The following is a summary of submissions and testimony received from community members at the July 20, 2024, public hearing.

Comments have been lightly edited for clarity, brevity, and relevancy to the proposed Bylaw, where necessary for the purposes of this report.

An Amending Motion has been included as Schedule A to this report (will complete after we know all the recommendations).

Topic	Location	Feedback	Response/Recommendation
Spelling, Grammar, and Formatting	Throughout the document	• Suggested changes to improve readability/clarity.	• A final review of the bylaw will be undertaken prior to consideration of 2nd and 3rd reading to correct minor spelling, grammar, and formatting in the Land Use Bylaw.
	Land Use District sections	• The Land Use Districts should be at the start of the document.	• The structure of the Land Use Bylaw is consistent with other Land Use Bylaws in Alberta. • **No change recommended.**
Terms used in the Land Use Bylaw	Throughout the document	• All defined terms should be capitalized.	• Inconsistency regarding use of capitalization of development terms is noted in the document **Recommended Change:** • Revise Land Use Bylaw to capitalize defined use classes consistently.
	Section 2.2 (Definitions)	• The term 'constructed pad' should be defined.	**Recommended Change:** • Insert the following definition for Constructed Pad: "means a designated area for the parking of storage of RVs which provides long term support of the wheels without sinking and is normally comprised of gravel, concrete, pavement or paving stones."
		• The term 'embankment' should be defined.	• The term "embankment" is not used in the Land Use Bylaw. • **No change recommended.**
		• The term 'domestic pets' should be defined.	• This term is more appropriately defined in an animal control or "Dog" bylaw. • **No change recommended.**
		• The term 'legal bank' should be defined and used.	• The term legal bank is not used in the Land Use Bylaw. • **No change recommended.**
		• The terms permanent and 'quasi-permanent' should be defined.	**Recommended Change:** • Insert the following definition for quasi-permanent: "means equal to or greater than 21 days in total between May 1 and October 31 annually." • Insert the following definition for permanent: "means something that is lasting or intended to last indefinitely."
		• The term 'principal building' does not accommodate lots with two cottages.	• The definition for 'principal building' in the Land Use Bylaw allows the Development Officer to use their discretion to determine the principal building on a lot, in situations where there are two dwellings/cottages on the lot.

			• **No change recommended.**
		• Question about whether a principal building is always a residence.	• On a residential lot, in a residential district, the principal building is always a dwelling (residence). • **No change recommended.**
		• The R1 and R2 Districts should be defined.	• There is a purpose statement already included in each of the Districts. • **No change recommended.**
General Development	Throughout the document	• Concern about how existing developments in the Footpath Easement will be impacted.	• Any existing development that was lawfully constructed prior to the adoption of this Land Use Bylaw would be considered a non-conforming use and would be subject to the applicable regulations in the Land Use Bylaw (and the MGA). • Development undertaken without development permit approval would be subject to municipal enforcement action to bring the development into compliance with the Land Use Bylaw. • **No change recommended.**
		• Concern that a stockpile, vegetation removal, signs are defined as forms of 'development' and will require a development permit.	• The activities and uses identified as considered forms of development, as provided for in the MGA. The definition of 'develop' identifies examples of what constitutes a development, not what will require a development permit. • **No change recommended.**
		• Noted that the spirit of the community should not be lost in the red tape of bylaws, and that the Land Use Bylaw should not restrict the enjoyable use of cottages by community members.	• The Land Use Bylaw has been prepared using the feedback provided by community members through surveys, the open house, and phone conversions. The Land Use Bylaw is consistent with the vision and goals in the Summer Village's Municipal Development Plan. • **No change recommended.**
		• Question about what building code requirements will be applicable for new developments	• National Building Code (Alberta Edition) requirements are currently in place for all new developments in the Summer Village and will continue to apply when the Land Use Bylaw is approved. • **No change recommended.**
		• Concern about development within the legal bank of the lake and questions about ownership of these lands.	• Development near the shoreline may require provincial government approvals. • **No change recommended.**
		• Question about the source of the elevation information notes in the draft Land Use Bylaw.	• The elevation information included in the Land Use Bylaw (725.42 m contour) was prepared by Bolson Engineering in 2017 for the Summer Village. • **No change recommended.**
		• Concern about the amount of discretion given to the Development Authority in the draft Land Use Bylaw. • The Land Use Bylaw should provide more clarity about application requirements.	• The application requirements section has been significantly expanded to identify what information will (and may) be required to be produced by a development permit or subdivision applicant in support of their application. • The Municipal Government Act allows Council to delegate decision-making power, and the Land Use Bylaw provides guidelines regulating how the

			Development Authority uses the discretion given to them by Council. The Land Use Bylaw provides clear regulations for development in the Summer Village and the Development Authority acts in accordance with regulations in the Land Use Bylaw. Discretion is typically exercised only when a subject site exhibits unique site characteristics. • **No change recommended.**
		• The Land Use Bylaw should identify a specific number of parking stalls per use.	• Section 9.3.5 of the Land Use Bylaw requires "sufficient onsite parking to accommodate Accessory Dwelling Units" but does not provide specific direction to identify how the term "sufficient" is intended to be interpreted. Additionally, as currently drafted, the Land Use Bylaw does not provide specific parking stall requirements for different uses. To provide greater clarification the Land Use Bylaw could be revised to require 2 parking stalls for each single detached dwelling and 1 additional parking stall for each additional accessory dwelling unit. **Recommended Change:** • Revise Subsection 9.6 as follows: **9.6 Dwelling Units and Parking Requirements on a Lot** 9.6.1 A maximum of one (1) single detached dwelling or modular home shall be allowed on a parcel. 9.6.2 In accordance with the provisions in Section 9.3 Accessory Dwelling Units, up to two (2) Accessory Dwelling Units may be allowed at the discretion of the Development Authority where parking and maximum lot coverage requirements can be satisfied. 9.6.3 A minimum of two (2) on site parking stalls shall be required for a single detached dwelling or modular home. 9.6.4 A minimum of one (1) onsite parking stall shall be required for each accessory dwelling unit on a lot. • Delete the first sentence in 9.3.5
		• Question about if air conditioning units can be developed within a side yard setback.	• Air conditioning units will be required to adhere to applicable yard setbacks (answer provided at the public hearing). • **No change recommended.**
Footpath and Footpath Easement	Throughout the document	• References to the Footpath Easement should be capitalized. • The Footpath Easement is not properly defined.	• The definition and description of the footpath easement was developed in consultation with Council and Administration, using the wording in the easement. This is consistent with the definition in the current Land Use Bylaw. **Recommended Change:** • Capitalize all references to the Footpath Easement.

	Section 5.2.6 (Development Not Requiring a Development Permit)	• Concern that this would enable development within the 3.0 m footpath.	• Revise 5.2.6 a follows: "Notwithstanding any other regulation in this section excluding 5.2.3, all development within the Footpath Easement Area, as shown on Map 1 Land Use District Map, shall require a Development Permit."
	Section 9.1.9 (Accessory Buildings and Uses)	• Concern that this would allow for the limited development of accessory uses in the Footpath Easement.	**Recommended Change:** • Delete Subsection 9.1.9 and replace with the following. 9.1.9 No accessory building or uses other than a fence, pool, deck, hot tub, or patio shall be located: a. Within 3.0 m of a principal building; or b. Within any easement or right-of-way. • That a new regulation be added as 9.1.10 to provide greater clarification that no accessory buildings or uses shall be allowed within the Footpath Easement. 9.1.10 Notwithstanding 9.1.9, no accessory buildings or uses shall be allowed within the Footpath Easement. • All subsequent regulations be renumbered to reflect the insertion.
Non-Conforming Buildings and Uses	Section 5.4 (Non-Conforming Buildings and Uses)	• Concern about the future redevelopment of non-conforming buildings and uses, and when a development permit may be required (i.e. renovations)	• The regulations in the Land Use Bylaw in Section 5.4 – Non-Conforming Buildings and Uses are consistent with the MGA. • **No change recommended.**
		• Request for clarity regarding what constitutes "routine maintenance."	• Routine maintenance includes works to ensure that a home is kept in good working order (e.g. painting, replacing windows, re-shingling the roof, replacing light fixtures, etc.). • **No change recommended.**
Parking for Accessory Dwelling Units	Section 9.3 (Accessory Dwelling Units)	• Parking regulations are vague, and do not identify the criteria for the Development Officer's decision as to parking requirements for accessory dwelling units.	**Recommended Change:** • Revise 9.3.5 to align with recommended changes to parking requirements in Section 9.6: 9.3.5 Onsite parking requirements for an Accessory Dwelling Unit shall comply with Section 9.6.4. No offsite parking (i.e. parking within the adjacent road right-of-way, on municipal land, or on adjacent private land) shall be allowed. Parking areas sufficient to accommodate the Principal Building and any Accessory Dwelling Units shall be identified on the site plan provided with the development permit application for the Accessory Dwelling Unit.
Height of a Garage Suite	Section 9.3.9 (Special Considerations for Garage Suites)	• The maximum height of a garage suite could be 12.0 m, not 9.0 m.	• The maximum height regulation is consistent with the maximum height requirement for single detached dwellings. **Recommended Change:** • 9.3.9c The maximum height of a garage and garage suite shall be 9.0 m (total height).

Development within the bed and shore of the lake	Section 9.7 (Environmental Protection)	• Question about where some property boundaries extend into the lake.	• In order to determine the exact boundary of a parcel adjacent to the lake, a surveyor may be required to delineate the boundary. **Recommended Change:** • Delete Regulation 9.7.1
Fences	Section 9.9 (Fences and Walls)	• Comment/questions regarding whether fences should be permitted to contain dogs and other pets in front yards. • Additional comment - supported restricting fences in front yards.	• To ensure the safe containment of dogs and other pets, fences are permitted within the side and rear yards of a lot. • No change recommended.
		• Fences should not require development permits	• Not all property boundaries are known or easy to determine without the assistance of a surveyor. To ensure compliance with the Land Use Bylaw we recommend a development permit be required. • No change recommended.
		• Fences should be able to be constructed to a maximum height of 1.9 m rather than 1.8 m • The maximum height of a fence should be 2.0 metres, which would allow for the use 6' fencing boards with a rail on top with no waste.	**Recommended Change:** • That 9.9.3.a.ii be deleted and replaced with: 9.9.3.a.ii No fence shall be constructed in any residential district, except as herein provided, as illustrated on Figure 5: a. No fence, wall or other means of enclosure shall be constructed that is: i. electrified or barbed wire fences, ii. higher than 2.0 m in height;
Grading, stripping, and drainage	Section 9.10 (Grading, Stripping, and Site Drainage)	• 9.10.1 should be reworded to ensure all developments (a through c) that achieve what is identified in i through ii under c require a development permit.	• The developments noted in 9.10.1.a and 9.10.1.b are more restrictive than those noted in 9.10.1.c, as they apply even in situations where the effects noted in 9.10.1.c are not present (or where additional effects are present). • **No change recommended.**
Landscaping	Section 9.13 (Landscaping)	• This section does not clearly indicate when a Development Permit may be required for landscaping.	• 9.13.1 indicates when a development permit for landscaping will be required. • **No change recommended.**
Manufactured Homes	Section 9.14 (Moved-In Buildings)	• 9.14.2 should cite the date of third reading of this bylaw, not July 1, 2011.	**Recommended Change:** • That 9.14.2. be deleted and replaced with the following: 9.14.2. Notwithstanding any other provision of this Bylaw, no mobile homes may be moved into the corporate boundaries of the Summer Village of Kapasiwin.
Recreational Vehicles	Sections 9.3 (Accessory Dwelling Units) and 9.18 (Recreational Vehicles)	• Does not support the requirement that all permanent or quasi-permanent RVs must be placed on a constructed pad. • All heavy vehicles should be placed on pads if RVs are required to be. • Question about whether there is (or will be) an	**Recommended Change:** • That 9.18.1 be revised as follows: 9.18.1 A development permit is required for a Recreational Vehicle Parking Stall where a Recreational Vehicle is to be kept on a property on a permanent or quasi-permanent basis. • That 9.18.5 be revised as follows: 9.18.5 Recreational Vehicles situated on a lot on a permanent or quasi-permanent basis are encouraged to be located on a constructed pad.

		annual fee to place an RV on a lot in the Summer Village. • Objection to the requirement for an RV parking stall. • The development of a constructed pad decreases seepage of rainwater and creates runoff problems. • Question about whether similar vehicles, etc. will be required to be placed on constructed pads; these regulations appear biased towards RVs. • Question about why RVs need to be situated on a designated parking stall. • Question about whether visitors with RVs will be required to acquire a permit from the Summer Village. • A maximum of 2 RVs should be allowed on a lot.	• That 9.3.4.b be revised to inset the words 'permanent or quasi-permanent' in front of all references to Recreational Vehicles.
Solar Energy Collection Systems	Section 9.24 (Solar Energy Collection Systems)	• Development Permits should not be required for solar energy collection systems.	• Requiring development permits for roof, wall, and ground mounted solar energy collection systems ensures that all applicable building permit and safety codes requirements will also be followed by the proponent. • **No change recommended.**
		• Question about whether a development permit is required for solar energy systems in cities.	• In the City of Edmonton, development permits and building permits are required for some solar energy collection systems. The threshold for whether permits are required is based on the size of the solar array, the height of the panels and how the solar energy collection system is attached to a roof. • In areas with a longer response time for emergency services, municipalities often request additional information and development permits to ensure the emergency responders have the information they require to safely respond to an event. • **No change recommended.**
Tree Removal	Section 9.26 (Tree Removal)	• Suggestion that there should be a community discussion about the retention of trees and other vegetation in the Summer Village.	• Community members were provided multiple opportunities to provide input on this topic, which was highlighted during the public open house. • **No change recommended.**
Wastewater Disposal	Section 9.27 (Wastewater Disposal)	• Comment that the Land Use Bylaw should address wastewater and private sewage disposal systems.	• Regulations are already included in Section 9.27 – Wastewater Disposal. • **No change recommended.**

R1 – Residential District	Section 11 (R1 District)	• Tree removal should be removed from the list of discretionary uses, as it is an activity, not a structure.	• Deleting 'tree removal' from the list of discretionary uses would not change the bylaws provisions relating to tree removal. **Recommended Change:** • That 'tree removal' be deleted from 11.3.
		• Noted that there are situations where air conditioning units are located within the required building setbacks.	• The R1 and R2 Districts require built in air conditioners to meet the applicable setback requirements for buildings. • **No change recommended.**
R2 – Residential (Shallow Lot) District	Section 12 (R2 District)	• Tree removal should be removed from the list of discretionary uses, as it is an activity, not a structure.	• Deleting 'tree removal' from the list of discretionary uses would not change the bylaws provisions relating to tree removal. **Recommended Change:** • That 'tree removal' be deleted from 12.3.