

BYLAW 181-21

A BYLAW OF THE SUMMER VILLAGE OF WHITE SANDS, PROVINCE OF ALBERTA TO AMEND BYLAW NO. 153-15 OF THE SAID VILLAGE.

WHEREAS pursuant to the provisions of the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26 and amendments thereto.

THE MUNICIPAL COUNCIL OF THE SUMMER VILLAGE OF WHITE SANDS IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

- 1) That **Part 2, Subsection 2.3(5)(c)** is amended by adding “or a discretionary use” after the words “permitted use”;
- 2) That **Part 2, Subsection 2.3(6)(b)** is amended by replacing the words “subsection (6)” with “subsection (8) and subsection (8.1)”;
- 3) That **Part 2, Subsection 2.3(7)(b)** is amended by replacing the words “subsection (9)” with “subsection (8) and subsection (8.1)”;
- 4) That **Part 2, Subsection 2.3(8)** is amended by replacing it with the following:

“The Development Officer may approve, with or without conditions, an application for development that does not comply with this Land Use By-law if, in the opinion of the Development Officer,

(a) The proposed development would not:

- (i) Unduly interfere with the amenities of the neighbourhood, or
- (ii) Materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and

(b) The proposed development conforms to the use prescribed for that land or building in this Land Use By-law.”

- 5) That the following is added as **Part 2, Subsection 2.3(8.1)**:

“In approving an application for a development permit pursuant to subsection 2.3(8), the Development Officer shall adhere to the following:

- (a) A variance from the requirements of this By-law shall only be considered for the regulations relating to yards and setbacks for main buildings or accessory buildings; and
- (b) A variance of the required yard or setback regulations in this By-law shall only be considered when warranted by the merits of the proposed development and in response to irregular parcel boundaries, parcel shapes, or similar parcel characteristics which create difficulties in siting structures in a manner that meets the usual By-law requirements; and
- (c) Prior to considering a variance the Development Officer shall require a letter from the applicant stating:
 - (i) Reasons why they believe a variance is warranted; and
 - (ii) Steps proposed to minimize any impact of granting the variance such as additional landscaping, building orientation, and window and door placement; and
- (d) In the event that a variance is granted, the nature of the approved variance shall be specifically described in the development permit and any notice given regarding the development permit approval."

6) That this Bylaw shall take force and effect upon the date of final passing thereof.

READ a first time this 6 day of May, 2021.

NOTICE OF PUBLIC HEARING: Mailed to every land owner within the Summer Village of White Sands on _____, 2021.

Public Hearing held _____, 2021.

READ a second time this ____ day of _____, 2021.

READ a third time and finally passed this ____ day of _____, 2021.

Mayor

CAO