



Land Use Bylaw #2022-4 Follow-Up Survey

Introduction and Background

In 2022, Council of the day adopted a new Land Use Bylaw, titled Bylaw #2022-4. The Land Use Bylaw is the preeminent regulation in the municipality for matters regarding development and use of properties. Ultimately, this bylaw determines what types of properties are established (Land Use Districts) and what types of buildings and activities are allowed on these lots (Permitted and Discretionary Uses). The Land Use Bylaw is a document that must balance the past, present, and future in terms of community character, community compliance, and community vision – to respect where we have been and where we are going.

In passing Bylaw #2022-4, Council recognized that some of the changes incorporated in the new regulations were not universally popular. Public engagement during the original survey and subsequent public hearings led to robust discussions on issues ranging from the number of Recreational Vehicles allowed on a given lot, and how they could be used, to accessory uses on vacant lots (garages, sheds and sea-cans), and a broader discussion on community standards and enforcement. Many participants in previous engagement had strong feelings about the impact some of the changes would make in the community.

To ensure a way forward in adopting the new bylaw, Council committed to a trial period whereby after two development seasons (two summers) of use, Land Use Bylaw #2022-4 would be subject to a “Follow-Up” engagement. This preliminary survey is the first part of this engagement. The purpose of this survey is to garner feedback on specific hot-button issues and help Council evaluate the merit of revisions to the Land Use Bylaw.



Land Use Bylaw #2022-4 Follow-Up Survey Survey Format and Timelines

This survey consists of several sections, with each part outlining relevant background and then asking for participant responses. Please ensure that each respondent completes their own survey (rather than providing combined feedback from multiple individuals in a single household/property). The survey is open to all property owners, residents, and stakeholders 18 years or older.

The survey can be completed online, or by submitting a paper copy back to the administration office before the deadline. Those wanting a paper copy of the survey can receive one through the administration office (email: cao@svnakamun.com), or by contacting any of the councillors in the village for a printed copy.

The survey will remain active from **January 10th, 2025** through on **February 15th, 2025 (11:59 p.m.)**.



Land Use Bylaw #2022-4 Follow-Up Survey

Part #1: Respondent Information and Demographics

To help us ensure that only stakeholders from within Nakamun Park are providing feedback, please provide the following personal information regarding you, the respondent, and your property situation in Nakamun Park.

Note, this information will be used to help administration compile and verify the surveys, but your personal information will not be shared with the public, nor directly associated with any of your answers, when presenting the survey responses to Council or the public.

* 1. Please enter your first and last name in the text box provided below. Please remember to complete a separate survey for each respondent, rather than making joint submissions.

First Name

Last Name

* 2. What is the property address of your lot in Nakamun Park (example: 5563a Nakamun Drive)? If you have more than one lot, please list all addresses in the space provided.

* 3. Are you a full-time/permanent resident (live in the municipality 6+ months of the year), or seasonal/part-time?

- Full-time resident of Nakamun Park
- Part-time/seasonal resident of Nakamun Park
- I own property but do not reside in the municipality for any length of time during the typical year.

* 4. Do you own or rent property in the Summer Village of Nakamun Park?

- I own property (registered on title)
- I rent property
- I am the spouse/partner/adult dependant of a registered owner (but not on title myself)
- I am the spouse/partner/adult dependant of a renter (but not named in the rental agreement)
- Other (please specify)

* 5. How many years have you owned property/lived in the Summer Village of Nakamun Park?

- 0 - 2 Years
- 2 - 5 Years
- 5 - 10 years
- More than 10 Years
- None of the above



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Part #2: Accessory Buildings/Uses on Lots

Land use bylaw #2022-4, as did land use bylaws before, reiterates that accessory buildings and uses are only allowed on improved (developed) lots. An improved lot is one that has an existing principal use, such as a dwelling, built on site. Accessory buildings like garages and sheds are not permitted on vacant lots.

6. Considering the above, do you support the continued prohibition of Accessory Structures (garages, sheds, privies) on vacant properties in the municipality?

- Yes, I agree there should be no accessory buildings or uses on vacant lots.
- No, I think vacant lots should be able to have accessory structures.
- Generally, I agree. However, I also believe accessory structures should be allowed on vacant lots if the property owner of the vacant lot also owns an improved lot elsewhere in the municipality.
- Other (please specify)



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Part #3: Sea-Cans in the Municipality

Sea-cans, and other shipping container units, have become increasingly popular options for all-season secured storage in many rural and smaller urban communities. As an accessory structure, these have never been permitted on vacant lots in Nakamun Park. Bylaw #2022-4, as did previous bylaws, also prohibits placement and use of a Sea-Can on all improved residential lots. The only exception to this regulation is where the Sea-Can is being used as a temporary storage/workspace for the construction of a permanent structure/single detached dwelling.

7. Do you agree with the current regulation, or should the rules be relaxed to allow for Sea-Cans in the municipality?

- Yes, I agree there should be a strict prohibition on Sea-Cans on vacant and improved lots, except where used to support a temporary construction site for new development.
- No, I would like to see the rules relaxed to also allow for placement of Sea-Cans on Improved Lots as a means of storage, so long as they are kept tidy, aesthetically pleasing and in the back yard.
- Other (please specify)



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Part #4: Recreational Vehicles in the Municipality

Bylaw #2022-4 settled on allowing a maximum of two recreational vehicles (an increase from one allowed under previous bylaw), on improved lots, in the Summer Village of Nakamun Park. The new bylaw also removed the ability to use recreational vehicles as a temporary living accommodation while building a principal dwelling on a vacant lot.

Under the new regulations, a maximum of two recreational vehicles are permitted on an improved lot. These units can be used for temporary living accommodations or storage. These units are required to follow the same general rules as accessory buildings, including a requirement to be on a designated pad on the property that observes accessory building setbacks and sightlines. As such, siting a recreational vehicle also requires a development permit.

In considering their decision, Council reasoned that increasing the number of recreation vehicles permitted on improved lots was the right step. Allowing more space for seasonal guests and accommodations for larger families at the lake was the primary motivating factor. Council felt that the change was a practical step towards preserving the community we have, making it accessible to the next generation, and opening the door to future development growth. While potential downsides were noted during public engagement, Council felt that the regulation of recreational vehicles as accessory structures (for setbacks etc.) would mean that the impact of the new policy would not lead to overcrowding, or the “RV Park” aesthetic feared by those who commented in the previous engagement.

Council recognized that this issue was going to need to be revisited after the trial period for Land Use Bylaw #2022-4. Council is interested in seeing what, if any, impact the higher permitted number of recreational vehicles has had in the community. Is there a desire to amend any of these regulations?

8. Bylaw #2022-4 allows recreational vehicles on improved lots, but not vacant lots. Do you support this provision?

- Yes, recreational vehicles should only be allowed on improved properties.
- No, recreational vehicles should be allowed on all properties.

9. Bylaw #2022-4 maintains that under no circumstances can a recreational vehicle be used as a principal living space/place of residence. Do you agree with this provision?

- Yes, recreational vehicles should be allowed for temporary living accommodation or be stored on site, not as a principal residence on a property.
- No, recreational vehicles should be considered an approved principal residence.

10. Under Bylaw #2022-4 recreational vehicles are to be placed on a lot subject to the same setbacks, lot coverage, and general regulations of accessory buildings and also be placed on a dedicated pad on site. Do you support this provision?

- Yes, I think these regulations promote less crowding/overcrowding and help protect against the "RV lot" aesthetic.
- No, I think these regulations are unnecessary and not helpful, and they should be removed.

11. Bylaw #2022-4 establishes that a development permit (and permit fee) be required to site a recreational vehicle on a lot. This is a change from previous bylaws, but in keeping with the consideration of recreational vehicles as "accessory structures" requiring a permit. Do you support this provision?

- Yes, it makes sense that if recreational vehicles require the same oversight as accessory buildings, including site inspections to confirm setbacks, they should require a similar permit and permit fee.
- Yes, I like the idea of recreational vehicles requiring a permit but I believe that only the application for a second recreational vehicle, if/where allowed, should require a permit fee to be paid (i.e. no permit fee required for just one recreational vehicle).
- Yes, I think recreational vehicles should require a permit so that there is a record of what is allowed on a site and where, but that there should be no permit fee for the application.
- No, I think recreational vehicles should be an approved use not requiring a permit so long as the general provisions (number on site, location on site, etc.) are observed by the property owner.
- Other (please specify)

12. e) The Municipality is aware of a few cases of recreational vehicles on vacant lots in recent years (which are not permitted) and a few cases of unauthorized recreational vehicles use, usually by new property owners, since Land Use Bylaw #2022-4 was passed. Council is working to address these issues through the enforcement process.

In 2024 alone, five of the fifteen enforcement orders issued related to recreational vehicle infractions, with four of these cases being resolved without contest, and the fifth being upheld on appeal with compliance required before next season. Notable outstanding infractions from earlier years (pre-2024) were also resolved this past season. Progress, though time consuming and at times costly, is being made on enforcement in the community.

On the topic of recreational vehicle enforcement, please provide any additional comments or observations in the space provided below.



Land Use Bylaw #2022-4 Follow-Up Survey Part #5: Enforcement in the Municipality

Enforcement of the Land Use Bylaw is often a challenge in smaller communities, and in recreational communities where the community standards are more loosely defined than in other jurisdictions.

Enforcement can often be difficult to complete in the shortened “summer season” and is an increasingly costly undertaking, especially where appeals are involved.

Feedback in 2022 suggested the community wanted additional, and more aggressive, enforcement. Councils since have delivered on this with some twenty Stop Orders issued in the last two years, and many other compliance warning letters issued as well. Most, though not all of these orders, have resulted in remediation of non-compliant properties. Those orders outstanding have been stalled by appeals, court proceedings, or land title changes (change in ownership), but have not been forgotten.

Council has also adopted some new initiatives for supporting enforcement. These tactics include:

- An annual “drive around” by council and administration to identify and prioritize properties that are non-compliant and require enforcement.
- Adopting a “Realtor’s Guide: Information for New Property Owners” to help communicate local bylaws, policies and guidelines to prospective buyers BEFORE they purchase; too often we have found new buyers were misled or not informed about local rules leading to many of these enforcement issues.
- Increasing the Subdivision and Development Appeal Fee significantly to promote a more cost neutral appeal process for the municipality (allowing the municipality to handle more appeals in a given fiscal period, if needed).

13. Thinking of general bylaw enforcement, have you noticed a change in enforcement responsiveness since 2022? Do most issues seem to get addressed in a timely manner?

- Yes. There has been an improvement over the last few years.
- Sort of. Most new issues are dealt with quickly but there are still some properties that have had, or needed, enforcement for several years but seem to be stalled.
- No. It is still taking too long to get enforcement issues dealt with in the community.
- I am not sure.

14. When prioritizing enforcement initiatives in the community next year, what would you suggest Council needs to focus on? Please rank the following options in order from most important (#1) to least important (#6) according to your priorities.

- Unauthorized recreational vehicles use
- Lot aesthetics, such as buildings in disrepair, unkempt/untidy yards, overgrown vegetation/weeds
- Fence compliance (height and composition material)
- Unauthorized sea-cans and shipping containers
- Unauthorized sheds and accessory structures
- Unregistered/unlicensed/derelict vehicles stored on residential properties

15. Do you have any suggested enforcement priorities that are not listed in Question #14? If so, please list in comment box provided below.

16. Please use the space below to provide any general comments on enforcement. Feel free to include both Land Use Bylaw (Development) matters as well as other general bylaw enforcement observations Council should be made aware of (noise, traffic, etc.).



Land Use Bylaw #2022-4 Follow-Up Survey Part #6: General Feedback and Comments

17. In addition to comments already provided, please use the space below to provide Council with any additional comments or thoughts on the Land Use Bylaw, the topics discussed earlier in this survey, or other development related matters that are important to you. As always, please keep your comments respectful and constructive.



Land Use Bylaw #2022-4 Follow-Up Survey Part #7: Next Steps and Closing Statement

Council appreciates the opportunity to hear your feedback. To keep the proposed schedule for receiving comments and considering Land Use Bylaw amendments ahead of the 2025 season, Council has set a deadline for responses to this survey of **February 15th, 2025 (11:59pm)**.

Responses can be received online or via a paper copy sent to the administration office. Once received, Council will evaluate the responses and consider any necessary redrafts to the bylaw. During this process you will be informed of other engagement opportunities, including required Public Hearings, to add additional input.

As always, if you have additional questions or comments on the Land Use Bylaw or this survey, please contact the administration office for more information: phone 780-967-0271 or email cao@svnakamun.com.

Please click the “done” button below to submit your survey.