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Box 1250, Onoway, Alberta T0E 1V0
Phone: 780-967-0271 Fax: 780-967-0431
Email: cao@svnakamun.com

Application for Development Appeal

NAME OF APPELLANT

NAME OF LANDOWNER OR AGENT

MAILING ADDRESS

MAILING ADDRESS

CITY

POSTAL CODE

CITY

POSTAL CODE

AREA CODE & PHONE NUMBER

AREA CODE & PHONE NUMBER

E-MAIL ADDRESS

E-MAIL ADDRESS

LAND INFORMATION:

Lot: 3A

Block: 12

Plan: 187 MC

Municipal Address: 5607 Nakamun Drive

Development Permit Number: 26DP01-23

Reason for the appeal including the issues in the decision (approval or refusal) or the conditions imposed on the approval that is subject to appeal:

I am appealing the Municipal Planning Commission's decision to refuse Development Permit 26DP01-23.

I believe the requested variance is reasonable. The fence does not unduly interfere in any way with the community or the character of the street. Nor does it have any interference with how neighbours use or enjoy their properties.

Additional reasons, evidence, and supporting information will be provided during the appeal process.

Signature of Appellant: _____

Date: _____

The personal information is being collected in accordance with section 4(c) of the Protection of Privacy Act. It will be used to process your request for a hearing and to assist in the administration of a development appeal hearing before the Subdivision and Development Appeal Board. This information will form part of a file that is publicly available on request. If you any questions about the collection, use, or disclosure of this personal information, please contact the Summer Village of Nakamun Park at 780-967-0271.

IMPORTANT INFORMATION:

This form and any supporting documentation must be forwarded to:

Secretary of the Subdivision and Development Appeal Board
c/o Summer Village of Nakamun Park
Box 1250
Onoway, Alberta T0E 1V0
OR
Email: cao@svnakamun.com

Your appeal must be filed within twenty-one (21) days of the receipt of the written notice of decision of the Development Authority or deemed refusal date (NOTE: the date of the receipt of the written decision is deemed to be five (5) days from the date the decision is mailed OR the date signed for registered mail, whichever is the earlier date), along with an application fee in the amount of \$1,000.00. Your appeal is not considered accepted without the fee paid in full.

If you provide a written submission, the information you provide may be made public, subject to the provisions of the Protection of Privacy Act.

DEVELOPMENT OFFICER'S REPORT 26DP01-23

APPLICANT / OWNER: [REDACTED]

EXISTING USE: Vacant Residential

DISTRICT: R1 – Residential – Standard Lot

LEGAL DESCRIPTION: Plan 187 MC, Block 12, Lot 3A : 5607 Nakamun Drive (the "Lands").

PROPOSAL:

The "As-Built" Construction of a Fence c/w variance to the Maximum Height, 2.00 m. versus 0.91 m., specified within the R1 – Residential – Standard Lot District.

HISTORY:

The subject fence was constructed a number of years ago, prior to the adoption of the current Land Use Bylaw – Bylaw 2025-5. However, the previous Land Use Bylaws – Bylaws 2022-4 and 2007-03 had identical requirements in terms of Maximum Fence Heights within residential districts. Further, no development permit was previously applied for, nor approval granted.

LAND USE BYLAW DISTRICT REQUIREMENTS:

SECTION 31 FENCES

- a) In all districts, except as herein provided, no fence shall be constructed that is:
 - 1. Higher than 1.83 m (6.0 ft.) for that portion of the fence that does not extend forward beyond the foremost portion of the principal building on the parcel;
 - and
 - 2. Higher than 0.91 m (3.0 ft.) for that portion of the fence that extends into the front yard beyond the foremost portion of the principal building on the parcel.
- b) Subject to Section 12 of this Bylaw, all fence construction shall require an approved development permit (Development Not Requiring a Permit provisions).
- c) Where parcels have both their front and rear yards facing onto a street, special approval of the Development Authority must be obtained prior to the erection of any fences on such parcel. Size and specifications for fences in these areas must conform to the overall standard set for the area by the Summer Village of Nakamun Park.

LAND USE BYLAW - DECISIONS ON DEVELOPMENT PERMIT APPLICATIONS:

Section 16(b) DECISION ON DEVELOPMENT PERMITS

b) Variance Provisions:

1. The Development Authority may conditionally approve a proposed use that does not comply with this Bylaw, if, in its opinion,
 - i. the proposed development would not,
 1. unduly interfere with the amenities of the neighbourhood, or
 2. materially interfere with or affect the use, enjoyment, or value of neighbouring properties, and
 - ii. the proposed development conforms to the uses prescribed for that land or building in this Bylaw.
2. Notwithstanding the above, a variance shall be considered only in cases of unnecessary hardship or practical difficulties to the use, character, or situation of land or building which are not generally common to other land in the same district.
3. When considering a variance to quantitative criteria such as floor area or a site setback, the Development Officer may approve in accordance with this Bylaw a variance up to a maximum of 20% of the stated regulation. Any variance requests in excess of 20% shall be referred to the Municipal Planning Commission.

1) Limitations on Variance Provisions:

In approving an application for a development permit under subsection (1), the Development Authority shall adhere to the general purpose and intent of the appropriate land use district and to the following:

- a) A variance shall be considered only in cases of unnecessary hardship or practical difficulties particular to the use, character, or situation of land or building which are not generally common to other land in the same land use district.

COMMENTS:

The Summer Village of Nakamun Park Land Use Bylaw 2025-5, as amended (the "LUB"), provides the Development Authority with direction with respect to the siting and maximum height of fences upon a Lot. With reference to the subject Lands, fences within the Front Yard may not be:

Higher than 0.91 m (3.0 ft.) for that portion of the fence that extends into the front yard beyond the foremost portion of the principal building on the parcel.

The proposed "As-Built" height of the existing fence is +/- 2.00 m (6.5 ft) (see attached photo with 1.0 foot increments), where 0.91 m (3.0 ft) is specified as the maximum fence height. The proposed variance amounts over 200% of the prescribed height.

The requested variance is beyond the 20% afforded the Development Officer, per Section 16(b)(3).

The test under this section requires that, "A variance shall be considered only in cases of unnecessary hardship or practical difficulties particular to the use, character, or situation of land or building which are not generally common to other land in the same land use district." There do not seem to be hardships and practical difficulties, associated with this development that are not generally common within the Land Use District.

RECOMMENDATIONS:

The Development Officer recommends that the Municipal Planning Commission for the Summer Village of Nakamun Park **refuse** the Development Permit Application, 26DP01-23, on the basis that the requested variance does not meet the test for such variance per LUB Section 16(b)(3). I.e. There are no unnecessary hardships, nor practical difficulties, associated with the subject Lands that are not common within the Land Use District.

Regards,



Tony Sonleitner, Development Officer

Photographs of Subject Lands and Fence



DEVELOPMENT PERMIT APPLICATION

SUMMER VILLAGE OF NAKAMUN PARK

Summer Village of Nakamun Park**Development Services****Box 2945, Stony Plain, Alberta T7Z 1Y4****Phone: 1-780-718-5479****Fax: 1-866-363-3342****Email: pcm1@telusplanet.net****Application Number: 26DP01-23****Application Received Date: March 17, 2026****Application Deemed Complete: _____****PROJECT LOCATION – REQUIRED**

Suite:	Street Address:	Street Name:
	5607	Nakamun Drive
Legal Description: Unit / Lot / Block / Plan or Quarter / Section / Township / Range / Meridian		
Lot 3A	/ Block 12	/ Plan 187MC

TYPE OF USE – REQUIRED

- | | | | |
|--|--|--|-----------------------------|
| ☐ New Construction | ☐ Addition | ☒ Fence | ☐ Other |
| ☐ Garage | ☐ Well / Cistern / Septic System | ☐ Temporary Business | |
| ☐ Accessory Building / Shed | ☐ Change of Occupancy or Use | ☐ Variance | |
| ☐ Accessory Structure / Deck | ☐ Secondary Suite | ☐ Sign | |

PROJECT DESCRIPTION - REQUIRED**COST OF PROJECT - REQUIRED \$ 1500.00**

Wooden pressure treated fence built 2023 to be accepted as-constructed with a 6 Ft high variance

NEW CONSTRUCTION – REQUIRED

- | | | | | |
|--|---|----------------------------------|----------------------------------|-------------------------------------|
| ☐ Residential | ☐ Multi-family Dwelling | ☐ Commercial | ☐ Industrial | ☐ Institutional |
| ☐ Single Detached | | | | |
| ☐ Semi Detached | Number of units: _____ | Total Area: _____ m ² | | |

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

- | | | | | | |
|-------------------------------|-------------------------|-----------------------------------|----------------------------------|----------------------------------|-------------------------------------|
| Total Area (m ²): | Height (if applicable): | ☐ Residential | ☐ Commercial | ☐ Industrial | ☐ Institutional |
| | 6 Feet | | | | |

CHANGE OF OCCUPANCY OR USE – COMPLETE ONLY IF APPLYING FOR CHANGE OF USE OR OCCUPANCY OR FAMILY DAY HOMETotal Area (m²):**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 NAKAMUN PARK

Summer Village of Nakamun Park**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 (m²):

Number of bedrooms in the secondary suite:

Floor area of the principal dwelling unit (m²):

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:

Agent Name:

Signature:

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.:

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.

March 17 2026

Applicant's signature

Date

RIGHT OF ENTRY AUTHORIZATION

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



Summer Village of Nakamun Park

Development Services

Box 2945, Stony Plain, Alberta T7Z 1Y4

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

Email: pcm1@telusplanet.net

Owner(s) consent to the Right of Entry by an authorized person of the Summer Village of Nakamun Park 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 Nakamun Park 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 Nakamun Park to enter upon the subject land for a site inspection.

Legal Land Description	Lot 3A Block 12 Plan 187MC	
Registered Owners Name as Per Certificate of Title	[REDACTED]	
Name of Signing Authority (If owner is a numbered company)	[REDACTED]	
Property Address	5607 Nakamun Drive	
[REDACTED]	[REDACTED]	March 17 2026
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) 652-1170.

ELECTRONIC COMMUNICATION

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



Summer Village of Nakamun Park

Development Services
Box 2945, Stony Plain, Alberta T7Z 1Y4
Phone: 1-780-718-5479 Fax: 1-866-363-3342 Email:
pcm1@telusplanet.net

Owner(s) consent to communicate with the Summer Village of Nakamun Park 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 Nakamun Park and its applicable contractors to communicate through electronic means: Email Address: [REDACTED]

Legal Land Description	Lot 3A Block 12 Plan 187MC	
Registered Owners Name as Per Certificate of Title	[REDACTED]	
Name of Signing Authority (If owner is a numbered company)		
Property Address	5607 Nakamun Drive	
[REDACTED]		
Signature	Print	Date
		March 17 2026

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) 652-1170.

Tuesday, March 17, 2026

Tony Sonnleitner
Summer Village of Nakamun Park

Re: Request for Variance – Front Yard Fence Height
5607 Nakamun Drive

Tony,

I am writing to request a variance to allow the existing front yard fence on my property to remain at a height of 6 feet /1.83 metres.

I respectfully submit that the fence does not unduly interfere with the amenities of the neighbourhood or the reasonable use and enjoyment of neighbouring properties. The fence is accessory to a permitted residential use and is consistent with the overall character of the area.

I would also note that the addition of a well-constructed fence represents an improvement to the property, helping to define the boundary between public and private space.

With respect to hardship, the additional height is necessary to address site-specific circumstances, including security and the need for an effective physical barrier. A fence limited to 0.9 metres would not reasonably achieve this purpose.

For these reasons, I believe the proposed variance meets the intent of the Land Use Bylaw. I respectfully request that the Development Authority give favourable consideration to this application.

Thank you for your time and consideration.

[REDACTED]

[REDACTED]



SUMMER VILLAGE OF NAKAMUN PARK

Development Services

Box 2945, Stony Plain, AB., T7Z 1Y4

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

NOTICE OF DECISION

August 5, 2026

File: 26DP01-23

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]:

**RE: Application for Development Permit 26DP01-23 – Over-height fence
Plan 187 MC, Block 12, Lot 3A : 5607 Nakamun Drive (the "Lands")**

The Municipal Planning Commission for the Summer Village of Nakamun Park, at their meeting of April 21, 2026, reviewed your application for an as-built development permit for the construction of a fence with a variance to the maximum height, 2.00 m versus 0.91 m., specified within the R1 – Residential – Standard Lot District on the aforementioned Lands.

DEVELOPMENT PERMIT APPLICATION – DECISION OF THE DEVELOPMENT AUTHORITY

You are hereby notified that your application for a development permit for the as-built Fence is refused.

The application is **REFUSED** on this date, April 21, 2026, for the following reasons:

1. The Summer Village of Nakamun Park Land Use Bylaw 2025-5, as amended (the "LUB"), provides the Development Authority with direction with respect to the siting and maximum height of fences upon a Lot. With reference to the subject Lands, fences within the Front Yard may not be:
 - i. Higher than 0.91 m (3.0 ft.) for that portion of the fence that extends into the front yard beyond the foremost portion of the principal building on the parcel.



SUMMER VILLAGE OF NAKAMUN PARK

Development Services

Box 2945, Stony Plain, AB., T7Z 1Y4

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

- ii. The proposed "As-Built" height of the existing fence is +/- 2.00 m (6.5 ft), where 0.91 m (3.0 ft) is specified as the maximum fence height. The proposed variance amounts over 200% of the prescribed height.
 - iii. The requested variance is beyond the 20% afforded the Development Officer, per Section 16(b)(3).
 - iv. The test under this section requires that, "A variance shall be considered only in cases of unnecessary hardship or practical difficulties particular to the use, character, or situation of land or building which are not generally common to other land in the same land use district." There do not seem to be hardships and practical difficulties, associated with this development that are not generally common within the Land Use District.
2. The Municipal Planning Commission for the Summer Village of Nakamun Park has refused the Development Permit Application, 26DP01-23, on the basis that the requested variance does not meet the test for such variance per LUB Section 16(b)(3). I.e. There are no unnecessary hardships, nor practical difficulties, associated with the subject Lands that are not common within the Land Use District.

This decision may be appealed to the Subdivision and Development Appeal Board by serving written notice of appeal, containing reasons, to the Clerk of the Subdivision and Development Appeal Board. Such appeal shall be made in writing and shall be delivered to the Clerk of the Subdivision and Development Appeal Board within **twenty-one (21) days** after the date on which the decision is given. The appeal should be directed to:

Clerk of the Subdivision and Development Appeal Board

Summer Village of Nakamun Park

P.O. Box 1250, Onoway, Alberta, T0E 1V0

Phone: (780) 967-0271 : FAX: (780) 967-0431

and have attached the Appeal Fee in the amount of \$1,000.00 (note that this fee is refundable if the appeal is successful).



SUMMER VILLAGE OF NAKAMUN PARK

Development Services

Box 2945, Stony Plain, AB., T7Z 1Y4

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

Should you require further clarification on this matter, please feel free to contact the Wendy Wildman, Chief Administrative Officer for the Summer Village of Nakamun Park directly at 780.967.0271.

Yours truly,

SUMMER VILLAGE OF NAKAMUN PARK

PER:

Keith Pederson, Mayor / Chairman – Municipal Planning Commission, Summer Village of Nakamun Park

cc: Wendy Wildman, CAO, Summer Village of Nakamun Park



SUBDIVISION AND DEVELOPMENT APPEAL BOARD
Box 1075, Onoway, AB T0E 1V0

September 2, 2026

Our File: 26SDAB01-23

Via email: pcm1@telusplanet.net

Tony Sonnleitner
Box 2945
Stony Plain, AB T7Z 1Y4

**RE: NOTICE OF SUBDIVISION & DEVELOPMENT APPEAL BOARD (SDAB) HEARING
DEVELOPMENT PERMIT NO. 26DP01-23
WITH RESPECT TO DEVELOPMENT ON LANDS DESCRIBED AS
PLAN 187MC, BLOCK 12, LOT 3A : 5607 NAKAMUN DRIVE, SUMMER VILLAGE OF NAKAMUN PARK, AB (THE "LANDS")**

A Notice of Appeal against the refusal of Development Permit No. 26DP01-23-23 was received on August 25, 2026. In accordance with Section 686.2 of the *Municipal Government Act*, the Subdivision and Development Appeal Board has scheduled the following for the Hearing:

Date: Wednesday, September 23, 2026
Time: 1:00 PM
Place: Summer Village of Nakamun Administrative Office – Main Board Room
2317 TWP Rd. 545
Lac Ste Anne County, AB

Please send any written submissions for the SDAB Hearing to the Clerk of the Subdivision and Development Appeal Board via email, mail, or courier. All submissions must be received by September 16, 2026, 2024, at 4:00 PM.

Mail: Milestone Municipal Services Inc., Box 1075, Onoway, AB T0E 1V0
Courier: Emily House, 990 Bauer Avenue, Spring Lake, AB T7Z 2S9
Email: emily@milestonemunicipalservices.ca

Any written materials submitted to the Subdivision and Development Appeal Board will be included in the agenda package and made available to the public.

If you should have any questions, please feel free to contact me.

Sincerely,

Emily House
Subdivision and Development Appeal Board Clerk
emily@milestonemunicipalservices.ca
Phone: (780) 914-0997

:ejh

cc Wendy Wildman, Chief Administrative Officer, Summer Village of Nakamun Park