

**P3 - BYLAW 155**  
**LAND USE BYLAW OF THE SUMMER VILLAGE OF SUNDANCE BEACH, ALBERTA**

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Pursuant to the Municipal Government Act, the Council of the Summer Village of Sundance Beach, duly assembled, hereby enacts as follows:

1. **Purpose**

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

- 1.1 to divide the municipality into districts;
- 1.2 to prescribe and regulate for each district the purposes for which land and buildings may be used;
- 1.3 to establish the office of Development Authority;
- 1.4 to establish a method of making decisions on applications for development permits including the issuing of development permits;
- 1.5 to prescribe a procedure to notify owners of land likely to be affected by the issue of a development permit; and
- 1.6 to establish a system of appeals against the decisions of the Development Authority.

2. **Interpretation**

In this bylaw:

**Act** means the Municipal Government Act.

**Accessory Building** means a building separate and subordinate to the main building, the use of which is incidental to that main building and is located on the same parcel of land.

**Council** means the Council of the Summer Village of Sundance Beach.

**Discretionary Use** means the use of land or a building provided for in this bylaw for which a development permit may be issued upon an application having been made.

**Dwelling** means any building or structure used primarily for human habitation and includes prefabricated homes, but does not include mobile homes of any kind.

**Easement Holders Association** means the Sundance Beach Easement Holders Association, the grantor of right of access and use over the Easement Lands.

**Easement Lands** means the unsubdivided remnants of SE and SW 29-47-1-W5 lying south of Road Plan EU (formerly Road Plan 1397 R) which are made available to the owners of certain nearby lots for the purpose of ‘a right-of-way and the exclusive right to the use and occupation on and over’ those unsubdivided remnants.

**Floor Area** means the total area of all floors of all buildings including accessory buildings located on any parcel, excluding the area of basement floors

**Grade** means the average elevation of the two adjacent lots.

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**Guest House** means a permanent building which has sleeping accommodation and may have a bathroom, but does not have cooking facilities, and is not intended to be used as a self-contained dwelling, but which provides overflow accommodation for the main dwelling on the parcel.

**He, him, she, her, they, and them** are to be read interchangeably as the context requires.

**Lot** means an individual lot for which a title has been issued, or, where two or more lots are ‘tied’ for assessment purposes, or are included in a single title, the area encompassed by the several lots.

**Main Building** means a building in which is conducted the main or principal use of the site on which it is erected.

**Municipality** means the Summer Village of Sundance Beach.

**Permitted Use** means the use of land or a building provided for in a land use bylaw for which a development permit *shall* be issued upon an application having been made.

**Professional Engineer** means a person qualified to practice in Alberta as an engineer and who is a full member of the Association of Professional Engineers, Geologists and Geophysicists of Alberta.

**Recreational Vehicle** means a mobile unit which is designed to be used as temporary living or sleeping accommodation, and includes, but is not limited to, holiday trailers, tent trailers, truck campers, vans, and motor homes, but does not include mobile homes.

**Yard** means that part of a lot upon or over which no main building is erected.

**Yard, Front** means a yard extending across the full width of the lot from the property line of the lot (the side closest to the lake) to the front wall of the main building on the lot.

**Yard, Side** means a yard extending from the side wall of the main building to the side property line.

**Yard, Rear** means a yard extending across the full width of the lot from the rear property line of the lot to the rear wall of the main building on the lot.

All other words and expressions have the meanings respectively assigned to them in the Act.

**3. Establishment of Districts**

3.1 For the purpose of this bylaw the municipality is divided into the following districts:

R1A Residential  
R1B Large Lot Residential  
P Park  
RE Recreational Easement

as shown on the map attached as Schedule A, which forms part of and has full force of this bylaw.

3.2 In case of doubt as to boundaries of a land use district, the decision of Council, recorded as a resolution, shall govern.

**3. Regulations**

Schedules B and C, setting out regulations for land use, form part of and have full force of this bylaw.

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**5. Development Authority**

- 5.1 The office of Development Authority is hereby established and shall be filled by a person or persons appointed by resolution of the Council. If no person is appointed, the Chief Administrative Officer shall act as Development Authority.
- 5.2 The Development Authority shall
- 5.2.1 receive, consider and decide on applications for a development permit,
  - 5.2.2 make available for inspection:
    - 5.2.2.1 a copy of this bylaw as amended, and
    - 5.2.2.2 a register of all applications including the decisions rendered on them and the reasons therefor.
  - 5.2.3 ensure that copies of this bylaw can be purchased by the public at a reasonable cost,
  - 5.2.4 carry out the duties prescribed in the Act and this Bylaw with regard to appeals or, designate a person to do the same, and
  - 5.2.5 perform such duties as are established to enforce this bylaw in conformance with the Act.
- 5.3 For the purposes of section 542 of the Act, the person holding the office of Development Authority is a designated officer of the municipality.

**6. Subdivision and Development Appeal Board**

- 6.1 The Subdivision and Development Appeal Board established by Bylaw 146 shall hear and decided on appeals against a decision (or lack of decision) of the Development Authority.
- 6.2 Section 5(1) of Bylaw 146 is amended to read:
- “5(1) The Board shall consist of three members of the public, none of whom shall be a councillor of the municipality.”

**7. Control of Development**

- 7.1 No development other than that designated in section 8 shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.
- 7.2 For the purposes of this section, signs, posters and billboards are deemed to be developments.

**8. Development Not Requiring a Permit**

- Except on Easement Lands:
- 8.1 *Completion:* No development permit is required for the completion and use of a development which was lawfully under construction at the date this bylaw comes into effect.

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- 8.2 *Continuation*: No development permit is required for the continuation of a lawful use of building or land which was in effect at the date this bylaw comes into effect.
- 8.3 *Maintenance*: No development permit is required for normal maintenance or repair to any building or public utility provided that such works do not include structural alterations of mayor renovation.
- 8.4 *Fences*: No development permit is required for the construction and maintenance of gates, fences, walls or other means of enclosure less than 1 metre in height in a front yard and 2 metres in height elsewhere.
- 8.5 *Patios & steps*: No development permit is required for the construction of patios and exterior steps, or for decks, providing that no part of the deck is more than 30 cm ( 1 foot) above ground level.
- 8.6 *Temporary buildings*: No development permit is required for a temporary building or sign, the sole purpose of which is incidental to a development for which a permit has been issued under this bylaw.
- 8.7 *Work on roads*: No development permit is required for work within the right-of-way of a road, undertaken by the municipality or utility companies, unless this results in the flow of water on to adjacent properties (see Schedule B, section 2).
9. **Non-Conforming Buildings and Uses**
- 9.1 If a building or use is not allowed for in this bylaw, but was legally in existence at the date of passage of this bylaw, it may continue legally as a non-conforming use pursuant to section 643 of the Act.
- 9.2 Pursuant to section 643(5)(c) of the Act, the Development Authority may exercise discretion regarding the extension or replacement of non-conforming buildings.
10. **Permission for Development**
- 10.1 An application for a development permit shall be made to the Development Authority in writing in the appropriate form, stating the legal description of the property and shall be accompanied by:
- 10.1.1 a site plan, to scale, showing the proposed front, rear, and side yards, locations of all existing buildings, any provision for off-street loading and vehicle parking and access and egress points to the site, and landscaping;
- 10.1.2 floor plans, elevations and sections, including all height and horizontal dimensions;
- 10.1.3 a plan showing all existing and proposed grades and flow of water;
- 10.1.4 a statement of the proposed use;
- 10.1.5 a statement of ownership of the land and interest of the applicant therein;
- 10.1.6 the estimated commencement and completion dates;
- 10.1.7 the estimated cost of the project or contract price; and
- 10.1.8 the required application fee;
- and, if requested by the Development Authority:

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- 10.1.9 an elevation drawing showing, from the viewpoint of the lake and/or the road, the proposed building in relation to the existing buildings on the subject and neighboring lots.
- 10.1.10 a Real Property Report prepared by an Alberta Land Surveyor if the application is for an addition to an existing building, or if there is reason to believe that the fences on a lot do not correspond with the legal boundaries, and
- 10.1.11 any other information which the Development Authority requires to make a decision.
- 10.2 The Development Authority may refuse to accept an application which is incomplete.
- 10.3 The Development Authority shall receive, consider and decide on all applications for a development permit, and shall render a decision in writing and mail or otherwise deliver it to the applicant.
- 10.4 In making a decision, the Development Authority may approve the application unconditionally, or impose certain conditions considered appropriate, permanently or for a limited period of time, or refuse the application.
- 10.5 When the Development Authority refuses to issue a development permit, he must give reasons.
- 10.6 The Development Authority may require as a condition of issuing a development permit that the applicant enter into an agreement:
- 10.6.1 to construct or pay for the construction of public roadways or parking areas, to install or pay for the installation of utilities, and/ or
- 10.6.2 to pay an off-site levy or redevelopment levy imposed by bylaw, and/or
- 10.6.3 to repair any local improvements damaged in the process of development.
- and may require that a performance bond or letter of credit be deposited with the municipality to ensure that the development is completed in accordance with the development permit.
- 10.7 When an application for a development permit has been refused initially or on appeal, the Development Authority may, at his discretion, refuse to accept another application for a permit on the same property and for the same or similar use of land by the same or any other applicant for 6 months after the date of the previous refusal, unless the circumstances have changed substantially.
- 10.8 Where a proposed specific use of land or a building is not provided for in any district by 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 in Schedule C, and in this regard the Development Authority has the discretion allowed by section 640(6) of the Act, but the Development Authority may do this only if the owners of adjacent land, including where applicable, the Easement Holders Association, give their consent in writing.
- 10.9 The Development Authority may approve an application for a development permit notwithstanding that the proposed development does not comply with this bylaw, if, in his opinion:
- 10.9.1 the proposed development would not
- 10.9.1.1 unduly interfere with the amenities of the neighborhood, or

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10.9.1.2 materially interfere with or affect the use, enjoyment or value of neighboring properties,

and

10.9.2 the proposed development does not conflict with the use prescribed for the land or building in the bylaw;

but the Development Authority may do this only if the owners of adjacent land, and where applicable, the Easement Holders Association, give their consent.

10.10 Before approving a permit

10.10.1 for a discretionary use of land, or

10.10.2 under sections 10.8 or 10.9 above, or

10.10.3 which involves a relaxation of any part of the bylaw,

the Development Authority shall give written notice of the proposed development to the owners of all property within 60 metres and such other property owners as he considers advisable. When such property is outside the municipal boundary, it shall be sufficient to notify the adjacent municipality with the request that it notify its ratepayers.

10.11 After giving notice as required under section 10.10 above, the Development Authority shall wait 14 days to receive the comments of those people who were notified.

10.12 In deciding on the application, the Development Authority shall consider all concerns reported to him.

10.13 The Development Authority shall mail a copy of his decision to the persons notified under section 10.10 above.

10.14 An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision is not issued by the Development Authority within 40 days, and the person claiming to be affected may appeal in writing as provided for in this bylaw as though the application had been refused.

10.15 A permit issued under section 10.8 or 10.9 above, or for a discretionary use, shall not come into force for 14 days after the date of its issue, and during this time any person claiming to be affected by the proposed development may appeal the decision of the Development Authority.

10.16 A development permit comes into effect immediately if it is issued for a permitted use, and in respect of which the bylaw has not been waived or relaxed or misinterpreted.

10.17 If a valid appeal is filed against a development permit, the permit is suspended until the appeal is heard or abandoned.

**11. Validity of Permits**

11.1 A development permit is valid only so far as it is not in conflict with other legislation, or with a caveat, easement or restrictive covenant affecting the property, and it is the responsibility of the developer to

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establish that there is no such conflict.

11.2 A development permit may be issued with an expiry date.

11.3 If the development authorized by a permit is not commenced within 6 months from the date of issue, or if, having commenced, work ceases for six months, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority.

11.4 If it appears to the Development Authority that a development permit has been obtained fraudulently, he may revoke it.

**12 Appeals**

12.1 The procedure for appeal against the decision of the Development Authority is laid down in section 686 of the Act.

*Note: there is no appeal against a permit for permitted use which conforms in every way with this bylaw (section 685(3) MGA).*

12.2 No appeal lies to the Subdivision and Development Appeal Board where the application relates to land held by the Easement Holders Association and the Association refuses to consent to the application.

**13. Decision of the Appeal Board**

13.1 The Subdivision and Development Appeal Board shall give its decision in writing together with reasons for the decision within 15 days of the conclusion of the hearing.

13.2 A decision by the Subdivision and Development Appeal Board is final and binding subject only to an appeal upon a question of jurisdiction or law pursuant to section 688 of the Act.

**14. Contravention**

14.1 Where the Development Authority finds that a development or use of land or buildings is not in accordance with:

14.1.1 the Act or regulations under the Act, or

14.1.2 a development permit or subdivision approval, or

14.1.3 this bylaw,

he may proceed in accordance with sections 645 and 646 of the Act.

14.2 Contravention of this bylaw is an offence and is subject to a fine pursuant to section 566 of the Act.

**15. Amendments**

15.1 A person may apply to have this bylaw amended, by applying in writing, furnishing reasons in support of the application, and paying the appropriate fee.

15.2 Council may at any time initiate an amendment to this bylaw.

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15.3 An application to change the districting of any land may be initiated only by the owner of that land, or by Council.

16. **Metric and Imperial Measures**

In accordance with Alberta practice, all dimensions and areas in this bylaw are stated in metric measure. Imperial equivalents are given for convenience and may not be precise. In case of conflict, the metric measure shall govern.

17. **Continuation of Conditions**

A condition attached to a development permit issued under a former land use bylaw continues under this bylaw.

18. **Suspension of Existing Controls**

Bylaws 54, 56, 57, 59, 60, 70, 71, 72, 78, 92, 102, 108, 110, 121, and 134, and section 2 of bylaw 146 are repealed.

19. **Fees and Forms**

Fees and forms referred to in this bylaw shall be established by resolution of Council.

20. **Date of Commencement**

This bylaw comes into effect on the date on which it is given third reading.

READ a first time this 19<sup>th</sup> day of March, 1997

READ a second time this 23<sup>rd</sup> day of May 1997

READ a third time and finally passed this 23<sup>rd</sup> day of May 1997

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W.B. Metcalfe, Mayor

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Ken D. Armstrong, Municipal Administrator

(Original bylaw signed by the above current mayor and administrator)



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**Schedule A**

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**Schedule B: Regulations For All Land Use Districts**

**1. Design and Appearance of Buildings**

The Development Authority may, as a condition of issuing a development permit, require changes in the design, appearance and placement of a building to ensure that it is compatible with the accepted standards of the community and with surrounding buildings.

**2. Grading and Drainage**

2.1 No titled land shall be filled or raised, and no grading or drainage shall be undertaken, unless a development permit has been issued.

2.2 Water shall not be diverted from one property to another unless a drainage scheme is agreed in writing between the affected property owners and the municipality.

2.3 A development application for a new building shall contain a grading and drainage plan.

2.4 This section binds the municipality.

**3. Moved-In Buildings**

3.1 A person making application to move an existing building into the municipality as an accessory building, shall:

3.1.1 make the usual application for a development permit;

3.1.2 provide photographs showing all sides and the general condition of the building, and

3.1.3 state the present location and use of the building.

3.2 The Development Authority may, at his discretion, inspect the building, or cause the building to be inspected by a person he so appoints, and may issue a development permit subject to the condition that the building be improved once it is moved on site.

3.3 The Development Authority may require the developer to provide cost estimates for the works deemed necessary and may require the developer to provide a bond for specific performance of the works within a specific period of time.

**4. Signs**

4.1 All signs other than the following require a development permit:

4.1.1 One sign, of not more than one square metre in are, advertising for sale the property on which it stands.

4.1.2 One name plate, not exceeding one square metre in area, giving the name of the owner, the name of the property, the municipal address and other pertinent information.

4.1.3 Signs protected by section 2(b) of the Constitution Act (Canada).

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- 4.2 A sign which is a hazard to persons or traffic, or which applies to a past event, shall be removed immediately.

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**Schedule C: Regulations For Specific Land Use Districts**

**1. Regulations For the R1A Residential District**

**1.1 Permitted Uses**

The following uses are permitted in the Residential District:

- 1.1.1 Single family dwellings of new, conventional construction, limited to one per lot.
- 1.1.2 Accessory uses such as decks, garages, storage shed, saunas, boathouses, and utility installations.
- 1.1.3 Guest houses, limited to one per lot and subject to section 1.12 below.
- 1.1.4 Unattended utility installations.
- 1.1.5 Municipally owned park land.

*Attention is drawn to section 1 of Schedule B, under which the Development Authority may require changes to a design if in his opinion a proposed development is not compatible with the surrounding buildings and the accepted standards of the community.*

**1.2 Discretionary Uses**

The following uses may be allowed at the discretion of the Development Authority:

- 1.2.1 Temporary accommodation, such as a travel trailer or recreational vehicle, to be used prior to the construction of a permanent dwelling on a lot.
- 1.2.2 The parking and use of recreational vehicles, subject to section 1.11 below.
- 1.2.3 Decks, any part of which is more than 30 cm above grade, in the front yard of any lot.
- 1.2.4 Fences higher than those exempted from required a development permit under section 8.4 of the bylaw.
- 1.2.5 Moved-in buildings.

**1.3 Lot Dimensions and Areas**

- 1.3.1 All lots created for residential use after the date of adoption of this bylaw shall have a mean width of no less than 15.24 metres (50 feet) and an area of no less than 695 square metres (7,500 feet).
- 1.3.2 The minimum lot area and width required by this bylaw shall not prevent
  - 1.3.2.1 the adjustment of a property line where no additional lots are being created, or
  - 1.3.2.1 the re-subdivision of a lot formed by the consolidation of two previously existing lots.

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1.4 Location of Main Buildings

- 1.4.1 *Front and rear yards:* Unless otherwise permitted below, all main buildings shall be located so that the outside of the footings is at least 8 metres (26 feet) from the front and rear property lines.
- 1.4.2 *Side yards:* Unless otherwise permitted elsewhere in this bylaw, main buildings shall be located so as to give a side yard which is at least
- 10% of the lot width, or
- half the height of the building from grade to the eaves on that side of the building, or
- in the case of a corner lot, 5 metres (17 feet) on the side adjacent to the flanking street,
- whichever is greatest.
- 1.4.3 *Encroachment into yards:* Eaves, bay windows, chimneys, and extensions cantilevered beyond the building footings may encroach by no more than 0.5 metres (20 inches) into the yard required by the bylaw.
- 1.4.4 *Exterior steps:* Exterior steps may be constructed in a yard provided that they are no closer than 1 metre to a side property line.
- 1.4.5 *Additions:* A deck which is attached to the main building is deemed to be part of the main building. Any other building or structure which does not share footings with the main building on a lot is deemed to be an accessory building even if it is connected to the main building by a roof, breezeway, deck, patio, or other at-grade or above-grade connection.
- 1.4.6 *Location of decks:* A deck or patio, every part of which is less than 30 cm (one foot) above grade, may be constructed at any place on a lot and is not bound by yard and setback requirements. Higher decks are bound by the same yard and setback requirements as other buildings.

1.5 Location of Accessory Buildings

- 1.5.1 *Front yards:* No accessory building shall be located in a front yard, except that, on a sloping site, the Development Authority may allow a garage to be placed between the main building and the front lot line if the roof of the garage does not rise above the level of the main floor of the main building.
- 1.5.2 *Side yards:* A multi-story accessory building shall be located with side yards as required for main buildings. A single story accessory building shall have a side yard of at least 1.5 metres (5 feet).
- 1.5.3 *Rear yards:* Unless otherwise permitted below, all accessory buildings shall be located so that the outside of the footings is at least 1 metre ( 3 feet) from the front and rear property line.
- 1.5.4 *Location of garages:* A garage may be located within 1 metre of the property line if the main doors do not face the road. Where the main doors face the road, the garage may be located within 3 metres (10 feet) of the rear property line.

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1.5.5 *Fire separations:* Every building served by electricity or a heating system shall be located at least 3 metres (10 feet) from every other building unless a waiver has been obtained under the Alberta Building Code.

1.6 Accuracy of Building Placement

After the footings have been installed, and before any flooring or framing work has commenced, the Development Authority may require that a Real Property Report prepared by an Alberta Land Surveyor, certifying that the building under construction meets the yard and setback requirements of this bylaw and the Alberta Building Code.

1.7 Site Coverage

The combined ground floor area of all buildings on a lot shall be no more than 30% of the total area of the lot.

1.8 Height of Buildings

No building shall exceed 8.5 metres (28 feet) in height between grade and the roof peak.

1.9 Minimum Dwelling Size

Every dwelling shall have a finished inhabitable floor are (excluding garages, utility rooms, and unheated space) of no less that 56 square metres (600 square feet).

1.10 Parking

Two off-street parking stalls shall be provided on each lot.

1.11 Recreational Vehicles

1.11.1 Except as permitted under 1.11.7 below, only one recreational vehicle shall be situated on a lot at any one time.

1.11.2 No permit is required for the first seven days in each year that a recreational vehicle is parked on a lot.

1.11.3 A recreational vehicle may be parked on a lot for a period in excess of seven days in each year provided that a temporary annual development permit is obtained.

1.11.4 The Development Authority shall not issue a permit allowing a recreational vehicle to be parked on a lot, other than for storage, for more than twenty-one days in each year.

1.11.5 A recreational vehicle which is parked on a lot for more than seven days in each year shall be parked in the rear yard, and behind the rear wall of the main buildings on the adjacent lots.

1.11.6 If it is impossible to park a recreational vehicle in the rear yard of a lot, the Appeal Board may waive that requirement for short term parking, but permanent storage shall be allowed only in the rear yard.

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- 1.11.7 Upon receiving two weeks notice, the Development Authority may issue a permit allowing more than one recreational vehicle on a lot for an extraordinary event such as a family reunion.
- 1.11.8 A recreational vehicle may be stored or parked if the owner of both the lot and the recreational vehicle have been issued with a temporary annual development permit, but the vehicle shall not be occupied for more than three weeks per year while standing on the lot.
- 1.11.9 Notwithstanding section 1.11.4 above, a recreational vehicle may be placed on a lot and used as the principal dwelling while a permanent dwelling, for which a development permit has been issued, is under construction.

1.12 Guest Houses

- 1.12.1 Guest houses shall be of new, conventional construction and good appearance.
- 1.12.2 Guest houses shall be constructed in the rear yard of the lot, and behind the front walls of the main buildings on the two immediately adjacent lots.
- 1.12.3 The total usable floor area of a guest house shall be nor more than 50 square metres (538 square feet).
- 1.12.4 Guest houses shall have only one story unless they are built over a garage.
- 1.12.5 Sleeping accommodation in or above a garage or any other accessory building is deemed to be a guest house and where such accommodation exists, no free-standing guest house shall be constructed on the lot.

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**2. Regulations for the R1B Large Lot Residential**

Regulations for the R1B Large Lot Residential District are identical with those for the R1A Residential District except as follows:

**2.1 Lot Dimensions and Areas**

2.1.1 All lots created for residential use after the date of adoption of this bylaw shall have a mean width of no less than 20 metres (100 feet) and an area of no less than 1,858 square metres (20,000 square feet).

2.1.2 The minimum lot area and width required by this bylaw shall not prevent

2.1.2.1 the adjustment of a property line where no additional lots are being created, or

2.1.2.2 the re-subdivision of a lot formed by the consolidation of two previously existing lots.

**2.2 Site Coverage**

The combined ground floor area of all buildings on a lot shall be no more than 30% of the total area of the lot.

**2.3 Parking**

Three off-street parking stalls shall be provided on each lot.



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**3. Regulations for the Park District**

**3.1 Permitted Uses**

The following uses are permitted in the Park District:

3.1.2 Public buildings and municipal uses

3.1.2 Public parks and playgrounds

3.2.3 Buildings and uses accessory to the above

3.2.4 Unattended utility installations

**3.2 Other Controls**

Lot sizes, building style and size, setbacks, and parking shall be as required by the Development Authority.

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**4. Regulations for the Recreational Easement District**

**4.1 Observance of Covenant**

Nothing in this bylaw shall allow the Development Authority, or on appeal, the Subdivision and Development Appeal Board, to allow anything which is contrary to the terms of any easement, restrictive covenant, or caveat placed on the Easement Lands; and to ensure that this condition is met, the Development Authority shall refer any proposed development to the Easement Holders Association for consent before issuing a permit.

**4.2 Permitted Uses**

The following uses are permitted in the Recreational Easement district:

4.2.1 The use and exclusive occupancy of land for access to the lake by the easement holder.

**4.3 Discretionary Uses**

The following uses may be allowed at the discretion of the Development Authority:

4.3.1 Boathouses and launching equipment

4.3.2 Piers and decks

4.3.3 Landscaping

4.3.4 Retaining walls (see below, Engineering)

4.3.5 The removal of trees

**4.4 Engineering**

No development permit shall be issued for a retaining wall unless the developer:

4.4.1 proposes to use a standard design approved by the Easement Holders Association and the municipality, or

4.4.2 has first supplied a written assessment of the site and the impact of the proposed development, written, signed and stamped by a Professional Engineer.

**4.5 Separate Application Required**

An application for a development permit on Easement Lands shall not be combined with an application regarding other lands.

**4.6 Yards and Setbacks**

Boathouses and decks shall be constructed at least 3 metres (10 feet) from the edge of the travelled portion of the road.

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4.7 Site Coverage and Size of Buildings

The Development Authority may set a limit on the amount of the lot which can be covered by buildings.

4.8 Height Limits

The roof of a boat house shall not rise higher than 0.6 metres (2 feet) above the crown of the adjacent road.