

## 1.0 BYLAWS, ARCHITECTURAL CONTROL AND GUIDELINES

### 1.1 MANDATORY ADHERENCE

- (a) An owner shall not commence construction, alteration, removal, relocation, demolition, addition, installation, modification, or reconstruction of improvements on the units until the plans and specification therefore, showing the location of the same, have been submitted to the Architectural Review Committee (ARC), and have been approved by the committee.
- (b) An owner shall comply with the Big Lakes County Land Use Bylaws 2017, specifically under sections: 7.5 Communal Recreation (CMR) and 6.32 Residential Dwelling Regulations.
- (c) An approved Development Permit issued by the Big Lakes County is required before any dwelling, shed, garage, other structure is commenced on a unit. This includes all moved in buildings and structures.
- (d) A copy of the Development Permit issued by the Big Lakes County must be submitted to the ARC prior to commencement of any construction, improvement, or relocation of dwellings or accessory buildings.
- (e) The Alberta Safety Codes Act requires an owner or contractor to obtain all applicable building, electrical, gas and plumbing permits from the authorized accredited agency designated by the Big Lakes County.

The following guidelines will be followed by the Architectural Review Committee (ARC) in so far as possible:

### 1.2 THE UNIT SETBACKS

- (a) Development setbacks from the property lines are as follows:

Lot Description	Front	Rear	Sides
For Lakefront units:	7.6 meters (25 feet)	7.6 meters (25 feet)	4.6 meters (15 feet)
For Units 1E through 5E	7.6 meters (25 feet)	7.6 meters (25 feet)	12.2 meters (40 feet)
For the balance of the units:	7.6 meters (25 feet)	7.6 meters (25 feet)	4.6 meters (15 feet)

- (b) Maximum site coverage is thirty-five (35) percent. Unit coverage means the percentage of the area of any unit which is covered by buildings, decks, or structures except driveways, parking areas, and sidewalks.
- (c) The front yard of all units is the street side of the property. Except for Lakefront Units, Unit 19B and Unit 21B where the front yard will be facing the lake and the rear yard will be facing the street.
- (d) The development setback from property lines adjacent to any street is 7.6 meters (25 feet).
- (e) A three (3) meter (10 feet) natural green buffer zone of natural vegetation shall be kept on the rear and sides of each unit. Except for Lakefront Units, Unit 19B and Unit 21B, where a natural green buffer zone of vegetation shall be kept on the front and sides of each unit.
- (f) To delay surface run-off water, a 7.6 meter (25 feet) natural green buffer zone of natural vegetation shall be kept on the front property lines; and a 12.2 meter (40 feet) natural green buffer zone shall be kept on the side property lines of Units 1E through 5E.

### 1.3 GENERAL APPEARANCE OF UNITS

- (a) To protect and maintain the value of the units within the subdivision and to ensure that unit owners are not affected negatively by other's activities; no activities are permitted that may become an annoyance or nuisance to other unit owners.
- (b) No units may be kept in such a state that they present an unsightly condition when viewed from the subdivision road or from adjoining properties.
- (c) No sign or advertising matter of any kind except a sign depicting the owner's name and address shall be kept on the units on a permanent basis. Signs relating to selling a unit, building contractor, etc. shall be kept only a temporary basis for a maximum of six (6) months.
- (d) All landscaping, lawns, fences, building or other improvements incorporated into the unit must be maintained in good and proper working order and appearance at all times.
- (e) Bear-proof garbage containers are strongly recommended for the safety of the community.
- (f) No lumber, grass, shrubs, or tree clippings or plant waste, metals, bulk material, scrap, refuse or trash shall be kept, stored or allowed to accumulate on any portion of the unit; except within an enclosed structure or closed container in a sanitary manner, or if appropriately screened from view.
- (g) No above ground water storage tanks shall be located on unit except on a temporary basis. A maximum size of two hundred (200) gallon water storage tank will be allowed for first two (2) years of occupancy, but thereafter an approved underground water cistern shall be installed or an above ground water tank shall be located in a dwelling or structure.

- (h) Recreational Vehicles in disrepair or that have damaged exteriors may not be stored on any unit.
- (i) Ice fishing huts in disrepair or that have damaged exteriors shall not be stored on any unit.
- (j) To maintain a “Dark Night Policy” and reduce light pollution, any exterior light fixtures should be shielded to project light downwards such that the lamp itself or the lamp image is not directly visible outside the property perimeter.

#### 1.4 LANDSCAPING AND VEGETATION

- (a) To maintain the three (3) meter (10 feet) natural green buffer zone on sides of property, trees and shrubs native to the Boreal Forest Region and Central Mixed wood sub region of Alberta should be replanted within 2 years of removal to replace any vegetation removed from this area.
- (b) Any tree which is considered to be unsafe by the Condo Association must be removed at unit owner’s expense.
- (c) Should any tree on owner’s unit fall onto any common property, boulevard, roadway, or adjacent property; it is the unit owner’s responsibility to remove and dispose of it in a timely manner. The Condo Association shall have the right to hire a contractor to remove and dispose of any such fallen trees at owner’s expense and invoice the unit owner for clean-up costs.

#### 1.5 DWELLING

- (a) Dwelling style shall favor traditional lake cabin, chalet, or cottage designs.
- (b) Dwellings shall have a minimum of six hundred (600) square feet on main floor (“the footprint”)
- (c) All dwellings, sheds, garages added to the unit must be new, unless otherwise approved by the ARC.
- (d) There shall be a maximum of one dwelling on any unit.
- (e) Minimum width of any portion of a dwelling must be 4.8 m (16 ft) not including eaves, decks or porches.
- (f) All home constructed outside the Province of Alberta must comply with the Alberta Safety Codes Act.
- (g) Continuous horizontal roof lines facing the front and rear lot lines should not exceed more than 6.0 m (20 ft) in length. For side yard property lines continuous horizontal roof lines shall not exceed 9.1 m (30 ft) in length.
- (h) All eaves shall be a minimum of 0.30 m (12 in) in width.
- (i) Maximum height of dwelling is nine (9) meters (30 ft) and is limited to 2 stories in height. The total height of dwelling with foundation must not exceed nine (9) meters (30 ft) measured from the crown of street to top ridge of roof.
- (j) Hillside units 23B to 35B may be allowed a variance on 9m (30 ft) maximum height measured from crown of street to allow for necessary building setbacks from the street on hillside sloping lots. Approval should be obtained from the ARC in the planning stages of construction prior to any associated costs of blueprints.
- (k) Custom built, prefabricated, modular, Ready-to-Move (RTM) homes are permitted. All RTM homes must be capable of being delivered into your unit within the existing fifteen (15) meter (50 feet) road allowance. A site inspection with your home manufacturer and truck driver is mandatory before purchasing your home. Some unit locations may be too tight to allow turning and maneuverability of modular home delivery. Existing trees on neighboring property cannot be removed or altered to facilitate your home delivery. Any excessive damage to road caused by home movers must be repaired at the expense of the unit owner.
- (l) Mobile homes (trailers) and park models are not permitted as a dwelling. A mobile home is defined as a building or structure with or without wheels, designed or equipped as a stationary dwelling place, and constructed to be moved from one point to another by being towed or carried by truck, but does not include a vacation trailer or motor home.
- (m) Improvements on each unit must be matching or coordinating in color. All guidelines regarding the main dwelling shall also apply to any detached garage, structure, or shed.
- (n) Earth tone colors only will be allowed. The exterior of all dwellings and structures shall be in subdued flat earth tone and wood tone colors. Earth tone colors are considered to be medium to dark shades of brown, reddish-brown, tan, umber (clay), and green. Pastel colors, WHITE, yellow, orange, blue, red, or other colors that are not earth tone or wood tone shall NOT be allowed. This includes windows, doors and trim. The exterior colors of dwellings, structures, and fences shall be compatible with their surroundings, and blend rather than contrast with the existing vegetation, environment and site. A sample of approved color chart/scheme is available from the Architectural Review Committee (ARC) for siding, trim, and roofing materials.

#### 1.6 UNIT GRADING

- (a) All retaining walls must be engineered as applicable as per Alberta building codes and also approved by the Architectural Review Committee (ARC)
- (b) Railway ties are not permitted.
- (c) No changes in the elevation of the land shall be made which will interfere with the natural drainage, or that will cause undue hardship to adjoining property or drainage structures.

### 1.7 FOUNDATIONS

- (a) All exposed concrete on foundations shall be parged with a texture finish.
- (b) Foundations may also be covered with simulated/faux stacked stone, rock, stone or brick siding products.
- (c) Foundations exposed more than one (1) meter (3 ft) shall be finished in such a way as to blend with the surrounding area or the home exterior.

### 1.8 ROOFS, STACKS, SOFFITS, AND FASCIA

- (a) The minimum pitch of a roof shall be 6:12, except that small “shed” dormers can be less than 6:12 if it comprises less than 20% of the total roof area. An example of this would be a porch/entry roof.
- (b) Roofs shall be covered with asphalt shingles or colored metal roofing. The color shades for roofing shall be darker earth tone colors that are considered to be shades of slate grey, charcoal grey, and dark brown shades. Samples of approved roof colors are available from the Architectural Review Committee (ARC). Roof color shades that are not allowed are: light/medium grey, red, white, orange, blue, and green.
- (c) Asphalt shingles shall be an “architectural” grade composition shingle or better quality.
- (d) Wood shakes or wood shingles for roofing material are not allowed due to fire hazard.
- (e) Galvanized (silver colored) metal roofing is not allowed.
- (f) Galvanized finish for roof stacks, flues, flashings, etc. are not allowed. These must be pre-finished in neutral colors or painted to match the roof color.
- (g) All pre-fabricated fireplace flues must be framed and clad.
- (h) Soffits and fascia shall be in subdued flat earth tone colors only.
- (i) Gutters (eaves troughs) and rainwater leaders shall be the same color as the fascia and soffits.

### 1.9 ACCESSORY BUILDINGS (GARAGES, SHEDS, STRUCTURES, GUEST HOUSES )

- (a) Material and color scheme used to finish dwelling shall be the same used to finish garage or shed.
- (b) All guidelines regarding the dwelling shall also apply to any garage or shed including roof pitch of 6:12
- (c) Any detached garage shall be limited to a maximum of 1½ stories in height and shall not exceed 6.7 m (22 ft) in height.
- (d) No accessory building or portion thereof shall be placed or erected in the front yard of any unit.
- (e) A maximum of one (1) garage is allowed on a unit as per Big Lakes County Bylaws.
- (f) All garages are restricted to a maximum first story wall height of 3.65 m (12 ft)
- (g) A guest house shall contain rooms for sleeping accommodation and bathroom facilities only and if additional rooms or facilities are contained therein, it shall be considered and evaluated as the dwelling unit as per Big Lakes County Bylaw. Guest houses are no longer permitted under the new Big Lakes County Bylaws 2017.

### 1.10 FENCES AND GATES

- (a) Fencing on front unit lines is prohibited to protect the natural integrity of the community.
- (b) Rear and side yards may be fenced with green chain link, the use of other materials is subject to the approval of the Architectural Review Committee (ARC)
- (c) Fences shall not exceed 1.5 meters (5 ft) in height.
- (d) Fences shall not be built any closer than three (3) meters (10 feet) from the side and rear property lines.
- (e) Wood screen fencing is not allowed.
- (f) Temporary chain or wood gates (no rope or wire gates) may be used as security gates during dwelling construction, for a period not exceeding twenty-four (24) months.
- (g) Installation of driveway gates made of black wrought iron or aluminum are permitted, all other materials are subject to the approval of the Architectural Review Committee (ARC)
- (h) All fences and gates must be maintained in good and presentable condition.

### 1.11 PRIVIES (OUTHOUSES)

- (a) Privies (outhouses) are allowed but must comply with the guidelines in the Alberta Regulations of the *Public Health Act* 198/2004, section 10 (1) as from time to time in force and effect and must be properly installed with an underground suck-out holding tank as not to contaminate any groundwater course.

### **1.12 UTILITY LINES**

- (a) Utility lines are located in utility easements defined as the 3.0 meter easement across the frontage all units adjacent to the internal roadway. Unit owners are responsible for the cost of completion of all utility connections to their property.
- (b) Unit owners shall not in any way interfere with utility lines located in easements.
- (c) All electrical services from the transformer to the dwelling or buildings or between buildings must be underground.
- (d) To ensure proper drainage along the boulevard, if a culvert is required on the driveway approach to a unit, the unit owner shall be responsible for the installation and associated costs.

### **1.13 APPEARANCE DURING CONSTRUCTION**

- (a) Unit owners and their building contractors are required to keep the unit reasonably clean and orderly at all times during construction.
- (b) All excavated soil and material must be contained within the confines of the unit. Surplus materials shall not be dumped or disposed of within the subdivision. The unit owner shall be responsible for the removal of any spillage or materials from any area outside the confines of the owner's unit.
- (c) Back filling on open excavations shall be completed promptly.
- (d) Waste materials or packaging material from the construction site must be disposed of in a proper manner at an authorized landfill site outside of the subdivision area.

### **1.14 FIRE PREVENTION**

- (a) Unit owners shall comply with the guidelines and recommendations provided in the Alberta Fire Smart Manual to help reduce the hazards of wildfire on their property and the entire subdivision as required by the Big Lakes County.
- (b) FireSmart compliance recommends removal of deadfall, thick shrubbery, woodpiles, and of tree branches up to two (2) meters from ground.
- (c) Once the unit is registered with land titles, it is the unit owner's responsibility to comply with Alberta FireSmart protection even if the unit is vacant. If the unit possesses a potential fire hazard to the subdivision and adjacent properties; the condo association will deliver a notice to the unit owner to correct the hazard. If after a reasonable amount of time, the debris/material is still considered a fire hazard, the condo association will hire a contractor to complete work at unit owner's expense.
- (d) Fire pit areas must be properly prepared to be "Fire Smart".
- (e) Unit owners must follow the current fire bans issued by Alberta Sustainable Resource Development, Forest Protection Division.

### **1.15 EMERGENCY RESPONSE PLANS AND ACTION PLANS**

- (a) Unit owners shall be familiar with the current plans and procedures for an Emergency Response Plan and Action Plan in the event of an emergency as required by the Big Lakes County.

### **1.16 COMMON PROPERTY**

- (a) Trail system allows bicycles, pedestrian foot traffic, and cross-country skiing only.  
Absolutely no All-Terrain Vehicles or golf carts or snowmobiles are allowed on trails.
- (b) Speed limit on all roads shall be 30 km/hr. or as posted.
- (c) Legal use of golf carts is strongly encouraged within the subdivision (excluding trail system).
- (d) All Terrain Vehicles are prohibited from the common property and roads within HBE; but may be used for utility purposes on unit owner's property only.
- (e) The owner of any unit shall not do or permit anything to be done on Common Property that may cause irreparable damage to the improvements. Unit owners are fully responsible for any invited or uninvited persons or animals that are on premises for the purpose of calling upon said unit owner.
- (f) Snowmobiles shall be used for access to the lake only. The most direct route of travel is preferred.

### **1.17 RECREATIONAL VEHICLES**

- (a) A holiday trailer or recreational vehicle may be used as temporary accommodations on a unit until dwelling is completed.
- (b) The maximum number of recreational vehicles used as temporary accommodations per unit shall be two (2).
- (c) No permanent porches, patios, or sheds or any structures may be attached to such trailer or Recreational Vehicles.
- (d) Upon cottage or dwelling completion, only one (1) Recreational Vehicle may be stored on owner's unit as per Big Lakes County Bylaw 6.34.7
- (e) Recreational Vehicles in disrepair or that have damaged exteriors may not be stored on any unit.
- (f) Absolutely no discharge of "grey water" or wastewater from any Recreational Vehicle will be tolerated. This violation is subject to penalty established by the Condo Association.
- (g) Unit owners shall have power service hooked up with ATCO. Once power service is available to unit owner, the use of portable power generators will not be allowed to minimize noise pollution.

### **1.18 WATER AND SEWAGE**

- (a) Potable water shall be supplied to all units through underground cisterns or above ground tanks enclosed in a building.
- (b) The owner must install an approved suck-out septic holding tank of sufficient size to meet the septic and wastewater requirements of the unit in accordance with prevailing Alberta standards.
- (c) All sewage and wastewater must be trucked out to a local sewage handling facility.
- (d) Water wells are not allowed to be drilled on property. In accordance with the *Alberta Water Act Regulations* Section 9(1), and the *Alberta Water Act* Sections 23(3) and 23(4) to commence with the diversion of ground water can only occur if, an aquifer study conducted by an certified professional insures sufficient amount of water volume to service all household use in a subdivision with greater than six parcels.
- (e) All sewer tanks installed will be inspected as per tank specifications by a qualified inspector and tanks will be replaced if they do not pass inspection. All life expectancy dates on tanks must be recorded and given to the Architectural Review Committee (ARC) by each unit holder. Unit holders will be responsible to meet this requirement.

## **2.0 ADDITIONAL INFORMATION**

### **2.1 PETS**

- (a) All pets and animals shall be restrained and kept within the owner's unit.
- (b) All pets and animals shall not cause any nuisance, annoyance or excessive noise.
- (c) When off the owner's property, all pets and animals shall be properly controlled, leashed and supervised by the owner.
- (d) All animal waste must be collected by the owner of the animal when the animal is on common property.
- (e) "Invisible" pet fences are highly encouraged to contain pets on owner's property.
- (f) All pets and animals are not allowed on the beach.