of the Development Authority, is unsafe, unsightly or adversely affects the amenities of the village. This includes any unlicensed, dismantled, wrecked or dilapidated vehicle for more than 14 consecutive days;
- (b) No fur bearing animals, fowl, or livestock other than domestic pets shall be permitted within the summer village.

5.11 NUISANCE

5.11.1 No use or activity shall be undertaken which, in the opinion of the Development Authority, constitutes a nuisance by reason of the generation of noise, vibration, dust, smoke, smell, toxic or noxious matter, traffic, radiation, fire, explosions, heat, humidity.

5.11.2 Sites and buildings shall be maintained in a safe condition, free from rubbish and debris.

5.12 ACCESSORY BUILDINGS

5.12.1 The construction or relocation of an accessory building shall require a development permit.

5.12.2 The following guidelines shall apply to all accessory buildings:

- (a) in the case of corner lots, no accessory building shall be located in the side yard having street frontage within 7.62 metres (25 ft.) of an intersection of streets, lanes or a street and a lane; any accessory use constructed on a permanent concrete foundation shall be located at least 1 metre (3.3 ft) from any property line.
- (b) the minimum side yard setback shall be 1 metre (3.30 ft);
- (c) the minimum rear yard setback shall be 1 metre (3.30 ft);for back lots

2 metres (6.6 ft); for lakefront lots;

(d) the height of an accessory building shall not exceed 5 metres (16.4 ft);

(e) an accessory building shall not be located any closer than 2 metres (6.6 ft); to a main building;

(e) no privies shall be allowed on lots without compliance to bylaw 140-2013

(f) the total area of the accessory building shall not exceed 12 percent of the site area.

5.12.3 The siting of an accessory building on an irregularly shaped parcel shall be as approved by the Development Authority. The siting of accessory buildings on all other lots shall be in accordance with Section 5.12.2.

5.12.4 Where a building is attached to the main building by a roof, structure, floor or foundation, it shall be considered part of the main building and not an accessory building.

5.12.5 An accessory building shall not be used as a dwelling.

5.12.6 The siting of a garage as an accessory building shall be in accordance with section 5.12.2c of this bylaw.

5.13 SIGNS

Any permanent sign or advertising structure shall require a development permit, and

(a) no sign shall be larger than 0.6 metres (6 sq ft);

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

(c) no sign that might obscure traffic or be confused with a traffic sign shall be permitted.

5.14 MOBILE and MANUFACTURED HOMES

5.14.1 Mobile & Manufactured homes shall have CSA certification and must conform to current building codes and require an occupation certificate.

5.14.2 Mobile & Manufactured homes shall have hitches and wheels removed, and shall be placed on a secure foundation or base.

5.14.3 A development permit shall be required for all accessory buildings and

additions.

5.14.4 All Mobile & Manufactured homes shall be skirted from the ground level to floor level.

5.14.5 Mobile & Manufactured homes may not be older than 15 years at the time they are moved into the Summer Village and require an inspection prior to being moved.

5.15 HOME BUSINESS

5.15.1 A home business shall be clearly incidental to the main residential use of a lot and shall not change or disrupt the residential character of the municipality.

5.15.2 No major home businesses are allowed. Major home business is defined as having employees not living at the site.

5.15.3 Home occupations are limited to those uses which:

- (a) do not create or become a public nuisance;
- (b) are not visible from outside the building;
- (c) require no outside storage of materials, goods or equipment; and
- (d) do not display advertising other than that permitted under Section 5.13.
- (e) do not generate traffic uncharacteristic to residential usage.

5.16 RELOCATED BUILDINGS

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

5.16.2 The building must be inspected by a certified building inspector to attest to its condition prior to issuing a development permit.

5.16.3 The building must conform to building standards and it requires an occupation certificate.

5.17 MUNICIPALLY-OWNED LAND

- 5.17.1** Private development on municipal reserve or environmental reserve land is strictly prohibited.
- 5.17.2** Private development on municipally owned land including road allowances is strictly prohibited.
- 5.17.3** The cutting and/or removal of trees or under-brush from municipally-owned land is strictly prohibited, unless prior written permission is received from Council.
- 5.17.4** The temporary placement of any structure, object or materials on municipally owned land is prohibited, unless prior written permission is received from Council.

PART 6. LAND USE DISTRICTS AND REGULATIONS

6.1 ESTABLISHMENT OF LAND USE DISTRICTS

The Summer Village of Bonnyville Beach has the following land use districts:

- R - Residential
- P - Public Reserve

The boundaries of these districts are shown on the Land Use District Map. (attached)

6.2 RESIDENTIAL DISTRICT (R)

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

6.2.1 Permitted Uses

- single family dwellings
- accessory buildings and uses

6.2.2 Discretionary Uses

- mobile homes
- public parks, playgrounds and recreational facilities
- home occupations
- institutional, public or quasi-public facilities
- boat launching and docking facilities

- any use that is similar, in the opinion of the Development Authority, to be permitted or discretionary uses described above.

6.2.3 Regulations

- (a) Lot size:

The minimum width of lots shall be 30M (100 ft.)

The minimum lot area shall be 1860 square metres (20,000 square feet).

- (b) Principal buildings shall not be higher than 25 feet (8 metres), measured from the highest point of land on which the building is situated, to the highest point of the structure, not including extrusions (chimneys, aerials, etc.).

- (c) Yard requirements:

The minimum yard setbacks for principal buildings shall be:

front yard - 10 % of the lot length

side yard - 10% of the lot width

rear yard - (back lot)- 1M (3.3 ft)

rear yard - (lakefront lot) 10% of the lot length measured from the front pin.

The siting of principal buildings on irregularly shaped lots shall be as approved by the Development Authority.

The siting of all accessory buildings shall be according to Part 5.12 of this bylaw.

- (d) Lot coverage

Principal buildings and accessory buildings combined shall not cover more than 75% of the lot.

- (e) Floor Area:

The minimum total floor area of single family dwellings shall be 95 square metres (1000 square feet) for a permanent dwelling and 55 square metres (600 square feet) for a seasonal dwelling.

- (f) Notwithstanding the above, development on existing lots which do not meet the minimum lot size requirements may be permitted by the Development Authority. The minimum yard dimensions, minimum floor area and maximum heat requirements shall be determined by the Development Authority.

6.3 PUBLIC RESERVE DISTRICT (P)

The purpose of this district is to preserve and protect the environment while

providing areas for public recreation access to the shoreline.

6.3.1 Permitted Uses

- public recreation

6.3.2 Regulations

(a) Private development in this district is strictly prohibited.

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

PART 7. DEFINITIONS

ACCESSORY BUILDING OR USE - a building or use which is subordinate and incidental to the main building or use, located on the site. For the purposes of this bylaw, accessory buildings include, but are not restricted to tool sheds, garden sheds, boathouses, garages, carports, privies and satellite dishes;

ACT - The Municipal Government Act, Chapter M-26. 1, as amended;

ADJACENT LANDOWNERS - 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 a public roadway, rail or utility right-of-way, river or stream;

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

BACK LOT - any lot in the municipality that is not a lakeshore lot;

BUILDING - any structure that may be built or placed on land;

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

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

CARPORT - an accessory building or part of the principal building consisting of a roofed enclosure

used for the storage of motor vehicles, with at least 40% of the total perimeter open and unobstructed;

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

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

COUNCIL - the Council of the Summer Village of Bonnyville Beach

DECK - a raised open platform, with or without rails, attached to a principal building.

DEVELOPER - an owner, agent or any person, firm or company required to obtain or having obtained a development permit;

DEVELOPMENT –

- (a) an excavation or stockpile;
- (a) the construction, replacement, enlargement, or structural alteration of a building;
- (b) 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 land or building;
- (c) a change in the intensity of use of land or a building or an act done in relation to land or a building, or is likely to result in a change in the intensity of use of the land or building;
- (d) the placing of refuse or waste material on any land;
- (e) the use of land for the storage or repair of motor vehicles or machinery or equipment;
- (f) the erection of signs;

DEVELOPMENT AUTHORITY - person or persons designated by Council to carry out the duties described in this bylaw and in the Act;

DEVELOPMENT PERMIT - a document authorising a development, issued pursuant to this bylaw;

DISCRETIONARY USE - the use of land or a building provided for in a land use bylaw for which a development permit may be issued;

DISTRICT - 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;

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

DWELLING UNIT - a building or self-contained portion of a building containing one or more habitable rooms constituting a self-contained unit used as a residence, each unit having sleeping, cooking and access to toilet facilities;

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

FENCE – a vertical, physical barrier constructed to provide aesthetic decoration, visual screening, sound abatement, or to prevent unauthorised access;

FLOOR AREA - the total area taken up by the habitable portions of a building including all interior

living spaces and supporting structures, but excluding basements, carports, garages, sheds and decks, as determined from the exterior dimensions of the building;

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

GRADE - the average elevation of the natural or @shed level of the ground adjoining a building at all exterior walls, or the level of the ground as established by an approved grade plan;

HOME BUSINESS - an occupation conducted within a building on a residential lot, which is clearly secondary to the residential use of the site and does not change the building's exterior character;

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

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

LOT -

(a) a quarter section;

(b) a river, a lake or settlement lot shown on an official plan, as defined in the Surveys Act, that is filed in a Land Titles Office; or

(c) a part of a parcel where boundaries are described in a certificate of title;

MAY - means the action is not obligatory;

MAJOR HOME BUSINESS - an occupation conducted on a residential lot, which employs persons not living in the domicile. Or requires equipment or storage clearly visible at odds to the residential use of the site. Or change to the building's exterior character inconsistent with purely residential application;

MOBILE or MANUFACTURED HOME - a structure that is manufactured to be moved from one point to another by being towed or carried and which provides accommodation for one or more persons and can be connected to utilities;

MUNICIPALITY - the Summer Village of Bonnyville Beach

NON-CONFORMING BUILDING OR USE - a building that was lawfully constructed, or is lawfully under construction, or a use being made of, or intended to be made of land or a building, that does not or will not comply with a land use bylaw or land use bylaw amendment on the date that the bylaw or amendment come into effect;

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

ORDER - a notice requiring compliance issued in writing by the Development Authority under Section 3.8 of this bylaw;

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

PERMITTED USE - the use of land or a building provided for in a land use bylaw for which a development permit shall be issued;

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

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

PUBLIC UTILITY - systems or facilities for the:

- (a) production and distribution of electricity;
- (b) distribution of natural gas or oil;
- (c) storage, transmission, treatment, distribution or supply of water;
- (d) collection, treatment, movement or disposal of sewage;
- (e) provision of telephone services that are owned or operated by a utility company, the municipality, or the crown;

ROADWAY - any road, street, avenue or other access maintained by the municipality, wherever located, which provides main access to a lot;

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

SHALL - means the action is obligatory;

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

STREET - a registered public roadway;

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

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

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

TEMPORARY DWELLING - a dwelling located on a site where a permanent dwelling is under construction. The temporary dwelling shall be removed upon completion and occupancy of the permanent dwelling;

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

YARD - a part of a parcel upon which no main building is erected and includes front, rear, and side yards (see illustration) in the case of lakeshore lots, the front yard is the yard between the house and the existing roadway;

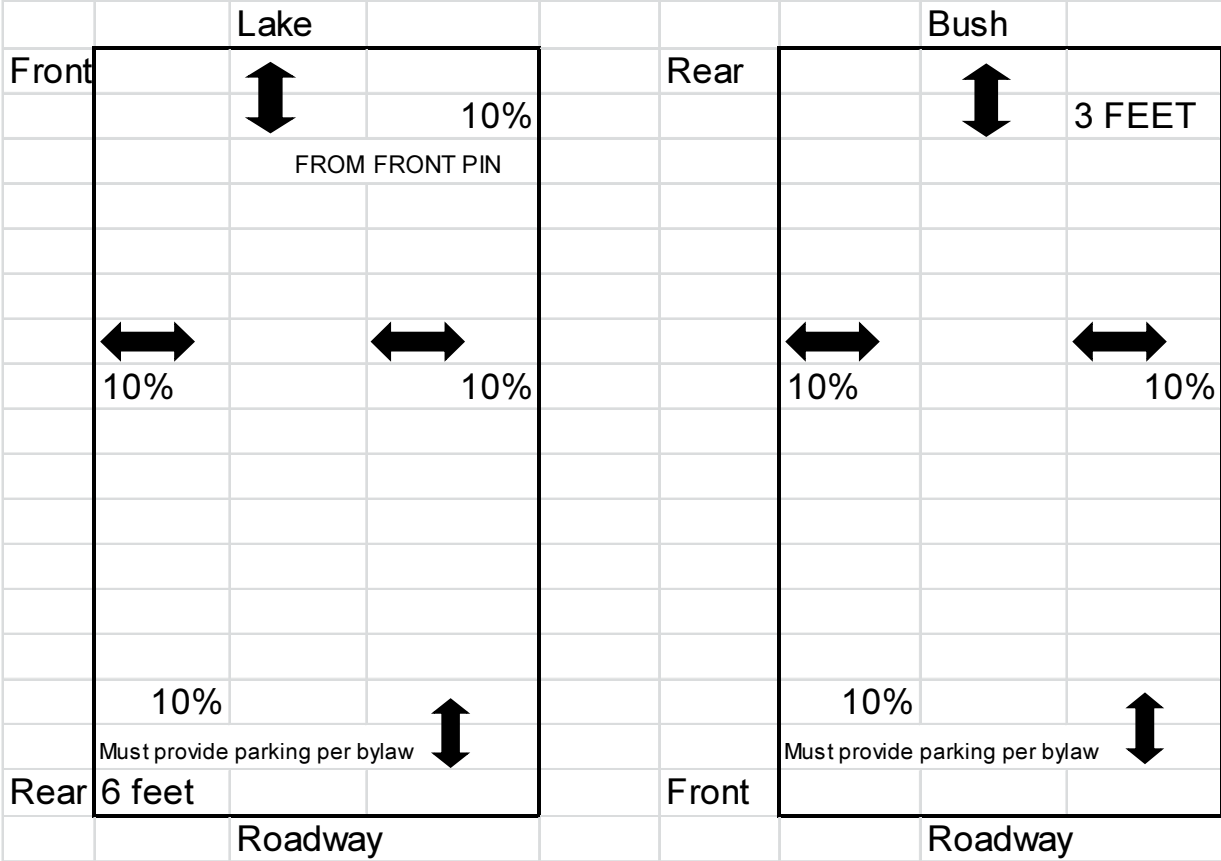
and all other words and expressions shall have the meanings assigned to the in the Act.

PART 8. Forms & Diagrams

**YARD REQUIREMENTS
FIGURE 1
Land Use Bylaw**

LAKEFRONT PROPERTY

BACKLOT PROPERTY



Accessory building can be 3 feet set back for backlots and 6 feet for lakefront lots.

Summer Village of Bonnyville Beach

Box 6439, Bonnyville, AB T9N 2G9
Phone (780) 826-2925
Email: admin@bonnyvillebeach.com

APPLICATION FOR A DEVELOPMENT PERMIT

Fee: \$ _____.00

I/We hereby apply for a development permit for the use noted below and in accordance with the accompanying plans and supporting information.

Applicant: _____

Mailing address: _____ Telephone: _____

Email address: _____

Registered Owner of Land: _____

Lot _____ Block _____ Plan _____

Existing use of property: _____

Proposed use of property: _____

Lot Type: Lakefront _____ Backlot: _____

Lot Width: _____ Lot Length: _____ Lot Area: _____

Proposed set backs: Front: _____ Side: _____ Rear: _____

Floor Area: _____ main building

Accessory Use Proposed: _____

Height of Accessory Building: _____ Set back from side lot line: _____

Set back from rear lot line: _____ Floor Area: _____ Accessory Bldg.

Private sewage system: Type: _____ Attach details.

Estimated commencement date: _____ Estimated completion date: _____

Estimated Cost of the project or contract price: _____

Interest of Applicant if not owner: _____

Signature of Applicant: _____ Date: _____

Note: A site plan and set of building plans must be attached to this application showing the location of existing and proposed buildings and or accessory buildings and or private sewage system on the land in accordance with Part 3.3 of the Land Use Bylaw
****PLEASE ENSURE THE ABOVE IS READABLE**

PART 9

Reading and Signing into law Bylaw 143-2014

Bylaw #117-99, the Land Use Bylaw, as amended is repealed on June 21st, 2014 upon final reading of this bylaw.

Read a first time May 17th, 2014

Read a second time May 17th, 2014

Read a third time June 21st, 2014

Signed and passed

Mayor

Chief Administrative Officer