

SUMMER VILLAGE *of* ISLAND LAKE

Land Use Bylaw | Bylaw 08-2021 | August 2021

LAND USE BYLAW *user* GUIDE

LAND USE BYLAW USER GUIDE

The Land Use Bylaw (LUB) establishes regulations for how land can be developed within the Summer Village of Island Lake. 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, regulations, and policies of the Summer Village of Island Lake (as well as provincial and federal legislation) must also be followed.

The following steps may assist the user of the LUB:

LOCATE	Locate the subject property on the Land Use Districts Map in Section 15. This map divides the Summer Village into four 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 LUB uses the terms “district” and “districting.”
CHECK	Check the Table of Contents and locate the land use district you are interested in. Each land use district is listed in Section 9. 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 1.8 that should also be consulted to ensure that words and terms used in the LUB are understood.
REVIEW	Review the Table of Contents to see if there are any regulations that apply to the situation or use in question. For example, Section 8 contains general and specific regulations affecting accessory buildings, recreational vehicles, sea cans and suites, among many others.
DISCUSS	Discuss your proposal or concern with Summer Village Administration. Administration is trained and eager to assist you with your development, subdivision or general inquiry issues and to explain procedures. They can also assist with other situations such as enforcement or LUB amendments.

Please note that this guide is only intended to assist users and does not form part of the LUB.

LAND USE DISTRICTS

There are five land use districts in the Summer Village of Island Lake Land Use Bylaw:

R1 – Residential Small Lot

R2 – Residential Large Lot

C – Commercial

P – Community Reserve

N – Natural Environment

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ADMINISTRATION *and* PURPOSE

1. ADMINISTRATION AND PURPOSE

1.1 *Title*

1. The title of this bylaw shall be the Land Use Bylaw of the Summer Village of Island Lake.

1.2 *Application*

1. The provisions of this bylaw apply to all lands within the boundaries of the Summer Village of Island Lake.

1.3 *Purpose*

1. The purpose of this bylaw is to regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land, and:
 - a. to divide the municipality into districts;
 - b. to prescribe and regulate for each 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 office of Development Authority;
 - d. to establish a method of making decisions on applications for development permits including the issuing of development permits;
 - e. to provide the manner in which notice of the issuance of a development permit is to be given;
 - f. to establish the number of dwelling units permitted on a parcel of land;
 - g. to protect the shoreline and water quality of Island Lake; and
 - h. to follow adopted statutory plans, the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended; the *Subdivision and Development Regulation*, AR43/2002, as amended; and 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.

1.4 *Conformity with the Land Use Bylaw*

1. No person shall commence any subdivision or development unless it is in accordance with the terms and conditions of this bylaw.

1.5 *Compliance*

1. Compliance with the requirements of this bylaw does not exempt a person from:
 - a. the requirements of any intermunicipal or municipal plans or bylaws;

- b. the requirements of any federal or provincial legislation; and
- c. complying with any easement, covenant, agreement or contract affecting the development.

1.6 Severability Provision

1. It is the intention of the Council that each separate provision of this bylaw shall be deemed independent of all other provisions, and it is further the intention of Council that 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.

1.7 Measurements

1. Within this bylaw, both metric and imperial measures are normally provided, with the imperial measures within brackets.
2. The metric measurement shall take precedence for the purposes of interpretation of this bylaw.
3. Imperial measures are approximate and are provided only for information-

1.8 Definitions

For the purposes of the interpretation of this bylaw:

1.	ACCESSORY BUILDING	means a building which is separate and subordinate to the principal building on a lot, the use of which is incidental to that of the principal building located on the same lot. Accessory buildings include, but are not limited to, sheds, garages, suites and boathouses.
2.	ACCESSORY USE	means a use of land or a building which is subordinate to and is normally incidental to any use of land or use of the principal building lawfully occurring on a site.
3.	ACT (OR, THE ACT)	means the <i>Municipal Government Act</i> , R.S.A. 2000, c M-26, as amended.
4.	ADJACENT LAND	means land that is contiguous to a particular parcel of land and includes: <ol style="list-style-type: none"> a. land that would be contiguous if not for a highway, road, river or stream; and b. any other land identified in this bylaw as adjacent for the purpose of satisfying Section 4.6 of this bylaw.
5.	ADJACENT LANDOWNER	means owners of land that is contiguous to the land that is the subject of an application, and includes owners of: <ol style="list-style-type: none"> a. land that would be contiguous if not for a highway, road, river or stream; and

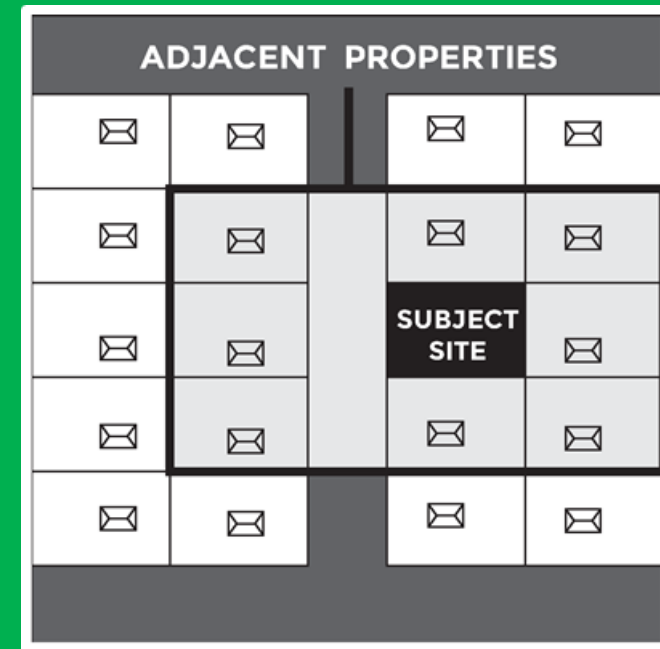


Figure 1: Adjacent Land

		b. any other land identified in this bylaw as adjacent for the purpose of satisfying Section 4.6 of this bylaw.
6.	ADVERTISEMENT	means any word, letter, model, picture, symbol, logo, device or representation on a sign, whether illuminated or not, which is, wholly or in part, for the purpose of advertisement, announcement or direction.
7.	AGRICULTURAL OPERATION	means an agricultural operation as defined in the <i>Agricultural Operation Practices Act</i> , R.S.A. 2000, c. A-7, as amended.
8.	APIARY	means the keeping of honey bees for honey production, and includes a place where bee colonies (beehives) are kept on a site and where raw honey is processed and stored.
9.	APPLICANT	means the person applying for a development permit, who shall be the registered owner(s) of the land to be developed 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.
10.	BASEMENT	means the portion of a building which is wholly or partially below grade, having above grade no more than 1.8 m (5.9 ft.) of its clear height which lies below the finished level of the floor directly above.
11.	BED AND BREAKFAST ESTABLISHMENT	means a development within a dwelling which possesses a dwelling unit where temporary sleeping accommodations, up to a maximum of three bedrooms, with or without meals, are provided for remuneration to members of the public.
12.	BIOPHYSICAL IMPACT ASSESSMENT	means an assessment of potential biophysical impacts from proposed land development and recommend appropriate mitigation measures to inform neighbourhood design and ensure long-term viability of retained Environmentally Significant Areas (ESA) and natural features.
13.	BOAT HOIST	means a hoist installed within a waterbody for the purpose of raising boats and other watercraft from, or lowering into, a waterbody.
14.	BOAT HOUSE	means an accessory building located between the legal bank of the lake and the principle building on the site used primarily for the storage of watercraft and items associated with aquatic recreation. A boat house shall not include suites, and shall not contain cooking, bathing or sleeping facilities.
15.	BUILDING	includes anything constructed or placed on, in, over, or under land but does not include a highway, road or bridge forming part of a highway or road.
16.	BUILDING HEIGHT	see "Height."
17.	BUFFER	means a row of trees, shrubs, berming or fencing to provide visual screening and separation between sites and incompatible land uses.

18.	CAMPGROUND, BASIC	means a development which has been planned and improved to be used and maintained for a seasonal period for campers consisting of stalls or sites which provide, for payment of a fee, a site for the locating of a tent (but not recreational vehicles) for overnight accommodation and may include facilities or amenities subordinate to temporary overnight accommodation.
19.	CAMPGROUND, RECREATION VEHICLE (RV)	means a development which has been planned and improved to be used and maintained for a seasonal period for campers consisting of stalls or sites which provide, for payment of a fee, a site for the locating of a tent or recreation vehicle for overnight accommodation and may include facilities or amenities subordinate to temporary overnight accommodation.
20.	CANNABIS	means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the <i>Cannabis Act</i> and its regulations, as amended from time-to-time and includes edible products that contain cannabis.
21.	CANNABIS ACCESSORY	means an item or object that is commonly used in the consumption or production of cannabis. A cannabis accessory includes, but is not limited to, rolling papers or wraps, holders, pipes, water pipes and vaporizers.
22.	CANNABIS CONSUMPTION FACILITY	means a development, or any part thereof, licensed to sell cannabis to the public for consumption within the premises.
23.	CANNABIS PRODUCTION AND DISTRIBUTION FACILITY	<p>means a development in a stand-alone building used principally for one or more of the following activities as it relates to cannabis:</p> <ol style="list-style-type: none"> the production, cultivation, and growing of cannabis; the processing of raw materials; the making, testing, manufacturing, assembling, destruction or in any way altering the chemical or physical properties of semi-finished or finished goods or products; the storage or trans-shipping of materials, goods and products; or the distribution and sale of materials, goods and products to cannabis retail stores. <p>Medical cannabis production and distribution facilities shall not include storefront retail sales.</p>
24.	CANNABIS RETAIL SALES	means a retail store licensed by the Province of Alberta where cannabis and cannabis accessories are sold to individuals who attend the premises.
25.	CANOPY	means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun.

26.	CARPORT	means a roofed structure used for storing or parking of not more than two private vehicles which has no less than 40% of its total perimeter open and unobstructed.
27.	CARWASH	means a facility used for the cleaning of motor or marine vehicles, such as cars, trucks, boats, recreational vehicles and motorcycles.
28.	CHATTEL	means a moveable item of personal property.
29.	COMMERCIAL USE	means a business through which products, services, or entertainment are available to consumers, whether the general public or other commercial establishments.
30.	CONSTRUCTION MANAGEMENT PLAN	means a plan provided by a development proponent that includes strategies to manage activities during active and post construction phases of a development. Construction management plans include strategies to implement low impact development techniques and best management practices for stormwater management.
31.	COUNCIL	means the Council of the Summer Village of Island Lake.
32.	CURB CUT	means the lowering of a curb, sidewalk or boulevard to provide vehicular access to a parcel.
33.	DAY HOME	means an accessory use within a dwelling unit used to provide care and supervision, for adults or children in accordance with the <i>Child Care Licensing Act</i> , S.A. 2007, c. 10.5, as amended, as well as any other applicable provincial or federal legislation.
34.	DAYCARE CENTRE	means an establishment licensed by the provincial and/or regional child and family services authority intended to provide care, educational services and supervision for children under the age of 15 years for a period less than 24 consecutive hours at a time. This use includes group daycare centres, out-of-school centres, nursery or play schools and drop-in centres which satisfy this definition but does not include: day homes, family care facilities, group homes and group care facilities.
35.	DECK	means any open structure attached to a building having a height greater than 0.6 m (2.0 ft) above grade, and thereby requiring stairs and railings as outlined in regulations approved under the <i>Safety Codes Act</i> . A deck shall not have walls higher than 1.25 m (4.1 ft).
36.	DEMOLITION	means the tearing down, wrecking, destroying, or removal of a development, and is considered a form of development.
37.	DEVELOPER (OR DEVELOPMENT PROPONENT)	means an owner, agent or any person, firm or company required to obtain or having obtained approvals for development or subdivision.
38.	DEVELOPMENT	means: <ul style="list-style-type: none"> a. an excavation or stockpile and the creation of either of them; or

- b. a building or an addition to, or replacement or repair of a building, and the construction or placing in, on, over and under the land of any of them; or
 - c. a change of use of land or 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 use of the land or building; or
 - d. a change in the intensity of the use of land or 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 without restricting the generality of the foregoing, includes:
- e. in the case of a lot used for residential purposes, alterations made to a building or an additional building on the lot, whether or not the building is a dwelling or part of a dwelling unit;
 - f. in the case of a lot used for purposes other than residential, alterations or additions made to a building on the lot or a use of the lot which would increase either the capacity of the building or the intensity of use of the lot;
 - g. the display of advertisements or signs on the exterior of a building or on any land;
 - h. the deposit of earth, debris, waste materials, refuse, or any other material on any land, including land already being used for that purpose, or if the natural topography or drainage is altered;
 - i. any increase in the number of households occupying and living in any building or on any site, and any construction or alterations or additions which would provide for an increase in the number of households which could occupy and live in any building or on any site, including any increase in the number of dwelling units in a building or on a site;
 - j. the placing of refuse or waste material on any land;
 - k. the recommencement of the use to which land or a building has been previously put if that use has been discontinued for a period of more than six months;
 - l. the use of land for the storage or repair of motor vehicles or other machinery or equipment;
 - m. the continued use of land or of a building for any purpose for which it is being used unlawfully when this bylaw comes into effect;
 - n. the demolition or removal of a building;
 - o. the placement of an already constructed or a partially constructed building on a parcel of land;

		<p>p. the use of land for the parking of trailers, bunk houses, portable dwellings, skid shacks, or any other type of portable building whatsoever, whether or not the same has been placed or affixed to the land in any way;</p> <p>q. the removal of topsoil from land;</p> <p>r. the installation of any type of sewage disposal system including, but not limited to, holding tanks; or</p> <p>s. the digging of a well or installation of a water cistern.</p>
39.	DEVELOPMENT AUTHORITY	means the Development Authority established by this bylaw and as appointed by Council.
40.	DEVELOPMENT AUTHORITY OFFICER	means the person(s) appointed to the Office of Development Authority Officer, as established by this bylaw.
41.	DEVELOPMENT PERMIT	means a document authorizing a development issued pursuant to this bylaw.
42.	DISCONTINUED	means the time at which, in the sole opinion of the Development Authority, substantial construction activity, or a non-conforming use or conforming use, or the use of a non-conforming building or conforming building has ceased.
43.	DISCRETIONARY USE	means the use of land or a building provided for in this bylaw for which a development permit may or may not be issued, at the discretion of the Development Authority. Discretionary uses are listed in the districts in which they may be considered.
44.	DOCK	means a structure built over or floating upon a waterbody or shoreline and used as a landing place for boats and other marine transport, fishing, swimming and other water-related recreational uses.
45.	DOMESTIC PET	means an animal which is normally kept inside a dwelling. Domestic pets include dogs, cats, parrots and similar-sized animals, but do not include livestock.
46.	DRINKING ESTABLISHMENT	means an establishment possessing a Class A Minors Prohibited liquor license where the sale and consumption of liquor on site are open to the public and where alcohol, rather than food, is the predominant item consumed. A drinking establishment does not include an entertainment establishment or a cannabis consumption facility.
47.	DWELLING	means any building used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level. This definition shall include single detached dwellings, modular dwellings and manufactured home dwellings, but not suites.
48.	DWELLING, MANUFACTURED HOME	means a dwelling, constructed in or after 1991 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, and further, which conforms to the Canadian

		<p>Standards Association (CSA) A277 and Z-240 Standards (or subsequent CSA Standards).</p> <p>A manufactured home may be a single structure (commonly known as a “single wide”) or two parts which when put together comprises a complete dwelling (commonly known as a “double wide”).</p> <p>A manufactured home does not include a modular home, single detached dwellings, suite or recreational vehicles.</p>
49.	DWELLING, MODULAR	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.
50.	DWELLING, MULTI-UNIT	means a development containing two or more dwelling units and includes residential uses such as duplexes, triplexes and apartment buildings.
51.	DWELLING, SINGLE DETACHED	means a building consisting of one dwelling unit. A single detached dwelling is a dwelling which is normally constructed onsite. However, a single detached dwelling may be constructed in pieces offsite, or even in one piece, with the piece(s) being transported to the site for assembly onsite, and thus may be a modular dwelling. Single detached dwellings do not include manufactured home dwellings or recreational vehicles.
52.	DWELLING UNIT	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.
53.	EASEMENT	means a right to use land, generally for access to other property or as a right-of-way for a public utility.
54.	EATING ESTABLISHMENT, DRIVE-THRU	means an eating establishment where patrons have the option to purchase food and non-alcoholic beverages from their vehicle and will consume the food and beverages offsite.
55.	EATING ESTABLISHMENT	means a commercial development where food and beverages are prepared and served for consumption onsite by the public either outside or inside the confines of the establishment. This use does not include a cannabis consumption facility.
56.	EDUCATION SERVICE	means the assembly for education, training or instruction.
57.	ENVIRONMENTAL RESERVE	means an environmental reserve as determined in accordance with the Act which is land designated as environmental reserve on a plan of subdivision.

58.	ENVIRONMENTAL RESERVE EASEMENT	means an environmental reserve easement as determined in accordance with the Act.
59.	ESTABLISHED GRADE	means the average of the highest (A) and lowest (B) elevation of finished surface of the ground where it meets the exterior main walls of a building or the average elevation of the finished grade of the ground immediately surrounding a structure, exclusive in both cases of any artificial embankment or entrenchment.

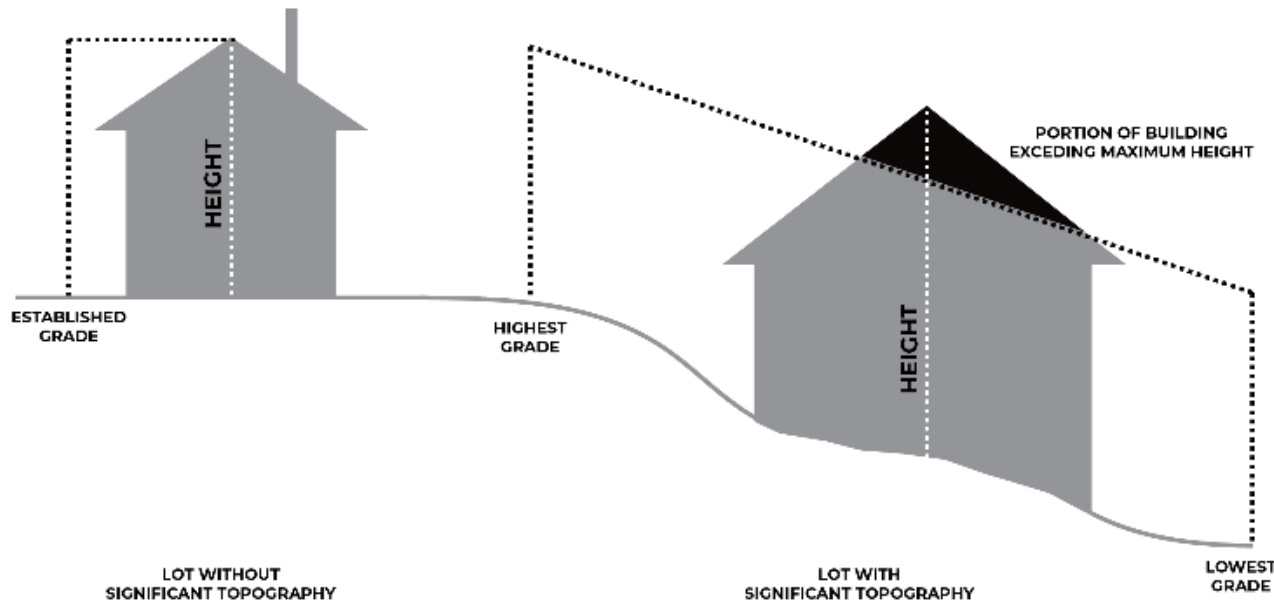


Figure 2: Established Grade

60.	EXCAVATION	means any breaking of ground, except common household gardening and ground care.
61.	EXTERIOR WALL	means the outermost point of a building projection, including, but not limited to, bay windows, oval windows, chimneys and verandas, but not including roof overhangs less than 0.6 m (2.0 ft).
62.	FARM, RURAL	means development for the primary production of farm products such as dairy products, poultry products, cattle, hogs, sheep and other animals; wheat or other grains; and vegetables or other field crops in rural and peri-urban areas. This does not include cannabis production and distribution, unless operating pursuant to a

		registration certificate issued by the federal government for personal production or designated personal production for medical cannabis.
63.	FARM, URBAN INDOOR	means the cultivation and harvesting of plant and/or animal products primarily within enclosed buildings for the primary purpose of wholesale or retail sales. Accessory activities may include onsite sales, composting of plants grown onsite, outdoor storage and food packaging and processing. Typical activities include vertical farms, hydroponic systems and aquaponics systems. This use does not include livestock operations, rural farms, urban outdoor farms or cannabis production and distribution, unless operating pursuant to a registration certificate issued by the federal government for personal production or designated personal production for medical cannabis.
64.	FARM, URBAN OUTDOOR	means the cultivation and harvesting of plant and/or animal products in urban areas, primarily as an interim use on idle or underused land for the primary purpose of wholesale or retail sales. Cultivation and harvesting may occur within unenclosed structures primarily lit by natural light and used for the extension of the growing season, such as cold frames and greenhouses. Accessory structures may include those used for the operation of the site. Accessory activities may include onsite sales, composting of plants grown onsite or outdoor storage. This use does not include livestock operations, rural farms or cannabis production and distribution, unless operating pursuant to a registration certificate issued by the federal government for personal production or designated personal production for medical cannabis.
65.	FENCE	means a physical barrier constructed from typical building material for the purpose of providing aesthetic decoration, visual screening, sound abatement or to prevent unauthorized access.
66.	FIRESMART	means a program developed in Alberta by Partners in Protection (or any successor program thereto) to educate stakeholders on the risks of developing in the Wildland Urban Interface and methods to reduce the risk of wildfire to developments.
67.	FOUNDATION	means the lower portion of a building and includes the footings which transfer the weight of and loads on a building to the ground. Though normally below grade, a foundation may be above or at grade.
68.	FRAGMENTED PARCEL	means a parcel of land that is separated from the balance of a titled area by a natural barrier such as a water body or a coulee, or by a physical barrier such as a road or highway, either of which may prohibit reasonable or normal access.
69.	GARAGE	means an accessory building or that part of a principal building which is designed and/or used primarily for the storage of motor vehicles, recreational vehicles, and other chattels.

70.	GAS BAR	means development used for the retail sale of gasoline, other petroleum products and incidental auto accessories. This use does not include service stations.
71.	GEOTECHNICAL ASSESSMENT	means an assessment prepared by a certified engineering geologist, detailing the surface and subsurface conditions of a site and delineating areas of a property that might be subject to specified geologic hazards.
72.	GLASS LINE	means the line created within the wall of a building measured from the center of the windowpane glass.
73.	GRADE	<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"> if the applicant can show by reference to reliable surveys that the predevelopment elevation of the subject parcel varies by no more than 1 m in 30 linear m, the Development Authority may determine grade by calculating the average of the highest and lowest elevation on the parcel; or the Development Authority may determine grade by calculating the average of the predevelopment elevations at the corners of the parcel as shown on a reliable survey; or the Development Authority may determine grade by calculating the average elevation of the corners of the main buildings on all properties abutting the subject parcel.
74.	GREENHOUSE	means the growing, storage and basic processing of fruits, vegetables, household and ornamental plants, and may include the sales or their products or by-products. This use does not include cannabis grown for medical or recreational purposes.
75.	GROSS FLOOR AREA	means the total area of all floors of all buildings on a site above grade within the outside surface of exterior walls or within the glassline of exterior walls and the centreline of fire walls, but not including the floor area of basements, attached garages, accessory buildings, open porches or breezeways-
76.	GUEST HOUSE	see "Suite, Guest House."
77.	HEIGHT	means the vertical distance of a building measured from the average grade to the highest point of the building. 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.
78.	HEAVY VEHICLE	See "Vehicle, Heavy."
79.	HIGHWAY	means a highway or proposed highway that is designated as a highway pursuant to the <i>Public Highways Development Act</i> , R.S.A. 2000 C. P-38 as amended.

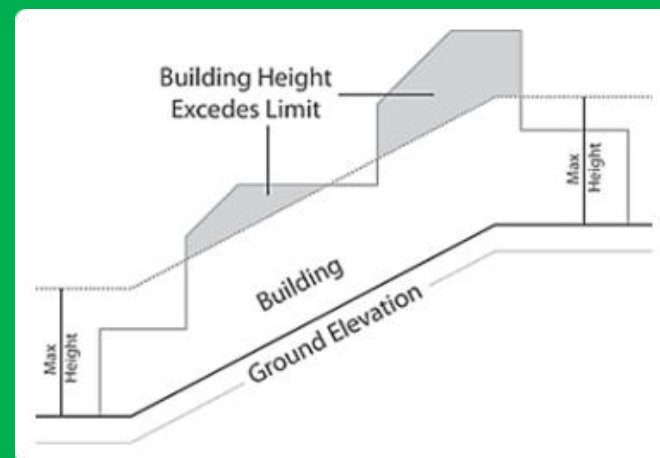


Figure 3: Height

80.	HISTORIC RESOURCE	means a building, structure, or area designated by a municipal, provincial or federal authority to be historically significant.
81.	HISTORICAL RESOURCES IMPACT ASSESSMENT	means a document prepared by a qualified professional that determines the presence of historical resources in potential conflict with a proposed subdivision or development, as required by the <i>Historical Resources Act</i> .
82.	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 an approved accessory building by a permanent resident of the dwelling. A major 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. Major home occupations may generate some external impacts on the neighbourhood due to regular business activities. These impacts may include traffic generation due to client visits to the site, dust, noise due to use of equipment on the site, or visual impacts due to outdoor storage.</p> <p>A major home occupation does not include adult entertainment services, day homes, bed and breakfast establishments, dating or escort services or veterinary services.</p>
83.	HOME OCCUPATION	<p>means any business, occupation, trade, profession or craft that is carried on as a secondary use within a dwelling (but not an approved accessory building) by a permanent resident of the dwelling. 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 home occupation does not include adult entertainment services, bed and breakfast establishments, dating or escort services or veterinary services.</p>
84.	HOTEL (OR MOTEL)	means a development where members of the traveling public are lodged for brief periods of time, normally not exceeding seven days, in rentable units. A hotel may not include eating establishments, drinking establishments, meeting rooms, personal services shops, retail stores and entertainment establishments unless specifically allowed as provided for in an approved development permit and specifically approved by the Development Authority.
85.	HYDRO-GEOLOGICAL ASSESSMENT	mean an assessment of additive and cumulative demands on water resources from a proposed land use or development on a defined assessment area, prepared by a qualified professional.
86.	INSTITUTIONAL USE	means the use of land, buildings or other structures for non-commercial public or social purpose. Uses include but are not limited to libraries and cultural exhibits, community halls, information kiosks, memorials and cemeteries, but do not include detoxification centres or remand and/or correction centres.

87.	KENNEL	means a development in which domestic pets are maintained, boarded, trained, cared for, bred or raised for remuneration or for sale, or the keeping of more than one unsprayed female domestic pet over the age of six months.
88.	LANDSCAPING	means the modification and enhancement of a site through the use of any or all of the following elements: <ul style="list-style-type: none"> a. “soft-landscaping” consisting of vegetative materials such as trees, shrubs, hedges, grass, ground cover, wood chips and gardens; b. “hard-landscaping” consisting of non-permeable materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt.
89.	LINE, FRONT	means the boundary line of a lot lying adjacent to a highway or road. In the case of a corner lot, the shorter of the two boundary lines adjacent to the highway or road shall be considered the front line.
90.	LINE, REAR	means the boundary line of a lot lying opposite to the front line of the lot and/or farthest from a highway or road.
91.	LINE, SIDE	means the boundary line of a lot lying between a front line and a rear line of a lot. In the case of a corner lot, the longer of the two boundary lines adjacent to the road shall be considered a side line.
92.	LIVESTOCK	is as defined in the <i>Agricultural Operation Practices Act</i> .
93.	LIVESTOCK OPERATION	is as defined in the <i>Agricultural Operation Practices Act</i> .
94.	LOADING SPACE	means an off-street area on the same lot as a building or group of buildings for the temporary parking of a commercial vehicle while commodities are being loaded or unloaded.
95.	LOT	means: <ul style="list-style-type: none"> a. a quarter section; b. a river lot or a lake lot shown on an official plan referred to in the <i>Surveys Act</i> that is filed or lodged in a land titles office; c. a settlement lot shown on an official plan referred to in the <i>Surveys Act</i> that is filed or lodged in a land titles office; d. a part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in the Certificate of Title other than by reference to a legal subdivision; or e. a part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in the Certificate of Title by reference to a plan of subdivision;

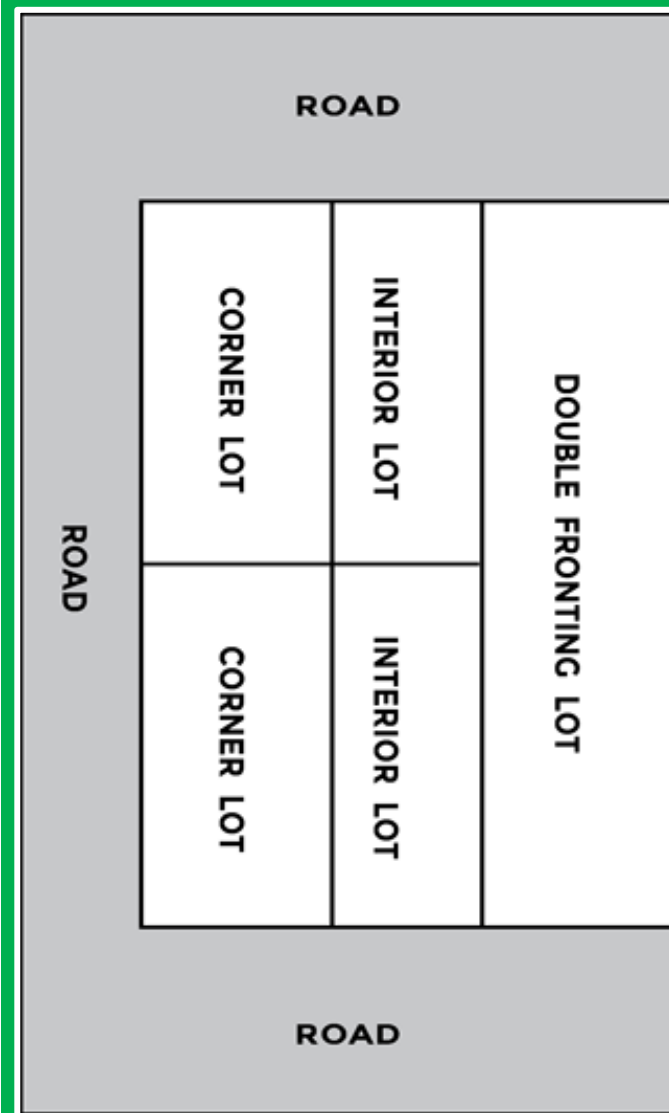


Figure 4: Examples of Lots

96.	LOT AREA	means the total area of a lot as shown on a plan of subdivision or described in a certified copy of a Certificate of Title. Lot area includes any area dedicated to an easement or a right-of-way.
97.	LOT, CORNER	means a lot with boundary lines on two separate roads or highways or a single road or highway that curves at an angle of 60 degrees or more at the subject lot. For the purposes of this definition, a road or highway shall include a lane.
98.	LOT COVERAGE	means the combined area covered by all buildings, structures, and non-permeable surfaces on a lot, expressed as a percentage of the lot area, measured as the area of the projection of the outline of the buildings, structures, and surfaces onto a horizontal plane.
99.	LOT DEPTH	means the average distance between front and rear lines of a lot.
100.	LOT, DEVELOPED	means a lot on which a habitable single detached dwelling has been constructed.
101.	LOT, DOUBLE FRONTING	means a lot which abuts two 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 where abutting the lot, but does not include a corner lot.
102.	LOT, INTERIOR	means a lot which is bordered by only one road.
103.	LOT, LAKEFRONT	means a lot adjacent to a waterbody (or would be adjacent to a waterbody if not for a reserve lot or public/Crown land parcel).
104.	LOT, UNDEVELOPED	means a lot which does not contain a residence, building or structure.
105.	LOT, WIDTH	means the length of a line parallel to the front line or, in a lot with a curved front line, perpendicular to a line running between the mid-point of the front line and the mid-point of the rear line, measured at a distance from the front line equal to the minimum required front yard.
106.	MAIN BUILDING	see "Principal Building."
107.	MAIN USE	see "Principal Use."
108.	MAINTENANCE	means the upkeep of the physical form of any building, which upkeep does not require a permit pursuant to the <i>Safety Codes Act</i> . Maintenance will include painting, replacing flooring, replacing roofing materials and repair of any facility related to a development, but will not include any activity that will change the habitable floor area of any dwelling unit or the internal volume of any building.
109.	MAY	is an operative word meaning a choice is available, with no particular direction or guidance intended.
110.	MUNICIPALITY	means the Summer Village of Island Lake unless otherwise noted.

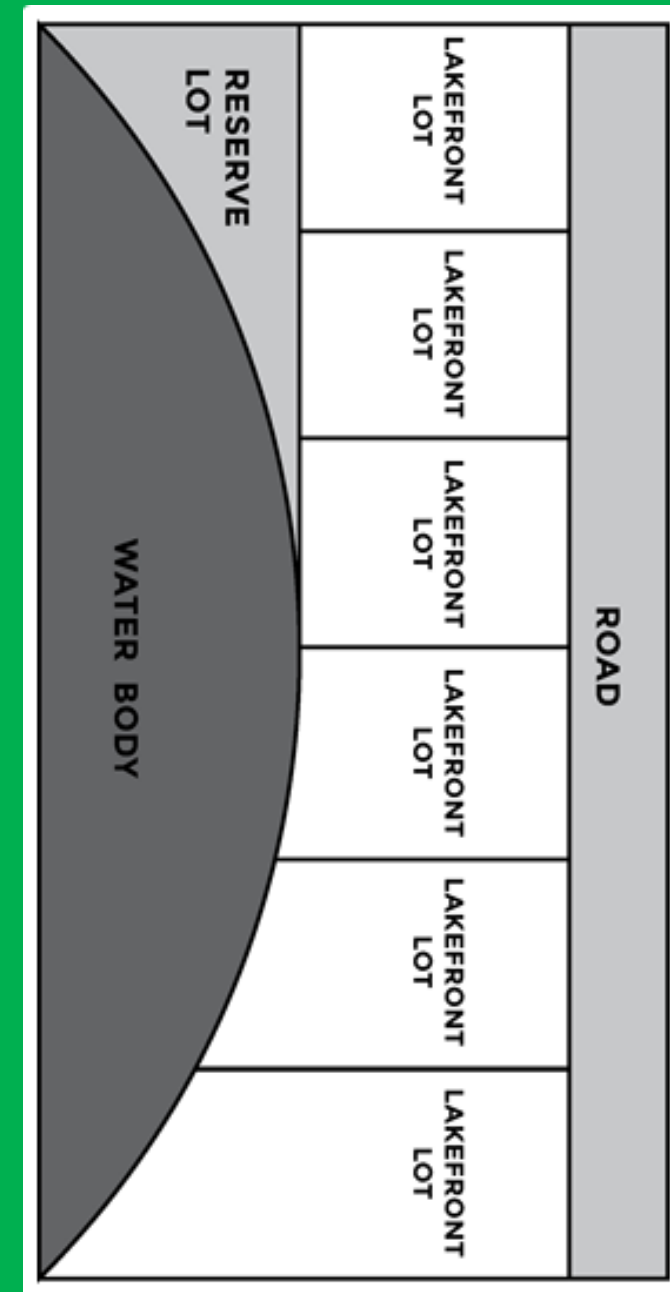


Figure 5: Examples of Lakefront Lots

111.	MUNICIPAL BUILDING AND USE	means a building or use owned, operated or predominantly utilized by a municipality in order to provide public services to the municipality.
112.	NATURAL OPEN SPACE AREAS	means areas of protected or conserved land or water on which development is indefinitely set aside. The purpose of an open space area may include the preservation or conservation of a community's natural or historic character; and the conservation or preservation of a land or water area for the sake of recreational, ecological, environmental, aesthetic, or agricultural interests.
113.	NATURAL RESOURCE EXTRACTION AND PROCESSING	means an industry engaged in the extraction of natural resources such as clay, sand, gravel, coal, peat, petroleum and natural gas, and which may include the processing of these through primary treatment into a raw marketable form.
114.	NON-CONFORMING BUILDING	means a building that: <ul style="list-style-type: none"> a. is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or the land on which the building is situated becomes effective; and b. on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw.
115.	NON-CONFORMING USE	means a lawful specific use: <ul style="list-style-type: none"> a. being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective; and b. that on the date the land use bylaw becomes effective does not, or in the case of a building under construction, will not, comply with the land use bylaw;
116.	NON-PERMEABLE SURFACE	means any man-made surface which does not allow the absorption of water into the ground at a predevelopment rate. A non-permeable surface consists of materials such as (but not limited to) roofing materials, concrete, asphalt, unit pavers and compacted gravel;
117.	NUISANCE	means any use of, or activity upon, any property which in the opinion of a Designated Officer of the summer village, the Province of Alberta, or the Royal Canadian Mounted Police is dangerous to health, or has or may have a detrimental impact upon any person or other property in the neighbourhood, or which creates an unreasonable interference with the use or enjoyment of other property, and without limiting the generality of the foregoing, includes the posting or exhibiting of posters, signs, billboards, placards, writings or pictures upon any fence or wall on any property, where the same are accumulated and become in a dilapidated and

		unsightly condition whether or not their posting or exhibiting is permitted by this or any other bylaw;
118.	OCCUPANCY	means the use or intended use of a building or a part thereof for the shelter or support of persons or property;
119.	OCCUPANT	means any person occupying or having control over the condition of any property and the activities conducted on the property, and includes the owner, lessee, tenant or agent of the owner;
120.	OFFENSIVE OR OBJECTIONABLE	means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of noise; vibration; smoke; dust or other particulate matter; odour; toxic or non-toxic matter; radiation; fire or explosion hazard; heat; humidity; glare; or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or become a nuisance, or hazardous or injurious as regards health or safety, or which adversely affects the amenities of the neighbourhood, or interferes with or may interfere with the normal enjoyment of any land, building or structure;
121.	ONSITE SEWAGE DISPOSAL SYSTEM	means a non-municipal onsite sewage containment system that satisfies regulations made pursuant to the <i>Alberta Safety Codes Act</i> , R.S.A. 2000, which may include a holding tank, septic tank or evaporation mound.
122.	OPEN SPACE	means land and water areas which are retained in an essentially undeveloped state and often serve one or more of the following uses: conservation of resources; ecological protection; recreation purposes; historic or scenic purposes; enhancement of community values and safety; and/or maintenance of future land use options.
123.	OWNER	means: <ul style="list-style-type: none"> a. in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or b. in the case of any other land, the person shown as the owner of the lot on the current Certificate of Title.
124.	PARK	means an outdoor area where passive and active recreation activities may take place, and which may include the placement of recreational equipment.
125.	PARKING AREA	means the area set aside for the storage and/or parking of vehicles and include parking stalls, loading spaces, aisles, entrances and exits to the parking area, and traffic islands where they are part of the parking area. A parking area may be within a building.
126.	PARKING, OFF-STREET	means an area for the parking vehicles that is located on a lot and not on a highway or road, or the right-of-way for a highway or road.

127.	PARKING STALL	means a designated space for the parking of one vehicle in a parking area.
128.	PARK MODEL	means a recreational vehicle conforming to CSA standards or an equivalent, which may be mounted on a single chassis or wheels; which can be relocated from time-to-time; which has a maximum length of 12.8 m (42.0 ft) and a maximum width of 3.66 m (12.0 ft), excluding all extensions, pull outs, tip outs, etc.
129.	PERMITTED USE	means the use of land or a building provided for in a land use bylaw for which a development permit shall be issued upon application having been made, provided that all of the regulations of this bylaw have been met to the satisfaction of the Development Authority.
130.	PRINCIPAL BUILDING (OR DWELLING)	means a building in which, in the sole opinion of the Development Authority, is the main or principal use of the lot on which it is erected is conducted. There shall only be one principal building on a site. A recreational vehicle, which is not a dwelling, shall not be considered the principal building on a site.
131.	PRINCIPAL USE	means the use which, in the sole opinion of the Development Authority, is the main or principal use of the lot on which the use is located.
132.	PUBLIC OR QUASI-PUBLIC BUILDING	means a building which is owned or leased by a department or agency of the federal or provincial government or the municipality for purposes of public administration and services and shall also include a building for the purpose of assembly, instruction, culture or enlightenment, or for community-related activities.
133.	PUBLIC OR QUASI-PUBLIC USE	means a use undertaken by a department or agency of the federal or provincial government or the municipality for public administration and services and shall also include uses for the purpose of assembly, instruction, culture or enlightenment, or for community-related activities.
134.	PUBLIC RECREATIONAL FACILITIES AND USES	means day use areas, picnic sites and other similar uses.
135.	PUBLIC UTILITY	means a public utility, as defined in the Act.
136.	RECREATIONAL VEHICLE	means a vehicular type unit primarily designed as temporary living quarters for recreational camping, or travel use, which either has its own motor power or is mounted or drawn by another vehicle. A recreational vehicle may be, but is not limited to: a tent trailer, travel trailer, a fifth wheel trailer, park model trailer, truck camper or motor home. A recreational vehicle is not a dwelling, but shall be considered to be a dwelling unit when calculating lot density.

137.	RENOVATION	means an addition to, deletion from, or change to any building which does not require a permit other than a plumbing, gas or an electrical permit pursuant to the <i>Safety Codes Act, R.S.A. 2000, c. S-01</i> , as amended.
138.	RESERVE	means a parcel of land owned and subject to the management of the municipality and reserved for use as natural environment preservation areas, walkways or parks and playgrounds separating areas used for different purposes, and registered at an Alberta Land Titles Office as reserve, environmental reserve or municipal reserve parcels.
139.	RESERVE, COMMUNITY SERVICES	means land designated Community Services Reserve (CSR) that may be used for community services (e.g. library, fire station, etc.), pursuant to the <i>Act</i> .
140.	RESERVE, CONSERVATION	means land designated Conservation Reserve (CR) that could not be required to be provided as environmental reserve, but which has environmentally significant features and which the municipality wishes to protect and conserve, pursuant to the <i>Act</i> .
141.	RESERVE, ENVIRONMENTAL	means land designated Environmental Reserve (ER) pursuant to the <i>Act</i> , when a subdivision occurs in an area where some of the land is undevelopable due to environmental factors.
142.	RESERVE, MUNICIPAL	means land owned by the Summer Village and designated as Municipal Reserve (MR) as defined under the <i>Act</i> . MR land does not include Environmental Reserve or School Reserve as defined in the <i>Act</i> .
143.	RESERVE, MUNICIPAL AND SCHOOL	means land designated Municipal and School Reserve (MSR) that may be used for municipal and school purposes, pursuant to the <i>Act</i> .
144.	RESERVE, SCHOOL	means land designated School Reserve (SR) that may be used for school purposes, pursuant to the <i>Act</i> .
145.	RESIDENTIAL USE	means the occupation and use of land and buildings as dwellings, whether on a seasonal or year-round basis.
146.	RETAIL ESTABLISHMENT	means a development used for the retail sale of a wide variety of consumer goods including the following and such similar uses as: groceries and beverages, electronic goods, furniture and appliances, hardware and home improvement supplies, household goods, printed matter, confectionary, pharmaceutical and personal care items, office supplies, stationary, etc. This use does not include cannabis retail sales.
147.	RETAIL STORE, DRUG PARAPHERNALIA	means a development used for the retail sale of any product, equipment, thing or material of any kind primarily used, or intended to be primarily used, to produce, process, package, store, inject, ingest, inhale or otherwise introduce into the human

		body, a controlled substance as defined in the <i>Controlled Drugs and Substances Act</i> , R.5.C. This land use does not include: a licensed pharmacy under Section 5 of the <i>Pharmacy and Drug Act</i> , R.S.A. 2000, c P-13; a medical practice, operated by a physician, dentist or pharmacist as defined in the <i>Health Professions Act</i> , R.S.A., c. H-7; or a veterinary practice, as defined in the <i>Veterinary Profession Act</i> , R.S.A. 2000, c. V-2.
148.	RETAINING WALL	means a structure designed and constructed to resist the lateral pressure of soil, loose rock, or similar material, which creates a change to site grades.
149.	ROAD (OR ROADWAY)	means land: <ul style="list-style-type: none"> a. shown as a road on a plan of survey that has been filed or registered in an Alberta Land Titles Office; or b. used as a public road and includes a bridge forming part of a public road and any structure incidental to a public road.
150.	SEA CAN	means a container which is used as a storage vault and includes sea/land/rail shipping containers.
151.	SECONDARY SUITE	See "Suite, Secondary."
152.	SERVICE STATION	means development used for the repair and sale of vehicle parts and accessories. Service stations may include a convenience retail store and/or car wash. Service stations do not include gas bars.
153.	SETBACK	means a distance additional to minimum yard requirements which may be required on parcels adjacent to the roads.
154.	SHALL	is an operative word which means the action is obligatory.
155.	SHORELINE	means the line of the bed and shore of a waterbody.
156.	SHOULD	is an operative word which means that, in order to achieve local goals and objectives, it is strongly advised that the action be taken. Exceptions shall be made only under extenuating circumstances
157.	SINGLE FAMILY DWELLING	see "Dwelling, Single Detached."
158.	SIGN	means any word, letter, model, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction and its supporting structure.
159.	SIMILAR USE	means a use which, in the opinion of the Development Authority, closely resembles another specified use with respect to the type of activity, structure and its compatibility with the surrounding environment.

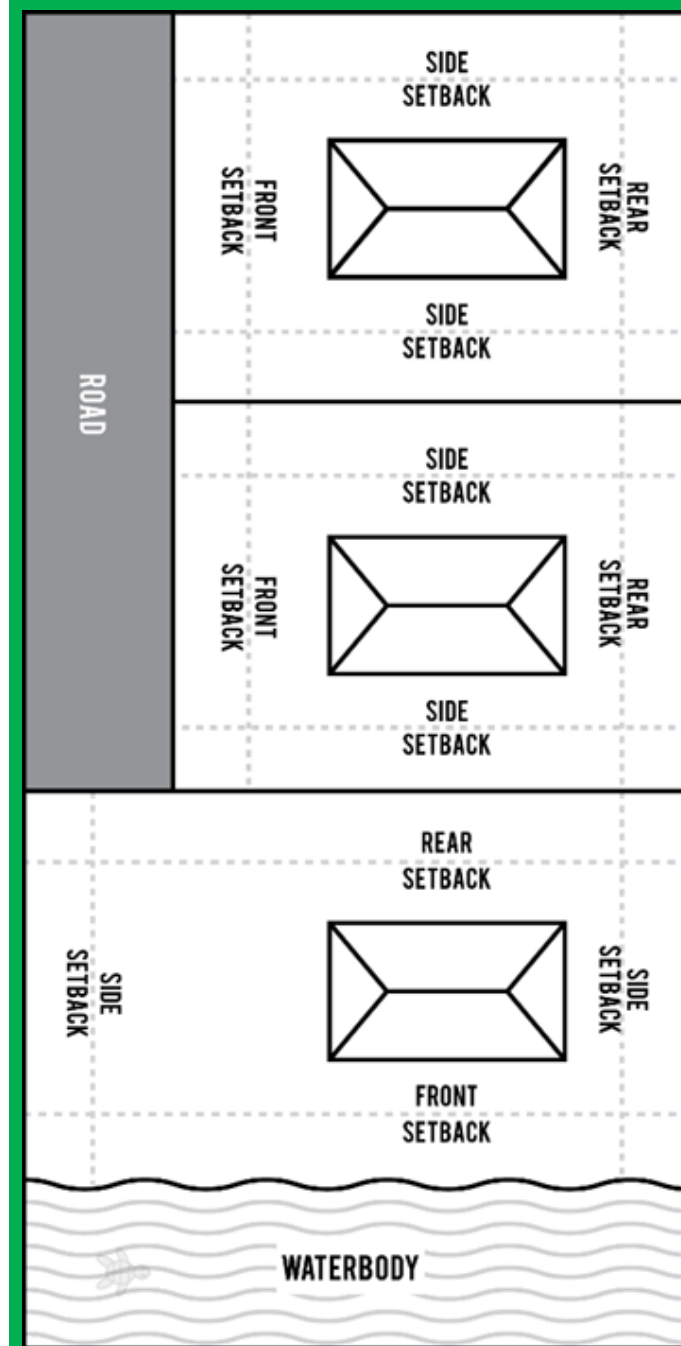


Figure 6: Example of Setbacks

160.	SITE	means a lot or parcel on which a development exists or for which an application for a development permit is made.
161.	SITE BUILT	means a building that is constructed primarily on its site. Although some components may be prefabricated off-site, the building is erected, framed and finished on location using stock materials.
162.	SITE, CORNER	means a part of a lot adjacent to two separate roads or lanes, or any combination of them, or adjacent to a single road or lane that curves at an angle of 60 degrees or more at the subject lot. The corner site shall be the triangular area formed by the intersecting road or lane right-of-way boundary lines and a straight line joining points on the road or lane right-of-way boundary line a distance of 6.0 m (19.7 ft) from their intersection.
163.	SITE PLAN	means a plan drawn to scale showing the boundaries of the lot, the location of all existing and proposed buildings upon that lot, and the use or the intended use of the portions of the lot on which no buildings are situated, and showing fencing, screening grassed areas, and the location and species of all existing and proposed shrubs and trees within the development.
164.	SOLAR ENERGY CONVERSION SYSTEM	means the complete system required to convert solar rays into useable electricity for private use, including solar panels, mounting equipment and additional required conversion electronics.
165.	SUBDIVISION AUTHORITY	means a subdivision authority established and appointed pursuant to Summer Village bylaw and the <i>Act</i> .
166.	SUBDIVISION AND DEVELOPMENT APPEAL BOARD	means the Subdivision and Development Appeal Board established by the Council in accordance with the Subdivision and Development Appeal Board Bylaw adopted pursuant to the <i>Act</i> .
167.	SUBSTANDARD LOT	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.
168.	SUITE, BASEMENT	means a self-contained dwelling unit, in the basement of a single family dwelling, having a common access with a dwelling unit on the main floor.
169.	SUITE, GARAGE	means a sleeping facility for temporary usage located within a detached garage and located on a parcel with an existing single-detached dwelling. A garage suite may have a bathroom, but shall not have a kitchen or other cooking facilities.
170.	SUITE, GUEST HOUSE	means an accessory building (or portion of an accessory building) containing sleeping facilities for temporary usage only and may have a bathroom, but shall not have a kitchen or other cooking facilities. A guest house provides additional accommodation for an existing single-detached dwelling located on the same parcel.

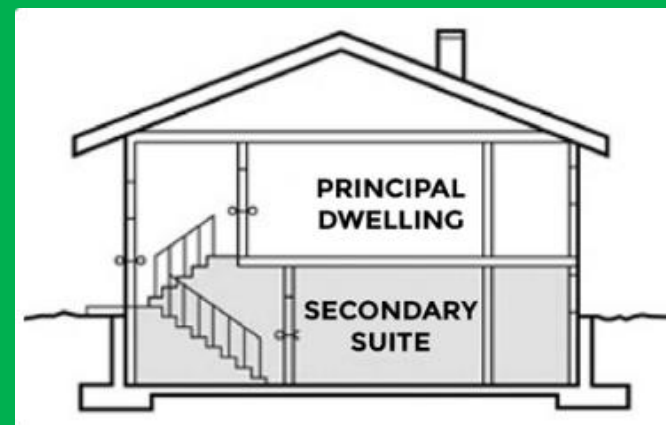
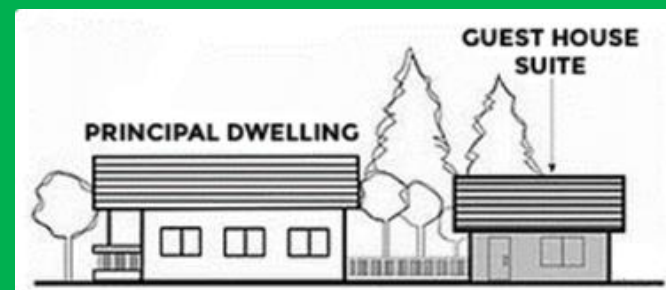


Figure 7: Examples of Suites

171.	SUITE, SECONDARY	means a self-contained dwelling unit located within a single detached dwelling, and may include cooking, sleeping and sanitary facilities.
172.	SUITE, SURVEILLANCE	means a portable dwelling unit forming part of a development and used solely to accommodate a person(s) related as a family, or employee whose official function is to provide surveillance for the maintenance and safety of the development.
173.	TEMPORARY	means a period of time up to one year, or a period of time determined by the Development Authority.
174.	TEMPORARY DEVELOPMENT	means a development for which a development permit has been issued and which is to exist for a limited time only, as determined by the Development Authority and indicated in the conditions of the development permit.
175.	TEMPORARY USE	means a use that has been allowed to be located and/or operate for a limited time only.
176.	TRAILER	means a licensed portable vehicular structure enclosed or unenclosed, that is designed to be attached to or drawn by a motor vehicle and to transport property, household goods, tools, equipment, supplies, off highway vehicles, etc. For the purposes of this definition, a recreational vehicle is not a trailer.
177.	UNDEVELOPED LOT	means a lot which does not contain a residence, building or structure.
178.	USE	means the purpose or activity for which a site, a parcel of land, or a lot and any buildings located on it are designed, arranged, developed, or intended, or for which it is occupied or maintained.
179.	UTILITY	means a building, system or works to provide water, steam, sewage disposal, transportation, irrigation, drainage, fuel, electric power, heat, waste management and telecommunications for public consumption, benefit or use.
180.	VEHICLE, HEAVY	means any vehicle, with or without a load, that exceeds a maximum gross vehicle weight of 4,500 kg (10,080 lbs) or higher, or a bus with a designated seating capacity of more than 10. Heavy vehicles do not include recreational vehicles.
181.	WASTEWATER	means the composite of water and water-carried waste from a premises or any other source.
182.	WATERBODY	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.
183.	WATER COURSE	is 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.
184.	WETLAND ASSESSMENT	means an assessment prepared by a qualified professional and submitted with <i>Water Act</i> applications where impacts to a wetland will occur. A wetland assessment includes the identification and classification of wetlands, the delineation of the wetland boundaries, and the results of the on and offsite Alberta Wetland Rapid Evaluation Tool.
185.	WIDTH	means the length of a line parallel to the front line or, in a lot with a curved front line, perpendicular to a line running between the midpoint of the front line and the midpoint of the rear line, measured at a distance from the front line equal to the minimum required front yard.
186.	YARD	means a part of a lot upon or over which no principal building is erected unless otherwise provided in this bylaw.
187.	YARD, FLANKING	means (in the context of a corner lot) the longer of the two lines facing a street, unless both are of equal length. If both are of equal length, then either lot line could be considered a flanking yard (but not both).
188.	YARD, FRONT	means that portion of the site extending across the full width of the site and lying between the front lot 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.
189.	YARD, REAR	means that portion of the site extending across the full width of the site and lying between the rear lot line and the exterior wall(s) of the main building situated on the site. For lakefront lots, the rear yard is the yard furthest from the lake.
190.	YARD, SIDE	means that portion of the site extending from the front yard to the rear yard and lying between the side lot line and the nearest portion of the exterior wall(s) of the main building.

and all other words and expressions have the meanings respectively assigned to them in the *Act* or in other acts of the legislature or in common law.

AMENDING *the* LAND USE BYLAW

2. AMENDING THE LAND USE BYLAW

2.1 *Process*

1. Subject to the *Act*, any section this bylaw may be amended in accordance with this bylaw.
2. Council may at any time initiate an amendment to this bylaw by directing the Development Authority Officer to initiate an application therefore.
3. All applications for amendment to this bylaw shall be accompanied by the following:
 - a. a statement of the specific amendment requested;
 - b. the purpose and reasons for the application;
 - c. if the application is for a change of district:
 - i. the legal description of the lands;
 - ii. a plan showing the location and dimensions of the lands; and
 - iii. 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 30 days of application;
 - d. the applicant's interest in the lands; and
 - e. an application fee to be established by resolution of council.
4. If the amendment is for the redistricting of land, the Development Authority Officer may require:
 - a. a conceptual scheme (or Area Structure Plan) for the area to be redistricted, to the level of detail specified by the Development Authority Officer that provides Council with information to determine:
 - i. if the site is suitable for the intended use;
 - ii. if the site can be reasonably and cost effectively serviced; and
 - iii. that the proposed amendment will not unduly impact the rights of adjacent landowners to use and enjoy their property;
 - b. payment of a fee equal to the costs incurred by the municipality to review the proposed redistricting and/or related conceptual scheme, or if necessary to prepare a conceptual scheme; and
 - c. technical studies requested by the Development Authority Officer to assess site suitability and servicing requirements.
5. Upon receipt of an application to amend this land use bylaw, the Development Authority Officer shall analyze the potential impacts of development that would result from the proposed amendment. This analysis must consider the full development potential for the proposed amendment and shall, among other things, consider the following impact criteria:
 - a. relationship to and compliance with approved statutory plans and Council policies;

- b. relationship to and compliance with approved statutory plans, outline plans, or plans in preparation;
 - c. compatibility with surrounding development in terms of land use function and scale of development;
 - d. traffic impacts;
 - e. relationship to (or impacts on) water and sewage systems, and other public utilities;
 - f. relationship to municipal lands, rights-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.
6. Upon receipt of an application to amend the Land Use Bylaw, the Development Authority Officer 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. notify by mail 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; all directly adjacent property owners; and to 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.
7. At the same time as forwarding the application for amendment to Council, the Development Authority may, at its sole discretion, refer the application for further information to any person or agency it wishes.
8. In considering an application for amendment to this bylaw, the Council may, at its sole discretion:
- a. refuse the application; or
 - b. refer the application for further information; or
 - c. pass first reading to a bylaw to amend this bylaw, with or without amendments; or
 - d. defeat first reading of a bylaw to amend this bylaw; or
 - e. pass first reading of an alternative amendment to this bylaw.
9. Following its first consideration, the Council shall establish the date, time and place for a public hearing on the proposed amendment.
10. Following establishment of the date, time and place for a public hearing, the Development Authority, on behalf of the municipality, shall issue a notice of the public hearing by:

- a. publishing notice at least once a week for two consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed bylaw relates; or
 - b. mailing or delivering notice to every residence in the area to which the proposed bylaw relates.
- 11. A notice of a public hearing must be advertised at least five days before the public hearing occurs.
- 12. A notice must contain:
 - a. a statement of the general purpose of the proposed bylaw and public hearing;
 - b. the address where a copy of the proposed bylaw and any document relating to it or the public hearing may be inspected; and
 - c. the date, place and time where the public hearing will be held.
- 13. In the case of an amendment to change the Land Use District designation of a parcel of land, the Development Authority Officer must, in addition to the requirements of Section 2.1.12:
 - 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 2.1.12 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 2.1.12 to each owner of adjacent land at the name and address shown for each owner on the tax roll of the municipality.
- 14. If the land referred to in Section 2.1.13 is in an adjacent municipality, the written notice must be given to that municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of that municipality.
- 15. Notwithstanding Section 2.1.14, the Land Use Bylaw may be amended 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. 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 and whom the Council agrees to hear.
- 16. 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.

17. 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.
18. 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 Authority; and
 - d. the adjacent municipality, if it received a copy of the proposed bylaw, pursuant to Section 2.1.14.

2.2 *Forms*

1. All applications for amendment to this bylaw shall be made to the Council on the form provided by the municipality.

AUTHORITIES *and* AGENCIES

3. AUTHORITIES AND AGENCIES

3.1 *Development Authority*

1. The Development Authority for the Summer Village of Island Lake is hereby established.
2. The Development Authority shall be appointed by resolution of Council.
3. The Development Authority shall perform such duties that are specified in this bylaw.
4. The Development Authority shall be:
 - a. the Development Authority Officer; and
 - b. the Municipal Planning Commission (MPC), with their duties and responsibilities as described elsewhere in this bylaw.
5. If the Development Authority Officer is to be making the decision on a development permit application, the term "Development Authority", when used in this bylaw, shall be the Development Authority Officer.
6. If MPC is to be making the decision on a development permit application, the term "Development Authority," when used in this bylaw, shall be MPC.
7. The MPC shall be authorized to decide upon all development permit applications referred to it by the Development Authority Officer and to issue such orders that it sees fit.

3.2 *Development Authority Officer*

1. The position of designated officer for the limited purpose of exercising the powers, duties and functions of a Development Authority Officer for the Summer Village of Island Lake is hereby established.
2. Development Authority Officer(s) shall be appointed by resolution of the council.
3. A Development Authority Officer shall perform such duties that are specified in this land use bylaw, including among other things:
 - a. keeping and maintaining for the inspection of the public a copy of this land use bylaw and all amendments thereto;
 - b. keeping a register of all applications for development, including the decisions thereon and the reasons therefore. This information will be released to the public upon request in accordance with the *Freedom of Information and Protection of Privacy Act*;
 - c. collect fees according to the Summer Village of Island Lake Fees and Charges Bylaw;
 - d. sign, on behalf of the Development Authority, any order, decision, approval, notice or other thing made or given by it.

3.3 Subdivision Authority

1. The Subdivision Authority of the Summer Village of Island Lake shall be established by the municipality's Subdivision Authority Bylaw.
2. The Subdivision Authority shall be appointed by resolution of Council.
3. The Subdivision Authority shall perform such duties as are specified in this bylaw and the Subdivision Authority Bylaw.

3.4 Subdivision and Development Appeal Board

1. The Subdivision and Development Appeal Board established by the Summer Village's Subdivision and Development Appeal Board bylaw shall perform such duties as are specified in Section 6 of this bylaw.

3.5 Summer Village Council

1. The Council shall perform such duties as are specified for it in this bylaw and shall decide upon all development permit applications within Direct Control Districts.

CONTROL *of* DEVELOPMENT

4. CONTROL OF DEVELOPMENT

4.1 *Development Permits*

1. Development permits are required to ensure that all development is achieved in an orderly manner.
2. No development other than that designated in Section 4.2 shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.
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.
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. Notwithstanding Section 4.2, where a variance to any regulation in this bylaw is required for any development listed in Section 4.2, a development permit shall be required.

4.2 *Development Not Requiring a Development Permit*

1. The following development shall not require a development permit:
 - a. the carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation that would require a building permit under the *Alberta Safety Codes Act*;
 - b. the completion and use of a building which was lawfully under construction on the date of the first publication of the office notice required by the *Act*, provided that the building 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 also that the building, whether or not a permit was granted in respect of it, is completed within a period of 12 months from the said date of said approval;
 - c. the use of any such buildings as referred to in Section 4.2.b for the purpose for which construction was commenced;
 - d. the erection or maintenance of gates, wall, fences or other means of enclosure (other than on corner lots) less than 1.0 m (3.3 ft) in height in front yards and less than 2.0 m (6.6 ft) in height in side and rear yards and the maintenance, improvement and other alterations of any gates, wall, fences, or other means of enclosure;
 - e. the development of retaining walls up to 1.2 m (3.9 ft) in height, located entirely within the boundaries of the subject site;
 - f. the erection or placement of a temporary building or sign, the sole purpose of which is incidental to the erection or alteration of a building for which a permit has been issued under

this bylaw provided the temporary building or sign is removed within 30 days of substantial completion or as determined by the Development Authority;

- g. a building or structure with a floor area of less than 10.2 m² (110.0 ft²) and a maximum height of 2.5 m (8.0 ft) which satisfies all other applicable requirements of the land use bylaw, and provided no more than two such structures are located on the lot;
 - h. the erection of campaign signs for federal, provincial, municipal or school board elections on privately-owned lots for no more than 30 days, or such time as regulated under provincial or federal legislation provided that:
 - i. such signs are removed within 14 days after the election date;
 - ii. the consent of the property owner or occupant is obtained;
 - iii. such signs do not obstruct or impair vision or traffic; and
 - iv. such signs indicate the name and address of the sponsor and the person responsible for removal;
 - i. the placement of one sign on internal sites, or two signs on corner sites advertising a residential property for sale or rent displayed on the property to which it (or they) pertain(s) during the time the property is being offered for sale or rent, with removal to be within one day after the sale or rental agreement has been entered into, provided that such signs are a maximum of 0.6 m² (6.5 ft²) in area and provided further that such signs are placed or erected no closer than 3.0 m (10.0 ft) to a road right-of-way;
 - j. development within a basement which does not change or add to the uses within a dwelling;
 - k. the removal of top soil in conjunction with a development for which a development permit has been issued as per the requirements of Part 8.18 of this bylaw;
 - l. grading and/or landscaping where the proposed grades will not adversely affect the drainage of the subject or adjacent lots, but does not include stockpiling or excavation or landscaping that would be inconsistent with an approved landscaping plan;
 - m. hard-surfacing of any yard area on a parcel for the purpose of providing vehicular access from a public roadway to an on-site parking stall, provided that such hard-surfacing does not adversely affect the drainage of the subject or adjacent lots;
 - n. the erection of towers, satellite dishes, electronic equipment and other poles that does not exceed the height of the tallest building on the lot;
 - o. the demolition or removal of a building that would not require a development permit to place or construct on a lot pursuant to this subsection; and
 - p. the temporary development of a maximum of one tented structure used for storage. The tented structure must be well-maintained and securely anchored. Setback and height requirements for accessory buildings shall apply to temporary tented structure.
2. Notwithstanding any provision of Section 4.2.1 above, an approved development permit will be required for any addition to a building, including a recreational vehicle. The approval of any such

development permit application will be entirely at the discretion of the Development Authority who will have regard for yard setback requirements and the Alberta Building and Safety Code Act.

4.3 *Non-Conforming Buildings and Uses*

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.
2. A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building must conform to this bylaw.
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.
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. A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
 - a. to make it a conforming building;
 - b. for the routine maintenance of the building, if the Development Authority considers it necessary; or
 - c. in accordance with the powers possessed by the Development Authority pursuant to the *Act* and this bylaw to approve a development permit despite any non-compliance with the regulations of this bylaw.
6. If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this bylaw.
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.

4.4 *Application for Development*

1. An application for development permit shall be completed and submitted to the Development Authority in writing, in the form required by the Development Authority, and shall be accompanied by:
 - a. a non-refundable application fee, as established by council;
 - b. a site plan showing:
 - i. front, side and rear yards;

- ii. north point;
 - iii. legal description of the property;
 - iv. access and egress points to the property; and
 - v. the location and dimensions of existing and proposed municipal and private local improvements, principal building and other structures including accessory buildings, garages, carports, fences, driveways, paved areas and major landscaped areas including buffering and screening areas where provided;
 - c. 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 Officer; and
 - d. a statement of ownership of the land and the interest of the applicant therein.
2. 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. When requesting additional information, the Development Authority shall provide in writing a rationale for why the additional information is necessary. Such information may include (but is 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. landscaping plans, including the location of existing and proposed trees, shrubs, grassed areas, fences, screenings, and outdoor furniture on the site and on adjacent boulevards within road rights-of-way;
 - h. drainage plans;
 - i. a construction management plan;
 - j. a hydrogeological assessment;
 - k. a geotechnical assessment;
 - l. a wetland assessment;
 - m. a biophysical assessment;
 - n. a historic resource impact assessment;

- o. in a residential district, 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;
 - p. future development plans for a site which is to be partially developed through the applicable development permit;
 - q. 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;
 - r. any other information or tests required by the Development Authority, at their discretion, respecting the site or adjacent lands, including an environmental screening of the site, geotechnical reports and/or flood hazard mapping;
 - s. a statutory declaration indicating that the information supplied is accurate; and
 - t. 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.
3. 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.
4. 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. 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.

6. If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Part 4.5.5, the application is deemed refused.
7. 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.
8. 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.
9. 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 months.
10. Where a development permit for an accessory building has been applied for before a main building or main use has been developed on a lot, the applicant must provide a site plan which identifies the proposed location for the main building or main use on the lot as part of the application.

4.5 Notice of Complete or Incomplete Application

1. The Development Authority Officer shall, within 20 days of the receipt of an application for a development permit, determine whether the application is complete.
2. The time period referred to in Part 4.5.1 may be extended by an agreement in writing between the applicant and the Development Authority Officer.
3. An application is complete if:
 - a. in the opinion of the Development Authority Officer, the application contains the documents and other information necessary to review the application; or
 - b. the Development Authority Officer does not make a determination within 20 days after receipt of an application for a development permit.
4. If a Development Authority Officer determines that the application is complete, the Development Authority Officer shall issue to the applicant, by means of posted letter or electronic notification, an acknowledgment that the application is complete.
5. If the Development Authority Officer determines that the application is incomplete, the Development Authority Officer 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, a rationale for why the outstanding documents are necessary, and provide a date by which the documents or information must be submitted in order for the application to be considered complete.

6. Despite that the Development Authority Officer has issued an acknowledgment under Part 4.5.4 or Part 4.5.5, in the course of reviewing the application, the Development Authority Officer may request additional information or documentation from the applicant that the Development Authority Officer considers necessary to review the application.

4.6 *Development Permits and Public Notification*

1. A decision of the Development Authority Officer 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.
2. When a development permit has been issued for a **permitted use** and **no variance** to any regulation has been granted, the Development Authority Officer shall (on the same day the decision is given) give (or send) a decision on a development permit application by regular mail 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.
3. In addition to 4.6.1 and 4.6.2, within five 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 Officer shall:
 - a. send notice by regular mail (or by electronic mail if agreed to in advance by the applicant) to all affected adjacent land owners as identified on the Summer Village's assessment roll, to provide notice of the decision and right of appeal; and
 - b. post notice of the decision on the Summer Village's website; and
 - c. send 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; or
 - d. within ten 10 days of the date such a development permit is issued, publish a notice of the decision in a newspaper circulating in the municipality for two consecutive weeks.
4. The notice indicated in Parts 4.6.2 and 4.6.3 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. Except for those permits described in Part 4.6.2 hereof, a permit granted pursuant to this Part does not come into effect until 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 fifth 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.
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.
7. If the development authorized by a permit is not commenced within 12 months from the date of the issue of the development permit, and substantially completed within 12 months of the commencement of the development, the permit is deemed to be void, unless an extension to this period is granted by the Development Authority.
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.
9. The applicant may be responsible for any damages to public or private property occurring as a result of development.
10. A decision of the Development Authority on an application for a development permit shall be given in writing.
11. When a Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

4.7 Development Agreement

1. The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement to:
 - a. construct or pay for the construction of culverts, public roadways, pedestrian walkways, or parking areas; and/or
 - b. install or pay for the installation of utilities; and/or
 - c. pay for an off-site levy or redevelopment levy imposed by bylaw.
2. 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.

4.8 Variance Provisions

1. The Development Authority may grant a variance to reduce the requirements of any use of the land use bylaw and that use will be deemed to comply with this bylaw.
2. The Development Authority may approve an application for a development permit even though the proposed development does not comply with the regulations of this bylaw or if the

development is to be a rebuilding, an enlargement, an addition or a structural alteration of a non-conforming building if, in the opinion of the Development Authority the proposed development conforms to the use prescribed for that land or building in this bylaw and would not:

- a. unduly interfere with the amenities of the neighbourhood; and/or
 - b. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.
3. A variance shall be considered only where warranted by the merits of the proposed development and in response to irregular parcel lines, parcel shapes or site characteristics which create difficulties in siting structures within the required setback or in meeting the usual bylaw requirements. Except as otherwise provided in this bylaw, there shall be no variance from the following:
 - a. lot coverage; and
 - b. building height.
4. Where a variance is granted, the nature of the approved variance shall be specifically described in the development permit approval.
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.

4.9 *Cancellation*

1. The Development Authority may cancel a development permit if:
 - a. the development permit was issued in error; or
 - b. the permit was issued on the basis of incorrect information.

CONTROL *of* SUBDIVISION

5. CONTROL OF SUBDIVISION

5.1 *Application Requirements*

1. All subdivision applications for lands within the Summer Village of Island Lake shall comply with the provisions under this Section.
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.
3. Multi-lot subdivisions shall be developed in accordance with the provisions of the land use district affecting the subject site at time of application.
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.
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. 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.
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.
- 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 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. a storm water management plan, prepared by a qualified professional, which must be approved by Alberta Environment and Parks including:
 - i. topography;
 - ii. proposed minor drainage system (ditches/pipes/catch basin locations/flow rate);
 - iii. proposed major drainage systems (direction of surface drainage/flow rate);
 - iv. proposed on-site detention/retention facility (location/size/capacity);
 - v. location of outflow/outfall structures; and
 - vi. any related modeling and calculation information;
 - 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.

5.2 *Process*

- 1. The Subdivision Authority shall:
 - a. attend 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*.
- 2. Notice of Complete or Incomplete Application:
 - a. The Subdivision Authority shall within 20 days of the receipt of an application for subdivision, determine whether the application is complete.
 - b. The time period referred to in Section 5.2.2.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 5.2.2.e, the Subdivision Authority must deem the application to be refused.
 - g. Despite that the Subdivision Authority has issued an acknowledgment under Section 5.2.2.d or 5.2.2.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.

5.3 *Duties of the Subdivision Authority*

- 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 5.3.1.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.

5.4 *Requirements and Conditions*

1. The Subdivision Authority shall abide by the requirements of and consider the matters indicated in Sections 652 to 670 of the *Act*.
2. Subdivision approvals must comply with Part 17 and 17.1 of the *Act* and the regulations therein.
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.
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.
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. The Subdivision Authority shall not approve a subdivision which is inconsistent with the Summer Village of Island Lake Municipal Development Plan and/or the provisions of any statutory plans that affect the land proposed to be subdivided.
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). The Summer Village may require that the proponent provide hazard lands as environmental reserve as a condition of subdivision approval.
8. Property taxes must be up to date prior to final endorsement of any subdivision within the Summer Village.
9. The developer may be required to provide for inclusionary housing in accordance with the *Act* and the regulations therein.
10. All proposed parcels being created shall be designed to not, in the opinion of the Subdivision Authority, prejudice the future efficient development of the remnant lands.

PROCESS *for* APPEALS

6. PROCESS FOR APPEALS

6.1 *Development Appeals*

1. An appeal may made if the Development Authority:
 - a. fails or refuses to issue a development permit;
 - b. issues a development permit subject to conditions; or
 - c. issues a stop order under Section 645 of the *Act*;by the applicant of the development permit or any person affected by the order.
2. In addition to Section 6.1.1, 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*.
3. Despite Sections 6.1.1 and 6.1.2, 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*.
4. Despite Sections 6.1.1, 6.1.2 and 6.1.3, if a decision with respect to a development permit application in respect of a direct control district:
 - a. is made by a council, there is no appeal to the Subdivision and Development Appeal Board; or
 - b. 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.
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*.
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. An appeal with respect to an application for a development permit may be made by a person identified in Section 6.1.1 may be made by serving a written notice of appeal to the board hearing the appeal:
 - a. within 21 days after the date on which the written decision is given; or
 - b. 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

- c. With respect to an order under Section 645 of the *Act*, within 21 days after the date on which the order is made.
- 8. An appeal with respect to an application for a development permit may be made by a person (identified in Section 6.1.2) 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.
- 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.
- 10. An appeal to the Subdivision and Development Appeal Board may be launched by filing a notice by providing the following:
 - a. the appeal application fee as identified in the Summer Village's Fees and Charges Bylaw;
 - b. the legal description and/or the municipal address of the property to which the decision, order or issuance of the development permit relates;
 - c. the name, contact information and address of the appellant; and
 - d. the reasons for the appeal and the issue or condition in the decision or order that are the subject of the appeal.
- 11. Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board, if:
 - a. in the case of a person referred to in Section 6.1.1 the person files the notice with the wrong board within 21 days after receipt of the written decision or the deemed refusal; or
 - b. in the case of a person referred to in Section 6.1.2, 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.

6.2 *Subdivision Appeals*

- 1. The decision of a Subdivision Authority on an application for subdivision approval may be appealed:
 - a. by the applicant for the approval;
 - b. by a government department if the application is required by the Subdivision and Development Regulations to be referred to that department;
 - c. by the council of the municipality in which the land to be subdivided is located if the council, a Designated Officer of the municipality or the Municipal Planning Commission of the municipality is not the Subdivision Authority; or
 - d. by a school board with respect to:

- i. the allocation of municipal reserve and school reserve or money in place of the reserve;
 - ii. the location of school reserve allocated to it; or
 - iii. the amount of school reserve or money in place of the reserve.
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*.
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.
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.
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.
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.

6.3 *Appeal Hearings and Decisions*

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*.
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*.

ENFORCING *the* LAND USE BYLAW

7. ENFORCING THE LAND USE BYLAW

7.1 *General Provisions*

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.

7.2 *Prohibitions*

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.
2. No person shall contravene a condition of a development permit or subdivision approval issued under this bylaw.
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.
4. No person shall modify any description, specifications or plans that were the basis for the issuance of any permit by the Development Authority.

7.3 *Right of Entry*

1. After reasonable notice (a minimum of 48 hours) to the owner or occupier in accordance with the Municipal Government Act, a Designated Officer may enter property at reasonable times (generally to mean 7:30 AM to 10:00 PM) to ascertain if bylaw requirements are being met.
2. Notice can be given to the owner or occupier of the lands in writing by one of the following means:
 - a. Delivery to the person personally;
 - b. By leaving a copy for the person at the person's usual place of residence with someone residing at that residence who has the appearance of being at least eighteen (18) years of age;
 - c. By recorded mail to the person's last known mailing address;
 - d. If an owner, by recorded mail to the owner's registered address on title; or
 - e. In the case of a corporation or partnership, by personal service upon a Director, Officer or Person apparently in charge of the corporation's office, or by mailing a copy to such person by recorded mail to the address for service listed with the Alberta Corporate Registry.
3. A person shall not prevent or obstruct a Designated Officer from carrying out any official duty under this bylaw. If consent is not given, the Summer Village may apply to the Court of Queen's Bench for an authorizing order.

7.4 *Violation Warning*

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.

7.5 *Warning and Final Warning Notice*

1. 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.

7.6 *Offenses and Fines*

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.
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.

7.7 *Stop Orders*

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, and/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.
2. The notice shall specify a deadline for compliance.
3. A person named in a stop order may appeal to the Subdivision and Development Appeal Board.

7.8 *Enforcement of Stop Orders*

1. Subject to Section 542 of the *Municipal Government 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.
2. 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.

3. 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.

7.9 *Violation Tags and Tickets*

1. In accordance with the *Provincial Offences Procedures Act*, a Designated Officer may issue to the registered owner of the property specific offence(s):
 - a. a violation tag of a violation issuing a warning notice;
 - b. a final warning notice; or
 - c. a stop order;where there is reasonable and probable grounds to believe there is a contravention of this bylaw.
2. A violation tag may be issued to a registered owner either personally or by registered mail.
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.
4. Offences and related fines are as specified in the Fees and Charges Bylaw.
5. Where a contravention is of a continuing nature, further violation tags may be issued.
6. The registered owner 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.
7. If payment is not made within the time specified on the tag, a Designated Officer may issue a violation ticket requiring the registered owner to whom the violation ticket is issued to appear in court on the date specified in the summons portion of the ticket.
8. Nothing in this Bylaw shall prevent a Designated Officer from immediately issuing a violation ticket for the mandatory court appearance of any registered owner who contravenes any provision of this bylaw.

GENERAL *and* SPECIFIC REGULATIONS

8. GENERAL AND SPECIFIC REGULATIONS

8.1 Accessory Buildings

1. Within the R1 – Residential Small Lot District:
 - a. Accessory buildings shall be located according to the following:
 - i. The maximum total combined floor area of all accessory buildings on a lot shall be 15% of the total lot area.
 - ii. The maximum total floor area of an accessory building on a lot shall be 111.5 m² (1,200 ft²).
 - iii. All accessory buildings shall be no closer to the front yard than the closest portion of the principal building.
 - iv. Notwithstanding 8.1.1.a.iii above, one boat house (with a maximum area of 13.9 m² (150.0 ft²)) may be allowed, at the discretion of the Development Authority Officer, within the front yard of a lakefront lot. The boat house must be setback a minimum of 2.0 m (6.6 ft) from the front property line.
 - v. Notwithstanding 8.1.1.a.iii above, one garage may be constructed within the front yard of a backlot if the front wall of the garage is located a minimum of 6.0 m from the front property line (see Figure 8).
 - vi. In making a decision whether or not to approve a development permit for an accessory building in a front yard, the Development Authority will be guided by their opinion of the need to preserve the views of adjacent properties towards the rear of the lots, the aesthetic appearance of the front yards of properties, topography, vegetation, buffering, and all other factors the Development Authority deems appropriate.
 - vii. The floor area of an accessory building on a lot may be larger than the principal building, at the discretion of the Development Authority.
 - viii. All accessory buildings shall be a minimum of 2.0 m (6.6 ft) from the principal building.
 - ix. Accessory buildings shall be situated so that the exterior wall is at least 1.2 m (3.9 ft) from the side boundaries and 1.0 m (3.3 ft) from the rear boundary of the parcel.
 - x. Where an accessory building is a garage, vehicle access doors shall be a minimum of 6.0 m (20.0 ft) from the property line adjacent to a roadway or lane.
 - xi. No roof overhang shall be situated within 0.6 m (2.0 ft) of the side and rear property boundary.
 - xii. An accessory building shall be located in such a manner that it does not encroach upon easements and rights-of-way.

- b. An accessory building shall not be used as a dwelling, unless specifically allowed in the Land Use District in which the accessory building is located, and unless specifically provided for in this bylaw.
- c. Notwithstanding any other provision of this bylaw, a maximum of one accessory building per lot may be considered a permitted use.

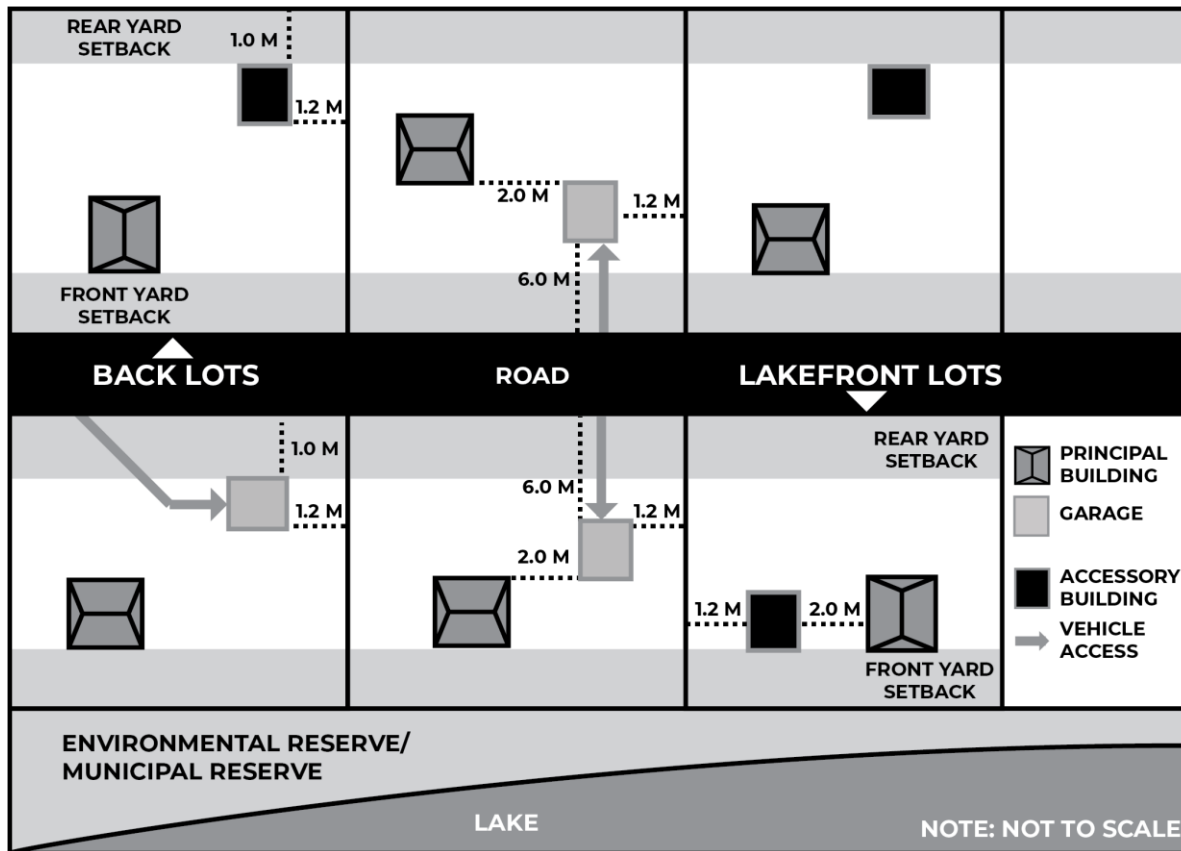


Figure 8: Siting of Accessory Buildings

- 2. Within the R2 – Residential Large Lot District:
 - a. Accessory buildings shall be located according to the following:
 - i. The maximum total combined floor area of all accessory buildings on a lot shall be 223.0 m² (2,400 ft²).

- ii. The maximum total floor area of an accessory building on a lot shall be 223.0 m² (2,400 ft²).
- iii. All accessory buildings shall be no closer to the front yard than the closest portion of the principal building.
- iv. Notwithstanding 8.1.2.a.iii above, one garage may be constructed within the front yard of a backlot if the front wall of the garage is located a minimum of 6.0 m from the front property line (see Figure 8).
- v. The floor area of an accessory building on a lot may be larger than the principal building, at the discretion of the Development Authority.
- vi. All accessory buildings shall be a minimum of 2.0 m (6.6 ft) from the principal building.
- vii. Accessory buildings shall be situated so that the exterior wall is at least 1.2 m (3.9 ft) from the side boundaries and 1.0 m (3.3 ft) from the rear boundary of the parcel.
- viii. Where an accessory building is a garage, vehicle access doors shall be a minimum of 8.0 m (26.0 ft) from the property line adjacent to a roadway or lane.
- ix. No roof overhang shall be situated within 0.6 m (2.0 ft) of the side and rear property boundary.
- x. An accessory building shall be located in such a manner that it does not encroach upon easements and rights-of-way.
- b. An accessory building shall not be used as a dwelling unless specifically allowed in the Land Use District in which the accessory building is located, and unless specifically provided for in this bylaw.
- c. Notwithstanding any other provision of this bylaw, a maximum of one accessory building per lot may be considered a permitted use.
- 3. The siting of an accessory building on an irregularly-shaped lot shall be as approved by the Development Authority.
- 4. The siting of an accessory building in the front yard of a backlot where the primary building is set back far from the frontline of the lot may approved at the discretion of the Development Authority.
- 5. An accessory building may be constructed on a lot prior to the development of the principal building at the discretion of the Development Authority.

8.2 *Bed and Breakfast Establishments*

- 1. A bed and breakfast establishment shall only be developed as an accessory use to a single detached dwelling.
- 2. A bed and breakfast establishment shall not change the principal character or external appearance of the dwelling involved and shall have a maximum of three sleeping bedrooms (in addition to the principal residents' bedrooms).
- 3. Cooking facilities shall not be located within the sleeping units.

4. A bed and breakfast establishment shall only have one business identification sign permitted. The business identification sign shall be a maximum of 1.0 m² (10.8 ft²) in size and is subject to the review and approval by the Development Authority;
5. In addition to the above, a bed and breakfast establishment shall comply with all of the requirements for a major home occupation described in this bylaw.
6. The provision of onsite parking shall comply with the regulations in Section 8.20 – Parking and Access.

8.3 *Building Appearance and Design*

1. The design, siting, external finish, architectural appearance and landscaping of all buildings, including any accessory buildings, structures, and signs and any reconstruction, shall be to the satisfaction of the Development Authority and shall conform to the regulations of the Summer Village's Unsightly Property Bylaw.
2. The exterior finish on all buildings shall be of a permanent material and be of a character and quality satisfactory to the Development Authority.
3. The design, character and appearance of any development or sign must be acceptable to the Development Authority having regard to:
 - a. the policies of any statutory plan or conceptual scheme applicable to the design, character or appearance of the development;
 - b. amenities such as daylight, sunlight and privacy on the subject site and on adjacent sites;
 - c. the character of existing development in the area of the proposed development; and
 - d. the effect of the proposed development on adjacent lots.

8.4 *Cannabis Production and Distribution Facilities*

1. Any site containing a cannabis production and distribution facility shall not be located within the following Land Use Districts:
 - a. R1 - Residential Small Lot District
 - b. R2 – Residential Large Lot District
 - c. C1 – Commercial District
 - d. P – Community Reserve District
 - e. N – Natural Environment District
2. For the purposes of this section only, the owner or applicant shall provide as a condition of development permit a copy of the current license and all subsequent license renewals for all activities associated with medical cannabis production issued by Health Canada.
3. The owner or applicant shall obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or municipal legislation.

4. All processes and functions of the development shall be fully enclosed within a stand-alone building, including but not limited to all loading spaces and docks, garbage containers, storage and waste material.
5. The development shall be a singular use and shall not be operated in conjunction with any other uses.
6. The development shall include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.
7. The development shall be located a minimum of 100.0 m (328.0 ft) away from any residential district.
8. The Development Authority may require, as a condition of development permit approval, a waste management plan, completed by a qualified professional that details:
 - a. the incineration of waste products and airborne emissions, including odours;
 - b. the quantity and characteristics of liquid waste material discharged by the facility; and
 - c. the method and location of collection and disposal of liquid and waste material.
9. The minimum number of parking stalls shall be at the discretion of the Development Authority Officer, per Section 8.20 – Parking and Access.
10. Fencing on the site shall be required, subject to the provisions of Section 8.12 – Fences, Walls, and Hedges.
11. Notwithstanding the provisions of Section 8.27 - Signs, no sign shall be displayed on the site that identifies the use.
12. The development may be subject to periodic inspections to ensure compliance with the land use bylaw and the approved development permit and all other applicable bylaws of the Summer Village of Island Lake.

8.5 *Cannabis Retail Sales*

1. Any site containing cannabis retail sales shall not be located less than 100.0 m (328.0 ft) from:
 - a. any site being used as a public or private education services; or
 - b. a provincial health care facility; or
 - c. Plan 3857 KS, Block 1, R (the Municipal Sports Park).
2. The 100.0 m (328.0 ft) separation distance identified in Section 8.5.1 shall be measured from the closest point of the subject site boundary to the closest point of another site boundary, and shall not be measured from the district boundaries or from the edges of the structures.
3. Notwithstanding Section 4.7 – Variance Provisions of this Bylaw, a Development Authority shall not grant a variance to Sections 8.5.1.a or 8.5.1.b.
4. The Development Authority may require lighting, signage, landscaping or screening measures that ensure the proposed development is compatible with adjacent or nearby residential, commercial, industrial or community services uses.

5. Prior to the issuance of a development permit, the Development Authority may conduct a site assessment, taking into account land use impacts including, but not limited to/ exterior illumination, landscaping, screens, signs and access.
6. The Development Authority shall impose a condition on any development permit issued for cannabis retail sales requiring that the development:
 - a. shall not commence until authorized by and compliant with all federal and provincial legislation; and
 - b. must commence within six months of the date of approval of the development permit.
7. For the purposes of Section 8.5.b.b, development commences when the cannabis retail sales se is established and/or begins operation.

8.6 *Corner Lots*

1. Notwithstanding any other provision contained in this bylaw, landscaping, the erection of fences, walls, or other means of enclosure on a corner lot shall be to the satisfaction of the Development Authority to ensure that vision around the corner is not hindered.
2. In order to implement Section 8.6.1, no fence, wall, tree, bush, structure or thing more than 0.9 m (3 ft) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road or lane lines and a straight line joining points on the road or lane 6.0 m (19.7 ft) from their intersection.

8.7 *Demolition of Buildings*

1. An application to demolish a building shall not be approved without a statement or plan which indicates:
 - a. how the demolition will be carried out so as to create a minimum of dust or other nuisance; and
 - b. how the site will be reclaimed, to the satisfaction of the Development Authority.

8.8 *Development Proponent's Responsibility*

1. The applicant/landowner to whom a development permit has been issued shall obtain from the appropriate provincial authority, where applicable, permits relating to building, plumbing, gas, private sewage disposal systems, utilities municipal services, highways and all other provincial permits required in connection with the proposed development.

8.9 *Double Fronting Lots*

1. A parcel abutting two or more streets shall have a front yard setback on each street in accordance with the front yard setback requirements of this bylaw.

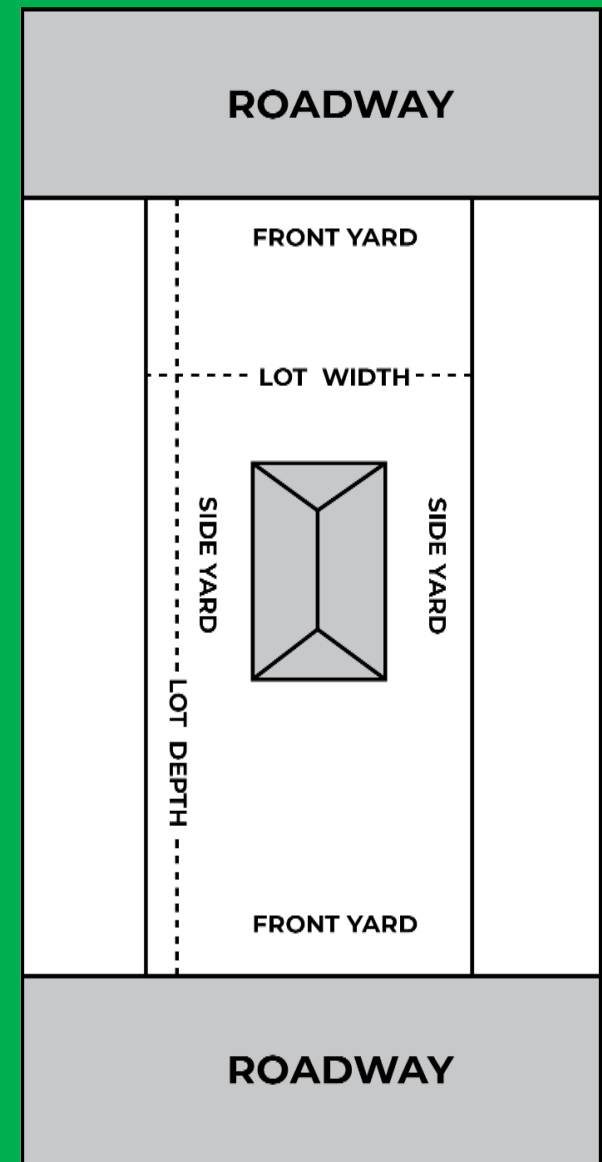


Figure 9: Double Fronting Lots

2. One flanking yard on a lot may be subject to side yard setback requirements in all land use districts unless a separate flanking setback is described in the subject land use district.

8.10 Dwellings on a Lot

1. Only one principal dwelling may be permitted on a lot.

8.11 Environmental Site Conditions

1. The summer village's subdivision and development authorities will not approve applications for subdivision or development within the legislated setback distance of a landfill for the following land uses:
 - a. residences;
 - b. schools;
 - c. hospitals; or
 - d. eating establishments;

Unless consent for a setback variance has been granted by Alberta Environment and Parks. The Summer Village will work with the County and the Province of Alberta to explore opportunities to reduce or remove the setback requirements from the non- operating landfill.

2. Unstable slopes:
 - a. Development should not be permitted on unstable slopes, land characterized by soil instability or land exhibiting evidence of poor drainage unless it can be demonstrated to the satisfaction of the Development Authority that unique site requirements warrant otherwise.
3. Steep slopes:
 - a. All development should be setback a minimum of 15.0 m (49.2 ft) from the toe and crest of slopes of 15% or greater, unless a lesser amount is identified in a geotechnical study prepared by a qualified professional engineer registered in the Province of Alberta.
 - b. Stairs may be developed on steep slopes to provide access to the lakeshore, at the discretion of the Development Authority.
4. Flood Plains, Floor Hazard Areas, and High Water Tables:
 - a. No development should be permitted in the 1 in 100-year flood plain of a waterbody or water course, or as established by Alberta Environment and Parks as otherwise prone to flooding or subsidence, unless the applicant demonstrates to the satisfaction of the Development Authority that preventative engineering and construction measures can be used to make the site suitable.
 - b. Notwithstanding any other provision of this bylaw to the contrary, no development of dwellings or accessory buildings to dwellings other than fences, patios and similar buildings

may be allowed on lands which, in the opinion of the Development Authority, may be subject to a flood hazard.

- c. Development on lands which are, in the sole opinion of the Development Authority, are within an area of high water table may be prohibited from having basements.

5. Wetlands:

- a. All subdivision and development must be consistent with the requirements of the Alberta Wetland Policy. In order to ensure consistency with this policy a proponent may be required at time of subdivision, development, area structure plan development or LUB amendment to provide the Summer Village with a wetland assessment, prepared by a certified wetland professional, which delineates and classifies all wetlands within the proposed development area. Development that would cause the permanent destruction of permanent wetlands will be discouraged and will not be permitted without the consent of Alberta Environment and Parks.

6. Treed areas:

- a. The Development Authority may impose conditions on the approval of a development permit requiring the retention of trees, or additional planting of such a type and extent that is considered necessary by the Development Authority.
- b. A site plan detailing the protection of existing treed areas and site topography may be required prior to issuance of a permit for development.

8.12 *Fences, Walls, and Hedges*

- 1. Notwithstanding any regulation respecting required yard to the contrary in this bylaw, a fence or hedge may be constructed along a boundary line of a lot except within a corner site.
- 2. No fence, wall or hedge in any district shall be:
 - a. higher than 1.0 m (3.3 ft) in a front yard, a flanking yard, or a rear yard which is either adjacent to a road or Island Lake; or
 - b. higher than 2.0 m (6.6 ft) in other yards; or
 - c. higher than 0.9 m (3.0 ft) within 6.0 m (19.7 ft) of corner sites.

8.13 *FireSmart*

- 1. All roofing materials on new, replacement, or retrofitted dwellings, accessory buildings and commercial buildings should meet a minimum Class C ULC rating.
- 2. All new dwellings, accessory buildings, and commercial buildings with exposed undersides and/or with raised decks and porches less than 2.0 m (6.6 ft) from ground level should be sheathed from the floor level to the ground level to prohibit the entry of sparks and embers under the structure.
- 3. All above-ground propane tanks greater than or equal to 80 U.S. gallons (420 lbs) should have a minimum of 3.0 m (9.8 ft) clearance from combustible vegetation and materials.

4. All combustible material piles should be stored a minimum of 10.0 m (32.8 ft) from all primary structures and propane tanks.
5. All new dwellings, accessory buildings, and commercial buildings should establish and maintain *FireSmart* defensible space for a minimum of 10.0 m (32.8 ft) or to the lot boundary.
6. All new dwellings, accessory buildings, and commercial buildings should have one metre of non-combustible surface cover (gravel, rock, concrete, etc.) around the perimeter of the structure. All new exposed decks, greater than 2.0 m (6.6 ft) from ground level should have a non-combustible surface cover placed underneath and 1.0 m (3.3 ft) around the outside perimeter of the deck.

8.14 *Heavy Vehicles and Trailers*

1. No person shall keep or permit in any part of any yard in any residential district any heavy vehicle or vehicle trailer 9.7 m (32.0 ft) or longer in length unless:
 - a. a development permit has been issued for the keeping or permitting of the heavy vehicle or trailer on the yard;
 - b. as a condition of issuing the development permit, the Development Authority is satisfied that, in their opinion, the heavy vehicle or trailer will be screened and/or located so as to mitigate negative impact on any surrounding residential uses; and
 - c. the keeping or permitting of the heavy vehicle or trailer is considered to be a discretionary development and, therefore, any development permit issued shall be subject to objection and appeal to the municipality's Subdivision and Development Appeal Board.
2. Development permits for the keeping of a heavy vehicle or trailer longer than 7.5 m (24.6 ft) in a yard within any residential district shall only be approved for a period of time, in the sole determination of the Development Authority.

8.15 *Historic Resources*

1. Historical resources, historic sites, and/or archaeological sites identified by the province pursuant to the *Alberta Historical Resources Act*, as amended or replaced, shall be protected in accordance with the guidelines and regulations established by Alberta Culture, Multiculturalism and Status of Women.

8.16 *Home Occupations*

1. A stop order may be issued at any time if, in the opinion of the Development Authority, the operator of a home occupation has violated any provisions of this bylaw or conditions of the approval of the development permit.

2. A **major home occupation** shall comply with the following regulations:
 - a. The major home occupation shall not, in the opinion of the Development Authority, generate pedestrian or vehicular traffic or parking which is excessive for its location relative to other dwellings.
 - b. The number of non-resident employees working on-site shall not exceed one.
 - c. No more than one commercial vehicle up to but not exceeding a gross vehicle weight of 4,500 kg (10,080 lbs) to be used in conjunction with the major home occupation, shall be parked or maintained on the site in a residential Land Use 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 *Safety Codes Act* and the regulations made thereunder.
 - f. There shall be no exterior signage, display or advertisement except for 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 principal dwelling or an accessory building.
 - h. The major home occupation shall not be allowed if, in the opinion of the Development Authority, such use would be more appropriately located in a Commercial Land Use District having regard for the overall compatibility of the use with the residential character of the area.
3. A **minor home occupation** shall comply with the following regulations:
 - a. a minor home occupation shall not employ any person on-site other than residents of the dwelling.
 - b. no offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance detectable beyond the boundary of the lot on which the minor home occupation is located shall be produced by the home occupation.
 - c. There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the minor home occupation allowed on the site. Storage related to the minor home occupation shall be allowed only in either the dwelling or accessory buildings.
 - d. Business activities must be carried out entirely within the dwelling.
 - e. Exterior alterations or additions to accommodate a minor home occupation shall not be allowed.
 - f. There shall be no exterior signage, display, or advertisement.
4. All home occupations shall comply with the following requirements:
 - a. The home occupation shall not create any nuisance by way of noise, dust, odour, or smoke, or anything of an offensive or objectionable nature.

- b. The peace, quiet, dignity and other amenities of the neighbourhood shall not be disturbed in any manner.
 - c. A home occupation shall not change the principal character or external appearance of the dwelling involved, nor use more than 20% or 35.0 m² (377.0 ft²), whichever is less, of the dwelling unit for business usage. Except as noted in Section 8.16.2.f herein, there shall be no exterior signage, display or advertisement, but there may be a limited volume of on-premises sales.
 - d. No more than one commercial vehicle used in or for the home occupation shall be parked on the subject site or on the adjoining road.
 - e. 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.
 - f. In addition to a development permit application, each application for a home occupation - major shall be accompanied by a description of the business to be undertaken, 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.
 - g. When a development permit is issued for a home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.
 - h. Home occupations shall not involve:
 - i. activities that use or store hazardous material in quantities exceeding those found in a normal household; or
 - ii. any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties.
5. 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 the development permit and complaints based on the operation of the home occupation have been received.
1. This use does not include either a cannabis retail store or a cannabis production and distribution facility.

8.17 *Landscaping*

- 1. The maximum lot coverage for buildings and non-permeable surfaces (including driveways, parking areas, and hard surfaced landscaping) shall be 50% of the total lot area.
- 2. A development permit for landscaping may be required where the proposed landscaping would result in the clearing of vegetation, stripping or grading of the site.
- 3. Landscaping and planting must be carried out within one year after the completion of construction. The Development Authority Officer, at its sole discretion, may extend this period.

4. When landscaping is to be undertaken as a condition of the approval of a development permit, such landscaping shall be to the satisfaction of the Development Authority Officer.
5. Any area to be landscaped may, at the discretion of the Development Authority, be left in its natural state, or be loamed and planted with grass, trees, shrubs, and/or flowers, or similar materials or a combination thereof, which will enhance the appearance of the site and complement the development on the site.
6. Existing vegetation on residential lots should be preserved, protected or replaced. If a development requires the permanent removal of existing vegetation, the reason(s) for the removal of the vegetation shall be to the satisfaction of the Development Authority Officer.
7. Vegetation used for landscaping in residential areas shall be located such that it will grow to maturity without causing negative impacts to adjacent properties and/or public infrastructure.
8. The owner of the property shall be responsible for the maintenance of landscaping to the satisfaction of the Development Authority and in concordance with any drainage plan affecting the property.
9. At the time of subdivision, or as a condition of a development permit, the applicant may be required at the discretion of the Subdivision or Development Authority, as a condition of an approval to provide to the Summer Village security by way of certified deposit funds or an irrevocable letter of credit for up to the value of 125% of estimated landscaping costs. The approved landscaping shall be completed in accordance with this bylaw and the approved landscaping plan, shall be completed within one year of the date of approval, and shall be maintained for a two-year period following approval. If the landscaping is not completed within the one-year period, or the landscaping is not maintained for the two-year period, the security provided to the Summer Village may be used by the Summer Village to undertake the landscaping work. The security shall be released to the applicant, upon written request, once an inspection demonstrates to the satisfaction of the Development Authority that the landscaping was completed and has been satisfactorily maintained for the two-year period.
10. Every owner/developer shall landscape their property such that surface water does not drain onto neighbouring properties.
11. Where a landscaping plan is required with an application for a development permit, no landscaping shall commence prior to the plan being approved by the Development Authority.
12. Landscaping plans shall include the following information which adheres to the following standards:
 - a. north arrow;
 - b. outlines of all buildings and structures on the subject site;
 - c. location of parking areas, vehicle and pedestrian circulation systems on the subject site;
 - d. location, height and materials of all proposed fences, screens, and walls on the subject site;
 - e. location of any existing or proposed lighting, proposed recreational facilities and garbage collection areas on the subject site;
 - f. existing vegetation, including mature trees, on the subject site, labeled by common name; and
 - g. the proposed final grading and drainage plan of the area and the placing and spreading of topsoil. In particular, all areas to be landscaped shall be graded to drain to the road or lane,

into catch basins or into adjacent drainage easements. Under no circumstances shall an area be designed, built or landscaped to drain onto adjacent property without appropriate easements.

13. Commercial areas shall be landscaped according to a development agreement and/or a landscaping plan where applicable.

8.18 *Manufactured Homes*

1. Manufactured homes shall have Canadian Standard Association Certification.
2. Manufactured homes must conform to the CSA Z240MH National Mobile Home Standard.
3. All accessory structures, such as patios, porches, additions and skirtings, shall be:
 - a. designed and erected as to harmonize with the manufactured home;
 - b. considered as part of the principal building; and
 - c. erected only after obtaining a development permit.
4. A manufactured home shall be skirted from the floor level to the ground level.
5. The wheels are to be removed from the manufactured home.
6. All manufactured homes shall be placed on a foundation or base. The manufactured home is to be attached by means of bolting or otherwise to the foundation or base.

8.19 *Objects Prohibited or Restricted in Yards*

1. No person shall keep or permit in any part of any yard in any residential district:
 - a. any dismantled or wrecked vehicle for more than 14 successive days;
 - b. any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the municipality;
 - c. any excavation, storage or piling up of materials unless required for immediate construction;
 - d. any fur bearing animals, fowl, or livestock other than domestic pets;
 - e. any outdoor wood boilers or furnaces;
 - f. any propane tanks larger than 2,000 litres; and
 - g. any portable gas tanks larger than 100 litres.

8.20 *Parking and Access*

1. The location of vehicular access to a lot shall be as approved by the Development Authority.
2. 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.

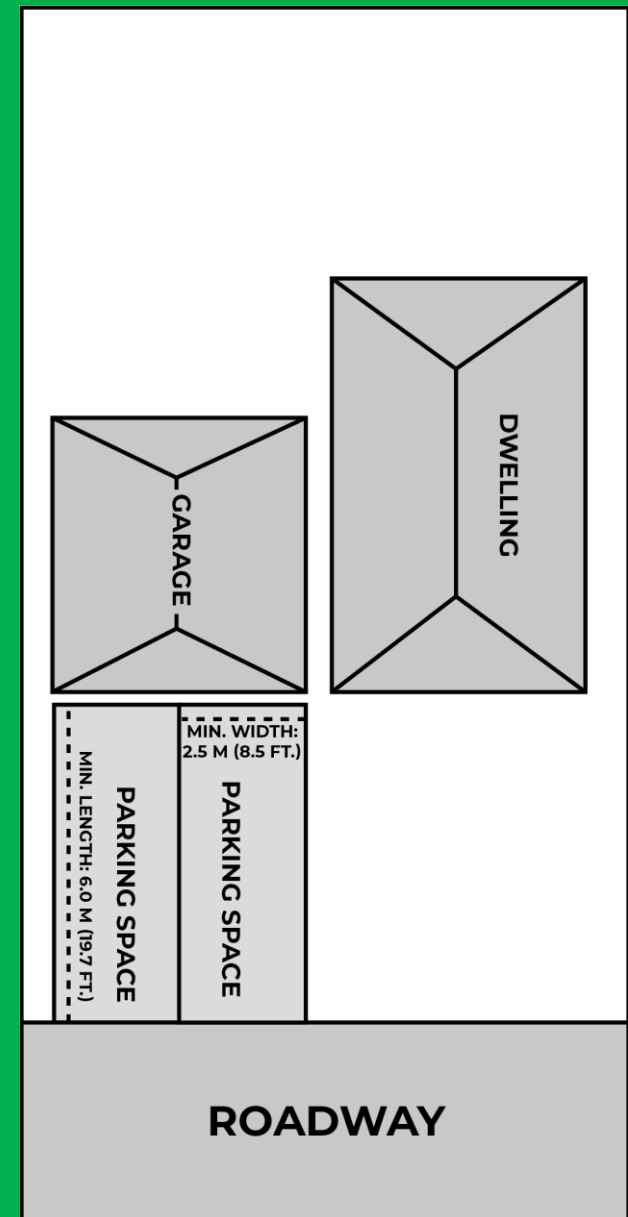


Figure 10: Minimum Parking Space Requirements

3. Construction of entrances and exits, including culverts if required, shall be at the expense of the development proponent and to the satisfaction of the Development Authority.
4. 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.
5. For commercial uses, the required number of off-street vehicular parking spaces shall be as required by the Development Authority.

8.21 Protection from Exposure Hazards

1. Flammable liquid/gas storage containers at commercial developments shall be located in accordance with regulations under the *Fire Code Act*.
2. All development in proximity to a well, pipeline or sour gas facility shall adhere to the setback requirements as determined by the Alberta Energy Regulator.
3. No anhydrous ammonia storage shall be allowed in the Summer Village.

8.22 Recreational Vehicles

1. No recreational vehicle (RV) shall be located on a lot within the Summer Village without an approved development permit for an RV stall.
2. All RVs must be located within approved RV stalls. Stalls can be hard or soft surfaced. Soft surfacing may include gravel and/or grass surfaces. However, the stall location and boundaries of the stall must be clearly delineated at all times on the site to the satisfaction of the Development Authority Officer.
3. No more than one RV may be located within an approved RV stall.
4. A development permit application for an RV stall on a lot shall indicate:
 - a. where the RV will be placed on a lot;
 - b. The means by which the stall area will be delineated on the lot (markers, posts, pad etc.);
 - c. If the RV placed in the lot is intended to remain temporarily, seasonally or year-round;
 - d. how potable water, wastewater, and utilities shall be provided; and
 - e. where required parking shall be provided on the lot.
5. A maximum of three RV stalls may be allowed on a developed lot or an undeveloped lot in the R1 and R2 Land Use Districts with a development permit. Each RV stall shall be required to include connections to an approved wastewater system and power source, complying with current provincial requirements.
6. RV stalls on an undeveloped lot shall adhere to the front, rear, and side yard requirements for dwellings (first RV) and accessory buildings (any RV after the first RV) identified in the applicable Land Use Districts.

7. RV stalls on a developed lot shall adhere to the front, rear, and side yard requirements for accessory buildings identified in the applicable Land Use Districts.
8. RVs shall not be located within a front yard on a lakefront lot.
9. Notwithstanding Sections 8.22.5, 8.22.6 and 8.22.10, additional RVs may be allowed on a temporary basis with the approval of a Special Event Permit. Each Special Event Permit must be applied for a minimum of 2 weeks in advance of the special event and when issued must be posted on the site in a conspicuous location during the special event.
10. RVs shall not be permitted to dispose of wastewater or greywater on the ground within the Summer Village.
11. One onsite vehicle parking stall (that complies with Section 8.20 – Parking and Access) must be provided for each proposed recreational vehicle stall on a lot.
12. Permits for RV stalls shall not be approved where it cannot be demonstrated that there is sufficient room on the site to accommodate the RV stall and required parking stalls entirely within the boundaries of the lot.

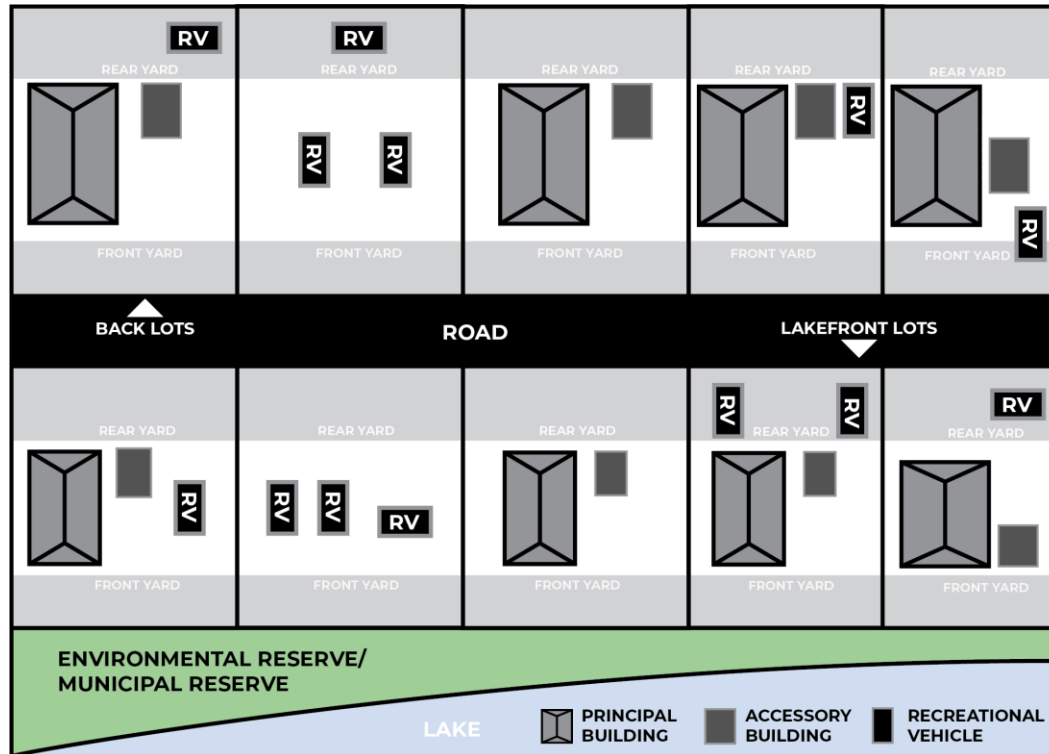


Figure 11: Number and Location of Recreational Vehicles on a Lot

8.23 Reserves

1. An environmental reserve (ER) of approximately 30.0 m (98.0 ft) in width from the high water mark of water bodies and/or the top of bank of Island Lake shall be required as a condition of new subdivision approval.
2. Additional reserve may be required by the Summer Village based on the recommendations of any engineering and/or geotechnical study requested by the Summer Village. In these cases, the amount of reserves required will be determined using the guidelines for ER width developed by Sustainable Resource Development (SRD) (see Appendix A for SRD recommended setbacks).
3. Development permits may be issued on environmental and other reserve lands for developments such as landings, walkways, stairs, retaining walls or similar structures if, in the opinion of the Development Authority, the development does not pose a hazard to public safety, impede or restrict year round public access to the reserve, or unduly interfere with the use and enjoyment of neighbouring properties.
4. The approval of all development permits on environmental and other reserve lands shall be subject to the following conditions, in addition to any others that the Development Authority may deem reasonable or necessary:
 - a. the applicant shall indemnify the Summer Village from liability for the development; and
 - b. the permit may be revoked at any time if, in the sole opinion of the Development Authority, the development poses a hazard to public safety, impedes public access, or interferes with the use and enjoyment of neighbouring properties.

8.24 Shoreline

1. The bed and shore of Island Lake is owned by the Province of Alberta. Proposed modifications to the bed and shore (temporary or permanent) must be authorized by the Province of Alberta. Shoreline improvements (such as retaining walls, any permanent structures, waterline installations, the placing of sand or other materials on ice or beaches, clear-cutting of trees, and removing shoreline or aquatic vegetation) require provincial authorization.
2. Any proposed modifications to the bed and shore of Island Lake requires a surface disposition. This disposition shall be applied for through Alberta Environment and Parks prior to the proposed modification.
3. Wheeled or track vehicles will not be allowed on the bed and shore of Island Lake, as per Alberta Environment and Parks.
4. Temporary development and/or restoration work of the shoreline requires a Temporary Field Authorization from Alberta Environment and Parks.
5. Permanent development of the shoreline requires a formal disposition held under a Department License of Occupation from the Province of Alberta. *Water Act* approval is required prior to commencement of this work.

6. The use of water intake lines in Island Lake require a formal disposition for the bed and shore of Island Lake. This disposition shall be applied for through Alberta Environment and Parks prior to the installation of the water intake line(s).

8.25 *Retaining Walls*

1. A development permit shall be required for all retaining walls greater than 1.2 m (3.9 ft) in height.
2. Retaining walls shall:
 - a. respect overland drainage patterns established for the lot at the time the lot was created;
 - b. maintain positive overland drainage on all portion of the site;
 - c. not divert overland drainage onto adjacent properties;
 - d. not be located within a right-of-way or easement intended for overland drainage that the Summer Village is party to;
 - e. be constructed of or finished with materials that compliment those on the principal building(s); and
 - f. if greater than 1.0 m (3.3 ft) in height, meet the setback requirements for the principal building of the Land Use District.
3. If a retaining wall will not conform to the above, a development permit must be obtained before construction.

8.26 *Sea Cans*

1. Sea cans shall not be used as an accessory building in the Summer Village.
2. Sea cans may be used as a building material in the construction of a principal or accessory building on a lot provided that:
 - a. the development is in full compliance with applicable provincial and national building codes;
 - b. the final architectural appearance of the building (siding, roofing, etc.) complies with Section 8.3 – Building Appearance and Design.

8.27 *Signs*

1. All signs of a commercial, directional, or informative nature erected on land or affixed to any exterior surface of any building or structure shall require a development permit and shall be subject to the following requirements:
 - a. No signs shall be erected on or affixed to private property without the prior consent of the property owner or tenant.
 - b. No signs shall be erected on or affixed to public property without the prior consent of the appropriate public body.

- c. No signs shall resemble or conflict with a traffic sign, nor shall any sign be a traffic hazard. No sign shall be in contravention of a Summer Village traffic speed bylaw or in contravention of any other Summer Village bylaw.
 - d. All signs shall be kept in a safe, clean and tidy condition, and may, by order of the Development Authority, be required to be renovated or removed.
- 2. Notwithstanding section 8.27.1, the following signs do not require a development permit provided that they are not illuminated and that any necessary permits have been obtained from Alberta Transportation:
 - a. signs, not to exceed 1.0 m² (10.8 ft²) in area, for the purpose of identification, direction and warning, or relating to a commercial use, institutional use or club;
 - b. temporary signs, not to exceed 2.0 m² (21.5 ft²) in area, to be removed by the advertiser within 15 days of the completion of the event or works;
 - c. signs in relation to public or quasi-public bodies.

8.28 Suites

1. A maximum of one guest house suite or garage suite may be allowed on a residential lot in the Summer Village subject to the regulations of the land use districts, and shall be restricted to a site occupied by an approved and existing single-detached dwelling.
2. A maximum of one surveillance suite or secondary suite may be allowed on a commercial lot in the summer village subject to the regulations of the land use districts, and shall be restricted to a site occupied by an approved and operating commercial development.
3. All suites shall remain accessory to and subordinate to the principal building on a lot.
4. A recreational vehicle shall not be considered a suite.
5. The total area of a suite located on a site shall not exceed 92.9 m² (1,000 ft²) in area.
6. Notwithstanding 8.28.5, the total area of a garage suite shall not exceed the ground floor area of the garage.
7. Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the suite.
8. A garage suite shall remain accessory to and subordinate to the use of the garage.
9. A garage suite shall have an entrance separate from the entrance to the garage, either from a common indoor landing or directly from the exterior of the structure.
10. At-grade garage suites or guest houses shall be a maximum height of 4.6 m (15.0 ft).
11. Above-grade garage suites shall be a maximum height of 9.7 m (32.0 ft).
12. A minimum of three on-site parking spaces shall be required for lots with approved suites. Tandem parking may be permitted at the discretion of the Development Authority.

13. Windows contained within a suite shall be placed and sized such that they minimize overlook into yards and windows of abutting properties through one or more of the following:
 - a. off-setting window placement to limit direct views of abutting rear or side yard amenity areas, or direct view into a guest house window on an abutting site;
 - b. strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and
 - c. placing larger windows, such as living room windows, to face a lane, a flanking street, or the larger of any side yard abutting another property.
14. No additional approach off a local road or highway will be permitted to provide access or egress to the suite.
15. A suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.

8.29 Site Grading and Drainage

1. No person shall commence or continue the removal of topsoil, stripping or site grading that:
 - a. may adversely affect the drainage of the subject or adjacent lots; and/or
 - b. involves stockpiling or excavation or landscaping that would be inconsistent with an approved landscaping plan;without first obtaining a development permit.
2. Site grading and/or storm water drainage plans shall be required for all developments, if in the opinion of the Development Authority, the proposed development is likely to significantly alter the natural drainage on the site or increase run-off onto adjacent lands.
3. An application shall be considered incomplete and shall not be processed until all of the above items have been addressed to the satisfaction of the Development Authority.
4. Where requested information is of a technical or scientific nature, the Development Authority may require a report prepared or endorsed by a professional accredited to practice in Alberta and to the satisfaction of the Development Authority.
5. No topsoil, fill, aggregate or other similar material of a volume which would significantly alter lot grading or drainage shall be deposited on, moved within, or removed from a property without first obtaining a development permit.
6. Any application made for site leveling, infilling, site grading or stockpiling under shall be processed as a discretionary use in all districts.
7. Site grading shall not be permitted to direct additional surface drainage from the subject lot onto an adjacent lot unless provided for in an approved drainage plan or storm water management plan for the area.
8. Site grading shall not be permitted to impede or interfere with the natural flow of surface water onto adjacent lands or public ditches.

9. An application for a development permit for the excavation, stripping, or grading of land, which is proposed without any other development on the same land, may be required to include the following information:
 - a. the type of excavation, stripping or grading proposed, showing dimensions of the operation or the area of the land and depth to which the topsoil is to be removed;
 - b. location on the lot where the excavation, stripping or grading is to be undertaken;
 - c. a description of the condition in which the excavation, stripping or grading is to be left when the operation is complete or the use of the area from which the topsoil is removed (including post-construction lot elevations);
 - d. information relating to the existing land uses and vegetation;
 - e. a stormwater management plan;
 - f. information relating to the proposed timing and phasing program;
 - g. identification of the outdoor noise and the discharge of substances into the air;
 - h. a plan showing land reclamation proposals, where applicable, upon the eventual completion of the operation; and
 - i. an explanation of the precautions to be taken to ensure minimal dust and environmental disturbance.
10. As per Section 3 of the *Soil Conservation Act*, landholders shall, in respect of the landholder's land, take appropriate measures:
 - a. to prevent soil loss or deterioration from taking place; and
 - b. if soil loss or deterioration is taking place, to stop the loss or deterioration from continuing.

8.30 Wastewater

1. All buildings, facilities and developments undertaken on a site shall comply with:
 - a. all Summer Village bylaws regarding wastewater disposal; and
 - b. all applicable provincial *Acts* and regulations.

LAND *use* DISTRICTS

9. LAND USE DISTRICTS

9.1 Establishment

1. For the purpose of this Bylaw, the Summer Village of Island Lake is divided into the following Land Use Districts:

NAME	SYMBOL	MAP COLOUR
Residential – Small Lot District	R1	Yellow
Residential – Large Lot District	R2	Orange
Commercial District	C	Red
Community Reserve District	P	Blue
Natural Environment District	N	Green

1. The Land Use District Map in this land use bylaw identifies the areas of the Summer Village of Island Lake that are within each land use district.
2. The regulations within Section 8: General and Specific Regulations apply to developments within all Land Use Districts in the Summer Village.
3. For the purposes of this bylaw, the R1 and R2 land use districts shall be considered to be residential land use districts, and the C land use district shall be considered the commercial land use district.

9.2 Boundaries

1. The boundaries of the Land Use District Map shall be interpreted as follows:
 - a. where a boundary is shown as following a street, lane or watercourse, it shall be deemed to follow the centre line thereof;
 - b. where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line; and
 - c. in circumstances not covered by (a) or (b) above, 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.
2. Where the application of the rules outlined in Section 9.2.1 does not determine the exact location of the boundary of a district, or there is a dispute regarding the exact boundary of the district, then Council may determine the boundary either:
 - a. on its motion; or

- b. upon written application being made to it by any person requesting the determination of the exact location of the boundary in question.
- 3. After Council has fixed a district boundary pursuant to the provisions of Section 9.2.2, the boundary shall not be altered, except by an application to amend this bylaw.
- 4. The Development Authority shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

10.1 PURPOSE

1. To allow for the development of residential uses on small lots predominately located adjacent to Island Lake.

10.2 PERMITTED USES

1.	Dwellings, Single Detached
2.	Public or Quasi-Public Buildings
3.	Public or Quasi-Public Uses
4.	Public Utilities
5.	Buildings and uses accessory to permitted uses

10.3 DISCRETIONARY USES

1.	Bed and Breakfast Establishments
2.	Dwellings, Manufactured Homes
3.	Home Occupations, Minor
4.	Recreational Vehicles
5.	Suites, Garage
6.	Suites, Guest House
7.	Dwellings, Modular Homes
8.	Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

10. R1 – RESIDENTIAL SMALL LOT DISTRICT

10.4 Maximum Height

USES	
Principal Buildings	2 storeys or 9.7 m (32.0 ft), whichever is less in relation to the elevation of the adjacent road.
Garages (and Garages with Garage Suites)	2 storeys or 9.7 m (32.0 ft) in relation to the elevation of the adjacent road or as allowed by the Development Authority, and may exceed the height of the principal building on the lot.
Other Accessory Buildings and Boathouses	1 storey or 4.6 m (15.0 ft) in relation to the elevation of the adjacent road or as allowed by the Development Authority.

10.5 Minimum Floor Area

USES	
Single Family Dwellings	45.0 m ² (484.0 ft ²)
Manufactured Homes	45.0 m ² (484.0 ft ²)
Guest Houses Suites	13.0 m ² (140.0 ft ²)

10.6 Maximum Lot Coverage

All Uses	The maximum lot coverage for buildings and non-permeable surfaces (including driveways, parking areas, and hard surfaced landscaping) shall be 50% of the total lot area (see Section 8.17 – Landscaping).
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10.7 Minimum Lot Area and Width

New Lots	All new lots to be created shall have a minimum lot area not less than 0.4 hectares (1.0 acres).
	All new lots shall have a minimum lot width of 15.2 m (50.0 ft).

10.8 Minimum Front Yard Setback

Lakefront Lots	At the discretion of the Development Authority Officer, but not less than 8.0 m (26.0 ft)
All Other Cases	8.0 m (26.0 ft)
Accessory Buildings	As per Section 8.1 – Accessory Buildings

10.9 Minimum Side Yard Setback

All Lots	Minimum of 1.5 m (5.0 ft)
Accessory Buildings	As per Section 8.1 – Accessory Buildings

10.10 Minimum Rear Yard Setback

All Lots	Minimum of 1.5 m (5.0 ft)
Accessory Buildings	As per Section 8.1 – Accessory Buildings

10.11 Other Regulations

Wastewater	All private wastewater systems shall be consistent with the regulations of Section 8.30 – Wastewater.
Subdivision	Any re-subdivision shall require a minimum lot size of 0.4 hectares (1.0 acres).
Recreational Vehicles	Where a recreational vehicle is to be placed on an otherwise undeveloped lot, the setback requirements for the recreational vehicle shall be the same as the setback requirements for a principal building.
Other Requirements	All other requirements shall be as required by the Development Authority.

11.1 PURPOSE

1. To allow for the development of residential uses on large lots that are not adjacent to Island Lake.

11.2 PERMITTED USES

1.	Dwellings, Single Detached
2.	Public or Quasi-Public Buildings
3.	Public or Quasi-Public Uses
4.	Public Utilities
5.	Buildings and uses accessory to permitted uses

11.3 DISCRETIONARY USES

1.	Bed and Breakfast Establishments
2.	Dwellings, Manufactured Homes
3.	Home Occupations, Minor
4.	Recreational Vehicles
5.	Suites, Garage
6.	Suites, Guest House
7.	Dwellings, Modular Homes
8.	Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

11. R2 – RESIDENTIAL LARGE LOT DISTRICT

11.4 Maximum Height

USES	
Principal Buildings	2 storeys or 9.7 m (32.0 ft), whichever is less in relation to the elevation of the adjacent road.
Garages (and Garages with Garage Suites)	2 storeys or 9.7 m (32.0 ft) in relation to the elevation of the adjacent road or as allowed by the Development Authority, and may exceed the height of the principal building on the lot.
Other Accessory Buildings	1 storey or 4.6 m (15.0 ft) in relation to the elevation of the adjacent road or as allowed by the Development Authority.

11.5 Minimum Floor Area

USES	
Single Family Dwellings	45.0 m ² (484.0 ft ²)
Manufactured Homes	45.0 m ² (484.0 ft ²)
Guest Houses Suites	13.0 m ² (140.0 ft ²)

11.6 Maximum Floor Area

USES	
Single Family Dwellings	280.0 m ² (3,014 ft ²)
Manufactured Homes	157.0 m ² (1,680 ft ²)
Guest Houses Suites	74.3 m ² (800.0 ft ²); where the floor area is less than that of the principal residential use upon the property.

11.7 Minimum Lot Area and Width

New Lots	All new lots to be created shall have a minimum lot area not less than 0.4 hectares (1.0 acres).
	All new lots shall have a minimum lot width of 30.4 m (100.0 ft).

11.8 Minimum Front Yard Setback

Lakefront Lots	At the discretion of the Development Authority Officer, but not less than 8.0 m (26.0 ft)
All Other Cases	8.0 m (26.0 ft)
Accessory Buildings	As per Section 8.1 – Accessory Buildings

11.9 Minimum Side Yard Setback

All Lots	Minimum of 1.5 m (5.0 ft)
Accessory Buildings	As per Section 8.1 – Accessory Buildings

11.10 Minimum Rear Yard Setback

All Lots	Minimum of 1.5 m (5.0 ft)
Accessory Buildings	As per Section 8.1 – Accessory Buildings

11.11 Other Regulations

Wastewater	All private wastewater systems shall be consistent with the regulations of Section 8.30 – Wastewater.
Subdivision	Any re-subdivision shall require a minimum lot size of 0.4 hectares (1.0 acres).
Recreational Vehicles	Where a recreational vehicle is to be placed on an otherwise undeveloped lot, the setback requirements for the recreational vehicle shall be the same as the setback requirements for a principal building.
Other Requirements	All other requirements shall be as required by the Development Authority.

12.1 PURPOSE

- 1. To allow for the development of businesses that provide commercial services to residents and visitors of the Summer Village.

12.2 PERMITTED USES

1.	Gas Bars
2.	Eating Establishments
3.	Public or Quasi-Public Buildings
4.	Public or Quasi-Public Uses
5.	Public Utilities
6.	Retail Establishments
7.	Buildings and uses accessory to permitted uses
8.	Other Uses that, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

12.3 DISCRETIONARY USES

1.	Cannabis Retail Sales
2.	Secondary Suites
3.	Surveillance Suites

12. C – COMMERCIAL DISTRICT

12.1 Regulations

Site Requirements	All site requirements shall be as required by the Development Authority.
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13.1 PURPOSE

1. To preserve natural areas and to allow for the limited development of uses that support social and recreational activities in the Summer Village.

13.2 PERMITTED USES

- | | |
|----|--|
| 1. | Municipal Buildings and Uses |
| 2. | Natural Open Space Areas |
| 3. | Public Recreational Facilities and Uses |
| 4. | Parks |
| 5. | Public or Quasi-Public Buildings |
| 6. | Public or Quasi-Public Uses |
| 7. | Public Utilities |
| 8. | Accessory Buildings and Uses (excluding Docks and Boat Hoists) |

13.3 DISCRETIONARY USES

- | | |
|----|--|
| 1. | Storage and development of docks and boat hoists |
| 2. | Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses |

13. P – COMMUNITY RESERVE DISTRICT

13.4 Regulations

Site Requirements	All site requirements shall be as required by the Development Authority.
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14.1 PURPOSE

- 1. To preserve and protect important environmental features in the Summer Village.

14.2 PERMITTED USES

1.	Municipal Buildings and Uses
2.	Natural Open Space Areas
3.	Public Recreational Facilities and Uses
4.	Public or Quasi-Public Buildings
5.	Public or Quasi-Public Uses
6.	Public Utilities
7.	Accessory Buildings and Uses (excluding docks)

14.3 DISCRETIONARY USES

1.	Parks
2.	Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

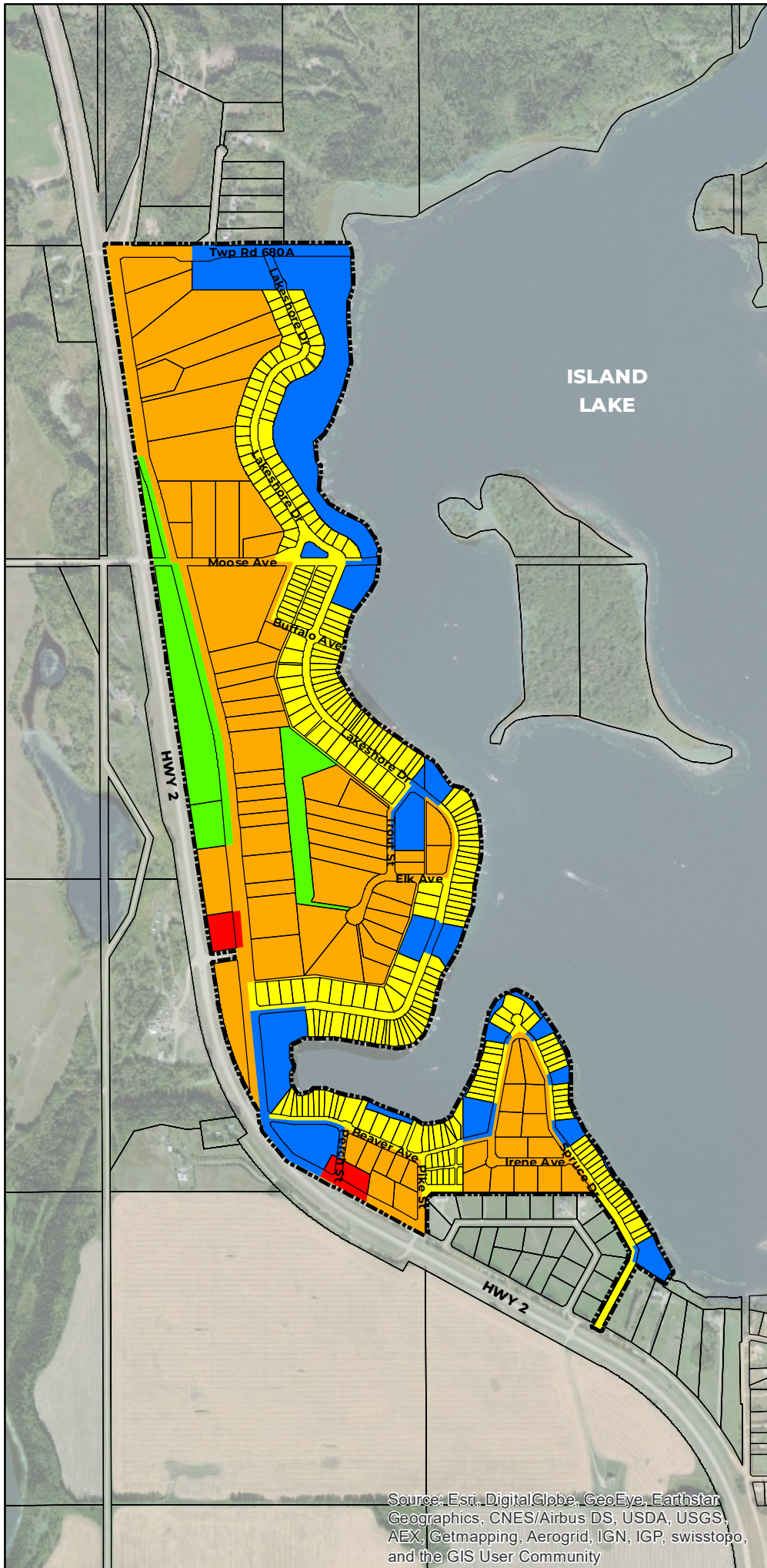
14. N – NATURAL ENVIRONMENT DISTRICT

14.1 Regulations

Site Requirements	All site requirements shall be as required by the Development Authority.
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LAND USE *district* MAP

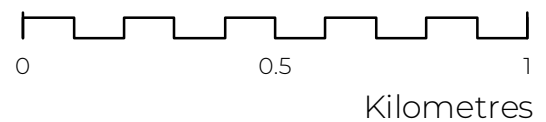
15. LAND USE DISTRICT MAP



LAND USE BYLAW

Land Use District Map

C - Commercial	
P - Community Reserve	
N - Natural Environment	
R1 - Residential Low Density	
R2 - Residential Large Lot	



Source: Esri, DigitalGlobe, GeoEye, Earthstar
Geographics, CNES/Airbus DS, USDA, USGS,
AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo,
and the GIS User Community



DRAFT: 30 JUNE 21

