

# Fawcett Lake Resort Development Restrictions

## Bringing Items to the Resort

- All items that are brought to the Resort are subject to the Resort Rules and to these Development Restrictions , as well as to various other laws and requirements
- Items may be placed on a lot but may not be placed on common use property nor on property outside of the Resort
  - Permission may be obtained to store certain items in the Storage Area and Private Dock area with no additional fee, but each item is required to be labeled with the lot number to which it belongs
- The Resort, including the lots, may not be used for the storage of items that are not used regularly while at the lake

## Temporary Items and Guest Living Units

- Items that are not a Permanent Item and, are moved regularly as a result of their intended use or are uninhabitable items that will be in place for no more than ten consecutive days, do not require any Approval
- Each Annual Camper automatically receives Approval to place Guest Living Units on the lot, but this existing Approval may be revoked by Resort Management
  - Guest fees apply to all Guest Living Units (but not to the guests themselves) and are due the first morning after the guest arrives. Guest Registration Envelopes are available in front of the Store Community Building.
  - The placement of a Guest Living Unit must abide by the Setback Requirements for the lot

## Permanent Items

- All items placed on a lot that remain in the same location for more than ten consecutive days are considered to be Permanent Items on the lot
  - This includes items which may not normally be considered to be a structure or which are easily moved (RV, tent, tarp structure, portable outhouse, playset, vehicle, utility trailer, item that is on skids, etc.)
- The placement of a Permanent Item or a structure on the Resort
  - requires Approval from Resort Management. As stipulated in the Lease Agreement, this Approval may be withheld without reason
  - may require a Development Permit from the Municipal District of Lesser Slave River No. 124 (the MD) which is subject to permit application fees payable to the MD
  - could be assessed property taxes, increasing the June invoice amount the following spring
  - may require additional permits in addition to a Development Permit
    - building permit
    - electrical permit
    - plumbing permit
    - Owner-builder authorization under the New Home Warranty Program
- On the day that a Permanent Item is brought to the Resort it may be subject to age restrictions
  - If it is an RV then it may not be more than 30 years old
  - If it is a structure (including a park model, mobile home or cabin) that is more than ten years old then additional requirements may apply
    - Items that have recently been significantly renovated are more likely to be approved

## Other Requirements

- Structures are required to be constructed of materials that are considered adequate for the purpose. Wood should be painted or treated to protect it from the environment. The use of some materials is specifically monitored.
  - tarps (especially brightly colored), lumber edgings, slats, railway ties, pallets and scrap wood
- Tarp structures, car tents and sleeping tents are discouraged because weather and other conditions make it difficult to maintain them in good condition
- A truck camper or tent trailer is not an adequate Main Living Unit or Accessory Structure. It is typically treated as a Guest Living Unit and not as a Permanent Item.
- All sinks, toilets, outhouses and other drains are required to allow the regular collection of waste fluid or be connected with a rigid connection to a septic tank (drop-in-tank outhouses are common). A pit outhouse is not allowed.
- A portable fire pit that is less than 1m (3.3ft) wide is already approved to be placed anywhere on a lot. However consideration should be given to how its location will affect the neighboring lots (including smoke and social noise). A permanent fire pit requires Approval, and possibly a Development Permit.

## Permanent Item Requirements

- Permanent Items and structures on a lot include
  - Main Living Unit
    - recreational vehicle (RV), RV with adjacent structures and/or a self-supporting roof, or a structure such as a park model, mobile home or cabin
  - Accessory Structures
    - covered or uncovered open deck, shed, portable storage unit, sea canister, garage, cookhouse, shower house, etc.
  - Other Structures
    - watershed, outhouse, roof over woodpile, swing set, dog house, bench, hammock supports, flagpole, antenna pole, birdhouse, fence, picnic table, patio, driveway, etc.
  - Personal Items
    - items to be used regularly while at the lake
  - Vehicles
    - can be either part of the Main Living Unit or to be used regularly while at the lake
- Placement of a Permanent Item or a structure on a lot
  - may not prevent the easy removal of an RV that is also on the lot
    - Smaller Structures without foundations are allowed providing that they remain easily movable
    - Fences are allowed if appropriate gates are installed
  - is typically required to be approximately parallel to at least one lot line
  - is often an Accessory Structure on the lot
  - usually counts towards Total Lot Coverage
  - usually must abide by Setback Requirements for the lot, which prohibit items from being permanently placed too close to a lot line
- The placement of personal items and the parking of vehicles on a lot is generally left to the discretion of the Annual Camper but these items are subject to the Resort Rules
  - Resort Management reserves the right to limit the type of vehicle, the duration of time and the location where a vehicle is parked on a lot or on the Resort
  - All vehicles that are parked on the Resort are required to be maintained in an operating condition, to be registered with the provincial government and, if applicable, to be adequately covered by liability insurance
  - Personal Items and vehicles are not an Accessory Structure and do not count towards Total Lot Coverage
  - The placement of personal items and vehicles may infringe on the Setback Requirements for the lot, providing the neighboring lots are unaffected

## Setting up a lot

### Main Living Unit

- Each lot is allowed only one Main Living Unit (including any structures adjacent to it)
- An RV may be the Main Living Unit without any additional Approval, for the entire duration of the Lease Term
- A Main Living Unit that is not an RV requires Approval and a Development Permit
- The area of the Indoor Living Space for the Main Living Unit on a lot is used to determine the maximum size of some structures that are allowed on the lot
  - If the Main Living Unit on the lot is an RV, this is deemed to be 27.8sqm (300sqft)
  - If the Main Living Unit on the lot is not an RV, this is the greater of 27.8sqm (300sqft) or the total enclosed area of the Main Living Unit
- A roof over an RV or a structure adjacent to the Main Living Unit is subject to specific requirements
  - A roof up to 3.6m (12ft) wide may be placed over an RV (bumper to hitch)
  - Multiple Accessory Structures, open decks and Smaller Structures may be attached to or placed adjacent to the Main Living Unit, providing that their total area is not greater than the Indoor Living Space
  - If there is not an Accessory Structure on the lot that is a Larger Structure (larger than the Indoor Living Space) then multiple uncovered additional decks may also be attached to or placed adjacent to the Main Living Unit, providing that their total additional area is also not greater than the Indoor Living Space
  - No structure, including a roof over an RV, is allowed to be supported by, be attached to, or to touch an RV or to prevent the easy removal of the RV (6 inches of fixed clearance is required)
  - No structure is allowed to enclose part or all of an RV
  - A roof over an RV or an open deck adjacent to the Main Living Unit, is not a separate Accessory Structure
- The Main Living Unit and any structures adjacent to it count towards Total Lot Coverage
- Placement of the Main Living Unit and all structures adjacent to it must abide by the Setback Requirements for the lot

## Setting up a lot (cont)

### Accessory Structure

- Each lot is allowed up to three of the following Accessory Structures
  - Small Structure - area that is 3.25sqm (34.9sqft) or greater but not as big as a Large Structure
  - Large Structure - area that is 13.4sqm (144sqft) or greater but not as big as the Indoor Living Space
  - Larger Structure - bigger than a Large Structure but not bigger than twice the size of the Indoor Living Space
    - A Larger Structure may only be either
      - a Large Structure with one or more attached uncovered additional decks
      - a garage with the floor at ground level
- Up to two Accessory Structures may be bigger than a Small Structure
- Only one Accessory Structure may be larger than the Indoor Living Space
- If the total area of all structures adjacent to the Main Living Unit is greater than the Indoor Living Space then no Larger Structure is allowed
- All Accessory Structures require Approval, and most require a Development Permit
- Accessory Structures are not permitted to be used as sleeping quarters
- All Accessory Structures count towards Total Lot Coverage
- Placement of an Accessory Structure must abide by the Setback Requirements for the lot
  - With prior Approval, a deck may be placed to connect two neighboring lots with a shared deck surface
  - With prior Approval, placement of a Small Structure may infringe on the Setback Requirements for the lot providing it can be easily moved if the Approval is later revoked

### Other Structure

- Each lot is allowed multiple Other Structures
  - Smaller Structure – covered area that is smaller than 3.25sqm (34.9sqft) and less than 2.7m (9ft) high
  - Fence - including privacy walls and windscreens
  - Uninhabitable Structure - flagpole, antenna, birdhouse, clothes line, etc.
  - Patio, driveway, or parking pad - gravel, blocks or poured concrete, that is level to the ground
- A structure that is 9ft high, or has dimensions of 6x6ft or 7x5ft, or that is a free standing deck is not an Other Structure (it is an Accessory Structure)
- All Other Structures require Approval, but only some require a Development Permit
  - A Smaller Structure with no foundation is generally approved verbally
  - Gravel or blocks may be placed on a lot with no Approval required
    - all deliveries made to a lot with heavy vehicles are required to be scheduled with Resort Management
    - all gravel brought to a lot is required to be spread by the end of that seasonal camping period
  - A poured concrete surface of an area greater than 1sqm (10.7sqft) requires Approval
- An Other Structure is not an Accessory Structure
- Most Other Structures count towards Total Lot Coverage (although it is sometimes negligible)
- With prior Approval, placement of some types of Other Structures may infringe on the Setback Requirements for the lot providing they can be easily moved if the Approval is later revoked, however certain structures may not be allowed to be placed where they are highly visible from the road

## Specific Structure Requirements

### Fence - including privacy walls and windscreens

- A fence is an Other Structure that requires Approval
- A wall that is adjacent to a deck is not a fence (it is a safety railing or a deck wall)
- A fence may be constructed to a maximum height of 1.9m (6.2ft) unless it is placed within a front yard where it may be constructed to a maximum height of 1m (3.3ft)
- A gate is required to be installed if it is deemed necessary to allow the easy removal of an RV from the lot
- A fence is required to be constructed so that it is either following a lot line or has the appearance of being in a straight line
- A fence is not allowed to be constructed so that it touches the trunk of any standing tree (living or not)
- The use of barbed wire in constructing a fence is not permitted
- The placement of a fence may infringe on the Setback Requirements for the lot, however all sections are required to be placed so that they are either
  - within 0.30m (1ft) of a lot line, or
  - further than 1.9m (6.2ft) from any lot line or
  - connected to another fence section at a corner that is within 0.30m (1ft) of a lot line
- Consideration should be given to how the construction of a fence will affect the neighboring lots

## **Specific Structure Requirements (cont)**

### Uninhabitable Structure

- An uninhabitable Structure is an Other Structure that requires Approval
- A pole structure over 4.5m (14.8ft) high likely requires a Development Permit
- Objects placed on a pole structure may measure a maximum of 1m (3.3ft) across in any direction
- Any displayed flag is subject to Resort Rules for signs on a lot, especially those pertaining to the family atmosphere at the Resort or to making a political statement or representation
- Bird feeders able to store more than 4.5L (1gal) of feed are discouraged, because bird seed attracts bears

### Patio

- A surface of gravel, blocks or poured concrete that is level to the ground is a patio, which is an Other Structure
- A patio that is constructed with poured concrete requires Approval and counts towards Total Lot Coverage
- A patio that is constructed with gravel or blocks, does not require any Approval and does not count towards Total Lot Coverage
- Placement of a patio that is constructed with gravel or blocks may infringe on the Setback Requirements for the lot, however consideration should be given to how its location will affect the neighboring lots (social noise)

### Deck

- A deck can be free standing, be placed adjacent to the Main Living Unit, be attached to the Main Living Unit (that is not an RV) or be attached to an Accessory Structure
- A deck can be covered (have a roof) or uncovered, or constructed with the intention of adding a roof later
  - If an existing deck is to be covered or enclosed, the renovation will be treated like a new structure which requires Approval, and likely a Development Permit
- A surface of gravel, blocks or poured concrete, that is level to the ground is not a deck (it is a patio)
- A free standing deck of any size is an Accessory Structure
- The construction of a deck always requires Approval
- A deck that is not less than 0.6m (2ft) above the surface below it or that is covered, requires a Development Permit
- Decks are required to be open to the outdoors, but may have up to two deck walls (for privacy or a windscreen)
  - Any deck wall may be no more than 1/2 the length of the deck
  - If there is more than one deck wall on a freestanding deck then they are required to be connected at a corner
  - On an uncovered deck, a deck wall may have a height of up to 1.9m (6.2ft) from the deck level
- Any open deck section that is not less than 0.6m (2ft) above the surface below it, is required to have a safety railing
- A safety railing on a deck may have a height of up to 1.2m (4ft) from the deck level
- All decks count towards Total Lot Coverage, even if it does not have a roof
- With prior Approval, a single, specially constructed deck section may infringe on the Setback Requirements for the lot, to allow the connecting of two neighboring lots with a shared deck surface
  - The deck section is required to be uncovered, less than 0.6m (2ft) high and be no more than 4.5m (14.8ft) long with no foundation, so that it is easily movable
  - The deck section is required to be placed so that it is touching another deck on the neighboring lot
- Any deck that is attached to or is placed adjacent to another structure on the lot is not separately included in the number of Accessory Structures on the lot

### Portable Storage Unit (shipping container, seacan, sea canister)

- A portable storage unit is an Accessory Structure and always requires Approval and a Development Permit regardless of its size
- Any portable storage unit placed on a lot may be up to 6m (20ft) long and is required to be covered with a sloped roof and siding, to make it look like a typical shed
- Multiple portable storage units may not be stacked or connected
- It is required by fire codes that all portable storage units have adequate ventilation

### **Setback Requirements**

- Each lot has specific Setback Requirements defining the size of the front, back, and side yards. These distances from each lot line are not the same for each lot. This information is available from Resort Management upon request.
- Unless otherwise specified, the placement of all items must abide by the Setback Requirements for the lot so that items are not placed too close to a lot line and within the front, back, or side yard
- Typically, the Setback Requirements are the same on each side of a lot line
- Some lots have special Setback Requirements
  - For lakefront lots , both the lakeside and the road side are considered front yards
  - For corner lots, there are two front yards and two side yards
  - There are special laws affecting the portion of the front yard that is within 6m (20ft) of a road intersection
  - There are special setback requirements for lots adjacent to government maintained roads
  - Environmental laws specify that it is illegal to place any structure within 20m (67ft) of a lot line that is adjacent to the lake or to the shoreline Environmental Reserve

### **Total Lot Coverage**

- The maximum portion of a lot that may be covered by structures and other Permanent Items is 35% of the lot area
- Unless otherwise specified, all Permanent Items count towards Total Lot Coverage
- Surfaces of gravel and blocks do not count towards Total Lot Coverage

### **Other Requirements**

- These Development Restrictions are applied to a structure in the same way, regardless if it is delivered to the lot or if it is constructed on site
- If two or more structures are connected or share a common roof then they are treated as if they are a single structure. However, each separately enclosed structure is included in the number of Accessory Structures on the lot as if they were not connected
- The maximum Total Lot Coverage, the Setback Requirements, the limit to the number of Accessory Structures on the lot, and the structure size requirements are each applied separately
- The maximum height permitted for the Main Living Unit or any Accessory Structure is 10.6m (34.7ft)
- No basements are permitted at the Resort, however some permits require that a proper foundation is constructed if the structure is above a certain size
- Before the construction or delivery of a structure, it may be required that the base for its footprint is built up to specific elevation

### **Grandfathering**

- If a pre-existing structure is on a lot that is not abiding by the current Development Restrictions then it may be allowed to remain in its current location and condition providing that:
  - the pre-existing structure was allowed at time the it was constructed or placed on the lot
  - no renovations or significant improvements are made to the pre-existing structure
- A Development Permit or Approval to develop a lot further may be withheld if there is pre-existing development on the lot that does not abide by the current Development Restrictions