



Development Services  
for the

## Summer Village of Sunrise Beach

Box 2945, Stony Plain, AB., T7Z 1Y4, Phone (780) 718-5479 Fax (866) 363-3342  
Email: [pcm1@telusplanet.net](mailto:pcm1@telusplanet.net)

### Notification Letter and Notice of Decision

March 9, 2023

File: 23DP01-44

CRAIG THOMAS



Dear Mr. Thomas:

**Re: Development Permit Application No. 23DP01-44  
Plan 3503 KS, Block 1, Lot 3 : 6103 Willow Way (the "Lands")  
R – Residential : Summer Village of Sunrise Beach**

**Preamble:** The application proposes to leave a previously constructed structure "as built" and as sited upon the Lands. The structure has a floor area of approximately 32.51 sq. m. and is located 2.74 m. from the Northeast boundary of the Lands.

#### DEVELOPMENT PERMIT APPLICATION - DECISION

You are hereby notified that your application for a development permit with regard to the following:

### **TO LEAVE STRUCTURE AS BUILT.**

Has been **REFUSED** at this date, March 9, 2023, for the following reasons:

1. The proposed development does not conform to the definition of a "Modular Home" nor "Single Detached Dwelling" as defined in the Summer Village of Sunrise Beach *Land Use Bylaw 71-1999*, as amended. Therefore, the proposed development is not a Permitted nor Discretionary Use in the R – Residential District and the development permit application must be refused in accordance with section 640(6)(b) of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended. For reference, Modular Home and Single Detached Dwelling are defined as follows:
  - a. **"MODULAR HOME"** – means a factory fabricated built dwelling unit, designed to be transported on a truck in sections and assembled on site, but such sections or units have neither chassis, running gear, nor its own wheels, and the sections may be stacked side by side or vertically with a maximum length to width ratio of 2.0:1. A modular home does not include a single detached dwelling, manufactured home or mobile home and shall have a



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- minimum 74.3 square metres (800 sq. feet) in floor area not including decks, porches or verandahs.
- b. **“SINGLE DETACHED DWELLING”** – means a complete building intended to be used as a permanent residence not separated from direct access to the outside by another separate or self contained portion of a building and has a length to width ratio of no more than 2.0:1. Does not include a mobile home, manufactured, home, or modular home as defined under this Bylaw and shall have a minimum floor area of 74.3 sq. metres (800 sq. feet) not including decks, porches or verandahs.
2. The Summer Village of Sunrise Beach *Land Use Bylaw 71-1999*, as amended, requires the minimum floor area of a single detached dwelling and a modular home to be 74.3 sq. m. The proposed development has a floor area of 32.51 sq. m. and the Development Authority has not granted a variance to the required 74.3 sq. m. minimum floor area.
- a. A structure with a floor area of 32.51 sq. m. requires a variance of 56% of the minimum floor area of 74.3 sq. m. The proposed development does not comply with the minimum floor for a single detached dwelling nor modular home, as required by Section 50(4)(b) in the *Land Use Bylaw 71-1999*, as amended.
- b. Further, a variance to the minimum floor area for a single detached dwelling or modular home as required by Section 50(4)(b) of the same cannot be justified by the Development Authority as there is sufficient area on the Lands to construct a single detached dwelling or a modular home in accordance with the requirements of the Summer Village of Sunrise Beach *Land Use Bylaw 71-1999*, as amended.
3. The Summer Village of Sunrise Beach *Land Use Bylaw 71-1999*, as amended, requires a front yard setback of 8.0 m. The proposed development has a front yard setback of 2.74 m and the Development Authority has not granted a variance to the required 8.0 m front yard setback.
- a. The 2.74 m (9 ft.) setback requested is a variance of 66% of the required setback of 8.0 m (26.2 ft.). The proposed development does not comply with the requirements of the *Land Use Bylaw 71-1999*, as amended, and a variance to Section 50(4)(c) of the same cannot be justified by the Development Authority as there is sufficient area on the Lands to meet the minimum front yard setback of 8.0 m (26.2 ft.).
4. Where the Summer Village of Sunrise Beach *Municipal Development Plan 166-2020*, Section 3.1.2 POLICIES states that “Residential infill should respect or complement the existing built form, including, height, size and architectural detailing of existing development” and Section 3.1.3 POLICIES states that “Development of lakeside lots should be limited to single-family residential dwelling.” It is the opinion of the Development Officer that proposed development does respect nor complement the existing built form of adjacent properties or other properties within the District.



5. Residential infill should respect or complement the existing built form, including, height, size and architectural detailing of existing development. The proposed use is neither a Permitted nor a Discretionary, use within the R – Residential District under Summer Village of Sunrise Beach *Land Use Bylaw 71-1999*, as amended (LUB) and the proposed development does not complement the existing built form in the Summer Village of Sunrise Beach.
6. Therefore, a variance is neither appropriate nor available for the proposed development for the following reasons:
  - a. Pursuant to Section 640(6) of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended ("MGA"), the Development Authority for the Summer Village of Sunrise Beach is of the opinion that the proposed development would materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land due to the inconsistency of that development and the built form of the community. Further, the proposed development does not conform with the uses prescribed for that land or building in the *Land Use Bylaw 71-1999*, as amended.
  - b. Pursuant to Section 8(6)(a) of the *Land Use Bylaw 71-1999*, as amended the Development Officer is of the opinion that, given the substantial difference between the proposed development and the other development in the District:
    - i. the proposed development would unduly interfere with the amenities of the neighbourhood; and
    - ii. the proposed development would materially interfere with or affect the use, enjoyment or value of neighbouring properties.
  - c. Pursuant to the Section 8(6)(b) of the *Land Use Bylaw 71-1999*, as amended, the proposed development does not conform with the uses prescribed for that land or building in the *Land Use Bylaw 71-1999*, as amended.
7. Pursuant to the Summer Village of Sunrise Beach *Land Use Bylaw 71-1999*, as amended, Section 10 DEVELOPMENT PERMIT REFERRALS the Development Officer, directed the development permit application to Council for their review and comment. Council response was that the proposed development does not meet the spirit and intent of the current Land Use Bylaw and is not compatible with the community.

This decision may be appealed to the Subdivision and Development Appeal Board by serving written notice of appeal to the Clerk of the Subdivision and Development Appeal Board. Such an appeal shall be made in writing and shall be delivered either personally or by mail so as to reach the Clerk of the Subdivision and Development Appeal Board no



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later than twenty-one (21) days after the notice of decision. The appeal should be directed to this office at:

Clerk of the Subdivision and Development Appeal Board  
Summer Village of Sunrise Beach  
Box 1197  
Onoway, AB T0E 1V0

and should include a statement of the grounds for the appeal and have attached an Appeal fee in the amount of \$200.00.

Sincerely,

Tony Sonnleitner, Development Officer, Summer Village of Sunrise Beach  
Phone: (780) 718-5479  
Fax: (780) 967-0431  
Email: [svsunrisebeach@wildwillowenterprises.com](mailto:svsunrisebeach@wildwillowenterprises.com)

cc: Wendy Wildman, Municipal Administrator, Summer Village of Sunrise Beach

# DEVELOPMENT PERMIT APPLICATION SUPPORT DOCUMENTATION CHECKLIST



## Summer Village of Sunrise Beach

Development Services

Box 2945, Stony Plain, Alberta T7Z 1Y4

Phone: 1-780-718-5479 Fax: 1-866-363-3342

Email: [pcm1@telusplanet.net](mailto:pcm1@telusplanet.net)

Select the appropriate Development Permit Application type, and submit required documentation listed with a complete application. Upon verification of complete application and calculation of permit cost, payment will be required.

### **All Development Permit Applications require the following:**

- Certificate of Title or Land Title Search of the property obtained no more than 3 weeks prior to the date of application. The Title or Search may be obtained from any Alberta Registries Office.
- Authorization from the Registered Owner. The titled owner may appoint an agent.
- A complete application form.
- A complete Right to Entry form.
- A complete Electronic Communication form.

### **New Residential Developments require all of the following**

- Site Plan outlining the proposed development including front, side and rear setbacks, including eaves, as well as dimensions of the proposed development Please include location of site servicing components; well, cistern, and septic system (pdf preferred);
- Exterior elevation drawings showing height, horizontal dimensions and finishing materials of all buildings, existing and proposed (pdf preferred);
- Interior floor plans, including the basement (pdf preferred);
- Site Servicing and Grading drawings (if applicable).
- Location of all easements and utility rights-of-way; and
- Location of existing or proposed access points to the property.

### **New Non-Residential Developments require all of the following**

- Site Plan outlining the proposed development including front, side and rear setbacks, including eaves, as well as dimensions of the proposed development (pdf preferred);

- Exterior elevation drawings showing height, horizontal dimensions and finishing materials of all buildings, existing and proposed (pdf preferred);
- Interior floor plans, including the basement (pdf preferred);
- Site Servicing and Grading drawings (if applicable).
- Landscaping Drawings;
- Location of all easements and utility rights-of-way;
- A storm drainage plan;
- Location of garbage containment areas, off-street loading and parking areas;
- Vehicular and pedestrian circulation on the site and to adjacent sites or public rights-of-way;
- A lighting plan; and
- Location of existing or proposed access points to the property.

**Change of Use on the land or within a building  
(commercial/industrial/institutional/residential day home) requires the following:**

- Site Plan showing –
  - location of the use
  - location of the use within the existing building
  - interior floor plan

**Additional information may be required during the processing of the development permit application, including but not limited to the following:**

- **Geotechnical reports;**
- **Traffic Impact Analysis**

**Development Permit applications may be circulated to other municipal departments or to third parties (i.e. Provincial departments or Utility Providers) for comment or concurrence, at the discretion of the Development Officer.**

If you have questions please contact:  
Development Officer – Tony Sonnleitner

Ph: 1-780-718-5479  
Fax: 1-866-363-3342  
Email: [pcm1@telusplanet.net](mailto:pcm1@telusplanet.net)

**DEVELOPMENT PERMIT APPLICATION****Summer Village of Sunrise Beach**

**Development Services**  
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Application Number: \_\_\_\_\_

Application Received Date: \_\_\_\_\_

Application Deemed Complete: \_\_\_\_\_

**PROJECT LOCATION – REQUIRED**

Suite:	Street Address:	Street Name:
	6103	Willow Way

Legal Description: Unit / Lot / Block / Plan or Quarter / Section / Township / Range / Meridian

3 / 1 / 3503KS / /

**TYPE OF USE – REQUIRED**

- |  |  |  |  |
|--|--|--|--|
| <input type="radio"/> New Construction           | <input type="radio"/> Addition                       | <input type="radio"/> Fence              | <input checked="" type="radio"/> Other Residence |
| <input type="radio"/> Garage                     | <input type="radio"/> Well / Cistern / Septic System | <input type="radio"/> Temporary Business |  |
| <input type="radio"/> Accessory Building / Shed  | <input type="radio"/> Change of Occupancy or Use     | <input type="radio"/> Variance           |  |
| <input type="radio"/> Accessory Structure / Deck | <input type="radio"/> Secondary Suite                | <input type="radio"/> Sign               |  |

**PROJECT DESCRIPTION - REQUIRED****COST OF PROJECT - REQUIRED \$ 30,000**

To leave structure as built

**NEW CONSTRUCTION – REQUIRED**

- |   |   |                                  |                                  |                                     |
|---|---|----------------------------------|----------------------------------|-------------------------------------|
| <input checked="" type="radio"/> Residential        | <input type="radio"/> Multi-family Dwelling | <input type="radio"/> Commercial | <input type="radio"/> Industrial | <input type="radio"/> Institutional |
| <input checked="" type="checkbox"/> Single Detached |   |                                  |                                  |                                     |
| <input type="checkbox"/> Semi Detached              | Number of units: _____                      | Total Area: _____ m <sup>2</sup> |                                  |                                     |

**GARAGES/ACCESSORY BUILDINGS/ADDITIONS/ STRUCTURES /DECKS / FENCES – REQUIRED**

Total Area (m <sup>2</sup> ):	Height (if applicable):	<input type="radio"/> Residential	<input type="radio"/> Commercial	<input type="radio"/> Industrial	<input type="radio"/> Institutional
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**CHANGE OF OCCUPANCY OR USE – COMPLETE ONLY IF APPLYING FOR CHANGE OF USE OR OCCUPANCY OR FAMILY DAY HOME**Total Area (m<sup>2</sup>):**FAMILY DAY HOME – COMPLETE ONLY IF APPLYING FOR A FAMILY DAY HOME**

Are room alterations involved: ☐ YES ☐ NO If yes – Number of Rooms: \_\_\_\_\_ List Rooms: \_\_\_\_\_

Describe alterations:

Provide a detailed description of materials, equipment and/or vehicles including utility trailer(s) that will be used and where they will be stored:

Number of resident employees: (employees that reside in the home):	Number of children (including children under the age of 5 who are otherwise permanent residents of the dwelling):
Hours of Operation:	Number of daily business visits to the property:
Number of household vehicles:	Number of onsite parking stalls:

**DEVELOPMENT PERMIT APPLICATION****Summer Village of Sunrise Beach****Development Services****Box 2945, Stony Plain, Alberta T7Z 1Y4****Phone: 1-780-718-5479****Fax: 1-866-363-3342****Email: pcm1@telusplanet.net****SIGNS – COMPLETE ONLY IF APPLYING FOR A SIGN PERMIT**

Temporary:

☐

Balloon

☐

Billboard

☐

Portable - # of 30 day periods \_\_\_\_\_

☐

Developer Marketing

☐

Development Directional

☐

Other

Permanent :

☐

Freestanding

☐

Fascia / Wall / Projecting / Roof / Canopy

☐

Changeable Copy

☐

Other

**SECONDARY SUITE – COMPLETE ONLY IF APPLYING FOR A SECONDARY SUITE**

The proposed secondary suite is located within:

☐

The principal dwelling unit

☐

The second story of a detached garage

☐

An accessory building

☐

Other (describe):

Floor area of the secondary suite (m<sup>2</sup>):

Number of bedrooms in the secondary suite:

Floor area of the principal dwelling unit (m<sup>2</sup>):

Number of parking stalls available on site:

**OWNER OR REPRESENTATIVE – REQUIRED**☐ I am the registered owner of the land described above☒ I have been designated as the representative of the owner  
(written consent attached)

Owner Name:

Georgina Meade

Agent Name:

Craig Thomas

Signature:

*G Meade*

Signature:

**MAILING ADDRESS (OWNER) – REQUIRED**

Mailing address:

City:

Province:

Postal Code:

Phone no.:

Builders  
License #

Email Address:

**APPLICANT ☐ SAME AS OWNER/REPRESENTATIVE – REQUIRED**

Applicant Name:

Phone no.:

Builders License no.:

Craig Thomas

Company Name:

Email Address:

Mailing address:

City:

Province:

Postal Code:

I acknowledge that if the development permit application is approved it is subject to an appeal period pursuant to Section 678 of the Municipal Government Act, RSA 2000, Chapter M-26 and that the decision may be ultimately overturned or amended. I accept that if I commence development prior to the appeal expiry date, I am doing so with the appropriate development and building permits issued and at my own risk accepting all legal responsibilities.

January 23, 2023

*Applicant's signature**Date*

# RIGHT OF ENTRY AUTHORIZATION

MUNICIPAL GOVERNMENT ACT, R.S.A. 2000, Chapter M-26



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**Owner(s) consent to the Right of Entry by an authorized person of the Summer Village of Sunrise Beach for the purpose of a land site inspection relative to a proposed development permit application or Land Use Bylaw amendment.**

Section 542 of the Municipal Government Act, R.S.A. 2000, Chapter M-26 stipulates that:

*542(1) If this or any other enactment or a bylaw authorizes or requires anything to be inspected, remedied, enforced or done by a municipality, a designated officer of the municipality may, after giving reasonable notice to the owner or occupier of land or the structure to be entered to carry out the inspection, remedy, enforcement or action,*

*(a) enter on that land or structure at any reasonable time, and carry out the inspection, enforcement or action authorized or required by the enactment or bylaw,*

*(b) request anything to be produced to assist in the inspection, remedy, enforcement or action, and*

*(c) make copies of anything related to the inspection, remedy, enforcement or action.*

*(1.1) A consent signed under section 653 is deemed to be a reasonable notice for the purposes of subsection (1).*

*(2) The designated officer must display or produce on request identification showing that the person is authorized to make the entry. (3) In an emergency or in extraordinary circumstances, the designated officer need not give reasonable notice or enter at a reasonable hour and may do the things in subsection (1)(a) and (c) without the consent of the owner or occupant.*

In accordance with the above Section and the Summer Village of Sunrise Beach Land Use Bylaw requirements, it is necessary that this form be completed and returned with your application submission in order that an authorized person from the Summer Village may be able to do a site inspection if required on the property.

**I/We grant consent for an authorized person of the Summer Village of Sunrise Beach to enter upon the subject land for a site inspection.**

Legal Land Description	Lot 3, Block 1, Plan 3503KS
Registered Owners Name as Per Certificate of Title	Georgina Meade
Name of Signing Authority (If owner is a numbered company)	
Property Address	

Signature

Print

Date

# ELECTRONIC COMMUNICATION

MUNICIPAL GOVERNMENT ACT, R.S.A. 2000, Chapter M-26



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Phone: 1-780-718-5479 Fax: 1-866-363-3342 Email:  
[pcm1@telusplanet.net](mailto:pcm1@telusplanet.net)

**Owner(s) consent to communicate with the Summer Village of Sunrise Beach and its applicable contractors through electronic means.**


Section 608(1) of the Municipal Government Act, R.S.A. 2000, Chapter M-26 provides that:

*608(1) Where this Act or a regulation or bylaw made under this Act requires a document to be sent to a person, the document may be sent by electronic means if*

*(a) the recipient has consented to receive documents from the sender by those electronic means and has provided an e-mail address, website or other electronic address to the sender for that purpose, and*

*(b) it is possible to make a copy of the document from the electronic transmission.*

**I/We being the registered owner(s) or Agents for the lands described below, for the purpose of Development Permit Approval, desire to enter into an agreement with the Summer Village of Sunrise Beach and its applicable contractors to communicate through electronic means:  
Email Address:**

Legal Land Description	Lot 3, Block 1, Plan 3503KS	
Registered Owners Name as Per Certificate of Title	Georgina Meade	
Name of Signing Authority (If owner is a numbered company)		
Property Address		
		
Signature	Print	Date

This information is being collected under the authority of section 33(c) the Freedom of Information and Protection of Privacy (FOIP) Act. It will be used to administer a development permit. The personal information provided will be protected in accordance with Part 2 of the Act. If you have any questions regarding the collection, use and disclosure of personal information, please contact the FOIP Coordinator at (780) 967-0271.

**Urban Creative Planning Services**  
**10155 82 Street**  
**Edmonton AB T6A3M1**



March 27, 2023

Summer Village of Sunrise Beach  
2317 TWP Rd, 545 Lac Ste Anne County  
c/o PO Box 1197,  
Onoway AB  
T0E1V0

Subdivision and Development Appeal Board Secretary:

Re: **Appeal of the Refused Development Permit Decision (File No. 23DP01-44)**

In accordance with Section 686(1) of the Municipal Government Act, please accept this letter as notice of appeal concerning the decision of the development officer in refusing development permit application 23DP01-44 located at 6103 Willow Way and legally described as Lot 3, Block 1, Plan 3503 KS.

We believe the proposed is an allowed use within the R – Residential Land Use District. Moreover, we believe the proposed would not unduly interfere with the amenities of the area, or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land.

Sincerely,

Dr. Craig Thomas  
Urban Creative Planning Services