

SUMMER VILLAGE OF SILVER SANDS

AGENDA

Friday, July 21st, 2023 at Fallis Community Hall and Via Zoom

Immediately following the Organizational Meeting

(As per bylaw 286-2018 Council and/or Council Committee meetings may not be filmed or voice recorded.)

1. Call to order

Treaty 6 Territory Land Acknowledgement

The Summer Village of Silver Sands acknowledges that we are meeting on Treaty 6 Territory and on the homelands of the Metis Nation. We acknowledge all indigenous peoples who have walked these lands for centuries. We acknowledge the harms and mistakes of the past, and we dedicate ourselves to move forward in partnership with indigenous communities in a spirit of reconciliation and collaboration.

2. Agenda

- a) Friday, July 21st, 2023 Regular Council Meeting

(approve agenda as is, or with amendments, additions or deletions)

3. Minutes:

p1-7

- a) Friday, June 30th, 2023 Regular Council Meeting

(approve minutes as is, or with amendments)

4. Delegations:

p8-43

- a) 9:30 a.m. – Samantha and Ryan of Inspections Group, along with Victoria Message, will be present to discuss with Council our Quality Management Plan as well as safety codes services in general. This was requested by Council at the April meeting when you reviewed the QMP at that time.

(direction as given by Council at meeting time)

p44-139
p140-148

- b) 9:45 a.m. – Jane Dauphinee of Municipal Planning Services to review with Council the draft new Land Use Bylaw. Also attached is the What We Heard Report from the open houses that were held, as prepared by your consultant.

(give first reading of Bylaw 335-2023, a Land Use Bylaw, as presented or amended)

or

(some other direction as given by Council at meeting time)

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5. Public Hearings: n/a
6. Bylaws: as above in delegations.
7. Business: a) Regional Municipalities Meeting – please refer to the attached June 26th, 2023 email from Cindy Suter of Lac Ste. Anne County with a save the date invite for the next RMM scheduled for Tuesday October 17th, 2023 12:00 a.m. to Wednesday October 18th, 2023 at 12:00 a.m. (I surmise this is an error and it should be October 17th at 9:30 a.m.) at the Alberta Beach Seniors Center. Agenda items to be to them one week in advance.
- (authorize attendance of Council and Administration to attend the Regional Municipalities Meeting being hosted by Lac Ste. Anne County at the Alberta Beach Seniors Centre on Tuesday, October 17th, 2023 commencing at 9:30 am.)*
- b)
- c)
- d)
8. Financial a) Income & Expense Statement – n/a
9. Councillors' Reports
- a) Mayor
- b) Deputy Mayor
- c) Councillor

(accept for information)

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10. Administration Reports

p151-152

- a) Public Works Report
- b) Development Officer's Report
- c) Poppy Place lot listings update
- d) Poppy Place fence update
- e)

(accept for information)

11. Information and Correspondence

p153

- a) Alberta Municipal Affairs – July 7th, 2023 letter on 2023 grant allocations:
 - MSI Capital - \$46,098
 - MSI Operating - \$17,122
 - CCBF - \$15,016
- b)

(accept for information)

12. Open Floor Discussion with Gallery (15-minute time limit)

13. Closed Meeting (if required): n/a

14. Adjournment

Next Meetings:

- August 25th, 2023 – Regular Council Meeting
- September 29th, 2023 – Regular Council Meeting
- October 27th, 2023 – Regular Council Meeting

SUMMER VILLAGE OF SILVER SANDS
REGULAR COUNCIL MEETING MINUTES
FRIDAY, JUNE 30, 2023
HELD IN PERSON AT FALLIS HALL AND VIRTUALLY VIA ZOOM

	PRESENT	<p>Mayor: Bernie Poulin Deputy Mayor: Liz Turnbull Councillor: Graeme Horne</p> <p>Administration: Wendy Wildman, Chief Administrative Officer (CAO) Heather Luhtala, Assistant CAO</p> <p>Public Works: Dustin Uhlman, Public Works Supervisor</p> <p>Attendees: n/a</p> <p>Delegation(s): a) 9:20 a.m. – Dan Blackburn, Hylann Ma, Michele Aasgard, AB Munis, to make a presentation on cybersecurity and IT support for municipalities. b) 9:35 a.m. - Shelley Frederick, re 23STOP05-31 issued to 17 Ash Avenue, discussion on completion date being extended to July 2nd, 2023. (Item deleted) c) 9:50 a.m. - Development Officer Tony Sonnleitner to update Council on activities within the Summer Village including enforcement orders issued.</p> <p>Public at Large: 1 (via Zoom) / 4 (in person)</p>
1.	CALL TO ORDER	<p>Mayor Poulin called the meeting to order at 9:00 a.m.</p> <p>The Summer Village of Silver Sands acknowledges that we are meeting on Treaty 6 Territory and on the homelands of the Metis Nation. We acknowledge all indigenous peoples who have walked these lands for centuries. We acknowledge the harms and mistakes of the past, and we dedicate ourselves to move forward in partnership with indigenous communities in a spirit of reconciliation and collaboration.</p>
2.	AGENDA 94-23	<p>MOVED by Deputy Mayor Turnbull that the June 30, 2023 Regular Council Meeting agenda be approved with the following additions/deletions:</p> <p>Deletion Under Delegations: b) Shelley Frederick – unable to attend</p> <p>Additions Under Business: h) Land Use Bylaw discussion i) Block Captain Recruitment and Retention Initiative</p> <p style="text-align: right;">CARRIED</p>



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3.	MINUTES	<p>95-23 MOVED by Councillor Horne that the minutes of the April 28, 2023 Regular Council Meeting be approved as presented. CARRIED</p> <p>96-23 MOVED by Deputy Mayor Turnbull that the minutes of the June 15, 2023 Special Council Meeting be approved as presented. CARRIED</p>
4.	DELEGATIONS	<p>97-23 <u>Dustin Uhlman – Public Works Supervisor</u> MOVED by Councillor Horne that the Summer Village proceed with putting a gate on the walkway behind Bay Drive. CARRIED</p> <p>98-23 MOVED by Deputy Mayor Turnbull that further to previous discussions on the existing Poppy Place fence and a 2023 inspection of same noting deterioration resulting in a re-evaluation whereby due to its current condition, the Summer Village proceed with removal of the Poppy Place fence in its entirety which is located adjacent to Lots 1, 22, 20, 19, 18, 17, 24ER & 23MR. CARRIED</p> <p>99-23 <u>9:20 a.m. – Dan Blackburn, Hylann Ma & Michele Aasgard of AB Munis, to make a presentation on cybersecurity and IT support for municipalities.</u> MOVED by Mayor Poulin that Council accept for information the presentation by Dan Blackburn, Hylann Ma & Michele Aasgard of AB Munis with respect to cybersecurity and IT support for municipalities. CARRIED</p> <p>The AB Munis team exited the meeting at 9:52 a.m.</p> <p>The meeting recessed at 9:53 a.m.</p> <p>Dustin exited the meeting at 9:57 a.m.</p> <p>The meeting reconvened at 9:58 a.m.</p> <p>100-23 <u>9:58 a.m. - Development Officer Tony Sonneleitner – to update Council on activities within the Summer Village including enforcement orders issued.</u> MOVED by Deputy Mayor Turnbull that a report be created for Council, Administration and the Development Officer with access to a listing of the Development Permit & Enforcement information, and if applicable, additional funding be approved to produce this listing. CARRIED</p>

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	101-23	MOVED by Deputy Mayor Turnbull that the Development Officer be directed to provide a report to each Council meeting, and if there has been no activity or updates, that also be reported. CARRIED
	102-23	MOVED by Mayor Poulin that Council accept for information the discussion with Tony Sonnleitner, Development Officer, with respect to development matters in the Summer Village. CARRIED
5.	PUBLIC HEARINGS	n/a
6.	BYLAWS	
	103-23	MOVED by Mayor Poulin that Council accept for information the discussion and review of the Fire Bylaw and Fire Declaration Policy, AND THAT Council provide any additional feedback/input to administration prior to the next Regular Council Meeting. CARRIED
	104-23	<u>Bylaw 334-2023 – A Bylaw for the purpose of cancelling a portion of Plan 223MC</u> MOVED by Deputy Mayor Turnbull that Bylaw 334-2023, being a bylaw for the purpose of cancelling a portion of Plan 223MC, Block 6 to consolidate Lots 24 and 25 into one new titled lot being 24A, in Summer Village of Silver Sands be given first reading. CARRIED
	105-23	MOVED by Councillor Horne that Bylaw 334-2023 be given second reading. CARRIED
	106-23	MOVED by Deputy Mayor Turnbull that Bylaw 334-2023 be considered for third reading. CARRIED UNANIMOUSLY
	107-23	MOVED by Mayor Poulin that Bylaw 334-2023 be given third and final reading. CARRIED
7.	BUSINESS	
	108-23	MOVED by Deputy Mayor Turnbull that the attendance of Mayor Bernie Poulin at the Mayor's Meeting hosted by Lac Ste. Anne County held on May 16 th , 2023 at the Lac Ste. Anne County Administration office be ratified. CARRIED

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	109-23	MOVED by Mayor Poulin that his attendance to the June 22 nd , 2023 Municipal Leaders' Caucus in Spruce Grove be ratified. CARRIED
	110-23	MOVED by Deputy Mayor Turnbull that the attendance of Council, Administration and the Local Director and Deputy Director of Emergency Management to the Association of Summer Villages of Alberta fall conference scheduled for October 19 & 20, 2023 be approved. CARRIED
	111-23	MOVED by Mayor Poulin that Council and Administration be authorized to attend the 2023 Convention and Trade Show scheduled for September 27 to 29 th , 2023 at the Edmonton Convention Centre. CARRIED
	112-23	MOVED by Deputy Mayor Turnbull that the Summer Village of Silver Sands engage the services of a realtor to offer the following 3 lots for sale under the same or similar terms of sale as the public tender: -Tax Roll 1365 – 6 Poppy Place – Lot 6, Block 6, Plan 074 0530 -Tax Roll 1366 – 7 Poppy Place – Lot 7, Block 6, Plan 074 0530 -Tax Roll 1373 – 14 Poppy Place – Lot 14, Block 6 Plan 074 0530 The realtor chosen will be at the discretion of Administration. CARRIED
	113-23	MOVED by Councillor Horne that approval be ratified for a letter of no objection to the owner of 5 Willow Avenue for a dock to be placed off of MR R6. CARRIED
	114-23	MOVED by Councillor Horne that Council accept for information the discussion with respect to the ongoing Land Use Bylaw project. CARRIED
	115-23	MOVED by Mayor Poulin that the Summer Village seek block captain interest during the 2023 family day event. CARRIED
	116-23	MOVED by Deputy Mayor Turnbull that Council accept for information the discussion with respect to the Block Captain Recruitment & Retention Initiative. CARRIED
8.	FINANCIAL 117-23	MOVED by Mayor Poulin that the May 31, 2023 Income and Expense financial report be accepted for information. CARRIED

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9.	COUNCIL REPORTS 118-23 119-23	<p>MOVED by Councillor Horne that the Summer Village proceed with implementation and placement of the emergency management signage and related costs for emergency purposes for evacuation route signage on the east end of the Summer Village with funding to come from the unrestricted operating reserve to a maximum of \$4,000.00.</p> <p style="text-align: right;">CARRIED</p> <p>MOVED by Deputy Mayor Turnbull that the Council reports be accepted for information as presented.</p> <p style="text-align: right;">CARRIED</p>
10.	ADMINISTRATION & PUBLIC WORKS REPORTS 120-23	<p>MOVED by Deputy Mayor Turnbull that the Administration and Public Works reports be accepted for information as presented.</p> <p style="text-align: right;">CARRIED</p>
11.	CORRESPONDENCE 121-23	<p>MOVED by Deputy Mayor Turnbull that the following correspondence be accepted for information:</p> <ul style="list-style-type: none"> a) 23DP02-31, for construction of a single detached dwelling (89.2 sq m), installation of a water supply and of a septic system, at 22 Alder Avenue b) 23DP03-31, for construction of an accessory building (13.9 sq m) at 10 Aspen Avenue c) Alberta Beach Snowmobile Club – letter of support for their grant application for a new trail groomer d) Town of Mayerthorpe – Community Peace Officer reports for April 2023 e) Alberta Municipal Affairs – June 20th, 2023 letter from Hon. Rick McIver on his return as Minister of AMA f) Town of Onoway – April 26th, 2023 email with attached approved budget g) FortisAlberta – May 25th, 2023 email advising our flowering rush abatement application was not selected h) ABMunis – April 17th, 2023 email from President Cathy Heron providing an update on RCMP retroactive pay for municipalities under 5,000 population <p style="text-align: right;">CARRIED</p>
12.	OPEN GALLERY 122-23	<p>MOVED by Councillor Horne that Council accept for information the discussion with the open gallery.</p> <p style="text-align: right;">CARRIED</p>

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13.	CLOSED MEETING 123-23	<p>MOVED by Deputy Mayor Turnbull that pursuant to section 197(2) of the Municipal Government Act, Council go into a closed meeting session at 11:45 a.m. to discuss the following items:</p> <p>-Third party business interests – Land Development - (FOIPP Act Section 16) -Intergovernmental relations – Municipal Services Package – Lac Ste. Anne County – (FOIPP Act Sections 21, 22, 23 and 24)</p> <p style="text-align: right;">CARRIED</p> <p>The meeting recessed at 11:45 a.m.</p> <p>The meeting reconvened at 11:50 a.m.</p> <p>The following individuals were present at the Closed Meeting: Bernie Poulin Liz Turnbull Graeme Horne Wendy Wildman Heather Luhtala Ron Roberts – Silver Sands RV & Golf Resort Tony Sonnleitner – Development Officer</p> <p>Ron Roberts exited the meeting at 12:12 p.m.</p> <p>Wendy Wildman exited the meeting at 12:15 p.m.</p> <p>Tony Sonnleitner exited the meeting at 12:35 p.m.</p>
	124-23	<p>MOVED by Councillor Horne that Council return to an open meeting at 12:45 p.m.</p> <p style="text-align: right;">CARRIED</p> <p>The meeting recessed at 12:45 p.m.</p> <p>The meeting reconvened at 12:50 p.m.</p>
	125-23	<p>MOVED by Mayor Poulin that Council approve and authorize execution of the Consent to Register a Plan form and Utility Right of Way agreement between the Summer Village of Silver Sands & 1847371 Alberta Ltd.</p> <p style="text-align: right;">CARRIED</p>
	126-23	<p>MOVED by Deputy Mayor Turnbull that further to motion 86-23, respecting interim compensation to the Summer Village for the Silver Sands Golf Resort RV district lots that are currently leased, the Summer Village accepts compensation to the Summer Village in the amount of \$200/lot/year for the 2023 year.</p> <p style="text-align: right;">CARRIED</p>



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	127-23	MOVED by Mayor Poulin that Council accept for information the Municipal Services Package information as provided by Lac Ste. Anne County. CARRIED
14.	NEXT MEETING(S)	The next regular Council meeting is scheduled for Friday, July 21, 2023 at 9:00 a.m. at Fallis Hall.
15.	ADJOURNMENT	The meeting adjourned at 12:55 p.m.

Mayor, Bernie Poulin

Chief Administrative Officer, Wendy Wildman

⑦

Summer Village of Silver Sands

Quality Management Plan



QMP Version: June 2020 v1.4

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Summer Village of Silver Sands

Quality Management Plan

This Quality Management Plan has been accepted
by the Administrator of Accreditation.



Peter Thomas
Administrator of Accreditation

November 5, 2021

Date



**Safety
Codes
Council**

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Schedule A - Scope and Administration

1.0 Scope of Accreditation

The *Summer Village of Silver Sands*, herein referred to as "The Municipality" will administer the Safety Codes Act (Act) including the pursuant regulations, codes and standards that are in force as amended from time-to-time and applicable in the following technical discipline(s) within their jurisdiction.

1.1 Building

- All parts of the:
- National Building Code – 2019 Alberta Edition; and
 - National Energy Code of Canada for Buildings 2017.
- Or

1.2 Electrical

- All parts of the:
- CSA C22.1-18 Canadian Electrical Code (24th Edition).

1.3 Gas

- All parts of the:
- CAN/CSA-B149.1-15 Natural Gas and Propane Installation Code,
 - CAN/CSA-B149.2-15 Propane Storage and Handling Code, and
 - CAN/CSA-B108-18 Natural Gas Fuelling Stations Installation Code.
- Excluding the:
- CAN/CSA-B149.5-15 Installation Code for Propane Fuel Systems and Tanks on Highway Vehicles,
 - CSA-B109-17 Natural Gas for Vehicles Installation Code; and
 - CAN/CSAB149.3-15 Code for the Field Approval of Fuel-Related Components on Appliances and Equipment.

1.4 Plumbing

- All parts of the:
- National Plumbing Code of Canada 2015, and
 - Alberta Private Sewage Systems Standard of Practice 2015

2.0 Quality Management Plan Administration

Summer Village of Silver Sands

2.1 Overall Administration

The Municipality is responsible for the administration of this accreditation and the delivery of safety codes services in compliance with this Quality Management Plan (QMP).

The Municipality will ensure that its employees, contractors, and contracted accredited agencies follow this QMP.

The Municipality recognizes that failure to follow this QMP could result in the Administrator of Accreditation taking action to bring the Municipality back into compliance. This could include suspension of the Municipality's accreditation. In the event that any actions taken do not achieve the intended outcome of compliance with this QMP, the Administrator of Accreditation may consider the cancellation the Municipality's accreditation.

2.1.1 Delivery of Safety Codes Services

The Municipality will provide the safety code services prescribed in this QMP through its own staff, and accredited agencies. In doing so, it will ensure that sufficient personnel, technical and administrative, will be available to meet the expectations, obligations and responsibilities inherent to its accreditation. This includes being able to competently deliver the safety codes services required by this QMP in order to effectively and administer the Act, its regulations, codes, and standards in force in Alberta. All safety codes services will be performed in compliance with this QMP, in a timely and professional manner, with impartiality and integrity, while working co-operatively with the citizens of the Municipality to ensure compliance with the Act.

The Municipality will maintain an atmosphere that supports objective and unbiased decisions. All Safety Codes Officers (SCOs) working for the Municipality will have the ability and opportunity to make independent decisions relative to compliance monitoring, without undue influence of management, elected officials, or any other party.

2.1.2 Contracted Accredited Agency

The Municipality acknowledges that, should the required safety codes services be provided by an accredited agency, the Municipality will ensure that a formal contract for services is in place. The Municipality understands that it is responsible to effectively manage the contract with the accredited agency to ensure that the accredited agency is adhering to the service delivery standards of this approved QMP. Contracts with accredited agencies will include a statement that ensures that all SCOs will have the right to work in atmosphere free of undue influence, and hold the discretionary authority to perform their duties as outlined in the Act.

2.1.3 Monitoring and Oversight

The Safety Codes Council (Council) has the responsibility for monitoring and oversight of an accredited municipality's compliance with the terms and conditions of its accreditation as outlined in its QMP, the Act, and the Act's regulations. In becoming accredited, the Municipality recognizes that the Council, or its representative, will complete a review and audit of the Municipality's performance as an accredited organization according to Council policy and procedures. The Municipality will fully cooperate with the

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Council on matters that relate to the administration of the QMP and the monitoring and oversight of its accreditation. The Municipality accepts that the Council has full and unfettered access to all records of the Municipality relating to the provision of services under this QMP, which includes the right to enter the Municipality premises at any reasonable time in order to inspect, review, audit, or retrieve such records. The Municipality will implement the recommendations made from the audit process, and the Administrator of Accreditation.

2.2 Personnel

The Municipality will employ, retain, or otherwise engage:

- SCOs who are appropriately certified and designated to carry out the provisions of the QMP; and
- persons knowledgeable with the Act, regulations, codes, standards, Council policies, and other applicable legislation relative to the services to be provided.

2.2.1 Appointment of a QMP Manager

The Municipality will identify a QMP Manager who is responsible for the administration of the QMP. The QMP Manager will be an employee of the Municipality. If the individual fulfilling the role of QMP Manager changes, the Municipality is responsible for informing the Council of this change and providing the name of the person who will assume the role of QMP Manager.

2.2.2 SCO Authority

The Municipality acknowledges the authority and discretion of SCOs as prescribed under the Act, and their freedom to exercise that authority to:

- provide safety codes consultation;
- review plans issue permits;
- carry out an inspection for anything, process, or activity to which this Act applies for the purpose of ensuring compliance with the Act;
- issue reports and correspondence:
- accept a Verification of Compliance;
- review alternative solution proposals;
- issue variances;
- issue orders;
- engage in enforcement action;
- conduct investigations;
- require professional engagement; and
- re-inspect.

2.2.3 Declaration of Status

The Municipality will ensure that any or all SCOs, staff, or officers, whether employed, retained or otherwise engaged by an accredited agency, will be an unbiased third party in any services provided under this QMP. This includes participation in any design, construction, installation, or investigation activities for projects where they also provide compliance monitoring.

2.2.4 Registry of SCO and Permit Issuers

The Municipality is responsible for maintaining in Council Connect the list of the SCOs and permit issuers designated under its accreditation to provide safety codes services pursuant to this QMP. This list will be

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reviewed every six (6) months to ensure it remains current. Upon request by the Council, the Municipality will confirm the validity of its list of designated employees in Council Connect. If there are any employees not listed in Council Connect, the Municipality will submit a request to the Council that they be designated.

2.2.5 Training and Professional Development

a. SCOs

The Municipality acknowledges the responsibilities of SCOs to obtain training to maintain SCO certification. It will ensure that SCOs attend update training and development as required by the Council to maintain current SCO certification and competency including but not limited to changes in:

- the Act;
- regulations under the Act;
- codes and standards mandated by the Act;
- procedures under the Act;
- Council policies and directives;
- directives from an Administrator;
- assigned duties; and
- professional development.

b. Permit Issuers

The Municipality acknowledges the responsibilities of permit issuers to remain current and up-to-date on:

- the Act;
- regulations under the Act;
- their responsibilities as a permit issuer; and
- the contents of this QMP.

As required and deemed necessary by the Municipality, the Municipality will support permit issuers in obtaining training related to their responsibilities.

c. Other Personnel

The Municipality acknowledges its responsibilities to ensure that its employees involved in the administration of its accreditation remain current and up-to-date on:

- the Act;
- regulations under the Act;
- their responsibilities in administering the Municipality's accreditation; and
- the contents of this QMP.

As required and deemed necessary by the Municipality, the Municipality will support those employees involved in the administration of its accreditation in obtaining training related to their responsibilities.

2.3 QMP Access

The Municipality will ensure that all staff, SCOs, permit issuers, and contract personnel performing duties under the Act are aware of the content of this QMP and any revisions. It will also provide access to a copy of this QMP, the Act, its regulations, and Council policies.

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The Municipality will:

- maintain a list of the individuals that have been provided with a copy of its QMP;
- annually review and update this list to ensure it remains current; and
- distribute copies of any approved amendments to this QMP to all individuals on this list in a timely manner.

2.4 Training on the Contents of this QMP

The Municipality will train personnel involved in the delivery of safety codes services, and the administration of its accreditation, on the contents and requirements of this QMP. A record of the personnel who have received this training will be reviewed and updated annually.

2.5 Freedom of Information and Confidentiality

The Municipality will ensure that all staff, SCOs, permit issuers, and contracted personnel preserve confidentiality with respect to all information and documents that come to their knowledge from their involvement with the administration of this QMP. The *Freedom of Information and Protection of Privacy Act R.S.A. 2000, c F-25* and its regulations apply to all information and records relating to, created, or collected under this QMP.

2.6 Records

The Municipality will maintain a file system for all records associated to administration of the Act and services provisions within the QMP including:

- permit applications and permits;
- plans, specifications, and other related documents;
- new home warranty verification as applicable;
- licensed residential builder verification as applicable;
- plans review reports;
- requests for inspections and services;
- inspection reports;
- investigation reports including supporting documentation;
- Verifications of Compliance (VOC);
- variances including application and supporting documentation;
- orders;
- Permit Services Reports (PSRs);
- related correspondence;
- a list of contracts that relate to the administration of the QMP including any contracts with accredited agencies; and
- any other information that may be related to the administration of the Act, or identified and requested by the Administrator of Accreditation, and the Council.

The Municipality will retain the files and records:

- for a period no less than three (3) years;
- for a period prescribed by Council policy; or
- in accordance with Municipality's records retention policy, whatever period is greater.



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All such files and records, electronic or hardcopy, will be available at the Council's request.

All records and other material related to the services provided under the administration of this QMP are the property of the Municipality. Any records where accredited agency(s) were involved will be returned to the Municipality within a reasonable time of completion of the service, or upon request of the Municipality.

2.7 Council Levy

The Municipality will collect the Council levy for each permit or service provided under the Act, and remits the levy to the Council in the manner and form prescribed by the Council. If the Municipality has contracted with an accredited agency, the accredited agency can remit the levy on the Municipality's behalf. However, the Municipality remains solely responsible for remittance of the levy. It must also have a process in place to monitor and validate the accredited agency's remittance.

2.8 Permit Information and Permissions

The Municipality will collect all information required by the *Permit Regulation (AR 204/2007)*, and as outlined in this QMP.

For administering the Act, permission is deemed the same as a permit.

2.9 QMP Amendments and Revisions

All revisions or changes to this QMP require the approval of the Administrator of Accreditation, and must be submitted to the Administrator of Accreditation before they can be implemented.

Revisions and changes to this QMP must be submitted with the acceptance of the Municipality's QMP Manager, or a "duly authorized" employee of the Municipality. A duly authorized municipal employee is an individual who has been given, or delegated, the authority by the Municipality to sign the QMP on its behalf.

2.10 Annual Internal Review

An Annual Internal Review (AIR) to evaluate the effectiveness of the administration of Municipality's accreditation and its compliance to its QMP will be completed. The AIR reports on the Municipality's activities from the previous calendar year.

This AIR will be submitted in accordance with the format and requirements established by the Council and the Administrator of Accreditation. Specifically, it will include a summary of all the findings of the review, identified successes, and areas for improvement.

The deadline for the Municipality to provide the AIR to the Council is March 31st.

2.11 Cancellation of Accreditation

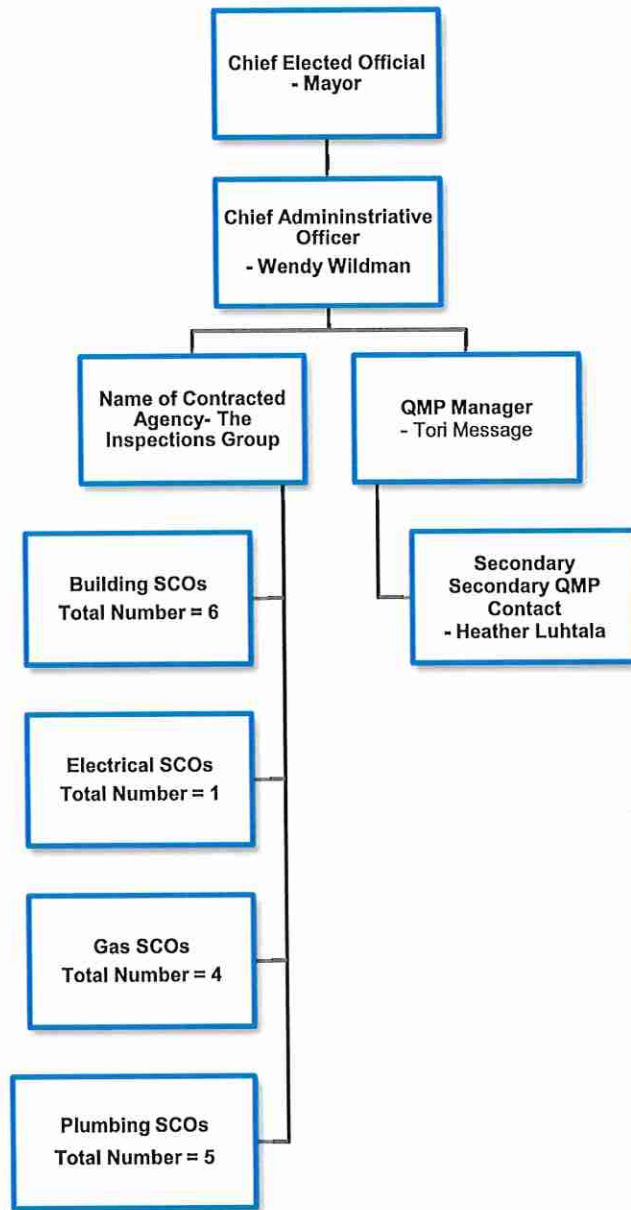
The Municipality, in the event that it ceases to administer the Act for any new thing, process, or activity to which the Act applies, retains responsibility for the safety codes services provided under the Act while accredited. The Municipality agrees and acknowledges that it is accountable to manage the cancellation of its accreditation in a responsible, orderly, transparent, and co-operative manner.

The Municipality accepts that it is obligated to work proactively with the Safety Codes Council, the Administrator of Accreditation, and the Authority Assuming Jurisdiction (the accredited organization that takes over responsibility for administering the Act) to ensure a smooth transition of jurisdictional authority. The cancellation of the Municipality's accreditation will not become effective until a transition plan approved by the Administrator of Accreditation is in place.

The Municipality will ensure the Council and the Administrator of Accreditation is provided with written notice of its intent to cancel.

The Municipality will resolve and manage the closure any outstanding orders or permits issued under the municipality's accreditation prior to the effective date of the cancellation. In the event that there are any orders or permits that remain unresolved, the effective date of the cancellation may be delayed by the Administrator of Accreditation. The Administrator of Accreditation may also direct the Municipality to work with the Authority Assuming Jurisdiction to determine the appropriate management of the open orders and permits after the effective date.

2.12 Organizational Chart



The above organizational structure, including the use and reporting relationship of accredited agencies, only applies with respect to the administration of this QMP

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2.13 Municipal Agreement – New Accreditation

In accordance with Municipal Council Resolution # 176-21 of the *Summer Village of Silver Sands* hereby provides agreement and signature to this QMP.

The Municipality hereby acknowledges agreement, commitment, and adherence to this QMP.



Signature – Chief Administrative Officer

Wendy Wildman

Name

August 27th, 2021


Date

administration@wildwillowenterprises.com

Email Address

587-873-5765

Phone Number



Signature Chief Elected Official

Bernie Poulin

Name

August 27th, 2021

Date

2.14 QMP Manager Information

Tori Message

QMP Manager Name

Box 8
Alberta Beach, AB T0E 0A0

Mailing Address

tori@wildwillowenterprises.com

Email Address

QMP Manager

Title

587-873-5765

Phone Number

2.15 Notices

Correspondence regarding this QMP will be sent to the QMP Manager of the Municipality. It may also be forwarded to the Senior Administrative Officer, or other secondary QMP contacts as required.



Schedule B - Operational Requirements

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3.0 Operational Requirements

3.1 Definitions

The following definitions apply.

3.1.1 Deficiency

A deficiency means any condition where the work is incomplete, or does not comply with the Act, regulation, or an associated code or standard. A deficiency can include an unsafe condition.

3.1.2 Unsafe Condition

An unsafe condition is any condition that, in the opinion of the SCO, could result in injury, death, or property damage or loss, and may include a deficiency or a situation of imminent serious danger.

3.1.3 Final Inspection

A final inspection means an inspection conducted when the project or designated portion of the project is, in the opinion of the SCO, sufficiently complete, safe, and compliant such that the owner can safely occupy or utilize the work for its intended use.

3.1.4 Imminent Serious Danger

Imminent serious danger is a condition that, in the opinion of the SCO, will result in injury, death, or property damage or loss if the condition is not corrected in a timely manner.

3.2 Scope of Services

The operational requirements establishes responsibilities and processes in order to provide safety codes services under the Act, applicable regulations, and Council policy including, as applicable but not limited to:

- code advice:
 - construction;
 - building upgrade programs;
 - development and implementation of fire safety plans; and
 - storage of dangerous goods.
- plans examinations:
 - new construction;
 - building upgrade programs;
 - residential secondary suites; and
 - fire safety plans with emphasis to addressing all new construction, alterations, renovations, demolition, and removal of structures.
- permit/permission issuance:
 - construction;
 - renovations, alterations, reconstruction, demolition, additions, or other changes;
 - occupancy permit;
 - occupancy load certificates;
 - storage tank systems for flammable liquids and combustible liquids installation, alteration, or removal; and

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- storage, purchase, or discharge of fireworks.
- compliance inspections of work and occupancy:
 - construction;
 - renovations, alterations, reconstruction, additions;
 - occupancy loads and changes in occupancy;
 - fire safety plan practices with emphasis on addressing the risk to occupied residential buildings;
 - follow-up inspections of deficiencies and unsafe conditions;
 - post-occupancy of facilities identified; and
 - special or other activities addressed in the codes or at the discretion of the SCO.
- alternative solution proposals, and variances;
- Verification of Compliance;
- collection and remittance of Council levies;
- issuance of Permit Services Reports;
- investigations; and
- maintenance of files and records.

3.3 Interdisciplinary Technical Coordination

An effective safety codes system requires cooperation between technical disciplines.

Where possible or appropriate, SCOs from all technical disciplines will discuss and interact in relation to:

- inspections;
- subdivision applications;
- development permits;
- plans reviews;
- occupancy permits;
- occupancy load certificates;
- investigations;
- enforcement;
- closure of files; and
- areas of mutual interest.

3.4 Orders

An SCO will issue in a format and serve an order in accordance with the Act, the *Administrative Items Regulation (A.R.16/2004)*, Council policy, and this QMP.

Upon compliance with an Order, a notice will be provided to the person(s) to whom the Order was served as well as to the Council.

An SCO will:

- Prior to issuing an Order, first make every reasonable effort, including consultation with the QMP Manager or designate, to facilitate conformance with the Act.
- Issue an Order if they are of the opinion that all other reasonable efforts to obtain compliance with

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have failed.

- Issue an Order in accordance with the Act, and the *Administrative Items Regulation (A.R.16/2004)*.
- On issuance of an Order, provide a copy to the Municipal QMP Manager, or designate.
- Provide a copy of the Order to the Administrator of Accreditation at the Council no later than 30 days after issuance.
- Monitor the Order for compliance.
- Issue written acknowledgement of Order being satisfied to all parties to whom the originating Order was served and to the Council.

Orders may be appealed in accordance with the Part 5 of the Act and Council bylaw, policy, and procedure.

The enforcement of an Order is the responsibility of the SCO and the Municipality. It is the purview of the Municipality to escalate enforcement measures as it deems necessary.

3.5 Emergency Situations

An SCO, on reasonable and probable grounds, may take any immediate action they consider necessary if they are of the opinion that a situation of **imminent serious danger** to persons or property exists due to:

- any thing, process or activity to which the Act applies; or
- a fire hazard, or
- risk of explosion.

3.6 Alternative Solution Proposals and Variances

An SCO may review an alternative solution proposal and issue a variance for any thing, process, or activity to which the Act applies if they are of the opinion that it provides approximately equivalent or greater safety performance in regards to persons and property as provided for by the Act.

A variance can be site-specific or for multiple locations within a municipality for a thing, process, or activity with the same conditions. However, and SCO **cannot** issue a variance that:

- removes or relaxes an existing code, standard, or rule; and
- is outside the scope of their designation of powers.

A variance will be issued in writing and in a format consistent with the template published by the Council.

A request for a variance made by an owner, or an owner's representative, must:

- be made in writing;
- be signed by the owner or the owner's representative; and
- include support documentation that demonstrates that the variance requested provides equivalent or greater level of safety that is identified by the code, standard, or regulation.

In making a decision on an alternative solution proposal or variance request, an SCO will ensure that they thoroughly research the subject matter to which it relates.

A copy of an approved variance will be provided, within ten (10) days of issuance, to the:

- owner;
- contractor, if applicable;
- the Council; and

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- the Municipality, if issued by their contracted accredited agency.

Registration of the variance with the Council requires only a copy of the approved variance. Submission of background and support documentation is not required.

A copy of the variance will be placed on the permit file.

3.7 Permit Administration

3.7.1 Permit Applications

An application for a permit and any information required to be included with the application must be submitted in a form and manner satisfactory to the SCO or permit issuer. The application must include the following information:

- State the use or proposed use of the premises.
- Clearly set forth the address or location at or in which the undertaking will take place.
- The owner's name and contact information.
- Any further information as required to enable the permit issuer to determine the permit fee.
- Describe the undertaking, including information satisfactory to the permit issuer, regarding the technical nature and extent of the undertaking.
- The name, complete address, telephone number, and evidence of credentials required of the permit applicant, together with the written or electronic signature of the permit applicant.
- For a permit for the building discipline:
 - state the type of occupancy;
 - set out the prevailing market value of the undertaking; and
 - if a structure is to be installed on a temporary basis, as determined by the permit issuer, state the period for which the structure will be installed.
- Include a method of payment of fees acceptable to the permit issuer.
- Include any further information that the permit issuer considers necessary, including the provision of:
 - a site plan that shows the actual dimensions of the parcel of land and the location of the proposed undertaking in relation to the boundaries of the parcel of land and other buildings on the same parcel of land;
 - copies of plans and specifications for the proposed undertaking; and
 - documentation required to verify information provided by the applicant.
- A collection, use, and disclosure of information statement (FOIPP) that meets the requirements of the Freedom of Information and Protection of Privacy, which are:
 - the purpose for which the information is collected;
 - the specific legal authority for the collection; and
 - the title, business address, and business telephone number of an officer or employee of the public body who can answer the individual's questions about the collection.

3.7.2 Permit Information

Permits will include the following information:

- a permit number or other unique identifier that has been assigned by the permit issuer to the

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- undertaking;
- the date on which the permit is issued;
- the name of the owner, and/or the person to whom the permit has been issued;
- where the undertaking is to take place;
- a description of the undertaking or portion of the undertaking governed by the permit; and
- any other information that the SCO and/or permit issuer considers necessary.

3.7.3 Terms and Conditions of Permit

A permit may contain terms and conditions that include, but are not limited to:

- Requiring:
 - permission be obtained from the SCO before occupancy or use of the construction, process, or activity under the permit;
 - an identification number or label to be affixed to the undertaking; and
 - SCO approval be obtained before any part of the work or system is occupied, covered, or concealed;
- Setting:
 - the date on which the permit expires;
 - a condition that causes the permit to expire;
 - the period of time that the undertaking may be occupied, used or operated;
 - the scope of the undertaking being permitted;
 - the location or locations of the undertaking being permitted;
 - the qualifications of the person responsible for the undertaking and/or doing the work;

3.7.4 Annual Permits

An annual permit may be issued in the electrical, gas, or plumbing discipline allowing the owner, or operator, of the premise to effect minor repairs, alterations. or additions on the premises under the following conditions:

- a person who holds a trade certificate in the appropriate trade under the Apprenticeship and Industry Training Act carries out the undertaking;
- the owner or operator does not effect major alternations or additions to the premise; and
- the owner or operator maintains on the premise an accurate record of all repairs for the previous two (2) years and makes the records available to an SCO upon request.

The inspection time frame for an Annual Permit may not be extended.

3.7.5 Permit Expiry

A permit will expire according to the expiry date, and terms and conditions set in the permit. In the absence of an expiry date, a permit will expire in conformance with the Act and the *Permit Regulation (AR 2004/2007)*.

The Municipality will upon permit expiry:

- notify the owner, and the permit applicant, as indicated on the permit application by issuing a Permit Services Report; and
- close the permit by recording the reason and date for the expiration within the permit file; and

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- maintain the permit file according to its records management system.

3.7.6 Permit Extension

On the written request of a permit holder, a permit issuer may extend a permit for a fixed period of time that they consider appropriate. An application for a permit extension must be received prior to the permit expiring.

3.7.7 Permit Services Report

A Permit Services Report (PSR) will be:

- Used to complete and close a permit file.
- Issued within 30 days of completing the compliance monitoring services required in this QMP.
 - Completion of compliance monitoring services means:
 - after completion of the final required inspection;
 - acceptance of a Verification of Compliance in lieu of an inspection where allowed; or
 - compliance with the no-entry policy regarding the final required inspection.
- Issued to the owner.
 - Owner, in order of preference, means the owner of the project at the time the:
 - permit was purchased,
 - compliance monitoring services were provided, or
 - PSR was issued.

The Municipality or an SCO may:

- reactivate a permit file at any time, and
- inspect the undertaking authorized by the permit after closure and attach report to the permit.

Where an identified unsafe condition remains uncorrected, the Municipality will **not issue a PSR or close a permit file.**

3.7.8 Permit Refusal, Suspension, or Cancellation

An SCO may refuse, suspend, or cancel a permit in accordance with the Act and the *Permit Regulation (AR 2004/2007)*.

The Municipality will upon refusal, suspension or cancellation of a permit:

- serve written notice to the owner and the permit applicant of the reason for the refusal, suspension or cancellation;
- advise the owner of their right to appeal to the Council within 30 days from the date they are served the written notice; and
- place the written notice on the permit file.

A PSR will be issued when a permit is refused, suspended, or cancelled.

3.8 Site Inspections

Inspections, conducted in accordance with the technical service delivery standards detailed in Schedule C of this QMP, will determine and advise the owner of compliance to applicable codes and standards.

An SCO can conduct as many inspections as required, over and above the mandatory minimum inspections stipulated in Schedule C–Technical Service Delivery Standards (Schedule C) to ensure compliance with the Act.

All safety codes inspections covered under the municipality’s accreditation will:

- be conducted:
 - by a certified and designated SCO;
 - at the stages, and within the time frames, noted in in Schedule C of this QMP; and
 - within 5 working days of the requested inspection date;
- determine if the thing, process, or activity authorized by a permit complies with the Act, regulations, and codes and standards;
- address the status of the work at the stage of inspection, any previously identified deficiencies, and any related work or condition observed.

3.9 Site Inspection Reports

An inspection report will be completed following an inspection. The inspection report will include:

- name, signature, and designation number of the SCO conducting the inspection;
- permit number, and the Municipality file number if applicable;
- construction discipline associated with the work being inspected;
- name of the Municipality;
- owner name, address, phone number, and email if applicable;
- contractor name, address, phone number and email if applicable;
- address of the site inspected;
- date of the inspection;
- the stage(s) of work being inspected;
- a description of the applicable work in place at the time of inspection;
- all observed deficiencies including any condition where the work is incomplete, or does not comply with the Act, its regulations, or associated code;
- all outstanding deficiencies from all previous inspection reports, and plan reviews;
- all observed unsafe conditions including any condition that, in the opinion of the SCO, could result in property loss, injury, or death, and is **not** a situation of imminent serious danger;
- documentation of the corrective action taken to resolve unsafe conditions through re-inspection(s), or VOC; and
- all observed situations of imminent serious danger, and the action taken by the SCO to address, mitigate and remove the danger.

Completed inspection reports will be provided either electronically, or by hard copy, to the permit applicant and the contractor. If requested, the inspection report can be provided to the owner, project consultant, architect, or consulting engineer.

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A copy of a completed inspection report will be placed on the permit file.

3.10 No-Entry Policy

If an SCO is unable to gain entry to a site for a required inspection, a notification will be left on-site. Alternatively, this notification can be provided as appropriate to the owner, or permit applicant, by documented phone call, electronically or by mail. The notification will advise of the inspection attempt, and request that the Municipality be contacted to arrange for a date and time for the site inspection to be completed.

If the Municipality does not receive a response within 30 days of the notification, the Municipality will send the owner, or permit applicant, a second notification requesting that the Municipality be contacted within 30 days to arrange for a date and time for the site inspection to be completed.

If no response is received to the second notification, the inspection stage may be considered a “no-entry,” and counted as the required inspection.

In the case of a final inspection, a “no-entry” will be noted on the PSR to identify that the final inspection was not conducted, and the file will be closed.

3.11 Verification of Compliance (VOC)

An SCO, at their discretion, can accept a Verification of Compliance in place of an inspection for an identified deficiency or non-compliance. An SCO is **not required** to accept a VOC.

A VOC may be used:

- as follow-up on noted deficiencies or unsafe conditions on a site inspection report; or
- in lieu of a site inspection when permitted in this QMP.

A valid VOC must include:

- identification of the document as a VOC;
- address of the location where the VOC is being applied;
- permit number and discipline;
- name and title of the person who provided the VOC;
- detail on how the VOC was provided;
 - i.e. written assurance, verbal assurance with written documentation, site visit by designate, photographs, and etc.
- date the VOC was accepted by the SCO; and
- signature and designation number of the SCO.

3.12 Investigation and Reporting of an Unsafe Condition, Accident, or Fire

As required by the Act, and the *Administrative Items Regulation (A.R.16/2004)*, an SCO may investigate an unsafe condition, accident, or fire to determine its cause, circumstance, and make recommendations related to safety.

Specific to the fire discipline, an SCO will investigate the cause, origin, and circumstance of every fire in which a person dies, or suffers injury that requires professional medical attention, or where property is damaged or destroyed.

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When investigating an unsafe condition, accident, or fire, an SCO will exercise their authority and power as prescribed under the Act. While conducting an investigation to prevent injury, or death, or to preserve property or evidence, an SCO can close all or part of the affected premise for a period of 48 hours, or any extended period of time as authorized by a justice.

No person will remove or interfere with anything in, on, or about the place where the unsafe condition, accident, or fire occurred until permission has been granted by an SCO, unless it is necessary in order to:

- prevent death or injury;
- protect property or evidence;
- restore service.

An SCO who conducts an investigation will submit a copy of the report to the appropriate technical Administrator and provide a summary of the investigation to the Council.

Schedule C - Technical Discipline Service Delivery Standards

4.0 Technical Discipline Service Delivery Standards

4.1 Building

4.1.1 Building Permits

The Municipality will, prior to permit issuance:

- obtain construction documents including plans and specifications as outlined in the *National Building Code – 2019 Alberta Edition*;
- obtain any letters or schedules required to be provided by the *National Building Code – 2019 Alberta Edition*;
- conduct a preliminary review of the construction documents to determine if professional involvement is required or if there are any potentially significant code compliance issues;
- review applicable information on land conditions (e.g. substrata, soil conditions, water table, and etc.);
- obtain documents with the seal and signature of a registered architect and/or professional engineer(s), when required by the *National Building Code – 2019 Alberta Edition*;
- obtain New Home Warranty verification where applicable; and
- obtain a hot works permit, where applicable.

4.1.2 Construction Document Review

The Municipality will, not more than 15 days after permit issuance:

- complete a review of the construction documents in accordance with the requirements of the *National Building Code – 2019 Alberta Edition*;
- prepare a Plans Review Report;
- provide the Plans Review Report to the permit applicant and/or the contractor, and the Municipality's file and, if requested, to the owner, project consultant, architect, or consulting engineers; and
- provide one set of the examined construction documents to the permit applicant for retention and review at the project site, and retain one set on the Municipality's file.

The Municipality will, prior to construction, alteration, or demolition operations, obtain a fire safety plan for the project site in writing.

4.1.3 Compliance Monitoring on Projects Requiring Professional Involvement

The Municipality will:

- collect and maintain on file, required schedules, and/or a letter(s) of compliance from the professional architect or engineer when part(s) of the building require a professional architect or engineer; and
- collect and maintain on file all schedules and letters of compliance required in accordance with the *National Building Code – 2019 Alberta Edition* when registered professional architect or engineer involvement is required for the work covered under a permit.

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4.1.4 Building Site-Inspections

A building SCO will conduct site inspections at the stages indicated in the following tables:

Table 1. Site Inspection Stages for Part 9 Buildings Not Requiring Overall Professional Involvement

Type of Project	Type of Building and Major Occupancy	Minimum Inspections	Inspection Stage
Demolition	All	1	<ul style="list-style-type: none"> o at any stage within one (1) year from permit issuance
New Construction, OR Alteration, addition, renovation, reconstruction, change in occupancy, minor work with a value of less than \$50,000	All	1	<ul style="list-style-type: none"> o at any stage OR o within one (1) year from permit issuance
New Construction OR Alteration, addition, renovation, reconstruction, change of occupancy, with a value of work of over \$50,000	Single and Two Family Dwellings (Group C)	3	<ul style="list-style-type: none"> o complete foundation prior to backfill AND o solid or liquid fuelled appliance(s), building envelop, and framing prior to covering up with insulation and vapour barrier OR o building envelope including insulation and vapour barrier prior to drywall AND o final inspection, including HVAC completion within two (2) years of permit issuance
New Construction OR Alteration, addition, renovation, reconstruction, change of occupancy with a value of work of over \$50,000	Multi-family Residential, Townhouses, and Small Apartments (Group C)	3	<ul style="list-style-type: none"> o complete foundation prior to backfill AND o solid or liquid fuelled appliance(s), building envelop, and framing prior to covering up with insulation and vapour barrier OR o building envelope including insulation and vapour barrier prior to drywall AND o final inspection, including fire alarm and HVAC completion within two (2) years of permit issuance
New Construction OR Alteration, addition, renovation, reconstruction, change of occupancy, (with a value of work over \$50,000)	Business, Personal Services, Mercantile, Medical, and Low Hazard Industrial (Group D, E, F2, F3)	3	<ul style="list-style-type: none"> o complete foundation prior to backfill AND o building envelope and HVAC rough-in OR o framing, structure, and building envelop prior to insulation and vapour barrier AND o final inspection, including HVAC completion within two (2) years of permit issuance

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Table 2. Site Inspection Stages, Part 3 Buildings Not Requiring Overall Professional Involvement

Type of Project	Major Occupancy	Minimum Inspections	Inspection Stages
Demolition	All	1	<ul style="list-style-type: none"> ○ at any stage within one (1) year of permit issuance
Alteration, addition, renovation, reconstruction, change in occupancy, minor work with a value of less than \$50,000	All	1	<ul style="list-style-type: none"> ○ at any stage <li style="text-align: center;">OR ○ within one (1) year of permit issuance
New Construction OR Alteration, addition, renovation, reconstruction, change of occupancy with a value of work over \$50,000 and less than \$200,000	All	2	<ul style="list-style-type: none"> ○ *foundation <li style="text-align: center;">OR ○ *framing, structure <li style="text-align: center;">OR ○ *HVAC rough-in <li style="text-align: center;">OR ○ *fire suppression systems <li style="text-align: center;">OR ○ *fire alarm system <li style="text-align: center;">OR ○ *HVAC completion <li style="text-align: center;">OR ○ *interior partitioning <li style="text-align: center;">OR ○ Medical Gas rough-in <li style="text-align: center;">AND ○ *final inspection within one (1) year of permit issuance
New Construction OR Alteration, addition, renovation, reconstruction, change of occupancy with a value of work over \$200,000	All	3	<ul style="list-style-type: none"> ○ *foundation <li style="text-align: center;">OR ○ *framing, structure <li style="text-align: center;">OR ○ *HVAC rough-in <li style="text-align: center;">OR ○ *fire suppression systems <li style="text-align: center;">OR ○ *fire alarm system <li style="text-align: center;">OR ○ *HVAC completion <li style="text-align: center;">OR ○ *interior partitioning <li style="text-align: center;">OR ○ Medical Gas rough-in <li style="text-align: center;">AND ○ *final inspection within two (2) years of permit issuance

* NOTE: Any of these site inspections may be combined when it's reasonable to do so, and if site conditions permit.

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Table 3. Site Inspection Stages, Part 3 or 9 Buildings Requiring Overall Professional Involvement

Type of Project	Major Occupancy	Minimum Inspections	Inspection Stages
Demolition	All	1	<ul style="list-style-type: none"> ○ at any stage within one (1) year of permit issuance
Alteration, addition, renovation, reconstruction, change in occupancy, minor work with a value of less than \$50,000	All	1	<ul style="list-style-type: none"> ○ at any stage OR ○ within one (1) year of permit issuance
New Construction OR Alteration, addition, renovation, reconstruction, change of occupancy with a value of work over \$50,000 and less than \$200,000	All	2	<ul style="list-style-type: none"> ○ interim inspection at approximately the mid-term of the work AND ○ final inspection within two (2) years of permit issuance
New Construction OR Alteration, addition, renovation, reconstruction, change of occupancy with a value of work over \$200,000	All	3	<ul style="list-style-type: none"> ○ *foundation OR ○ *framing, structure OR ○ *HVAC rough-in OR ○ *fire suppression systems OR ○ *fire alarm system OR ○ *HVAC completion OR ○ Interior Partitioning OR ○ Medical Gas rough-in AND ○ *final inspection within two (2) years of permit issuance

* NOTE: Any of these site inspections may be combined, when it is reasonable to do so and if site conditions permit.

4.1.5 Miscellaneous Building Site Inspections

In addition to the three tables above, the following inspection frequency will be adhered to in relation to the thing, process or activity identified below.

1. **Accessory Buildings**, including detached garages, or sheds, will be inspected within 180 days of permit issuance.
2. **Single Family Manufactured Home, Ready-to-Move; or Mobile Home** siting will consist of a foundation **AND** final inspection within 180 days of permit issuance.
3. **Site Inspection of Part 10 buildings (Industrial Relocatable)** will consist of at least one on-site inspection within 90 days of final set-up stage.

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4. **Site Inspection of Solid or Liquid Fuelled Heating Appliances** (under separate Permit) will consist of at least one (1) on-site inspection within 180 days of permit issuance.
5. **Site Inspection of Mechanical, Heating, or Ventilation Systems** (under separate permit) will consist of at least one (1) on-site inspection at the completion stage, prior to covering, within 180 days of permit issuance.
6. **Non-Flammable Medical Gas Piping Systems** will, at the discretion of SCO, consist of one (1) inspection, or acceptance of Verification of Compliance, within 180 days of permit issuance.
7. **Site Inspection of Vendors** that advertise, display, or offer for sale, things to which the Act applies will be inspected upon complaint or concern at the discretion of the Municipality.
8. **Site Inspection of Manufacturers** will be conducted at the discretion of the Municipality as per the permit inspection schedule for permitted work; or the compliance and enforcement process will be initiated for work not permitted or under other safety codes administration such as accredited corporation monitoring, a Standards Council of Canada program, a provincial government manufacturing program, or an international agreement, where the work is within scope of safety codes requirements.

4.2 Electrical

4.2.1 Electrical Permits

The Municipality will issue Electrical Permits.

4.2.2 Construction Document Review

An SCO or permit issuer may, as a condition of the permit, require the permit applicant to submit construction documents, including plans and specifications, describing the work for any proposed electrical installation.

4.2.3 Electrical Installation Site-Inspections

An electrical SCO will conduct site inspections at the stages indicated in the following table:

Type of Project	Minimum Inspections	Inspection Stages
Public Institutions, Commercial, Industrial, Multi-Family Residential with value of work over \$10,000	2	<ul style="list-style-type: none"> o rough-in inspection prior to cover-up OR o mid-term AND o final inspection at substantial completion of work described on the permit within two (2) years of permit issuance
Public Institutions, Commercial, Industrial, Multi-Family Residential with value of work less than \$10,000	1	<ul style="list-style-type: none"> o rough-in inspection, or final inspection, within one (1) year of permit issuance
Single Family Residential or Farm Buildings with value of work over \$2,500	2	<ul style="list-style-type: none"> o completed rough-in inspection prior to cover-up AND o final inspection at substantial completion of work described on the permit within two (2) years of permit issuance
Single Family Residential or Farm Buildings with value of work less than \$2,500	1	<ul style="list-style-type: none"> o final inspection, within one (1) year of permit issuance
Skid Units, Relocatable Industrial Accommodation, Oilfield Pump-Jacks, and Temporary Services	1	<ul style="list-style-type: none"> o rough-in inspection prior to cover-up OR o final inspection within 180 days of permit issuance, including all additional wiring for Relocatable Industrial Accommodation and Manufactured Housing
Manufactured, ready-to-move, or mobile home, connection only	1	<ul style="list-style-type: none"> o final inspection within 180 days of permit issuance
Annual Permit for minor alterations, additions conducted on one site	2	<ul style="list-style-type: none"> o mid- term inspection AND o final inspection, within one (1) year of permit issuance

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4.2.4 Miscellaneous Electrical Inspections

In addition to the table above, the following inspection frequency will be adhered to in relation to the thing, process, or activity identified below.

1. **Site Inspection of Vendors** that advertise, display, or offer for sale, things to which the Act applies will be inspected upon complaint or concern at the discretion of the Municipality.
2. **Site Inspection of Manufacturers** will be conducted at the discretion of the Municipality as per the permit inspection schedule for permitted work; or the compliance and enforcement process will be initiated for work not permitted or under other safety codes administration such as accredited corporation monitoring, a Standards Council of Canada program, a provincial government manufacturing program, or an international agreement, where the work is within scope of safety codes requirements.

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4.3 Gas

4.3.1 Gas Permits

The Municipality will issue Gas Permits.

4.3.2 Construction Document Review

An SCO or a permit issuer may, as a condition of the permit, require the permit applicant to submit construction documents including plans and specifications describing the work for any proposed gas installation.

4.3.3 Gas Installation Site-Inspections

A gas SCO will conduct site inspections at the stages indicated in the following table:

Installation Type	Minimum Inspections	Gas Installation Stages
Public Institutions, Commercial, Industrial, Multi-Family Residential	2	<ul style="list-style-type: none"> o rough-in <li style="text-align: center;">AND o final inspection at substantial completion of work described on the permit within two (2) years of permit issuance
Single Family Residential or Farm Buildings	2	<ul style="list-style-type: none"> o rough-in <li style="text-align: center;">AND o final inspection at substantial completion of work described on the permit within two (2) years of permit issuance
Single Family Residential accessory buildings, or any use alteration, addition, renovation, or reconstruction	1	<ul style="list-style-type: none"> o final inspection at substantial completion of work described on the permit within two (2) years of permit issuance
Temporary Heat Installations, under separate permit, or temporary services	1	<ul style="list-style-type: none"> o final inspection at substantial completion of work described on the permit within two (2) years of permit issuance
Connection of manufactured, ready-to-move or mobile home or propane tank set over 454 liters	1	<ul style="list-style-type: none"> o final inspection within 180 days of permit issuance
Annual Permit	2	<ul style="list-style-type: none"> o mid-term inspection <li style="text-align: center;">AND o final inspection at substantial completion of work described on the permit within one (1) year of permit issuance

4.3.4 Miscellaneous Gas Inspections

In addition to the table above the following inspection frequency will be adhered to in relation to the thing, process, or activity identified below.

1. **Site Inspection of Vendors** that advertise, display, or offer for sale things to which the Act applies will consist of inspecting upon complaint or concern at the discretion of the Municipality.

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- 2. Site Inspection of Manufacturers** will be conducted at the discretion of the Municipality as per the permit inspection schedule for permitted work; or the compliance and enforcement process will be initiated for work not permitted or under other safety codes administration such as accredited corporation monitoring, a Standards Council of Canada program, a provincial government manufacturing program, or an international agreement, where the work is within scope of safety codes requirements.

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4.4 Plumbing

4.4.1 Plumbing Permits

The Municipality will issue Plumbing permits.

4.4.2 Construction Document Review

An SCO and/or a permit issuer may, as a condition of the permit, require the permit applicant to submit construction documents including plans and specifications describing the work for any proposed plumbing installation.

4.4.3 Plumbing Installation Site-Inspections

A plumbing SCO will conduct site inspections at the stages indicated in the following table:

Installation Type	Minimum # of Inspections	Plumbing Installation Stage
Public Institutions, Commercial, Industrial, Multi-Family Residential with more than 5 fixtures	2	<ul style="list-style-type: none"> o rough-in below grade prior to covering <li style="text-align: center;">OR o rough-in above grade prior to covering <li style="text-align: center;">AND o final inspection at substantial completion of work described on the permit within two (2) years of permit issuance
Public Institutions, Commercial, Industrial, Multi-Family Residential with 5 fixtures or less	1	<ul style="list-style-type: none"> o rough-in below grade prior to covering <li style="text-align: center;">OR o rough-in above grade prior to covering <li style="text-align: center;">OR o final inspection at substantial completion of work described on the permit within two (2) years of permit issuance
Single Family Residential or Farm Buildings new construction or alteration, addition, or renovation with more than 5 fixtures	2	<ul style="list-style-type: none"> o completed rough-in below grade <li style="text-align: center;">OR o completed rough-in above grade prior to covering within 180 days of permit issuance <li style="text-align: center;">AND o final inspection at substantial completion of work described on the permit within two (2) years of permit issuance
Single Family Residential or Farm Building alteration, addition, or renovation with 5 fixtures or less	1	<ul style="list-style-type: none"> o final inspection at substantial completion of work described on the permit within two (2) years of permit issuance
Manufactured, ready-to-move, or mobile home not on foundation, connection only	1	<ul style="list-style-type: none"> o final inspection within 180 days of permit issuance
Annual Permit	2	<ul style="list-style-type: none"> o mid-term inspection <li style="text-align: center;">AND o final inspection at substantial completion of work described on the permit within yone (1) year of permit issuance
Private Sewage Disposal Systems	1	<ul style="list-style-type: none"> o one (1) site inspection prior to covering.

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4.4.4 Permits for Private Sewage Disposal Systems

The Municipality will issue permits for Private Sewage Disposal System installations.

The Municipality will, prior to permit issuance, require the permit applicant to provide all relevant installation details including:

- a site plan;
- the expected volume of sewage per day;
- the criteria used to determine the expected volume of sewage per day;
- description and details of all sewage system treatment and effluent disposal component(s); and
- details of the method(s) used to determine the soil effluent loading rate, including the results of the method(s) and who they were conducted by, and the depth to the water table if less than 2.4 m from ground surface.

A Plumbing Group B SCO will complete a review of the permit application information for compliance with the Private Sewage Disposal System regulations prior to permit issuance.

4.4.5 Private Sewage Disposal System Site Inspections

A Plumbing Group B SCO will conduct a minimum of one site inspection prior to covering.

4.4.6 Miscellaneous Plumbing Inspections

In addition to the table above, the following inspection frequency will be adhered to in relation to the thing, process or activity identified below.

1. **Site Inspection of Vendors** that advertise, display, or offer for sale, things to which the Act applies will consist of inspecting upon complaint or concern at the discretion of the Municipality.
2. **Site Inspection of Manufacturers** will be conducted at the discretion of the Municipality as per the permit inspection schedule for permitted work; or the compliance and enforcement process will be initiated for work not permitted or under other safety codes administration such as accredited corporation monitoring, a Standards Council of Canada program, a provincial government manufacturing program, or an international agreement, where the work is within scope of safety codes requirements.



DRAFT LAND USE BYLAW

BYLAW 335-2023

JULY 2023 | FIRST READING

LIST OF AMENDMENTS

Number	Bylaw	Third Reading Date	Purpose
1			
2			
3			
4			
5			

DRAFT 12 JULY 23

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GUIDE TO USING THE LAND USE BYLAW

The Land Use Bylaw (LUB) establishes regulations for how land can be developed within the Summer Village of Silver Sands. Regulations vary depending on the location and type of development. A development permit must be obtained prior to any new construction, structural renovations, opening of a new business and/or changing the use of an existing building. Development permits provide municipal approval for the use of land as well as the placement, size and location of new buildings or structures. In addition to the LUB, other bylaws and polices of the Summer Village of Silver Sands, as well as Provincial and Federal regulations must also be followed.

The following steps may assist the user of the Land Use Bylaw:

1	Locate the subject property on the Land Use Districts Map in Section 11. The map divides the Summer Village into nine different land use districts. Take note of which land use district the subject property is located in. Note that land use districts are often referred to as "Zones" or "Zoning." To conform to the language of the <i>Municipal Government Act</i> , this Land Use Bylaw uses the terms "district" and "districting."
2	Check the Table of Contents and locate the land use district you are interested in. Each land use district is listed in Section 10. In each land use district, you will find a list of permitted and discretionary uses, subdivision regulations, development regulations and other miscellaneous regulations. This determines how and what can be developed in any given land use district. There are definitions in Section 2 that should also be consulted to ensure that words and terms used in the Land Use Bylaw are understood.
3	Review the Table of Contents to see if there are any regulations that apply to the specific situation or use in question. For example, Section 9 contains regulations affecting accessory buildings, recreational vehicles, sea cans, and suites, among many others.
4	Discuss your proposal or concern with the Summer Village Development Officer. The Development Officer is trained and eager to assist you with your development, or general inquiry issues and to explain procedures. They can also assist with other situations such as enforcement or a Land Use Bylaw amendment.

Please note that the above guide (on this page only) is only intended to assist users and is not approved as part of the Summer Village of Silver Sands Land Use Bylaw.

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1. ADMINISTRATION

1.1 Title

- 1.1.1 This Bylaw may be referred to as the Summer Village of Silver Sands Land Use Bylaw (Bylaw #335-2023).

1.2 Effective Date

- 1.2.1 The effective date of this Bylaw shall be the date of the third reading.

1.3 Repeal

- 1.3.1 The former Summer Village of Silver Sands Land Use Bylaw (as amended) is repealed and shall cease to have effect on the day that this Land Use Bylaw comes into effect.

1.4 Purpose

- 1.4.1 The purpose of this bylaw is to prohibit or regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land:
- a. To divide the municipality into land use districts;
 - b. To prescribe and regulate for each land use district the purposes for which land and buildings may be used unless the district is designated as a Direct Control District pursuant to section 641 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended;
 - c. To establish the Development Authority for the Summer Village of Silver Sands;
 - d. Establish a method of making decisions on applications for subdivision approval in accordance with the provisions of the *Municipal Government Act* and its regulations;
 - e. To establish a method of making decisions on applications for development permits including the issuing of development permits;
 - f. To provide the manner in which notice of the issuance of a development permit is to be given;
 - g. To establish a system of appeals against the decisions of the Subdivision Authority and the Development Authority;
 - h. To establish the number of dwelling units permitted on a parcel of land;
 - i. To establish regulations that foster the well-being of the environment including the shoreline and water quality of Isle Lake; and
 - j. To follow:
 - i. adopted statutory plans and watershed management plans;
 - ii. the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended;
 - iii. the *Subdivision and Development Regulation*, AR43/2002, as amended; and
 - iv. the Provincial Land Use Polices (or, where applicable, a regional plan adopted under the *Alberta Land Stewardship Act*, S.A. 2009, c. A-26.8, as amended).

1.5 Application

- 1.5.1 The provisions of this Bylaw apply to all land and buildings within the boundaries of the Summer Village of Silver Sands.

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1.6 Conformity and Compliance

- 1.6.1 No person shall commence any subdivision or development unless it is in accordance with the regulations of this Bylaw. Nothing in this Bylaw affects the duty or obligation of a person to obtain a development permit or subdivision approval as required in this bylaw, or to obtain any other permit, license, approval, or other authorization required by any bylaw, Act, or any regulation pursuant to an *Act*.

1.7 Compliance

- 1.7.1 Compliance with the requirements of this Bylaw does not exempt a person from:
- a. The requirements of any federal or provincial legislation;
 - b. The policies and regulations of Summer Village statutory plans and bylaws;
 - c. Complying with any easement, covenant, agreement, or contract affecting the development.
- 1.7.2 Nothing in this Bylaw removes the obligation of a person to obtain other permits, licenses or approvals required by other legislation, statutory plans, or bylaws.

1.8 Severability

- 1.8.1 Each separate provision of this Bylaw shall be deemed independent of all other provisions.
- 1.8.2 If any provision of this Bylaw be declared invalid, that provision shall be severed, and all other provisions of the Bylaw shall remain in force and effect.

1.9 Relationship with the Municipal Government Act

- 1.9.1 This Bylaw is enacted under the *Municipal Government Act*, as amended. This Bylaw is intended to be read in conjunction with the *Municipal Government Act*, as amended. Reference should be made to *the Act* and its regulations with respect to definitions of terms, administrative matters, and the powers of agencies and officers referred to in this Bylaw, if these are not set out in this Bylaw.

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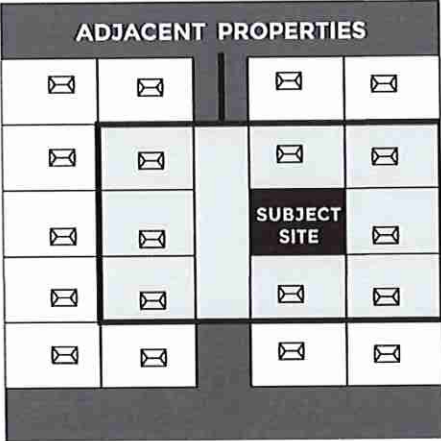
2. INTERPRETATION

2.1 Measurements

- 2.1.1 The metric measurement shall take precedence for the purposes of interpretation of this Land Use Bylaw.
- 2.1.2 The imperial measures are approximate and are provided only for information.
- 2.1.3 Unless specified elsewhere in this Land Use Bylaw, measurements shall be rounded to the tenth decimal place.

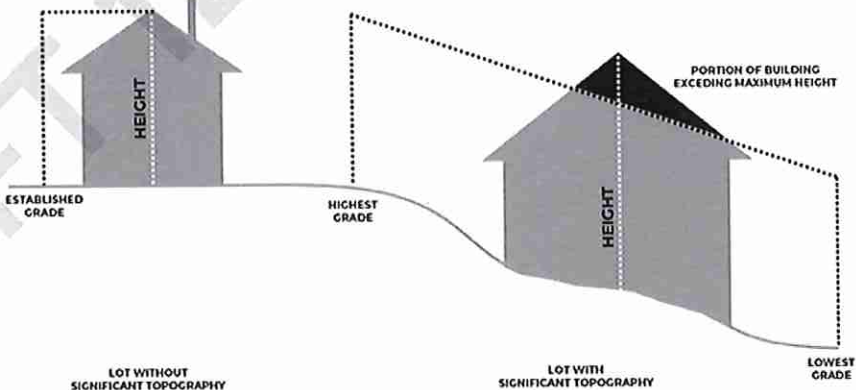
2.2 Definitions

2.2.1 In this Bylaw:

1.	Abut	Means immediately contiguous to, or physically attaching to, and when used in respect of a parcel, means that the parcel physically touches upon another parcel and shares a property line with it.
2.	Accessory Building	<p>Means a building separate and subordinate to the principal building, the use of which is incidental to that main building and is located on the same lot. An accessory building shall generally be secondary to the principal building on the lot in size and use.</p> <p>A building which does not share footings with the main building on the lot is deemed to be an accessory building even if it is connected to the main building by a roof, breezeway, deck, patio, or other at grade or above grade connection.</p> <p>Accessory buildings include (among other forms of development) garages, boathouses, sheds, and guest houses.</p>
3.	Accessory Use	Means a use separate and subordinate to any use of land or use of the principal building lawfully occurring on a site.
4.	Act	Means the Municipal Government Act R.S.A. 2000 c. M—26 as amended.
5.	Adjacent Land	<p>Means land that is immediately contiguous to land that is the subject of an application or would be immediately contiguous to land that is the subject of an application, if not for a road, lane, walkway, watercourse, utility lot, pipeline right-of-way, power line, railway, or similar feature.</p>  <p>The diagram, titled 'ADJACENT PROPERTIES', shows a grid of 10 lots. A central lot is shaded and labeled 'SUBJECT SITE'. It is surrounded by other lots, with some lots having an envelope icon representing a building. The subject site is located in the middle-right of the grid.</p>
6.	Adjacent Landowner	Means owner(s) of land that is contiguous to the land that is the subject of an application, and includes owners of:

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		<p>a. land that would be contiguous if not for a highway, road, river or stream; and</p> <p>b. any other land identified in this Bylaw as adjacent for the purpose of satisfying notification or referral requirements of this Bylaw.</p>
7.	Amenity Area	Means an area which shall be provided subject to the regulations of this Bylaw, and which must be developed for the active or passive recreation and enjoyment of the occupants of a residential development. Such area may be for either private or communal use and may be under either individual or common ownership
8.	Amenity Area, Private Outdoor	Means an amenity area which shall be provided subject to regulations in this Bylaw, but which must be developed for the active or passive recreation and enjoyment of the residents of a specific dwelling unit, and which is immediately adjacent to and directly accessible from the dwelling unit it is intended to serve.
9.	Animal Day Care	Means any person or business other than the owner of the animal that provides care, maintenance, and supervision for domestic animals for compensation for periods of less than 24 consecutive hours. For this bylaw, an animal day care shall not be a home occupation.
10.	Applicant	Means the person applying for a development permit, subdivision, amendment, or appeal who shall be the registered owner(s) of the subject land or the representative or agent of the owner(s), duly authorized by the owner in writing to make application on behalf of the owner(s) as evidenced on the application form.
11.	Aquifer	Means a sub-surface layer or layers of porous rock which hold water within the spaces between the rocks (interstitial spaces).
12.	Arborist's Report	Means a report prepared by a certified arborist includes an inventory of the trees on the site and identifies a plan to manage the trees on the site to best preserve their health and function.
13.	Area of Copy	Means the entire area of a sign within a single common continuous perimeter enclosing the extreme limits of the advertising message, announcement, or decoration on the sign, and shall be for the purpose of area calculation square or rectangular in shape.
14.	Area Redevelopment Plan	Means a plan adopted by Council as an area redevelopment plan pursuant to the <i>Act</i> .
15.	Area Structure Plan	means a plan adopted by Council as an area redevelopment plan pursuant to the <i>Act</i> .
16.	Bed and Breakfast Operation	means a commercial use of a dwelling where temporary sleeping accommodations - up to a maximum of three (3) bedrooms, with or without meals - are provided for remuneration to members of the public.

17.	Bed and Shore	means the land covered so long by water as to wrest it from vegetation or as to mark a distinct character on the vegetation where it extends into the water or on the soil itself.
18.	Boat Hoist	means a hoist installed within a waterbody for the purpose of raising boats and other watercraft from, or lowering into, a waterbody.
19.	Boat House	means an accessory building located between the legal bank of the lake and the principal building on the site that is used primarily for the storage of watercraft and/or items associated with aquatic recreation. A boathouse shall not include a suite, and shall not contain cooking, bathing or sleeping facilities. A boat house shall not be developed in the bed and shore of a waterbody.
20.	Buffer	means a row of trees, shrubs, berm(s), or fencing to provide visual screening and separation between sites and incompatible land uses.
21.	Building	includes anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge that forms part of a highway or road.
22.	Building Height	means the vertical distance of a building measured from the grade to the highest point of the building (see "Grade"). The highest point of a building shall be determined without considering an elevator housing, stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smokestack, a firewall, a parapet wall, a flagpole or similar device or feature not structurally essential to the building. 
23.	Building Pocket	means the land on which yard amenity areas, the main building on the site, and all accessory buildings will be situated.
24.	Cannabis	means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the Cannabis Act and its regulations, as amended from time to time and includes edible products that contain cannabis.
25.	Cannabis Consumption Facility	means a development, or any part thereof, licensed to sell cannabis to the public for consumption within the premises.

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26.	Cannabis Retail Sales	means a retail store licensed by the Province of Alberta where cannabis and cannabis accessories are sold to individuals who attend the premises.
27.	Canopy	means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun.
28.	Canopy Sign	see "sign, canopy."
29.	Carport	means a roofed structure used for storing or parking of not more than two private vehicles which has not less than 40% of its total perimeter open and unobstructed.
30.	Chattel	means a moveable item of personal property.
31.	Corner	means the intersection of any two property lines of a parcel.
32.	Council	means the Council of the Summer Village of Silver Sands.
33.	Curb Cut	means the lowering of a curb, sidewalk or boulevard to provide vehicular access to a parcel.
34.	Day Care Facility	means a facility and program for the provision of care, maintenance and supervision for four or more children under the age of fifteen years, by a person other than one related by blood or marriage, for periods of more than three (3) but less than twenty-four (24) consecutive hours, other than institutions operated by or under the authority of the Province of Alberta
35.	Day Home	means a childcare facility operated in a private residence and complies with the Alberta Family Day Home Standards but does not include childcare programs as defined by the Child Care Licensing Act.
36.	Deck	means any open structure attached to a building having a height greater than 0.6 m (2.0 ft.) above grade, and thereby requiring stairs and railings as outlined in regulations approved under the <i>Safety Codes Act</i> . A deck shall not have walls higher than 1.25 m (4.1 ft.).
37.	Demolition	means the tearing down, wrecking, destroying, or removal of a development, and is considered a form of development.
38.	Designated Officer	means a person authorized to exercise development authority powers on behalf of the municipality pursuant to the provision of the <i>Act</i> and this Bylaw.
39.	Developable Area	means an area of land suitable for a building site and containing adequate surface elevation to preclude marshland, wetland, or high-water table conditions
40.	Developer	means an owner, agent, or any person, firm or company required to obtain or having obtained a development permit.
41.	Development	means development as defined in <i>the Act</i> , and includes the following: <ul style="list-style-type: none"> a. an excavation or stockpile and the creation of either of them; b. a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, or under land;

		<ul style="list-style-type: none"> c. removal or demolition of a building or structure in whole or in part; d. a change in the use of land or of a building, or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building, and e. a change in the intensity of use of land or of a building, or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building; f. redevelopment of a previously developed parcel of land; g. vegetation removal; h. tree removal; i. stripping; j. grading; k. recontouring; or l. a change of use of land or a building that alters natural drainage patterns.
42.	Development Authority	means the Development Authority established by this Land Use Bylaw and as appointed by Council.
43.	Development Officer	means the person(s) appointed as the Summer Village's Development Officer as established by this bylaw.
44.	Development Permit	means a document authorizing a Development issued by the Development Authority pursuant to this Bylaw.
45.	Discontinued	means the time at which, in the sole opinion of the Development Officer, substantial construction activity or a use (conforming or non-conforming) has ceased.
46.	Discretionary Use	means the use of land or a building provided for in this bylaw for which a development permit may or may not be issued, at the discretion of the Development Authority. Discretionary uses are listed in the land use districts in which they may be considered.
47.	Drive-In Business	means an establishment which services customers traveling in motor vehicles driven onto the parcel where such business is carried on, where normally the customer either remains in the vehicle for service or parks their vehicle for a short period for the purpose of doing business at the premises and includes service stations.
48.	Dwelling	means any building used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level.
49.	Dwelling, Manufactured Home	means a dwelling which is constructed with a chassis or related assembly that allows for the permanent or temporary attachment of a hitch and assembly to enable relocation of the dwelling. A manufactured home may be a single structure (single wide) or two parts which when put together (double wide) comprises a complete dwelling. Manufactured homes do not include stick-built dwellings, modular homes, mobile homes, or

		<p>temporary living accommodation. Under this Bylaw, a manufactured home features the following design standards:</p> <ol style="list-style-type: none"> a minimum roof pitch of 5 cm (2 inches) of vertical rise for every 30.5 cm (12 inches) of horizontal run (2:12 pitch) have a roof surface of wood or asphalt shingles, clay or concrete tile, slate shingles, sheet metal shingles, or hand split shakes; have a minimum roof overhang or eaves of 30.5 cm (1 foot) from the primary surface of each façade; have a minimum length width (or width length) ratio of 2:1; meets the National Building Code of Canada CAN/CSA A277 standard; and constructed after January 1, 1996. <p>This use does not include park models, mobile homes, or modular home.</p>
50.	Dwelling, Mobile Home	<p>means a dwelling which was constructed prior to January 1, 1996, does not meet the National Building Code of Canada CAN/CSA A277 standard, with a chassis or related assembly that allows for the permanent or temporary attachment of a hitch and wheel assembly to enable relocation of the dwelling. A mobile home does not include a modular home, manufactured home, park model, temporary living accommodation or single detached dwelling as described in this Bylaw. A mobile home may be a single structure (single wide) or two parts which when put together (double wide) comprises a complete dwelling.</p>
51.	Dwelling, Multi-Unit	<p>means a development containing two or more dwelling units, and includes residential uses such as duplexes, triplexes, and apartment buildings.</p>
52.	Dwelling, Single Detached	<p>means a building consisting of one (1) dwelling unit. A single detached dwelling is normally constructed on-site. However, a single detached dwelling may be constructed in pieces off-site, or even in one piece, with the piece(s) being transported to the site for assembly on-site and thus may be a modular dwelling. Single detached dwellings do not include manufactured home dwellings, mobile home dwellings, suites, park models, or recreational vehicles.</p>
53.	Dwelling Unit	<p>means a complete dwelling or self-contained portion of a dwelling, or a set or suite of rooms which contains sleeping, cooking and separated or shared toilet facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for a household, and which is not separated from direct access to the outside by another separate dwelling unit.</p>
54.	Easement	<p>means a right to use land, generally for access to other property or as a right-of-way for a public utility.</p>
55.	Eating or Drinking Establishment	<p>means development where prepared food and beverages (both non-alcoholic and alcoholic) are offered for sale to the public, for consumption within the premises. This use class includes neighbourhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, and lunchrooms.</p>

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56.	Environmental Reserve Easement	means lands that would normally be taken as Environmental Reserve at the time of subdivision may instead be the subject of an Environmental Reserve Easement. The lands are owned by the landowner and not the municipality; however, the lands subject to the ERE must remain in a natural state as if they were owned by the municipality and the ERE may be enforced by the municipality.
57.	Environmental Reserve Easement	means lands that would normally be taken as Environmental Reserve at the time of subdivision may instead be the subject of an Environmental Reserve Easement. The lands are owned by the landowner and not the municipality; however, the lands subject to the ERE must remain in a natural state as if they were owned by the municipality and the ERE may be enforced by the municipality.
58.	Environmentally Sensitive Area	<p>means:</p> <ul style="list-style-type: none"> a. Hazardous lands and areas that are unsuitable for development in their natural state (i.e., floodplains, steep and unstable slopes); b. Areas that perform a vital environmental, ecological or hydrological function (i.e., aquifer or recharge groundwater storage areas); c. Areas that contain unique geological or physiological features; d. Areas, buildings or features that are important for cultural, historical, prehistoric or archeological reasons; e. Areas that contain significant rare or endangered animal or plant species; f. Areas containing unique habitats with limited representation in the region or small remnants of previously abundant habitats which have virtually disappeared; g. Areas that contain large, relatively undisturbed habitats and provide shelter for species that are intolerant of human disturbance; h. Areas that provide an important link for the natural migration of wildlife; and/or i. Riparian areas of water bodies, wetlands, and watercourses.
59.	Environmentally Significant Area	are generally defined as areas that are important to the long-term maintenance of biological diversity, physical landscape features and/or other natural processes, both locally and within a larger spatial context. ESAs are determined by the Government of Alberta as per the criteria and evaluation matrix outlined in Environmentally Significant Areas in Alberta: 2014 Update.
60.	Erosion and Sediment Control Plan	means a plan that satisfies the requirements of the Development Authority which is to be provided to the contractor for implementation to address erosion and sedimentation issues both through temporary measures during construction and permanent measures to address post-construction conditions. It provides details about how the site will be managed during construction for the preservation of vegetation, topsoils, and municipal infrastructure and must detail how noise, erosion, mud, and

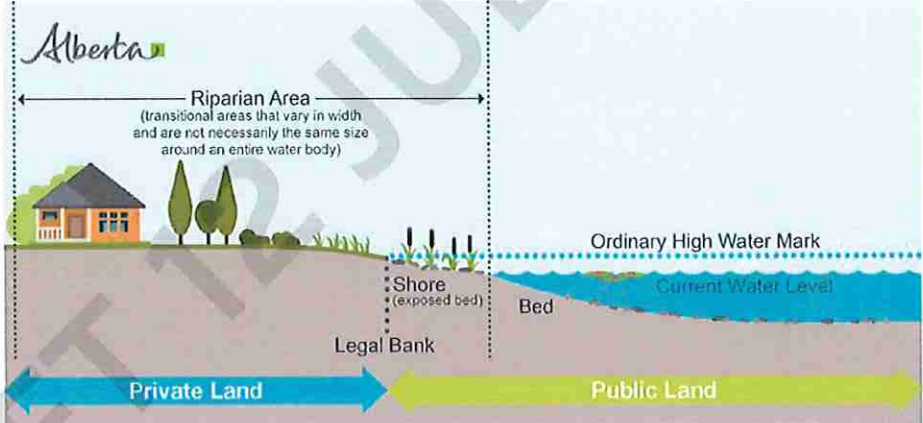
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		sediment transport will be controlled and minimized, how the disturbance of vegetation and topography will be minimized.
61.	Excavation	means any breaking of ground, except common household gardening and ground care.
62.	Extensive Agriculture	means a system of tillage which depends upon large areas of land for the raising of crops. Extensive agricultural uses include buildings and other structures incidental to farming.
63.	Extensive Livestock Operation	means a farming operation involving the rearing of livestock either in conjunction with or separate from an extensive agricultural operation. Extensive Livestock Operations do not include Confined Feeding Operations.
64.	Fence	means a vertical physical barrier constructed to prevent visual intrusion, sound abatement or unauthorized access.
65.	Flanking Lot	means a corner lot on which a side boundary is abutting onto a street and where all other parcels which are within 9.1 m (30.0 ft.) of the parcel have no front boundary on the same street.
66.	Floor Area	means the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the glass-line of exterior walls and the centreline of fire walls but not including the floor areas of basements, attached garages, sheds, open porches or breezeways
67.	Foundation	means the lower portion of a building, usually concrete or masonry, and includes the footings which transfer the weight of and loads on a building to the ground
68.	Freestanding Sign	see "sign, freestanding."
69.	Front Yard	see "yard, front."
70.	Frontage	means the length of a street boundary measured along the front lot line
71.	Garage	means an accessory building, or part of a main building, designed and used primarily for the storage of motor vehicles, recreational vehicles, boats, and chattel and is not intended to be occupied.
72.	Gazebo	means a freestanding, roofed structure which is not enclosed, except for screening or glass and which is utilized for the purposes of relaxation in conjunction with a residential dwelling. A gazebo is not serviced by permanent electrical or heating. A gazebo is not considered a tented structure for the purposes of this bylaw.
73.	Grade	means the ground elevation established for the purpose of determining building height. In determining grade, the Development Authority shall select from the following methodologies, whichever one best ensures compatibility with neighbouring developments: <ul style="list-style-type: none"> a. If the applicant can show by a survey prepared by a qualified professional that the predevelopment elevation of the subject

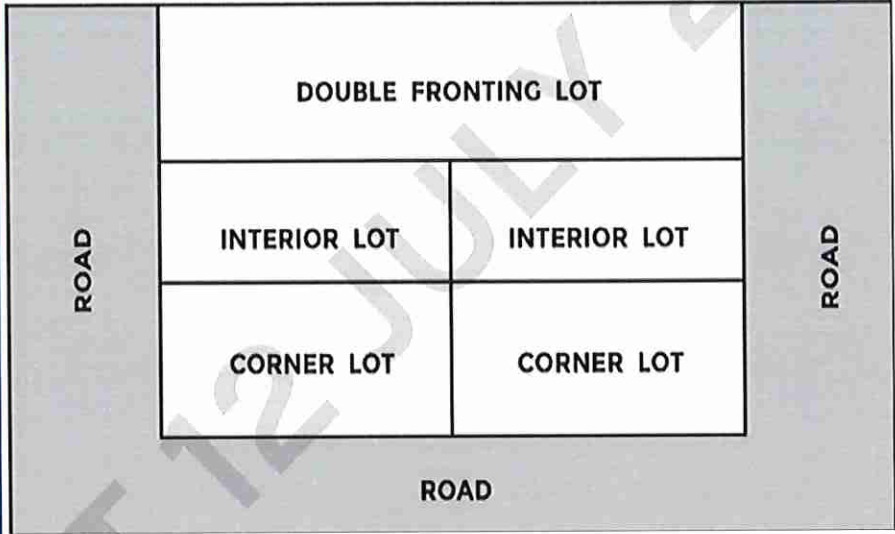
		<p>parcel varies by no more than 1.0 m (3.3 ft.) in 30 linear metres, the Development Authority may determine grade by calculating the average of the highest and lowest elevation on the parcel; or</p> <p>b. The Development Authority may determine grade by calculating the average of the pre-development elevations at the corners of the parcel as shown on a reliable survey; or</p> <p>c. The Development Authority may determine grade by calculating the average elevation of the corners of the principal buildings on all properties abutting the subject parcel; or</p> <p>d. the average of the pre-development elevations at the corners of the building as shown on a survey prepared by an Alberta Land Surveyor.</p>
74.	Geotechnical Report	<p>Means a report prepared by a qualified professional that may include the following:</p> <p>a. Slope stability, including slope setback distances, cross-sections of the slope area both before and after development and final grading (The height and existing angle of the slope verified by accurate historical survey data or site-specific information completed by a qualified surveyor);</p> <p>b. Seasonally adjusted and recommended water tables;</p> <p>c. Location of on-site storage of sewage;</p> <p>d. Recommended building foundations and basement construction; and</p> <p>e. Soil bearing capabilities.</p>
75.	Grading	<p>means the recontouring or sloping of the land in such a way that surface drainage from rainstorms, snowmelt or groundwater is directed away from the buildings and is controlled in a manner that eliminates or minimizes the impact on adjacent properties.</p>
76.	Gross Leasable Area	<p>means the total floor area of the building contained within the outside surface of the exterior and basement wall, but excludes mechanical and utility rooms, public washrooms, and stairwells</p>
77.	Group Care Facility	<p>means a facility which provides resident services to seven or more individuals of whom one or more are unrelated. These individuals may be aged, disabled, or are undergoing rehabilitation, and are provided services to meet their needs. This use includes supervised facilities such as group homes (all ages), halfway houses, resident schools, resident facilities and foster or boarding homes, and psychiatric care facilities. These facilities are not intended to include major institutional care facilities such as hospitals</p>
78.	Guest House	<p>see "suite, guest house."</p>
79.	Habitable Room	<p>means a room or enclosed space used or usable for human occupancy, including but not limited to kitchens, bedrooms, living rooms, family rooms and dens, excluding NON-HABITABLE ROOMS which include</p>

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		bathrooms, laundries, pantries, foyers, hallways, entry ways, storage areas and rooms in basements and cellars used only for recreational purposes or any space in a dwelling providing a service function and not intended primarily for human occupancy
80.	Half Storey	see "storey, half."
81.	Home Occupation, Major	<p>means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling and/or within the accessory buildings associated with that dwelling by at least one permanent resident of said dwelling, and which may increase traffic circulation in the neighbourhood in which it is located. A home occupation does not change the character of the dwelling in which it is located or have any exterior evidence of secondary use other than a small sign as provided for in this Bylaw.</p> <p>A Major home occupation may generate some external impacts on the neighborhood due to regular business activities. These impacts may include traffic generation due to client visits to the site, dust, and noise due to use of equipment on the site, or visual impacts due to outdoor storage.</p>
82.	Home Occupation, Minor	<p>means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling, but not within any accessory buildings associated with that dwelling, by at least one permanent resident of said dwelling, and which does not increase traffic circulation in the neighbourhood in which it is located.</p> <p>A minor home occupation does not change the character of the dwelling in which it is located or have any exterior evidence of secondary use other than a small sign as provided for in this Bylaw.</p> <p>A Minor home occupation shall not generate external impacts on the neighborhood due to regular business activities. These impacts may include traffic generation due to client visits to the site, dust, and noise due to use of equipment on the site, or visual impacts due to outdoor storage.</p>
83.	Indoor Eating Establishment	means an establishment where a combination of food and non-alcoholic drink are intended to be consumed within the confines of the establishment
84.	Interior Parcel	see "Parcel, Interior."
85.	Kennel	means any person or business engaged in the boarding, maintaining, training, or caring for domestic animals for compensation. For the purpose of this bylaw, a kennel shall not be a home occupation.
86.	Landscaping	means the incorporation, preservation, or enhancement of vegetation and other materials on a site which are intended to improve the aesthetic appeal of the site, contribute to the character of a neighbourhood, and/or harmonize the site with its surrounding natural environment and may

		include the placement or addition of any or a combination of soft landscaping elements and/or hard landscaping elements. Landscaping does not include stripping, grading, shoreline modification, and architectural elements (i.e., decorative fencing, sculpture).
87.	Landscaping Plan	means a site plan drawing detailing the design of the non-building area of a site which incorporates scaled dimensions and provides a visual representation of the proposed trees, vegetation, walkways, garden beds and other design elements including irrigation and lighting proposed to be developed on the site.
88.	Lane	means a public thoroughfare for vehicles, the right-of-way of which does not exceed 10.0 m (32.8 ft.) and is not less than 6.0 m (19.7 ft.) wide, and which provides a secondary means of access to a parcel or parcels.
89.	Legal Bank	means the line where the bed and shore of the body of water cease and the line is to be referred to as the bank of the body of water. The legal bank in Alberta is the line separating the Crown-owned bed and shore from the adjoining upland. 
90.	Living Room	means any room in a dwelling unit used primarily for the social activities of the occupants and which is designed for general living whether combined with specific activities such as dining, food preparation, or sleeping
91.	Loading Space	means an off-street space on the same parcel as a building or group of buildings, for the temporary parking of a commercial vehicle while commodities are being loaded or unloaded
92.	Lot	means a parcel of land, the boundaries of which are separately described in a certificate of title, which may or may not be shown on a registered plan of subdivision
93.	Lot, Back	means a lot which has other developable property between it and the lake but does not include lots where the only property existing between it and the lake is a road, or a reserve lot.

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94.	Lot, Corner	means a lot with boundary lines on two separate roads or highways or a single road or highway that curves at an angle of sixty (60) degrees or more at the subject lot. For the purposes of this definition, a road or highway shall include a lane.
95.	Lot Coverage	means the combined area covered by all buildings, structures, and non-permeable surfaces on a lot, expressed as a percentage of the lot area, measured as the area of the projection of the outline of the buildings and structures onto a horizontal plane.
96.	Lot Depth	means the average distance between front and rear property lines of a lot.
97.	Lot, Double Fronting	<p>means a lot which abuts two (2) roads (except alleys or lanes as defined in the <i>Traffic Safety Act</i>, R.S.A. 2000, c. T-06, as amended) which are parallel or nearly parallel abutting the lot but does not include a corner lot.</p> 
98.	Lot Grading and Drainage Plan	means a plan that specifies design elevations, surface gradients, swale locations, and other drainage information required for lot grading.
99.	Lot, Interior	means a lot which is bordered by only one road.

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100.	Lot, Lakefront	means a lot adjacent to a water body or would be adjacent to a water body if not for a reserve lot or public/crown land parcel.
101.	Lot Substandard	means any lot which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the land use district in which the lot is located.
102.	Lot, Undeveloped	means a lot which does not contain a residence, building or structure.
103.	Lot Width	means the length of a line parallel to the front property line or, in a lot with a curved front property line, perpendicular to a line running between the mid-point of the front property line and the mid-point of the rear property line, measured at a distance from the front property line equal to the minimum required front yard.
104.	Low Impact Development	<p>means land planning and engineering design approach for managing stormwater runoff. LID emphasizes conservation, the minimization of hard surfaces, and use of natural features and processes to replicate predevelopment hydrology in terms of rate, volume, and quality. Both natural and engineered solutions are employed to prevent and manage runoff as close to its source as possible with a treatment-train approach using the processes of evaporation, transpiration, storage, infiltration, and treatment.</p> <p>The term "green infrastructure" or "green stormwater infrastructure" or "natural/ engineered natural infrastructure" are sometimes used to refer to the constructed components of an LID approach.</p>
105.	Maintenance	means the upkeep of the physical form of any building, which upkeep does not require a permit pursuant to the <i>Safety Codes Act</i> . Maintenance will include painting, replacing flooring, replacing roofing materials, and repair of any facility related to a development, but will not include any activity that will change the habitable floor area of any dwelling unit or the internal volume of any building.
106.	May	is an operative word meaning a choice is available, with no direction or guidance intended.

107.	Minor	means where added as a prefix to a permitted or discretionary use, a use which due to its nature or relatively small size will, at the discretion of the Council, have a limited impact on surrounding uses, or which is intended to serve a small or local rather than a major or municipal area.
108.	Manufactured Home Lot	means the space allotted for the installation of one (1) manufactured home in any manufactured home park or manufactured home subdivision.
109.	Modular Building or Dwelling	means a single detached dwelling constructed in large sections, away from the home site, and under controlled conditions. It does not refer to a type of dwelling but rather to a method of construction. A modular dwelling does not include a park model, recreational vehicle, or manufactured home dwelling.
110.	Municipal Development Plan	means a plan adopted by Bylaw as a Municipal Development Plan pursuant to the <i>Act</i> .
111.	Municipality	means the Summer Village of Silver Sands.
112.	Natural Open Space Area	means areas of protected or conserved land or water. The purpose of a natural open space area may include the preservation or conservation of a community's natural or historic character, the conservation or preservation of a land or water area for the sake of recreational, ecological, environmental, aesthetic, or buffering.
113.	Non-Conforming Building	means a building: <ul style="list-style-type: none"> a. that is lawfully constructed or lawfully under construction at the date a Land Use Bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and b. that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the Land Use Bylaw.
114.	Non-Conforming Use	means a lawful specific use: <ul style="list-style-type: none"> a. being made of land or a building or intended to be made of a building lawfully under construction, at the date the Land Use Bylaw or any amendment thereof affecting the land or building becomes effective, and b. that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction, will not comply with the Land Use Bylaw;
115.	Occupancy	means the use or intended use of a building or part thereof for the shelter or support of persons or property.
116.	Off-Site Sign	see "sign, off-site."
117.	Off-Street Parking	means an off-street facility for the parking of three or more vehicles.

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118.	On-Parcel Sewage Disposal System	means a method of treating effluent recognized by Alberta Labour and/or Alberta Environment involving the containment of sewage effluent in an impermeable holding tank for transfer to a central depot for decomposition or the actual primary or secondary treatment of sewage effluent on the parcel of its origin and may include a septic tank, holding tank or evapo-transpiration mound system but does not include pit style privies.
119.	Outdoor Eating Establishment	means an establishment where a combination of food and non-alcoholic drink are normally consumed either outside or inside the confines of the establishment.
120.	Parapet Wall	means that part of an exterior, party wall or fire wall extending above the roof line or a wall which serves as a guard at the edge of a balcony or roof
121.	Parcel	means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.
122.	Parcel Area	means the total area of a parcel.
123.	Parcel, Corner	means a parcel at the intersection of two abutting streets.
124.	Parcel Coverage	means the combined area, measured at 1.0 m (3.0 ft.) above grade, of all buildings on a parcel excluding all features which would be permitted under this Bylaw as projections into required yards.
125.	Parcel Depth	means the average distance between the front and rear property lines.
126.	Parcel, Interior	means a parcel which is bounded by only one street.
127.	Parcel, Lakefront	see "lot, lakefront."
128.	Parcel Width	means the distance between the side property lines of a parcel at the minimum permissible front yard, measured parallel to the road or to the tangent on a curved road.
129.	Park	means a parcel of land designated for public use as municipal reserve land or by Resolution or Bylaw of Council.
130.	Park Model Trailer	means a recreational vehicle (RV) designed to be transportable and primarily designed for long term or permanent placement at a destination where a recreational vehicle or mobile home is permitted. When set up, park model trailers are connected to the utilities necessary to operate home style fixtures and appliances. Park Model Trailers must be manufactured in accordance with CSA Z-241 standards or a current equivalent industry standard.
131.	Parking Facility	means the area set aside for the storage and parking of vehicles and includes parking stalls, loading spaces, aisles, entrances and exits to the area, and traffic islands where they are part of the parking facility.
132.	Parking Stall	means a space set aside for the parking of one vehicle.

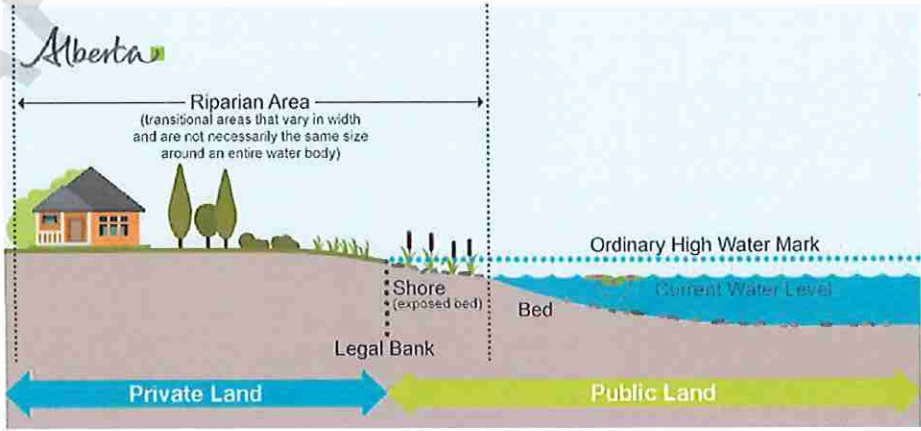
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133.	Patio	means a developed surface (adjacent to a building on a site) less than 0.6 m (2.0 ft.) in height above grade and without a roof or walls. A patio is designed and intended for use as an outdoor amenity area.
134.	Permitted Use	means the use of land or a building provided for in this Bylaw for which a development permit shall be issued, with or without conditions, upon an application having been made which conforms to the Land Use Bylaw.
135.	Places of Worship	means development owned by a religious organization used for worship and related religious, philanthropic, or social activities including rectories, manses, classrooms, dormitories, and accessory buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries.
136.	Planting	see "landscaping."
137.	Principal Building	means a building which, in the opinion of the Development Authority <ul style="list-style-type: none"> a. occupies the major or central portion of a parcel, b. is the chief or main building among one or more buildings on the parcel; or c. constitutes by reason of its use the primary purpose for which the parcel is used.
138.	Principal Use	means the primary purpose, in the opinion of the Development Authority, for which a building or parcel is used. There shall be no more than one principal use on each parcel unless specifically permitted otherwise in the Bylaw.
139.	Private Club or Lodge	means a development used for the meeting, social or recreational activities of members of non-profit, philanthropic, social service, athletic business, or fraternal organizations, and does not include any on parcel residence.
140.	Private Liquor Outlet	means a development where alcoholic beverages are offered to the public for retail sale and consumption off premises.
141.	Privy or Portable Toilet	means an outdoor toilet facility and/or outhouse.
142.	Public Park	means an active or passive public recreation area together with any accessory buildings or uses complimentary to the said recreational purpose.
143.	Public Uses	means a building, structure or lot used for public services by the municipality, by any Department, Commission or Agency of any other Municipal Corporation or Government of Alberta or Canada, or by any Railway Company or Utility.
144.	Public Utility	means the right of way for one or more of the following: sanitary and storm water sewerage, telecommunications systems, water works systems, irrigation systems, systems for the distribution of gas, whether

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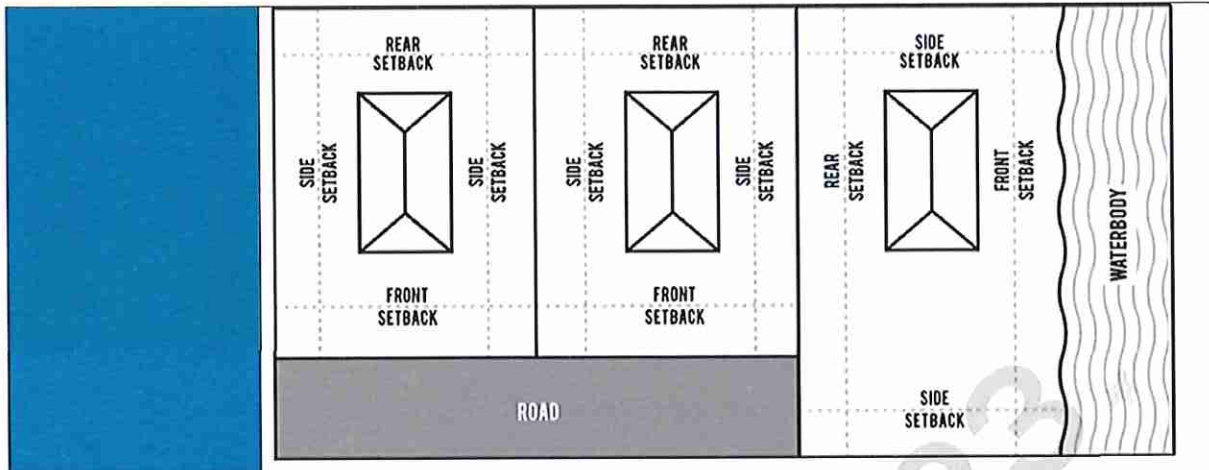
		natural or artificial, systems for the distribution of artificial light or electric power and heating systems.
145.	Public Utility Building	means a building to house a public utility, its office or equipment.
146.	Real Property Report	means a codified standard report adopted by the Alberta Land Surveyor's Association which contains pertinent information on a parcel of land and the development which exists on the property.
147.	Rear Yard	see "yard, rear."
148.	Recreational Equipment	means any permanent building, the intended use of which is for either active or passive recreation. Certain types of sidewalk furniture may be classified as recreational equipment at the discretion of the Development Officer.
149.	Recreational Use	means a development providing for commercial or non-commercial leisure activities located to take advantage of the natural setting, without restricting the generality of the foregoing, this shall include: <ul style="list-style-type: none"> a. non-facility oriented recreational activities such as hiking, cross country skiing, rustic camping, and other similar uses, and b. means an active or passive recreational use and any facility or building required to carry out said activity.
150.	Recreational Vehicle	means a mobile unit that is designed to be used as temporary living or sleeping accommodation, whether it has been modified so as to no longer be mobile or capable of being mobile, and includes but is not limited to holiday trailers, tent trailers, truck campers, fifth wheel trailers, camper vans, and motor homes, but does not include manufactured home dwellings or park model trailers.
151.	Recreational Vehicle Storage	recreational vehicle storage facility means a principal or accessory use where recreational vehicles as well as boats and all off-highway vehicles are stored outdoors on a parcel when they are not in use; normally on a commercial basis or on common property within a bareland condominium development. This use does not include a campground or outdoor storage
152.	Redistrict	means a type of Land Use Bylaw amendment that changes the land use district that applies to a specific parcel (or parcels) and includes a corresponding graphic change (or changes) to the Land Use District Map.
153.	Reserve, Conservation	means land designated Conservation Reserve (CR) at time of subdivision Conservation Reserve at time of subdivision if: <ul style="list-style-type: none"> a. in the opinion of the subdivision authority, the land has environmentally significant features; b. The land is not land that could be required to be provided as environmental reserve; c. The purpose of taking the conservation reserve is to enable the municipality to protect and conserve the land; and

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	<p>d. The taking of the land as conservation reserve is consistent with the municipality's municipal development plan and area structure plan.</p> <p>The municipality must pay compensation to the landowner in an amount equal to the market value of the land at the time the application for subdivision approval was received by the subdivision authority.</p>
154. Reserve, Environmental	<p>means designated as "Environmental Reserve" are lands designated at time of subdivision that are left in a natural state or may be used as a public park. Lands may be designated as "Environmental Reserve" if they consist of the following:</p> <ul style="list-style-type: none"> a. a swamp, gully, ravine, coulee or natural drainage course, b. land that is subject to flooding or is, in the opinion of the subdivision authority, unstable, or c. a strip of land, not less than 6.0 m (19.7 ft.) in width, adjacent to the bed and shore of any body of water. <p>Environmental Reserves are primarily used to establish development setbacks from water bodies and watercourses to prevent development from occurring too close to the shoreline.</p>
155. Reserve, Municipal	<p>means lands designated as "Municipal Reserve" are lands designated at time of subdivision for schools, parks and public recreation purposes provided by the developer as part of the subdivision process.</p>
156. Riparian Area	<p>means transitional areas between upland and aquatic ecosystems. They have variable width and extent above and below ground and perform various functions. These lands are influenced by and exert an influence on associated water bodies, including alluvial aquifers and floodplains. Riparian lands usually have soil, biological, and other physical characteristics that reflect the influence of water and hydrological processes.</p>  <p>The diagram illustrates the Riparian Area as a transitional zone between upland and aquatic ecosystems. On the left, a house is situated on 'Private Land'. The 'Riparian Area' is defined as transitional areas that vary in width and are not necessarily the same size around an entire water body. It includes the 'Shore (exposed bed)', 'Legal Bank', and 'Bed'. The 'Bed' is the bottom of the water body, and the 'Shore' is the exposed bed. The 'Ordinary High Water Mark' is indicated by a dashed line, and the 'Current Water Level' is shown by a solid line. The area to the right of the 'Bed' is labeled 'Public Land'.</p>
157. Road	<p>means land:</p> <ul style="list-style-type: none"> a. shown as a road on a plan of survey that has been filed or registered in an Alberta Land Titles Office; or

		b. used as a public road; and includes a bridge forming part of a public road and any structure incidental to a public road.
158.	Roof Sign	see "sign, roof."
159.	Runoff	means water that moves over the surface of the ground. Runoff collects sediments and contaminants as it moves from higher elevations to lower elevations.
160.	Separation Space	means the horizontal open space provided around a dwelling to ensure no conflict of visibility from dwellings and adequate light, air and privacy, for activities undertaken within the dwelling. Unless otherwise specified in this Bylaw, a separation space may be partially or entirely outside the parcel boundaries of a dwelling unit.
161.	Service Station	means a parcel or the portion thereof used or intended to be used for any of the following: the servicing or repairing of motor vehicles, the sale of gasoline, the sale of lubricating oils and other automotive fluids, accessories for motor vehicles, and a towing service dispatch point.
162.	Setback	means the minimum horizontal distance between the parcel boundary and the nearest point on the exterior wall or chimney of the building, or another part of the building if specified elsewhere in this Bylaw.
163.	Sewage Collection System	means a privately or publicly owned system for treating sewage effluent, recognized by Alberta Environment, consisting of either a communal or an on-site sewage collection system.
164.	Sewage Collection System, Communal	means a sewerage project for sewage disposal (as defined under Safety Codes Act) which involves the transfer of effluent from its place of origin, such as an On-Site Sewage Collection System, to a central holding area, such as a lagoon, where primary and secondary treatment can occur.
165.	Sewage Collection System, On-Site	means a method of sewage collection, and treatment recognized under the <i>Safety Codes Act</i> . Sewage containment systems may include impermeable holding tanks for transfer to a communal sewage collection system, septic fields, and evaporation mounds, but does not include any form of outhouse or privy that is not capable of accommodating grey water waste.
166.	Sea Can	means a shipping container which is used as a storage vault and includes sea/land/rail shipping containers.
167.	Setback	means the distance that a development or a specified portion of it, must be set back from a property line, road, waterbody, watercourse, or other development or feature as required by this bylaw or the Development Authority.

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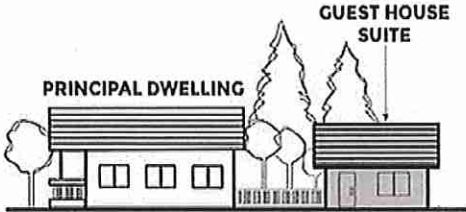


168.	Shall	is an operative word which means the action is obligatory.
169.	Shed	see "Accessory Building."
170.	Shoreline	means the fluctuating line demarcating the bed and shore of a water body.
171.	Shoreline Modification	means any activity, modification, alteration that alters the shoreline including but not limited to placing sand, removing rocks and vegetation, tilling, armoring with rip rap or vegetative rip rap, constructing retaining walls or other permanent structures such as piers, groins, and docks.
172.	Show Home	means a dwelling, recreational vehicle, or park model that is constructed or placed on a lot for the temporary purpose of illustrating to the public the type or character of a dwelling, recreational vehicle, or park model that may be developed in other parts of a subdivision or development area. Show homes may contain offices for the sale of other lots or structures in the area.
173.	Should	is an operative word which means that, in order to achieve local goals and objectives it is strongly advised that the action be taken. Exceptions shall be made only under extenuating circumstances.
174.	Shrub	means plant species with woody stems that are distinguished from trees by their lower stature and multiple stems and may be native or horticultural.
175.	Sign	means an object or device intended for the purpose of advertising or calling attention to any person, matter, thing or event.
176.	Sign, Canopy	means a sign which is part of or attached to the outside edge of a canopy.
177.	Sign, Freestanding	means a sign supported by one or more uprights, braces or pylons, and which stands independently of buildings.
178.	Sign, Off-Site	means a sign that advertises goods, products, services or facilities, or directs persons to a different location from where the sign is located. Such a sign is not located on the parcel of the goods, products, services or facilities advertised.


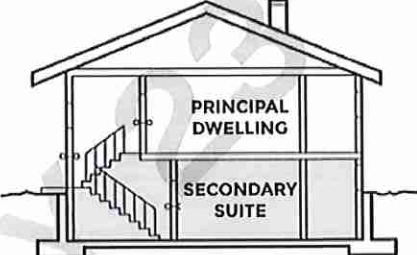
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179.	Sign, Projecting	means a sign which is affixed to any building or part thereof and extends beyond the building wall or parts thereof by more than 0.3 m (1.0 ft.). This does not include a sign attached to the ground.
180.	Sign, Roof	means any sign erected upon, against or directly above a roof or on top of or above the parapet wall of a building.
181.	Sign, Under-Canopy	means a sign which is attached to the bottom face of a canopy.
182.	Sign, Wall	means a sign that is attached to or placed flat against the exterior wall or surface of any building, no portion of which projects more than 0.1 m (0.3 ft.) from the wall, and which does not project above the roof or parapet.
183.	Similar Use	means a use which, in the opinion of the Development Authority, closely resembles another specified use with respect to the type of activity, structure and its compatibility with the surrounding environment.
184.	Single Detached Dwelling	see "Dwelling, Single Detached."
185.	Site	means a lot or parcel on which a development exists or for which an application for a development permit is made.
186.	Site Coverage	means the combined area of all buildings on a lot, measured at the level of the lowest containing habitable or usable rooms, including porches and verandas, open or covered, but excluding open and enclosed terraces at grade, steps, cornices, eaves, and similar projections.
187.	Site Plan	means a plan drawn to scale showing the boundaries of the lot, the location of all existing and proposed buildings upon that lot, and the use or the intended use of the portions of the lot on which no buildings are situated, and showing fencing, screening grassed areas, and the location and species of all existing and proposed shrubs and trees within the development.
188.	Solar Energy Collection System	means the complete system required to convert solar rays into useable electricity for private use, including solar panels, mounting equipment and additional required conversion electronics.
189.	Split Level	means a dwelling that has three separate living areas, each separated from the next by one half-storey.
190.	Statutory Plan	means a municipal plan, area structure plan or area redevelopment plan pursuant to the <i>Act</i> .
191.	Storey	means the habitable space between the upper face of one floor and the next above it. The upper limit of the top storey shall be the ceiling above the topmost floor. A basement or cellar shall be considered a storey in calculating the height of a building if the upper face of the floor above it is more than 1.8 m (5.9 ft.) above grade.



192.	Storey, Half	means that part of any building wholly or partly within the framing of the roof, where the habitable floor area is not more than 70% of the ground floor.
193.	Street	means a right-of-way no less than 10.0 m (32.8 ft.) in width for a public thoroughfare and designed for the use of vehicular or pedestrian traffic but does not include a lane or as defined as a street.
194.	Stormwater Management Plan	means a plan prepared by a qualified professional that outlines the design and implementation of systems that mitigate and control the impacts of man-made changes to the runoff and other components of the hydrologic cycle. Stormwater management plans should include design considerations to minimize flooding, erosion, and impacts on groundwater, water bodies and watercourses. SMWPs must include: <ul style="list-style-type: none"> a. Topography; b. Proposed plan to control runoff; c. Proposed minor drainage system (ditches/pipes/catch basin locations/flow rate); d. Proposed major drainage systems (direction of surface drainage/flow rate); e. Proposed on-site detention/retention facility (location/size/capacity); f. Location of outflow/outfall structures; and g. Any related modeling and calculation information.
195.	Stripping	means the removal of some or all vegetation and topsoil on lot in preparation for construction activities.
196.	Structure	means anything constructed or erected on the ground, or attached to something on the ground, and includes all buildings.
197.	Subdivision and Development Appeal Board	means a subdivision and development appeal board appointed pursuant to the <i>Act</i> .
198.	Subdivision Authority	means a subdivision authority established and appointed pursuant to a Summer Village Bylaw and the <i>Act</i> .
199.	Subdivision Officer	means a person authorized to accept, process, and endorse subdivisions on behalf of the subdivision authority pursuant to the provisions of the <i>Act</i> .
200.	Suite, Guest House	means a permanent accessory building on a lot with an existing single-detached dwelling that has sleeping accommodation and may have a bathroom and cooking facilities. A guest house suite is not intended to be used as a self-contained dwelling; rather, it provides overflow accommodation for the principal dwelling on the lot. <div style="text-align: right;">  <p>The diagram illustrates a lot with two buildings. On the left is a larger building labeled 'PRINCIPAL DWELLING'. On the right is a smaller building labeled 'GUEST HOUSE SUITE'. There are trees and landscaping between the two buildings.</p> </div>

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201.	Suite, Garage	means a sleeping facility for temporary usage located within a detached garage located on a lot with an existing single-detached dwelling. A garage suite may have a bathroom and cooking facilities. A garage suite is not intended to be used as a self-contained dwelling; rather, it provides overflow accommodation for the principal dwelling on the lot.	 <p>The diagram illustrates a lot with two buildings. On the left is a larger building labeled 'PRINCIPAL DWELLING'. To its right is a smaller, separate building labeled 'GARAGE SUITE'. There are trees and a driveway between them.</p>
202.	Suite, Secondary	means a self-contained dwelling unit located within a single detached dwelling, and may include cooking, sleeping, and sanitary facilities.	 <p>The diagram shows a cross-section of a house. The main living area is labeled 'PRINCIPAL DWELLING'. Below it, separated by a floor and stairs, is a smaller area labeled 'SECONDARY SUITE'.</p>
203.	Suite, Security	means a self-contained dwelling unit, either detached or within a building, used to provide accommodation for security personnel in commercial, recreational, or institutional development.	
204.	Surface, Non-Permeable	means solid surfaces, including hard landscaping elements that do not allow water to penetrate, forcing it to run off. (e.g., asphalt, concrete, paving stones, etc.).	
205.	Surface, Permeable	means surfaces (also known as porous or pervious surfaces) allow water to percolate into the vegetation and/or soil to filter out pollutants and recharge the water table. Permeable surfaces allow for the absorption of water into the ground and minimizes runoff (e.g., vegetated areas, flower beds, grass, gravel, etc.).	
206.	Telecommunication Tower	means any tower used to provide a broad range of communication services through the transmitting, receiving, or relaying of voice and data signals such as radio, cellular, broadcast, and wireless data. Examples include cell phone towers and wireless internet towers.	
207.	Tented Structure	means a building that uses masts or poles and tensile membrane (e.g., polyester, fabric, animal hide, etc.) to create a temporary enclosure. Portable garages and reception tents are examples of tented structures. Tented structures do not include gazebos and awnings affixed to a principal dwelling, patio, or deck.	
208.	Temporary Building	means a building that is allowed for a defined period, normally up to one year, or an alternate period of time as determined by the Development Authority.	
209.	Tourist Home	means a dwelling or dwelling unit operated as a temporary place to stay, with compensation, and includes all vacation rentals of a dwelling unit. The	

		<p>characteristics distinguish a tourist home from a dwelling unit used as a residence may include any of the following:</p> <ol style="list-style-type: none"> a. The intent of the occupant to stay for short-term (30 days or less) vacation purposes rather than use the property as a residence; b. The commercial nature of a tourist home; c. The management or advertising of the dwelling unit as a tourist home or "vacation rental," on any website such as Airbnb or VRBO; and/or d. The use of a system of reservations, deposits, confirmations, credit cards, or other forms of electronic payments, etc. <p>A recreational vehicle shall not be used as a tourist home.</p>
210.	Traffic Island	means an area or space officially set aside within a street lane or parking lot as prohibited for use by motor vehicles and which is marked or indicated by construction as to be always plainly visible.
211.	Trail	means any multi-use trail, pathway, or sidewalk intended for non-vehicular travel.
212.	Tree	means a woody perennial plant, either deciduous or coniferous, that typically has a single self-supporting trunk and in most species the trunk produces secondary limbs, called branches.
213.	Tree Removal	means the cutting down and/or removal of trees or shrubs other than for commercial logging. This does not include the removal of dead trees or shrubs, or selective management by a qualified arborist to maintain tree stand health and remove hazards.
214.	Use	means a use of land or a building as determined by the Development Officer and/or Council.
215.	Utility	means the components of a sewage, storm water or solid waste disposal system, or a telecommunication, electrical power, water, gas or oil distribution system.
216.	Utility Building	means a building in which the proprietor of a utility company maintains his office or offices and/or maintains or houses any equipment used in connection with the utility.
217.	Vegetation	<p>means non-invasive plant species that are native and/or appropriate for the relevant plant hardiness zone and are:</p> <ol style="list-style-type: none"> a. Structurally sound, well-balanced, healthy and vigorous; b. Of normal growth habits; and/or c. Densely foliated when in leaf, with a healthy, well developed root system.
218.	Water Body	means any location where water flows or is present, whether or not the flow or the presence of water is continuous, intermittent, or occurs only during a flood. This includes, but is not limited to, wetlands and aquifers.
219.	Watercourse	means the bed and shore of a river, stream, lake, creek, lagoon, swamp, marsh or other natural body of water, or a canal, ditch, reservoir or other

		artificial surface feature made by humans, whether it contains or conveys water continuously or intermittently.
220.	Wetland	means land saturated with water long enough to promote wetland or aquatic processes as indicated by the poorly drained soils, hydrophytic vegetation, and various kinds of biological activity that are adapted to a wet environment.
221.	Wetland Assessment	means an assessment prepared by a qualified wetland professional that delineates and classifies wetland(s) within the site and is consistent with the requirements of Alberta Environment and Parks, the Alberta Wetland Policy, and the Alberta Wetland Identification and Delineation Directive.
222.	Wetland Boundary	means the furthest ecological extent of a wetland bordering upland or other non-wetland habitat, as indicated by a shift in soils and vegetation. Indicators of a wetland boundary are delineated by a Qualified Wetland Professional.
223.	Wind Energy Conversion System, Large	means one or more buildings designed to convert wind energy into mechanical or electrical energy, including a wind energy conversion system (WECS) consisting of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity of more than 300 kW.
224.	Wind Energy Conversion System, Micro	means a small-scale wind turbine, which is small in height and diameter and can be installed on the roof of a building or structure.
225.	Wind Energy Conversion System, Small	means a system of one or more buildings designed to convert wind energy into mechanical or electrical energy which has a rated capacity of not more than 300 kW, and which is intended to provide electrical power for use on-site (either behind the meter or off-grid) and is not intended or used to produce power for resale.
226.	Woodshed	Means a type of accessory building for the storage of firewood. A woodshed may have a hard or soft surface roof/cover and shall include a maximum of three walled sides. A woodshed has a maximum floor area of 7.0 m ² (75.0 ft. ²).
227.	Yard	means that part of a lot upon or over which no principal building is erected.

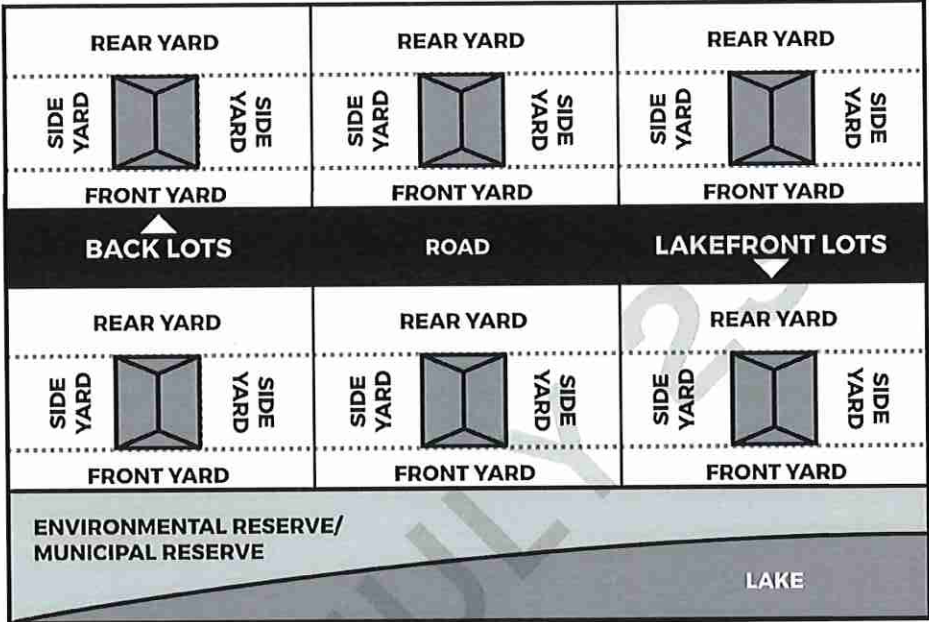
228.

Yard, Front

Yard, Rear

Yard, Side

means that portion of the site extending across the full width of the site and lying between the front property line and the exterior wall(s) of the main building situated on the site. For lakefront lots, the front yard is the yard closest to the lake.



229.

means that portion of the lot extending across the full width of the parcel from the rear property boundary of the parcel to the exterior wall of the principal building.

230.

means that portion of the site extending from the front yard to the rear yard and lying between the side property line and the nearest portion of the exterior wall(s) of the main building.

2.2.2

All other words and expressions shall have the meanings assigned to them in the *Act*, other applicable provincial legislation, and/or an approved statutory plan of the Summer Village of Silver Sands.

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3. AUTHORITIES

3.1 Council

- 3.1.1 Council shall perform such duties as are specified for it in this Bylaw.
- 3.1.2 In addition, Council shall decide upon all development permit applications within a Direct Control Districts, as stated in the *Act*.

3.2 Development Authority

- 3.2.1 The Development Authority for the Summer Village of Silver Sands is established under this Bylaw pursuant to the *Act*.
- 3.2.2 The Development Authority for the Summer Village of Silver Sands shall be:
 - a. The person(s) appointed by resolution of Council, pursuant to this Bylaw; and
 - b. Council, in matters related to a Direct Control District.
- 3.2.3 The Development Authority shall be carried out in accordance with powers and duties described in the *Act*, regulations established under the *Act*, and this Bylaw as amended.
- 3.2.4 Permitted and Discretionary Use Applications (Non-Direct Control Districts):
 - a. The Development Authority shall be the approving authority for all proposed development, which is listed as either a permitted or discretionary use under a land use district under this Bylaw.
 - b. Upon receipt a completed application for a development permit for a permitted use, the Development Officer shall approve the application with or without conditions, where the proposed use conforms to this Bylaw.
 - c. When approving a discretionary use application, the Development Authority may attach conditions to the approval to ensure that the proposal conforms to this Bylaw.

3.3 Development Officer

- 3.3.1 Council shall appoint one or more Development Officer(s) who shall be designated officers within the meaning of the *Act*.
- 3.3.2 For the purpose of the Development Authority, the Development Officer is hereby declared to be an authorized person of the Summer Village of Silver Sands.
- 3.3.3 The Development Officer shall perform such duties that are specified under this Bylaw.
- 3.3.4 The Development Officer shall:
 - a. keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto; and
 - b. keep a register or all applications for development, including the decisions thereon and the reasons, therefore.
- 3.3.5 For the purposes of right of entry, the Development Officer is hereby declared an authorized person of Council.
- 3.3.6 For the purposes of Section 542 of the *Act*, the Development Officer is hereby designated as authorized by the Municipality to discharge the relevant powers and functions.

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3.4 Subdivision Authority

- 3.4.1 The Subdivision Authority of the Summer Village of Silver Sands shall be established by the Summer Village's Subdivision Authority Bylaw, as amended or replaced.
- 3.4.2 The Subdivision Authority shall be appointed by resolution of Council.
- 3.4.3 The Subdivision Authority shall perform such duties as are specified in this Bylaw and the Subdivision Authority Bylaw, as amended or replaced.

3.5 Subdivision and Development Appeal Board

- 3.5.1 The Subdivision and Development Appeal Board established by the Summer Village's Subdivision and Development Appeal Board Bylaw, as amended or replaced, shall perform such duties as are specified in Section 6 of this Bylaw.

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4. AMENDMENTS

4.1 Applications

- 4.1.1 Subject to the *Act*, any section in this Land Use Bylaw may be amended.
- 4.1.2 Notwithstanding this section, the Land Use Bylaw may be updated without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical, or typographical errors and does not materially affect the Land Use Bylaw in principle or substance.
- 4.1.3 Council may at any time initiate an amendment to this Land Use Bylaw by directing Summer Village Administration to initiate an application, therefore. Depending on the complexity of the application, Administration could undertake the application, or use the Summer Village's planning services provider.
- 4.1.4 All applications for amendment to this Land Use Bylaw shall be accompanied by the following:
- a. A statement of the specific amendment requested;
 - b. The purpose and reasons for the application;
 - c. If the application is for a change of a land use district:
 - d. the legal description of the lands;
 - e. a plan showing the location and dimensions of the lands; and
 - f. a copy of the Certificate of Title for the land affected or other documents satisfactory to the Development Authority indicating the applicant's interest in the said land that is dated within thirty (30) days of application;
 - g. The applicant's interest in the lands; and
 - h. An application fee as identified in the Summer Village's Fees and Charges Bylaw.
- 4.1.5 If the amendment is for the redistricting of land, Summer Village Administration may require:
- a. A conceptual scheme (or area structure plan) for the area to be redistricted, to the level of detail specified by Summer Village Administration that provides Council with information to determine:
 - i. If the site is suitable for the intended use;
 - ii. If the site can be reasonably and cost effectively services; and
 - iii. That the proposed amendment will not unduly impact the rights of adjacent landowners to use and enjoy their property; and
 - b. Payment of a fee equal to the costs incurred by the municipality to review the proposed redistricting and/or related conceptual scheme, or if necessary to prepare a conceptual scheme; and
 - c. Technical studies requested by the Summer Village Administration to assess site suitability and servicing requirements.
- 4.1.6 Upon receipt of an application to amend this Land Use Bylaw, Summer Village Administration shall refer the application to the Summer Village's planning and engineering service providers, who shall analyze the potential impacts on local land use, development, infrastructure, and servicing that would result from the proposed amendment. This analysis must consider the full development potential for the proposed amendment and shall, among other things, consider the following impact criteria:
- a. Relationship to and compliance with approved statutory plans and Council policies;

- b. Relationship to and compliance with approved statutory plans, outline plans, or plans in preparation;
- c. Compatibility with surrounding development in terms of land use function and scale of development;
- d. Traffic impacts;
- e. Relationship to, or impacts on, water and sewage systems, and other public utilities and facilities such as recreation facilities and schools;
- f. Relationship to municipal land, right-of-way, or easement requirements;
- g. Effect on stability, retention and rehabilitation of desirable existing land uses, buildings, or both in the area;
- h. Necessity and appropriateness of the proposed amendment in view of the stated intentions of the applicant; and
- i. Relationship to the documented concerns and opinions of area residents regarding development implications.

4.1.7 Upon receipt of an application to amend the Land Use Bylaw, Summer Village Administration shall:

- a. prepare a report with recommendations on the proposed amendment for Council and an amending Bylaw for consideration of first reading by Council;
- b. mail notify or deliver in person a written notice to landowners who are adjacent to the parcel of land affected by the proposed amendment or to a larger area as directed by Council;
- c. provide notice of the Public Hearing to the applicant, the owner of the subject land if different than the applicant, to all directly adjacent property owners, and any other individuals or organizations identified by Council;
- d. prepare a report and recommendation, including maps and other material, on the application, prior to a Public Hearing on the application for amendment; and
- e. inform the applicant of the recommendation to Council.

4.1.8 At the same time as forwarding the application for amendment to Council, Summer Village Administration may, at its sole discretion, refer the application for further information to any person or agency it wishes.

4.1.9 The Council, in considering an application for an amendment to this Land Use Bylaw, may at its sole discretion:

- a. refuse the application;
- b. refer the application for further information; or
- c. pass first reading to a bylaw to amend this Land Use Bylaw, with or without modifications;
or
- d. pass first reading of an alternate amendment to this Land Use Bylaw.

4.1.10 Following first reading to an amending bylaw, Council shall establish the date, time and place for a public hearing on the proposed bylaw.

4.1.11 Following establishment of the date, time, and place for the public hearing, Summer Village administration shall issue a notice of the public hearing in accordance with the requirements of the Act for public hearing notification.

4.1.12 A notice of a public hearing must be advertised at least five (5) days before the public hearing occurs.

- 4.1.13 The notice of the public hearing shall provide the following information:
- a. the purpose of the proposed bylaw;
 - b. the date, time, and place of the public hearing; and
 - c. the address where a copy of the proposed bylaw and any document relating to it, or the public hearing may be inspected.
- 4.1.14 In the case of an amendment to change the land use district designation of a parcel of land, Summer Village Administration must:
- a. Include in the notice:
 - i. The municipal address, if any, and the legal address of the parcel of land; and
 - ii. A map showing the location of the parcel of land;
 - b. Give written notice containing the information described in Section 4.1.14.a to the owner of that parcel of land at the name and address shown on the certificate of title (or tax roll); and
 - c. Give written notice containing the information described in Section 4.1.14.a to each owner of adjacent land at the name and address shown for each owner on the tax roll of the municipality.
- 4.1.15 (If the land is in an adjacent municipality) give written notice to the adjacent municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of that municipality.

4.2 Public Hearing

- 4.2.1 In the public hearing, Council:
- a. must hear any person, group of persons, or person representing them, who claim(s) to be affected by the proposed bylaw and who has complied with the procedures outlined by Council; and
 - b. may hear any other person who wishes to make representations that Council agrees to hear.
- 4.2.2 After considering any representations made at the Public Hearing, and any other matter it considers appropriate, Council may:
- a. pass the bylaw;
 - b. defer it for further information or comment;
 - c. make any amendment to the bylaw it considers necessary and proceed to pass it without further advertisement or hearing; or
 - d. defeat the bylaw.
- 4.2.3 Prior to third reading of the proposed Bylaw, Council may require the applicant to apply for a development permit and negotiate a development agreement in respect of the proposal which initiated the application for amendment.
- 4.2.4 After third reading of the Bylaw, the Development Authority shall send a copy of it to:
- a. the applicant;
 - b. the registered owner of the land (if different from the applicant);
 - c. The Summer Village's subdivision and planning services provider; and
 - d. the adjacent municipality, if applicable.

5. DEVELOPMENT

5.1 Control of Development

- 5.1.1 Development Permits are required to ensure that all development is achieved in an orderly manner.
- 5.1.2 No development other than that designated in section 5.2 of this bylaw shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.
- 5.1.3 In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to ensure and obtain other required provincial and federal approvals, permits and/or licenses.
- 5.1.4 Further, in addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to ensure that their development is consistent with the conditions of any registered easements or covenants which affect the subject site.
- 5.1.5 For the purposes of this section, signs, posters and billboards are deemed to be developments.
- 5.1.6 Notwithstanding Section 5.2, where a variance to any regulation in this Bylaw is required for any development listed in Section 5.2, a development permit shall be required.

5.2 Development Not Requiring a Permit

- 5.2.1 The following developments shall not require a development permit provided that the development otherwise complies with all other regulations of this Bylaw:
- a. the carrying out of works of improvement, maintenance or renovation, or repairs to any (but not limited to) building, deck, patio, and/or driveway provided that such works do not include structural alterations, additions, or drainage alterations and that the works comply with the regulations of this Land Use Bylaw;
 - b. the completion of any development which has lawfully commenced before the passage of this Land Use Bylaw (or any amendment thereof) provided that the development is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided that the development is completed within the time limit of such a permit or within twelve (12) months from the notification of the permit;
 - c. the use of any such development as is referred to in subsection 5.2.1.b for the purpose for which development was commenced;
 - d. the maintenance or improvements of any gates, fences or walls or other means of enclosure;
 - e. the installation, maintenance and repair of public works, services, or utilities carried out by or on behalf of federal, provincial, and/or municipal authorities on land that is publicly owned or controlled;
 - f. a maximum of two single storey accessory buildings, each with a floor area not more than 9.3 m² (100.1 ft.²) and a height not more than 2.5 m (8.2 ft.), provided that the accessory buildings:
 - i. are not garages; and
 - ii. satisfy the setback requirements for accessory buildings in the land use district in which it is located;

- g. the erection or placement of a temporary building, the sole purpose of which is incidental to the erection of a building for which a development permit has been granted, provided the temporary building is removed within thirty (30) days of substantial completion or as determined by the development officer;
- h. the completion, alteration, maintenance or repair of a street, lane or utility undertaken upon a public thoroughfare or utility easement, or undertaken to connect the same with any lawful use of buildings or land;
- i. development exempted from requiring a development permit under the Act;
- j. the following signs:
 - i. signs posted or exhibited in a building;
 - ii. signs posted or exhibited in or on an operating motor vehicle if the vehicle is not temporarily or permanently parked solely for the purpose of displaying the sign;
 - iii. a statutory or official notice of a function of the Summer Village of Silver Sands;
 - iv. traffic signs authorized by the Summer Village of Silver Sands and/or Alberta Provincial authorities;
 - v. a sign or signs posted or exhibited solely for the identification of the land or building on which it is displayed, or to give directions to visitors, including professional, corporate or trade name plates identifying the occupants, if the sign(s) does not exceed 0.19 m² (2.0 ft.²) in area, subject to all other orders, bylaws and regulations affecting such signs;
 - vi. the erection of a maximum of two on-site signs relating to the sale, lease or rental of the buildings, or land to which they are attached provided that:
 - (i) such signs for any single detached dwelling or single detached dwelling parcel does not exceed 0.56 m² (6.0 ft.²) in area; and
 - (ii) such signs for a multiple dwelling parcel, a commercial parcel does not exceed 3.0 m² (32.0 ft.²); and
 - (iii) such sign shall not be illuminated;
 - vii. campaign signs for federal, provincial, municipal or school board elections on private properties for no more than thirty (30) days, or such other time as regulated under provincial or federal legislation provided that:
 - (i) such signs are removed within fourteen (14) days after the election date; and
 - (ii) the consent of the property owner or occupant is obtained; and
 - (iii) such signs do not obstruct or impair vision or traffic; and
 - (iv) such signs are not attached to trees or utility poles; and
 - (v) such signs indicate the name and address of the sponsor and the person responsible for removal;
 - viii. signs on land or buildings used for public, quasi-public, or institutional uses provided that:
 - (i) such signs shall not exceed 1.10 m² (12.0 ft.²) in area; and
 - (ii) there shall be a limit of one sign for each side of the land or buildings on a different street;
 - ix. signs of building contractors relating to construction work in progress on the land on which such signs are erected, provided that:
 - (i) such signs do not exceed 3.0 m² (32.0 ft.²) in area; and



- (ii) there shall be a limit of one sign for each boundary of the property under construction which fronts onto a public street; and
 - (iii) such signs shall be removed within fourteen (14) days of occupancy of the building which has been constructed.;
 - k. hard surfacing of any yard area for the purpose of providing vehicular access from a public roadway to an on-site parking stall provided that such hard surfacing does not cause storm drainage to flow onto adjacent properties;
 - l. the construction, maintenance and repair of retaining walls up to 1.2 m (3.9 ft.) in height provided the wall does not encroach onto public land or into a utility right-of-way;
 - m. exterior steps;
 - n. the erection of radio towers, antennas, poles, etc. not exceeding 4.5 m (15.0 ft.) in height from grade provided that the structure is not located in the front yard or on public land (i.e., lakefront or beach areas);
 - o. fire pits;
 - p. a maximum of two woodsheds with a total maximum floor area not more than 7.0 m² (75.0 ft.²);
 - q. a maximum of one gazebo;
 - r. roof mounted solar energy collection systems;
 - s. micro wind energy conversion systems;
 - t. flagpoles shall be permitted in the front yard, so long as same are not erected on public land;
 - u. A minor home occupation;
 - v. the demolition or removal of any building or use for which erection or use a development permit would not be required pursuant to this section.
- 5.2.2 No development permit is required for landscaping, provided that the proposed grades and surface drainage patterns on and from the site will not adversely affect the subject site or adjacent properties or result in an increase of runoff and sediment into Isle Lake.
- 5.2.3 No development permit is required for the removal of invasive species, removal of dead or hazardous trees or vegetation, cutting grass, pruning, and typical yard maintenance.
- 5.2.4 Notwithstanding any regulation in this section, other permits and approvals (such as building permits) may be required.

5.3 Non-Conforming Buildings and Uses

- 5.3.1 Buildings and uses which do not conform to this Bylaw are subject to the provisions of *the Act* respecting non-conforming uses and buildings, which define the conditions under which they may be continued or altered.
- 5.3.2 A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform to this Bylaw.
- 5.3.3 A non-conforming use of part of a building may be extended throughout the building. The building may not be enlarged or added to and no structural alterations may be made thereto or therein.
- 5.3.4 A non-conforming use of part of a lot may not be exceeded or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed upon the lot while the non-conforming use continues.

- 5.3.5 A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
- a. to make it a conforming building;
 - b. for the routine maintenance of the building, if the Development Authority considers it necessary; or
 - c. in accordance with the powers possessed by the Development Authority pursuant to *the Act* and this Bylaw to approve a development permit despite any non-compliance with the regulations of this Bylaw.
- 5.3.6 If a non-conforming building is damaged or destroyed to the extent of more than seventy-five percent (75%) of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
- 5.3.7 The use of land or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.
- 5.3.8 If the Development Authority has reasonable basis to believe a building or development on a lot encroaches onto an adjacent lot the Development Authority may require the owner to provide a Real Property Report at their expense. The Development Authority may require the removal of the building or development that encroaches onto the adjacent lot, and (if necessary) can arrange for the removal of the building or development at the owner's expense. The Development Authority may require a lot owner to erect permanent, visible markers at the corners of any lot, to a standard approved by the Development Authority.

5.4 Application Requirements for Development Permits

- 5.4.1 An application for development permit shall be completed and submitted to the Development Authority in writing, in the form required by the Development Authority, and shall be accompanied by:
- a. a non-refundable application fee, as identified in the Summer Village's Fees and Charges Bylaw;
 - b. a site plan showing:
 - i. front, side and rear yards;
 - ii. north point;
 - iii. legal description of the property;
 - iv. access and egress points to the property; and
 - v. the location and dimensions of existing and proposed municipal and private local improvements, principal building and other structures including accessory buildings, garages, carports, fences, driveways, paved areas, and major landscaped areas including buffering and screening areas where provided;
 - vi. a statement of the proposed use(s) or occupancy of all parts of the land and buildings, and such other information as may be required by the Development Authority;
 - c. a statement of ownership of the land and the interest of the applicant therein; and
 - d. a statutory declaration indicating that the information supplied is accurate.
- 5.4.2 A Real Property Report prepared by an Alberta Land Surveyor (or some other sketch or form of Report prepared by an Alberta Land Surveyor which serves the same purpose as a Real Property Report) may be required at the discretion of the Development Authority if the development

involves an addition to an existing building, or if the Development Authority believes that fences on the lot do not correspond with the legal boundaries of the lot.

5.4.3

In making a decision, the Development Authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include (but not limited to):

- a. the location of existing and proposed municipal and private storm and sanitary sewage collection and disposal, and water supply and distribution utilities, landscaped areas and buffering and screening;
- b. the height and horizontal dimensions of all existing and proposed buildings;
- c. outlines of roof overhangs on all buildings;
- d. existing and proposed elevations on the site and on adjacent sites, roads and lanes;
- e. post construction site and building elevations;
- f. floor plans, elevations and sections of any proposed buildings, including the lowest floor elevation in either the basement or on the main floor in the principal and accessory buildings;
- g. Reports, plans, and studies prepared by qualified professionals, including:
 - i. Arborist Report;
 - ii. Erosion and Sediment Control Plan;
 - iii. Geotechnical Report;
 - iv. Landscaping Plan;
 - v. Slope Stability Analysis;
 - vi. Wetland Assessment; and
 - vii. Any other reports, plans, and studies that provides information requested by the Development Authority;
- h. the suggested location for a future driveway and garage or carport, if the application itself does not include such buildings as part of the proposal;
- i. future development plans for a site which is to be partially developed through the applicable development permit;
- j. in the case of a proposed home occupation, information concerning the number of employees, the location of any goods to be kept or stored, and an estimate of the number of client visits to be expected to the site each week; and
- k. for a moved-in (relocated) building, pictures of the exterior of the structure which provide information relating to the age and condition of the building and its compatibility with the land use district in which it is to be located.

5.4.4

In addition to the information requirements indicated above, an application for a development permit for the excavation or stripping of land that is proposed without any other development on the same land, may include with the application, the following information:

- a. location and area of the site where the excavation is to take place;
- b. existing land use and vegetation;
- c. the type and dimensions including average depth of the excavation to be done, and the potential, if any, to affect existing drainage patterns on and off the site;

- d. the depth and variation in depth of groundwater encountered in test holes, if required at the discretion of the Development Authority;
 - e. identification of potential for outdoor noise and the discharge of substances into the air;
 - f. the condition in which the site is to be left when the operation is complete, including the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening erosion or dust from the site;
 - g. an indication of all municipal servicing costs associated with the development; and
 - h. the proposed haul route, dust control plan and expected hours of operation.
- 5.4.5 In addition to the information requirements indicated above, each application for a sign may be accompanied by additional information at the discretion of the Development Authority.
- 5.4.6 In addition to the information requirements indicated above, the Development Authority may also require any phase of an environmental assessment to determine the possible contamination of the subject site and the mitigating measures necessary to eliminate such contamination. Alternative to or in addition to the foregoing, the Development Authority may require a biophysical assessment to determine the potential effects of a proposed development on the natural environment, and the measures necessary to mitigate such effects.
- 5.4.7 At the sole discretion of the Development Authority, any new development within an existing subdivision may be required to provide to the Development Authority, for approval, an elevation plan of the subject site which indicates where the stormwater is to be directed. Stormwater from the subject site is not to be directed onto adjoining properties unless appropriate drainage easements or rights-of-way are in place. If the applicant for a development permit indicates that the municipality is to verify compliance with the elevation and/or stormwater management plan, the cost to verify that the lot grades have been completed according to the plan shall be included in the cost of the development permit.
- 5.4.8 The Development Authority may refer any application for a development permit to any municipal, provincial or federal department, or any other person or agency considered affected by the Development Authority for comments and recommendations.
- 5.4.9 When, in the opinion of the Development Authority, sufficient details of the proposed development have not been included with the application for a development permit, the Development Authority may, at its sole discretion, deem the application incomplete and request the applicant provide further details or make a decision on the application with the information it has available.
- 5.4.10 The Development Authority may refuse to accept an application for a development permit if the application is for a similar development on the same property as a development permit which has been applied for and refused by the Development Authority or the Subdivision and Development Appeal Board within the last six (6) months.
- 5.4.11 Where a development permit for an accessory building has been applied for before a principal building or principal use has been developed on a lot, the applicant must provide a site plan which identifies the proposed location for the principal building or principal use on the lot as part of the application.
- 5.4.12 As a condition of issuing a development permit, the Development Authority may require the applicant to post a \$10,000 bond to cover the cost of repairing roads and other municipal improvements damaged as a result of the work authorized in the permit.

5.5 Permission for Demolition

- 5.5.1 The demolition of a structure not identified in Section 5.2 shall require a development permit.
- 5.5.2 The demolition of any structure must be done in accordance with the Alberta Building Code and Canadian Standards Association Standard S350-M1980, "Code of Practice for Safety in Demolition of Structures" and/or any subsequent Alberta Building Code or Canadian Standards Association Standards.
- 5.5.3 In addition to the requirements of Section 5.4 of this Bylaw, an application for a development permit for the demolition of a building or structure shall include the following information:
- the value of the development;
 - the alternatives to demolition if the building is of historic or architectural value;
 - the purpose of the building demolition and the type of structure to replace the demolished building, if applicable;
 - a work schedule of the demolition and site clean-up (the sequence of demolition must be such that at no time will a wall or a portion of a wall be left standing unsupported in an unstable condition or in danger of accidental collapse);
 - the destination of debris materials;
 - where redevelopment of the site is proposed, the length of time before the site is to be redeveloped and treatment of the site after demolition but prior to development (if materials are to be stored on site, a site plan will be required indicating the location of such materials in relation to property lines and other buildings);
 - a copy of the original development approval including building permits where applicable;
 - the form of demolition to be used (heavy equipment or by hand);
 - the method whereby public safety is to be protected (normally a fence that is at least 1.8 m (5.9 ft.) in height is required around the excavation or structure to be demolished);
 - an indication that all utility services to the site and/or the building have been disconnected to the satisfaction of the Development Authority;
 - an indication that buildings on adjoining properties have been considered to ensure that damage will not occur to them or their foundations from the demolition;
 - where a fire safety plan is required, an indication that the local Fire Chief has been consulted for determining the fire safety plan required; and
 - an indication that any tanks containing flammable or combustible liquids will be removed before demolition begins and be purged of inert materials to the satisfaction of the Development Authority and any other applicable provincial agencies.
- 5.5.4 Before consideration of a development permit application for demolition, the Development Authority may also require the applicant to:
- Identify proposed haul routes and final destination for the demolition materials;
 - Complete a Hazardous Materials Assessment Report; and/or
 - Complete any phase of an environmental site assessment in order to determine whether the site is contaminated and the mitigation measures necessary to eliminate such contamination.
- 5.5.5 As a condition of approving a development permit for the demolition of a building, the Development Authority may, in addition to other requirements:

- a. Require that the applicant undertake any and all actions the Development Authority deems necessary to ensure the complete and safe demolition of the building, disposal of materials and debris, and site clean-up; and
- b. Require the applicant to post a \$10,000 bond to cover the cost of repairing roads and other municipal improvements damaged as a result of the work authorized in the permit.

5.6 Notice of Complete or Incomplete Applications

- 5.6.1 The Development Authority shall, within 20 days of the receipt of an application for a development permit, determine whether the application is complete.
- 5.6.2 The time period referred to in Section 5.6.1 may be extended by an agreement in writing between the applicant and the Development Authority.
- 5.6.3 An application is complete if:
 - a. in the opinion of the Development Authority, the application contains the documents and other information necessary to review the application; or
 - b. the Development Authority does not make a determination within 20 days after receipt of an application for a development permit.
- 5.6.4 If the Development Authority determines that the application is complete, the Development Authority shall issue to the applicant, by means of posted letter or electronic notification, an acknowledgment that the application is complete.
- 5.6.5 If the Development Authority determines that the application is incomplete, the Development Authority shall issue, to the applicant a notice, in writing or electronically, that the application is incomplete. This notice shall list any outstanding documents and information required to review the application and provide a date by which the documents or information must be submitted in order for the application to be considered complete.
- 5.6.6 If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Section 5.6.5, the application is deemed refused.
- 5.6.7 Despite that the Development Authority has issued an acknowledgment under Section 5.6.5 or 5.6.6, in the course of reviewing the application, the Development Authority may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.

5.7 Development Permit Notification

- 5.7.1 A decision of the Development Authority on an application for a development permit must be in writing and a copy of the decision, together with a written notice specifying the date on which the written decision was given and containing any other information required by the regulations, must be given or sent to the applicant on the same day the written decision is given.
- 5.7.2 When a development permit has been issued for a **permitted use and no variance to any regulation has been granted**, the Development Authority shall (on the same day the decision is given) give (or send) a decision on a development permit application send a notice by regular mail of the decision to the applicant and post a notice on the Summer Village's website, indicating the disposition of the application. Mailing the notice is not required when an applicant picks up a copy of the decision. The Development Authority shall ensure a notice is posted by the landowner of the decision immediately adjacent to the municipal address sign on the lot where it is visible from a public road.

- 5.7.3 In addition to 5.7.1 and 5.7.2, within five (5) working days after a decision on a development permit application for a discretionary use or after a variance to any regulation has been granted, the Development Authority shall:
- a. send notice by regular mail (or by electronic mail if agreed to in advance by the applicant) to all affected adjacent landowners within 100.0 m (300.0 ft) of the subject site, as identified on the Summer Village Assessment Roll, to provide notice of the decision and right of appeal; and
 - b. ensure a notice is posted by the landowner of the decision immediately adjacent to the municipal address sign on the lot where it is visible from a public road; and
 - c. post a notice of the decision on the Summer Village's website; and may
 - d. send a notice by regular mail (or by electronic mail if agreed to in advance by the applicant) to any other landowner, business, agency, adjacent municipality, person, group, organization or similar body that the Development Authority deems may be affected to provide notice of the decision and right of appeal.
- 5.7.4 The notice indicated in Section 5.7.2 and 5.7.3 shall state:
- a. the legal description and the street address of the site of the proposed development;
 - b. the uses proposed for the subject development;
 - c. any discretion that was granted in the approval of the development, whether by use or by interpretation of this Bylaw, and any variation or relaxation in regulation that was made by the Development Authority when the development permit was approved;
 - d. the date the development permit was issued; and
 - e. how an appeal might be made to the Subdivision and Development Appeal Board and the deadline for such appeal.
- 5.7.5 Except for those permits described in Section 5.7.2 hereof, a permit granted pursuant to this Section does not come into effect until twenty-one (21) days after the date that notice of an order, decision, or development permit is received. For the purposes of this Bylaw, notice is deemed to be received on the 5th day after the date of the issuance of the order, decision, or permit. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- 5.7.6 Where an appeal is made, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit has been confirmed, modified or nullified thereby.
- 5.7.7 If the development authorized by a permit is not substantially commenced within twelve (12) months from the date of the date of the issue of the development permit and completed within twelve (12) months of the commencement of the development, the permit is deemed to be void; unless an alternate time frame has been identified in the conditions, or an extension to this period is granted by the Development Authority.
- 5.7.8 A development, once begun, shall not be abandoned or left for an extended period of time in what the Development Authority considers to be an unsightly or unsafe condition.
- 5.7.9 The application may be responsible for any damages to public or private property occurring because of development.
- 5.7.10 A decision of the Development Authority on an application for a development permit shall be given in writing.

5.7.11 When refusing an application for a development permit, the Development Authority shall clearly describe the reasons for the said refusal on the notice of decision.

5.8 Temporary Permits

5.8.1 Where a development permit is not required on a permanent basis, the Development Authority may approve the development permit for a specified period. The expiry date of all temporary development permits shall be clearly indicated on the notice of decision.

5.8.2 Where a temporary permit has been issued, the construction or development of the use must commence within 6 months of the date the permit was issued.

5.8.3 Once the specified period has elapsed as noted in 5.8.1, the issuance of any additional temporary permits shall be at the discretion of the Development Authority.

5.9 Development Permit Conditions and Development Agreements

5.9.1 The Development Authority may require the following conditions as part of development permit approval:

- a. Compliance with the Erosion and Sediment Control Plan;
- b. Compliance with the Landscaping Plan;
- c. Compliance with the Lot Grading and Drainage Plan; and
- d. Any other conditions requested by the Development Authority.

5.9.2 The Development Authority may require that as a condition of issuing a development permit, the applicant to enter into an agreement to:

- a. Construct or pay for the construction of culverts, public roadways, pedestrian walkways, or parking areas; and/or
- b. Install or pay for the installation of utilities; and/or
- c. Pay for an off-site levy or redevelopment levy imposed by bylaw.

5.9.3 To ensure compliance with the development agreement, the Summer Village may register a caveat against the certificate of title of the property that is being developed. This caveat shall be discharged when conditions of the development agreement have been met.

5.10 Validity of Permits

5.10.1 A Development Permit does not come into effect until at least twenty-one days have elapsed from the date it is granted and, in any event, does not come into effect until the plans for the building have been approved by an accredited Safety Codes Inspector and all necessary permits pertaining to the construction of the Building have been obtained and copies sent to the Municipality, and posted on site.

5.10.2 If an appeal (which includes an appeal to the Subdivision and Development Appeal Board, the Land and Property Rights Tribunal, and the Court of Appeal of Alberta) is filed against a Development Permit, the permit is suspended until the appeal is heard or abandoned.

5.10.3 A Development Permit is valid for one (1) year from the date it comes into effect and work authorized pursuant to a Development Permit must be commenced within six (6) months and completed within twelve (12) months from the date the Development Permit comes into effect. Extensions may be granted at the sole discretion of the Development Authority.

5.10.4 If, after a development permit has been issued, the Development Authority becomes aware that:

- a. The application for the development contains a misrepresentation;

- b. facts concerning the application or the development were not disclosed at the time the application was considered;
- c. the development permit was issued in error; or
- d. the conditions of Development Permit Approval are not being complied with to the satisfaction of the Development Authority,

the Development Authority may suspend or cancel the notice of decision or the development permit by notice, in writing to the holder of it.

5.10.5 A person whose development permit is suspended or cancelled under this Section may appeal the decision.

5.11 Variances

5.11.1 The Development Authority may conditionally approve a proposed use that does not comply with this Bylaw, if, in its opinion,

- a. the proposed development would not,
 - i. unduly interfere with the amenities of the neighbourhood, or
 - ii. materially interfere with or affect the use, enjoyment, or value of neighbouring properties, and
- b. the proposed development conforms to the uses prescribed for that land or building in this Bylaw.

5.11.2 Notwithstanding the above, a variance shall be considered only in cases of unnecessary hardship or practical difficulties relating to the use, character, or lot characteristics; not generally common to other land in the same district have been demonstrated to the satisfaction of the Development Authority.

5.11.3 No variance will be granted to increase:

- a. the maximum height of a building; or
- b. the maximum lot coverage of a property.

5.11.4 Where a variance is granted, the nature of the approved variance shall be specifically described in the Development Permit approval.

5.11.5 Where the issuance of a Development Permit involves the exercise of any specified discretion of the Development Authority to relax a regulation of a district or any other regulation of this bylaw, the Development Authority shall not permit any additional variance from that regulation.

6. SUBDIVISION

6.1 Application Requirements

- 6.1.1 All subdivision applications for lands within the Summer Village of Silver Sands shall comply with the provisions under this Section.
- 6.1.2 A subdivision application may be submitted by:
- a. the registered owner of the land to be subdivided; or
 - b. a person with written authorization to act on behalf of the registered owner.
- 6.1.3 Subdivisions shall be developed in accordance with the provisions of the land use district affecting the subject site at time of application.
- 6.1.4 If the proposed subdivision requires an environmental assessment under the *Canadian Environmental Assessment Act*, the applicant shall file an environmental assessment in accordance with the *Canadian Environmental Assessment Act*. A copy of the environmental assessment shall be submitted with the subdivision application.
- 6.1.5 If the proposed subdivision is required to obtain assessments and/or approvals from relevant Federal or Provincial agencies and organizations, the applicant shall file and obtain the appropriate reports and/or approvals with relevant agencies and organizations. A copy of the required reports and/or approvals or licenses shall be submitted with the subdivision application.
- 6.1.6 Information on abandoned oil and gas wells as required by the Subdivision and Development Regulations and Alberta Energy Regulator Directive 079 shall accompany every subdivision application.
- 6.1.7 The tentative plan of subdivision shall:
- a. clearly outline the location, dimensions, and boundaries of the land which the applicant wishes to subdivide;
 - b. show the location, dimensions and boundaries of:
 - i. each new lot to be created;
 - ii. reserve land(s), if required;
 - iii. the rights-of-way of each public utility, if required; and
 - iv. other rights-of-way, if required;
 - c. indicate the use, location, and dimensions of existing buildings on the land that is the subject of the application, if any, and specify whether the buildings are proposed to be demolished or moved;
 - d. show the location of any river, stream, watercourse, lake, or other body of water (natural or man-made) that is contained within the boundaries of the proposed parcel of land;
 - e. identify the location of any existing or proposed water wells, the locations and type of any private sewage disposal system(s), and the distance from these to existing or proposed buildings and property lines;
 - f. include information provided by the Alberta Energy Regulator identifying the location of any active wells, batteries, processing plants or pipelines within the proposed subdivision; and
 - g. identify the existing and proposed access to the proposed parcels and the remainder of the titled area.
- 6.1.8 The Summer Village may also require an applicant to submit to the Subdivision Authority any or all of the following:

- a. a figure showing topographic contours at no greater than 1.5 m (4.9 ft.) intervals;
- b. if the proposed subdivision is not to be served by a municipal water distribution system, information supported by the report of a qualified professional, registered in the Province of Alberta, respecting the provision, availability, and suitability of potable water on or to the land to be subdivided;
- c. an assessment of subsurface characteristics of the land that is to be subdivided including, but not limited to, susceptibility to slumping or subsidence, depth to water table, and suitability for any proposed on-site sewage disposal system(s), prepared and signed by a qualified professional registered in the Province of Alberta;
- d. reports, plans, and studies prepared by qualified professionals, including:
 - i. Arborist Report;
 - ii. Geotechnical Report;
 - iii. Lot Grading and Drainage Plan or Stormwater Management Plan;
 - iv. Slope Stability Analysis;
 - v. Water Report;
 - vi. Wetland Assessment;
 - vii. Any other reports, plans, and studies that provides information requested by the Subdivision Authority;
- e. if the land that is the subject of an application is located in a potential Flood Plain, a figure showing the 1:100-year Flood Plain or highest and most frequent rain event series relevant to flooding of the land;
- f. information respecting the land surface characteristics of land within 0.8 km (0.5 miles) of the land proposed to be subdivided;
- g. if any portion of the parcel of land affected by the proposed subdivision is situated within 1.5 km (0.9 miles) of a sour gas facility, a map showing the location of the sour gas facility; and
- h. where the proposed subdivision is staged or includes only a portion of the developable area within the subject site, an approved Area Structure Plan or Outline Plan that relates the application to future subdivision and development of adjacent lands.

6.2 Process

6.2.1 The Subdivision Authority shall:

- a. participate in a pre-application submission meeting with development proponents (as requested);
- b. receive all applications for subdivision applications;
- c. assess and provide notice of a complete or incomplete application; and
- d. issue notices in writing as required in the *Act*.

6.2.2 Notice of Complete or Incomplete Application:

- a. The Subdivision Authority shall within twenty (20) days of the receipt of an application for subdivision, determine whether the application is complete.
- b. The time period referred to in Section 6.2.2.a may be extended by an agreement in writing between the applicant and the Subdivision Authority or, if applicable, in accordance with the Land Use Bylaw made pursuant to section 640.1(a) of the *Act*.

- c. An application is complete if, in the opinion of the Subdivision Authority, the application contains the documents and other information necessary to review the application.
- d. If the Subdivision Authority determines that the application is complete, the Subdivision Authority shall issue to the applicant, in writing or electronically, an acknowledgment that the application is complete.
- e. If the Subdivision Authority determines that the application is incomplete, the Subdivision Authority shall issue to the applicant a notice, in writing or electronically, that the application is incomplete and that any outstanding documents and information referred to in the notice must be submitted by a date set out in the notice or a later date agreed on between the applicant and the Subdivision Authority in order for the application to be considered complete.
- f. If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Section 6.2.2.e, the Subdivision Authority must deem the application to be refused.
- g. Despite that the Subdivision Authority has issued an acknowledgment under Section 6.2.2.d or 6.2.2.e, in the course of reviewing the application, the Subdivision Authority may request additional information or documentation from the applicant that the Subdivision Authority considers necessary to review the application.

6.3 Duties of the Subdivision Authority

- 6.3.1 Upon receipt of a completed subdivision application, the Subdivision Authority:
- a. shall approve, with or without conditions, a subdivision application for a permitted use where the proposed subdivision conforms to:
 - i. this Bylaw;
 - ii. applicable statutory plans; and
 - iii. *the Act* and the Regulations thereunder;
 - b. shall refuse an application for a subdivision if the proposed subdivision does not conform with:
 - i. applicable statutory plans; and/or
 - ii. *the Act* and the Regulations thereunder;
 - c. shall refuse an application for a subdivision if the proposed subdivision does not conform with this Bylaw, subject to Section 6.3.1.d;
 - d. may approve, with or without conditions, an application for subdivision that does not comply with this Bylaw if, in the opinion of the Subdivision Authority, the proposed subdivision:
 - i. would not unduly interfere with the amenities of the neighbourhood;
 - ii. would not materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
 - iii. conforms to the use prescribed for that land in this Bylaw;
 - e. prior to making a decision, shall refer the subdivision application to any external agencies and adjacent landowners for comment and may refer the subdivision application to any municipal department as required.

6.4 Requirements and Conditions of Subdivision

- 6.4.1 The Subdivision Authority shall abide by the requirements of and consider the matters indicated in Sections 652 to 670 of the *Act*.
- 6.4.2 Subdivision approvals must comply with Part 17 and 17.1 of *the Act* and the Regulations therein.
- 6.4.3 For the purposes of this Bylaw, an unsubdivided quarter section shall include those quarter sections where a separate title exists for a public utility or an institutional use.
- 6.4.4 Where the development involves a subdivision of land, no development permit shall be issued until the subdivision has been registered with Alberta Land Titles.
- 6.4.5 More than one active subdivision application will not be allowed affecting a single titled area. Where a subdivision is proposed for a titled area which is, at time of receipt of the new application, affected by an active subdivision file, the new application will not be accepted and processed until the existing open file has been closed or finalized to the satisfaction of the Subdivision Authority.
- 6.4.6 The Subdivision Authority shall not approve a subdivision which is inconsistent with the Summer Village of Silver Sands Municipal Development Plan and/or the provisions of any statutory plans that affect the land proposed to be subdivided.
- 6.4.7 As a condition of subdivision approval, Environmental Reserves will be taken according to Section 664 of *the Act* either in the form of a lot (ownership transferred to the Summer Village) or as an Environmental Reserve Easement (private ownership is retained).
- 6.4.8 As a condition of subdivision approval, the Summer Village may require that the proponent provide hazard land as Environmental Reserve.
- 6.4.9 Where a subdivision is proposed on lands adjacent to Isle Lake, a watercourse or wetland, reserves shall be required as a condition of subdivision approval as provided for in the *Act*. When determining the width and size of the Environmental Reserve the following shall be taken into consideration:
- a. Recommendations by qualified professionals; and/or
 - b. Riparian Setback Matrix Model (RSMM); and/or
 - c. The Government of Alberta's Stepping Back from the Water: A Beneficial Management Practices Guide for New Development Near Water Bodies in Alberta's Settled Region; and/or
 - d. The Recommended Setbacks Chart (see Appendix A).
- 6.4.10 Property taxes must be up to date prior to final endorsement of any Subdivision within the Summer Village.
- 6.4.11 The developer may be required to provide for Inclusionary Housing in accordance with *the Act* and the Regulations therein.
- 6.4.12 Proposed parcels being created shall not, in the opinion of the Subdivision Authority, prejudice the future efficient development of the remnant lands.
- 6.4.13 The Subdivision Authority may require the following conditions as part of subdivision approval:
- a. That the proponent enters into and complies with a Development Agreement;
 - b. Provision of off-site levies or a local improvement levy;
 - c. Compliance with an approved Erosion and Sediment Control Plan;
 - d. Compliance with an approved Landscaping Plan;
 - e. Compliance with an approved Lot Grading and Drainage Plan;
 - f. Compliance with an approved Stormwater Management Plan; and/or
 - g. Any other conditions as required by the Subdivision Authority.

7. APPEALS

7.1 Development Appeals

- 7.1.1 An appeal may be made if the Development Authority:
- fails or refuses to issue a development permit;
 - issues a development permit subject to conditions; or
 - issues a stop order under Section 645 of the *Act*;
- by the applicant of the development permit or any person affected by the order.
- 7.1.2 In addition to Section 7.1.1, any person affected by an order, decision or development permit made or issued by the Development Authority may appeal the decision in accordance with Section 685(2) of the *Act*.
- 7.1.3 Despite Sections 7.1.1 and 7.1.2, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted or the application for the development permit was deemed to be refused under Section 683.1(8) of the *Act*.
- 7.1.4 Despite Sections 7.1.1, 7.1.2 and 7.1.3, if a decision with respect to a development permit application in respect of a direct control district:
- is made by a council, there is no appeal to the Subdivision and Development Appeal Board; or
 - is made by a Development Authority, the appeal is limited to whether the Development Authority followed the directions of council, and if the board hearing the appeal finds that the Development Authority did not follow the directions it may, in accordance with the directions, substitute its decision for the Development Authority's decision.
- 7.1.5 An appeal of a decision of the Development Authority for lands identified in Section 685(2.1)(a) of the *Act* shall be made to the Land and Property Rights Tribunal and shall proceed in accordance with the processes identified in *the Act* and the *Land and Property Rights Tribunal Act*.
- 7.1.6 An appeal of a decision of the Development Authority for lands identified in Section 685(2.1)(b) of *the Act* shall be made to the Subdivision and Development Appeal Board of the Summer Village.
- 7.1.7 An appeal with respect to an application for a development permit may be made by a person identified in Section 7.1.1 may be made by serving a written notice of appeal to the board hearing the appeal:
- within 21 days after the date on which the written decision is given; or
 - if no decision is made with respect to the application within the 40-day period (or within any extension to that period under Section 684 of the *Act*), within 21 days after the date the period or extension expires; or
 - with respect to an order under Section 645 of the *Act*, within 21 days after the date on which the order is made.
- 7.1.8 An appeal with respect to an application for a development permit may be made by a person (identified in Section 7.1.2) by serving a written notice of appeal to the board hearing the appeal within 21 days after the date on which the written decision is given.

- 7.1.9 An appeal to the Land and Property Rights Tribunal may be made by filing a notice to the Land and Property Rights Tribunal. The notice submission requirements shall be as established by the Land and Property Rights Tribunal.
- 7.1.10 An appeal to the Subdivision and Development Appeal Board may be launched by filing a notice by providing the following:
- a. the appeal application fee as identified in the Summer Village's Fees and Charges Bylaw;
 - b. the legal description and/or the municipal address of the property to which the decision, order or issuance of the development permit relates;
 - c. the name, contact information and address of the appellant; and
 - d. the reasons for the appeal and the issue or condition in the decision or order that are the subject of the appeal.
- 7.1.11 Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board, if:
- a. in the case of a person referred to in Section 7.1.1 the person files the notice with the wrong board within 21 days after receipt of the written decision or the deemed refusal; or
 - b. in the case of a person referred to in Section 7.1.2, the person files the notice with the wrong board within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

7.2 Subdivision Appeals

- 7.2.1 The decision of a Subdivision Authority on an application for subdivision approval may be appealed:
- a. by the applicant for the approval;
 - b. by a government department if the application is required by the Subdivision and Development Regulations to be referred to that department;
 - c. by the council of the municipality in which the land to be subdivided is located if the council, a Designated Officer of the municipality or the Municipal Planning Commission of the municipality is not the Subdivision Authority; or
 - d. by a school board with respect to:
 - i. the allocation of municipal reserve and school reserve or money in place of the reserve;
 - ii. the location of school reserve allocated to it; or
 - iii. the amount of school reserve or money in place of the reserve.
- 7.2.2 An appeal of a decision of the Subdivision Authority for lands identified in Section 678(2)(a) of the *Act* shall be made to the Land and Property Rights Tribunal and shall proceed in accordance with the processes identified in *the Act* and the *Land and Property Rights Tribunal Act*.
- 7.2.3 An appeal of a decision of the Subdivision Authority for lands identified in Section 678(2)(b) and 678(2.1) of the *Act* shall be made to the Subdivision and Development Appeal Board of the Summer Village.
- 7.2.4 An appeal to the Land and Property Rights Tribunal may be made by filing a notice to the Land and Property Rights Tribunal. The notice submission requirements shall be as established by the Land and Property Rights Tribunal.

- 7.2.5 An appeal to the Subdivision and Development Appeal Board may be launched by filing a notice by providing the following:
- a. the appeal application fee as identified in the Summer Village's Fees and Charges Bylaw;
 - b. the legal description and/or the municipal address of the property to which the decision, order, or issuance of the development permit relates;
 - c. the name, contact information, and address of the appellant; and
 - d. the reasons for the appeal and the issue or condition in the decision or order that are the subject of the appeal.
- 7.2.6 If the applicant files a notice of appeal within 14 days after receipt of the written decision or the deemed refusal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board.

7.3 Appeal Hearing and Decision

- 7.3.1 Hearings for development appeals and decisions made by the board hearing the appeal shall be in accordance with Section 686 and 687 of the *Act*.
- 7.3.2 Hearings for subdivision appeals and decisions made by the board hearing the appeal shall be in accordance with Section 679, 680 and 681 of the *Act*.

8. ENFORCEMENT

8.1 PROVISION OF ENFORCEMENT

- 8.1.1 Enforcement may be conducted by a Designated Officer through the issuance of a violation warning, warning notice, final warning notice, stop order, violation tags or any other authorized action to ensure compliance.

8.2 PROHIBITION

- 8.2.1 No person shall contravene or permit a contravention of this Bylaw. No person shall commence or undertake a development, use, or sign that is not permitted by this Bylaw.
- 8.2.2 No person shall contravene a condition of a development permit or subdivision approval issued under this Bylaw.
- 8.2.3 No person shall authorize or undertake any development that is not compliant with the description, specifications or plans that were the basis for the issuance of a development permit.
- 8.2.4 No person shall modify any description, specifications, or plans that were the basis for the issuance of any permit by the Development Authority.

8.3 RIGHT OF ENTRY

- 8.3.1 After reasonable notice (generally to mean 48 hours) to the owner or occupant in accordance with the Act, a Designated Officer may enter the property at reasonable times (generally to mean between the hours of 7:30 a.m. and 10:00 p.m.) to ascertain if Bylaw requirements are being met.
- 8.3.2 A Designated Officer may enter the property outside of the identified time period if, in their opinion, a possible violation constitutes an immediate health, safety, or environmental concern.

8.4 VIOLATION WARNINGS

- 8.4.1 A Designated Officer may issue a violation warning for minor offences by outlining the nature of the violation, corrective measures that may be taken, and the deadline for corrective measures.
- 8.4.2 A Designated Officer may issue a warning notice or a final warning outlining the nature of the violation, corrective measures that may be taken, and the deadline for corrective measures, or both.

8.5 OFFENCES AND FINES

- 8.5.1 A person who violates the provisions of this Bylaw or permits a contravention of this Bylaw, is guilty of an offence and is liable to a fine for a first offence and for each subsequent offense as specified in the Fees and Charges Bylaw.
- 8.5.2 If the fine is not paid, the person is liable for imprisonment for not more than one year, or to both fine and imprisonment.

8.6 STOP ORDERS

- 8.6.1 On finding that a development, land use, or use of a building does not conform to the Municipal Government Act or its regulations, a development permit or subdivision approval or the conditions of either, or this Bylaw, the Development Authority may, by written notice, direct the owner of the property, the person in possession of the land, building, or sign, or the person responsible for a contravention or any or all of them, to:

- a. stop the development or use of the land or building in whole or part as directed by the notice;
- b. demolish, remove, or replace the development or landscaping; or
- c. carry out any other actions required by the notice for compliance.

8.6.2 The notice shall specify a deadline for compliance.

8.6.3 A person named in a stop order may appeal to the Subdivision and Development Appeal Board.

8.6.4 Subject to Section 542 of the *Act*, if a person fails to comply with the order of the Development Authority, a Designated Officer, or the Subdivision and Development Appeal Board, a Designated Officer may enter on the land or building and take any action necessary to carry out the order.

8.6.5 The Summer Village may register a caveat against the certificate of title for the land that is subject to the order, provided that the caveat is discharged when the order has been complied with.

8.6.6 The Summer Village's costs of carrying out any actions required for compliance may be added to the tax roll of the land subject to the order.

8.7 VIOLATION TAGS AND TICKETS

8.7.1 In accordance with the *Provincial Offences Procedures Act*, a Designated Officer may issue a violation tag to a person for specific offences in contravention of a violation issuing a warning notice, a final warning notice, or stop order where there are reasonable and probable grounds to believe there is a contravention of this Bylaw.

8.7.2 A violation tag may be issued to a person either personally or by registered mail.

8.7.3 The violation tag shall be in a form approved by the Summer Village and shall include the name of the person thought to have created the contravention, the offence, the penalty for the offence, a requirement that the penalty be paid within 30 days of issuance of the violation tag, the method by which the tag may be paid, and other information as may be required by the Summer Village.

8.7.4 The Development Authority is hereby authorized and empowered to issue a violation tag to any person who the Development Authority has reasonable and probable grounds to believe has contravened any provision of this bylaw.

8.7.5 Offences and related fines are as specified in the Summer Village's Fees and Charges Bylaw.

8.7.6 Where a contravention is of a continuing nature, further violation tags may be issued by the Development Authority, provided however that no more than one violation tag shall be issued for each day that the contravention continues.

8.7.7 The person to whom the violation tag is issued may, in lieu of being prosecuted, sign the plea of guilty on the violation tag and pay the specified fine to the location indicated on the violation tag.

8.7.8 If payment is not made within the time specified on the tag, a Designated Officer may issue a violation ticket requiring the person to whom the violation ticket is issued to appear in court on the date specified in the summons portion of the ticket.

8.7.9 Nothing in this Bylaw shall prevent a Designated Officer from immediately issuing a violation ticket for the mandatory court appearance of any person who contravenes any provision of this Bylaw.

9. GENERAL DEVELOPMENT REGULATIONS

9.1 Accessory Buildings

- 9.1.1 A building or structure which does not share footings with the principal building on a lot is deemed to be an accessory building even if it is connected to the principal building by a roof, breezeway, deck, patio, or other at grade or above grade connection.
- 9.1.2 An accessory building (e.g., shed, garage, etc.) shall only be allowed on a lot with an existing dwelling with an approved development permit.
- 9.1.3 Notwithstanding 9.1.2, a single accessory building with a floor area less than 9.3 m² (100.1 ft²) may be allowed on an undeveloped lot. The appearance and design provisions in 9.1.5 shall apply to accessory buildings on otherwise undeveloped lots.
- 9.1.4 Notwithstanding 9.1.2, a development permit for an accessory building with a floor area greater than 9.3 m² 100.1 ft² may be approved on a lot that has an approved development permit for a dwelling that is currently under construction, at the discretion of the Development Authority.
- 9.1.5 All accessory buildings shall be factory prefabricated units or of an equivalent quality and shall be pre-finished or painted so that the design and construction complement the principal building, to the satisfaction of the Development Authority.
- 9.1.6 In the R1 and R2 Districts, all accessory buildings shall be located according to the following:
- The maximum total combined floor area of all accessory buildings on a lot shall be 111.5 m². (1,200 ft²);
 - A minimum of 2.0 m (6.56 ft.) from the principal building;
 - No roof overhang shall be situated within 0.3 m (1.0 ft.) of the side and rear property boundary; and
 - An accessory building shall be located in such a manner that it does not encroach upon easements and rights-of-way.
- 9.1.7 For Lakefront Lots:
- All accessory buildings shall be located in the rear or side yards of the lot.
 - Accessory building shall be located no closer to the front yard (lakefront yard) than the closest portion of the principal building.
 - An accessory building shall be situated so that the exterior walls are:
 - A minimum 1.0 m (3.3 ft.) from the rear boundary (roadside) of the parcel.
 - A minimum of 1.5 m (4.9 ft.) from the side property lines.
 - Notwithstanding 9.1.7.c, where an accessory building is a garage, vehicle access doors shall be a minimum of 6.0 m (19.7 ft.) from the property line with the roadway or lane;
 - Notwithstanding 9.1.7.a to 9.1.7.c:
 - A maximum of one gazebo, woodshed, and/or hot tub may be developed within the front yard of a lakefront lot.
 - A maximum of one (1) boat house with a floor area of less than 100.1 ft² may be developed within the front yard of a lakefront lot, to be used for the storage of recreational equipment.
 - A boat house shall be situated so that the exterior wall is a minimum 1.0 m (3.3 ft.) from the side boundaries and 6.0 m (19.7 ft.) from the lakefront property boundary.
 -

9.1.8 For Non-Lakefront Lots:

- a. An accessory building shall be situated so that the exterior walls are:
 - i. A minimum 1.0 m (3.3 ft.) from the front and rear boundary of the parcel;
 - ii. A minimum of 1.5 m (4.9 ft.) from the side property lines.
- b. Notwithstanding 9.1.8, where an accessory building is a garage, vehicle access doors shall be a minimum of 6.0 m (19.7 ft.) from the property line with the roadway or lane;

9.1.9 An accessory building shall not be more than 9.0 m (29.5 ft.) in height.

9.1.10 An accessory building shall not be used as a dwelling, subject to Section 9.23 – Suites.

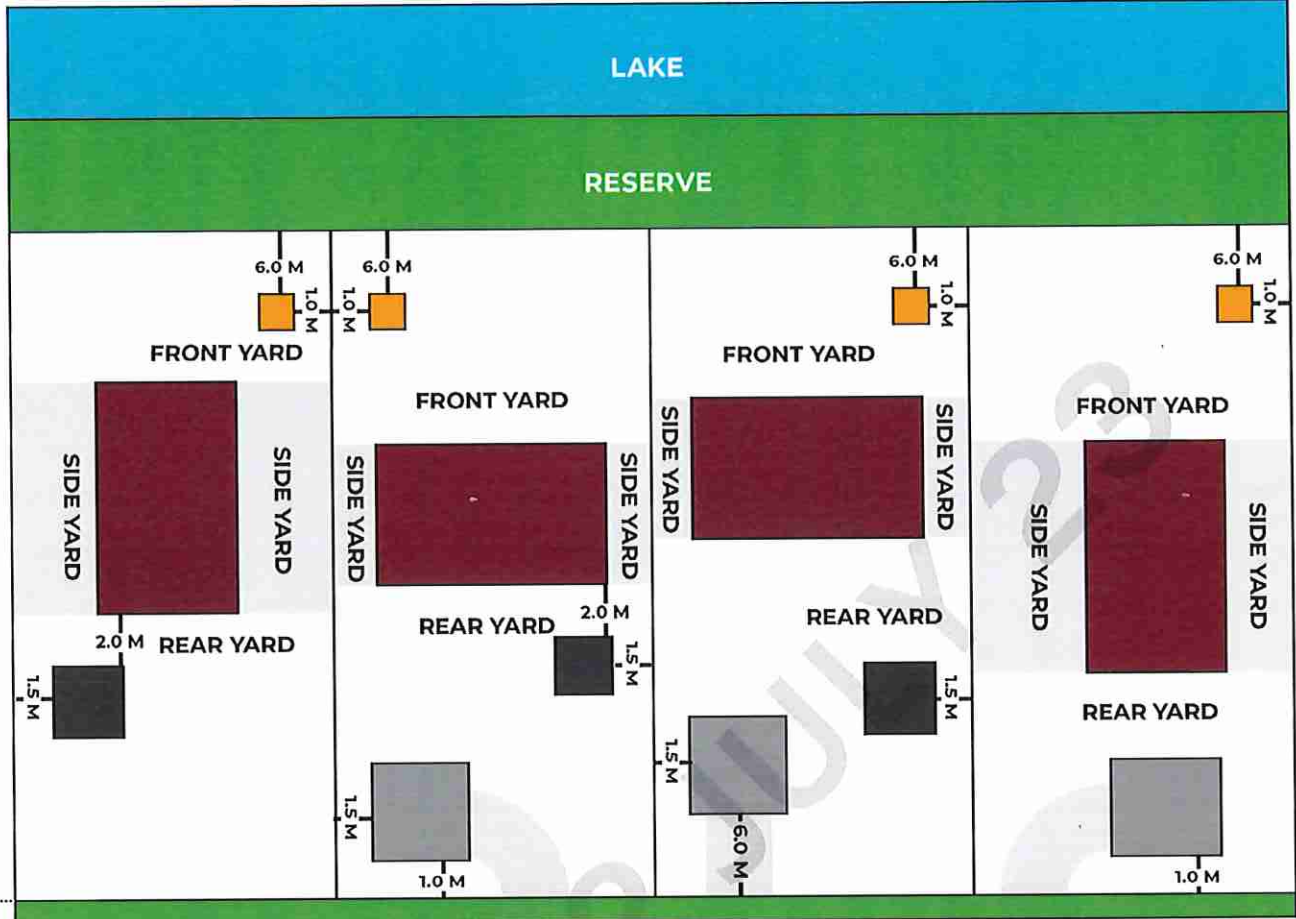
9.1.11 Notwithstanding any other provision of this Bylaw, a maximum of one garage per lot may be considered a “permitted” use.

9.1.12 The use of tented structured as an accessory building is prohibited in the Summer Village.

9.1.13 Notwithstanding this section, accessory buildings in the CREC District shall be per the regulations of that District, except as noted below:

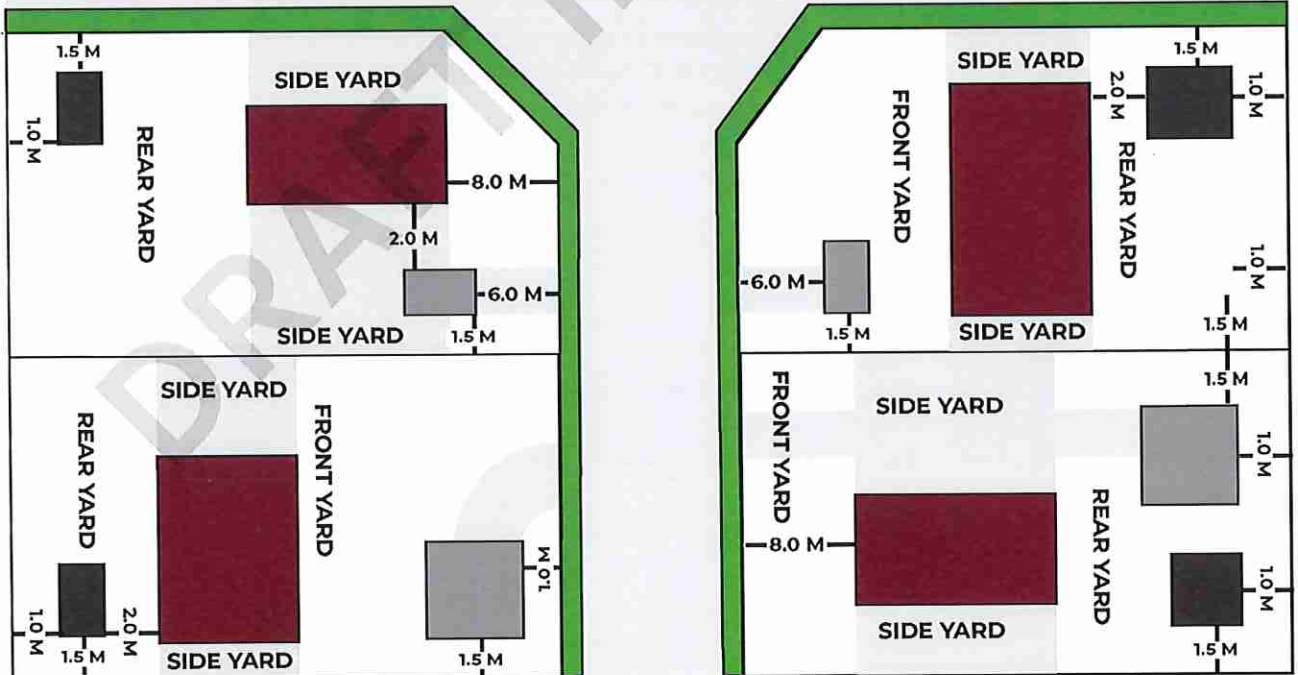
- a. accessory buildings in the CREC District shall be situated so that the exterior wall is a minimum of 1.5 m (4.9 ft.) from the side and rear property lines;
- b. be no closer to the front yard than the closest portion of the principal building;
- c. be a minimum of 2.0 m (6.6 ft.) from the principal building;
- d. an accessory building shall not be more than 4.5 m (10.0 ft.) in height, and shall not exceed the height of the principal building;
- e. eaves on an accessory building shall project no more than 0.3 m (1.0 ft.) into a required side or rear yard;
- f. accessory buildings shall not contain a secondary suite; and
- g. an accessory building shall be located in such a manner that it does not encroach upon easements or rights-of-way.

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ROAD RIGHT OF WAY

DEVELOPED ROAD



DWELLING
 ACCESSORY BUILDING (GARAGE)
 ACCESSORY BUILDING (BOAT HOUSE)
 ACCESSORY BUILDING

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9.2 Bed and Breakfast Operations

- 9.2.1 In addition to all other provisions and requirements of this Section of the Bylaw, the following additional requirements shall apply to home based business in the form of bed and breakfast operations:
- a. Persons wishing to operate a bed and breakfast operation shall be required to apply for a development permit from the Summer Village of Silver Sands.
 - b. A bed and breakfast operation shall be limited to residential land use districts and shall be contained entirely within the principal building.
 - c. A bed and breakfast operation shall be limited to one meal provided on a daily basis to registered guests only with such meal being prepared in one common kitchen and served in one common room.
 - d. In addition to the off-street parking requirements for the dwelling unit itself, as stipulated in Section 9.17 of this Bylaw, 1 (one) off-street parking space per rented guest room shall be required for a bed and breakfast operation.

9.3 Building Orientation and Design

- 9.3.1 The design, character and appearance of any building, or series of buildings, structure or sign proposed to be erected or located in any district must be acceptable to the Development Authority having due regard to:
- a. Amenities such as daylight, sunlight and privacy;
 - b. The character of existing development in the district; and
 - c. Its effect on adjacent parcels.

9.4 Corner and Double Fronting Parcels

- 9.4.1 In all land use districts, a parcel abutting onto two streets or more shall have a front yard setback on each street in accordance with the front yard requirements of this Bylaw. For the purposes of determining the setback requirements, the long front yard shall be referred to as the flanking front yard.

9.5 Corner Site Triangles

- 9.5.1 A sight triangle means that triangle formed by a straight line drawn between two points on the exterior boundaries of the said site 20.0 ft. (6.1 m) from the point where they intersect.
- 9.5.2 On laneways, the sight triangle shall be formed by a straight line drawn between two points on the exterior boundaries of the said site 10.0 feet (3.05 metres) from the point where they intersect.
- 9.5.3 On any corner site, no person shall erect, place or maintain within the sight triangle a wall, fence, shrub, trees, hedge, or any object over 3.0 ft. (0.9 m) in height above the lowest street grade adjacent to the intersection.
- 9.5.4 On any corner site, no finished grade shall exceed the general elevation of the street line by more than 2.0 ft. (0.6m) within the area defined as the sight triangle.
- 9.5.5 When a lot has more than one front yard line (corner lot), the front yard requirement shall apply to all front yards, but, at the discretion of the Development Authority, one front yard may be considered a side yard.

9.6 Demolition

- 9.6.1 An application to demolish a building shall not be approved without a statement or plan satisfactory to the Development Authority, which indicates:
- How the operation will be carried out to create a minimum of dust or another nuisance; and
 - The final reclamation of the parcel.

9.7 Developer's Responsibility

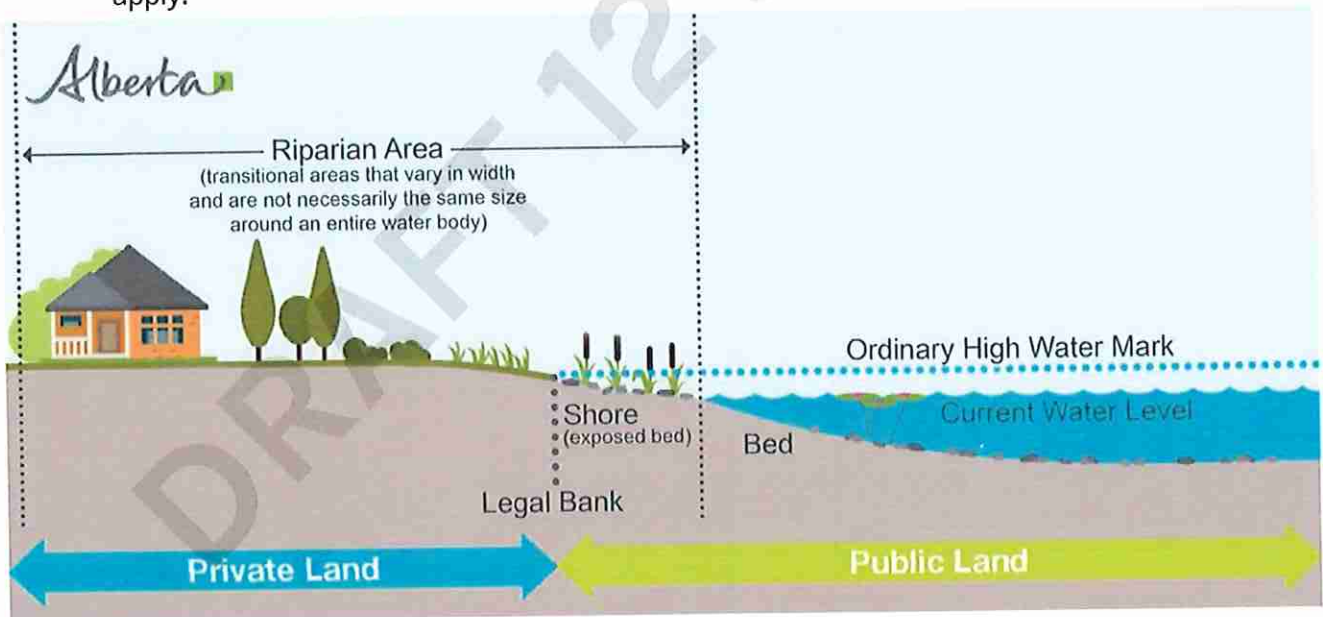
- 9.7.1 A person to whom a development permit has been issued shall obtain from the appropriate authority, where applicable, permits and/or approvals required in connection with the proposed development.
- 9.7.2 The person to whom a development permit has been issued may be required to notify the Development Officer:
- following the preliminary layout of the site, but prior to the commencement of actual development therein; and
 - upon completion of the development for which approval has been given and which has been authorized by the issuance of the development permit.
- 9.7.3 The Development Officer may require that further to Section 9.7.2(a), the applicant arrange with the Development Officer for an on-site inspection before commencing construction.
- 9.7.4 The applicant shall be financially responsible during construction for any damage by the applicant, his/her servants, suppliers, agents or contractors to any public or private property.
- 9.7.5 The applicant shall prevent excess soil or debris from being spilled on public streets, lanes, and sidewalks, and shall not place soil or any other material on adjacent properties without permission in writing from adjacent property owners.
- 9.7.6 Sections 9.7.4 and 9.7.5 may be enforced pursuant to Section 8. Any costs incurred because of damage or neglect to public property may be collected where letters pursuant to Section 8.
- 9.7.7 The Development Officer may require a Real Property Report relating to the building for which a permit is applied.
- 9.7.8 A development permit is not transferable without the prior consent of:
- the Development Officer if the permit was issued by the Development Officer;
 - the Municipal Planning Commission if the permit was issued by the Municipal Planning Commission;
 - Council, if the permit was issued by Council with respect to development in a Direct Control District; or
 - the Subdivision and Development Appeal Board, if the permit was issued by the Subdivision and Development Appeal Board.

9.8 Dwelling Units on a Lot

- 9.8.1 A Development Permit shall not be issued for more than one (1) principal dwelling on a lot.
- 9.8.2 A Development Permit shall not be issued for more than one secondary or accessory dwelling on a lot. Secondary or accessory dwellings include recreational vehicles and suites.

9.9 Environmental Protection

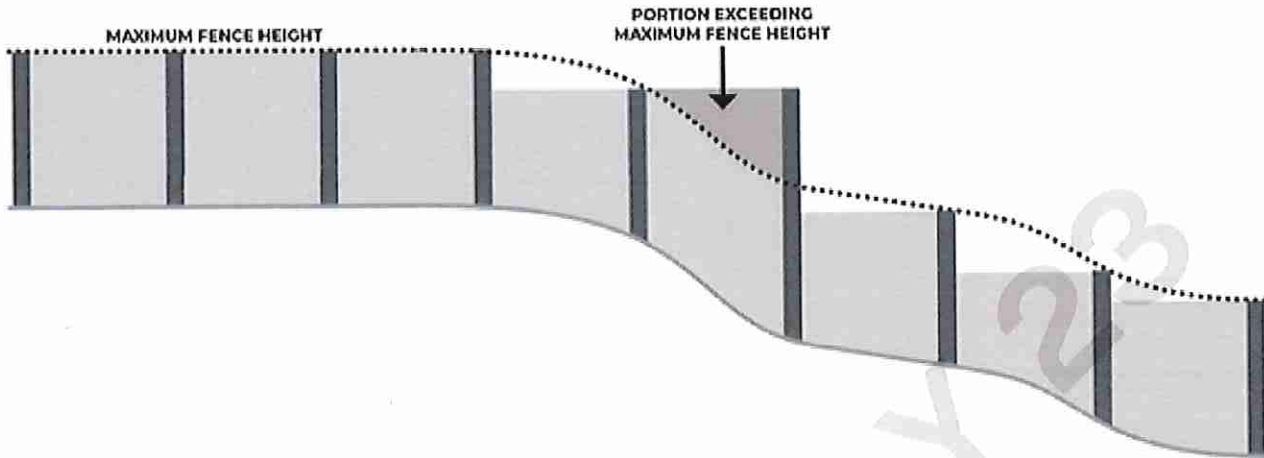
- 9.9.1 The permanent disturbance of watercourses, wetlands, other water bodies within the Summer Village shall be prohibited.
- 9.9.2 Applications for development and/or subdivision on sites that may be affected by a wetland must include a wetland assessment prepared by a qualified professional that delineates and classifies wetland(s) within the building pocket on the site.
- 9.9.3 Development permits shall be required for shoreline modifications on lands adjacent to the legal bank to Isle Lake.
- 9.9.4 Where shoreline modifications are proposed in the bed and shore of Isle Lake, approval from the Government of Alberta shall be required.
- 9.9.5 Where shoreline modifications are proposed adjacent to the legal bank of Isle Lake that alter the flow of water, approval from the Government of Alberta may be required.
- 9.9.6 Shoreline modifications shall be discouraged except for erosion protection.
- 9.9.7 Shoreline modifications shall:
- Incorporate re-vegetation and the use of soft landscaping elements;
 - Incorporate low impact development strategies; and
 - Minimize the use of hard landscaping elements.
- 9.9.8 The addition of sand to the bed and shore of Isle Lake and or lands adjacent to the bed and shore of Isle Lake shall not be allowed.
- 9.9.9 Where shoreline modifications include activities such as stripping, grading, or landscaping, the regulations in Grading, Stripping and Drainage on Lots and Site Coverage and Landscaping shall apply.



9.10 Fences

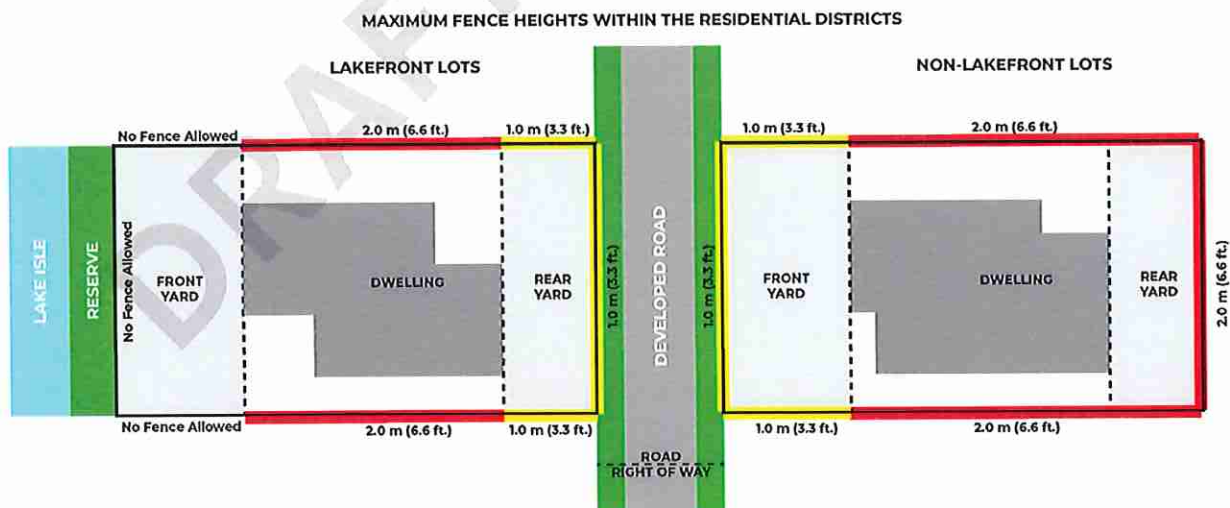
- 9.10.1 Subject to Section 5.2 of this Bylaw, all fence construction shall require an approved development permit.

- 9.10.2 No electrical or barbed wire fences shall be permitted on residential lots within the boundaries of the Summer Village;
- 9.10.3 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 Silver Sands.

- 9.10.4 Fences shall not be allowed within the front yard of a lakefront lot.
- 9.10.5 Within the residential districts:
 - a. For lakefront parcels abutting Isle Lake or a reserve parcel abutting the lake, fences:
 - i. Located within a rear yard of a parcel shall not exceed 1.0 m (3.3 ft.) in height.
 - ii. Located within a side yard of a parcel shall not exceed 2.0 m (6.6 ft.) in height.
 - b. For parcels not abutting Isle Lake or a reserve parcel abutting the lake, fences:
 - i. Located within a rear yard or side yard of a parcel shall not exceed 2.0 m (6.6 ft.) in height.
 - ii. Located within the front yard of a parcel shall not exceed 1.0 m (3.3 ft.) in height.
 - c. Fence height shall be determined by measuring from the top of the fence to the ground.



- 9.10.6 Notwithstanding the requirements of Section 9.10.5.a.i, a fence in the rear yard of a lakefront lot may exceed 1.0 m (3.3 ft.) to a maximum of 1.5 m (4.9 ft.) if the portion of the fence that exceeds

1.0 m (3.3 ft.) in height is constructed to allow for visual access to the rear yard of the lot, to the satisfaction of the Development Authority.

9.10.7 Notwithstanding any other regulation in this Section, fences shall not be allowed on an undeveloped lot.

9.10.8 Within other districts, a fence shall be sited to the discretion of the Development Authority.

9.11 Fire Pits

9.11.1 Within the corporate limits of the Summer Village of Silver Sands, fire pits must:

- a. Be at least 3.0 m (10.0 ft.) from buildings, property lines and anything else that could catch fire;
- b. Be less than 0.6 m (2.0 ft.) high;
- c. Be less than 1.0 m (3.3 ft.) wide;
- d. Have enclosed sides made from bricks, concrete or heavy-gauge metal; and
- e. Have a mesh screen on top to stop sparks (spark-arrestor) with openings smaller than 1.25 cm (0.5 in.).



9.12 Home Occupations

9.12.1 Home occupations shall not involve:

- a. Activities that use or store hazardous material in quantities exceeding those found in a normal household; or
- b. Any use that would in the opinion of the Development Authority, materially interfere with or affect the used, enjoyment, or value of neighboring properties.

9.12.2 Home occupations shall not be allowed on a site unless a dwelling is located on the site on which the home occupation is to be located.

9.12.3 In addition to a development permit application, each application for a home occupation shall be accompanied by a description of the business to be undertaken in the dwelling, an indication of the anticipated number of business visits per week, and details for the provision of parking along with other pertinent details of the business operation.

9.12.4 The Development Authority may, in its sole discretion, place time limits on the period for which a development permit for a home occupation is valid.

9.12.5 No home occupation shall substantially change the principal character of external appearance of the dwelling involved or of any accessory buildings.

9.12.6 Home occupations shall be incidental and subordinate to the principal use of the dwelling and/or garage and shall not be conducted within any other structures on the property.

9.12.7 A home occupation shall not occupy more than 20% of the floor area of the main dwelling or 35 m² (375.0 ft.²), whichever is the lesser.

9.12.8 There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the home occupation allowed on the site.

9.12.9 The home occupation shall not create any nuisance by way of noise, dust, odour, or smoke, or anything of an offensive or objectionable nature.

9.12.10 There shall be no mechanical or electrical equipment used which creates external noise, or visible or audible interference with home electronics or computer equipment in adjacent dwellings.

9.12.11 In addition to the regulations above, a minor home occupation shall comply with the following regulations:

- a. A minor home occupation shall not employ any person on-site other than a resident of the dwelling.
- b. No client or customer may be received in the dwelling unit for business purposes;
- c. The minor home occupation does not generate any pedestrian or vehicular traffic;
- d. Storage related to the minor home occupation shall be allowed only in either the dwelling or accessory buildings.
- e. Business activities must be carried out entirely within the dwelling.
- f. Exterior alterations or additions to accommodate a minor home occupation shall not be allowed.
- g. There shall be no exterior signage, display, or advertisement.

9.12.12 In addition to provisions 9.12.1 through 9.1.10 above, major home occupation shall comply with the following regulations:

- a. The number of non-resident employees working on-site shall not exceed one (1) on-site, non-occupant employees.
- b. Up to eight (8) business visits per day are allowed.
- c. No more than one (1) commercial vehicle up to but not exceeding a gross vehicle weight of 5,500 kg (12,225 lbs.), to be used in conjunction with the major home occupation, shall be parked or maintained on the site in a residential district. The parking space for the commercial vehicle shall be adequately screened and sited behind the principal building to the satisfaction of the Development Authority.
- d. The outdoor storage of productions and materials shall be prohibited.
- e. Any interior or exterior alterations or additions to accommodate a major home occupation may be allowed at the discretion of the Development Authority, as long as such alterations comply with this Bylaw and the Alberta Safety Codes Act and the regulations made thereunder.
- f. There shall be no exterior signage, display or advertisement other than a business identification sign, the size of which shall be entirely at the discretion of the Development Authority.
- g. Business activities must be carried out entirely within the dwelling or garage.

9.12.13 A stop order may be issued at any time if, in the opinion of the Development Authority, the operator of the home occupation has violated any provisions of this Bylaw or conditions of the approval of a development permit and complaints based on the operation of the home occupation have been received.

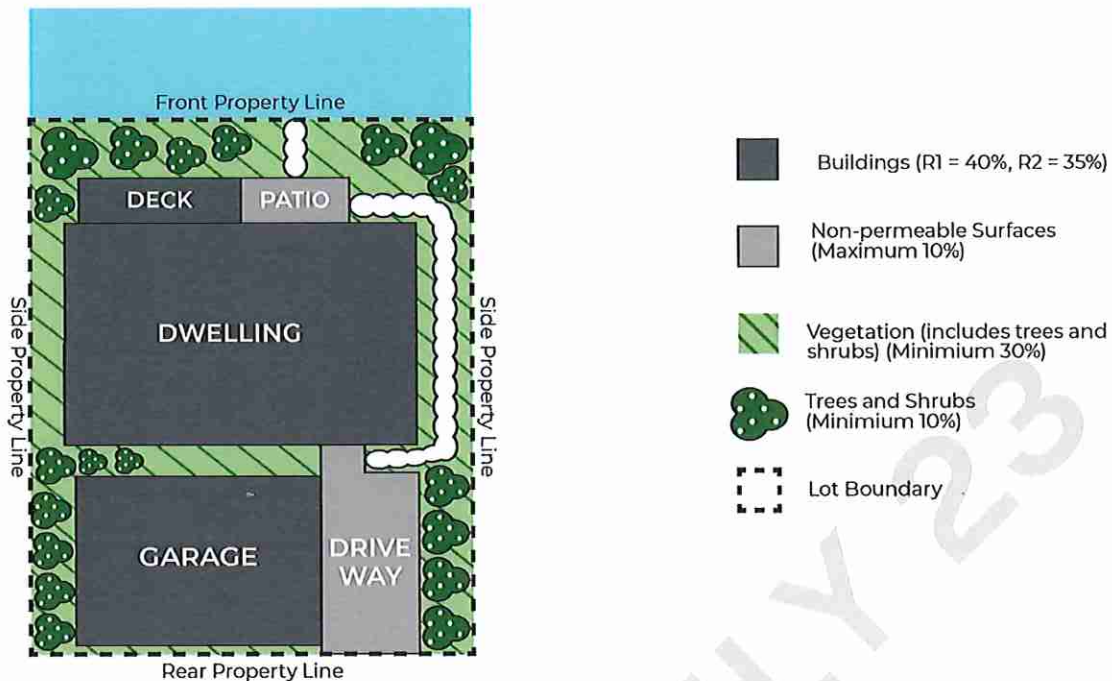
9.13 Keeping of Animals

- 9.13.1 No person shall keep or permit to be kept in any part of any yard in any Land Use District any livestock except as specifically provided for in this bylaw.
- 9.13.2 No person shall keep or permit to be kept in any part of any yard in any Land Use District any pets or domestic animals of any kind on a commercial basis for the purpose of breeding or caring in exchange for pay or other compensation or remuneration.

9.13.3 In addition to this Section, the keeping of animals in the Residential Districts will be regulated pursuant to the Animal Control Bylaw No. 231, as amended.

9.14 Landscaping and Site Coverage

- 9.14.1 The combined ground floor area of all buildings on a lot shall not exceed the maximum lot coverage regulation of the applicable land use district.
- 9.14.2 The areas of concrete pads and at-grade patios, and uncovered decks no more than 0.6 metres above grade, shall not be included when the area of a building is calculated.
- 9.14.3 Except as provided for in Section 5.2, a development permit shall be required for all landscaping that:
- Alters the natural drainage patterns on the site; or
 - Alters the quantity or quality of runoff into a watercourse or water body, including Isle Lake.
- 9.14.4 A landscaping plan may be required as part of the development permit application for:
- Landscaping that alters natural drainage patterns on the site or alters the quantity or quality of runoff into a watercourse or water body, including Isle Lake;
 - Stripping;
 - Grading;
 - The construction of new buildings or redevelopment of existing buildings; and
 - Any other development that alters drainage on the site.
- 9.14.5 Where a landscaping plan is required, it shall include the site plan requirements outlined in Section 5.4 and the following:
- Boundaries and dimensions of the site, location, and name of adjacent streets;
 - Location of adjacent sidewalks, pathways, driveway entrances, easements, rights-of-way, and laneways;
 - All existing and proposed berms, contours, walls (including retaining walls), fences;
 - Proposed lot grading and drainage;
 - Location of all existing vegetation to be retained;
 - Location, dimensions, areas, and description or illustrations of all existing and proposed:
 - Non-permeable surfaces;
 - Vegetation (including trees and shrubs);
 - Vegetation that comprises native vegetation (including trees and shrubs);
 - Other soft landscaping elements and permeable surfaces other than vegetation (e.g., rock gardens, gravel, permeable pavement, etc.).
- 9.14.6 The area of the lot covered in vegetation shall be a minimum of 30% of the total lot area and shall incorporate native vegetation (See the figure on the next page for an illustration of the landscaping site coverage requirements).



9.14.7

Of the 30% minimum vegetation cover required in the previous regulation, the area of the lot covered in trees and shrubs shall be a minimum of 10% of the total lot area (See the figure below for an illustration of landscaping site coverage requirements).

9.14.8

The area of the lot covered in non-permeable surfaces (e.g., driveways, patios, paving stones, sidewalks, asphalt, concrete) excluding the buildings shall not exceed 10% of the total lot area or 140.0 m² (1,500 ft.²), whichever is less (See the figure below for an illustration of landscaping site coverage requirements).

9.14.9

Landscaping should be designed to maximize water infiltration on the site.

9.14.10

Landscaping plans shall incorporate low impact development and design strategies to slow and filter excess nutrients and pollutants from entering the lake from runoff including but not limited to:

- a. Grading of lots to drain and retain runoff to control and reduce runoff leaving the lot;
- b. Inclusion of the following clean runoff landscaping strategies:
- c. Within planting beds and natural areas, keep the areas rough, with dished areas for trapping water;
- d. Where possible include a depression to intercept surface water (including snowmelt) before it leaves the site;
- e. Minimize turf areas on lakefront lots to decrease soil compaction and the proliferation of invasive species;
- f. Incorporate tools for capturing, treating, and using runoff into lot grading and landscaping;
- g. Incorporate deciduous native plant species and wildflowers into landscaping plans to encourage fire suppression, support biodiversity, and increase evapotranspiration.

9.14.11

No trees shall be planted within 1.0 (3.3 ft.) of a power line.

9.15 Lot Grading and Drainage

- 9.15.1 Except as provided for in Section 5.2, No land shall be filled or raised, and no grading or drainage may be undertaken, unless a development permit has been issued.
- 9.15.2 Land shall be graded so that excess clean natural run-off water flows into the lake, a soakaway, or a street. Water shall not be diverted to flow from one lot on to a neighbouring lot unless a drainage easement is agreed in writing between the two property owners and the municipality.
- 9.15.3 A private driveway or walkway across a boulevard or ditch shall be constructed so as not to interfere with the natural flow or absorption of water and a culvert shall be installed to the specifications of the municipality.
- 9.15.4 Any culvert which carries water away from a lot or runs across a driveway, walkway, boulevard or ditch shall have a diameter of at least 300 mm (11.8 inches).
- 9.15.5 Further to 9.16.1, development permits shall be required for:
- Stripping and/or grading that would alter surface water drainage from the site, adversely affect neighbouring property or public lands, or deviate from an approved lot grading and drainage plan;
 - Moving, depositing, or removal of topsoil, fill, aggregate or similar material; and
 - Any other development that:
 - Alters drainage on the site;
 - Increases runoff onto adjacent lands; or
 - Alters the quantity or quality of runoff into a watercourse or water body.
- 9.15.6 Site grading shall not be permitted to impede or interfere with the natural flow of surface water onto adjacent municipal lands or public ditches, or neighbouring properties.
- 9.15.7 A lot grading and drainage plan shall be required as part of the development permit application for:
- Stripping and/or grading that would alter surface water drainage from the site, adversely affect neighbouring property or public lands, or deviate from an approved lot grading and drainage plan; and
 - Any other development that:
 - Alters drainage on the site;
 - Increases runoff onto adjacent lands; or
 - Alters the quantity or quality of runoff into a watercourse or water body.
- 9.15.8 Where a lot grading and drainage plan is required, it shall be prepared by a qualified professional and shall:
- Identify pre-development and post development lot elevations and grades;
 - Specify design elevations, surface gradients, and swale locations;
 - Demonstrate how runoff will be controlled on the site; and
 - Include any other drainage information required by the Development Authority.
- 9.15.9 A stormwater management plan may be required for multi-lot subdivisions and major developments, at the discretion of the Approving Authority.
- 9.15.10 Where a stormwater management plan is required, it must:
- Demonstrate that runoff will be managed on the site;
 - Conform to municipal stormwater management systems and practices, where applicable; and

- c. Incorporate best management practices and low impact development strategies and technologies for:
- d. Treating stormwater prior to discharge into water bodies, watercourses, or riparian areas;
- e. Preventing pollution of water bodies, watercourses, or riparian areas; and
- f. Minimizing or mitigating impacts of runoff on adjacent environmentally sensitive lands and hazardous lands.

9.16 Objects Prohibited or Restricted in Yards

- 9.16.1 All matters related to unsightly property, improper storage of vehicles, parking of commercial vehicles over 55,000 kg. (12,125.22 lbs) shall be addressed through the Municipal Government Act and bylaws adopted by Council other than this Land Use Bylaw.
- 9.16.2 The following prohibited or restricted developments shall be subject and addressed in accordance with this Bylaw:
 - a. Any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.
- 9.16.3 Subject to Section 9.16.1 no person shall keep or permit in any part of a yard in a residential land use district:
 - a. Any dismantled or wrecked vehicle;
 - b. Any object or chattel which, in the opinion of the Development Officer, Municipal Planning Commission, or Council, is unsightly or tends to adversely affect the amenities of the district.
- 9.16.4 In all land use districts, garbage shall be stored in weather and animal proof containers screened from adjacent parcels and public thoroughfares to the satisfaction of the Development Officer, Municipal Planning Commission or Council and shall be in a location easily accessible for pickup.
- 9.16.5 Sites and buildings in all districts shall be maintained in a clean and tidy condition free from all rubbish and debris.
- 9.16.6 In any district, no storage or activity may be undertaken which, in the opinion of the Development Council constitutes a danger or annoyance to persons on site, on public property, or on any other site, by reasons of excessive noise, vibration, dust and other particulate matter, smoke, odour, toxic, and noxious matter, traffic, radiation hazards, fire, and explosive hazards, heat, humidity and glare, refuse matter or waterborne waste, water or steam.

9.17 Parking and Loading

- 9.17.1 The location of vehicular access to a lot shall be as approved by the Development Authority.
- 9.17.2 In the Residential Districts, a minimum of 2 parking stalls shall be provided per dwelling.
- 9.17.3 Unless otherwise approved by the Development Authority, a parking space shall not be less than 2.5 m (8.5 ft.) wide and 6.0 m (19.7 ft) long and shall be located on the same lot as the principal building or use.
- 9.17.4 A parking stall shall not be located within 1.0 m (3.28 ft.) of a lot line common to the lot and to a street unless the parking area is shared between the adjoining lots.
- 9.17.5 Parking stalls shall be hard surfaced to the satisfaction of the Development Authority or of a gravel mixture approved by the Development Authority.

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- 9.17.6 Construction of entrances and exits, including culverts where required by the Development Authority, shall be at the expense of the development proponent and to the satisfaction of the Development Authority.
- 9.17.7 Parking provisions for Home Occupations shall be consistent with the requirements in Section 9.12.
- 9.17.8 Parking provisions for suites shall be consistent with the requirements in Section 9.23.
- 9.17.9 For bed and breakfast establishments, one parking stall shall be provided for each sleeping unit, in addition to parking requirements for the primary residential use.
- 9.17.10 For commercial uses, the required number of off-street vehicular parking spaces shall be as required by the Development Authority.

9.18 Projection Over Yards

- 9.18.1 Projections on foundation walls and footings or on piles are deemed to be part of the building and shall not be considered as a projection over a yard.
- 9.18.2 Projections over yards for accessory buildings and garages shall be in accordance with Section 9.1 of this Bylaw.
- 9.18.3 Dwelling Unit eaves shall be considered part of the dwelling and may project over a yard provided the projection is no closer than 1.2 meters (3.9 feet) to a property adjoining a privately owned lot.

9.19 Recreational Vehicles and Temporary Living Accommodations in the Residential Districts

- 9.19.1 A total maximum of one (1) recreational vehicle, be it holiday trailer, motor home, camper, tent trailers or tent, may be situated, either occupied or unoccupied for storage purposes, on a residential parcel provided that a permanent single detached dwelling exists on the parcel. Such recreational vehicle must be located on-site on a parking stall or in another location on-site in a manner satisfactory to the Development Authority.
- 9.19.2 No recreational vehicles, be they holiday trailers, motor homes, campers, tent trailers, or tents may be parked on any residential parcel where no permanent single detached dwelling exists on the parcel, except that any person in possession of a valid development permit for the construction of a single detached dwelling may be granted a temporary development permit, for a period not to exceed six (6) consecutive months, to place a single (1) recreational vehicle on the parcel. An extension to the temporary development permit, for no more than an additional six (6) months, may be granted at the discretion of the Development Authority.
- 9.19.3 At no time may a person store any derelict recreational vehicle on a property. Dereliction may be assessed by inoperability, immobility, excessive rust, decay or damage, fluid leaks, abandonment, lack of registration, or any or all of these.

9.20 Recreational Vehicle Storage in the CREC District

- 9.20.1 Recreational vehicle storage shall require a development permit in accordance with the appropriate district regulations and shall comply with the following to the satisfaction of the Development Authority:
- access and egress to the facility should be provided via a local or collector road. Access and egress via a highway or an arterial road are discouraged;
 - the facility shall be designed such that all vehicles shall enter and exit the facility in a forward direction;

- c. vehicular access to the parcel and internal vehicular circulation shall be hard surfaced or a gravel mixture to the satisfaction of the Development Authority;
 - d. upgrades to accesses or roads shall be in accordance with municipalities Servicing Standards; and
 - e. perimeter fencing and landscaping to screen storage areas from the abutting road and adjacent parcels shall be provided.
- 9.20.2 A development permit application for recreational vehicle storage shall include a detailed proposed plan for the development area that includes but is not limited to:
- a. parcel layout, including the location and dimensions of storage areas and drive aisles;
 - b. the number of recreational vehicles and storage equipment to be stored on-site;
 - c. security and lighting;
 - d. location, dimensions and surfacing of parcel access and egress;
 - e. proposed hours of operation; and
 - f. site drainage demonstrating that the proposed use and site design does not interfere with site grading or drainage onto any road or adjacent parcel.
- 9.20.3 A security deposit as determined by the Development Authority shall be required and held by the Summer Village until such time that the applicant completes the conditions of approval.
- 9.20.4 An as-built grading plan shall be provided within three months of completion of final grading to ensure that the development was constructed in accordance with the approved plans for which the development permit was issued.

9.21 Relocation of Buildings

- 9.21.1 No person shall:
- a. Place on a parcel a building which has previously been erected or placed on a different parcel; or
 - b. Alter the location on a parcel of a building which has already been constructed on that parcel unless the Development Authority approves the placement or alteration.
- 9.21.2 Notwithstanding any other provision of this Bylaw, no mobile homes may be moved into the corporate boundaries of the Summer Village of Silver Sands after July 1, 2011.
- 9.21.3 An application to "relocate" a building may require:
- a. A colour photograph of the building;
 - b. A statement of the present location of the building;
 - c. A notification of the relocation route, date, and time that the relocation is to take place; and
 - d. A complete site plan showing all buildings located or to be located on the lot.
- 9.21.4 The Development Authority may require, when a development permit is issued for a relocated building, a performance bond or a letter of credit related to the proposed development.
- 9.21.5 The Development Authority may require; when a development permit application is received to relocate a building, a notice in writing be forwarded to all adjacent landowners in the receiving neighbourhood.
- 9.21.6 Any renovations and any conditions imposed by the Development Authority to a relocated building shall be completed within one year of the issuance of the development permit. Non-compliance shall result in the forfeiture of the performance bond or letter of credit.

- 9.21.7 When reviewing development permit applications for moved-in buildings, the Development Authority shall consider the impact of the proposed moved-in building on the aesthetics and value of the adjoining properties.
- 9.21.8 In the case of a building to be relocated, it shall, in the opinion of the Development Authority, be compatible, with respect to age and appearance, with the buildings in the receiving neighbourhood once all required renovations and improvements have been completed.
- 9.21.9 An approval shall not be granted unless the Development Authority is satisfied that:
- The placement or location of the building would meet the requirements of this Bylaw; and
 - The building and the parcel meet the requirements of this Bylaw and the land use district in which the building is proposed to be located as well as all applicable building standards of the Alberta Government.

9.22 Sea Cans

- 9.22.1 No Sea Cans may be located within the Summer Village of Silver Sands unless:
- Approved by the Development Authority as a temporary use; or
 - Approved as part of a Development Permit for the construction or placement of a Single Detached Dwelling.

9.23 Suites

- 9.23.1 A maximum of one (1) suite for which a development permit has been issued is allowed on a lot.
- 9.23.2 A suite (including a garage suite or guest house) shall not be allowed on a lot for which a development permit for a principal dwelling has not been issued.
- 9.23.3 A suite shall be operated as an accessory use only and shall not change the residential character of the principal dwelling involved.
- 9.23.4 A suite may be considered within:
- The principal dwelling as a secondary suite;
 - The second storey of a detached garage as a garage suite; or
 - A stand-alone accessory building or structure.
- 9.23.5 The maximum square footage of a secondary suite shall not exceed more than fifty percent (50%) of the total floor area of the principal dwelling.
- 9.23.6 On-site parking for suites shall conform to the parking regulation of this Bylaw for the principal dwelling unit, and one (1) additional on-site parking stall shall be required for each bedroom provided in the suite. Required parking stall(s) shall not be allowed on public roadways.
- 9.23.7 As a condition of development permit approval, an application for a suite on a lot shall provide evidence that all safety code requirements are met with the proposed suite.
- 9.23.8 The applicant shall provide an original copy of a fire inspection report to the Development Authority, no older than 1 month, showing no deficiencies or evidence that all identified deficiencies have been corrected, prior to the issuance of an approval for a secondary suite.
- 9.23.9 As a condition of the development permit, a suite shall be connected to an on-site sewage disposal system satisfactory to the Development Authority.
- 9.23.10 A security suite may only be allowed on a lot with an approved recreational or commercial use. All siting requirements shall be at the discretion of the Development Authority.

9.24 Signs (Commercial Developments)

- 9.24.1 Where commercial buildings are permitted the following regulations shall apply:
- a. For each principal building, one identification sign only, not to exceed 3.0 m² (32.29 ft.²) in area.
 - b. Signs may be detached if they do not exceed a height of 2.0 m (6.56 ft.) or project into any required setback area.
 - c. Where a sign is not detached, it shall be placed flat against the building or be designed as part of an architectural feature thereof, or as a canopy sign.
 - d. One wall sign only will be permitted to indicate the name and nature of the occupancy for each tenancy within the development. The sign shall not exceed a total area of 0.9 m² (9.68 ft.²) of copy for each lineal metre of building occupancy.
 - e. If the occupancy is on a corner, one wall sign will be permitted for each face.
 - f. If the building includes a canopy, each tenant will be permitted one under- canopy sign of no more than 0.5 m² (5.38 ft.²).

9.25 Signs (Non-Commercial Developments)

- 9.25.1 No sign of an advertising, directional or information, nature shall be erected on land or affixed to any exterior surface of any building or structure unless an application for this purpose has been approved by the Development Officer.
- 9.25.2 Signs shall comply with the setback requirements for principal buildings in the district in which the sign is located unless otherwise allowed by this Bylaw or the Development Officer.
- 9.25.3 In considering a development application for a sign the Development Officer shall have due regard for the amenities of the area and the design of the proposed sign.
- 9.25.4 No sign, other than one providing a public service and deemed appropriate by the Development Officer shall be permitted to locate on a public right of way or reserve.
- 9.25.5 No sign shall be illuminated unless the source of light is suitably shielded and does not interfere with vehicular traffic.
- 9.25.6 There shall be a minimum clearance height of 2.5 m (8.2 ft.) above finished grade to the bottom of any sign projecting over a public right-of-way or sidewalk.
- 9.25.7 No sign shall project more than 1.5 m (4.9 ft.) above the top of any main wall or parapet to which it is affixed, unless in the opinion of the Development Officer it has been designed as an integral part of the building.
- 9.25.8 No sign shall project more than 1.5 m (4.9 ft.) out from the face of any building to which it is affixed unless, in the opinion of the Development Officer it has been designed as an integral part of the building.
- 9.25.9 The Development Officer may refuse to allow any sign which is deemed to be offensive in nature or inappropriate in design.
- 9.25.10 The area around sign structures shall be kept clean and free of overgrown vegetation and free from refuse material.
- 9.25.11 The Development Officer, Municipal Planning Commission, or Council may require the removal of any sign which, in their opinion is or has become unsightly or is in such state of disrepair as to constitute a hazard.

9.26 Solar Energy Collection Systems

- 9.26.1 A development permit is required for ground mounted solar energy collection systems.

- 9.26.2 Solar energy collection systems shall only be allowed as accessory developments.
- 9.26.3 Ground mounted solar collectors shall be located in a side or rear yard only.
- 9.26.4 The Summer Village shall not be held responsible for protecting access to solar energy on private land.
- 9.26.5 No solar energy collection system that is tied into a grid shall be installed until evidence has been given that the franchise utility provider has been informed of the customer's intent to install an interconnected customer-owner generator. A copy of a letter to the applicant's utility provider is sufficient. No response or evidence of approval from the utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.

9.27 Telecommunication Towers

- 9.27.1 The Development Authority may review applications for the siting of telecommunication towers and has the authority to issue a letter of support or non-support in accordance with the spirit and intent of this Bylaw. Such considerations may include:
- a. aesthetics;
 - b. opportunity to co-locate on an existing telecommunication tower;
 - c. consultation with affected landowners;
 - d. benefit to residents; and
 - e. whether or not the telecommunication unduly interferes with the amenities of the areas which may include, but shall not be limited to:
 - i. the natural environment;
 - ii. residential developments; and
 - iii. recreational opportunities.
- 9.27.2 Notwithstanding any other provision of this Bylaw, the Summer Village recognizes that Industry Canada regulates the telecommunication industry in Canada is the authority that approves the location of Telecommunication Towers.
- 9.27.3 In consideration of Section 9.27.1, the Development Authority may request the following:
- a. identification of any other similar structures within an 8.0 km radius of the proposed site location. Each request shall also provide documentary evidence that co-location of the existing structures is not a viable alternative for co-location; and
 - b. details regarding lighting.

9.28 Tourist Homes

- 9.28.1 The development of a Tourist home in the Summer Village of Silver Sands shall require a Development Permit.
- 9.28.2 No development permit for a tourist home may be issued for a lot that does not conform with all other provisions of this land use bylaw.
- 9.28.3 An application for a development permit for a tourist home shall include (in addition to the requirements of Section 5.4):
- a. the applicable fee as established in the Summer Village's Fees and Charges Bylaw;
 - b. signatures of all property owners listed on the title;

- c. identification of what portion of the dwelling or suites are to be utilized as a tourist home, and total number of bedrooms;
 - d. a home safety and evacuation floor plan of the premises;
 - e. a parking plan that identifies the total area of the lot to be used for parking;
 - f. information on where (or on what website) the tourist home will be listed for rental.
- 9.28.4 A maximum of one building may be developed on a lot. A tourist home may be developed within:
- a. an entire principal dwelling for which a development permit has previously been issued;
 - b. a portion of a principal dwelling for which a development permit has previously been issued;
 - c. a guest house suite for which a development permit has been previously issued.
- 9.28.5 A maximum of one rental booking may be scheduled at a time within an approved tourist home.
- 9.28.6 A tourist home with an approved development permit shall visibly display in the main entrance of the tourist home:
- a. a copy of the development permit outlining the maximum occupancy of the tourist home and the primary contact telephone number and email of the owners; and
 - b. a home safety and evacuation floor plan of the premises.
- 9.28.7 A tourist home shall not be developed within:
- a. a recreational vehicle;
 - b. a tent or tented structure; or
 - c. an accessory building without cooking or bathroom facilities.
- 9.28.8 The maximum occupancy of a tourist home shall be:
- a. the total number of bedrooms times two (2), to a maximum of 8.
 - b. Children under the age of 12 do not calculate into the maximum occupancy of a tourist home.
- 9.28.9 A minimum of one (1) parking space per bedroom in the tourist home, plus one (1) extra shall be provided for on a lot. The parking space shall be included in the calculation of lot coverage. No offsite parking (i.e., parking within the adjacent road right of way, on municipal land, or on adjacent private land) shall be allowed.
- 9.28.10 The owner(s) may be required to facilitate periodic inspections within a 72-hour notice of the tourist home as requested by the Development Authority to ensure compliance with the regulations of this land use bylaw.
- 9.28.11 The owner(s) shall be required to cooperate with the Development Authority, emergency services providers, and Alberta Health Services during an investigation of any complaint associated with the tourist home.
- 9.28.12 No signs advertising the rental of the tourist home shall be permitted onsite.
- 9.28.13 The owner(s) must ensure that the tourist home complies with the Summer Village's Fire Bylaw.
- 9.28.14 The owner(s) must provide each guest with a copy of the Good Guest Guidebook as produced by the Summer Village.

9.29 Wastewater

- 9.29.1 Within the Residential and Commercial Districts, the use of privies and portable toilets shall be prohibited in the Summer Village, except on lots where a development permit has been issued for a new dwelling or accessory building and construction is underway. In these instances, the portable toilets may only be placed on a lot for a period not to exceed six months.

9.29.2 All new sewage disposal systems must be designed to utilize below ground holding tanks that comply with the Alberta Private Sewage Systems Standard of Practice. No new privies, sewage discharge fields, surface discharge systems, or pit systems will be allowed in the Summer Village.

9.30 Wind Energy Conversion Systems

9.30.1 The only form of wind energy conversion systems allowed in a residential district are micro systems.

9.30.2 Notwithstanding any other provisions in this Bylaw, micro wind energy conversion systems, which are systems with a rated capacity of less than 0.5 KW, may only be roof mounted or ground mounted within a side or rear yard.

9.30.3 Micro wind energy conversion systems shall be required to conform to set back requirements for accessory buildings.

9.30.4 The maximum height shall be the maximum height provisions that apply within the District in which the micro wind energy conversion system is located.

9.30.5 One micro wind energy conversion system is allowed per lot. A second system may be allowed at the discretion of the Development Authority if the applicant can demonstrate that there is adequate room on the lot.

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10. LAND USE DISTRICTS

10.1 Establishment of Land Use Districts

10.1.1 For the purpose of this Land Use Bylaw, the Summer Village is divided into the following land use districts:

Land Use District	Symbol	Map Colour
Small Lot Residential	R1	Yellow
Large Lot Residential	R2	Orange
Condominium Recreation	CREC	Purple
Commercial General	C1	Red
Parks and Recreation	P	Green
Natural Environment & Reserves	NE	Light Green
Urban Reserve	UR	Grey
Direct Control	DC	Blue

10.1.2 The boundaries of the districts listed in Section 10.1.1 are as shown on the Land Use District Map in Section 11 of this bylaw.

10.1.3 The regulations in Section 9 apply to land use and development within all land use districts in the Summer Village.

10.1.4 The boundaries of the Land Use District Map shall be interpreted as follows:

- a. Where a boundary is shown as following a street, lane, stream or canal, it shall be deemed to follow the centre line thereof;
- b. Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line;
- c. In circumstances not covered by 10.1.4.a and 10.1.4.b, the location of the district boundary shall be determined by the Development Authority by measurement of, and use of the scale shown on the Land Use District Map.

10.1.5 Where the application of the rules outlined in section 10.1.4 does not determine the exact location of the boundary of a land use district, the Council either:

- a. on its motion; or
- b. upon written application being made to it by any person requesting the determination of the exact location of the boundary.

10.1.6 After Council has fixed a land use district boundary pursuant to the provisions of Section 10.1.4, the boundary shall not be altered, except by an application to amend this Bylaw.

10.1.7 The Development Authority shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

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10.2 R1 – Small Lot Residential

10.2.1 Purpose
To allow for the development and redevelopment of small residential lots in the Summer Village of Silver Sands.

10.2.2 Permitted Uses
a. Dwellings, single detached
b. Home occupations, minor
c. Suites, secondary
d. Buildings and uses accessory to permitted uses

10.2.3 Discretionary Uses
a. Day homes
b. Home occupations, major
c. Parks and playgrounds
d. Public uses
e. Public utilities
f. Solar energy collection system
g. Show homes
h. Suites, garage
i. Suites, guest house
j. Buildings and uses accessory to discretionary uses
k. Wind energy conversion system, micro
l. Other uses which, in the opinion of the Development Authority, are similar to the permitted and discretionary uses.

10.2.4 Parcel Coverage
a. Coverage of all buildings shall not exceed 40% of the total lot area.

10.2.5 Minimum Floor Area (Not Including Attached Garage)
a. Shall be no less than 74.3 m ² (800.0 ft ²).

10.2.6 Maximum Height
a. The height of all structures shall not exceed 9.0 m (29.5 ft.) and is subject to the provision of this Bylaw.

10.2.7 Minimum Lot Width and Depth
a. All new parcels to be created shall have a minimum parcel width of 15.0 m (50.0 ft.) and a minimum parcel area not less than 557.4 m ² (6,000 ft ²).

10.2.8 Minimum Front Yard Setback
a. Lakefront lots: at the discretion of the Development Officer, but not less than 8.0 m. (26.2 ft.).
b. All other cases: 8.0 m (26.2 ft.).
c. Accessory buildings: see Section 9.1.

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10.2.9	Minimum Side Yard Setback
a.	Minimum of 1.5 m (4.9 ft.)
b.	Accessory buildings: see Section 9.1.

10.2.10	Minimum Rear Yard Setback
a.	Minimum of 1.5 m (4.9 ft.)
b.	Accessory buildings: see Section 9.1.

10.2.11	Recreational Vehicles on Undeveloped Lots in the R1 District
a.	Notwithstanding any other regulation in this Land Use Bylaw, a single recreational vehicle may be stored and occupied without a developed dwelling on the following lots, subject to the conditions of an approved development permit issued prior to the adoption of this bylaw: <ul style="list-style-type: none"> i. Lot 18, Block 2, Plan 2941MC ii. Lot 19, Block 7, Plan 223MC iii. Lot 6, Block 1, Plan 2941MC iv. Lot 19, Block 2, Plan 2941MC v. Lot 15, Block 2, Plan 223MC vi. Lot 18, Block 3, Plan 223MC vii. Lot 9, Block 4, Plan 2941MC viii. Lot 19, Block 3, Plan 223MC ix. Lot 14, Block 3, Plan 223MC x. Lot 16, Block 2, Plan 2941MC xi. Lot 18, Block 6, Plan 074 0530 xii. Lot 2A, Block 1, Plan 223MC xiii. Lot 21, Block 6, Plan 074 0530 xiv. Lot 22, Block 6, Plan 074 0530 xv. Lot 17, Block 4, Plan 223MC xvi. Lot 16, Block 4, Plan 223MC
b.	The regulations in Section 9.1.3 regarding the development of accessory buildings on undeveloped lots shall apply to the lots identified in Section 10.2.11.a.

10.3 R2 – Large Lot Residential

10.3.1 Purpose
To allow for the development and redevelopment of larger residential lots in the Summer Village of Silver Sands.

10.3.2 Permitted Uses
a. Dwellings, single detached
b. Home occupations, minor
c. Suites, secondary
d. Buildings and uses accessory to permitted uses

10.3.3 Discretionary Uses
a. Day homes
b. Home occupations, major
c. Parks and playgrounds
d. Public uses
e. Public utilities
f. Show homes
g. Solar energy collection systems
h. Suites, garage
i. Suites, guest house
j. Wind energy conversion system, micro
k. Buildings and uses accessory to discretionary uses
l. Other uses which, in the opinion of the Development Authority, are similar to the permitted and discretionary uses.

10.3.4 Parcel Coverage
a. Coverage of all buildings shall not exceed 35% of the total lot area.

10.3.5 Minimum Floor Area (Not Including Attached Garage)
a. Shall be no less than 74.3 m ² (800.0 ft ²).

10.3.6 Maximum Height
a. The height of all structures shall not exceed 9.0 m (29.5 ft.) and is subject to the provision of this Bylaw.

10.3.7 Minimum Lot Width and Depth
a. All new parcels to be created shall have a minimum parcel width of 50.0 m (164.0 ft.) and a minimum parcel area not less than 0.4 ha. (1.0 acre).

10.3.8 Minimum Front Yard Setback
a. Lakefront lots: at the discretion of the Development Officer, but not less than 8.0 m. (26.2 ft.).
b. All other cases: 8.0 m (26.2 ft.).
c. Accessory buildings: see Section 9.1

10.3.9	Minimum Side Yard Setback
a.	Minimum of 1.5 m (4.9 ft.)
b.	Accessory buildings: see Section 9.1.

10.3.10	Minimum Rear Yard Setback
a.	Minimum of 1.5 m (4.9 ft.)
b.	Accessory buildings: see Section 9.1.

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10.4 CREC – Condominium Recreation

10.4.1	Purpose
	The purpose of the Condominium Recreation (CREC) District is to provide fully serviced recreational resort use on a seasonal basis, with each recreational lot being a separate titled lot within a bareland condominium in association with the Silver Sands Golf Resort.

10.4.2	Permitted Uses
a.	Park model trailers
b.	Parks and playgrounds
c.	Recreational vehicles (excluding tent trailers and truck campers)
d.	Buildings and uses accessory to permitted uses

10.4.3	Discretionary Uses
a.	Public uses
b.	Public utilities
c.	Recreational vehicle storage
d.	Show homes
e.	Solar energy collection system
f.	Telecommunication towers
g.	Buildings and uses accessory to discretionary uses
h.	Other uses which, in the opinion of the Development Authority, are similar to the permitted and discretionary uses

10.4.4	Parcel Coverage
a.	The maximum parcel coverage for a lot designed for a recreational vehicle or park model trailer is 30%.

10.4.5	Minimum Floor Area – Park Model Trailers
a.	33.4 m ² (360.0 ft ²) in accordance with CSA Z-241 or subsequent equivalent industry and building code standards.

10.4.6	Minimum Floor Area – Recreational Vehicles
a.	Shall be 16.7 m ² (180.0 ft. ²).

10.4.7	Maximum Height – Residential Lots
a.	The height of all structures located within the condominium titled lots shall not exceed 1.0 story or 4.5 m (15.0 ft.).

10.4.8	Maximum Height – Common Property
a.	The height of all structures located on the Common Property shall not exceed 9.0 m (29.5 ft.).

10.4.9	Minimum Parcel Width and Depth
a.	All new parcels which are created by subdivision shall have a minimum width of 13.7 m (45.0 ft.) and a minimum depth of 25.6 m (84.0 ft.).

10.4.10	Minimum Lot Area
a.	The minimum lot area shall be 300.0 m ² (3,229.2 ft. ²).

10.4.11	Minimum Building Pocket
a.	The minimum building pocket on each residential use lot shall be 75.0 m ² (807.3 ft. ²).

10.4.12	Minimum Front Yard Setback
a.	From internal road: 6.0 m (19.7 ft.)
b.	From County road: 25.0 m (82.0 ft.)

10.4.13	Minimum Side Yard Setback
a.	Minimum of 1.5 m (4.9 ft.) on one side and 4.0 m (13.1 ft.) on the other side to allow for a treed buffer between lots and an easement for drainage between the lots.

10.4.14	Minimum Rear Yard Setback
a.	Minimum of: 6.0 m (19.7 ft.)
b.	From County Road: 25.0 m (82.0 ft.)

10.4.15	Additional Regulations
a.	All CREC District developments shall be registered as a bareland condominium.
b.	Developments and subdivisions within the CREC District shall include a recreational feature such as lake access, golf course, or other resort amenity.
c.	All lots within a CREC District shall be serviced with water, sewer, electrical services, roadway access, and pedestrian access to the satisfaction of the Summer Village.
d.	Water and sewage services shall be piped communal and privately owned, connected to municipal or regional services if they exist, and compliant with all municipal and provincial requirements.
e.	All Park Model Trailer and Recreational Vehicle units must be located on the lot such that the towing axle is perpendicular to the front line of the lot.
f.	Equipment used for transportation of Park Model Trailers shall be removed from the dwelling and finishing installed within 30 days of placement on the lot.
g.	Notwithstanding Section 9.1 of this Bylaw: <ul style="list-style-type: none"> i. in addition to a single enclosed porch or Arizona room, accessory buildings within a bareland condominium unit (lot) shall be limited to a single structure of less than or equal to 18.6 m² (200 ft.²), and ii. all attached or accessory structures such as room additions (Arizona rooms), porches, sunrooms, garages and garden sheds shall be a factory prefabricated units or of an equivalent quality and shall be pre-finished or painted so that the design and construction complements the principal building.
h.	The outer boundary of any CREC District shall be fenced and landscaped in a manner that minimizes visual and noise impacts on neighboring districts, except where the boundary abuts a wetland, waterbody, or watercourse.
i.	Permanent occupancy of any lot other than the manager's residence is prohibited.
j.	A Development Permit shall not be issued for a Park Model Trailer which was manufactured more than ten (10) years prior to the date of a Development Permit application.

k.	A minimum of 5% of the gross condominium area shall be dedicated for open space and/or park purposes, not including the golf course facility.
l.	All development permit applications shall not be deemed complete unless it is signed and approved by a designated person authorized by the Condominium Association Board.

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10.5 C1 – Commercial General

10.5.1 Purpose
This district is generally intended to provide for commercial, retail and personal service outlets.

10.5.2 Permitted Uses
a. Public uses
b. Public utilities

10.5.3 Discretionary Uses
a. Day care facilities
b. Drive-in businesses
c. Dwelling unit attached to a commercial use
d. Household appliance repair and service
e. Indoor eating establishment
f. Intensive recreational use
g. Eating or drinking establishment
h. Outdoor eating establishment
i. Parks and playgrounds
j. Private clubs or lodges
k. Private liquor outlet
l. Recreational vehicle parks
m. Restaurants
n. Retail establishment and gas bar
o. Solar energy collection system
p. Wind energy conversion system, micro
q. Buildings and uses accessory to discretionary uses
r. Other uses which, in the opinion of the Development Authority, are similar to the permitted and discretionary uses

10.5.4 Parcel Coverage
b. Coverage of all buildings may be 80%, provided that adequate provision is made for on-site parking, loading and garbage facilities.

10.5.5 Maximum Height
b. Shall not exceed 12.0 m (39.4 ft.).

10.5.6 Minimum Parcel Area
b. No new parcel shall be created by subdivision with an area of less than 371.6 m ² (4,000 ft ²), or a width of less than 6.0 m (19.7 ft.), or a depth of less than 30.0 m (98.4 ft.).

10.5.7 Minimum Front Yard
b. No front yard setback shall be required except as specified in Section 5.2.

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10.5.8	Minimum Side Yard
b.	None required unless abutting a residential district. The side yard required where the parcel abuts a residential district shall be 1.5 m (4.9 ft.) or 40% of the height of the building, whichever is greater. Where one is provided, no side yard shall be less than 1.5 m (4.9 ft.).

10.5.9	Minimum Rear Yard
b.	None required provided that adequate provision is made for parking, loading and garbage facilities.

10.5.10	Adjacent Developments
b.	The design, siting, landscaping, screening and buffering of all developments shall minimize and compensate for any environmental problems or objectionable aspects imposed upon or occurring from existing or potential development in abutting districts.

10.5.11	Parking and Loading
b.	Parking and loading shall be provided in accordance with the provisions of this Bylaw.

10.5.12	Supplementary Conditions – Commercial Uses
m.	New commercial development shall require an adequate parking facility which is surfaced to the satisfaction of the Summer Village.
n.	No commercial development shall be permitted which will have an adverse impact on the use, enjoyment, or value of the surrounding neighbourhood in the Summer Village.
o.	All commercial development shall be compatible and complementary to the residential and recreational character of the Summer Village.

10.6 P – Parks and Recreation

10.6.1 Purpose
This district is generally intended to establish an area for recreational and leisure activities.

10.6.2 Permitted Uses
a. Parks and playgrounds
b. Trails
c. Publicly owned minor recreation and culture facilities

10.6.3 Discretionary Uses
a. Buildings and uses accessory to permitted and discretionary uses
b. Commercial recreation facilities
c. Major recreation and cultural facilities
d. Public utilities
e. Schools
f. Solar energy collection system
g. Other uses which, in the opinion of the Development Authority, are similar to the permitted and discretionary uses

10.6.4 Development Regulations
a. All parcel regulations shall be at the discretion of the Development Authority. The design, siting, landscaping, screening, and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility with development in abutting districts.
b. The use of lands within this district are subject to the regulations in the Summer Village's Use of Public Lands Bylaw (Bylaw No. 282-2018).

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10.7 NE - Natural Environment & Reserves

10.7.1 Purpose

This district is intended to provide for the preservation and low-impact recreational use of important natural areas owned or managed by the Summer Village.

10.7.2 Permitted Uses

- a. Natural open space areas

10.7.3 Discretionary Uses

- a. Buildings and uses accessory to permitted and discretionary uses
- b. Public utilities
- c. Trails
- d. Other uses which, in the opinion of the Development Authority, are similar to the permitted and discretionary uses

10.7.4 Development Regulations

- a. All parcel regulations shall be at the discretion of the Development Authority. The design, siting, landscaping, screening, and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility with development in abutting districts.
- b. The use of lands within this district are subject to the regulations in the Summer Village's Use of Public Lands Bylaw (Bylaw No. 282-2018).

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10.8 UR – Urban Reserve

10.8.1	Purpose
	This district is generally intended to reserve, for urban development, those areas of the municipality which are rural in character.

10.8.2	Permitted Uses
a.	Extensive agriculture
b.	Parks
c.	Single detached dwelling, modular home, or manufactured home on existing parcels only.

10.8.3	Discretionary Uses
a.	Any use or building which, in the opinion of the Development Officer, will not prejudice the possibility of conveniently and economically subdividing the area for urban development.
b.	Buildings and uses accessory to permitted and discretionary uses
c.	Public utilities
d.	Solar energy collection system
e.	Wind energy conversion system, micro

10.8.4	Development Regulations
a.	No subdivision shall be permitted except as required in the <i>Act</i> , or for municipal purposes.
b.	All development regulations shall be at the discretion of the Development Authority.
c.	No subdivisions or development other than for the above uses shall take place until an overall plan for the area has been resolved. This plan should establish an outline plan of subdivision, the proposed land use classification, public reserve dedications and utilities policies.

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10.9 DC – Direct Control

10.9.1 Purpose
<p>To enable land use and development to occur in areas of unique character or circumstance. Interim uses and development may be allowed if they do not preclude or significantly increase cost for development, conversion, or redevelopment in terms of the existing and future urban infrastructure.</p> <p>Proposed developments are subject to the regulations presented below and such rules with respect to land generally or specifically as the Council may make from time to time, and as described within policies of the Municipal Development Plan. All proposals will be reviewed and decided upon by Council.</p>

10.9.2 Permitted Uses
a. As allowed by Council

10.9.3 Development Regulations
a. All parcel regulations shall be at the discretion of Council. The design, siting, landscaping, scenery and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility with development in the district or abutting districts.
b. In evaluating a proposed land use or a development, Council shall have regard for, but not be limited to: <ul style="list-style-type: none">i. existing use of the land;ii. uses, regulations and development criteria specified in the land use district superseded by this district;iii. the Land Use Regulations of this Bylaw;iv. the Land Use Regulations of abutting Land Use Districts; andv. shall conform to the <i>Act</i>, Subdivision Regulations, and any statutory plan in effect.

10.9.4 Development Permit Information Requirements
a. Pertaining to information required for processing and review of a proposal pursuant to this Bylaw, Council will consider and require the applicant to submit any or all of the following (for the purpose of relating any proposal to the growth of the entire Summer Village): <ul style="list-style-type: none">i. An explanation of the intent of the project;ii. The features of the project which make it desirable to the public and the Summer Village. This is to include an evaluation of how the project will relate to the present and projected needs of the Summer Village as a whole;iii. An economic analysis of the proposal's anticipated impact on the local community and the Summer Village; andiv. A detailed development scheme containing the following information:<ul style="list-style-type: none">a. Location of all proposed buildings,b. Elevation and architectural treatment of all buildings and associated structures,c. Proposed servicing scheme and its relationship to the Summer Village's existing and/or proposed servicing plans,d. All yard setbacks, parcel coverage, parcel areas, floor areas, sizes of lots, number of parking stalls,e. Anticipated scheduling and sequence of development,

	<ul style="list-style-type: none"> f. Mechanisms by which conformance to the plan are submitted will be ensured, such as normally achieved through a combination of caveats, easements, service agreements and performance bonds, g. Such additional requirements as are deemed necessary having regard to the nature of the proposed development and the surrounding use which may be affected, and h. Council may request an applicant to prepare a detailed submission, as outlined above.
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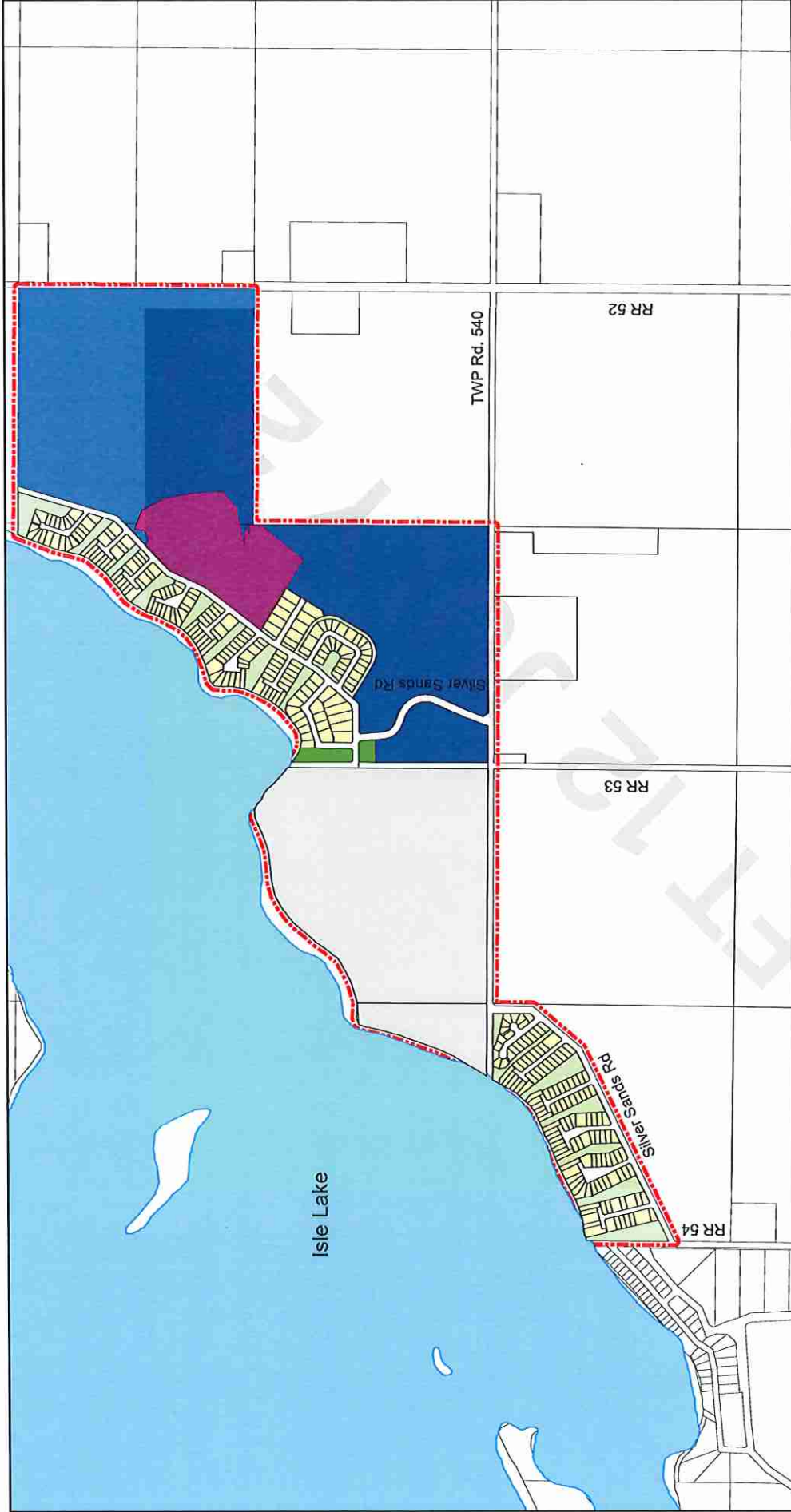
10.9.5	Land Use Agreement
a.	An applicant may be required to enter into an Agreement with the Municipality to ensure that the use and development of land and buildings on a parcel complies with the approved comprehensive plan of development as a condition of approval of a development permit issued pursuant to the Direct Control District.

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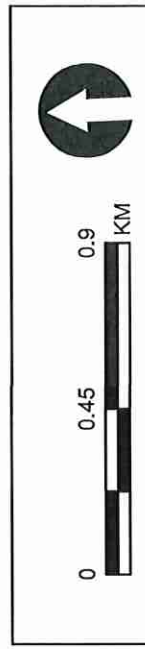


11 - LAND USE DISTRICT MAP

Summer Village of Silver Sands Land Use Bylaw

Legend

- R1 Small Lot Residential
- R2 Large Lot Residential
- CREC Condominium Recreation
- C1 Commercial General
- P Parks and Recreation
- NE Natural Environment & Reserves
- UR Urban Reserve
- DC Direct Control



Digital Information: Geogratis, Geodiscover, and Altalis
 Projection: UTM NAD 83 12N



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Sustainable Resource Development Recommended Guidelines for Minimum Environmental Reserve/Easement Widths
 In reference to Section 664 of the *Municipal Government Act*, the following are recommended where a boundary to a proposed subdivision is a water body or watercourse.
Table 1. Standard recommended minimum widths for Environmental Reserves or Environmental Reserve Easements based on type of water feature.

Water Feature	Minimum ER Width ²	Notes
Reservoirs & Regulated Lakes	30 m from right of way or easement boundary	A regulated lake is a lake where water levels are established to a predetermined elevation and actively managed through use of a licensing requirement (e.g. to pump water into the water body).
Lake (natural & controlled)	30 m from natural boundary	On controlled lakes, 30 m from sill elevation of licensed control structure.
Swamp/wetland ¹	Variable, include wet meadow zone	Wet meadow zone can be extensive in some situations, and in these instances the ER should be wide enough to preserve ecological function.
Large River (≥ 15m width)	30+ m	See additional requirements for hazardous lands.
Small River/Large Stream (6-15 m)	15 m	See additional requirements for hazardous lands.
Medium Stream (3 - 6 m)	10 m	See additional requirements for hazardous lands.
Small Stream (≤ 3 m)	6 m	See additional requirements for hazardous lands.
Ephemeral watercourse (no defined channel)	0 m	Use bylaw to regulate tree cutting within a defined distance from feature to maintain riparian vegetation and drainage.
Braided Stream	10 m from outside boundary of active floodway	

¹ Sustainable Resource Development views the term "swamp" to mean any area with hydrological conditions of sufficient duration to have developed saturated soils and hydrophytic vegetation (i.e. wetlands or peatlands).
² In addition to the recommended ER width for the water feature itself, associated landscape features may require the ER width to be modified to factor in additional inherent hazards to development.

For lands described in section 664(1)(b) of the *Municipal Government Act* (unsuitable for development because they are subject to flooding, have high risk of erosion, or have existing topographical or geo-technical constraints) the following are recommended.

Table 2. Additional factors that may necessitate an increase in the width of an Environmental Reserve or Environmental Reserve Easement.

Hazardous Lands	ER Modifier	Notes
Floodplain	<ul style="list-style-type: none"> The width of the 1:100 year flood line or 30m from the natural boundary of a watercourse or lake, whichever is less. The width of meander belt for watercourses that tend to meander or entire floodplain if it is highly constrained within a confined valley. 	<ul style="list-style-type: none"> Residential development within a floodplain is discouraged. Development within flood fringe area should only be considered if flood proofing undertaken to reduce risk of flood damage. Flood risk mapping or delineation of the 1:100 year flood line generally defines the extent of expected flood occurrence (see Alberta Environment policy and guidelines). The width of a meander belt is determined by multiplying bankfull width by 20 for each reach, and is split equally on either side of creek along axis of meander belt.
Erosion prone areas	Provide for a toe erosion allowance.	Consider highly erosive soils and annual recession rates.
Gully, ravine, coulee, or valley escarpments	Provide for a stable slope allowance. Apply construction and building setbacks from this line.	Boundary of stable slope allowance measured from top of crest of plateau (terrace), valley slope or tableland.
Steep Slopes (> 15%)	3X escarpment height or as recommended by a geotechnical report on slope stability, rate of erosion, etc.	

September 2007

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WHAT WE HEARD REPORT

POST-PUBLIC OPEN HOUSES | SUMMER VILLAGE OF SILVER SANDS LAND USE BYLAW | 12 JULY 2023

1. OVERVIEW

This What We Heard Report summarizes the feedback provided by Summer Village residents following the May 20, 2023, in-person open house and the May 24, 2023, online open house.

This report also identifies changes to the draft Land Use Bylaw by Municipal Planning Services (MPS) following their review of the feedback and the draft Land Use Bylaw.

2. IN-PERSON OPEN HOUSE INFORMATION

DATE AND TIME	May 20, 2023, @ 2:00 PM
FORMAT	In-Person at the Fallis Community Hall, Poster Display and Presentation
ATTENDANCE	Approximately 50 persons, in addition to Council (3), Administration (1), and MPS (2) According to sign-in sheet and visual count of the room during presentation

3. ONLINE OPEN HOUSE INFORMATION

DATE AND TIME	May 24, 2023, @ 6:00 PM
FORMAT	Online via Zoom, YouTube recording
ATTENDANCE	Approximately 9 persons, in addition to Council (3), Administration (1), and MPS (2) According to observation of participants list (note: does not reflect if multiple persons were viewing as one participant)

3. PRESENTATIONS

At both public open houses, MPS provided a presentation of the following information:

- the purpose of a land use bylaw;
- the purpose of updating the land use bylaw;
- how the draft land use bylaw was prepared;
- a summary of engagement and feedback that had occurred earlier on in the project;
- the structure of the draft land use bylaw;
- significant changes between the current land use bylaw and the draft land use bylaw;
- proposed changes to the land use districts and land use district maps; and
- opportunities to provide feedback on the draft land use bylaw.

4. FEEDBACK FROM THE PUBLIC

The following is a summary of feedback received from community members at (and following) the open houses, organized by topic.

In some instances, these comments have been lightly edited for brevity, improve clarity, and to improve spelling/grammar.

FEEDBACK	MPS COMMENT/RECOMMENDATION
TOURIST HOMES	
<ul style="list-style-type: none">• A big NO to these	The current Summer Village of Silver Sands Land Use Bylaw does not define or regulate the development of

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- Can't see any upside to the residents of the village either monetary or building community ownership.
- See a great potential for conflict as the landowners are not present to oversee the guests. Who is responsible if they start a fire when there is a fire ban or violate one of the other bylaws such a noise? It shouldn't be up to the neighbouring residents to address issues.
- As discussed at the meeting we have limited hours that the bylaw enforcement officer has so we really don't need to create new issues with Tourist Homes.
- This area was meant to be single family residential homes, not vacation rentals.
- I recognize that our previous Bylaws were silent on VRBOs or Tourist homes. I believe we should state that they are not permitted in our Bylaws. As hard as I try, I cannot see any benefits of Tourist homes to our community. Will they provide greater income to the community? Do the renters value the community in the same manner as the residents.? Do we run the risk of parties...parking problems...noise matters...pet mattersI believe these risks are real....and to what end. We also have limited policing in the event of disturbances. I see no upside for the Village in opening the door to Tourist Homes. I would welcome hearing about any huge upsides to Tourist Homes. I am aware of other small municipalities like ours that state in their Bylaws that Tourist Homes are not permitted.
- Air BNB's, and VRBO's do not end well.
- I have seen several complaints about why we will be allowing these rentals. My concern as with others is enforcement of bylaw especially noise. Is it possible to have an annual permit for occupation that can be revoked by the village?

tourist homes. Under the current Land Use Bylaw, they are not allowed to operate in the Summer Village.

Currently, there are multiple tourist homes operating in the Summer Village. Council directed MPS to develop regulations for the draft Land Use Bylaw that would enable the development of tourist homes (with a development permit) on lot in the Summer Village and enable the Summer Village to take enforcement action if required.

MPS recommends no changes.

PARKS/OPEN SPACE/NATURAL ENVIRONMENT

- Save our trees and keep these spaces green to provide a natural environment for the residents and wildlife. These areas are so important to all of us and are precious.
- Nothing should be stored on these areas (i.e., docks, etc.).
- The reserve on our avenue has an abandoned platform, cooler and piping. Who is responsible for the clean up?
- I think you avoid problems by saying that no one is allowed to store items.
- We need a lot more specifics what can't be done on these (storing, parking, tenting, etc.).
- In section 10.8 of the new bylaws there is information about permitted and discretionary uses of Natural Environment and reserves. This is very unclear and ambiguous. I believe it needs to be far more specific and precise. In reading it I am really unclear if I can put any of my personal items on the adjacent reserve to my property. If you were to refer to the previous Silver Sands Bylaw No. 282-2018 Section 4 Public Property Regulations 4.4 there is listed 14 things I cannot do on the adjoining reserve to my property. I will mention just two....4.4c No placing or storage of personal property. 4.4m No person shall park any vehicle upon land owned by the Summer Village. I am not advocating that we necessarily put in all 14...however....left as it is I can certainly see people

The Land Use Bylaw includes regulations to protect and preserve green spaces on private and public properties (See Sections 9.9 – Environmental Protection, 9.14 – Landscaping and Site Coverage).

The use of reserve lots for storage is controlled through the Summer Village's 'Use of Public Lands' Bylaw (Bylaw No. 282-2018). A copy of this bylaw is included as Appendix A to this report for information.

The current Land Use Bylaw includes related to development and storage on reserves and other public properties; these have been removed from the draft Land Use Bylaw as they are more appropriately addressed in the 'Use of Public Land' Bylaw, which includes provisions for enforcement.

MPS recommends the following be added to the P – Parks and Recreation and NE – Natural Environment & Reserves Districts:

"The use of lands within this district are subject to the regulations in the Summer Village's Use of Public Lands Bylaw (Bylaw No. 282-2018)."

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taking liberties in utilizing these reserves for personal use and declaring that the bylaws do not speak to it. This is an area that being specific will be very helpful in dealing with individuals who see these reserves as something they can use for their own purposes. Currently I am aware of an old dock being stored on reserve property.....if we were to use the draft Bylaws I could see individuals disputing it and calling it a discretionary use. Not everyone has good discretion. Please give more consideration to Section 10.8. As you can see I do not want people seeing the reserves as their own personal storage areas.

- This section is scaled down (re: storage/tree removal/personal use).
- Are the signs now posted adequate for enforcement?
- Is the simplifying of this section to ease Council's ability to make decisions to deny or permit use of the reserve land at their discretion? (i.e. working on the last 2 years to clean out the reserve from old junk lifts/docks, etc. to now a letter of request and permit to store is granted.
- Is there an outline of how many are allowed per area and how to apply?
- Is the black top being installed environmentally friendly for the lake?

RECREATIONAL VEHICLES IN THE R1 AND R2 DISTRICTS

- I strongly agree with the total number of recreational vehicles be limited to one (1) as stated in section 9:19. I believe that this was brought up at the meeting and you answered admirably. If a grandparent has a second trailer with grandchildren joiningit is unlikely that neighbors will object. However two trailers quickly become three and more....and disturbances and disruptions will occur. I support no change to this section.
- After a discussion with Tony and others I also must question if having an RV with a development permit is required. During initial construction (Basement or Pad) and materials there is little room to locate an RV on a lot. Most of the construction I have seen the RV comes later in the building process, after framing. At that point the dwelling is existing, and I question if this exception is required. The issue may become the abuse that is possible of just getting another permit and extending the time an RV is on the lot without a dwelling.
- Is the assumption that the guidelines in the old bylaws are still withstanding?
- Can family bring their trailers out for the weekend that have a unit on site?
- 1 RV on a lot makes sense, 2 could work if you have good neighbours.
- Limiting RVs by number of RVs makes sense for enforcement.
- How is sewage being addressed?

Council's direction to MPS for the draft Land Use Bylaw was to allow for the placement (for storage or use) of a maximum of 1 recreational vehicle on a lot, provided that a permanent single detached dwelling exists on the parcel.

The draft Land Use Bylaw also provide for the temporary placement (6 months maximum) a recreational vehicle on a lot for which a development permit has been issued for a dwelling to facilitate the owner's accommodation and the dwelling's construction.

A recreational vehicle must be located on-site on a parking stall or in another location on-site in a manner satisfactory to the Development Authority.

The recreational vehicle regulations in the draft Land Use Bylaw are the same the current Land Use Bylaw, as amended by Bylaw 319-2021 (with minor wording changes to improve clarity/consistency).

MPS recommends no changes.

STORAGE AND USE OF RECREATIONAL VEHICLES ON UNDEVELOPED LOTS (WITH A DEVELOPMENT PERMIT) IN THE R1 DISTRICT

- I don't believe there should be permanent trailers and I can't see how a permit can't be canceled given reasonable notice.

Several lots within the proposed R1 District of the draft Land Use Bylaw have approved development permits for the "Construction of a RV Parking Pad and

- If these 13 remain then they must be required to have a septic system installed also they should be taxed as being a 'residence'.
- I appreciate this is a difficult issue, but we are seeing more problems. This weekend on a vacant lot on our avenue two trailers pulled in for the weekend. Are they being taxed as a vacant lot?
- These also reduce neighbouring property values in my opinion.
- I recognize that permits have been given to 13 lot owners to park their trailer on their property year- round. There are many questions surrounding this. At the meeting a gentleman asked about sewage and how they are dispensing with it. Should they be asked to have a septic tank.? You mentioned at the meeting that we cannot do anything to revoke or give an expiry date on these permits. I am not totally convinced of this and will do further research with colleagues of mine within government agencies. I do not want to be harsh with these 13 individuals, but they have enjoyed a long benefit of their permit. My perfect world would be to give them a very reasonable time frame by which their permit will expire. Having 13 individuals with this special exemption only creates angst among the many other trailer owners. I believe we need to find a path forward and not accept status quo.
- Going forward there is no misunderstanding that RVs are not allowed in the R1 District.
- There are no specifics addressing RV usage for those 13 permitted remaining. How will they be governed?
- What is next for RV owners to expect? Will there always be an anxiety of what is next for them?
- Are these RVs 'grandfathered' into the new Land Use Bylaw?

Placement of a RV for the purposes of Storage and Use." Under the regulations of the draft Land Use Bylaw, this would not be approved on a vacant lot.

Recognizing that these approvals are currently in place, the Land Use Bylaw should acknowledge that this activity is limited to specific lots, subject to the conditions of an approved development permit.

MPS recommends that the Land Use Bylaw be revised to include one of the two following options, with Option 1 being the preferred option:

Option 1 (Preferred Option): Enable the lots to continue to have an RV on the lot without a dwelling by adding the following regulations to the R1 – Small Lot Residential District:

Recreational Vehicles on Undeveloped Lots in the R1 – Small Lot Residential District

Notwithstanding any other regulation in this Land Use Bylaw, a single recreational vehicle may be stored and occupied without a developed dwelling on the following lots, subject to the conditions of an approved development permit issued prior to the adoption of this bylaw:

- Lot 18, Block 2, Plan 2941MC
- Lot 19, Block 7, Plan 223MC
- Lot 6, Block 1, Plan 2941MC
- Lot 19, Block 2, Plan 2941MC
- Lot 15, Block 2, Plan 223MC
- Lot 18, Block 3, Plan 223MC
- Lot 9, Block 4, Plan 2941MC
- Lot 19, Block 3, Plan 223MC
- Lot 14, Block 3, Plan 223MC
- Lot 16, Block 2, Plan 2941MC
- Lot 18, Block 6, Plan 074 0530
- Lot 2A, Block 1, Plan 223MC
- Lot 21, Block 6, Plan 074 0530
- Lot 22, Block 6, Plan 074 0530
- Lot 17, Block 4, Plan 223MC
- Lot 16, Block 4, Plan 223MC

The regulations in Section 9.1.3 regarding the development of accessory buildings on undeveloped lots shall apply to the lots identified in Section 10.2.11.a.

Option 2: Allow for the current use of the lots with provisions for the discontinuance of the use by adding to the R1 – Small Lot Residential District:

If a development permit has been approved for a Recreational Vehicle to be stored or occupied on an undeveloped lot (where no dwelling has been approved or developed on the lot) and the Recreational Vehicle is removed, destroyed, or otherwise discontinued for a period of 6 months or

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	greater, a new RV may not be allowed on the lot without an approved dwelling.
CREC DISTRICT/RV RESORT	
<ul style="list-style-type: none"> • This area is looking more and more unsightly. • How is the village being compensated as there is no tax revenue, but these individuals strain the village resources? • I recognize these bylaws need to be neutral and apply to anyone operating a recreational area in our municipality. However, I do believe that the current operator of the trailer park is not operating in good faith and is taking liberties with the Village. As was mentioned at the meeting, there are many unsightly structures being moved on and constructed there. Yes, it is private property, however the whole Bylaws document clearly outlines things I can and cannot do on my property as it relates to structures. This brings me to the whole section of 9:20 that talks about Storage of Recreational vehicles in the CREC District. At this time, I do not support storage of recreational vehicles in this area. I think it will further expand the problem we are currently experiencing. • Regarding regulation 10.5.6 a. the minimum floor area recreational vehicle at 180 sq ft., 100 sq ft would be more workable. There are smaller 16' trailers now that look good and seem to be popular. • Noted objection to RV storage in the CREC District 	<p>The unsightliness of a property may be enforced through the Summer Village's 'Nuisances, Unsightly and Untidy Property' Bylaw.</p> <p>The potential storage of recreational vehicles within the CREC district was included in an amendment to the current Land Use Bylaw (Amendment Bylaw 281-2018), which was approved by Council. These provisions have been included in the draft Land Use Bylaw as directed by Council.</p> <p>The potential change to the minimum floor area provisions for recreational vehicles was noted by the landowner. A smaller minimum floor area for recreational vehicles would not increase the total number permitted on a lot and could increase the amount of non-permeable surfacing on individual lots.</p> <p>MPS notes a typographical error in Section 10.5.6 – 6.7 m² (100.0 ft.²) should read 16.7 m² (100.0 ft.²) (bolded emphasis added).</p> <p>MPS recommends reducing the minimum floor area requirements for recreational vehicles in the CREC District (Section 10.5.6) from 16.7 m² (180.0 ft.²) to 6.7 m² (100.0 ft.²).</p>
SUBDIVISION	
<ul style="list-style-type: none"> • Green spaces need to be protected from anyone who wants to subdivide and sell them. This is all the green space we have. 	<p>The future subdivision of lands in the Summer Village would be in accordance with Section 6 – Subdivision in the draft Land Use Bylaw.</p> <p>A Reserve parcel cannot be disposed of without first removing the reserve designation from the title. The procedural requirements for removing the reserve designation and disposing of reserve parcels is established in the MGA and requires public engagement. Depending on the location and characteristics of the Reserve lot the process may be different. For example, if the Reserve lot would be considered an environmental reserve today then specific conditions or characteristics must be present before the municipality could even consider a bylaw to remove the designation.</p> <p>In all instances, engagement is required and the community would have the opportunity to address Council with any concerns that they may have with the proposed bylaw.</p> <p>From a planning perspective, Municipal and Environmental Reserve parcel have significant value and should remain intact in sensitive lake environments.</p> <p>MPS recommends no changes.</p>

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TENTED STRUCTURES	
<ul style="list-style-type: none"> • These things are unsightly, especially after a couple years, and don't belong in the front yards of any property in the Village. 	<p>Regulation 9.1.12 in the draft Land Use Bylaw prohibits the use of tented structures in the Summer Village.</p> <p>MPS recommends no changes.</p>
LAKE WATER QUALITY	
<ul style="list-style-type: none"> • I was one of the original members of the Lake Isle Lac Ste Anne water quality Management Society. When the Society was formed, we had great co-operation from the University of Alberta, Alberta Fish & Wildlife, and Alberta Environment. Core Samples were taken from the bottom of the lake including at the Boat Launch in Silver Sands. This was to determine how the lake has evolved over the years. Wildlife studies were also conducted on the lake. We had consultants speak to our group that worked on other lakes in Alberta with Water Quality issues. Lake Isle is a different animal, it's not a "One size fits all Lake". After all the dust settled, it was determined that the cause of our poor water quality in the summer is the tons of nutrients that flow into Lake Isle at the west end of the lake via the Sturgeon river. These nutrients never leave the lake, they settle on the bottom of the lake and keep feeding phosphorus. The water shed for Lake Isle comes from a huge area that starts just north of Drayton Valley. The Water Shed runs thru Muskeg, Fields, Barn Yards, and you name it. All these nutrients loading the water and ending up in Lake Isle. TRIVIA: The water from the Pembina River, which is only a few kilometers from the Lake Isle Water Shed, ends up in the Arctic Ocean, whereas the Water from Lake Isle eventually ends up in Hudson's Bay. The divide is by Entwistle and runs thru the County of Lac Ste. Anne. Also loading the lake to a lesser degree are the small streams and creeks that flow into the lake, of which we have a couple in Silver Sands. It was determined a quick fix would be to Lime the Lake, costing a million dollars, and it would only last for 10 years because nutrients would settle on top of it and it would be back to status quo. Who would pay for it? The main recommendation, it was determined, would be to place settling ponds up stream from Lake Isle to let the nutrients settle out before entering Lake Isle. Also, settling ponds on every creek that run in to Lake Isle. Human habitation around the lake was a smaller effect compared to the effect of the runoff. Don't get caught up in all the Rhetoric of Riparian Areas, grading, natural shoreline, site occupation etc. on each lot on Lake Isle. Flower Rush infestation is the biggest threat we have to this lake, more than anything! We won't have a lake if it isn't wiped out! We can't control something that is not in our jurisdiction. Sewage fields along the shoreline are something we can control, and are THE most important culprit to look at! Not only at Silver Sands but around the whole lake! On my street in Silver Sands, along the Lake Front, I am the only property with an approved pump out holding tank. If you look around the entire Lake, I would guess than less than 5% of the properties have holding tanks! It wasn't until the early 90's that holding tanks were required for Lake Front Properties. Most of the Sewage Fields around this lake are old, and I question how much of that sewage 	<p>The development of sewage discharged fields, surface discharge systems, and pit systems are prohibited in the draft Land Use Bylaw. All new sewage disposal systems must be designed to utilize below ground holding tanks that comply with the Alberta Private Sewage Systems Standard of Practice.</p> <p>Regulations in Sections 9.9 – Environmental Protection, 9.14 – Landscaping and Site Coverage, 9.15 – Lot Grading and Drainage, and 9.29 – Wastewater have been included in the draft Land Use Bylaw to improve the quality of water in Lake Isle (in addition to inland benefits). The Summer Village may wish to consider pursuing an Intermunicipal Development Plan with Lac Ste Anne County to address land use and development matters affecting the lake.</p> <p>MPS recommends no changes.</p>

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<p>ends up in the lake. I own property on a Lake in another jurisdiction, and when a property changes hands there is a covenant that the new owner has to destroy the sewage field and put in a holding tank. I think that this is something that should be looked at in the LUB.</p>	
ACCESSORY BUILDINGS	
<ul style="list-style-type: none"> • I was told this week that the way the bylaw now reads living quarters above a garage are excluded unless there is a separate main residence. Is this correct? Why could the main residence not be above a garage? • Can there be a conflict with accessory buildings? • Can they be allowed on a vacant lot for the purpose of storing items for the maintenance of the vacant lot? • 'Shall not' wording in accessory building section related to back lots should be removed. 	<p>The intent of the draft Land Use Bylaw's regulations is to require a principal dwelling to be constructed prior to an accessory building. A garage with a dwelling above would be considered a garage suite, which may only be developed after a principal dwelling has been constructed on the lot. The purpose of these regulations in the draft Land Use Bylaw are to ensure that the residential character of the community is maintained.</p> <p>Section 9.1.3 – Accessory Buildings provides for the limited development of an accessory building (floor area not to exceed 9.3 m² (100.1 ft²).</p> <p>MPS reviewed the use of 'shall not statements in 9.1 – Accessory Buildings related to backlots, and did not note any regulations that would require changes based on Council's direction.</p> <p>MPS recommends no changes.</p>
SUITES	
<ul style="list-style-type: none"> • Concern that this section creates a loophole for the cottage to be abandoned and the suite becomes the primary living quarters forever. 	<p>Regulation 9.23.6 of the draft Land Use Bylaw limits the floor area of a suite to 50% of the floor area of the principal dwelling. This regulation is intended to ensure that the suite is secondary to the principal use of the site (the principal dwelling) and is not used as the primary dwelling space.</p> <p>MPS recommends no changes.</p>
GENERAL FEEDBACK	
<ul style="list-style-type: none"> • Nice formatting and layout • If we were to read these before purchasing we would have been able to clearly see that we would not be in the trouble we have found ourselves in. • New layout is well formatted and user friendly • Would like an example of a non-conforming building/use (MPS note: example of a boat house was provided at the public open house) • Would being away from your property for 6+ months constitute a discontinuance of use? Some snowbirds are gone for the winter season. • Why are arborist, geotechnical, and slope stability reports identified as potential requires for a development permit? These can be expensive and not necessary in this Summer Village. • Remove the manufactured home subdivision district. • Community would like more information/planning regarding emergency management. • Fire pits are being put too close to vegetation. • Allow woodsheds and hot tubs in lakefront lots. 	<p>MPS is pleased to read comments that support the proposed formatting and layout.</p> <p>MPS provided an example of a non-conforming building/use, noted in the author's comments.</p> <p>Arborist, geotechnical, slope stability, and other reports prepared by qualified professional may be requested in support of specific subdivision and development applications to demonstrate the suitability of the site for the proposed use. MPS acknowledges that these reports may be costly and/or time consuming to prepare but are only requested in instances where the information is required by the approving authority to make an informed decision that may have liability concerns for the Summer Village and/or landowner. This matter was discussed with the comment provider at the in-person open house.</p> <p>MPS recommends the following additional changes to the draft Land Use Bylaw:</p>

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- A Figure is missing in Section 9.14 – Landscaping and Site Coverage

- That the RMHS – Residential Manufactured Home Subdivision District be removed from the Land Use Bylaw (it does not apply to lands within the Summer Village and there is no active proposal for one in the future)
- That Section 9.1.7 – Accessory Buildings in Lakefront Lots be revised to include a maximum of 1 (each) woodshed, gazebo and hot tub in the front yard of a lakefront lot.
- That Section 9.14.6 – Landscaping and Site Coverage be revised to include a figure that illustrates the site coverage calculations of this section.

APPENDIX A
USE OF PUBLIC LANDS BYLAW

The following (Bylaw No. 282-2018) is provided for information.

Fw: Regional Municipalities Meeting

Summer Village Office <administration@wildwillowenterprises.com>
on behalf of
Cindy Suter <csuter@lsac.ca>
Wed 7/12/2023 12:11 PM
To:wendy wildwillowenterprises.com <wendy@wildwillowenterprises.com>

Heather Luhtala, Administration

Summer Village of Silver Sands - www.summervillageofsilversands.com
Summer Village of South View - www.summervillageofsouthview.com

Email: administration@wildwillowenterprises.com
Phone: 587-873-5765
Fax: 780-967-0431

From: Cindy Suter <csuter@lsac.ca>

Sent: Monday, June 26, 2023 10:36 AM

To: McGillivray, Kevin <kevin.mcgillivray@rcmp-grc.gc.ca>; Kevin Ouderkirk <KOuderkirk@steannegas.com>; McCoombs, Josef <Josef.McCoombs@rcmp-grc.gc.ca>; Joe Blakeman <JBlakeman@lsac.ca>; George Vaughan <GVaughan@lsac.ca>; Dodds, Bob <Bob.Dodds@rcmp-grc.gc.ca>; Lorne Olsvik <lolsvik@lsac.ca>; Town CAO <cao@mayerthorpe.ca>; Nicholas Gelych <NGelych@lsac.ca>; kevin.bird@ngps.ca <kevin.bird@ngps.ca>; Kevin Lovich <klovich@lsac.ca>; Lloyd Giebelhaus <lgyebelhaus@lsac.ca>; Darren Jones <councillor@svyellowstone.ca>; Village of Alberta Beach <aboffice@albertabeach.com>; Daryl Weber <darylweb@telus.net>; Tara Elwood <taraelwood@albertabeach.com>; rebecca.wells@mayerthorpe.ca <rebecca.wells@mayerthorpe.ca>; Debbie Durocher <debbiedurocher@albertabeach.com>; Kelly Muir <kellymuir@albertabeach.com>; Michael Harney (Sneeks@hotmail.ca) <Sneeks@hotmail.ca>; 'John Hellings' <jonh@telus.net>; marc.claybrook@mayerthorpe.ca <marc.claybrook@mayerthorpe.ca>; Randy Schroeder <rschroeder@lsac.ca>; riley.ekins@sunsetpoint.ca <riley.ekins@sunsetpoint.ca>; keir.packer@sunsetpoint.ca <keir.packer@sunsetpoint.ca>; ptbcontracting@gmail.com <ptbcontracting@gmail.com>; Councillors2022 <Councillors2022@lsac.ca>; Brian Hartman <bhartman@lsac.ca>; rmurray@onoway.ca <rmurray@onoway.ca>; CAO@onoway.ca: <CAO@onoway.ca>; Town of Mayerthorpe <admin@mayerthorpe.ca>; Greg Edwards <GEdwards@lsac.ca>; Matthew Ferris <mferris@lsac.ca>; Anna Greenwood <Anna.Greenwood@mayerthorpe.ca> <Anna Greenwood <Anna.Greenwood@mayerthorpe.ca>; Mike Primeau <mprimeau@lsac.ca>; Trista Court <tcourt@lsac.ca>; Alexis Nakota Sioux Nation <chief@ansn.ca>; Steven TYMAFICHUK <s.tymafichuk@gmail.com>; svcastle.kupchenko@gmail.com <svcastle.kupchenko@gmail.com>; Marge Hanssen <marge.hanssen@svnakamun.com>; ray.hutscal@rosshaven.ca <ray.hutscal@rosshaven.ca>; rwinterford@onoway.ca <rwinterford@onoway.ca>; Denise Lambert <dmlambert.svsandyb@xplornet.ca>; berniepoulin@icloud.com <berniepoulin@icloud.com>; ljohnson@onoway.ca <ljohnson@onoway.ca>; sandi.benford@gmail.com <sandi.benford@gmail.com>; 'Jon Ethier' <jon@rideriverside.com>; gwen.jones@sunsetpoint.ca <gwen.jones@sunsetpoint.ca>; bconinx@onoway.ca <bconinx@onoway.ca>; Janet Jabush <Janet.Jabush@mayerthorpe.ca>; k.dion@valquentin.ca <k.dion@valquentin.ca>; renjgiesbrecht@gmail.com <renjgiesbrecht@gmail.com>; Don Bauer <mayor@svyellowstone.ca>; angeladuncan@albertabeach.com <angeladuncan@albertabeach.com>; cao@birchcove.ca <cao@birchcove.ca>; Summer Village of Sandy Beach <cao.svsandyb@xplornet.ca>; Summer Village of Nakamun Park <cao@svnakamun.com>; Summer Village Office <administration@wildwillowenterprises.com>; Sunset Point <office@sunsetpoint.ca>; Yellowstone Office <office@svyellowstone.ca>; Summer Village of West Cove <svwestcove@outlook.com>; Summer Village of Ross Haven <cao@rosshaven.ca>; Onoway CAO <cao@onoway.ca>; cao@valquentin.ca <cao@valquentin.ca>; pat.burns@mayerthorpe.ca <pat.burns@mayerthorpe.ca>; sandy.morton@mayerthorpe.ca <sandy.morton@mayerthorpe.ca>; esther.sonnenberg@mayerthorpe.ca <esther.sonnenberg@mayerthorpe.ca>

Subject: Regional Municipalities Meeting

When: Tuesday, October 17, 2023, 12:00 AM to Wednesday, October 18, 2023, 12:00 AM.

Where: Alberta Beach Senior's Center

Please save the date.

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Any agenda items please forward to myself at least one week prior to the meeting.

Advise of any allergies.

IMPORTANT: Please respond to this meeting invite so we have numbers for the caterer.

Thank you, have a great summer.

Cindy Suter

Legislative & Support Services Supervisor

56521 RGE RD 65 | BOX 219 | SANGUDO, ALBERTA T0E 2A0

PHONE: 780.785.3411 Ext. 3698 | TOLL-FREE: 1.866.880.5722 | FAX: 780.785.2985

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Summer Village of Silver Sands

Report to Council

Meeting: July 21, 2023 - Regular Council Meeting

Originated By: Tony Sonnleitner, Development Officer, Summer Village of Silver Sands

Development Permits:

23DP02-31

Plan 223 MC, Block 1, Lot 22 : 22 Alder Avenue

Construction of a Single Detached Dwelling (89.2 SQ. M.). Installation of a Water Supply and a Septic System.

Permit Effective: July 17, 2023.

23DP03-31

Plan 223 MC, Block 3, Lot 10 : 10 Aspen Avenue

Construction of an Accessory Building (13.9 SQ. M.).

Permit Effective: July 23, 2023.

Letters of Compliance: None

Enforcement:

22STOP05-31

Plan 074 0530, Block 6, Lot 5 : 5 Poppy Place

Ordered removal of derelict shed, construction materials, and other miscellaneous junk, garbage, where these remain at inspection July 03, 2023.

Ordered cutting and trimming of grass and weeds, could use it again.

Action: To be directed to Legal Counsel for enforcement or other direction of Council.

22STOP06-31

Plan 074 0530, Block 6, Lot 8 : 8 Poppy Place

Ordered removal of two (2) sheds, construction materials, automotive parts, household items, other chattels, metal, scrap wood, construction debris, and other miscellaneous junk, garbage, and debris, where these remain at inspection July 03, 2023.

Ordered cutting and trimming of grass and weeds, could use it again.

Action: To be directed to Legal Council for enforcement or other direction of Council.

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23STOP05-31

Plan 223 MC, Block 2, Lot 16A : 17 Ash Avenue

Ordered removal of large piles of wooden demolition debris (planks), including wooden trusses, and other miscellaneous junk. At the inspection undertaken on July 3, 2023, some materials remain; however, considerable progress has been achieved by the landowner.

23STOP09-31

Plan 2941 MC, Block 2, Lot 1 : 1 Hazel Avenue

Ordered removal of inoperable and derelict camper van.
Required removal by date: July 27, 2023.

23STOP10-31

Plan 223 MC, Block 7, Lot 9 : 9 Birch Avenue

Ordered stop of work until approvals in place for addition to dwelling and accessory building not sited per LUB requirements.
Required action by 14 days from July 6, 2023.

23STOP11-31

Plan 223 MC, Block 7, Lot 19 : 19 Birch Avenue

Ordered removal of one of two RVs on-site, where approval in place for one.
Required removal by date: August 11, 2023.

23STOP12-31

Plan 223 MC, Block 7, Lot 18 : 18 Birch Avenue

Ordered removal of one of two RVs on-site, where approval in place for one.
Required removal by date: August 11, 2023.

23STOP13-31

Plan 223 MC, Block 3, Lot 19 : 19 Aspen Avenue

Ordered removal of one of two RVs on-site, where approval in place for one.
Required removal by date: August 11, 2023.

Regards,

Tony Sonnleitner, Development Officer

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ALBERTA
MUNICIPAL AFFAIRS

*Office of the Minister
MLA, Calgary-Hays*

AR111593

July 7, 2023

His Worship Bernie Poulin
Mayor
Summer Village of Silver Sands
PO Box 8
Alberta Beach AB T0E 0A0

Dear Mayor Poulin:

Further to my predecessor's letter of March 2, 2023, a strong partnership between the province and local governments remains a key priority for the Government of Alberta. To that end, I am pleased to confirm the allocation amounts to your community for the Municipal Sustainability Initiative (MSI) Capital and Operating programs, and the Canada Community-Building Fund (CCBF) program.

For the Summer Village of Silver Sands:

- The **2023 MSI Capital allocation is \$46,098.**
- The **2023 MSI Operating allocation is \$17,122,** double the 2022 allocation amount.
- The **2023 CCBF allocation is \$15,016.**

MSI and CCBF funding amounts for all municipalities and Metis Settlements are posted on the Government of Alberta website at open.alberta.ca/publications.

I look forward to working together with you to support your local infrastructure and operating needs, and building strong, vibrant communities across Alberta.

Sincerely,

Ric McIver
Minister

cc: Wendy Wildman, Chief Administrative Officer, Summer Village of Silver Sands

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