

Minutes of the Land Use Bylaw Public Hearing of the Summer Village of Sunbreaker Cove, Province of Alberta, held September 24, 2018 in the Summer Village Administration Office at Sylvan Lake, Alberta.

CALL TO ORDER: The Meeting was called to order at 11:29 a.m. by Mayor Teresa Beets with the following being present:

Mayor:	Teresa Beets
Deputy Mayor:	Jim Willmon via Zoom
Councillor:	Keith Kimball
Administrator:	Phyllis Forsyth
Development Officer:	Koralyn Lemmon
Recording Secretary:	Teri Musseau
Public:	Garry Will
	Don Lee
	Verna Lee
	Terry Thompson
	Betty Thompson
	Don Walsh
	Maureen Walsh

PLANNING AND DEVELOPMENT

1. Land Use Bylaw Public Hearing

Mayor Beets explained the purpose of Hearing was to hear comments regarding the Land Use Bylaw Amendment Bylaw #133-18.

Emergency exits, muster point and washrooms were noted.

Introductions were made and the meeting and the process for the hearing explained.

Koralyn Lemmon gave her presentation outlining the proposed changes to the current Land Use Bylaw.

Building Height (Part One - Definitions)

PROPOSED REGULATION: "building height" means the vertical distance of a building measured from the average grade to the highest point of the building. This would include, but not limited to, 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.

Holding Tank (Part One - Definitions)

PROPOSED REGULATION: "holding tank" means a tank that complies with the provisions of the Safety Codes Act and the regulations there under and designed to retain sewage or effluent until transferred into mobile equipment for disposal.

Application Deemed Complete (Part Two - Permission for Development)

PROPOSED REGULATION: After receipt of a development permit application, the Development Authority shall give notice to the applicant by



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email as per the email address listed on the Development Permit Application, that the application is deemed complete or incomplete.

(a) If the application is deemed incomplete, the notice shall contain any outstanding documents and information required, and a date the outstanding documents and information shall be submitted, set out in the notice or a later date agreed on between the applicant and the development authority in order for the application to be considered complete.

(b) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in the email, the application is deemed to be refused. The development authority must issue to the applicant a notice by ordinary mail.

Variance Requests (Part Two – Variances)

PROPOSED REGULATION: The Municipal Planning Commission may approve an application...in the opinion of the Municipal Planning Commission... The Municipal Planning Commission shall adhere to the following... ..of the Municipal Planning Commission to relax... the Municipal Planning Commission shall not permit...

Permit Effective Date (Part Two – Development Permits and Notices)

PROPOSED REGULATION: A Development Permit issued pursuant to this Part does not come into effect until twenty-one (21) days after the date on which notice of issuance of the permit is given under subsection 4(a) or (b). Any development proceeded with the applicant prior to the expiry of this period is done solely at the risk of the applicant.

Notice of Decision (Part Two – Development Permits and Notices)

PROPOSED REGULATION: For permitted and discretionary uses: (i) Mail a notice of the decision to all persons whose use, enjoyment or value of property may, in the opinion of the Development Authority, be affected; and (ii) Post a notice of the decision on the Summer Villages' website.

21 Day Appeal Period (Part Two – Appealing a Decision)

PROPOSED REGULATION: An appeal by an applicant must be commenced within twenty-one (21) days of the notification of the decision or when the forty (40) day period or any time extension expires. An appeal by any other affected person must be made within twenty-one (21) days of the notice of the issuance of the permit was given.

Accessory Building Front Yard Setback (Part Three – Accessory Buildings, Lakefront Properties)

PROPOSED REGULATION: No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel other than those listed below in (ii)(c), *which is, an accessory building used as a storage shed, not exceeding 13 m² (139.93 ft²) shall be a minimum of 1 m (3.28 ft.) from the side and rear parcel boundaries and 2 m (6.56 ft.) from the front parcel boundary.*



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Accessory Building Rear Yard Setback (Part Three – Accessory Buildings, Lakefront Properties)

PROPOSED REGULATION: On an interior parcel, a minimum of 6m (19.68 ft.) from the rear parcel boundary.

Accessory Buildings (Part Three – Accessory Buildings, Non-Lakefront Properties)

PROPOSED REGULATION: No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel other than a garage or guest house, sheds are not permitted.

Accessory Building Front Yard Setback (Part Three – Accessory Buildings, Non-Lakefront Properties)

PROPOSED REGULATION: 6m (19.68 ft.) from the front parcel boundary.

Accessory Building Projections (Part Three – Projections Over Yards)

PROPOSED REGULATION: Any projection not exceeding 3 m (9.84 ft.) over the minimum rear yard for a main building, or fifty (50) percent over the minimum rear yard for an accessory building.

Parcel Servicing (Part Four – Land Use District R1)

PROPOSED REGULATION: Only a holding tank shall be permitted for any detached dwelling or a replacement of existing septic system.

Parcel Coverage (Part Four – Land Use District R1)

PROPOSED REGULATION: Maximum Parcel Coverage: Fifty (50) percent, other fifty (50) percent shall remain as is or contain native grasses, trees, shrubs, or ornamental plantings, satisfactory to the Development Authority.

No written submissions.

Mayor Beets opens the floor to the public.

Terry Thompson – 1314 Willow Road

- Do current holding tanks need to be inspected?
- All changes apply to new builds?

Garry Will – 741 Sunhaven Way

- Doesn't agree with building heights to include chimneys, smoke stacks, etc.



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- Doesn't agree with 50% soft landscaping

Mayor Beets then asked three times if anyone else would like to speak.

No one responded so she thanked the residents for their attendance and comments.

Mayor Beets closed the Public Hearing at 11:47 a.m.

TERESA BEETS, MAYOR

PHYLLIS FORSYTH, CAO



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