

**SUMMER VILLAGE OF SILVER SANDS
SPECIAL COUNCIL MEETING
THURSDAY, MARCH 17, 2022 AT 9:00 A.M.
VIA ZOOM**

AGENDA

1. CALL TO ORDER

2. AGENDA ADOPTION

3. DELEGATION a) Allison Rosland of Municipal Planning Services – to present Silver Sands Land Use Bylaw Recommended Changes and Background Discussion

(that the presentation by Allison Rosland of Municipal Planning Services with respect to the Silver Sands Land Use Bylaw Recommended Changes and Background Discussion be accepted for information or some other direction as determined by Council)

4. ADJOURNMENT

SUMMER VILLAGE OF
SILVER SANDS

LAND USE BYLAW RECOMMENDED CHANGES REPORT

March 14, 2022



MUNICIPAL PLANNING SERVICES

Introduction

The following is a summary of the proposed changes to the Summer Village of Silver Sands Land Use Bylaw (LUB) resulting from its review by Council, Administration and an internal review conducted by Municipal Planning Services (MPS). The purpose of the project and focus of the recommended changes report is to:

- Address regulations identified by Administration and MPS' review of the Land Use Bylaw;
- Consolidate all amendments to the Land Use Bylaw;
- Ensure the Land Use Bylaw is consistent with recent changes to the *Municipal Government Act*, including subdivision, development, and appeal processes;
- Update the list of definitions (where necessary) to be consistent with common phrasing and contemporary development activities;
- Update the Land Use Bylaw maps to include recent amendments and to reflect current property boundary configurations; and
- Address minor spelling, grammar, numbering, section references, consistency, and formatting issues throughout the document.

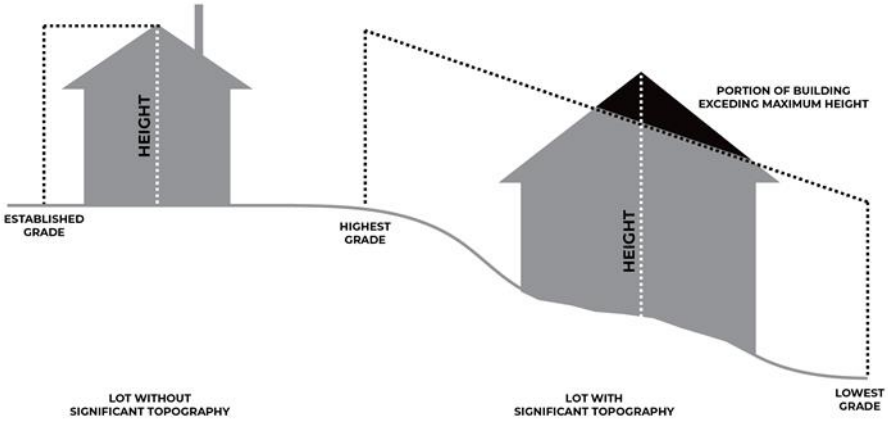
Please note: the location of changes noted below refer to the sections in the current Land Use Bylaw.

Recommended Changes and Actions

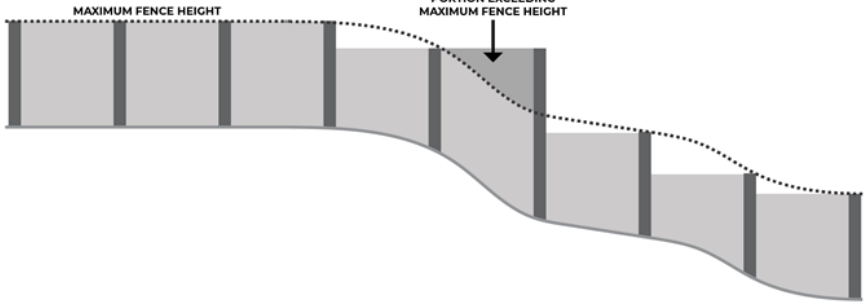
ISSUE	LOCATION	RECOMMEND CHANGE/ACTION
Consistency with Statutory Plans	Entire Document	MPS will review the Summer Village's Municipal Development Plan (Bylaw 307-2020) when preparing the updated LUB to ensure the regulatory approaches taken in the LUB are consistent with the policies and guidance in the MDP.
Consistency with Other Applicable SV Bylaws		Review the following additional SV Bylaws to ensure consistency between definitions in the bylaws and the LUB. <ul style="list-style-type: none"> • 119 - Drainage Regulation Bylaw (1989) • 159 - Sewage Bylaw (2003) • 182 - Sewage Bylaw Amendment • 186 - Noise Bylaw • 198 - Development Authority Bylaw (2004) • 228 - Nuisance, Unsightly and Untidy Bylaw • 232 - Animal Control Bylaw • 233 - Subdivision Authority Bylaw • 282-2018 - Use of Public Lands
Document Structure	Entire Document	Restructure LUB as follows: Land Acknowledgement

ISSUE	LOCATION	RECOMMEND CHANGE/ACTION
		<p>Guide to Using the Land Use Bylaw (explains how the Land Use Bylaw is to be used and interpreted by Council, Approving Authorities, Administration, Residents, and Development Proponents)</p> <p>Part 1. Introduction (title, purpose, severability, etc.)</p> <p>Part 2. Interpretation (measurements and definitions)</p> <p>Part 3. Authorities and Agencies (e.g., roles and responsibilities of the development authority, development authority officer, MPC, subdivision authority, council, SDAB)</p> <p>Part 4. Land Use Bylaw Amendments</p> <p>Part 5. Development Process (e.g., rules and procedures for development permit applications)</p> <p>Part 6. Subdivision Process (e.g., rules and procedures for subdivision applications)</p> <p>Part 7. Subdivision and Development Appeals (procedures for development appeals and subdivision appeals, and hearings)</p> <p>Part 8. Enforcement (procedures for ensuring compliance with the Land Use Bylaw)</p> <p>Part 9. General Regulations</p> <p>Part 10. Land Use Districts and Regulations</p> <p>Part 11. Land Use District map</p> <p>Appendix A – ESRD Guidelines</p>
LUB Amendments	Entire Document	Incorporate amendments into the LUB and review to ensure there are no issues with consistency or interpretation.
Table of Contents	End of Document	Move the Table of Contents to the beginning of the document.
Definitions	Section 1.9	<p>General revisions to the Definition Section:</p> <ul style="list-style-type: none"> • Review the uses in the Districts and ensure all Permitted and Discretionary Uses are defined. • Review the LUB for terms that are not defined and add definitions. • Review the LUB for terms that are defined but not utilized. • Reorganize definitions, i.e., instead of “single detached dwelling”, revise to “dwelling - single detached”. • Include diagrams and illustrations to provide clarity, where appropriate. • New Definitions to be added: <ul style="list-style-type: none"> ○ Bed and Shore; ○ Boathouse; ○ Erosion and Sediment Control Plan; ○ Geotechnical Report; ○ Grading;

ISSUE	LOCATION	RECOMMEND CHANGE/ACTION
		<ul style="list-style-type: none"> ○ Landscaping; ○ Landscaping Plan; ○ Legal Bank; ○ Lot Grading and Drainage Plans; ○ Low Impact Development (LID); ○ Reserves (Municipal, Environmental, Conservation); ○ Riparian Area; ○ Runoff; ○ Shipping Container/Seacan; ○ Shoreline Modification; ○ Shrub; ○ Stripping; ○ Surfaces, non-permeable and permeable; ○ Stormwater Management Plan; ○ Tree; ○ Tree removal; ○ Vegetation; ○ Water body; ○ Watercourse; ○ Wetland; ○ Wetland Assessment. <p>Revise definition for 'building height' supported by new figure that identifies how to determine the height of a building on a lot with significant topography.</p>

ISSUE	LOCATION	RECOMMEND CHANGE/ACTION
		 <p>Suites:</p> <ul style="list-style-type: none"> • Revise definition of “Guest House” to “Guest House Suite” and clarify that it may contain sleeping facilities and/or bathing facilities, but prohibit cooking facilities. • Include definition of “Garage Suite” to differentiate suites built above garages from standalone suites. • Include a definition for “Secondary Suites”. <p>Add definitions for “Home Occupation – Minor” and “Home Occupation – Major”. (Note: only “Home Occupation” is defined).</p> <p>Commercial Uses: Currently, there is a Commercial District established in the LUB but no lands in the Summer Village are included in that District. MPS will discuss with Council if a Commercial District is appropriate for the Summer Village. If so, MPS will review existing definitions for commercial uses and add definitions for cannabis and cannabis facilities. By including definitions for cannabis-related land uses, the Summer Village can choose whether to include or not include these land uses in the list of permitted and discretionary uses of the Land Use Districts.</p> <p>Review and revise definitions of temporary living accommodation, recreational vehicle, park model, mobile home, and manufactured home to ensure definitions are clear and consistent to ensure there is not ambiguity in interpretation.</p> <p>Revise definition of setback to include distances measured from the legal bank of water body or watercourse.</p>

ISSUE	LOCATION	RECOMMEND CHANGE/ACTION
Development Not requiring a Development Permit	Section 3.2	Allow for permanent accessory buildings with a specified area and height (note: currently only portable accessory buildings are allowed without a permit.
		Clarify when retaining walls allowed without a permit and the allowable height.
		Review/revise home occupations that are allowed without a permit and ensure consistency with the Home Occupation requirements in the General Regulations section.
Development Permit Applications	Section 3.4	Include application requirements that may be requested with a development permit application such as Geotechnical Report, Erosion and Sediment Control Plan, Lot Grading and Drainage Plan, Landscaping Plan, Real Property Report, Slope Stability Analysis, Wetland Assessment.
Development Permits and Notices	Section 3.5 – 3.8	Update these sections to ensure development permit process and notices are consistent with changes to the Municipal Government Act including requirements for applications, requirements for notification, deeming an application complete or incomplete, and decision making.
Development and Conditions and Agreements	New sub-section to be Added to	Include a new section that outlines a list of potential conditions that may required as part of development permit approval (e.g., compliance with a lot grading and drainage plan) and agreements that may be entered into as a condition of a development permit (e.g., construction and repair of damage to municipal infrastructure)
Subdivision Process	New Section to be added	Add a section regarding subdivision application and ensure application requirements are consistent with changes to the Municipal Government Act (including requirements for applications, notification, deeming an application complete, and decision making).
Subdivision and Development Appeal Board	Section 2.3	Update the section to ensure it is consistent with the requirements in the MGA, including the requirement that SDAB members must be qualified to participate on a board. Identify processes for development appeals and subdivision appeals, as well as procedures for the appeal hearing and decision making.
General Regulations	Part 4	Reorganize sections alphabetically so that they are easier to search. Review all General Regulations sections and ensure the regulations are in alignment with current planning practices.
General Regulations	New Sub-sections in Part 4	Insert new sub-sections in the General Regulations section for the following: <ul style="list-style-type: none"> • Environmental Protection (development near the legal bank of water bodies, and watercourses, etc.) • Landscaping and Site Coverage (landscaping requirements, minimum requirements for vegetative cover, etc.) • Solar Energy Collection Systems • Telecommunications Towers (Note: telecommunications facilities are an exempt use and should not be regulated in the LUB) • Wind Energy Conversion Systems

ISSUE	LOCATION	RECOMMEND CHANGE/ACTION
Dwelling units on a lot	Section 4.2	Revise regulations to clarify that no more than one dwelling on a lot and no more than one suite.
Accessory buildings	Section 4.8	<p>Add regulations to clarify when accessory buildings are allowed on an undeveloped lot (flagged to discuss with Council).</p> <p>Review the maximum height regulations for accessory buildings in relation to the storage of a recreational vehicle, and the development of a garage suite or guest house suite (ensure consistency).</p>
Fences	Section 4.15	<p>Review/revise fencing requirements following discussions with Council (topic is flagged for discussion)</p> <p>Add figure added to help explain maximum fence height in areas with notable topography.</p> 
Lot Grading and Drainage	Section 4.6	<p>Revise/add regulations to clarify when lot grading and drainage plans or stormwater management plans are required.</p> <p>Add requirements for lot grading and drainage plans and requirements for stormwater management plans.</p>
Landscaping and Site Coverage	Section 4.6	Move and review/revise regulations addressing landscaping and site coverage to the new section "Landscaping and Site Coverage".
Suites	Section 4.9	<p>Rename this section from "Secondary Suites" to "Suites".</p> <p>Review/revise the existing provisions for Secondary Suites and add provisions for Guest House Suites and Garage Suites as required.</p> <p>Review maximum height of garage or guest house suites in relation to maximum height provisions for accessory buildings and ensure consistency.</p>
Parking	Section 4.13	<p>Revise off-street parking requirements for residential uses.</p> <p>Review off-street parking requirements for commercial, industrial and institutional uses and remove requirements for uses that are not allowed in the Summer Village.</p> <p>Add parking requirements for Bed and Breakfast developments.</p> <p>Add minimum parking stall size for stalls on the lot.</p>

ISSUE	LOCATION	RECOMMEND CHANGE/ACTION
Recreational Vehicles	Section 4.18	Review regulations that apply in the Residential District versus the Condominium Recreation District (CREC) and ensure there is clarity between the regulations that apply. Flagged for further discussion with Council.
Residential Districts	Section 5.2 – 5.7	Reduce the quantity of residential districts to two: <ul style="list-style-type: none"> • Residential District • Large Lot Residential District
Commercial District	Section 5.8	Flagged for further discussion with Council (Note: there are not currently any lands within the Commercial District).
Urban Services District	Section 5.9	Flagged for further discussion with Council (Note: there are not currently any lands within the Commercial District).
Urban Reserve District	Section 5.11	Flagged for further discussion with Council.
Direct Control District	Section 5.12	Flagged for further discussion with Council.
Land Use Bylaw Map	Section 6.4	Update the Land Use Bylaw Map to consolidate amendments, reflect any changes to the Land Use Districts, and to illustrate current property boundary information.

Items to Discuss with Council

- Land Use Districts:
 - Reducing the quantity of residential districts
 - Commercial District and commercial uses in the Summer Village
 - Urban Services District
 - Urban Reserve District
 - Direct Control District
- Recreational Vehicle Regulations
 - RVs on vacant lots / storage / use
 - Number of RVs on improved lots / storage / use
 - Sewage and electrical service installation on the few approved lots for RV placement
- Use of shipping containers (sea cans)
- Apiaries, chickens and roosters (if allowed, these will be addressed to the General Regulations section)
- Accessory Uses and Buildings:

- Accessory buildings on vacant lots (sheds to store lawn maintenance items etc.)
 - Allowing sheds on the lake side of lakefront properties
 - Garages in front yards
- Suites:
 - Garage suites (living quarters above garage)
- Fences:
 - Should fences be allowed on vacant lots?
 - Fences on lots with dwellings (heights proposed by Council)
 - 6 ft fences on sides of property
 - 3 ft fences on roadside of properties
 - 5 ft allowed if not obscured (IE: Coloured chain link)
- Fertilizer ban
- Fines for disposing grey and black water disposal on lot or reserve
- Removal of septic fields on lake properties