



PUBLIC NOTICE

Summer Village of Sunbreaker Cove

Notice is hereby given that the Council of the Summer Village of Sunbreaker Cove is holding a public hearing to review proposed amendments to the Land Use Bylaw #99/13.

Section 230 of the Municipal Government Act, RSA 2000, states a public hearing must be held when making amendments to a bylaw prior to the second reading of the bylaw. First reading to bylaw #136/18 was done on December 13, 2018.

A Public Hearing will be held as follows:

DATE: **January 24, 2019**
TIME: **2:00pm**
PLACE: **Summer Village Administration Office**
 Bay 8, 14 Thevenaz Industrial Trail,
 Sylvan Lake, AB T4S 2J5

Enclosed are the proposed amendments. Further information will be available at the Summer Village Administration Office between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday, or online at www.sylvansummervillages.ca.

Please join us at the public hearing as we look forward to your comments on Bylaw #136/18. Written submissions must be addressed to the **Summer Village of Sunbreaker Cove** and must be received at the **Summer Village Administration Office, Bay 8, 14 Thevenaz Industrial Trail, Sylvan Lake, AB T4S 2J5** prior to January 22, 2019.

Published a first time: January 10, 2019 in Sylvan Lake News.
Published a second time: January 17, 2019 in Sylvan Lake News.

Phyllis Forsyth
CAO
403-887-2822

SUMMER VILLAGE OF SUNBREAKER COVE
LAND USE BYAW
AMENDMENT BYLAW #136/18
PUBLIC HEARING – JANUARY 24, 2019

1. Home Occupation (Part One - Definitions)

Current Regulation: “home occupation” means any occupation, trade, profession, or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building.

PROPOSED REGULATION: “home occupation” means any occupation, trade, profession, or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building. This shall not include any cannabis retail sales or cannabis production and distribution.

Reasoning: The cannabis legalization came into effect on October 17, 2018, and only registered licensed facilities can sell cannabis as per Federal laws. Residential buildings are not constructed for cannabis cultivation and cannabis facilities are typically located in commercial, industrial, or agricultural zoning districts. Council wants to ensure Home Occupations in the Summer Village do not include cannabis sales/production, etc.

2. Accessory Buildings (Part Three - Buildings)

Current Regulation: An accessory building’s floor area shall be no larger than 8% of the parcels total area.

PROPOSED REGULATION: An accessory building’s footprint shall be no larger than 8% of the parcels total area.

Reasoning: Floor area is the main and upper floor square footages combined, where footprint is the main floor only. When applying for an accessory building development permit, the footprint of the building can only be 8% of the parcels total area.

3. Projections Over Yards (Part Three - Yards)

Current Regulation: In all other districts, the portion of and attachments to a main or accessory building which may project over or on a minimum yard are: (i) Any projection not exceeding 1.50 m (4.92 ft.) into a front yard or rear yard; (ii) Any projection not exceeding 0.60 m (1.97 ft.) into a side yard; (iii) Any projection that is an exterior fire escape not exceeding 1.20 m (3.94 ft.) in width.

PROPOSED REGULATION: Remove from Land Use Bylaw.

Reasoning: Projections over yards in the residential district is already covered in another section of the Land Use Bylaw. The other districts in the Summer Village are Community Reserve and Environmental Open Space, and main/accessory buildings are not permitted in these districts.

4. Driveway Setback (Part Three – Vehicles)

Current Regulation: Driveways on corner parcels shall be setback from the street intersection not less than 6 m (19.69 ft.) where the driveway serves not more than four (4) dwelling units.

PROPOSED REGULATION: Driveways on corner parcels shall be setback from the street intersection not less than 6 m (19.69 ft.).

Reasoning: The Summer Village only allows for one dwelling unit per parcel, therefore one driveway per parcel.

5. Driveway Material (Part Three – Vehicles)

Current Regulation: N/A

PROPOSED REGULATION: Driveways to be constructed of asphalt or gravel within the carriageway (between the road and private property line).

Reasoning: Asphalt road repairs/overlays are difficult if a different driveway material is used, like concrete or paving stones, etc. The driveway from the property line to the garage for example, can be concrete or paving stones, etc.

6. Permitted Uses (Part Four – Residential (R1) District)

Current Regulation: N/A

PROPOSED REGULATION: Driveway, Deck/Stairs, Holding Tank, Private Pool

Reasoning: Permits are and have been issued for these structures as they are a development, and they should be listed as a Use in the Land Use Bylaw. By placing them under Permitted Uses, the Development Officer can issue the permit rather than the applicant going before the Municipal Planning Commission if placed under Discretionary Uses.

7. Temporary Building (Part Four – Residential (R1) District)

Current Regulation: Temporary Building is listed as a Discretionary Use.

PROPOSED REGULATION: Remove Temporary Building from Discretionary Uses.

Reasoning: Temporary buildings are temporary, for short-term basis and only permitted to be used when a permit has been issued for a permanent structure, as per the “Development Not Requiring a Development Permit” section of the Land Use Bylaw. By having Temporary Buildings listed as a Discretionary Use, the bylaw contradicts itself. If someone wanted to use a temporary building for other than above, it would go to the Municipal Planning Commission as a variance request.

8. Side Yard Setback (Part Four – Residential (R1) District)

Current Regulation: 1.50 m (4.92 ft.), except where it abuts a public park or roadway – 3 m (9.84 ft.) or as required in the Alberta Building Code, whichever is greater.

PROPOSED REGULATION: 1.50 m (4.92 ft.), except where it abuts a community reserve or roadway – 3 m (9.84 ft.) or as required in the Alberta Building Code, whichever is greater.

Reasoning: “Community Reserve” is listed as a district and is more clear than “public park”.

PLEASE SUBMIT ALL WRITTEN COMMENTS BY JANUARY 22, 2019

**SUMMER VILLAGE OF SUNBREAKER COVE
LAND USE BYLAW
AMENDMENT BYLAW #136-18**

Being a Bylaw of the Summer Village of Sunbreaker Cove, in the Province of Alberta, to authorize amendments to the Summer Village of Sunbreaker Cove Land Use Bylaw 99-13.

WHEREAS Section 692 of the Municipal Government Act, RSA 2000, authorizes a Council to amend a land use bylaw;

WHEREAS the Council deems it desirable to amend Land Use Bylaw 99-13;

NOW THEREFORE, the Council of the Summer Village of Sunbreaker Cove, in the Province of Alberta, duly assembled, hereby enacts as follows:

An amendment to the Land Use Bylaw 99-13:

1. Part One: 1.3 – Revise “home occupation” definition to: means any occupation, trade, profession, or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building. This shall not include any cannabis retail sales or cannabis production and distribution.
2. Part Three: 1(1), revise (g) to: An accessory building’s footprint shall be no larger than 8% of the parcels total area.
3. Part Three: 2(2), remove (b): In all other districts, the portion of and attachments to a main or accessory building which may project over or on a minimum yard are: (i) Any projection not exceeding 1.50 m (4.92 ft.) into a front yard or rear yard; (ii) Any projection not exceeding 0.60 m (1.97 ft.) into a side yard; (iii) Any projection that is an exterior fire escape not exceeding 1.20 m (3.94 ft.) in width.
4. Part Three: 3(1), revise (b) to: Driveways on corner parcels shall be setback from the street intersection not less than 6 m (19.69 ft.).
5. Part Three: 3(1), add the following: (f) Driveways to be constructed of asphalt or gravel within the carriageway (between the road and private property line).
6. Part Four: (R1) District, add the following to Permitted Uses:
Driveway
Deck/Stairs
Holding Tank
Private Pool
7. Part Four: (R1) District, remove Temporary Building from Discretionary Uses.
8. Part Four: (R1) District, under Site Development, revise (1)(b) minimum side yard to: 1.50 m (4.92 ft.), except where it abuts a community reserve or roadway – 3 m (9.84 ft.) or as required in the Alberta Building Code, whichever is greater.

INTRODUCED AND GIVEN FIRST READING this day of, 2018.

**Summer Village of Sunbreaker Cove
Land Use Bylaw Amendment Bylaw #136-18**

Teresa Beets, Mayor

Phyllis Forsyth, C.A.O.

PUBLIC HEARING HELD this day of, 2019.

GIVEN SECOND READING this day of , 2019.

GIVEN THIRD AND FINAL READING this day of , 2019.

Teresa Beets, Mayor

Phyllis Forsyth, C.A.O.