

SUMMER VILLAGE OF ISLAND LAKE BYLAW # 05-2015

BEING A BYLAW OF THE SUMMER VILLAGE OF ISLAND LAKE IN THE PROVINCE OF ALBERTA TO PROHIBIT AND CONTROL CLEARING OF LOTS WITHIN THE CORPORATE LIMITS OF THE SUMMER VILLAGE OF ISLAND LAKE

WHEREAS pursuant to Section 7, Municipal Government Act, being Chapter M-26, Revised Statutes of Alberta 2000 and amendments thereto, a council may pass a bylaw for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

WHEREAS the Council of the Summer Village of Island Lake deems it proper to pass a bylaw to control and prohibit clearing of lots within the Summer Village of Island Lake;

NOW THEREFORE, the Council of the Summer Village of Island Lake in the Province of Alberta, pursuant to authority conferred upon it by the Municipal Government Act 2000 enacts as follows:

- I. This bylaw may be cited as The Environmental Protection Bylaw.

A healthy shoreline and back lot area in the Summer Village, with abundant native vegetation and tree planting helps protect water quality, fish and wildlife habitat and protects against erosion, property loss and the environment. Since land covered by trees contributes fewer nutrients to the lake than land that is cleared and since tree cover also protects land from erosion, maintaining tree cover is the best way of maintaining water quality of the lake. Maintaining natural vegetation along water boundaries will also reduce erosion, provide wildlife corridors, filter contaminants and maintain a natural appearance. A clean and orderly condition and regular maintenance of private property and buildings also supports a pollution free environment and quiet enjoyment for all ratepayers.

#### Definitions

1. **"Council"** means the Council of the Summer Village of Island Lake;
2. **"Development Authority"** means the Development Authority established by the municipality's Development Authority Bylaw and appointed by Council;
3. **"Development permit"** means a document authorizing a development issued pursuant to this Bylaw;
4. **"Owner"** means:
  - i) The person as registered on title at the Land Titles Offices;
  - ii) A person who is recorded as the owner of the property on the assessment roll of the Summer Village
  - iii) A person who has purchased or otherwise acquired the property, whether purchased or otherwise acquired from the owner or from another purchase, and has not become the registered owner thereof;
  - iv) A person controlling the property under construction; or

- v) A person who is the occupant of the property under a lease, license, or permit.

## **1.0 Purpose**

- 1.1 The purpose of this bylaw is to provide regulations for the preservation of the environment in the Summer Village of Island Lake including, but not necessarily restricted to native trees, vegetation and natural habitat and to regulate the environmental impact of existing properties and future development.
- 1.2 This Bylaw shall apply to all lands over one (1) acre within the Summer Village of Island Lake.

## **2.0 Goals**

- 2.1 To maintain and where possible to improve the quality of the natural environment in the Summer Village of Island Lake.
- 2.2 To manage the use of Island Lake and the Summer Village of Island Lake consistent with environmental safety, public safety, sustainable development and attractive neighborhoods.
- 2.3 To ensure that ground water sources are not depleted or contaminated.
- 2.4 To maximize and preserve natural existing tree cover and vegetation adjacent to lake areas and natural features, to protect against erosion.

## **3.0 Environmental Protection**

- 3.1 A lot in the Summer Village shall not be cleared unless a Development Permit has been issued by the Development Authority.
- 3.2 After allowing for permitted site coverage for buildings, driveway access and physical access to the water as set out in this bylaw, no more than 50% of the remaining lot shall be cleared of its existing tree cover and other natural vegetation unless a development permit has been issued, including a landscaping plan showing such material is to be replaced with equivalent or better material.
- 3.3 No trees or vegetation shall be cleared from within 6M (20 feet) of an existing water feature except to provide physical access to the water feature and only to a maximum width of 3M (10 feet) or except where such trees or vegetation are diseased, dying or endangering buildings or property.
- 3.4 Steeply sloping banks, ravines, dense tree covered areas (forests) and/or water recharge areas shall be taken into municipal environmental reserve when land is subdivided. Alternatively, an environmental reserve easement may be registered to protect tree cover.

3.5 Any lot that has been cleared beyond the limitations and requirements of this section, or without a Development Permit, shall be subject to review and the Development Authority may require the Owner of the land to:

- restore, remediate or replace that which has been cleared, and
- be subject to penalties pursuant to this Schedule A of this Bylaw.

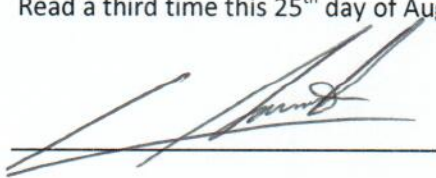
3.6 Notwithstanding any of the above, lots requiring remediation such as those encountering peat or other such non-structural or unsatisfactory materials, or requiring disease control may be subjected to clearing and re-vegetating in a manner acceptable to the Development Authority; prior to any activity on site. Such measures shall only be considered by the Development Authority upon receipt of a report prepared by a soils engineer, soils investigation authority or arborist, containing recommendations for remediation and re-vegetation.

3.7 Landscaping and contouring of sites shall follow the natural terrain. No artificial grading shall be permitted that impact the subject site or any adjacent site. No ponding shall be permitted at property lines. All runoff shall either be contained to recharge the subject site or drained off to the municipal drainage system of swales or culverts where applicable and shall not drain to adjacent properties.

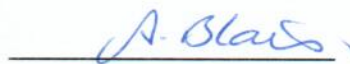
Read a first time this 25<sup>th</sup> day of August, 2015

Read a second time this 25<sup>th</sup> day of August, 2015

Read a third time this 25<sup>th</sup> day of August, 2015



Mayor



Chief Administrator Officer

Schedule A to Bylaw 05-2015

Penalties: \$10,000.00 plus the cost of planting replacement trees