

Summer Village of Ghost Lake

Land Use Bylaw Update

Summary of Changes - V. 5 versus V.4

This summary provides an overview of the changes made to the draft SVGL Land Use Bylaw that was circulated in late 2024 (Version 4). The changes were based on the comments received at the November 30, 2024 public engagement session, the survey that followed, and associated written comments and emails. The summary is meant as a tool to help Summer Village residents and landowners compare that earlier version with the one currently being considered by the Steering Committee. That current version (Version 5) is posted on the SVGL website.

Changes made (not made) based on the survey feedback

Q. 1/2/3 - Possible Increase in Maximum Building Height

- Because the majority of responses (61%) did not support an increase in maximum building height, the Steering Committee decided to keep the existing maximum. No changes were made to the draft Land Use Bylaw.

Q. 4/5 - Possible need for a change in the existing height variance provisions if the maximum building height is increased.

- The responses to this question were evenly split (50% each) but it became a moot point because there was no increase in the allowed maximum building height. Hence there was no change to the draft Land Use Bylaw.

Q. 6/7 - Whether or not shipping containers should be allowed as accessory buildings.

- The clear majority (86%) were against allowing shipping containers in the Summer Village except when used temporarily during construction as part of a development permit approval. Consequently, the Committee decided to keep the proposed new Land Use Bylaw wording that prohibits shipping containers except as a temporary use.

Q. 8/9 - Should there be a requirement for a vehicle parking space in front of new garages (attached or detached from dwellings).

- The clear majority (78%) were in support of this new requirement, and the Steering Committee decided to keep the proposed wording of the new Land Use Bylaw which adds this as a requirement going forward.

Q. 10/11 - Possible reduction of the minimum ground floor area of a dwelling to allow tiny houses.

- The responses were fairly close on this question (53% no to 47% yes). A reading of the accompanying comments suggested that when providing a supportive (yes) answer, respondents often asked for additional conditions or provisos to be implemented. Taking this as a sign of weak support, the Steering Committee decided to keep the minimum dwelling size as is.

Changes made based on other comments and email feedback

There were many comments provided along with the answers to the survey questions. Additionally, there were three emails received that contained several other suggestions. These were too numerous to detail here but led the Committee to consider other changes to the November (v.4) version of the draft Land Use Bylaw. The major changes that resulted and are incorporated into the new (v.5) version of the Land Use Bylaw are:

Section 6.1 - A change in wording in the Purpose part of the R1 District description, from “standard size lots” to “residential lots”.

Section 6.5 - An effort was made to further clarify why the front and rear yard setbacks are reversed for lots along the waterfront (the reason being to keep buildings further back from the shoreline).

Section 6.6 - Clarification that Maximum Site Coverage includes such things as fabric garages, carports and similar covered structures.

Section 6.16 - Rewording to clarify that the illustrative figure on p. 10 does not apply to lots along the reservoir where the front and rear yard setback distances are reversed.

Section 9.1 - “Picnic Areas” was removed as a Discretionary Use in the Community Preservation (CP) District. The CP District applies to the wetland area in the southwest corner of the Summer Village.

Section 12.7 - There was an addition made to the Exterior Lighting requirements to state that the requirements do not apply to temporary lighting put up to celebrate special events, like Christmas.

Section 13.4 - An explanation was added to address the concern (objection) that fences on the lots along the waterfront can be no higher than 1.2 m (4.0 ft). The explanation is that this is to preserve views of the water for people walking along the roads, etc. (NB, this is not a change from the existing Land Use Bylaw requirements.)

Section 16.1 - This section, which was intended to ensure a quiet period in the evening and early morning when construction-related noise would be prohibited, was eliminated. It was pointed out that the Summer Village’s Noise Bylaw already deals with this issue, and in a much more thorough manner.

Section 16.3 - In terms of restrictions on the keeping of derelict vehicles on properties, boats were added to the list. That is, derelict boats are also prohibited.

Section 35.7 - This section deals with the public notice that must be provided when Notices of Decision are issued for development permit applications. The v.4 Land Use Bylaw requirement was that such notice had to be posted on the Summer Village’s

website. The v.5 addition was that the notice had to be posted “in a prominent location” on that website.

Section 56 - This is the Definitions section, and the changes are:

- The first change was the clarification that “Buildings” include fabric garages, carports and similar covered storage areas. This is consistent with the change made earlier regarding maximum site coverage.
- The second change was to the definition of a “Dwelling Unit”, which was that there can only be one dwelling unit per lot.
- The third change was to the definition of Green Energy Infrastructure, to make sure that it was clear that heat exchangers would be allowed.
- And the fourth change was to add a definition for “Steep Slope”.

Again, all of these changes were made in response to the community input we received.

Other items raised in feedback received regarding Land Use Bylaw v.4

Four other matters deserve special mention.

First, was the naming of the three community land use districts. There were several requests that the three new Community Reserve names match the three names used in the Municipal Development Plan (MDP). That can be done but there is a reason they are different. When those names were developed, there was no consideration given to how they might be abbreviated. In Canada, it is very common to use abbreviations for land use district. As a reminder, the names used in the MDP were:

- Recreation Activity Area (abbreviated RA?)
- Protected Area - Limited Development (abbreviated PA or PALD?)
- Preservation Area - Restricted Development (abbreviated PA or PARD?)

So we decided to use names that were somewhat in common and could be easily abbreviated. The draft Land Use Bylaw Districts are:

- Community Activity (CA) District
- Community Conservation (CC) District
- Community Preservation (CP) District

We were hoping to reflect the MDP names as much as possible through meaning while also getting names that were easily abbreviated. Also, to emphasize the MDP policy linkages, each of those MDP names are noted in the Purpose and Intent descriptions of the three community land use districts (that is, in draft Land Use Bylaw Sections 7, 8 and 9).

Second, was the issue of whether or not the recommendations of Section 11 - Architecture and Landscaping Controls (those include the FireSmart direction) should be retained or removed. The input we received from some members of the community was that these sections should be removed because they are recommendations, not requirements, and this is a Land Use Bylaw. Others thought those sections should be established as requirements because the fire hazard situation is only going to get worse. The Steering Committee decided to leave those sections as recommendations in the expectation that in a few years these types of hazard reduction methodologies will be Building Code requirements, or at least common practice, and that people building new structures should be informed of current best practices to reduce wildfire risks.

Third, was a request that part of the community reserve areas be named after an individual who contributed to the creation of the reserve areas. This request is important but was thought to be outside of the Steering Committee's mandate. Consequently it was forwarded to Council.

Fourth, was the receipt of many comments about the approval process and how that process should be more open to community input, especially when it comes to development appeals. The Steering Committee did not change very much in this regard (except the wording about the posting of Notices of Decisions on the Summer Village's website in a prominent location). However, these comments did generate a lot of discussion, and the Steering Committee put together a flow chart to try to better explain the development approval process. That has been distributed separately.

Additionally, the Summer Village is looking to join forces with other smaller municipalities to create a shared Subdivision and Development Appeal Board. That would reduce the potential for perceived conflicts of interest.