

# VILLAGE *of* SPRING LAKE

LAND USE BYLAW | BYLAW #391

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# GUIDE TO USING THE LAND USE BYLAW

The Land Use Bylaw (LUB) establishes regulations for how land can be developed within the Village of Spring 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 and well as the placement, size and location of new buildings or structures. In addition to the LUB, other bylaws, regulations and polices of the Village of Spring Lake, Provincial and Federal governments must also be followed.

There are several parts of the Land Use Bylaw that need to be examined to understand how it works:

1

First, the Land Use Bylaw maps divide the Village into various Land Use Districts.

2

Second, the text of the Land Use Bylaw details the uses that are allowed in each District.

3

Thirdly, Section 8 provides additional regulations that apply to certain uses and/or within the Districts.

The following steps may assist the user of the Land Use Bylaw:

## LOCATE

The Land Use District Map divides the Village into Land Use Districts. Locate your property on the Land Use District Map and take note of which land use district applies. Please note that Land Use Districts are often referred to as “Zones” or “Zoning.” In order to conform to the *Municipal Government Act*, this LUB uses the terms “district” and “districting.”

## CHECK

Check the LUB table of contents to determine which section of the Bylaw applies to your lot. All of the land use districts are located in **Section 9**. In each Land Use District you will find a list of permitted and discretionary uses, subdivision regulations, development regulations, and other regulations. These regulations establish how and what can be developed within the district. There are definitions in **Section 1.8** that should also be consulted to ensure that words and terms used in the Land Use Bylaw are understood.

## REVIEW

The LUB should be reviewed for specific Regulations that apply to the development or use in question.

## DISCUSS

We encourage you to discuss your proposal or concern with 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 a Land Use Bylaw amendment.

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

# 1. INTRODUCTION

## 1.1 TITLE

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1. The title of this Bylaw shall be the Land Use Bylaw of the Village of Spring Lake (Bylaw #391).

## 1.2 APPLICATION

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1. The provisions of this Bylaw apply to all land and buildings within the boundaries of the Village of Spring Lake.

## 1.3 CONFORMITY WITH BYLAW

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

## 1.4 PURPOSE

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1. The purpose of this Bylaw is to prohibit or regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land, and:
  - a. to divide the municipality into Land Use Districts;
  - b. to prescribe and regulate for each Land Use District the purposes for which land and buildings may be used unless the district is designated as a Direct Control District pursuant to section 641 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended;
  - c. to establish the 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 Spring 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.

## 1.5 MEASUREMENTS

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- 1. Within this Bylaw, both metric and imperial measurements are provided (the imperial measures are shown within brackets). The imperial measures are approximate, and are provided only for information. The metric measurement shall take precedence for the purposes of interpretation of this Bylaw.

## 1.6 COMPLIANCE WITH OTHER LEGISLATION

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- 1. Compliance with the requirements of this bylaw does not exempt a person from:
  - a. The requirements of any federal, provincial or municipal legislation; and
  - b. Complying with any easement, covenant, agreement or contract affecting the development.

## 1.7 SEVERABILITY PROVISION

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- 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.

## 1.8 DEFINITIONS

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- 1. In this Bylaw:

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 and is located on the same lot;

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;

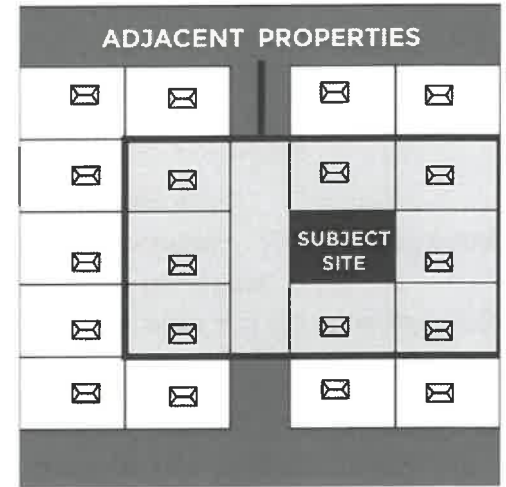
means the *Municipal Government Act*, RSA 2000, c M-26, as amended;

1.	ACCESSORY BUILDING
2.	ACCESSORY USE
3.	ACT (OR, THE ACT)

4.	ADJACENT LAND
5.	ADJACENT LANDOWNER
6.	ADVERTISEMENT
7.	AGRICULTURAL OPERATION
8.	AMUSEMENT ESTABLISHMENT
9.	ANIMAL BREEDING AND BOARDING FACILITY
10.	APIARY
11.	AREA OF COPY
12.	AWNING
13.	BASEMENT

means land that is contiguous to a particular lot and includes:

- 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 the Act.



means owners of land that is contiguous to the land that is the subject of an application, and includes owners of:

- 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;

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;

means an agricultural operation as defined in the *Agricultural Operation Practices Act*, R.S.A. 2000, c. A-7, as amended;

means a development for entertainment activities, either inside or outside a building, where patrons are normally, but not necessarily, participants. This shall include such activities as amusement parks, go-cart tracks, miniature golf establishments, billiard parlours, electronic games, arcades, bowling alleys, and theatres but does not include any establishment where gambling occurs;

means a development where domestic pets are bred, boarded or trained. Animal breeding and boarding facilities include kennels but does not include animal shelters, veterinary clinics, or veterinary hospitals;

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;

see "Sign Area;"

means a temporary canopy;

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;

14.	BED AND BREAKFAST ESTABLISHMENT	means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of two (2) rental bedrooms, with or without meals, are provided for remuneration to members of the public;
15.	BED AND SHORE	means land covered so long by water as to wrest it from vegetation or as to mark a distinct character on the vegetation where it extends into the water or on the soil itself, as referenced by the <i>Surveys Act</i> ;
16.	BILLBOARD	see "Sign, Freestanding;"
17.	BOARDING HOUSE	means a building, with or without a dwelling unit, where temporary sleeping accommodations of three (3) or more bedrooms, with or without meals, are provided for remuneration to members of the public;
18.	BUILDING	includes anything constructed or placed on, in, over, or under land but does not include a highway or road or a bridge forming part of a highway or road;
19.	BUILDING HEIGHT	see "Height;"
20.	BUSINESS SUPPORT SERVICE	<p>means a development providing support services to businesses. Business support services establishments are characterized by one or more of the following features:</p> <ul style="list-style-type: none"> <li>a. the use of minor mechanical equipment for printing, duplicating, binding or photographic processing;</li> <li>b. the provision of office maintenance or custodial services;</li> <li>c. the provision of office security; or</li> <li>d. the sale, rental, repair or servicing of office equipment, furniture and machines.</li> </ul> <p>Business support services include printing establishments, film processing establishments, janitorial firms, and office equipment sales and repair establishments;</p>
21.	CAMPGROUND, BASIC	means an area where spaces for tenting, as opposed to the parking and use of recreational vehicles, is allowed;
22.	CAMPGROUND, 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;
23.	CANNABIS	means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the Cannabis Act S.C. 2018, c. 16, as amended, or replaced and its regulations;
24.	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;
25.	CANNABIS CONSUMPTION FACILITY	means a development, or any part thereof, licensed to sell cannabis to the public for consumption within the premises;
26.	CANNABIS PRODUCTION AND DISTRIBUTION	means a development in a stand-alone building used principally for one or more of the following activities as it relates to Cannabis:

		<ul style="list-style-type: none"> <li>a. the production, cultivation, and growing of Cannabis;</li> <li>b. the processing of raw materials;</li> <li>c. the making, testing, manufacturing, assembling, destruction or in any way altering the chemical or physical properties of semi-finished or finished goods or products;</li> <li>d. the storage or trans-shipping of materials, goods, and products; or</li> <li>e. the distribution and sale of materials, goods, and products to Cannabis Retail Sales stores.</li> </ul>
27.	CANNABIS RETAIL SALES	Cannabis Production and Distribution Facilities shall not include storefront retail sales;
28.	CANOPY	means a retail store licensed by the Province of Alberta where Cannabis and Cannabis Accessories are sold to individuals who attend the premises;
29.	CARPORT	means a projection extending from the outside wall of a building, supported entirely from the exterior wall of the building, normally for the purpose of shielding a part of the building from the sun;
30.	CARWASH	means a roofed structure used for storing or parking not more than two (2) vehicles and which has not less than forty percent (40%) of its total perimeter open and unobstructed;
31.	CEMETARY	means a facility used for the cleaning of motor vehicles, such as cars, trucks, recreational vehicles and motorcycles;
32.	CHATTEL	means a development for the entombment of the deceased, which may include the following accessory developments: crematorium, columbarium, mausoleums. Cemeteries may include memorial parks, burial grounds, chapels and gardens or remembrance;
33.	COMMERCIAL SCHOOL	means a moveable item of personal property;
34.	COMMERCIAL USE	means a development where training and instruction in a specific trade, skill or service is provided for the financial gain of the individual or company owning the school. Commercial schools do not include schools operated by a School Division, but includes secretarial, business, hairdressing, beauty, culture, dancing, or music schools;
35.	COUNCIL	means a business through which products, services, or entertainment are available to consumers, whether the general public or other commercial establishments. Commercial use shall include: business services, retail stores, greenhouses, medical clinics, mail and parcel delivery services, office uses, and personal services. This use does not include: the manufacturing of products, adult uses, cannabis consumption facilities, or cannabis retail sales.
36.	DAYCARE FACILITY	means the Council of the Village of Spring Lake;
		means an establishment licensed by the provincial and/or regional Child and Family Services Authority intended to provide care, educational services and supervision for five (5) or more children under the age of fifteen (15) years for a period less than twenty-four (24) consecutive hours at a time. This use includes group day care 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;

37.	DAYHOME
38.	DECK
39.	DEVELOPER
40.	DEVELOPABLE AREA
41.	DEVELOPMENT

means an accessory use within a dwelling unit used to provide care and supervision, for adults or children in accordance with the Child Care Licensing Act, S.A. 2007, c. 10.5, as amended, as well as any other applicable Provincial or Federal legislation;

means any open structure attached to a building having a height greater than 0.6 m (2 ft.) above grade, and thereby requiring stairs and railings as outlined in regulations approved under the *Safety Codes Act*. A deck shall not have walls higher than 1.25 m (4.1 ft.);

means an owner, agent or any person, firm or company required to obtain or having obtained a development permit;

means that portion of a lot or site which is not subject to environmental site conditions as described in Section 8.11 of this Bylaw, which is not covered by an easement preventing construction, and which is not affected by the minimum required yards and/or setbacks of this Bylaw;

means:

- 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 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 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:

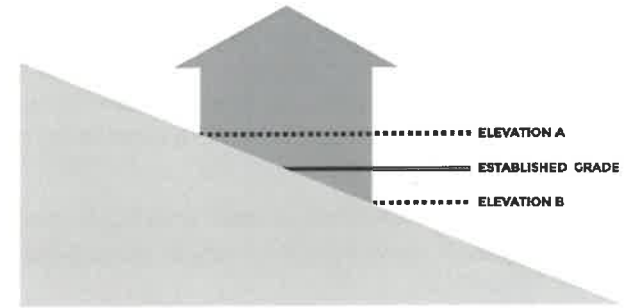
- e. in the case of a lot used for residential purposes, alterations made to a building or an additional building on the lot whether or not the building is a dwelling or part of a dwelling unit,
- f. in the case of a lot used for other than residential purposes, alterations or additions made to a building 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;

		<ul style="list-style-type: none"> <li>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;</li> <li>l. the use of land for the storage or repair of motor vehicles or other machinery or equipment;</li> <li>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;</li> <li>n. the demolition or removal of a building;</li> <li>o. the placement of an already constructed or a partially constructed building on a parcel of land;</li> <li>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;</li> <li>q. the removal of topsoil from land;</li> <li>r. the use of land for storage purposes or for the repair of equipment, vehicles or other kinds of machinery;</li> <li>s. the installation of any type of sewage disposal system including but not limited to holding tanks; or</li> <li>t. the digging of a well or installation of a water cistern.</li> </ul>
42.	DEVELOPMENT AUTHORITY	means the Development Authority established by the Village's Development Authority Bylaw and appointed by Council;
43.	DEVELOPMENT OFFICER	means the person(s) appointed to the office established by this bylaw;
44.	DEVELOPMENT PERMIT	means a document authorizing a development issued pursuant to this Bylaw;
45.	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;
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.	DRIVE-IN BUSINESS	means an establishment which serves customers travelling in motor vehicles driven onto the lot where such business is carried on, where normally the customer either remains in the vehicle for service, or parks the vehicle for a short period for the purpose of doing business at the premises. Drive-in businesses include service stations, gas bars, drive-in restaurants, drive-through vehicle service establishments such as lubrication shops, recycling depots, and car washes. Drive-in businesses may include the use of outdoor speakers and audio equipment to communicate with customers;
48.	DRIVE-IN RESTAURANT	means an establishment where patrons may purchase food and non-alcoholic beverages on site and normally consume the food and beverages off site;
49.	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, duplexes, and multi-family dwellings, but does not include park models or suites;

50.	DWELLING, DUPLEX	means a dwelling containing two (2) dwelling units which share a common wall or floor/ceiling, and which are located either side by side or one above the other, and which have a separate access to each dwelling unit;
51.	DWELLING, MANUFACTURED HOME	means a dwelling, constructed in or after 1991, which is constructed with a chassis or related assembly that allows for the permanent or temporary attachment of a hitch and assembly to enable relocation of the dwelling, and further, which conforms to the Canadian Standards Association A277 and Z-240 Standards (or subsequent CSA Standards). 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”);
52.	DWELLING, MULTI-UNIT	means a dwelling containing three (3) or more dwelling units;
53.	DWELLING, SEASONAL	means a dwelling that lacks one or more of the basic amenities or utilities required for year-round occupancy or use such as: a permanent heating system, insulation, and/or year-round usable plumbing;
54.	DWELLING, SINGLE DETACHED	means a building consisting of one (1) dwelling unit. A single detached dwelling is a dwelling which is normally constructed on-site. 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 on-site, and thus may be a modular dwelling. Single detached dwellings do not include manufactured home dwellings;
55.	DWELLING, MODULAR	means a modular dwelling for which the ratio of depth vs. width (or width vs. depth) is less than 3:1, the roof pitch is equal to or greater than 1:4, and the depth of eaves is equal to or greater than 30.0 cm (1.0 ft.);
56.	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. A dwelling unit does not contain more than one room, which, due to its design, plumbing, equipment, and/or furnishings, may be used as a kitchen;
57.	EASEMENT	means a right to use land, generally for access to other property or as a right-of-way for a public utility;
58.	EATING ESTABLISHMENT	means a development where patrons may purchase and consume food and/or alcoholic beverages on site where food, rather than alcohol, is the predominant item consumed. An eating establishment does not include an entertainment establishment or a cannabis consumption facility;
59.	EATING ESTABLISHMENT, OUTDOOR	means a commercial development where food and beverages are prepared and served for consumption on-site by the public either outside or inside the confines of the establishment. This use does not include a Cannabis Consumption Facility;
60.	EDUCATION SERVICE	means the assembly for education, training, or instruction;
61.	ENTERTAINMENT ESTABLISHMENT	means a development where persons may be entertained by music, theatre, or the like. An entertainment establishment includes theatre, dancing or cabaret entertainment, whether recorded or live. An eating and/or drinking establishment may contain within it an entertainment establishment, but only if specifically provided for in an approved development permit;

62.	ESTABLISHED GRADE
63.	EXCAVATION
64.	EXTERIOR WALL
65.	FAMILY
66.	FAMILY CARE FACILITY
67.	FARM, RURAL
68.	FARM, URBAN INDOOR
69.	FARM, URBAN OUTDOOR

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;



means any breaking of ground, except common household gardening and ground care;

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.);

means two (2) or more persons related by heredity, blood, marriage, a common-law relationship or adoption;

means a development which provides resident care service in a dwelling unit to six (6) or fewer individuals. These individuals may be handicapped, aged, disabled, or in need of adult supervision and are provided service and supervision in accordance with their individual needs. Family care facilities include foster or boarding homes for children and group homes;

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;

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 on-site sales, composting of plants grown on-site, 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, Recreational Acreage Farms, Urban Outdoor Agriculture, Urban Gardens, 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;

means the cultivation and harvesting of plant and/or animal products in urban areas, primarily as an interim use on idle or under-used 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 on-site sales, composting of plants grown on-site, or outdoor storage. This use does not include Livestock Operations, Rural Farms, Urban Gardens, or Cannabis Production and Distribution, unless operating pursuant to a

70.	FENCE	
71.	FOUNDATION	
72.	FRONTAGE	
73.	GARAGE	
74.	GAS BAR	
75.	GLASS LINE	
76.	GRADE	
77.	GREENHOUSE	
78.	GROUND FLOOR AREA	
79.	GROUP CARE FACILITY	

registration certificate issued by the Federal Government for personal production or designated personal production for medical cannabis;

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;

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;

means the length of the front line of a lot. On a double fronting lot and on a lot where the side line is adjacent to a road, all sides of the lot adjacent to roads shall be considered frontage;

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;

means development used for the retail sale of gasoline, other petroleum products and incidental auto accessories. This use does not include service stations;

means the line created within the wall of a building measured from the center of the windowpane glass;

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:

- a. 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
- b. The Development Authority may determine grade by calculating the average of the pre-development elevations at the corners of the parcel as shown on a reliable survey; or

The Development Authority may determine grade by calculating the average elevation of the corners of the principal buildings on all properties abutting the subject parcel;

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;

means the greatest horizontal area of a building above grade within the outside surface of exterior walls, or within the glass line of exterior walls and the centerline of fire walls, but not including the floor areas of basements, attached garages, sheds, open porches, or breezeways;

means a development which provides resident care services to seven (7) or more individuals. These individuals may be handicapped, aged, or disabled, and undergoing rehabilitation, and are provided services to meet their needs. Group care facilities include supervised uses such as group homes (all ages), halfway houses, resident schools, resident facilities, foster or boarding homes, and psychiatric care facilities, but not major institutional care facilities such as hospitals;

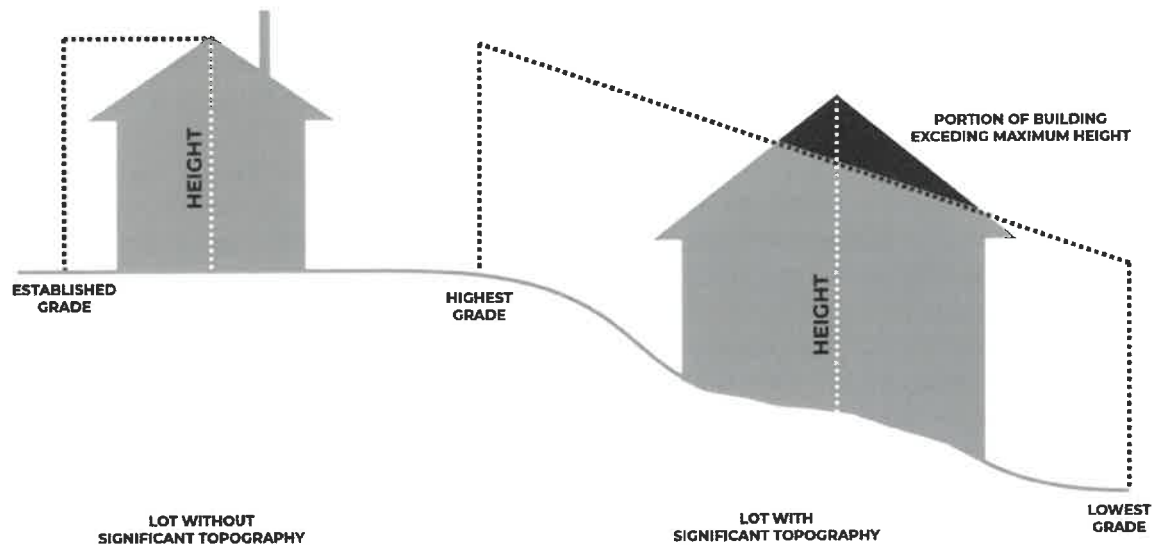
80.	GROUP HOME
81.	HABITABLE ROOM
82.	HARDSURFACING
83.	HEIGHT
84.	HIGHWAY

means a development consisting of the use of a dwelling as a facility which is authorized, licensed or certified by a public authority to provide room and board for persons with physical, mental, social, or behavioural problems and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance or supervision. The residential character of the development shall be primary with the occupants living together as a single housekeeping group and using cooking facilities shared in common. This does not include drug or alcohol addiction treatment centres;

means a room or enclosed space used or usable for human occupancy, including but not limited to kitchens, bedrooms, living rooms, family rooms and dens, excluding non-habitable rooms which include bathrooms, laundries, pantries, foyers, hallways, entry ways, storage areas, and rooms in basements used only for recreational purposes or any space in a dwelling providing a service function and not intended primarily for human occupancy;

means a durable ground surface constructed of non-vegetative material(s) such as cast-in-place concrete, brick, concrete paving blocks, turfstone, stone, asphalt, or similar materials (not including gravel and clay);

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;



Means a highway or proposed highway that is designated as a highway pursuant to the *Public Highways Development Act*, R.S.A. 2000 C. P-38 as amended.

85.	HIGHWAY COMMERCIAL USE	means a development serving the travelling public. Highway commercial uses include eating establishments, services stations, gas bars, convenience retail stores, hotels, and motels;
86.	HOBBY FARM	means a small farm that is maintained without expectation of being a primary source of income. Hobby farms may be intended as recreational land, include the keeping of chickens, pigs, and/or horses, managed as working farms for sideline income or are run at an ongoing loss as a lifestyle choice;
87.	HOME OCCUPATION, MAJOR	means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling and/or within the accessory buildings associated with that dwelling by at least one permanent resident of said dwelling, and which may increase traffic circulation in the neighbourhood in which it is located. A 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 neighborhood due to regular business activities. These impacts may include: traffic generation due to client visits to the site, dust, and noise due to use of equipment on the site, or visual impacts due to outdoor storage. A major home occupation does not include adult entertainment services, day homes, bed and breakfast establishments, dating or escort services, or veterinary services;
88.	HOME OCCUPATION, MINOR	means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling, but not within any accessory buildings associated with that dwelling, by at least one permanent resident of said dwelling, and which does not increase traffic circulation in the neighbourhood in which it is located. 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. A minor home occupation does not include adult entertainment services, bed and breakfast establishments, dating or escort services, or veterinary services;
89.	HOTEL	means a development where members of the traveling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, where access to the rentable units is from a common entranceway. 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;
90.	INDUSTRIAL HEMP	means a cannabis plant – or any part of that plant – in which the concentration of THC is zero point three percent (0.3%) w/w or less in the flowering heads and leaves, as defined in Industrial Hemp Regulations, SOR/2018-145, as amended or replaced;
91.	INDUSTRIAL HEMP PRODUCTION	means the use of land, buildings, or structures licensed and/or authorized to possess, sell, provide, ship, deliver, transport, destroy, produce, export and/or import industrial hemp, including related research, under the Industrial Hemp Regulations, SOR/2018-145, as amended, or replaced. This does not include cannabis retail sales or cannabis production and distribution facility, or the outdoor cultivation of industrial hemp;

92.	INDUSTRIAL USE
93.	INSTITUTIONAL USE
94.	KENNEL
95.	LANDSCAPING
96.	LANE
97.	LEGAL BANK
98.	LIVESTOCK
99.	LIVING ROOM
100.	LOADING SPACE
101.	LOT

means development used for one or more of the following activities: the manufacturing, processing, assembling, cleaning, repairing, servicing, testing, storage, warehousing, distribution or trans-shipment of materials, finished goods, products, or equipment;

means development for the purpose of education, health service, or detention and correction. Uses include but are not limited to commercial schools, public and private schools, libraries and cultural exhibits, community halls, hospitals, nursing homes, and senior citizen lodges, but do not include detoxification centres or remand and/or correction centres;

means a shelter, room, dwelling or place where three or more dogs are harbored at any one location. This definition does not include premises used for care and treatment of dogs as operated by a qualified veterinarian, nor does it include premises known as a pound;

means the modification and enhancement of a site through the use of any or all of the following elements:

- a. vegetation such as lawns, trees, shrubs, hedges, ground cover, ornamental plantings, or similar;
- b. architectural such as fences, screening, walks, retaining walls or other structures and materials used in landscape architecture;

means a narrow roadway intended chiefly to give access to the rear of buildings and parcels of land, also known as an alley as defined by the *Traffic Safety Act*, R.S.A. 2000, c. T-6, as amended;

means the bank of a wetland as determined by an Alberta Land Surveyor in accordance with the *Surveys Act*, R.S.A. 2000, c. S-40;

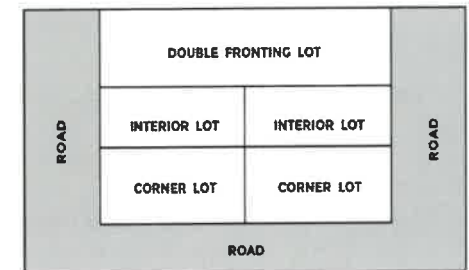
means livestock as defined in the *Agricultural Operation Practices Act*, R.S.A. 2000, c. A-07, as amended;

means any room in a dwelling unit used primarily for the social activities of the occupants and which is designed for general living whether or not combined with specific activities such as dining, food preparation, or sleeping;

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;

means:

- a. a quarter section;
- b. a river lot or a lake lot shown on an official plan referred to in the *Surveys Act* that is filed or lodged in a land titles office;
- c. a settlement lot shown on an official plan referred to in the *Surveys Act* 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;



102.	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;
103.	LOT DEPTH	means the average distance between front and rear lines of a lot;
104.	LOT, FLANKING	means a corner lot on which a side line is abutting onto a road and where all other lots which are within 9.1 m (30.0 ft.) of the lot have no front yard on the same road;
105.	LOT, LAKESIDE	means a residential lot identified on Map 20.2 – Lakeside Lots;
106.	LOT LINE, FRONT	means the boundary line of a lot lying adjacent to a road. In the case of a corner lot, the shorter of the two boundary lines adjacent to the road shall be considered the front line;
107.	LOT LINE, REAR	means the boundary line of a lot lying opposite to the front line of the lot and/or farthest from a road;
108.	LOT 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;
109.	LOT, INTERIOR	means a lot which is bordered by only one road;
110.	LOT, UNDEVELOPED	means a lot which does not contain a residence, building, or structure;
111.	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.
112.	MAIN BUILDING	see “Principal Building;”
113.	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;
114.	MANUFACTURED HOME PARK	means a parcel of land under a single title which has been or is intended to be divided into rentable areas for the long term accommodation of manufactured homes;
115.	MIXED USE DEVELOPMENT	means a building including more than one land use, which are uses listed within the same Land Use District, on the same site, such as residential and retail stores, residential and office uses, or restaurant and office developments;
116.	MOBILE HOME	means a single detached dwelling comprised of one or more large factory-built sections. It is manufactured in compliance with the CSA Z240 MH National Mobile Home Standard but not with the Alberta Building Code (ABC). A mobile home refers to a manufactured home that was constructed prior to 1991. A mobile home does not include a park model;
117.	MODULAR DWELLING	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, and includes both manufactured and mobile homes. A modular dwelling does not include a park model;

118.	MOTEL	means a development where members of the traveling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, and where access to each of the rentable units is individually available from grade, either at grade or via stairways. A motel may include eating establishments, but shall not include alcohol retail sales or an entertainment establishment;
119.	MUNICIPALITY	means the Village of Spring Lake, unless otherwise noted;
120.	NATURAL RESOURCE EXTRACTION AND PROCESSING	means an industry engaged in the extraction of natural resources such as clay, sand, gravel, coal, peat, and other minerals including petroleum and natural gas, and which may include the processing of these through primary treatment into a raw marketable form. Natural resource extraction does not include: industrial agriculture, forestry services, pulp mills or large scale transportation and vehicle service facilities involved in the transport of forestry or mineral products;
121.	NON-CONFORMING BUILDING	means a building: <ul style="list-style-type: none"> <li>a. that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or the land on which the building is situated becomes effective, and</li> <li>b. that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw;</li> </ul>
122.	NON-CONFORMING USE	means a lawful specific use: <ul style="list-style-type: none"> <li>a. Being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective; and</li> <li>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;</li> </ul>
123.	NON-PERMEABLE SURFACE	means any man-made surface which does not allow the absorption of water into the ground at a pre-development rate. A non-permeable surface consists of materials such as roofing materials, concrete, asphalt, unit pavers, and compacted gravel;
124.	NUISANCE	means any use of or activity upon any property which in the opinion of a Designated Officer of the 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;
125.	OCCUPANCY	means the use or intended use of a building or a part thereof for the shelter or support of persons or property;
126.	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, leasee, tenant or agent of the owner;
127.	OFFENSE 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,

128.	OFF-HIGHWAY OR OFF-ROAD VEHICLE	
129.	OFF-STREET PARKING	
130.	OFFICE USE	
131.	OWNER	
132.	PARAPET WALL	
133.	PARK	
134.	PARK MODEL	

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;

means any motorized mode of transportation built for cross-country travel on land, water, snow, ice, marsh or swamp land or other natural terrain and, when designed for such travel and without limiting the generality of the foregoing includes:

- a. 4-wheel vehicles (e.g. 'quads');
- b. low pressure tire vehicles;
- c. motorcycles and related 2-wheel vehicles;
- d. amphibious machines;
- e. all-terrain vehicles;
- f. miniature motor vehicles;
- g. snow vehicles;
- h. mini-bikes; and
- i. any other means of transportation that is propelled by any power other than muscular power or wind; but does not include: motor boats or any other vehicle exempt from being an off-highway vehicle by regulation;

means an area for the parking of vehicles which is located on a lot and not on a road or in a lane;

means a development primarily used for the provision of professional, management, administrative, consulting or financial services. Typical uses include:

- a. the offices of doctors, dentists, chiropractors, licensed massage therapists, lawyers, accountants, engineers, architects, realtors, insurance agents, secretaries, employment agencies, and similar business and office support services;
- b. banks, credit unions, loan offices and similar financial services; and
- c. the offices of governments or government agencies;

means:

- 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 a parcel of land on the current Certificate of Title;

means that part of an exterior wall, party wall, or fire wall extending above the roof line or a wall which serves as a guard at the edge of a balcony or roof;

means an outdoor area where passive and active recreation activities may take place, and which may include the placement of recreational equipment;

means a recreational vehicle conforming to Canadian Standards Association (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.;
135.	<b>PARKING AREA</b>	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;
136.	<b>PARKING STALL</b>	means a designated space for the parking of one (1) vehicle in a parking area;
137.	<b>PATIO</b>	means any developed surface adjacent to a building which surface is less than 0.6 m (2.0 ft.) above grade;
138.	<b>PERMITTED USE</b>	See "Use, Permitted;"
139.	<b>PERSONAL SERVICE SHOP</b>	means a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. This includes barber shops, hairdressers, beauty salons, tors, dressmakers, shoe repair shops, dry cleaning and laundry drop-off shops. This does not include dry cleaning establishments, laundromats, household commercial services, and health services;
140.	<b>PLACE OF WORSHIP</b>	means a building wherein people regularly gather for worship and related religious, philanthropic or social activities. Typical uses include churches, chapels, convents, kingdom halls, monasteries, mosques, synagogues, and temples. Places of worship may also contain facilities for eating and drinking establishments as an accessory use and, from time to time, part of a place of worship may be used as an entertainment establishment;
141.	<b>POUND</b>	means the place designated by the Chief Administrative Officer of the Village of Spring Lake for the impounding and keeping of animals found to be in contravention of the Land Use Bylaw or the Animal Control Bylaw;
142.	<b>PRINCIPAL BUILDING</b>	means a building in which, in the sole opinion of the Development Authority, 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. On a residential lot the principal building is the dwelling for which a development permit has been issued. On a commercial lot, the principal building is the commercial development for which a development permit has been issued.
143.	<b>PRINCIPAL USE</b>	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;
144.	<b>PRIVATE CAMP</b>	means social or recreational activities of members of any organization or their guests, with or without on-site campsites or dwelling units, but generally with an outdoor emphasis. Private camps may include facilities for eating, drinking and assembly purposes associated with the camp;
145.	<b>PUBLIC AND PRIVATE SCHOOL</b>	means development where educational, training, or instruction occurs under the auspices of a School Division or under the auspices of an organization authorized by the Province to provide education similar to that which would be provided by a School Division. Public and private schools include the administration offices, storage, and maintenance operations of the School Division. Public and private schools include public and separate schools, community colleges, universities, technical and vocational schools, and private academies or "charter schools" (and similar schools), and their administrative offices and maintenance facilities;

146.	PUBLIC PARK	means land providing outdoor public recreation space;
147.	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 activities;
148.	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;
149.	PUBLIC UTILITY	means a public utility, as defined in the <i>Act</i> , except for those public utilities described as being utility services in this Bylaw;
150.	PUBLIC UTILITY BUILDING	means a building in which the proprietor of the public utility maintains its office or offices and/or maintains or houses any equipment used in conjunction with the public utility;
151.	RECREATION FACILITY, INDOOR	means a development providing facilities that are available to the public for sports and recreational activities conducted indoors. Typical uses include indoor swimming pools, hockey rinks, gymnasiums, and indoor tennis courts, curling rinks, bowling alleys and indoor athletic fields but do not include indoor gun ranges;
152.	RECREATION FACILITY, OUTDOOR	means lands used for recreational activities, for profit or not, which are primarily conducted outdoors and which utilize tracts of land and may or may not require facilities or structures. Typical uses include, but are not limited to, cross-country ski trails, walking or cycling paths, ski hills, sports fields, tennis courts, playgrounds, private camps, golf courses, riding stables, archery clubs, and which may include limited commercial uses incidental to the primary use. Outdoor recreation facilities do not include outdoor motorized vehicle recreation or recreational vehicle parks;
153.	RECREATIONAL EQUIPMENT	means a development for either active or passive recreation which is not within an enclosed building. Recreation equipment includes swing sets, baseball diamonds, soccer fields, outdoor recreation sets, playgrounds, and the like;
154.	RECREATIONAL USE, INTENSIVE	means high density recreational activity such as, but not limited to, a campground, picnic ground, marina, lodge, swimming beach, boat launch, park, hotel, recreational vehicle park, and golf course;
155.	RECREATIONAL VEHICLE	means a portable unit designed for travel, camping or recreation that provides sleeping and other facilities for temporary accommodation. A recreational vehicle (RV) is designed for road travel, and either has its own motor or can be mounted or drawn by another vehicle. It is equipped with land-to-vehicle service connections (electricity, water and/or sewer). A recreational vehicle may be, but is not limited to, a tent trailer, travel 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;
156.	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 Safety Codes Act, R.S.A. 2000, c. S-01, as amended;
157.	RENTABLE UNIT	means a separate unit of a motel or bed and breakfast establishment used or intended to be used for the temporary dwelling accommodation of one or more persons. Several rentable units may be in one (1) building, or a building may

		comprise one (1) rentable unit and the motel or bed and breakfast establishment may comprise one (1) or several buildings, each with one (1) or several rentable units;
158.	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;
159.	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 Act;
160.	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 Act;
161.	RESERVE, ENVIRONMENTAL	means land designated Environmental Reserve (ER) pursuant to the Act, when a subdivision occurs in an area where some of the land is undevelopable due to environmental factors;
162.	RESERVE, MUNICIPAL	means land owned by the Village and designated as Municipal Reserve (MR) as defined under the Act. Municipal Reserve land does not include Environmental Reserve (ER) or School Reserve (SR) as defined in the Act;
163.	RESERVE, MUNICIPAL, AND SCHOOL	means land designated Municipal and School Reserve (MSR) that may be used for municipal and school purposes, pursuant to the Act;
164.	RESERVE, SCHOOL	means land designated School Reserve (SR) that may be used for school purposes, pursuant to the Act;
165.	RESIDENTIAL USE	means the occupation and use of land and buildings as dwellings, whether on a seasonal or year-round basis;
166.	RETAIL ESTABLISHMENT OR RETAIL STORE	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;
167.	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.S.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;
168.	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;
169.	ROAD OR ROADWAY	means land: <ul style="list-style-type: none"> <li>a. shown as a road on a plan of survey that has been filed or registered in an Alberta Land Titles Office; or</li> <li>b. used as a public road; and includes a bridge forming part of a public road and a structure incidental to the road.</li> </ul>

170.	SAFETY CODES ACT
171.	SEA CAN
172.	SECONDARY SUITE
173.	SERVICE STATION
174.	SETBACK
175.	SHOW HOME
176.	SIGN
177.	SIGN AREA
178.	SIGN, A-FRAME

means the Safety Codes Act, RSA 2000 c. 5-1, as amended, and includes the regulations enacted and codes adopted thereunder from time to time;

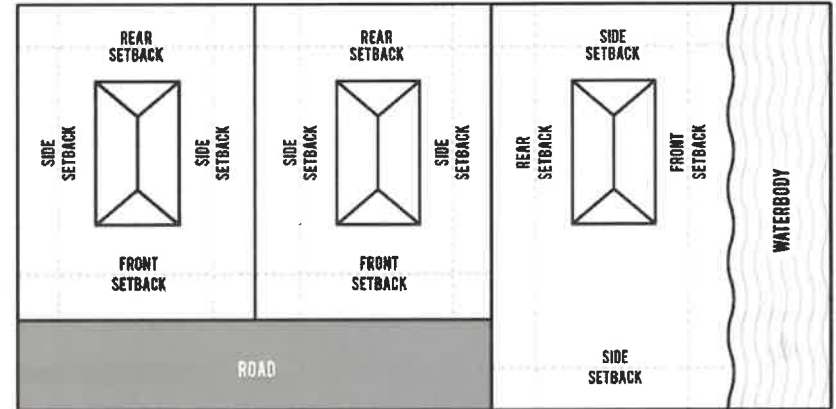
means a container, generally used for storage purposes, that includes but is not limited to sea, land, and rail shipping containers. For the purposes of this Bylaw a sea can is considered to be an accessory building and shall be subject to all of the regulations of an accessory building;



see “Suite, Secondary;”

means development used for the sale of gasoline, other petroleum products and a limited range of vehicle parts and accessories and may include cardlock facilities. Service stations may include a convenience retail store and/or car wash;

means a distance additional to minimum yard requirements which may be required on parcels adjacent to the roads;



means a permanent dwelling which is constructed for the temporary purpose of illustrating to the public the type and/or character of a dwelling or dwellings to be constructed in other parts of a development area. Show homes may contain offices for the sale of other lots or dwellings in the area;

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;

means the total surface area within the outer edge of a sign, and, in the case of a sign comprised of individual letters, numerals, or symbols, shall be the area of a rectangle enclosing the letters, numerals, or symbols. Frames and structural members not bearing advertising matter shall not be included in the computation of the area of a sign;

means a type of sign commonly referred to as “sandwich boards”, composed of two (2) hinged or otherwise joined boards which leans on the ground;

179.	SIGN, CANOPY	means any sign which is part of or attached to the outside edge of a canopy or awning but which does not extend below the bottom edge or surface of the canopy;
180.	SIGN, FASCIA	means a sign attached to, marked or inscribed on and parallel to the face of a building wall but does not include a billboard;
181.	SIGN, FREESTANDING	means a sign that is supported independently of a building wall or structure but does not include a portable sign;
182.	SIGN, OFF-SITE	means an outdoor sign which advertises goods, products, or services not necessarily located or provided at the premises where the sign is located, or which directs persons to a different location from where the sign is located;
183.	SIGN, PORTABLE	means a sign which is not in a permanently installed or affixed position;
184.	SIGN, PROJECTING	means a sign which is affixed to any building or part thereof, and which extends beyond the building wall or parts thereof by more than 0.3 m (1.0 ft.). This does not include a sign attached to the ground;
185.	SIGN, ROOF	means a sign erected upon, against, or directly above a roof or on top of or above the parapet wall of a building;
186.	SIGN, UNDER CANOPY	means a sign which is attached to the bottom face of a canopy;
187.	SIGN, WALL	means a sign that is attached to or placed flat against the exterior wall or surface of any building, no portion of which projects more than 0.1 m (0.33 ft.) from the wall, and which does not project above the roof or parapet;
188.	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;
189.	SITE	means a lot or parcel on which a development exists or for which an application for a development permit is made;
190.	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 sixty (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 m) from their intersection;
191.	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;
192.	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;
193.	STALL	means an area of land upon which a recreational vehicle or tent is to be located within a recreational vehicle park;
194.	STORAGE FACILITY	means an accessory building in a Commercial District that is used to store items on a temporary basis. Storage facilities include but are not limited to sea cans, movable trailers, and portable garages;
195.	STOREY	means the habitable space between the upper face of one floor and the next above it. The upper limit of the top storey shall be the ceiling above the topmost floor. A basement shall be considered a storey in calculating the height of a building if the upper face of the floor above it is more than 1.8 m (5.9 ft.) above grade;

196.	SUBDIVISION AND DEVELOPMENT APPEAL BOARD
197.	SUBDIVISION AUTHORITY
198.	SUBSTANDARD LOT
199.	SUITE, GARAGE
200.	SUITE, GUEST HOUSE
201.	SUITE, SECONDARY
202.	SUITE, SURVEILLANCE

means a Subdivision and Development Appeal Board appointed by Council pursuant to Village bylaws and the Act;

means the Subdivision Authority established by the municipality's Subdivision Authority Bylaw and appointed in accordance with the provisions of that Bylaw;

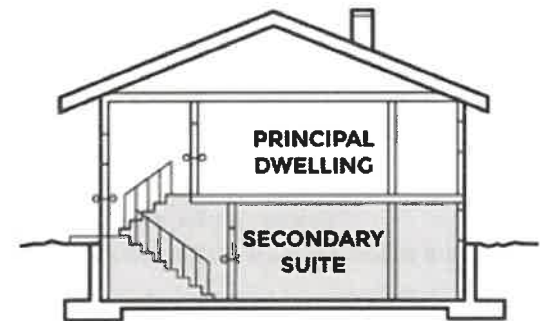
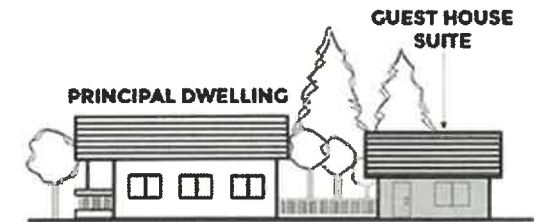
means any lot which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the District in which the lot is located;

means a self-contained dwelling unit located within a detached garage and located on a parcel with a principal dwelling. A garage suite may include cooking, sleeping, and sanitary facilities;

means an accessory building (or portion of an accessory building) that may include cooking, sleeping, and sanitary facilities. A guest house provides additional accommodation for a single-detached dwelling located on the same parcel;

means a self-contained dwelling unit located within a single detached dwelling, and may include cooking, sleeping, and sanitary facilities;

means a dwelling unit forming part of a development used solely to accommodate a person or persons related as a family whose official function is to provide surveillance for the maintenance and safety of the development adjacent to the suite;



203.	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;
204.	TEMPORARY USE	means a use that has been allowed to be located and/or operate for a limited time only;
205.	URBAN GARDEN	means the cultivation and harvesting of plant and/or animal products in urban areas for the primary purpose of beautification, education, recreation, or social or community programming. Accessory buildings or structures may include those used for the operation of the site and the extension of the growing season, such as cold frames and greenhouses. On-site sales and processing of plants or animal products are prohibited. Accessory activities may include outdoor storage or composting of plants grown on-site. Typical activities include community gardens. This use does not include Livestock Operations, Rural Farms, Recreational Acreage Farms, Urban Indoor 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;
206.	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;
207.	USE, DISCRETIONARY	means the use of land or a building provided for in this Land Use 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;
208.	USE, PERMITTED	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;
209.	UTILITY	means a building, system or works to provide water, steam, sewage disposal, public transportation operated by or on behalf of the Village, irrigation, drainage, fuel, electric power, heat, waste management, and telecommunications, for public consumption, benefit or use;
210.	VEHICLE AND EQUIPMENT REPAIR SHOP	means a development where automobiles, motorcycles, snowmobiles and similar vehicles are serviced or repaired and where related accessories and parts are sold and/or installed. Vehicle and equipment repair shops include transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops, vehicle body repair shops and paint shops;
211.	VEHICLE AND EQUIPMENT SALES AND RENTALS	means development used for the sale or rental of vehicles, machinery or mechanical equipment. Such goods include cars, trucks, manufactured homes, recreation vehicles, boats, farm equipment, and heavy machinery used in construction or oilfield production;
212.	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 ten (10). Heavy vehicles do not include recreational vehicles;
213.	VETERINARY CLINIC	means a development used for the medical care and treatment of animals, including outpatient care or medical procedures involving hospitalization and may include the keeping of animals on site for periods of greater than twenty-four (24) hours.

		Veterinary clinics shall not have any outside enclosures. This land use may also include the training, grooming, impounding/quarantining facilities and retail sale of associated products. This use does not include an animal breeding and boarding facility, kennel, pound, or veterinary hospital;
214.	VETERINARY HOSPITAL	means a parcel of land or a building: <ul style="list-style-type: none"> <li>a. where large or small animals receive medical treatment;</li> <li>b. that may provide for the incidental sale of products related to the services provided by the use;</li> <li>c. does not allow animals to stay overnight except for animals in the care of the facility where overnight stays are necessary for medical observation or the recovery of the animal; and</li> <li>d. may include outdoor areas or enclosures.</li> </ul> This use does not include: an animal breeding and boarding facility, kennel, pound, or veterinary clinic;
215.	WASTE COLLECTION SYSTEM	means a system of sewers, valves, fittings, pumping stations, and appurtenances that is used to collect wastewater, up to and including the service connection;
216.	WATER DISTRIBUTION SYSTEM	means a system of valves, fittings and appurtenances, including associated pressure reducing stations, that is used to convey potable water in a waterworks system to a service connection;
217.	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;
218.	WOOD FURNACE	means a furnace that burns wood that is placed a distance from a dwelling or accessory building from which pipes are run, usually but not exclusively underground, to bring heat into the dwelling or accessory building. It is a furnace or boiler that burns wood to heat either air or water or some other substance which can then be transported to and used for heating another building;
219.	YARD	means a part of a lot upon or over which no principal building is erected unless otherwise provided in this Bylaw;
220.	YARD, FLANKING	means a side yard adjacent to a road;
221.	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 walls of the principal building situated on the site. For lakeside lots, the front yard is the yard closest to the lake;
222.	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 walls of the principal building situated on the site. For lakeside lots, the rear yard is the yard furthest from the lake;
223.	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 principal 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.

## 2. AMENDMENTS TO THE LAND USE BYLAW

### 2.1 PROCESS

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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 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 thirty (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 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 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 services; and
    - iii. that the proposed amendment will not unduly impact the rights of adjacent landowners to use and enjoy their property; and

- 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 Officer to assess site suitability and servicing requirements.
5. Upon receipt of an application to amend this Land Use Bylaw, the Development 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 and facilities such as recreation facilities and schools;
  - f. Relationship to municipal land, right-of-way, or easement requirements;
  - g. Effect on stability, retention and rehabilitation of desirable existing land uses, buildings, or both in the area;
  - h. Necessity and appropriateness of the proposed amendment in view of the stated intentions of the applicant; and
  - i. Relationship to the documented concerns and opinions of area residents regarding development implications.
6. Upon receipt of an application to amend the Land Use Bylaw, the Development 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. mail notify or deliver in person a written notice to landowners who are adjacent to the parcel of land affected by the proposed amendment or to a larger area as directed by Council;

- c. provide notice of the Public Hearing to the applicant, the owner of the subject land if different than the applicant, to all directly adjacent property owners, and any other individuals or organizations identified by Council;
  - d. prepare a report and recommendation, including maps and other material, on the application, prior to a Public Hearing on the application for amendment; and
  - e. inform the applicant of the recommendation to Council.
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 Land Use Bylaw, with or without amendments; or
  - d. Defeat first reading of a bylaw to amend this Land Use Bylaw; or
  - e. Pass first reading of an alternative amendment to this Land Use 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 (2) consecutive weeks in at least one (1) 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 (5) 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 Officer must, in addition to the requirements of Section 2.1.15:
  - 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 2.1.18 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 2.1.18 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 2.1.18 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 2.1.19, 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.
- 16. 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.
- 17. 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.

18. 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.
19. 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 Village's Planner; and
  - d. The adjacent municipality, if it received a copy of the proposed bylaw pursuant to Section 2.1.19.

## **2.2 FORMS**

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1. All applications for amendment to this Bylaw shall be made on the form provided by the Village.
2. All applications for a development permit pursuant to this Bylaw shall be made on the form provided by the Village.

## **2.3 AMENDING BYLAWS**

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1. All amendments to this Bylaw shall be made by Council by bylaw and in conformity with the Act, as amended.

## 3. AGENCIES

### 3.1 DEVELOPMENT AUTHORITY

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1. The Development Authority for the Village of Spring Lake is hereby established.
2. The Development Authority shall be appointed by resolution of the Council.
3. The Development Authority shall perform such duties that are specified in this Bylaw.

### 3.2 DEVELOPMENT OFFICER

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1. Council shall appoint one or more Development Officer(s) within the meaning of the Act.
2. The Development 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; and
  - 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*.

### 3.3 SUBDIVISION AUTHORITY

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1. The Subdivision Authority of the Village of Spring 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**

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

### **3.5 COUNCIL**

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1. Council shall perform such duties as are specified for it in this Bylaw.
2. In addition, Council shall decide upon all development permit applications within a Direct Control Districts, as stated in the Act.

## 4. DEVELOPMENT

### 4.1 CONTROL OF DEVELOPMENT

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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

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1. The following developments shall not require a development permit provided that the development otherwise complies with all other regulations of this Bylaw:
  - a. the carrying out of works of improvement, maintenance, renovation, or repair to any (but not limited to) building, deck, and/or driveway provided that such works do not include structural alterations, additions, or drainage alterations and that the works comply with the regulations of this Land Use Bylaw.
  - b. the completion of a development which was lawfully under construction at the date of the approval of this Bylaw (or any amendment thereof), provided that the development is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided also that the development is completed within a period of twelve (12) months from the notification of the permit;

- c. the use of any such buildings as referred to in Section 4.2.1.b for the purpose for which development was commenced;
- d. the erection, construction, or maintenance, improvement or alteration of gates, fences, walls or other means of enclosure, unless the gate, fence, wall, etc. exceeds the regulations indicated in Section 8.12 of this Bylaw;
- e. a temporary building other than a dwelling unit, the sole purpose of which is incidental to the carrying out of a development for which a permit has been issued under this Land Use Bylaw;
- f. the installation, maintenance and repair of public works, services, or utilities carried out by or on behalf of federal, provincial, and/or municipal authorities on land that is publicly owned or controlled;
- g. a single storey accessory building with a floor area not more than 9.3 m<sup>2</sup> (100.0 ft<sup>2</sup>) and a height not more than 3.0 m (10.0 ft.), provided that the accessory building is not a garage, provided that the accessory building satisfies the setback requirements for accessory buildings in the Land Use District in which it is located, and provided further that the accessory building is not located in a rear yard of a lakeside lot identified on Map 20.2 of this Bylaw as being subject to Section 8.17 of this Bylaw;
- h. a development carried out by or on behalf of the municipality provided that such development complies with all applicable provisions of this Land Use Bylaw;
- i. a development that is exempted from requiring a development permit pursuant to the Act;
- j. the following signs:
  - i. signs posted or exhibited within a building;
  - ii. signs posted or exhibited in or on an operating motor vehicle if the vehicle is not temporarily or permanently parked solely for the purpose of displaying the sign;
  - iii. a statutory or official notice of a function of the municipality;
  - iv. traffic signs authorized by the municipality and/or provincial authorities;
  - v. signs posted or exhibited solely for the identification of the land or building on which the signs are displayed, or to give directions to visitors, including professional, corporate, or trade name plates identifying the occupants, and signs indicating the street address of a building or lot, if the total area

- of the signs on a lot does not exceed  $0.3 \text{ m}^2$  ( $3.23 \text{ ft}^2$ ) in area, subject to all other orders, bylaws, and regulations affecting such signs;
- vi. a maximum of two (2) on-site signs relating to the sale, lease or rental of the buildings on the lot or the land on which the signs may be erected or attached, provided that:
    - 1. such signs on any lot in any Residential District do not exceed  $0.46 \text{ m}^2$  ( $5.0 \text{ ft}^2$ ) in area each; and
    - 2. such signs on any lot in any other District do not exceed  $0.8 \text{ m}^2$  ( $9.0 \text{ ft}^2$ ) in area each; and
    - 3. such signs are not illuminated;
  - vii. campaign signs for federal, provincial, municipal, or school board elections on lots for no more than thirty (30) days, or such other time as regulated under provincial or federal legislation, provided that:
    - 1. such signs are removed within fourteen (14) days after the election date,
    - 2. the consent of the lot owner and/or occupant is obtained;
    - 3. such signs do not obstruct or impair visibility or traffic;
    - 4. such signs are not attached to trees or utility poles;
    - 5. such signs indicate the name and address of the sponsor and the person responsible for the sign's removal.
  - viii. signs on land or buildings used for public or quasi-public uses, provided that:
    - 1. such signs do not exceed  $1.10 \text{ m}^2$  ( $12.0 \text{ ft}^2$ ) in area each; and
    - 2. there are no more than one (1) sign for each side of the land or buildings on a different road.
  - ix. signs of building contractors relating to construction work in progress on the lot on which the signs are erected, provided that:
    - 1. such signs do not exceed  $3.0 \text{ m}^2$  ( $32.0 \text{ ft}^2$ ) in area each,
    - 2. there are no more than one (1) sign for each side of the land or buildings on a different road, and

3. such signs are removed within fourteen (14) days of occupancy of the building which has been constructed.
- k. landscaping which is entirely located within the boundaries of the subject site and where the proposed grades will not adversely affect the subject or adjacent properties or result in an increase in surface water and/or sediment run-off into Spring Lake;
- l. the construction, maintenance and repair of retaining walls:
  - i. up to 1.2 m (3.9 ft.) in height provided the wall does not encroach onto public land or into a utility right-of-way; and
  - ii. over 1.2 m (3.9 ft.) in height that meet the setback requirements for the principal building on site provided the wall does not encroach onto public land or into a utility right-of-way;
- m. the keeping of animals as outlined in Sections 8.16 of this Bylaw;
- n. roof mounted solar energy collection systems;
- o. micro wind energy conversion systems; and
- p. the demolition or removal of any building or use for which erection or use a development permit would not be required pursuant to Sections 4.2.1.d to 4.2.1.o, both inclusive.

### 4.3 NON-CONFORMING BUILDINGS AND USES

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1. A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform to this Bylaw.
2. A non-conforming use of part of a building may be extended throughout the building but 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.
3. 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.
4. 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 variance powers possessed by the Development Authority pursuant to the Act and this Bylaw to approve a development permit despite any non-compliance with the regulations of this Bylaw.
5. If a non-conforming building is damaged or destroyed to the extent of more than seventy-five percent (75%) of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
6. 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

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1. An application for a development permit shall be made to the Development Authority in writing, in the form required by the Development Authority, and shall be accompanied by:
- a. 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;
  - b. 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;
  - c. lot grading and drainage plans;
  - d. post construction lot grading and building elevations;
  - e. 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, access and egress points to the parcel, and major landscaped areas including buffering and screening areas where provided; and
    - f. a statement of existing and proposed use(s) or occupancy of all parts of the land and buildings, and such other information as may be required by the Development Officer.
- 2. Any new development within an existing subdivision shall provide to the Development Authority, for approval, an elevation plan of the property to be developed indicating where the storm water is to be directed. Storm water from the property to be developed cannot be directed onto the adjoining properties. If the applicant for a development permit indicates that the Village is to verify compliance with the elevation and storm water management plan, the cost to verify that the lot grades have been completed according to the plan shall be included in the cost of the development permit.
- 3. The Development Authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include:
  - a. the location of existing and proposed storm water collection and disposal 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 grades on the site and on adjacent sites, roads and lanes;
  - e. floor plans, elevations and sections of any proposed buildings, including the lowest floor elevation in either the basement or on the ground floor in the principal and accessory buildings;
  - f. 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;
  - g. 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;
  - h. future development plans for a site which is to be partially developed through the applicable development permit;

- i. 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;
  - j. in the case of the placement of an already constructed or partially constructed building on a site, including a manufactured homes, 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, including photographs of the building;
  - k. any other information or tests required by the Development Authority, at their sole discretion, respecting the site or adjacent lands, including an environmental screening of the site; and
  - l. a statutory declaration indicating that the information supplied is accurate.
4. The Development Authority may also require with an application for a development permit information prepared by a Professional Engineer describing the potential of a subject site being flooded from the raising of the elevation of Spring Lake, the elevation of the water table at various points on the subject lot, the potential subsidence or erosion of a subject site, and the ground compaction of a subject site, and further information describing the mitigative measures necessary to eliminate the defined flood, subsidence, erosion hazard or to resolve any ground compaction concerns.
5. Where the proposed development would result in significant regrading or recontouring of the site the Development Authority may require the proponent to submit with the application a Construction Management Plan which identifies those measures that will be implemented to control surface water runoff within and off of the site to minimize the potential for sediment or contaminants leave the site or to enter the lake during site construction.
6. Each application for a development permit shall be accompanied by a fee as established by Council.

#### **4.5 PROCESSING OF DEVELOPMENT PERMIT APPLICATIONS**

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1. The Development Officer shall:
  - a. Receive all applications for a Development Permit;
  - b. Assess and provide notice in writing of a complete or incomplete application as required in Section 683.1 of the Act;

- c. Refer all applications for development which would result in permanent overnight accommodation, including dwelling units, or public facilities to the Alberta Energy Regulator, if any of the land which is the subject of the application is within 1.5 km (0.93 miles) of a sour gas facility and the proposed development is not, in the opinion of the Development Authority, an infill development;
- d. Refer any application to an adjacent municipality or any other agency or person which in their opinion may provide relevant comments or advice respecting the application; and
- e. Consider and decide on applications for Development Permit which meet the standards of this Land Use Bylaw for permitted uses.

2. Notice of Complete or Incomplete Application

- a. The Development Officer shall within twenty (20) days of the receipt of an application for a development permit, determine whether the application is complete.
- b. The time period referred to in Section 4.5.2.a may be extended by an agreement in writing between the applicant and the Development Authority.
- c. An application is complete if, in the opinion of the Development Officer, the application contains the documents and other information necessary to review the application.
- d. If the Development Officer determines that the application is complete, the Development Officer shall issue to the applicant, in writing or electronically, an acknowledgment that the application is complete.
- e. If the Development Officer determines that the application is incomplete, the Development Authority shall issue to the applicant a notice, in writing or electronically, that the application is incomplete 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 Development Officer 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 5.4.2.e, the Development Officer may deem the application to be refused.
- g. Despite the Development Officer having issued an acknowledgment under Sections 5.4.2.e or 5.4.2.f in the course of reviewing the application, the Development Officer may request additional information or documentation from the applicant that the Development Officer considers necessary to review the application.

3. Upon receipt of a completed application for a development permit, the Development Authority:
  - a. shall approve, with or without conditions, an application for a permitted use where the proposed development conforms to this Bylaw;
  - b. shall refuse an application for a permitted use if the proposed development does not conform with this Bylaw, subject to Section 5.4.3.d;
  - c. may refuse or approve, with or without conditions, an application for a discretionary use where the proposed development conforms to this Bylaw;
  - d. may approve, with or without conditions, an application for a permitted or discretionary use with variances to the Bylaw; and
  - e. prior to making a decision, the Development Authority may refer any application for a permitted or discretionary use to any municipal department, external agency or adjacent landowners for comment.
4. For a permitted use in any district:
  - a. The Development Officer shall approve, with or without conditions, an application for a Development Permit where the proposed development conforms in every respect to this Land Use Bylaw, the Act, the *Subdivision and Development Regulations*, and approved statutory plans; or
  - b. The Development Officer shall refuse an application for a Development Permit if the proposed development does not conform in every respect to this Land Use Bylaw.
  - c. If an application for a Development Permit for a permitted use does not conform to the requirements of this Land Use Bylaw, the Act, the Subdivision and Development Regulations, and applicable statutory plans, the Development Officer:
    - i. May refuse the application giving reasons for the refusal; or
    - ii. May approve the application subject to conditions to ensure that the application conforms to the requirements of the Land Use Bylaw, the Act, the Subdivision and Development Regulations, and applicable statutory plans; or
    - iii. May approve the application pursuant to section 640(6) of the Act.
5. For a discretionary use in any district:

- a. The Development Authority may approve an application for a Development Permit:
    - i. With or without conditions;
    - ii. Based on the merits of the proposed development, including its relationship to any approved statutory plan, non-statutory plan, or approved policy, affecting the site;
    - iii. Where the proposed development conforms in every respect to this Land Use Bylaw; or
  - b. The Development Authority may refuse an application for a Development Permit based on the merits of the proposed development, even though it meets the requirements of this Land Use Bylaw; or
  - c. The Development Authority shall refuse an application for a Development Permit if the proposed development does not conform in every respect to this Land Use Bylaw.
6. The Development Authority may require with respect to a development that, as a condition of issuing a Development Permit, the applicant:
- a. Submit a surveyor's certificate at the footings stage specifying the location of the development on the parcel, and
  - b. Enter into an agreement with the municipality to do all or any of the following:
    - i. To construct or pay for the construction of a road required to give access to the development;
    - ii. To construct or pay for the construction of pedestrian walkway systems;
    - iii. To install or pay for the installation of utilities that is necessary to serve the development;
    - iv. Construct or pay for the construction of off-street or other parking facilities, loading and unloading facilities;
    - v. To pay an off-site levy or redevelopment levy imposed by bylaw;
    - vi. To require the applicant to be responsible for the repair of any damage to the municipality's lands and works including but not necessarily confined to roads, drainage courses, trees and fences; and
    - vii. To give security to ensure that the terms of the agreement under this section are carried out.
  - c. To pay to the municipality the costs paid by the municipality to any engineer or any other person for materials testing, inspections, monitoring of construction, review of construction drawings, and legal costs

and expenses to which the municipality is put in connection with the development agreement and agreement relates;

- d. To whom a Development Permit has been issued shall obtain, where applicable, from the appropriate authority, permits relating to building, electricity, gas, plumbing and sewage disposal, and all other permits required in connection with the proposed development; and
  - e. Shall be financially responsible during construction for any damage caused by the applicant, his/her servants, employees, suppliers, agents or contractors to any public or private property.
7. Prior to imposing any condition upon the issue of a Development Permit pursuant to Section 4, the Development Authority shall consult with Council as may be required in the circumstances and shall specify the terms and content of the agreement in the condition in the Development Permit.
8. In the case where an application for a Development Permit has been refused pursuant to this Section or ultimately after appeal, the submission of another application for a permit on the same parcel and for the same or similar use of land by the same or any other applicant may not be accepted by the Development Authority for at least three (3) months after the date of the final decision unless in the opinion of the Development Authority the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.
9. After receipt of a development permit application, the Development Authority shall give notice to the applicant by 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.

## 4.6 DEVELOPMENT PERMITS AND NOTICES

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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 send a notice by regular mail of the decision to the applicant and post a notice on the 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 the above two regulations, within five (5) working days after a decision on a development permit application for a **discretionary use or after a variance has been granted**, the Development Officer shall:
  - a. send notice by regular mail (or by electronic mail if agreed to in advance by the applicant) to all affected adjacent landowners, as identified on the Village Assessment Roll, to provide notice of the decision and right of appeal; and
  - b. post notice of the decision on the 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
4. The notice indicated in Sections 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 Section 4.6.2 hereof, a permit granted pursuant to this Part does not come into effect until twenty-one (21) days after the date that notice of the decision, or the date the decision or development permit is publicized as described in Section 4.6.2 and 4.6.3. For the purposes of this Bylaw, notice is deemed to be received on the 7th day after the date of the issuance of the 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 twelve (12) months from the date of the date of the issue of the development permit, and completed within twelve (12) months of the commencement of the development, the permit is deemed to be void.
  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 application 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 VARIANCES**

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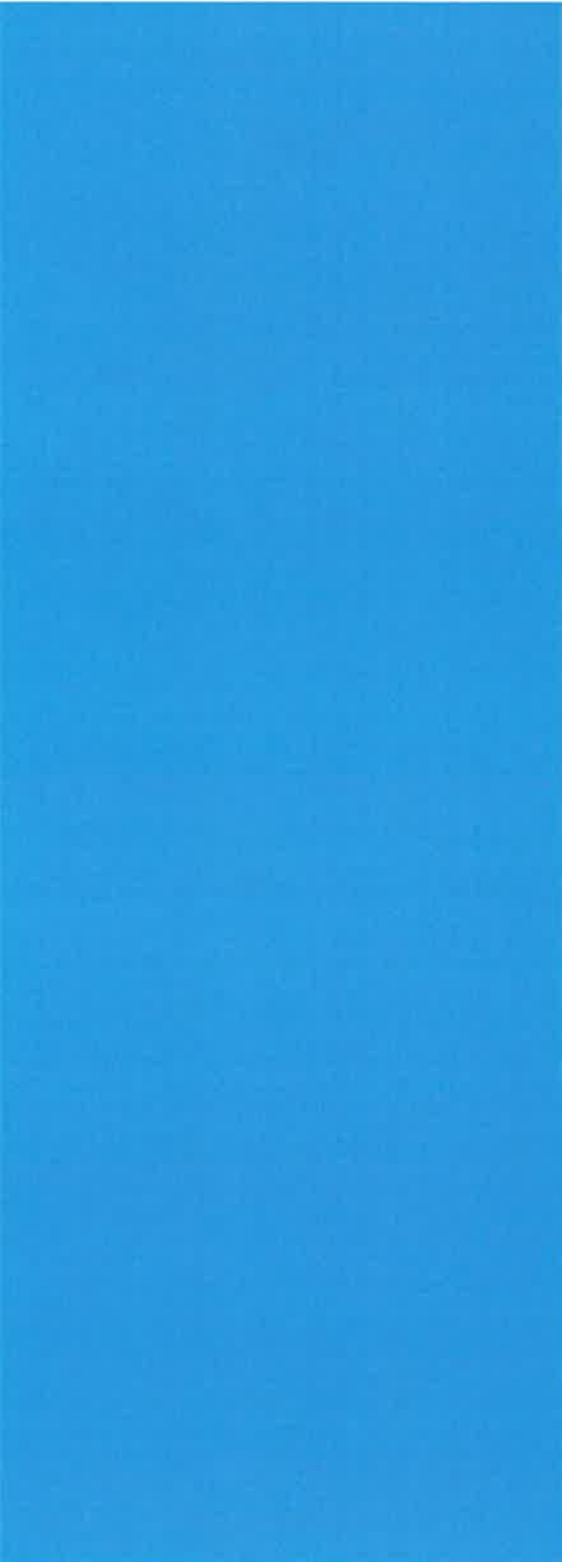
1. The Development Authority may grant a variance to reduce the requirements of any use of the Land Use Bylaw and that use will be deemed to comply with this bylaw.
2. The Development Authority may approve an application for Development Permit even though the proposed development does not comply with 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; and
3. In approving an application for development pursuant to Sections 4.7.2.a and 4.7.2.b, the Development Authority shall adhere to the following:
- a. 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:
  - b. Parcel coverage; and
  - c. 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.

#### **4.8 DEVELOPMENT AGREEMENTS**

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1. The Development Authority may require that as a condition of issuing a development permit, the applicant to enter into an agreement to:
- a. Construct or pay for the construction of 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; and/or
  - d. Install or pay for the installation of stormwater management facilities; and/or
  - e. Cover the cost of the Village's planning, engineering and/or legal review.

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2. To ensure compliance with the development agreement, the 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.

#### **4.9 CANCELATION**

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

#### **4.10 COMPLIANCE WITH OTHER LEGISLATION**

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1. Compliance with the requirements of this Land Use Bylaw does not exempt any person from:
  - a. The requirements of any federal, provincial or municipal legislation; and
  - b. Complying with any easement, covenant, agreement or contract affecting the development.

## 5. SUBDIVISION

### 5.1 APPLICATION REQUIREMENTS

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1. All Subdivision applications for lands within the Village of Spring Lake shall comply with the provisions under this Section.
2. Approval of an Area Structure Plan or conceptual schemes, prepared by a Registered Professional Planner (RPP) and Registered Professional Engineer, is required for multi-lot subdivisions that will result in a total of six (6) or more lots within a quarter section including the remainder of the quarter section. Additional supporting information may be required depending on the magnitude and complexity of the proposed subdivision.
3. 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.
4. Multi-lot subdivisions shall be developed in accordance with the provisions of the land use district affecting the subject site at time of application.
5. If the proposed subdivision requires an environmental assessment under the *Canadian Environmental Assessment Act*, the applicant shall file an environmental assessment in accordance with the *Canadian Environmental Assessment Act*. A copy of the environmental assessment shall be submitted with the subdivision application.
6. 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.
7. 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.

8. 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.
9. The 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

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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 twenty (20) days of the receipt of an application for subdivision, determine whether the application is complete.
  - b. The time period referred to in Section 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

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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

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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 Village of Spring 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 Village) or as an Environmental Reserve Easement (private ownership is retained). The Village may require that the proponent provide hazard land 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 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.

## 6. APPEALS

### 6.1 DEVELOPMENT APPEALS

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1. An appeal may be 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 4.1.1 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 Village's Subdivision and Development Appeal Board.

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 twenty-one (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 twenty one (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 may be made by serving a written notice of appeal to the board hearing the appeal within twenty-one (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 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

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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 Village's Subdivision and Development Appeal Board.
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 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**

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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.

## 7. ENFORCEMENT

### 7.1 CONTRAVENTIONS

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1. Where the Development Officer finds that a development or use of land or building is not in accordance with Part 17 of the Act, this Land Use Bylaw, the *Subdivision and Development Regulations*, a Development Permit or subdivision approval, the Development Officer may, by notice in writing, order the registered owner, the person in possession of the land or buildings or the person responsible for the contravention or all or any of them to:
  - a. stop the development or use of the land or buildings in whole or in part as directed by the notice; and/or
  - b. demolish, remove or replace the development; and/or
  - c. carry out any other actions required by the notice so that the development or use of the land or building complies with Part 17 of the Act, the Subdivision and Development Regulations, this Land Use Bylaw, a Development Permit or subdivision approval;within the time set out in the notice.
2. Any person who receives an order under Section 7.1 may appeal to the Subdivision and Development Appeal Board pursuant to this Land Use Bylaw.
3. The municipality may register a caveat under the *Land Titles Act* in respect of an order referred to in Section 7.1 against the certificate of title for the land that is the subject of the order. A caveat registered under this subsection must be discharged once the order has been complied with.
4. Where a person fails or refuses to comply with an order directed to them under Section 7.1 or an order of the Subdivision and Development Appeal Board under the Act within the time specified, the municipality may seek a court order from the Court of Queen's Bench for any or all of the following:
  - a. A declaration that the person who received an order is in breach of the Land Use Bylaw, an order issued under the Land Use Bylaw and/or the Subdivision and Development Appeal Board's decision relating to an appeal of an order;
  - b. An injunction ordering the person who received an order referred to in Section 7.1 to comply with the Land Use Bylaw within a certain period of time;

- c. An order providing that, if compliance has not been achieved within the period stated in the court order, that the municipality or persons appointed by it has the right to enter upon the land and building and take steps necessary to achieve compliance with the Land Use Bylaw;
  - d. An order that legal costs and the costs to achieve compliance incurred by the municipality may be added to the tax roll for the land that is the subject of the court order; and/or
  - e. A provision that the court order may be registered against the certificate of title for the land that is the subject of the court order and discharged only on full compliance with the court order.
5. Where a person fails or refuses to comply with an order directed to him/her under Section 7.1 or an order of the Subdivision and Development Appeal Board under the Act within the time specified, the Council or persons appointed by it may, in accordance with the Act, enter upon the land or building and take such action as is necessary to carry out the order.
6. Where the Council or persons appointed by it carries out an order, the Council may cause the costs and expenses incurred in carrying out the order to be placed on the tax roll of the property that is subject of the order.
7. The Development Officer may inspect premises in accordance with the provisions of the Act where there are reasonable grounds to believe that the premises are being used in contravention of this bylaw. Without limiting the generality of the foregoing, such reasonable grounds would include:
  - a. Complaints from the public that the premises are being used contrary to the bylaw; and
  - b. Observations of the Development Officer that there is excessive traffic, parking problems, accumulated debris in a yard or other apparent breach of this bylaw.

## 7.2 VIOLATION TICKETS

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1. The Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, may issue a violation ticket to any person alleged to have breached any provision of this Bylaw.
2. The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within twenty-one (21) days from the date of issue of the violation ticket, of a fine to the Village.

3. Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$50.00 for a first offence and \$100.00 for a second or subsequent offence. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.
4. The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.
5. If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
6. If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$125.00, plus court costs, for each offence.

### 7.3 STOP ORDERS

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1. Where a Development Authority finds that a development or use of land or buildings is not in accordance with:
  - a. Part 17 of the *Act* or the regulations made thereunder; or
  - b. a development permit or subdivision approval, or a condition of the permit or approval; or
  - c. this Bylaw;the Development Authority may, by notice in writing, issue a stop order to the owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to:
  - d. stop the development or use of the land or buildings in whole or in part as directed by the notice; and/or
  - e. demolish, remove or replace the development; and/or
  - f. take such other measures as are specified in the notice;so that the development or use of the land or buildings is in accordance with Part 17 of the *Act* or the regulations made thereunder, a development permit, subdivision approval or this Bylaw, within the timeframe specified in the notice, as the case may be.
2. Where a person fails or refuses to comply with an order directed to them under Section 7.3.1 or an order of the Subdivision and Development Appeal Board within the time specified, the Development Authority may, in

accordance with Section 542 of the *Act*, enter upon the land or building and take such action as is necessary to carry out the order.

3. Where the Development Authority carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.

#### **7.4 INSPECTIONS**

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1. A designated officer, as appointed under Section 3 of this Bylaw, is authorized to carry out such inspections as are required to investigate, determine and enforce compliance with this Bylaw, in accordance with Section 542 of the *Act*.

## 8. DEVELOPMENT REGULATIONS

### 8.1 ACCESSORY BUILDINGS

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1. An accessory building shall not be located on an undeveloped lot in the Village.
2. Notwithstanding 8.1.1, a temporary development permit for an accessory building may be issued for a lot for which a development permit for a dwelling has been issued and is under construction.
3. Unless specifically allowed in the District in which the accessory building is located, and unless specifically developed to include a dwelling unit, an accessory building shall not be used, either in whole or in part, as a dwelling or a dwelling unit.
4. No accessory building other than a fence, pool, deck, or patio shall be located:
  - a. within a front yard unless provided for in Section 8.17 of this Bylaw;
  - b. within 2.0 m (6.6 ft.) of a principal building;
  - c. within 1.0 m (3.3 ft.) of a rear line and a side line; or
  - d. within any easement or right-of-way.
5. Unless specifically approved by the Development Authority, no accessory building shall be located within the front or rear yard of a lot identified on Map 20.2 – Lakeside Lots of this Bylaw as being subject to Section 8.17 of this Bylaw.
6. In addition to the requirements of Section 8.1.4, no accessory building that includes a garage shall be located such that any vehicular entrance doors of the garage which face a road or lane are within 6.0 m (19.7 ft.) of the lot line adjacent to the road or lane.
7. No accessory building shall exceed 5.2 m (17.0 ft.) in height, nor the height of the principal building on the lot, whichever is the lesser.
8. Notwithstanding 8.1.7, where the accessory building includes an above grade garage suite, the maximum height shall be as provided for in Section 8.28.
9. The siting of an accessory building on an irregularly-shaped lot shall be as required by the Development Authority.

10. Where a structure is attached to the principal building on a lot by a roof or an open or enclosed structure it is to be considered a part of the principal building and is not an accessory building.

## **8.2 ACCESSORY BUILDINGS ON LAKESIDE LOTS**

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1. The lots affected by these regulations are identified on Map 20.2 – Lakeside Lots.
2. Within the lots identified on Map 20.2 – Lakeside Lots, accessory buildings may be allowed within either a front yard or a rear yard at the sole discretion of the Development Authority.
3. In making a decision whether or not to approve a development permit for an accessory building on a lot affected by this regulation, the Development Authority shall have regard for:
  - a. Topography of the lot;
  - b. Minimizing the clearing of existing vegetation;
  - c. Protecting views of the lake; and
  - d. Ensuring that traffic is not obstructed.

## **8.3 BED AND BREAKFAST ESTABLISHMENTS**

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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 two 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 (1) business identification sign permitted. The business identification sign shall be a maximum of 1.0 m<sup>2</sup> (10.8 ft<sup>2</sup>) 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.

## 8.4 BUILDING APPEARANCE, DESIGN, AND HEIGHT

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1. The design, siting, external finish, architectural appearance, and landscaping of all buildings, including 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 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.

## 8.5 CANNABIS PRODUCTION AND DISTRIBUTION

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1. Any site containing a Cannabis Production and Distribution Facility shall not be located within the following Land Use Districts:
  - a. Residential (Single Detached Class A) District – R1A
  - b. Residential (Single Detached Class B) District – R1B
  - c. Residential (Single Detached Class C) District – R1C
  - d. Residential (Single Detached Class D) District – R1D
  - e. Commercial (Office, Retail and Service) District - C1
  - f. Commercial (Recreation) District – C2
  - g. Urban Services District – US

h. Parks and Recreation District – P

i. Urban Reserve District – UR

2. Cannabis production and distribution facility shall only be developed within an approved Direct Control District, prepared by the development proponent.
3. For the purposes of this subsection 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.
4. 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.
5. 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.
6. The development shall be a singular use and shall not be operated in conjunction with any other uses.
7. 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.
8. The development shall be located a minimum of 100.0 m (328.0 ft.) away from any residential district.
9. 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.
10. The minimum number of parking stalls shall be based on the requirements for a single industrial use as per Section 8.23.
11. Fencing on the site shall be required, subject to the provisions of Section 8.12.
12. Notwithstanding the provisions of Section 8.30, no sign shall be displayed on the site that identifies the use.

## 8.6 CANNABIS RETAIL SALES

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1. Any site containing a Cannabis Retail Sales shall not be located less than 100.0 m (328.0 ft.) from any site being used as a public or private education services or a provincial health care facility at the time of the application for the Development Permit for the Cannabis Retail Sales. For the purposes of this section only:
  - a. the 100.0 m (328.0 ft.) separation distance 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;
  - b. the term “public or private education services” is limited to early childhood education, elementary through high schools inclusively only, and does not include dance schools, driving schools or other commercial schools.
2. Notwithstanding Section 4.7 of this Bylaw, a Development Authority shall not grant a variance to Sections 8.6.a or 8.6.b.
3. 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.
4. 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.
5. The Development Authority shall impose a condition on any development 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 (6) months of the date of approval of the development permit.
6. For the purposes of Section 8.6.5.b, development commences when the Cannabis Retail Sales Use is established and/or begins operation.

## 8.7 GROUP CARE FACILITIES, DAY HOMES, AND DAYCARE FACILITIES

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1. All group care facilities, day homes, and daycares shall conform to regulations under the *Safety Codes Act* (as amended or replaced) and any other relevant provincial legislation and regulations.
2. In making a decision on a development permit for a group care facility, a day home or a daycare facility, the Development Authority shall consider, among other matters, if the development would be suitable for the location proposed, taking into account:
  - a. potential traffic generation;
  - b. proximity to a park or other open or recreation areas;
  - c. isolation of the proposed location from other residential uses;
  - d. buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of their properties by nearby residents; and
  - e. consistency in terms of intensity of use with other development in the area.
3. In addition to all other regulations of this Bylaw, a group care facility development shall comply with the following regulations:
  - a. the maximum number of residents may be established by the Development Authority who shall have regard for the nature of the group care facility and the density of the district in which it is located; and
  - b. the group care facility shall not generate pedestrian or vehicular traffic or parking in excess of that which is characteristic of the district in which it is located.
4. In addition to all other regulations of this Bylaw, a daycare facility development and a day home development shall comply with the following regulations:
  - a. the maximum number of children for which care may be provided in a daycare facility shall be established by the Development Authority who shall have regard for:
    - i. the nature of the facility;
    - ii. the density of the district in which it is located;
    - iii. potential increases in traffic; and

- iv. the location of the use;  
in relation to other uses in the area of the development;
  - b. the maximum number of children for which care may be provided in a day home shall be established by the Development Authority who shall have regard for the nature of the day home, the density of the district in which it is located, potential increases in traffic and the location of the use in relation to other uses in the area of the development.
- 5. The maximum number of children for which care may be provided in a daycare facility shall be established by the Development Authority who shall have regard for the nature of the facility, the density of the District in which it is located, potential increases in traffic, and the location of the use in relation to other uses in the area of the development.
- 6. A daycare facility shall not be the principal use of a building within any Residential District.
- 7. A daycare facility in any non-residential District shall be in a separate facility, either within the principal building on the lot or in an accessory building, with a separate access to ground level and an adjacent playground area.

## **8.8 DEMOLITION OF BUILDINGS**

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- 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. the final reclamation of the site, which is satisfactory to the Development Authority.

## **8.9 DEVELOPMENT PROPONENT'S RESPONSIBILITY**

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- 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.

## **8.10 DWELLING UNITS ON A LOT**

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- 1. No permit shall be issued for more than one (1) dwelling on a residential lot.

2. In addition to one (1) dwelling on a residential lot, a development permit may be issued for one (1) suite, as provided for in Section 8.28 and the applicable Land Use District.

## 8.11 ENVIRONMENTAL SITE CONDITIONS

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### 1. Unstable Slopes

- a. Development shall 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.

### 2. Steep Slopes

- a. All development shall be setback a minimum of 15.0 m (49.2 ft.) from the toe and crest of any slope and slopes of fifteen percent (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.

### 3. Flood Plains, Flood Hazard Areas, and High Water Tables

- a. Notwithstanding any other provision of this Bylaw to the contrary, no development of dwellings or of 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.
- b. For the purposes of this Bylaw, the flood hazard elevation of Spring Lake and Loon Lake shall be considered to be 725.0 m.
- c. The Development Authority shall require that no dwellings within the municipality be constructed such that their ground floors are below the elevation of 725.5 m (providing 0.5 m of freeboard above the flood elevation noted in Section 8.11.3.b and, further, that a minimum of 1.0 m (3.3 ft.) of the ground adjacent to all dwellings be at a minimum elevation of the same 725.5 m.
- d. Development on lands which are, in the sole opinion of the Development Authority, suspected to be in an area of high water table shall be prohibited from having basements.

### 4. 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 Land Use Bylaw amendment to provide the 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.

## 5. Development Setback

- a. All development shall be setback a minimum of 30.0 m (98.4 ft.) from the shoreline or top of bank of a waterbody or water course, whichever is greater. No structures except fences or boat houses shall be permitted within this strip. The Development Authority may require a soil analysis and additional setbacks may be required at their discretion.
- b. The Development Authority may impose a greater setback requirement from a waterbody, an escarpment bank, or any steep slope if the need for a greater setback is supported by a geotechnical study or identified by Alberta Environment and Parks.

## 6. Protection of 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.

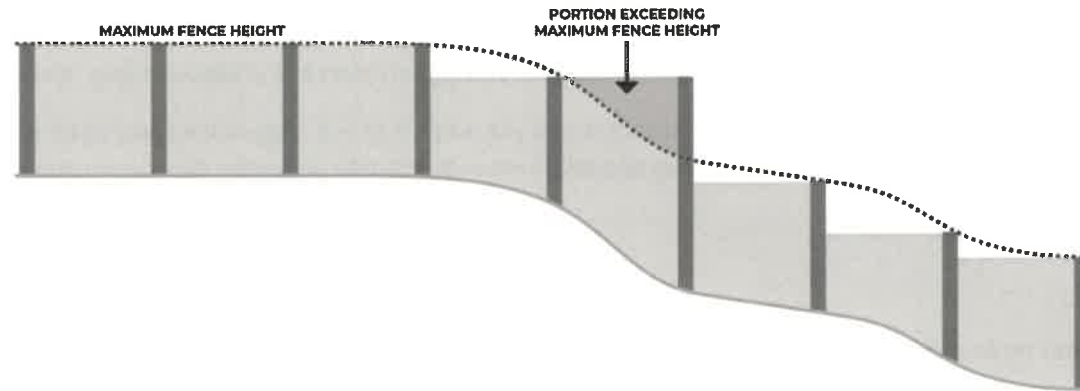
## 8.12 FENCES, WALLS, AND HEDGES

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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 Land Use District shall be:
  - a. higher than 1.22 m (4.0 ft.) in a front yard, a flanking yard, or a rear yard which is either adjacent to a road or within a lot identified on Map 20.2 – Lakeside Lots of this Bylaw as being subject to Section 8.17 of this Bylaw; or
  - b. higher than 1.83 m (6.0 ft.) in other yards; or

c. higher than 0.9 m (3.0 ft.) within 6.0 m (19.7 ft.) within corner sites.

3. Where a fence is located on a lot with variations in elevation, no portion of a fence shall exceed the maximum height identified in Section 8.12.2, as illustrated in the figure below.



### 8.13 HEAVY VEHICLES AND VEHICLE TRAILERS

1. No person shall keep or permit in any part of any yard in any Residential District any heavy vehicle or vehicle trailer 7.5 m (24.6 ft.) or longer in length unless:
  - a. a development permit has been issued for the keeping or permitting of the heavy vehicle on the yard;
  - b. as a condition of issuing the development permit, the Development Authority is satisfied that, in their opinion, the heavy vehicle 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 is considered to be a discretionary development and, therefore, any development permit issued shall be subject to objection and appeal to the 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.

3. If any of the conditions of issuing the development permit are not followed, not undertaken, or ignored, the Development Authority may, in their sole discretion, revoke the development permit.

#### 8.14 HISTORIC RESOURCES

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1. Historical resources, historic sites, and/or archaeological sites identified 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.

#### 8.15 HOME OCCUPATIONS

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1. All development permits issued for home occupations shall be revocable at any time by the Development Authority, if, in its opinion, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.
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 (1) on-site, non-occupant employees.
  - c. No more than one (1) 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. Business activities must be carried out entirely within the principal dwelling or an accessory building.

- g. 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 a resident 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.

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 m<sup>2</sup> (377 ft<sup>2</sup>), whichever is less, of the dwelling unit for business usage. Except as noted in Section 8.15.4.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. Notwithstanding any other provisions of this Bylaw to the contrary, a dwelling in which a home occupation is located may have one fascia sign placed on the dwelling, providing that the sign does not exceed 0.25 m<sup>2</sup> (2.7 ft<sup>2</sup>) in area.
- g. Notwithstanding any other regulation in this bylaw, the placement of a maximum of one (1) freestanding sign may be allowed on a residential lot where a development permit has been issued for a home occupation, subject to the following:
  - i. The sign's area of copy cannot be larger than 0.6 m<sup>2</sup> (6.0 ft<sup>2</sup>).
  - ii. The top of the sign shall not be elevated more than 1.8 m (6.0 ft.) from the grade of the ground where the sign is to be placed.
  - iii. The sign shall be setback back a minimum 1.8 m (6.0 ft.) from the front property line of the lot.
  - iv. Notwithstanding the above, on lots where a fence has been developed along the front property line of a lot, the sign may be affixed to the front property line fence.
  - v. The sign shall be setback a minimum 0.6 m (2.0 ft.) from the side property lines of the lot.
  - vi. The sign may be illuminated if the source of light is directed downward or toward the sign, and does not create a nuisance to adjacent property owners, subject to the discretion of the Development Authority.
- h. 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.
- i. 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.
- j. 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.

- k. 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.
- l. This use does not include either a Cannabis Retail Store or a Cannabis Production and Distribution Facility.

## 8.16 KEEPING OF ANIMALS

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1. No person shall keep or permit to be kept in any part of any yard in any Land Use District any livestock except as identified in the specific Land Use District or any other bylaw of the Village.
2. No person shall keep horses in the Village of Spring Lake without first obtaining a Development Permit. The conditions for obtaining a Development Permit for the keeping of horses shall be as determined by the Development Authority.
3. No person shall keep or permit to be kept in any part of any yard in any Land Use District any pets or domestic animals of any kind on a commercial basis (e.g. for the purpose of breeding or caring in exchange for pay or other compensation or remuneration) unless said keeping occurs within the confines of an approved kennel.

## 8.17 LAKESIDE LOTS

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1. The lots affected by this special regulation are identified on Map 20.2 – Lakeside Lots.
2. Within lots identified on Map 20.2 – Lakeside Lots, accessory buildings may be allowed within either a front yard or rear yard at the sole discretion of the Development Authority.
3. All Accessory buildings shall conform to the following minimum setbacks:
  - a. Front Yard: 5.5 m (18.0 ft.)
  - b. Rear Yard: 5.5 m (18.0 ft.)
4. In making a decision whether or not to approve a development permit for an accessory building on a lot affected by this regulation, the Development Authority shall consider:
  - a. Site topography;
  - b. Vegetation;

- c. Buffering; and
- d. Any other factors the Development Authority deems appropriate.

## 8.18 LANDSCAPING

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1. Landscaping in all developments within the Village shall be to the satisfaction of the Development Authority.
2. 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.
3. Every owner/developer shall landscape their property such that surface water does not drain onto neighbouring properties.
4. The Development Authority may require a development permit for landscaping where the proposed landscaping would result in the clearing of vegetation, stripping, or grading of the site that may impact adjacent properties, municipal infrastructure, or result in an increase of runoff and sediment into any waterbody.
5. A developed permit shall be required if proposed landscaping of a lot would be inconsistent with an approved lot grading and drainage plan, or an approved landscaping plan.
6. In no instance will lot grading, recontouring, or landscaping be allowed on a site that is inconsistent with an approved stormwater management plan, or the Village's Stormwater Drainage Master Plan.
7. 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.
8. 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.
9. When landscaping or planting is a condition of the approval of a development permit, all such landscaping and planting must be carried out, to the satisfaction of the Development Authority, within twelve (12) months of the occupancy or the commencement of operation of the proposed development.

### 8.19 MOTELS

1. The following provisions apply to motel and hotel developments:

MINIMUM LOT AREA PER RENTABLE UNIT	
<b>One Storey</b>	140.0 m <sup>2</sup> (1,507 ft <sup>2</sup> )
<b>Two Storeys</b>	930.0 m <sup>2</sup> (10,010 ft <sup>2</sup> )
MINIMUM FLOOR AREA PER RENTABLE UNIT	
<b>All Developments</b>	26.0 m <sup>2</sup> (280.0 ft <sup>2</sup> )
MINIMUM YARDS	
<b>Front Yard</b>	7.5 m (24.6 ft.)
<b>Side Yard</b>	3.0 m (9.8 ft.)
<b>Rear Yard</b>	1.0 m (3.3 ft.)

2. Except in the case of rentable units and any other buildings where connected by a continuous roof to form a shelter for motor vehicles, not less than 3.5 m (11.5 ft.) of clear and unoccupied space shall be provided between each rentable unit and any other building on the lot.

3. Each rentable unit shall face onto or abut a driveway not less than 6.0 m (19.7 ft.) in width and shall have unobstructed access thereto.
4. Not more than two accesses for vehicles to a road, each of a minimum width of 7.5 m (24.6 ft.), shall be permitted, provided however, that one (1) combined motor vehicle entrance and exit may be permitted, not less than 9.0 m (29.5 ft.) in width.
5. The owner, tenant, operator or person in charge of a motel shall at all times:
  - a. maintain the lot and the buildings, structures and improvements thereon in a clean, neat, tidy and attractive condition and free from all rubbish and debris;
  - b. maintain garbage facilities to the satisfaction of the Development Authority;
  - c. maintain an appropriate fence, where required by the Development Authority, not less than 1.5 m (4.9 ft.) in height, around the boundaries of the lot; and
  - d. landscape and keep the lot landscaped to the satisfaction of the Development Authority.

## **8.20 OBJECTS PROHIBITED OR RESTRICTED IN YARDS**

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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 fourteen (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 district in which it is located;
  - c. any excavation, storage or piling up of materials unless required for immediate construction;
  - d. more than two (2) recreational vehicles. The placement of any recreational vehicle on a lot is for storage purposes only; the recreational vehicle shall not at any time serve as any form of dwelling or dwelling unit,
  - e. any heavy vehicle or trailer except as allowed for in Section 8.13 of this Bylaw.
2. No person shall keep or permit in any part of any front yard or in any part of any rear yard within a lot identified on Map 20.2 – Lakeside Lots of this Bylaw as being subject to Section 8.17 of this Bylaw in any Residential District any accessory building without the specific approval of the Development Authority.

## 8.21 PROTECTION FROM EXPOSURE HAZARDS

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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 Village.

## 8.22 PROJECTION INTO YARDS

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1. Except as provided in this part, and except for fences as noted in Section 8.12 of this Bylaw, no portion of a building shall be located or project into a required yard.
2. Front Yards and Rear Yards
  - a. The following features may project into a required front yard or rear yard:
    - i. steps, eaves, gutters, sills, and chimneys, or other similar projections, with the amount of the projection to be as allowed by the Development Authority;
    - ii. canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 1.5 m (4.9 ft.);
    - iii. any other features which, in the opinion of the Development Authority, are similar to the foregoing.
3. Side Yards
  - a. The following features may project into a required side yard; except where a side yard of 3.0 m (9.8 ft.) is required for vehicular passage:
    - i. steps, chimneys and decks, provided such projection does not exceed 50% of the width of the required side yard;
    - ii. eaves, gutters and sills or other similar projections, with the amount of the projection to be as allowed by the Development Authority;

- iii. canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 0.6 m (1.9 ft.);
  - iv. any other features which, in the opinion of the Development Authority, are similar to the foregoing.
4. No portion of a building shall project into the right-of-way of a road or lane.

## 8.23 PARKING

1. When any new development is proposed, including a change of use of existing development, or when any existing development is, in the opinion of the Development Authority, substantially enlarged or increased in capacity, off-street vehicular parking or garage spaces shall be provided in accordance with the following:

### 2. Location and Standards of Off-Street Vehicular Parking

- a. All off-street vehicular parking areas and accessory off-street parking areas:
  - i. shall not be located within 1.0 m (3.3 ft.) of a lot boundary line common to the lot and to a road,
  - ii. shall be constructed so that adequate access to, and exit from each parking space is provided at all times by means of manoeuvring aisles designed to the satisfaction of the Development Authority, and
  - iii. shall have necessary curb cuts located to the satisfaction of the Development Authority.
- b. All off-street vehicular parking spaces shall be a minimum of 2.7 m (8.9 ft.) in width, and 6.2 m (20.3 ft.) in length.

### 3. Surfacing and Drainage

- a. Off-street vehicular parking areas must be paved or of a gravel mixture as approved by the Development Authority.
- b. Each off-street vehicular parking area shall be so graded and drained as to dispose of all storm water runoff on site. Drainage shall be allowed to cross sidewalks or enter lanes or roads only if approved by the Development Authority.

#### 4. Required Number of Off-Street Vehicular Parking Spaces

- a. The minimum number of off-street vehicular parking spaces required for each development, including parking spaces for the disabled, shall be calculated from Table 1.
- b. In the case of a use not specifically listed in the table below, the required number of off-street vehicular parking spaces shall be as required by the Development Authority.
- c. In the case of the multiple use of a lot, the Development Authority shall calculate the number of off-street vehicular parking spaces required for each individual use, and the total shall be deemed to be the required parking for the lot, unless the applicant can demonstrate, to the satisfaction of the Development Authority, that there is a complementary use of the parking facilities which would warrant a reduction in the number of off-street vehicular parking spaces required. Where such a reduction is made, the Development Authority shall indicate the reduction and the reasons for the reduction on the development permit.
- d. Where the total number of off-street vehicular parking spaces is determined by reference to a unit such as the number of seats or floor area, the next higher whole number shall be required where the calculation results in a fractional number of off-street vehicular parking spaces.
- e. The Development Authority may allow an applicant to provide a lesser number of spaces if it can be shown that the standard is not applicable to the project.

USE OF BUILDING OR DEVELOPMENT	MINIMUM NUMBER OF PARKING SPACES
<b>Residential Uses</b>	
All Dwellings	2 per dwelling unit
Major Home Occupations	As required by the Development Authority
Bed and Breakfast Establishments	1 per rentable unit
<b>Commercial Uses</b>	
Eating, Drinking, and/or Entertainment Establishments	1 per 3 seating spaces
Hotels and Motels	1 per rentable unit
All other Commercial Uses	1 per 30.0 m <sup>2</sup> (323.0 ft <sup>2</sup> ) of floor area

<b>Places of Public Assembly</b>	
Auditoriums, Places of Worship, Halls, Clubs, Theatres, and Other Amusement or Recreation Facilities	To the satisfaction of the Development Authority, but not less than 1 per 10 seating spaces

## 8.24 RECREATIONAL VEHICLE PARK

1. In determining the appropriateness and suitability of a site for a recreational vehicle park or the expansion of an existing recreational vehicle park, the Development Authority shall consider such factors as accessibility, compatibility with nearby land uses, environmental sensitivity, physical suitability, and serviceability of the site itself.
2. Roads leading to a recreational vehicle park may be required, as a condition of the approval of a development permit, to be brought into a condition the Development Authority deems necessary to sustain the volume and type of traffic to be generated by the proposed recreational vehicle park or recreational vehicle park expansion.
3. Among other matters, the following factors may be used by the Development Authority in determining the appropriate density for a proposed recreational vehicle park development or expansion of an existing recreational vehicle park:
  - a. presence of natural amenities (e.g., water features, landscape);
  - b. quantity and type of vegetation; and
  - c. sensitivity of terrain.
4. The following criteria and standards may be used by the Development Authority in determining appropriate site design for a proposed recreational vehicle park or the expansion of an existing recreational vehicle park:
  - a. the site plan shall detail internal circulation requirements, roadway widths, pedestrian circulation, site access and egress, emergency access, parking areas, storage areas, toilet and laundry areas, recreational areas, and recreational vehicle and tenting areas;
  - b. the number of access points to the site shall be limited to control the entry and departure of vehicles and to minimize interference with neighbouring uses and traffic flow;
  - c. the location of access points shall not unnecessarily route traffic through residential areas;

- d. access points shall be designed to accommodate two-way traffic, and shall provide a clear unobstructed view for traffic and turning vehicles. The provision of acceleration and deceleration lanes may be required;
  - e. all recreational vehicle parks and sites shall have clear access and identification for firefighting, ambulance, and police;
  - f. for recreational vehicle parks proposed to be open year-round, provision shall be made in the design of internal roadways for snow removal and snow storage;
  - g. for recreational vehicle parks proposed to be for long lease arrangements, parking spaces shall be provided for visitors in such locations as shall not interfere with pedestrian safety;
  - h. noise control measures may be required by the Development Authority, which may include the use of berms, natural barriers, and screens, and locating noise-insensitive aspects of the development closest to the noise source.
5. Stalls shall be a minimum 9.1 m (30.0 ft.) wide, a minimum of 15.25 m (50.0 ft.) wide, and a minimum 139.4 m<sup>2</sup> (1,500 ft<sup>2</sup>) in area.
  6. The developer shall provide an on-site potable water supply satisfactory to appropriate provincial authorities.
  7. As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction over this type of development.
  8. The development agreement may require the developer to construct, upgrade, or pay to construct or upgrade the necessary Village roads to access the development.
  9. The developer shall designate an area equivalent to ten percent (10%) of the total recreational vehicle park area as a playground. This area is to be clearly marked and free from all traffic hazards.
  10. All stalls shall maintain a minimum set back of 30.0 m (98.4 ft.) from the shoreline of any body of water or lake.
  11. The Developer shall provide reasonable and adequate lake access for users of the recreational vehicle park to the satisfaction of the Development Authority.
  12. The construction of more than one (1) of single detached dwelling shall not be allowed at a recreational vehicle park, even if the dwelling is considered to be rental accommodation, unless specifically indicated in an approved conceptual scheme, approved as indicated in the C2 – Commercial Recreation Land Use District.

## 8.25 RECREATIONAL VEHICLES

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1. The placement of a recreational vehicle on an undeveloped lot shall not be allowed in the Village.
2. A maximum of one (1) recreation vehicle is permitted on a developed lot on a permanent basis.
3. Notwithstanding Sections 8.25.2, one (1) additional recreational vehicle may be allowed for a period of up to but not exceeding seven (7) days.
4. The placement of a recreational vehicle on a developed lot requires a development permit.
5. A development permit application to place an RV on a lot shall indicate:
  - a. where a recreational vehicle will be placed on a lot on a permanent basis; and
  - b. where an additional recreational vehicle may be placed on a temporary basis.
6. RVs must be located entirely within the boundaries of the lot.
7. RVs shall not be located within a front yard on a lakeside lot.
8. No recreational vehicle shall be connected to any franchise utility or municipal service except for electricity.
9. All recreational vehicles must comply with current provincial requirements for private sewage storage and disposal.
10. Two (2) onsite parking stalls must be provided for each recreational vehicle.

## 8.26 RELOCATION OF BUILDINGS AND MOVED-IN BUILDINGS

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1. No relocated building or moved-in building shall be allowed within the Village which is more than two (2) years old from the initial date of manufacture or construction and to be used as a dwelling.
2. No person shall:
  - a. place on a lot a building which has previously been erected or placed on a different lot, or
  - b. alter the location of a building on a lot which has already been constructed on that lot, unless a development permit has been issued.

3. An application for a development permit to relocate or move in an existing building may be approved by the Development Authority under the same circumstances and subject to the same conditions as might apply should the building to be relocated or moved in be constructed on the proposed site.
4. The Development Authority may also require that the building be renovated, altered, or repaired so as to conform to the design, character, and appearance of existing buildings near the subject lot or of any other design, character, and appearance that the Development Authority, at their sole discretion, may deem reasonable and/or necessary.
5. Any renovations, alterations, or repairs set out as a condition of approval of the permit to satisfy the requirements of Sections 8.26.3 and 8.26.4 shall be completed within one (1) year of the issuance of subject development permit.
6. In making a decision on a development permit application to relocate or move in an already constructed or partially constructed building, the Development Authority shall consider whether the building is or can be made compatible with the character of the neighbourhood in which it is proposed to be located, and may refuse a development permit if the building, in their sole opinion, is or will be incompatible with the neighbourhood.

## 8.27 RETAINING WALLS

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1. 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 Village of Spring Lake is party to;
  - e. be constructed of or finished with materials that compliment those on the principal building(s); and
  - f. meet the setback requirements for the principal building of the Land Use District, if greater than 1.2 m (3.9 ft.) in height.
2. If a retaining wall will not conform to the above, a Development Permit must be obtained before construction.

## 8.28 SUITES

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1. A suite shall remain accessory to and subordinate to the principal building on a lot.
2. A suite may be located within a principal building (i.e. secondary suite), or it may be located within an accessory building (i.e. garage suite, guest house suite) provided that it meets the regulations of Sections 8.1 and 8.2 of this Bylaw and the regulations of the Land Use District in which it is located.
3. Where there is more than dwelling on a lot, neither dwelling may contain a secondary suite. Where there is an existing suite on a lot; no additional suite shall be allowed.
4. A secondary suite shall not be developed within the same dwelling containing a group home or bed and breakfast establishment.
5. A suite shall:
  - a. only be allowed in those Land Use Districts in which suites are indicated as a permitted or a discretionary use;
  - b. create minimal structural change to the front exterior of the principal building, so that the building appears as a single detached dwelling;
  - c. have a minimum floor area of 35.0 m<sup>2</sup> (378.0 ft<sup>2</sup>);
  - d. have a maximum floor area equal to no more than 40% of the floor area of the principal building (for secondary suites);
  - e. have a maximum floor area as determined by the Development Authority (for all other suites), who shall have regard for the size of the principal building on the site and the visual impact of the proposed suite on adjacent properties;
  - f. have full utility services through service connection from the main dwelling;
  - g. comply with the Alberta Building Code and all other Provincial and municipal regulations; and
  - h. be provided with off-street parking in accordance with Section 8.23 – Parking.
6. The lot on which a suite is located shall:
  - a. be limited to one suite; and

- b. not be subdivided (in title) as a result of the presence of a suite.
- 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. Guest house suites shall be a maximum height of 5.2 m (17.0 ft.).
- 11. Garage suites (developed above a garage) shall be a maximum height of 8.5 m (28.0 ft.).
- 12. 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.
- 13. No additional approach will be permitted to provide access or egress to the suite.

## 8.29 SEA CANS

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- 1. As a condition of granting a development permit for a sea can, the Development Authority may require the sea can to conform aesthetically to buildings in the immediate and general area. This may include, but is not limited to:
  - a. buffering it from public view;
  - b. cladding it in same or similar materials of other buildings on the lot; and/or
  - c. enclosing it entirely within a building.
- 2. Sea cans shall only be allowed as accessory buildings and shall not be used as a principal building on a site.

3. A sea can shall be used for storage purposes only.
4. The maximum number of sea cans that shall be allowed on a parcel of land to be used as an accessory building shall be at the sole discretion of the Development Authority.
5. Sea cans shall be strictly prohibited in any front yard of the property and shall meet all other required setback regulations for the applicable Land Use District.
6. Sea cans shall not be stacked. The maximum height for a sea can allowed on any parcel is 3.0 m (10.0 ft.).
7. No human or animal habitation shall be allowed within a sea can.

### 8.30 SIGNS

#### I. General Sign Regulations

- a. The Development Authority may require the removal of any sign which, in their sole opinion, is or has become unsightly or is in such a state of disrepair as to constitute a hazard.
- b. Minimum yard requirements for accessory buildings shall be observed for any sign located on a lot, and the sign shall not be further than 30.0 m (98.0 ft.) from the principal building. No sign shall be of such size or design as to, in the sole opinion of the Development Authority, obstruct the vision of persons using roads abutting the lot.
- c. The quality, aesthetic character, and finishing of sign construction shall be to the satisfaction of the Development Authority.
- d. Except as otherwise specified in this Bylaw, the maximum area of any sign shall be 3.0 m<sup>2</sup> (32.3 ft<sup>2</sup>).
- e. Where, in the sole opinion of the Development Authority, a proposed sign in a Commercial District might be objectionable to a resident in an adjacent Residential District, the Development Authority may impose such additional regulations or conditions on the approval of a development permit application for a sign as they feel would protect the interests of the residents.
- f. Flashing, animated, or illuminated signs shall not be allowed in developments where, in the sole opinion of the Development Authority, the sign might:
  - i. affect residents in adjacent dwellings or Residential Districts; or

- ii. interfere with the interpretation of traffic signs or traffic signal lights or obstruct the vision of a motor vehicle driver.
- g. The area around a sign shall be kept clean and free of overgrown vegetation, and free from refuse material.
- h. The Development Authority may require an engineer-approved plan prior to the issuance of a development permit for a sign in order to ensure the safety of a sign with respect to design and/or placement.
- i. Notwithstanding any other provision of this Bylaw to the contrary, no sign advertising any commercial development or home occupation shall be allowed on any site other than the site on which the commercial development or home occupation is located without a development permit having been issued for the sign.

## 2. Signs in Residential Districts

- a. When the owner or tenant of a dwelling has been granted a development permit for the purpose of conducting any form of home occupation, that person may display a sign in accordance with the regulations in Section 8.15 – Home Occupation.
- b. Family care and group care facilities may have one (1) identification sign on each lot, and no individual sign may exceed 1.0 m<sup>2</sup> (10.75 ft<sup>2</sup>) in area

## 3. Freestanding Signs

- a. Freestanding signs shall be allowed in all Districts other than Residential Districts.
- b. Notwithstanding the above, the placement of a maximum of one (1) freestanding sign may be allowed on a residential lot where a development permit has been issued for a home occupation, subject to the regulations in Section 8.15 – Home Occupations.
- c. Only one (1) freestanding sign shall be allowed on a lot.
- d. Where a lot has in excess of 90.0 m (295.25 ft.) of frontage, one (1) additional freestanding sign may be erected for each additional 90.0 m (295.25 ft.) of frontage or portion thereof.
- e. The height of any freestanding sign shall not exceed 9.0 m (29.5 ft.) from grade.

- f. No permit for a freestanding sign shall be issued unless the area of the sign is no more than 5.0 m<sup>2</sup> (53.8 ft<sup>2</sup>) for the first 15.0 m (49.2 ft.) of frontage of the lot upon which the sign is located, plus 1.0 m<sup>2</sup> (10.75 ft<sup>2</sup>) for each additional 10.0 m (32.8 ft.) of frontage, up to a maximum area of 22.0 m<sup>2</sup> (236.8 ft<sup>2</sup>), with no side or face of a sign to exceed 11.0 m<sup>2</sup> (118.4 ft<sup>2</sup>) in area.
- g. The freestanding sign shall not project to within 0.6 m (2.0 ft.) of a lot line, or within 2.0 m (6.6 ft.) of overhead utility lines.

#### 4. Canopy and Projecting Signs

- a. Canopy or projecting signs shall be allowed in all Districts other than Residential Districts.
- b. Only one (1) canopy or projecting sign shall be allowed for each side of a lot which abuts a road.
- c. No part of any canopy or projecting sign shall extend more than 2.0 m (6.6 ft.) above the principal building on the lot and, in any case, the top of the sign shall not extend more than 9.0 m (29.5 ft.) above grade.
- d. No canopy or projecting sign shall exceed 8.0 m<sup>2</sup> (86.1 ft<sup>2</sup>) in area and no side or face of a canopy or projecting sign shall exceed 3.0 m<sup>2</sup> (32.3 ft<sup>2</sup>) in area.
- e. Canopy and projecting signs shall have a clearance of not less than 3.0 m (9.84 ft.) between the bottom of the sign and sidewalk, walkway, or ground level.
- f. Canopy and projecting signs shall not project more than 3.0 m (9.84 ft.) from a lot line, nor to within 2.0 m (6.6 ft.) of the carriageway of a road.
- g. No canopy or projecting sign shall be allowed where, in the sole opinion of the Development Authority, the sign would obstruct the free movement or access by pedestrians or vehicles, or repairs to overhead utility lines.

#### 5. Wall and Roof Signs

- a. Wall and roof signs shall be allowed in all Land Use Districts other than Residential Districts.
- b. Only one (1) wall or roof sign shall be allowed for each side of a lot which abuts a road.
- c. Wall and roof signs shall only indicate the name and nature of the occupants within the development on the lot on which the sign is located.

- d. Wall and roof signs shall not exceed twenty percent (20%) of the area of the face of the wall to which a wall sign is attached or above which a roof sign is mounted.
- e. Wall and roof signs shall not extend more than 0.3 m (1.0 ft.) from the face of the wall to which it is attached or mounted above.
- f. No part of any wall or roof sign shall extend higher than 9.0 m (29.5 ft.) above grade.
- g. No part of any wall or roof sign shall extend higher than 2.0 m (6.6 ft.) above the wall or roof to which the sign is attached.

### 8.31 SUBDIVISION OF LAND

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1. Where the development of land involves a subdivision of land, no development permit shall be issued until an application for subdivision has been submitted to the Subdivision Authority and written evidence has been received by the Development Authority that the necessary subdivision has the approval of the Subdivision Authority.

### 8.32 SUBSTANDARD LOTS

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1. Proposed developments on existing substandard lots which do not meet the provisions of this Bylaw shall be considered by the Development Authority. The Development Authority may or may not issue a development permit for the site, having regard for the limitations of the site.
2. Development on a substandard lot is still required to meet all other provincial and federal legislation and regulations, including but not limited to the *Safety Codes Act*.

### 8.33 TOP SOIL EXCAVATION, STRIPPING, AND GRADING

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1. No person shall commence stripping, excavation, or grading activities without first obtaining a development permit.
2. For the purpose of this Section, excavation shall mean excavation other than for construction or building purposes, including, but not limited to, topsoil stripping, and construction of artificial bodies of water.
3. 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;
  - d. information relating to the existing land uses and vegetation;
  - e. a storm water drainage 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.
4. 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.

### 8.34 WOOD FURNACES

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1. Wood furnaces shall not allowed within any principal or accessory buildings on a lot in the Village of Spring Lake.

## 9. LAND USE DISTRICTS

### 9.1 ESTABLISHMENT OF LAND USE DISTRICTS


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

NAME	SYMBOL	MAP COLOUR
Residential (Single Detached Class A) District	RIA	Light Yellow
Residential (Single Detached Class B) District	RIB	Bright Yellow
Residential (Single Detached Class C) District	RIC	Orange
Residential (Single Detached Class D) District	RID	Red-Orange
Commercial (Office, Retail, and Service) District	C1	Red
Commercial Recreation District	C2	Purple
Urban Services District	US	Blue
Park and Recreation District	P	Green
Urban Reserve District	UR	Grey

2. The Land Use District Maps in this Land Use Bylaw divides the Village into Land Use Districts.
3. Section 8: Development Regulations applies to development within all Land Use Districts in the Village.
4. For the purposes of this Bylaw, the R1A, R1B, R1C, and R1D Districts shall be considered to be Residential Districts, and the C1, and C2 Districts shall be considered to be Commercial Districts.

### 9.2 LAND USE DISTRICT BOUNDARIES

1. The boundaries of the Land Use District Maps or any Overlay 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;
      - 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 Maps.
    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. R1A – RESIDENTIAL DISTRICT

## *Single Detached Class A*

### 10.1 PURPOSE

1. To allow the development of single detached dwellings and associated uses on small lots.

### 10.2 PERMITTED USES

1. Dwellings, single detached
2. Home occupations, minor
3. Suites, secondary
4. Buildings and uses accessory to permitted uses

### 10.3 DISCRETIONARY USES

1. Dayhomes
2. Home occupations, major
3. Parks
4. Public or quasi-public uses
5. Public utilities required to serve the immediate area
6. Show homes
7. Suites, garage
8. Suites, guest house
9. Other uses that, in the opinion of the Development Authority, are similar to the above mentioned permitted or discretionary uses
10. Buildings and uses accessory to discretionary uses

### 10.4 REGULATIONS

#### 10.4.1 SUBDIVISION REQUIREMENTS – ALL LOTS

<b>Minimum Lot Area</b>	1,858 m <sup>2</sup> (20,000 ft <sup>2</sup> )
<b>Minimum Lot Width</b>	30.5 m (100 ft.)
<b>Minimum Lot Depth</b>	34.0 m (115 ft.)

#### 10.4.2 DWELLINGS, SINGLE DETACHED

##### Minimum Yards

<b>Front</b>	5.5 m (18.0 ft.)
<b>Rear</b>	5.5 m (18.0 ft.)

<b>Side</b>	10% of the lot width or (at the sole discretion of the Development Authority) a minimum of 1.5 m (4.9 ft.) where the buildings on the lot are less than 7.6 m (24.9 ft.) in height and a minimum of 2.3 m (7.5 ft.) where the buildings on the lot are equal to or more than 7.6 m (24.9 ft.) in height.
	Notwithstanding the above, where a lot has vehicular access from either the front or rear only, one (1) side yard must be a minimum of 3.2 m (10.5 ft.), except where an attached garage or carport is provided.

<b>Flanking</b>	4.5 m (14.8 ft.)
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##### Additional Regulations

<b>Minimum Ground Floor Area</b>	92.9 m <sup>2</sup> (1,000 ft <sup>2</sup> ) (not including an attached garage)
<b>Maximum Height</b>	9.0 m (29.5 ft.), except where otherwise indicated in this Bylaw
<b>Maximum Lot Coverage</b>	40%
<b>Keeping of Animals</b>	No person shall keep, maintain, confine, or tether any livestock in any lot in the R1A District.

<b>Other Requirements</b>	As required by the Development Authority
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### 10.4.3 SECONDARY SUITES

<b>Number of Suites on a Lot</b>	One secondary suite may be allowed on a lot at the sole discretion of the Development Authority, after taking into account the other requirements of this Bylaw.
<b>Other Requirements</b>	A secondary suite shall abide by the regulations of this Bylaw for secondary suites and for single detached dwellings.

### 10.4.4 ALL OTHER USES

As required by the Development Authority.	
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# 11. R1B – RESIDENTIAL DISTRICT

## Single Detached Class B

### 11.1 PURPOSE

1. To allow the development of single detached dwellings, and associated uses on 0.4 ha (1.0 ac.) lots.

### 11.2 PERMITTED USES

1. Dwellings, single detached
2. Home occupations, minor
3. Suites, secondary
4. Buildings and uses accessory to permitted uses

### 11.3 DISCRETIONARY USES

1. Dayhomes
2. Family care facilities
3. Home occupations, major
4. Parks
5. Public or quasi-public uses
6. Public utilities required to serve the immediate area
7. Show homes
8. Suites, garage
9. Suites, guest House
10. Other uses that, in the opinion of the Development Authority, are similar to the above mentioned permitted or discretionary uses
11. Buildings and uses accessory to discretionary uses

### 11.4 REGULATIONS

#### 11.4.1 SUBDIVISION REQUIREMENTS – ALL LOTS

<b>Minimum Lot Area</b>	0.4 ha (1.0 ac.), of which a minimum of 1,858 m <sup>2</sup> (20,000 ft <sup>2</sup> ) shall be developable land.
<b>Minimum Lot Width</b>	50.0 m (164 ft.).

#### 11.4.2 DWELLINGS, SINGLE DETACHED

<b>Minimum Yards</b>	
<b>Front</b>	7.0 m (22.9 ft.)
<b>Rear</b>	8.0 m (26.2 ft.)
<b>Side</b>	10% of the lot width or (at the sole discretion of the Development Authority) a minimum of 1.5 m (4.9 ft.) where the buildings on the lot are less than 7.6 m (24.9 ft.) in height and a minimum of 2.3 m (7.5 ft.) where the buildings on the lot are equal to or more than 7.6 m (24.9 ft.) in height. Notwithstanding the above, where a lot has vehicular access from either the front or rear only, one (1) side yard must be a minimum of 3.2 m (10.5 ft.), except where an attached garage or carport is provided.
<b>Flanking</b>	4.5 m (14.8 ft.)
<b>Additional Regulations</b>	
<b>Minimum Ground Floor Area</b>	92.9 m <sup>2</sup> (1,000 ft <sup>2</sup> ) (not including an attached garage)
<b>Maximum Height</b>	9.0 m (29.5 ft.), except where otherwise indicated in this Bylaw
<b>Maximum Lot Coverage</b>	40%
<b>Keeping of Animals</b>	No person shall keep, maintain, confine, or tether any livestock in any lot in the R1B District.
<b>Other Requirements</b>	As required by the Development Authority

### 11.4.3 SECONDARY SUITES

<b>Number of Suites on a Lot</b>	One secondary suite may be allowed on a lot at the sole discretion of the Development Authority, after taking into account the other requirements of this Bylaw.
<b>Other Requirements</b>	A secondary suite shall abide by the regulations of this Bylaw for secondary suites and for single detached dwellings.

### 11.4.4 ALL OTHER USES

As required by the Development Authority.

## 12. RIC – RESIDENTIAL DISTRICT

### Single Detached Class C

#### 12.1 PURPOSE

- To allow the development of single detached dwellings and associated uses on 0.8 ha (2 ac.) lots.

#### 12.2 PERMITTED USES

- Dwellings, single detached
- Home occupations, minor
- Suites, secondary
- Buildings and uses accessory to permitted uses

#### 12.3 DISCRETIONARY USES

- Day homes
- Family care facilities
- Home occupations, major
- Parks
- Public or quasi-public uses
- Public utilities required to serve the immediate area
- Suites, garage
- Suites, guest house
- Show homes
- Other uses that, in the opinion of the Development Authority, are similar to the above mentioned permitted or discretionary uses
- Buildings and uses accessory to discretionary uses

#### 12.4 REGULATIONS

##### 12.4.1 SUBDIVISION REQUIREMENTS – ALL LOTS

<b>Minimum Lot Area</b>	0.8 ha (2.0 ac.), of which a minimum of 1,858 m <sup>2</sup> (20,000 ft <sup>2</sup> ) shall be developable land
<b>Minimum Lot Width</b>	75.0 m (246 ft.)

##### 12.4.2 DWELLINGS, SINGLE DETACHED

###### Minimum Yards

<b>Front</b>	7.0 m (22.9 ft.)
<b>Rear</b>	8.0 m (26.2 ft.)
<b>Side</b>	10% of the lot width or (at the sole discretion of the Development Authority) a minimum of 1.5 m (4.9 ft.) where the buildings on the lot are less than 7.6 m (24.9 ft.) in height and a minimum of 2.3 m (7.5 ft.) where the buildings on the lot are equal to or more than 7.6 m (24.9 ft.) in height. Notwithstanding the above, where a lot has vehicular access from either the front or rear only, one (1) side yard must be a minimum of 3.2 m (10.5 ft.), except where an attached garage or carport is provided.
<b>Flanking</b>	4.5 m (14.8 ft.)

###### Additional Regulations

<b>Minimum Ground Floor Area</b>	92.9 m <sup>2</sup> (1,000 ft <sup>2</sup> ) (not including an attached garage)
<b>Maximum Height</b>	9.0 m (29.5 ft.), except where otherwise indicated in this Bylaw
<b>Maximum Lot Coverage</b>	20%
<b>Keeping of Animals</b>	No person shall keep, maintain, confine, or tether any livestock in any lot in the R1C District.
<b>Other Requirements</b>	As required by the Development Authority

### 12.4.3 SUITES

<b>Number of Suites on a Lot</b>	A maximum of one suite (secondary suite, garage suite, or guest house suite) may be allowed on a lot.
<b>Other Requirements</b>	All suites shall conform to the regulations of this Bylaw contained in Section 8.28.

### 12.4.4 ALL OTHER USES

As required by the Development Authority.

# 13. RID – RESIDENTIAL DISTRICT

## Single Detached Class D

### 13.1 PURPOSE

- To allow the development of single detached dwellings, hobby farms, and associated uses on lots of 0.5 ha (1.24 ac.) or greater in size.

### 13.2 PERMITTED USES

- Dwellings, single detached
- Home occupations, minor
- Suites, secondary
- Buildings and uses accessory to permitted uses

### 13.3 DISCRETIONARY USES

- Dayhomes
- Family care facilities
- Hobby farms
- Home occupations, major
- Parks
- Public or quasi-public uses
- Public utilities required to serve the immediate area
- Suites, garage
- Suites, guest house
- Show homes
- Other uses that, in the opinion of the Development Authority, are similar to the above mentioned permitted or discretionary uses
- Buildings and uses accessory to discretionary uses

### 13.4 REGULATIONS

#### 13.4.1 SUBDIVISION REQUIREMENTS – ALL LOTS

<b>Minimum Lot Area</b>	0.5 ha (1.24 ac.), of which a minimum of 0.25 ha (0.62 ac.) shall be developable land.
<b>Minimum Lot Width</b>	50.0 m (164.0 ft.)

#### 13.4.2 DWELLINGS, SINGLE DETACHED

##### Minimum Yards

<b>Front</b>	7.0 m (22.9 ft.)
<b>Rear</b>	8.0 m (26.2 ft.)
<b>Side</b>	10% of the lot width or (at the sole discretion of the Development Authority) a minimum of 1.5 m (4.9 ft.) where the buildings on the lot are less than 7.6 m (24.9 ft.) in height and a minimum of 2.3 m (7.5 ft.) where the buildings on the lot are equal to or more than 7.6 m (24.9 ft.) in height. Notwithstanding the above, where a lot has vehicular access from either the front or rear only, one (1) side yard must be a minimum of 3.2 m (10.5 ft.), except where an attached garage or carport is provided.
<b>Flanking</b>	4.5 m (14.8 ft.)

##### Additional Regulations

<b>Minimum Ground Floor Area</b>	92.9 m <sup>2</sup> (1,000 ft <sup>2</sup> ) (not including an attached garage)
<b>Maximum Height</b>	9.0 m (29.5 ft.), except where otherwise indicated in this Bylaw
<b>Maximum Lot Coverage</b>	20%
<b>Other Requirements</b>	As required by the Development Authority

### 13.4.3 SUITES

<b>Number of Suites on a Lot</b>	A maximum of one suite (secondary suite, garage suite, or guest house suite) may be allowed on a lot.
<b>Other Requirements</b>	All suites shall conform to the regulations of this Bylaw contained in Section 8.28.

### 13.4.4 HOBBY FARMS

<b>Keeping Livestock and Animals</b>	No person shall keep, maintain, confine, or tether any livestock on any lot in the R1D District without an approved development permit for a Hobby Farm.
	The keeping of fowl and livestock may be allowed in association with a Hobby Farm under the following conditions: <ol style="list-style-type: none"><li>1. Respecting fowl or similar animals (excluding laying hens):<ol style="list-style-type: none"><li>a. no more than twelve (12) animals of anyone (1) kind may be kept on any lot;</li></ol></li><li>2. Respecting all other livestock, including horses, cows, goats, sheep, and swine:<ol style="list-style-type: none"><li>a. no more than two (2) animals of any one (1) kind may be kept on any lot; and</li><li>b. no more than four (4) animals in total may be kept on any lot; and</li><li>c. no more than sixteen (16) livestock animals in total (including fowl and livestock) may be kept on any lot at any time.</li></ol></li></ol>
	The keeping of animals and laying hens shall also comply with the Village's Animal Control Bylaw as amended or replaced.
	Where a hobby farm includes the keeping of livestock, a perimeter fence of not less than 1.2 m (3.9 ft.) in height shall be constructed of four (4) strand barbed wire, chain link or wood/steel rail. The perimeter fence shall be located no closer than 20.0 m (65.6 ft.) from the nearest dwelling. For all other animals specified in in this section, appropriate fencing will be constructed to contain said animals/birds within the property to the satisfaction of the Development Authority.

### 13.4.5 ALL OTHER USES

As required by the Development Authority.

# 14. C1 – COMMERCIAL DISTRICT

*Office, Retail, and Service*

## 14.1 PURPOSE

1. To permit commercial development appropriate for the Village on selected sites.

## 14.2 PERMITTED USES

1. Office uses
2. Personal service shops
3. Retail stores
4. Buildings and uses accessory to permitted uses

## 14.3 DISCRETIONARY USES

1. Amusement establishments
2. Business support services
3. Cannabis retail sales
4. Commercial uses
5. Daycare facilities
6. Dwellings, single detached
7. Eating establishments
8. Gas bars
9. Parks
10. Public or quasi-public uses
11. Public utilities
12. Recreation facilities, indoor and outdoor
13. Suites, garage
14. Suites, surveillance
15. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
16. Buildings and uses accessory to discretionary uses

## 14.4 REGULATIONS

### 14.4.1 SUBDIVISION REQUIREMENTS – ALL LOTS

<b>Minimum Lot Area</b>	0.4 ha (1.0 ac), of which a minimum of 1858 m <sup>2</sup> (20,000 ft <sup>2</sup> ) shall be developable land.
<b>Minimum Lot Width</b>	50.0 m (164 ft.).
<b>Minimum Lot Depth</b>	34.0 m (115 ft.).

### 14.4.2 DWELLINGS, SINGLE DETACHED

In accordance with the requirements of the R1A District

### 14.4.3 ALL OTHER USES

#### Minimum Yards

<b>Front</b>	7.0 m (22.9 ft.)
<b>Rear</b>	8.0 m (26.2 ft.)
<b>Side</b>	10% of the lot width or (at the sole discretion of the Development Authority) a minimum of 1.5 m (4.9 ft.) where the buildings on the lot are less than 7.6 m (24.9 ft.) in height and a minimum of 2.3 m (7.5 ft.) where the buildings on the lot are equal to or more than 7.6 m (24.9 ft.) in height. Notwithstanding the above, where a lot has vehicular access from either the front or rear only, one (1) side yard must be a minimum of 3.2 m (10.5 ft.).
<b>Flanking</b>	4.5 m (14.8 ft.)

#### Additional Regulations

<b>Maximum Height</b>	9.0 m (29.5 ft.), except where otherwise indicated in this Bylaw
<b>Maximum Lot Coverage</b>	40%
<b>Other Requirements</b>	As required by the Development Authority.

# 15. C2 – COMMERCIAL DISTRICT

*Recreation*

## 15.1 PURPOSE

1. To permit commercial development appropriate for the Village on selected sites.

## 15.2 PERMITTED USES

1. Home occupation, minor
2. Buildings and uses accessory to permitted uses

## 15.3 DISCRETIONARY USES

1. Amusement establishments
2. Eating establishments
3. Dwellings, single detached
4. Home occupation, major
5. Motels
6. Park models
7. Parks
8. Public or quasi-public uses
9. Public utilities
10. Recreation facilities, indoor and outdoor
11. Recreational vehicle parks
12. Suites, garage
13. Suites, surveillance
14. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
15. Buildings and uses accessory to discretionary uses

## 15.4 REGULATIONS

### 15.4.1 SUBDIVISION REQUIREMENTS – ALL LOTS

<b>Minimum Lot Area</b>	5.0 ha (12.5 ac).
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### 15.4.2 SUBDIVISION REQUIREMENTS – ALL LOTS

<b>Number of Dwellings on a Lot</b>	No more than one (1) dwelling shall be allowed on any lot within the C2 District.
<b>Other Requirements</b>	All other development regulations shall be in accordance with the requirements for single detached dwellings in the R1A District.

### 15.4.3 ALL OTHER USES

<b>Conceptual Scheme</b>	<p>No further development of any lands within the C2 District shall be allowed until a conceptual scheme for the entire lot owned by the developer has been submitted to the Development Authority and approved by the Development Authority. The conceptual scheme shall show all environmentally sensitive lands, all vegetated lands (showing the nature of the vegetation), all lands subject to potential flooding, all accesses, and the locations and capacities of all existing and proposed:</p> <ol style="list-style-type: none"> <li>1. water supply and wastewater collection services;</li> <li>2. means of dealing with storm water and siltation;</li> <li>3. recreational vehicle, park model, motel and bed and breakfast stalls; including their number and location;</li> <li>4. recreation facilities, including the specific uses of the facilities,</li> <li>5. dwellings, including their number and location;</li> <li>6. parks, including the facilities within the parks; and</li> <li>7. driveways, parking areas, etc.</li> </ol>
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	<p>The conceptual scheme will also indicate which developments have been approved pursuant to development permits and which have not been approved pursuant to development permits (which may be legal, nonconforming uses notwithstanding the lack of development permit approvals).</p> <p>The conceptual scheme will be presented in the form of a development permit application. If it is approved by the Development Authority and once any conditions of the approval have been satisfied, further development permit applications for development pursuant to the conceptual scheme shall not be necessary, unless specifically indicated within the conceptual scheme's approval.</p>
<b>Minimum Yards</b>	
<b>Front</b>	6.0 m (20.0 ft.)
<b>Rear</b>	8.0 m (26.2 ft.)
<b>Side</b>	10% of the lot width or (at the sole discretion of the Development Authority) a minimum of 1.5 m (4.9 ft.).
<b>Flanking</b>	4.5 m (14.8 ft.)
<b>Additional Regulations</b>	
<b>Maximum Height</b>	9.0 m (29.5 ft.), except where otherwise indicated in this Bylaw
<b>Proximity to a Waterbody</b>	Notwithstanding any other provision of this Bylaw to the contrary, no development shall be located within 30 m (98.4 ft.) of the bed and shore of a waterbody.
<b>Other Requirements</b>	As required by the Development Authority.

# 16. US – URBAN SERVICES DISTRICT

## 16.1 PURPOSE

1. To allow the development of institutions and community services.

## 16.2 PERMITTED USES

- |   |
|---|
| 1. Daycare facilities                             |
| 2. Institutional uses                             |
| 3. Office uses                                    |
| 4. Buildings and uses accessory to permitted uses |

## 16.3 DISCRETIONARY USES

- |   |
|---|
| 1. Parks  |
| 2. Public or quasi-public uses  |
| 3. Public utilities   |
| 4. Recreation facilities, indoor and outdoor  |
| 5. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses |
| 6. Buildings and uses accessory to discretionary uses   |

## 16.4 REGULATIONS

### 16.4.1 ALL REGULATIONS

As required by the Development Authority.

# 17. P – PARKS AND RECREATION DISTRICT

## 17.1 PURPOSE

1. To allow for the development of recreational uses and leisure activities.

## 17.2 PERMITTED USES

1. Parks
2. Public or quasi-public uses
3. Buildings and uses accessory to permitted uses

## 17.3 DISCRETIONARY USES

1. Public utilities
2. Recreation facilities
3. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
4. Buildings and uses accessory to discretionary uses

## 17.4 REGULATIONS

### 17.4.1 ALL REGULATIONS

As required by the Development Authority.

# 18. UR – URBAN RESERVE DISTRICT

## 18.1 PURPOSE

1. To reserve those lands that are sensitive to development so that substantial development cannot occur on the lands without Council approval through a Land Use Bylaw amendment.

## 18.2 PERMITTED USES

- |  |
|--|
| 1. Dwellings, single detached on existing lots only (no more than one per lot) |
| 2. Home occupations, minor   |
| 3. Buildings and uses accessory to permitted uses                              |

## 18.3 DISCRETIONARY USES

- |  |
|--|
| 1. Any strictly temporary use or building which, in the opinion of the Development Authority, does not contravene the policies of the Village's Municipal Development Plan |
| 2. Public or quasi-public uses   |
| 3. Public utilities  |
| 4. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses                                      |

## 18.4 REGULATIONS

### 18.4.1 ALL REGULATIONS

No subdivision shall take place within the UR District.

All development regulations shall be as required by the Development Authority.

No person shall keep, maintain, confine, or tether any livestock in any lot in the UR District

# 19. ADMINISTRATION

## 19.1 REPEALING EXISTING CONTROLS

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1. Bylaw No. 325, as amended, is hereby repealed.

## 19.2 DATE OF COMMENCEMENT

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1. This Bylaw comes into effect upon the date of it finally being passed.

READ A FIRST TIME IN COUNCIL THIS 10<sup>th</sup> DAY OF August, 2021

Jason Shea

**MAYOR**

Emily House

**CHIEF ADMINISTRATIVE OFFICER**

READ A SECOND TIME IN COUNCIL THIS 12<sup>th</sup> DAY OF October, 2021

Jason Shea

**MAYOR**

Emily House

**CHIEF ADMINISTRATIVE OFFICER**

READ A THIRD TIME IN COUNCIL THIS 12<sup>th</sup> DAY OF October, 2021

Jason Shea

**MAYOR**

Emily House

**CHIEF ADMINISTRATIVE OFFICER**

## 20. MAPS

### 20.1 MAP 1 – LAND USE DISTRICT MAP

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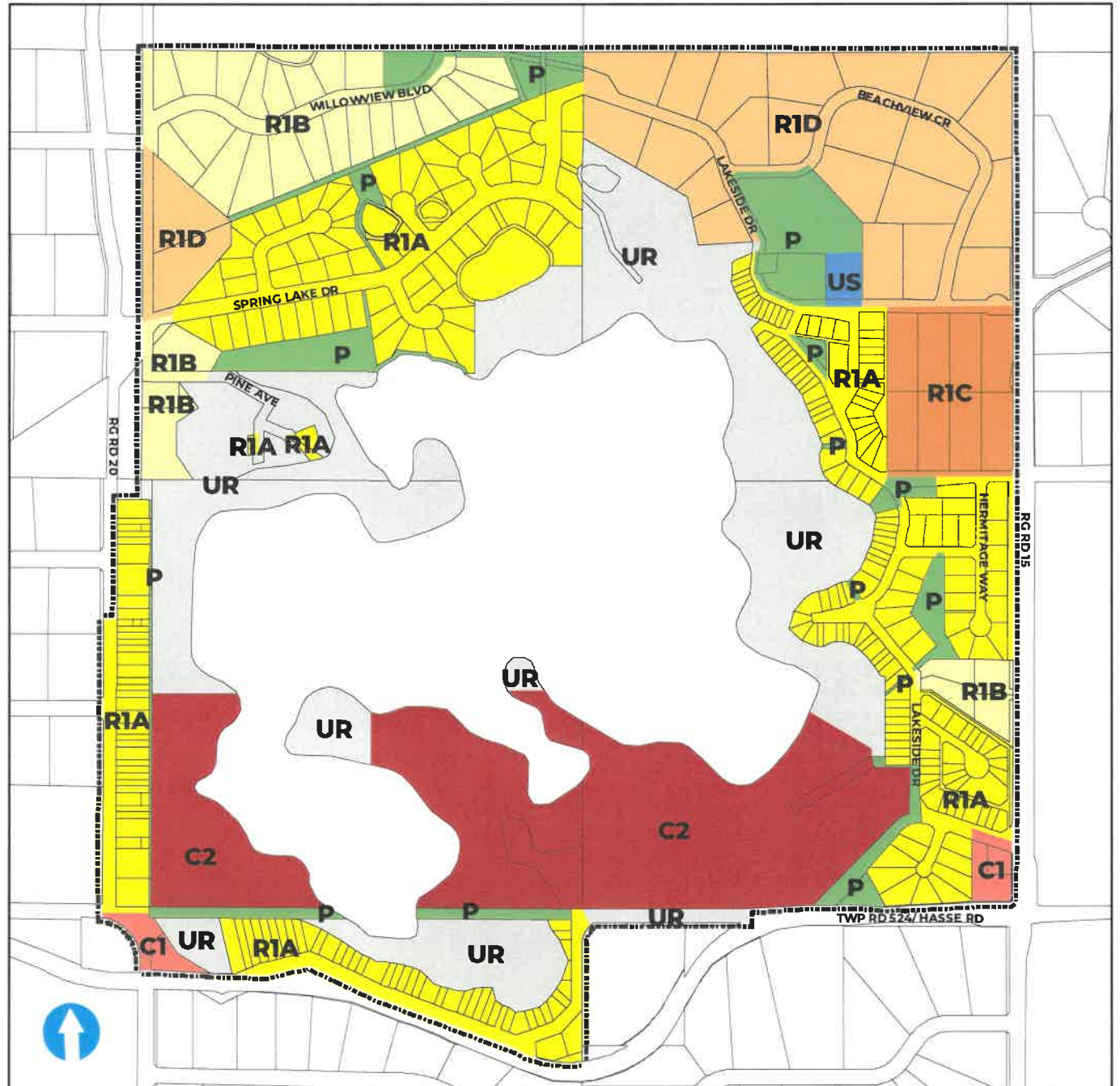
### 20.2 MAP 2 – LAKESIDE LOTS

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# 20.1 MAP 1 - LAND USE DISTRICT MAP

## LAND USE DISTRICTS

- R1A - Residential
- R1B - Residential
- R1C - Residential
- R1D - Residential
- C1 - Commercial
- C2 - Commercial
- P - Parks and Recreation
- UR - Urban Reserve
- US - Urban Services



# 20.2 MAP 2 – LAKEFRONT LOTS

## LEGEND

 Lots Subject to Section 8.17

The lots identified on this map are considered 'lakefront lots' and are subject to the regulations in Section 8.17 - Lakefront Lots of this Land Use Bylaw (in addition to all other applicable regulations).



