



## DRAFT LAND USE BYLAW

1 MAY 2023

## LIST OF AMENDMENTS

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Number	Bylaw	Third Reading Date	Purpose
1			
2			
3			
4			
5			

DRAFT  
MAY 1 2023

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	<b>Locate the subject property</b> 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." In order to conform to the language of the <i>Municipal Government Act</i> , this Land Use Bylaw uses the terms "district" and "districting."
2	<b>Check the Table of Contents</b> 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	<b>Review the Table of Contents</b> 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	<b>Discuss your proposal or concern</b> 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

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### 1.1 Title

- 1.1.1 This Bylaw may be referred to as the Summer Village of Silver Sands Land Use Bylaw, **Bylaw # XXX** (to be added when bylaw number assigned).

### 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 Policies (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.

## **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.

## 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

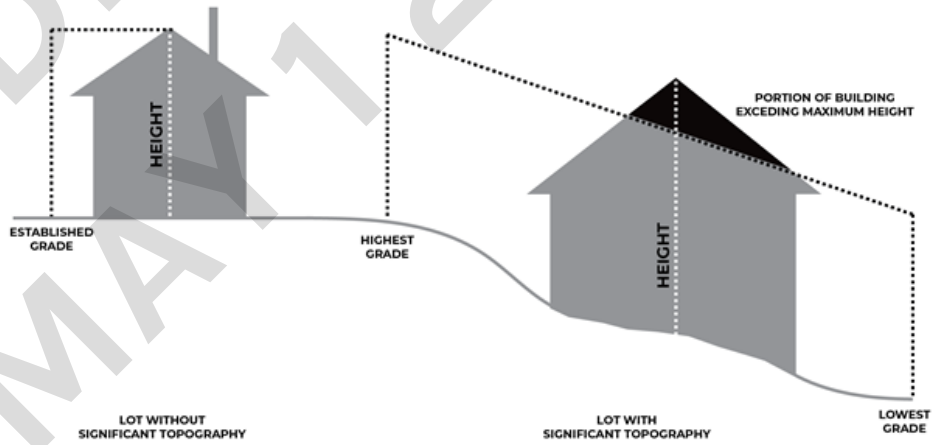
#### 2.2.1 In this Bylaw:

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** 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.  
  
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.  
  
Accessory buildings include (among other forms of development) garages, boathouses, sheds, and guest houses.
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** 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.
 

ADJACENT PROPERTIES			
✉	✉	✉	✉
✉	✉	✉	✉
✉	✉	<b>SUBJECT SITE</b>	✉
✉	✉	✉	✉
✉	✉	✉	✉
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:

		<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.	<b>Amenity Area</b>	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.	<b>Amenity Area, Private Outdoor</b>	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.	<b>Animal Day Care</b>	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.	<b>Applicant</b>	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.	<b>Aquifer</b>	Means a sub-surface layer or layers of porous rock which hold water within the spaces between the rocks (interstitial spaces).
12.	<b>Arborist's Report</b>	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.	<b>Area of Copy</b>	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.	<b>Area Redevelopment Plan</b>	Means a plan adopted by Council as an area redevelopment plan pursuant to the <i>Act</i> .
15.	<b>Area Structure Plan</b>	means a plan adopted by Council as an area redevelopment plan pursuant to the <i>Act</i> .
16.	<b>Bed and Breakfast Operation</b>	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.	<b>Bed and Shore</b>	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.	<b>Boat Hoist</b>	means a hoist installed within a waterbody for the purpose of raising boats and other watercraft from, or lowering into, a waterbody.
19.	<b>Boat House</b>	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.	<b>Buffer</b>	means a row of trees, shrubs, berm(s), or fencing to provide visual screening and separation between sites and incompatible land uses.
21.	<b>Building</b>	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.	<b>Building Height</b>	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 smoke stack, a firewall, a parapet wall, a flagpole or similar device or feature not structurally essential to the building.  
23.	<b>Building Pocket</b>	means the land on which yard amenity areas, the main building on the site, and all accessory buildings will be situated.
24.	<b>Cannabis</b>	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.	<b>Cannabis Consumption Facility</b>	means a development, or any part thereof, licensed to sell cannabis to the public for consumption within the premises.

26.	<b>Cannabis Retail Sales</b>	means a retail store licensed by the Province of Alberta where cannabis and cannabis accessories are sold to individuals who attend the premises.
27.	<b>Canopy</b>	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.	<b>Canopy Sign</b>	see “sign, canopy.”
29.	<b>Carport</b>	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.	<b>Chattel</b>	means a moveable item of personal property.
31.	<b>Corner</b>	means the intersection of any two property lines of a parcel.
32.	<b>Council</b>	means the Council of the Summer Village of Silver Sands.
33.	<b>Curb Cut</b>	means the lowering of a curb, sidewalk or boulevard to provide vehicular access to a parcel.
34.	<b>Day Care Facility</b>	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.	<b>Day Home</b>	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.	<b>Deck</b>	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.	<b>Demolition</b>	means the tearing down, wrecking, destroying, or removal of a development, and is considered a form of development.
38.	<b>Designated Officer</b>	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.	<b>Developable Area</b>	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.	<b>Developer</b>	means an owner, agent, or any person, firm or company required to obtain or having obtained a development permit.
41.	<b>Development</b>	means development as defined in <i>the Act</i> , and includes the following: <ul style="list-style-type: none"> <li>a. an excavation or stockpile and the creation of either of them;</li> <li>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;</li> </ul>

		<ul style="list-style-type: none"> <li>c. removal or demolition of a building or structure in whole or in part;</li> <li>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</li> <li>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;</li> <li>f. redevelopment of a previously developed parcel of land;</li> <li>g. vegetation removal;</li> <li>h. tree removal;</li> <li>i. stripping;</li> <li>j. grading;</li> <li>k. recontouring; or</li> <li>l. a change of use of land or a building that alters natural drainage patterns.</li> </ul>
42.	<b>Development Authority</b>	means the Development Authority established by this Land Use Bylaw and as appointed by Council.
43.	<b>Development Officer</b>	means the person(s) appointed as the Summer Village's Development Officer as established by this bylaw.
44.	<b>Development Permit</b>	means a document authorizing a Development issued by the Development Authority pursuant to this Bylaw.
45.	<b>Discontinued</b>	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.	<b>Discretionary Use</b>	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.	<b>Drive-In Business</b>	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.	<b>Dwelling</b>	means any building used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level.
49.	<b>Dwelling, Manufactured Home</b>	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"> <li>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)</li> <li>have a roof surface of wood or asphalt shingles, clay or concrete tile, slate shingles, sheet metal shingles, or hand split shakes;</li> <li>have a minimum roof overhang or eaves of 30.5 cm (1 foot) from the primary surface of each façade;</li> <li>have a minimum length width (or width length) ratio of 2:1;</li> <li>meets the National Building Code of Canada CAN/CSA A277 standard; and</li> <li>constructed after January 1, 1996.</li> </ol> <p>This use does not include park models, mobile homes, or modular home.</p>
50.	<b>Dwelling, Mobile Home</b>	<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.	<b>Dwelling, Multi-Unit</b>	<p>means a development containing two or more dwelling units, and includes residential uses such as duplexes, triplexes, and apartment buildings.</p>
52.	<b>Dwelling, Single Detached</b>	<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.	<b>Dwelling Unit</b>	<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.	<b>Easement</b>	<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.	<b>Eating or Drinking Establishment</b>	<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>

56.	<b>Environmental Reserve Easement</b>	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.	<b>Environmental Reserve Easement</b>	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.	<b>Environmentally Sensitive Area</b>	means: <ul style="list-style-type: none"> <li>a. Hazardous lands and areas that are unsuitable for development in their natural state (i.e., floodplains, steep and unstable slopes);</li> <li>b. Areas that perform a vital environmental, ecological or hydrological function (i.e., aquifer or recharge groundwater storage areas);</li> <li>c. Areas that contain unique geological or physiological features;</li> <li>d. Areas, buildings or features that are important for cultural, historical, prehistoric or archeological reasons;</li> <li>e. Areas that contain significant rare or endangered animal or plant species;</li> <li>f. Areas containing unique habitats with limited representation in the region or small remnants of previously abundant habitats which have virtually disappeared;</li> <li>g. Areas that contain large, relatively undisturbed habitats and provide shelter for species that are intolerant of human disturbance;</li> <li>h. Areas that provide an important link for the natural migration of wildlife; and/or</li> <li>i. Riparian areas of water bodies, wetlands, and watercourses.</li> </ul>
59.	<b>Environmentally Significant Area</b>	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.	<b>Erosion and Sediment Control Plan</b>	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

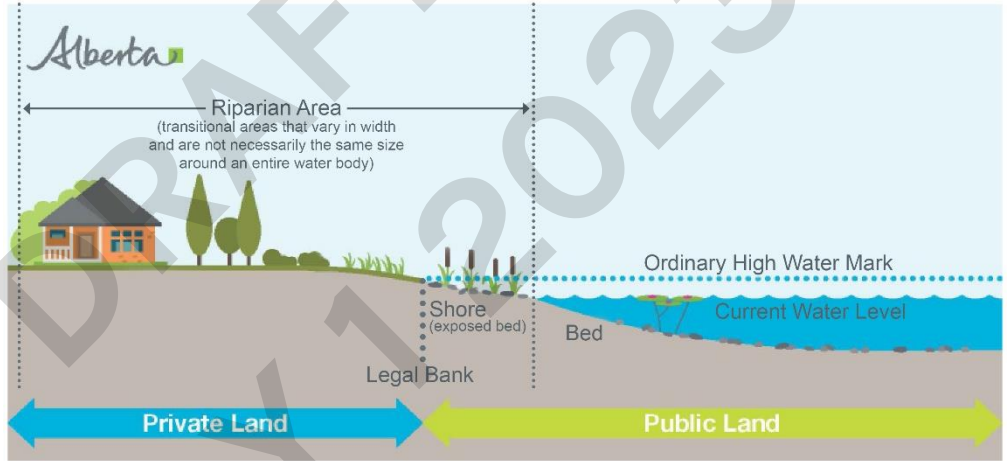
		sediment transport will be controlled and minimized, how the disturbance of vegetation and topography will be minimized.
61.	<b>Excavation</b>	means any breaking of ground, except common household gardening and ground care.
62.	<b>Extensive Agriculture</b>	means a system of tillage which depends upon large areas of land for the raising of crops. Extensive agricultural uses include buildings and other structures incidental to farming.
63.	<b>Extensive Livestock Operation</b>	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.	<b>Fence</b>	means a vertical physical barrier constructed to prevent visual intrusion, sound abatement or unauthorized access.
65.	<b>Flanking Lot</b>	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.	<b>Floor Area</b>	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.	<b>Foundation</b>	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.	<b>Freestanding Sign</b>	see "sign, freestanding."
69.	<b>Front Yard</b>	see "yard, front."
70.	<b>Frontage</b>	means the length of a street boundary measured along the front lot line
71.	<b>Garage</b>	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.	<b>Gazebo</b>	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.	<b>Grade</b>	<p>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:</p> <ol style="list-style-type: none"> <li>If the applicant can show by a survey prepared by a qualified professional that the predevelopment elevation of the subject</li> </ol>

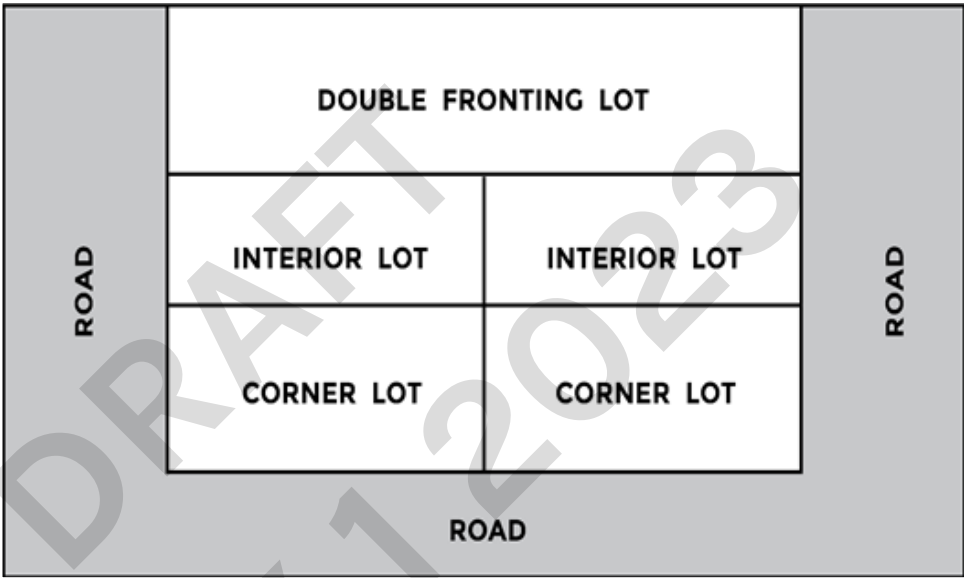


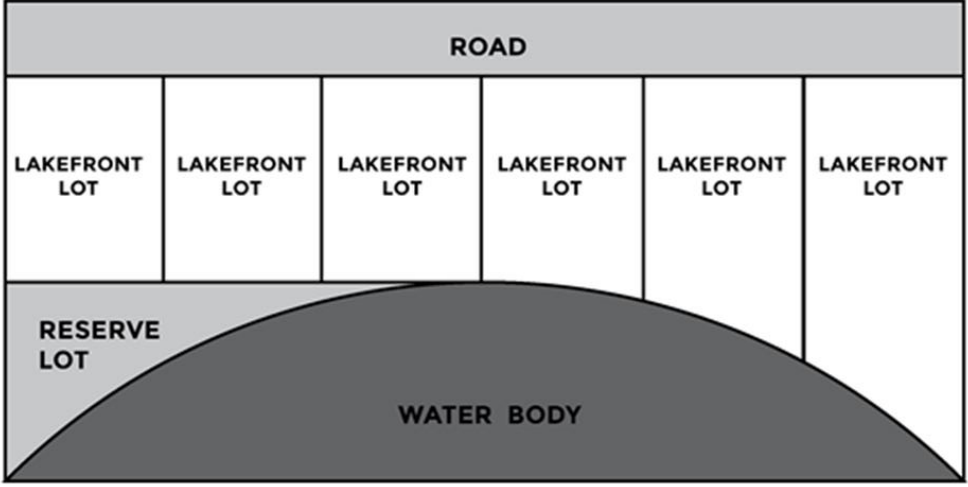
		<p>parcel varies by no more than 1.0 m (3.3 ft.) in 30 linear metres, the Development Authority may determine grade by calculating the average of the highest and lowest elevation on the parcel; or</p> <p>b. The Development Authority may determine grade by calculating the average of the pre-development 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.	<b>Geotechnical Report</b>	<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.	<b>Grading</b>	<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.	<b>Gross Leasable Area</b>	<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.	<b>Group Care Facility</b>	<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.	<b>Guest House</b>	<p>see "suite, guest house."</p>
79.	<b>Habitable Room</b>	<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>

		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



		<p>include the placement or addition of any or a combination of soft landscaping elements and/or hard landscaping elements.</p> <p>Landscaping does not include stripping, grading, shoreline modification, and architectural elements (i.e. decorative fencing, sculpture).</p>
87.	<b>Landscaping Plan</b>	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.	<b>Lane</b>	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.	<b>Legal Bank</b>	<p>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.</p> 
90.	<b>Living Room</b>	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.	<b>Loading Space</b>	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.	<b>Lot</b>	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.	<b>Lot, Back</b>	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.

94.	<b>Lot, Corner</b>	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.	<b>Lot Coverage</b>	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.	<b>Lot Depth</b>	means the average distance between front and rear property lines of a lot.
97.	<b>Lot, Double Fronting</b>	<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.	<b>Lot Grading and Drainage Plan</b>	means a plan that specifies design elevations, surface gradients, swale locations, and other drainage information required for lot grading.
99.	<b>Lot, Interior</b>	means a lot which is bordered by only one road.

100.	<b>Lot, Lakefront</b>	<p>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.</p> 
101.	<b>Lot Substandard</b>	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.	<b>Lot, Undeveloped</b>	means a lot which does not contain a residence, building or structure.
103.	<b>Lot Width</b>	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.	<b>Low Impact Development</b>	<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.	<b>Maintenance</b>	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.	<b>May</b>	is an operative word meaning a choice is available, with no direction or guidance intended.

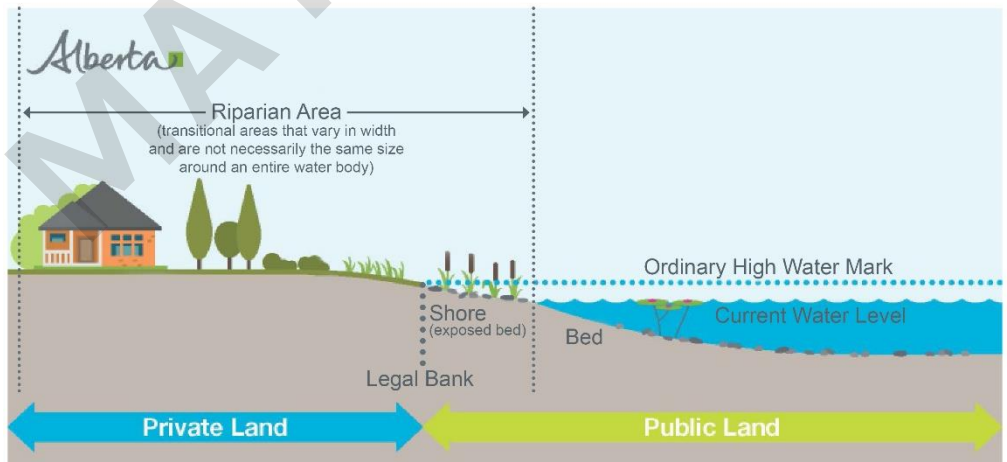
107.	<b>Minor</b>	means where added as a prefix to a permitted or discretionary use, a use which due to its nature or relatively small size will, at the discretion of the Council, have a limited impact on surrounding uses, or which is intended to serve a small or local rather than a major or municipal area.
108.	<b>Manufactured Home Lot</b>	means the space allotted for the installation of one (1) manufactured home in any manufactured home park or manufactured home subdivision.
109.	<b>Modular Building or Dwelling</b>	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.	<b>Municipal Development Plan</b>	means a plan adopted by Bylaw as a Municipal Development Plan pursuant to the <i>Act</i> .
111.	<b>Municipality</b>	means the Summer Village of Silver Sands.
112.	<b>Natural Open Space Area</b>	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.	<b>Non-Conforming Building</b>	means a building: <ul style="list-style-type: none"> <li>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</li> <li>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.</li> </ul>
114.	<b>Non-Conforming Use</b>	means a lawful specific use: <ul style="list-style-type: none"> <li>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</li> <li>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;</li> </ul>
115.	<b>Occupancy</b>	means the use or intended use of a building or part thereof for the shelter or support of persons or property.
116.	<b>Off-Site Sign</b>	see "sign, off-site."
117.	<b>Off-Street Parking</b>	means an off-street facility for the parking of three or more vehicles.

118.	<b>On-Parcel Sewage Disposal System</b>	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.	<b>Outdoor Eating Establishment</b>	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.	<b>Parapet Wall</b>	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.	<b>Parcel</b>	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.	<b>Parcel Area</b>	means the total area of a parcel.
123.	<b>Parcel, Corner</b>	means a parcel at the intersection of two abutting streets.
124.	<b>Parcel Coverage</b>	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.	<b>Parcel Depth</b>	means the average distance between the front and rear property lines.
126.	<b>Parcel, Interior</b>	means a parcel which is bounded by only one street.
127.	<b>Parcel, Lakefront</b>	see "lot, lakefront."
128.	<b>Parcel Width</b>	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.	<b>Park</b>	means a parcel of land designated for public use as municipal reserve land or by Resolution or Bylaw of Council.
130.	<b>Park Model Trailer</b>	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.	<b>Parking Facility</b>	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.	<b>Parking Stall</b>	means a space set aside for the parking of one vehicle.

133.	<b>Patio</b>	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.	<b>Permitted Use</b>	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.	<b>Places of Worship</b>	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.	<b>Planting</b>	see "landscaping."
137.	<b>Principal Building</b>	means a building which, in the opinion of the Development Authority <ul style="list-style-type: none"> <li>a. occupies the major or central portion of a parcel,</li> <li>b. is the chief or main building among one or more buildings on the parcel; or</li> <li>c. constitutes by reason of its use the primary purpose for which the parcel is used.</li> </ul>
138.	<b>Principal Use</b>	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.	<b>Private Club or Lodge</b>	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.	<b>Private Liquor Outlet</b>	means a development where alcoholic beverages are offered to the public for retail sale and consumption off premises.
141.	<b>Privy or Portable Toilet</b>	means an outdoor toilet facility and/or outhouse.
142.	<b>Public Park</b>	means an active or passive public recreation area together with any accessory buildings or uses complimentary to the said recreational purpose.
143.	<b>Public Uses</b>	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.	<b>Public Utility</b>	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

		natural or artificial, systems for the distribution of artificial light or electric power and heating systems.
145.	<b>Public Utility Building</b>	means a building to house a public utility, its office or equipment.
146.	<b>Real Property Report</b>	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.	<b>Rear Yard</b>	see "yard, rear."
148.	<b>Recreational Equipment</b>	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.	<b>Recreational Use</b>	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"> <li>a. non-facility oriented recreational activities such as hiking, cross country skiing, rustic camping, and other similar uses, and</li> <li>b. means an active or passive recreational use and any facility or building required to carry out said activity.</li> </ul>
150.	<b>Recreational Vehicle</b>	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.	<b>Recreational Vehicle Storage</b>	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.	<b>Redistrict</b>	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.	<b>Reserve, Conservation</b>	means land designated Conservation Reserve (CR) at time of subdivision Conservation Reserve at time of subdivision if: <ul style="list-style-type: none"> <li>a. in the opinion of the subdivision authority, the land has environmentally significant features;</li> <li>b. The land is not land that could be required to be provided as environmental reserve;</li> <li>c. The purpose of taking the conservation reserve is to enable the municipality to protect and conserve the land; and</li> </ul>



		<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.	<b>Reserve, Environmental</b>	<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"> <li>a. a swamp, gully, ravine, coulee or natural drainage course,</li> <li>b. land that is subject to flooding or is, in the opinion of the subdivision authority, unstable, or</li> <li>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.</li> </ul> <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.	<b>Reserve, Municipal</b>	<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.	<b>Riparian Area</b>	<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. It shows a cross-section of the land with a house and trees on the left, representing private land. The riparian area is defined by the shore (exposed bed) and the legal bank. The bed is the bottom of the water body, and the ordinary high water mark and current water level are indicated. The riparian area is shown as a transitional zone between private land and public land.</p>
157.	<b>Road</b>	<p>means land:</p> <ul style="list-style-type: none"> <li>a. shown as a road on a plan of survey that has been filed or registered in an Alberta Land Titles Office; or</li> </ul>


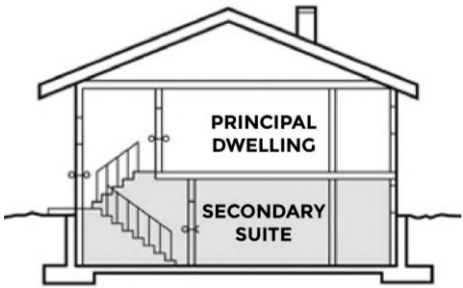


		b. used as a public road; and includes a bridge forming part of a public road and any structure incidental to a public road.
158.	Roof Sign	see “sign, roof.”
159.	Runoff	means water that moves over the surface of the ground. Runoff collects sediments and contaminants as it moves from higher elevations 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.

168.	<b>Shall</b>	is an operative word which means the action is obligatory.
169.	<b>Shed</b>	see "Accessory Building."
170.	<b>Shoreline</b>	means the fluctuating line demarcating the bed and shore of a water body.
171.	<b>Shoreline Modification</b>	means any activity, modification, alteration that alters the shoreline including but not limited to placing sand, removing rocks and vegetation, tilling, armouring with rip rap or vegetative rip rap, constructing retaining walls or other permanent structures such as piers, groins, and docks.
172.	<b>Show Home</b>	<p>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.</p> <p>Show homes may contain offices for the sale of other lots or structures in the area.</p>
173.	<b>Should</b>	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.	<b>Shrub</b>	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.	<b>Sign</b>	means an object or device intended for the purpose of advertising or calling attention to any person, matter, thing or event.
176.	<b>Sign, Canopy</b>	means a sign which is part of or attached to the outside edge of a canopy.
177.	<b>Sign, Freestanding</b>	means a sign supported by one or more uprights, braces or pylons, and which stands independently of buildings.
178.	<b>Sign, Off-Site</b>	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.

179.	<b>Sign, Projecting</b>	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.	<b>Sign, Roof</b>	means any sign erected upon, against or directly above a roof or on top of or above the parapet wall of a building.
181.	<b>Sign, Under-Canopy</b>	means a sign which is attached to the bottom face of a canopy.
182.	<b>Sign, Wall</b>	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.	<b>Similar Use</b>	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.	<b>Single Detached Dwelling</b>	see "Dwelling, Single Detached."
185.	<b>Site</b>	means a lot or parcel on which a development exists or for which an application for a development permit is made.
186.	<b>Site Coverage</b>	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.	<b>Site Plan</b>	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.	<b>Solar Energy Collection System</b>	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.	<b>Split Level</b>	means a dwelling that has three separate living areas, each separated from the next by one half-storey.
190.	<b>Statutory Plan</b>	means a municipal plan, area structure plan or area redevelopment plan pursuant to the <i>Act</i> .
191.	<b>Storey</b>	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.	<b>Storey, Half</b>	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.	<b>Street</b>	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.	<b>Stormwater Management Plan</b>	<p>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:</p> <ul style="list-style-type: none"> <li>a. Topography;</li> <li>b. Proposed plan to control runoff;</li> <li>c. Proposed minor drainage system (ditches/pipes/catch basin locations/flow rate);</li> <li>d. Proposed major drainage systems (direction of surface drainage/flow rate);</li> <li>e. Proposed on-site detention/retention facility (location/size/capacity);</li> <li>f. Location of outflow/outfall structures; and</li> <li>g. Any related modeling and calculation information.</li> </ul>
195.	<b>Stripping</b>	means the removal of some or all vegetation and topsoil on lot in preparation for construction activities.
196.	<b>Structure</b>	means anything constructed or erected on the ground, or attached to something on the ground, and includes all buildings.
197.	<b>Subdivision and Development Appeal Board</b>	means a subdivision and development appeal board appointed pursuant to the <i>Act</i> .
198.	<b>Subdivision Authority</b>	means a subdivision authority established and appointed pursuant to a Summer Village Bylaw and the <i>Act</i> .
199.	<b>Subdivision Officer</b>	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.	<b>Suite, Guest House</b>	<p>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.</p> 

201.	<b>Suite, Garage</b>	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.	
202.	<b>Suite, Secondary</b>	means a self-contained dwelling unit located within a single detached dwelling, and may include cooking, sleeping, and sanitary facilities.	
203.	<b>Suite, Security</b>	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.	<b>Surface, Non-Permeable</b>	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.	<b>Surface, Permeable</b>	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.	<b>Telecommunication Tower</b>	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.	<b>Tented Structure</b>	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.	<b>Temporary Building</b>	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.	<b>Tourist Home</b>	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> <ul style="list-style-type: none"> <li>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;</li> <li>b. The commercial nature of a tourist home;</li> <li>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</li> <li>d. The use of a system of reservations, deposits, confirmations, credit cards, or other forms of electronic payments, etc.</li> </ul> <p>A recreational vehicle not be used as a tourist home.</p>
210.	<b>Traffic Island</b>	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.	<b>Trail</b>	means any multi-use trail, pathway, or sidewalk intended for non-vehicular travel.
212.	<b>Tree</b>	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.	<b>Tree Removal</b>	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.	<b>Use</b>	means a use of land or a building as determined by the Development Officer and/or Council.
215.	<b>Utility</b>	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.	<b>Utility Building</b>	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.	<b>Vegetation</b>	<p>means non-invasive plant species that are native and/or appropriate for the relevant plant hardiness zone and are:</p> <ul style="list-style-type: none"> <li>a. Structurally sound, well-balanced, healthy and vigorous;</li> <li>b. Of normal growth habits; and/or</li> <li>c. Densely foliated when in leaf, with a healthy, well developed root system.</li> </ul>
218.	<b>Water Body</b>	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.	<b>Watercourse</b>	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.	<b>Wetland</b>	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.	<b>Wetland Assessment</b>	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.	<b>Wetland Boundary</b>	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.	<b>Wind Energy Conversion System, Large</b>	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.	<b>Wind Energy Conversion System, Micro</b>	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.	<b>Wind Energy Conversion System, Small</b>	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.	<b>Woodshed</b>	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 <sup>2</sup> (75.0 ft. <sup>2</sup> ).
227.	<b>Yard</b>	means that part of a lot upon or over which no principal building is erected.

228.	<b>Yard, Front</b>	<p>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.</p>
229.	<b>Yard, Rear</b>	<p>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.</p>
230.	<b>Yard, Side</b>	<p>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.</p>

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.



### 3. AUTHORITIES

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#### 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 to 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.

### **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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### 4.1 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 statement of the specific amendment requested;
  - The purpose and reasons for the application;
  - If the application is for a change of a land use district:
  - the legal description of the lands;
  - a plan showing the location and dimensions of the lands; and
  - 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;
  - The applicant's interest in the lands; and
  - An application fee to be established by Council.
- 4.1.5 If the amendment is for the redistricting of land, Summer Village Administration may require:
- 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:
    - If the site is suitable for the intended use;
    - If the site can be reasonably and cost effectively services; and
    - That the proposed amendment will not unduly impact the rights of adjacent landowners to use and enjoy their property; and
  - 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
  - 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:
- 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.

### 5.1 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:
- 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;
  - 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;
  - the use of any such development as is referred to in subsection 5.2.1.b for the purpose for which development was commenced;
  - the maintenance or improvements of any gates, fences or walls or other means of enclosure;
  - 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;
  - a maximum of two single storey accessory buildings, each with a floor area not more than 9.3 m<sup>2</sup> (100.1 ft.<sup>2</sup>) and a height not more than 2.5 m (8.2 ft.), provided that the accessory buildings:
    - are not garages; and
    - 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 m<sup>2</sup> (2.0 ft.<sup>2</sup>) 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 m<sup>2</sup> (6.0 ft.<sup>2</sup>) in area; and
    - (ii) such signs for a multiple dwelling parcel, a commercial parcel does not exceed 3.0 m<sup>2</sup> (32.0 ft.<sup>2</sup>); 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 m<sup>2</sup> (12.0 ft.<sup>2</sup>) 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 m<sup>2</sup> (32.0 ft.<sup>2</sup>) 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 m<sup>2</sup> (75.0 ft.<sup>2</sup>);
- 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, whether or not it is a non-conforming 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:
- to make it a conforming building;
  - for the routine maintenance of the building, if the Development Authority considers it necessary; or
  - 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 non-refundable application fee, as established by Council;
  - a site plan showing:
    - front, side and rear yards;
    - north point;
    - legal description of the property;
    - access and egress points to the property; and
    - 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;
    - 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;
  - a statement of ownership of the land and the interest of the applicant therein; and
  - 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:
- a. the value of the development;
  - b. the alternatives to demolition if the building is of historic or architectural value;
  - c. the purpose of the building demolition and the type of structure to replace the demolished building, if applicable;
  - d. 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);
  - e. the destination of debris materials;
  - f. 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);
  - g. a copy of the original development approval including building permits where applicable;
  - h. the form of demolition to be used (heavy equipment or by hand);
  - i. 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);
  - j. an indication that all utility services to the site and/or the building have been disconnected to the satisfaction of the Development Authority;
  - k. 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;
  - l. 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
  - m. 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:
- a. Identify proposed haul routes and final destination for the demolition materials;
  - b. Complete a Hazardous Materials Assessment Report; and/or
  - c. 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:
- Compliance with the Erosion and Sediment Control Plan;
  - Compliance with the Landscaping Plan;
  - Compliance with the Lot Grading and Drainage Plan; and
  - 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:
- Construct or pay for the construction of culverts, public roadways, pedestrian walkways, or parking areas; and/or
  - Install or pay for the installation of utilities; and/or
  - 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:
- The application for the development contains a misrepresentation;
  - facts concerning the application or the development were not disclosed at the time the application was considered;
  - the development permit was issued in error; or



d. the conditions of Development Permit Approval are not being complied with in 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.

### 6.1 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:
- Recommendations by qualified professionals; and/or
  - Riparian Setback Matrix Model (RSMM); and/or
  - 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
  - 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:
- That the proponent enter into and comply with a Development Agreement;
  - Provision of off-site levies or a local improvement levy;
  - Compliance with an approved Erosion and Sediment Control Plan;
  - Compliance with an approved Landscaping Plan;
  - Compliance with an approved Lot Grading and Drainage Plan;
  - Compliance with an approved Stormwater Management Plan; and/or
  - Any other conditions as required by the Subdivision Authority.

### 7.1 Development Appeals

- 7.1.1** An appeal may 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:
- the appeal application fee as identified in the Summer Village's Fees and Charges Bylaw;
  - the legal description and/or the municipal address of the property to which the decision, order or issuance of the development permit relates;
  - the name, contact information and address of the appellant; and
  - 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:
- 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
  - 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:
- by the applicant for the approval;
  - by a government department if the application is required by the Subdivision and Development Regulations to be referred to that department;
  - 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
  - by a school board with respect to:
    - the allocation of municipal reserve and school reserve or money in place of the reserve;
    - the location of school reserve allocated to it; or
    - 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**

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### **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 is 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.

**9.1 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 building with an approved development permit.
- 9.1.3** Notwithstanding 9.1.2, a single accessory building with a floor area less than 9.3 m<sup>2</sup> (100.1 ft<sup>2</sup>) 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 m<sup>2</sup> 100.1 ft<sup>2</sup> 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 complements 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 m<sup>2</sup>. (1,200 ft<sup>2</sup>);
  - 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 (road side) 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 9.1.7.c:
    - A maximum of one (1) boat house with a floor area of less than 100.1 ft<sup>2</sup> 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:**
- An accessory building shall be situated so that the exterior wall are:
    - 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.

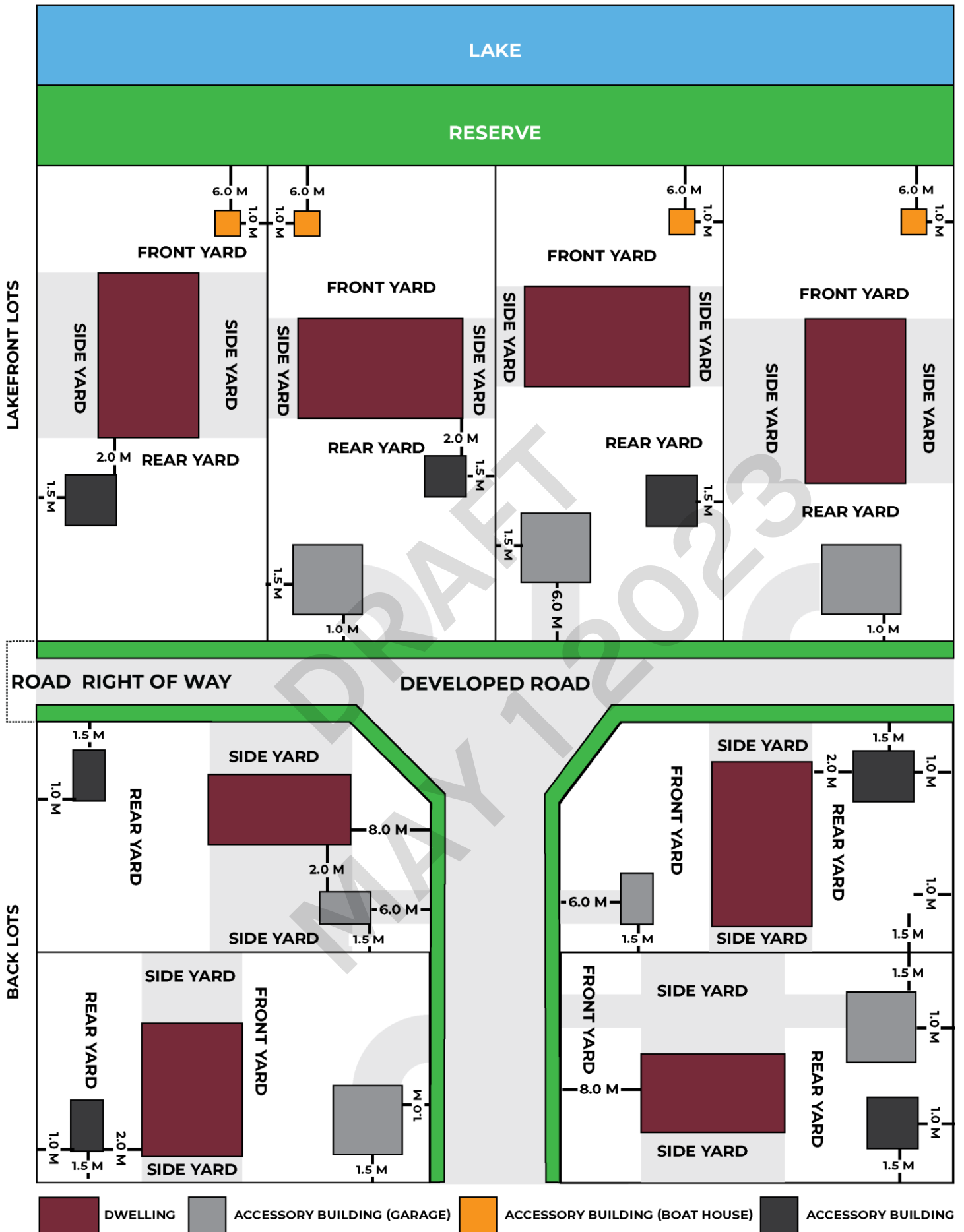
**9.1.10** An accessory building shall not be used as a dwelling, subject to Section 9.23 – Suites.

**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 principle 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.



## **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 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 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 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 so as to create a minimum of dust or another nuisance; and
  - The final reclamation of the parcel.

## **9.7 Developer's Responsibility**

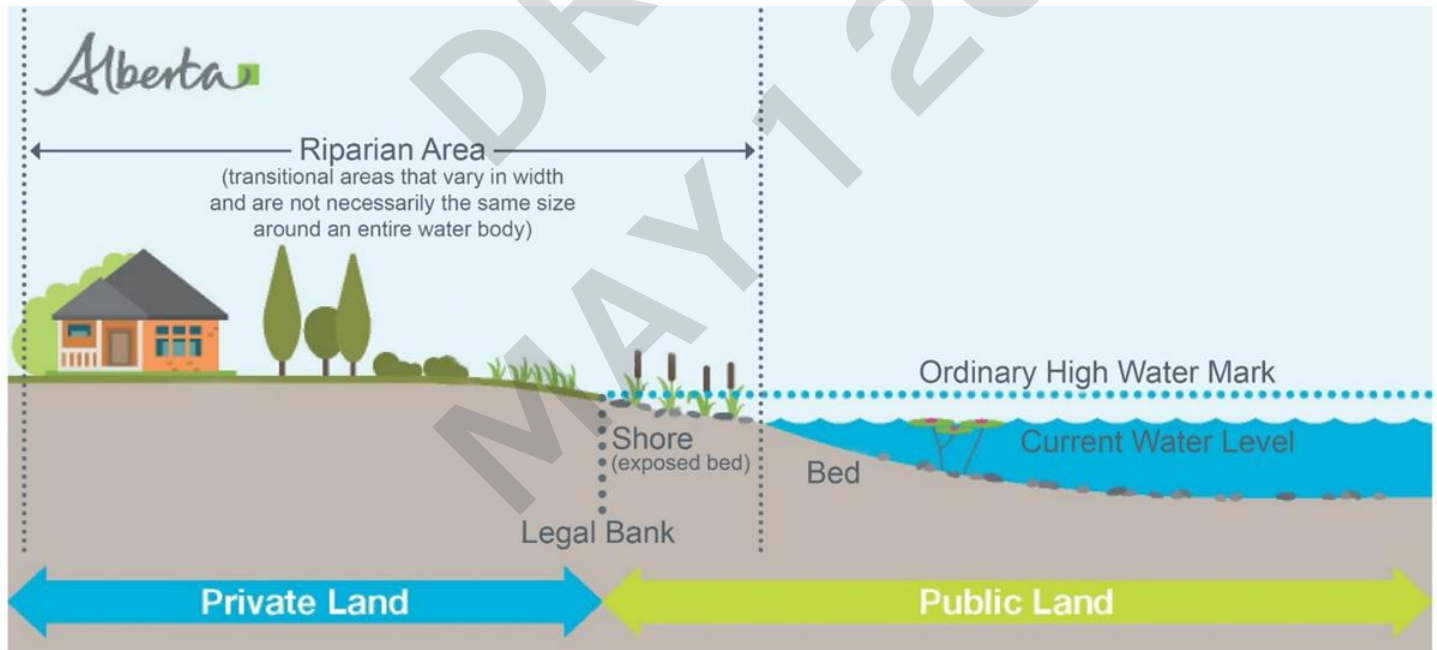
- 9.7.1** A person to whom a development permit has been issued shall obtain from the appropriate authority, where applicable, permits and/or approvals required in connection with the proposed development.
- 9.7.2** The person to whom a development permit has been issued may be required to notify the 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 as a result 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

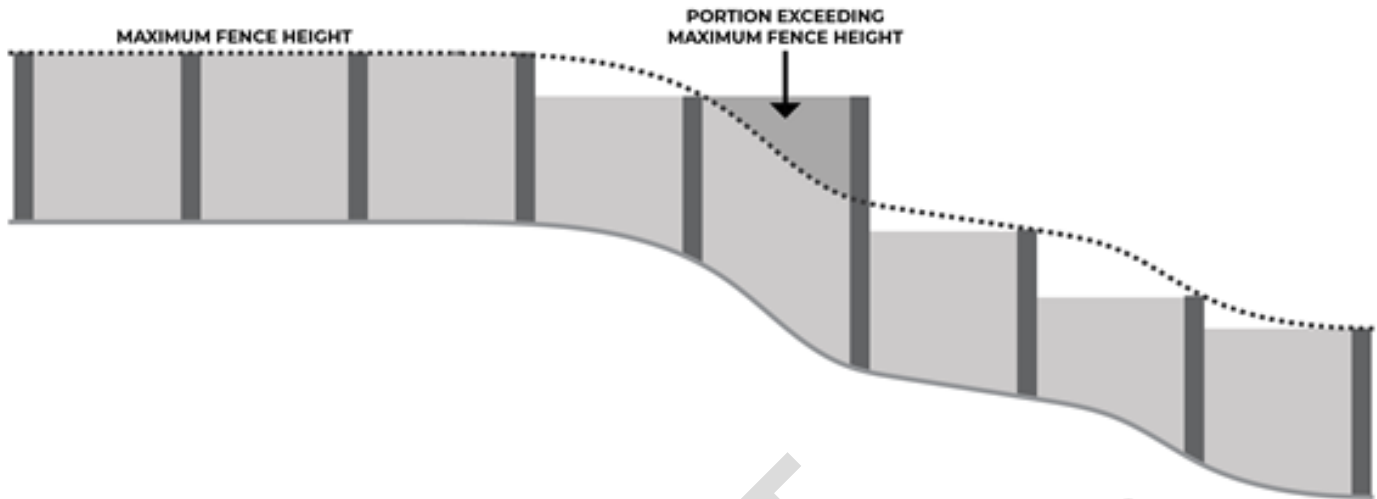
- 9.9.1 The permanent disturbance of watercourses, wetlands, other water bodies within the Summer Village shall be prohibited.
- 9.9.2 Applications for development and/or subdivision on sites that may be affected by a wetland must include a wetland assessment prepared by a qualified professional that 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

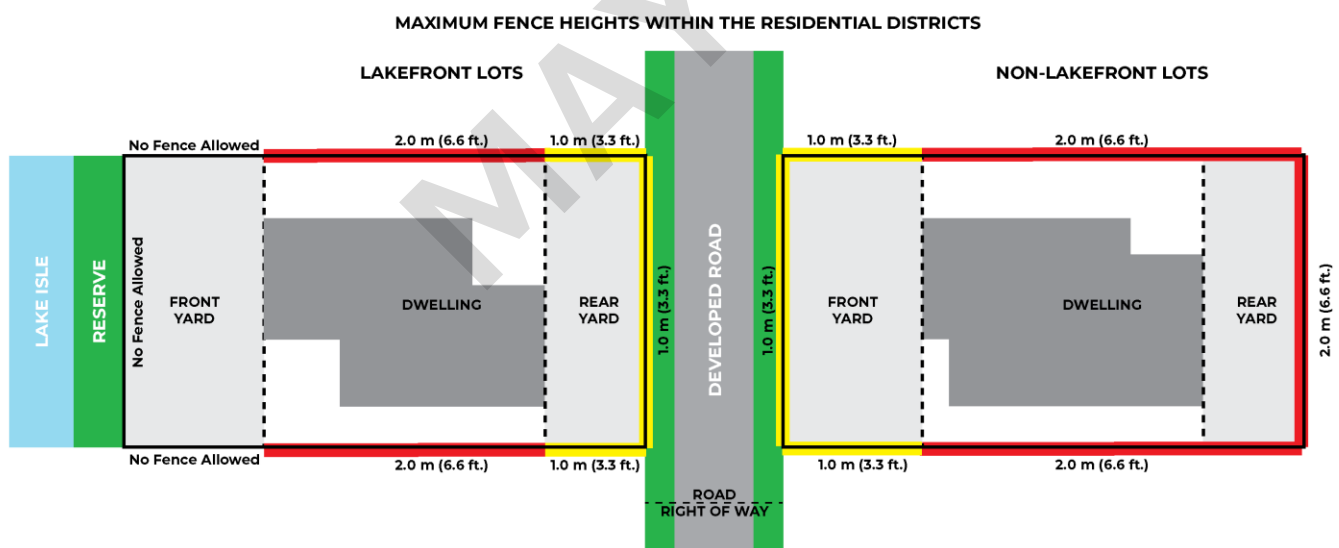


and specifications for fences in these areas must conform to the overall standard set for the area by the Summer Village of Silver Sands.

- 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 m<sup>2</sup> (375.0 ft.<sup>2</sup>), 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:

- a. Alters the natural drainage patterns on the site; or
- b. 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:

- a. 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;
- b. Stripping;
- c. Grading;
- d. The construction of new buildings or redevelopment of existing buildings; and
- e. 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:

- a. Boundaries and dimensions of the site, location, and name of adjacent streets;
- b. Location of adjacent sidewalks, pathways, driveway entrances, easements, rights-of-way, and laneways;
- c. All existing and proposed berms, contours, walls (including retaining walls), fences;
- d. Proposed lot grading and drainage;
- e. Location of all existing vegetation to be retained;
- f. Location, dimensions, areas, and description or illustrations of all existing and proposed:
- g. Non-permeable surfaces;
- h. Vegetation (including trees and shrubs);
- i. Vegetation that comprises native vegetation (including trees and shrubs);
- j. 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 below 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 m<sup>2</sup> (1,500 ft.<sup>2</sup>), 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:
- a. 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;
  - b. Moving, depositing, or removal of topsoil, fill, aggregate or similar material; and
  - c. Any other development that:
    - i. Alters drainage on the site;
    - ii. Increases runoff onto adjacent lands; or
    - iii. 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:
- a. 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
  - b. Any other development that:



- i. Alters drainage on the site;
- ii. Increases runoff onto adjacent lands; or
- iii. 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:

- a. Identify pre-development and post development lot elevations and grades;
- b. Specify design elevations, surface gradients, and swale locations;
- c. Demonstrate how runoff will be controlled on the site; and
- d. 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:

- a. Demonstrate that runoff will be managed on the site;
- b. 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 Officer, Municipal Planning Commission, or 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.
- 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 recreation 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 is discouraged;
  - the facility shall be designed such that all vehicles shall enter and exit the facility in a forward direction;
  - vehicular access to the parcel and internal vehicular circulation shall be hard surfaced or a gravel mixture to the satisfaction of the Development Authority;
  - upgrades to accesses or roads shall be in accordance with municipalities Servicing Standards; and
  - 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:
- parcel layout, including the location and dimensions of storage areas and drive aisles;
  - the number of recreational vehicles and storage equipment to be stored on-site;
  - security and lighting;
  - location, dimensions and surfacing of parcel access and egress;
  - proposed hours of operation; and
  - 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:
- Place on a parcel a building which has previously been erected or placed on a different parcel; or
  - 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 colour photograph of the building;
  - A statement of the present location of the building;
  - A notification of the relocation route, date, and time that the relocation is to take place; and
  - 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** A development permit for a suite expires upon transfer of ownership of land upon which the secondary suite is located. All new owners shall be required to secure all necessary approvals prior to recommencement of the use.

- 9.23.6** A secondary suite shall not contain more than fifty percent (50%) of the total floor area of the principal dwelling.
- 9.23.7** 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.
- 9.23.8** 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.
- 9.23.9** 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.
- 9.23.10** As a condition of the development permit, a suite shall be connected to an on-site sewage disposal system satisfactory to the Development Authority.
- 9.23.11** 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:
- For each principal building, one identification sign only, not to exceed 3.0 m<sup>2</sup> (32.29 ft.<sup>2</sup>) in area.
  - 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.
  - 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.
  - 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 m<sup>2</sup> (9.68 ft.<sup>2</sup>) of copy for each lineal metre of building occupancy.
  - If the occupancy is on a corner, one wall sign will be permitted for each face.
  - If the building includes a canopy, each tenant will be permitted one under- canopy sign of no more than 0.5 m<sup>2</sup> (5.38 ft.<sup>2</sup>).

#### **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 land owners;
  - d. benefit to local 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.

## 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	
Large Lot Residential	R2	
Residential Manufactured Home Subdivision	RMHS	
Condominium Recreation	CREC	
Commercial General	C1	
Parks and Recreation	P	
Natural Environment & Reserves	NE	
Urban Reserve	UR	
Direct Control	DC	

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:

- Where a boundary is shown as following a street, lane, stream or canal, it shall be deemed to follow the centre line thereof;
- Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line;
- 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:

- on its motion; or
- 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.

## 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 <sup>2</sup> (800.0 ft <sup>2</sup> ).

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 <sup>2</sup> (6,000 ft <sup>2</sup> ).

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.

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

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

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## 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 <sup>2</sup> (800.0 ft <sup>2</sup> ).

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

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

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

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## 10.4 RMHS – Residential Manufactured Home Subdivision

### 10.4.1 Purpose

This District is generally intended to provide for single manufactured home development on individual subdivided parcels.

### 10.4.2 Permitted Uses

a.	Manufactured home dwellings
b.	Minor home occupations
c.	Building and uses accessory to permitted uses

### 10.4.3 Discretionary Uses

a.	Day care facilities
b.	Major home occupations
c.	Parks and playgrounds
d.	Public uses
e.	Public utilities
f.	Show homes
g.	Solar energy collection system
h.	Wind energy conversion system, Micro
i.	Buildings and uses accessory to discretionary uses
j.	Other uses which, in the opinion of the Development Authority, are similar to the permitted and discretionary uses.

### 10.4.4 Minimum Lot Area

a.	Minimum Lot Area shall be 370.0 m <sup>2</sup> (3,982.8 ft <sup>2</sup> ).
----	--

### 10.4.5 Minimum Front Yard Setback

a.	Shall be 7.0 m (22.9 ft.).
----	----------------------------

### 10.4.6 Minimum Side Yard Setback

a.	Shall be 1.5 m (4.9 ft.) on one side and 3.0 m (9.8 ft.) on another side.
----	---

### 10.4.7 Minimum Rear Yard Setback

a.	Shall be 6.0 m (19.7 ft.).
----	----------------------------

### 10.4.8 Minimum Lot Depth

a.	Shall be 46.2 m (140.0 ft.).
----	------------------------------



## 10.5 CREC – Condominium Recreation

### 10.5.1 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.

### 10.5.2 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                    |

### 10.5.3 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 |

### 10.5.4 Parcel Coverage

- |    |   |
|----|---|
| a. | The maximum parcel coverage for a lot designed for a recreational vehicle or park model trailer is 30%. |
|----|---|

### 10.5.5 Minimum Floor Area – Park Model Trailers

- |    |  |
|----|--|
| a. | 33.4 m <sup>2</sup> (360.0 ft <sup>2</sup> ) in accordance with CSA Z-241 or subsequent equivalent industry and building code standards. |
|----|--|

### 10.5.6 Minimum Floor Area – Recreational Vehicles

- |    |  |
|----|--|
| a. | Shall be 6.7 m <sup>2</sup> (180.0 ft. <sup>2</sup> ). |
|----|--|

### 10.5.7 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.). |
|----|---|

### 10.5.8 Maximum Height – Common Property

- |    |  |
|----|--|
| a. | The height of all structures located on the Common Property shall not exceed 9.0 m (29.5 ft.). |
|----|--|

### 10.5.9 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.). |
|----|--|

<b>10.5.10</b>	<b>Minimum Lot Area</b>
a.	The minimum lot area shall be 300.0 m <sup>2</sup> (3,229.2 ft. <sup>2</sup> ).
<b>10.5.11</b>	<b>Minimum Building Pocket</b>
a.	The minimum building pocket on each residential use lot shall be 75.0 m <sup>2</sup> (807.3 ft <sup>2</sup> ).
<b>10.5.12</b>	<b>Minimum Front Yard Setback</b>
a.	From internal road: 6.0 m (19.7 ft.)
b.	From County road: 25.0 m (82.0 ft.)
<b>10.5.13</b>	<b>Minimum Side Yard Setback</b>
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.
<b>10.5.14</b>	<b>Minimum Rear Yard Setback</b>
a.	Minimum of: 6.0 m (19.7 ft.)
b.	From County Road: 25.0 m (82.0 ft.)
<b>10.5.15</b>	<b>Additional Regulations</b>
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"> <li>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 m<sup>2</sup> (200 ft.<sup>2</sup>), and</li> <li>ii. all attached or accessory structures such as room additions (Arizona rooms), porches, sun rooms, 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.</li> </ul>
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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**10.6 C1 – Commercial General****10.6.1 Purpose**

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

**10.6.2 Permitted Uses**

a.	Public uses
b.	Public utilities

**10.6.3 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

**10.6.4 Parcel Coverage**

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

b.	Shall not exceed 12.0 m (39.4 ft.).
----	-------------------------------------

**10.6.6 Minimum Parcel Area**

b.	No new parcel shall be created by subdivision with an area of less than 371.6 m <sup>2</sup> (4,000 ft <sup>2</sup> ), or a width of less than 6.0 m (19.7 ft.), or a depth of less than 30.0 m (98.4 ft.).
----	---

**10.6.7 Minimum Front Yard**

b.	No front yard setback shall be required except as specified in Section 5.2.
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<b>10.6.8</b>	<b>Minimum Side Yard</b>
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.).
<b>10.6.9</b>	<b>Minimum Rear Yard</b>
b.	None required provided that adequate provision is made for parking, loading and garbage facilities.
<b>10.6.10</b>	<b>Adjacent Developments</b>
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.
<b>10.6.11</b>	<b>Parking and Loading</b>
b.	Parking and loading shall be provided in accordance with the provisions of this Bylaw.
<b>10.6.12</b>	<b>Supplementary Conditions – Commercial Uses</b>
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.

## 10.7 P – Parks and Recreation

### 10.7.1 Purpose

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

### 10.7.2 Permitted Uses

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

### 10.7.3 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

### 10.7.4 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.
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## 10.8 NE – Natural Environment & Reserves

### 10.8.1 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.

### 10.8.2 Permitted Uses

- |    |                          |
|----|--------------------------|
| a. | Natural open space areas |
|----|--------------------------|

### 10.8.3 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 |

### 10.8.4 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. |
|----|--|



## 10.9 UR – Urban Reserve

### 10.9.1 Purpose

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

### 10.9.2 Permitted Uses

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

### 10.9.3 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

### 10.9.4 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.

10.10.1	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>

10.10.2	Permitted Uses
a.	As allowed by Council

10.10.3	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.	<p>In evaluating a proposed land use or a development, Council shall have regard for, but not be limited to:</p> <ul style="list-style-type: none"> <li>i. existing use of the land;</li> <li>ii. uses, regulations and development criteria specified in the land use district superseded by this district;</li> <li>iii. the Land Use Regulations of this Bylaw;</li> <li>iv. the Land Use Regulations of abutting Land Use Districts; and</li> <li>v. shall conform to the <i>Act</i>, Subdivision Regulations, and any statutory plan in effect.</li> </ul>

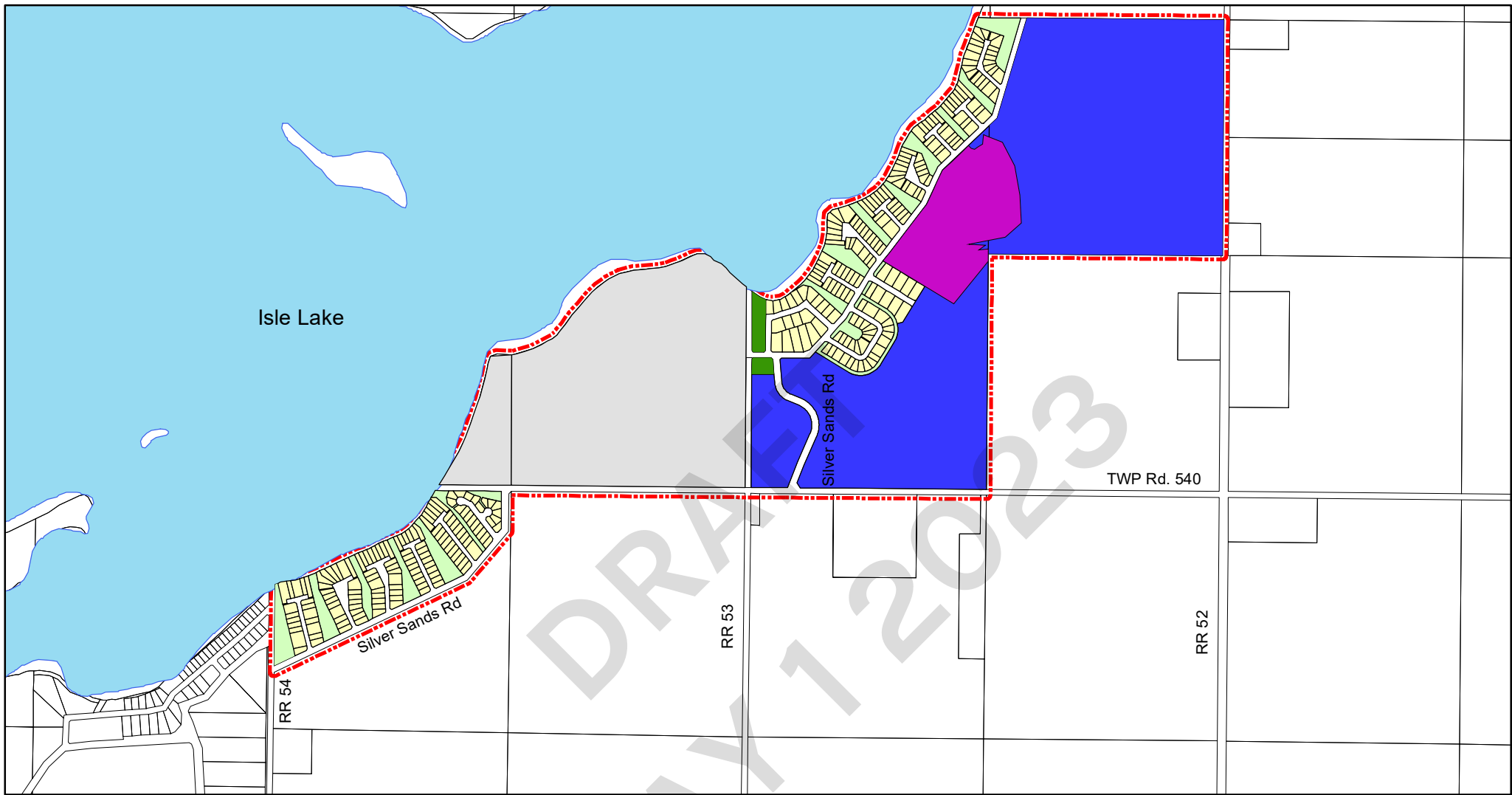
10.10.4	Development Permit Information Requirements
a.	<p>Pertaining to information required for processing and review of a proposal pursuant to this Bylaw, Council will consider and require the applicant to submit any or all of the following (for the purpose of relating any proposal to the growth of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

	<ul style="list-style-type: none"> <li>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,</li> <li>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</li> <li>h. Council may request an applicant to prepare a detailed submission, as outlined above.</li> </ul>
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10.10.5	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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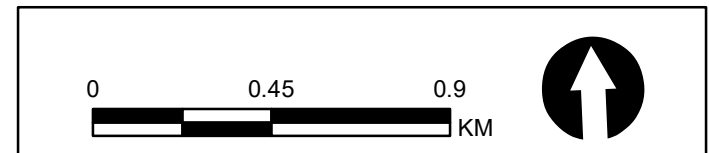


## Legend

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

## 11 - LAND USE DISTRICT MAP

Summer Village of Silver Sands Land Use Bylaw



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



### 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 <sup>2</sup>	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 <sup>1</sup>	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 ( $\geq 15$ m 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 ( $\leq 3$ m)	6 m	See additional requirements for hazardous lands.
Ephemeral watercourse (no defined channel)	0 m	Use by-law 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	

<sup>1</sup> 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).

<sup>2</sup> 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"> <li>The width of the 1:100 year flood line or 30m from the natural boundary of a watercourse or lake, whichever is less.</li> <li>The width of meander belt for watercourses that tend to meander or entire floodplain if it is highly constrained within a confined valley.</li> </ul>	<ul style="list-style-type: none"> <li>Residential development within a floodplain is discouraged.</li> <li>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).</li> <li>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.</li> </ul>
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.	