

BYLAW 48-2020
A BYLAW TO AMEND BYLAW 6-2015 THE LAND USE BYLAW

The *Municipal Government Act*, RSA 2000, c M-26, as amended, provides that a land use bylaw must divide the municipality into districts of the number and area the council considers appropriate, that a land use bylaw may provide for certain matters with respect to any district established, and that a bylaw may be amended;

Council enacts:

- Purpose 1 The purpose of this bylaw is to amend Bylaw 6-2015 to:
- (a) create a new zoning district, being the SRR1 - Seasonal Recreational Resort 1 zoning district; and
 - (b) accommodate the creation of the SRR1 - Seasonal Recreational Resort 1 zoning district.

- Amendments 2 Bylaw 6-2015 is amended as follows:

- (a) within the chart contained in section 1.16.1., under the heading "Rural Area Zoning Districts", and after the row containing the text "Small Holdings" and before the row containing the text "Heavy Industrial (Heartland)", adding the following text as a row in the chart:

"

Seasonal Recreational Resort 1	SRR1
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- (b) in section 1.17.4., after the definition of "BALCONY" and before the definition of "BASEMENT", adding the following text:

"BARE LAND CONDOMINIUM UNIT means a 'bare land unit' as defined in the *Condominium Property Act*, RSA 2000 c C-22.";

- (c) in section 1.17.4., deleting the definition of "CABIN" and replacing it with the following text:

"CABIN* means a building that:

- contains 1 self-contained living accommodation; and
- is used for seasonal short-term accommodation for individuals.

It is a fundamental use criteria for cabin that it has a floor area that does not exceed 50 m² where located in a SRR1 zoning district and that it has a floor area that does not

exceed 28 m² where located in any other zoning district. Cabin does not include: boarding or lodging house; hotel; manufactured home; manufactured home (singlewide); modular home; or motel.";

- (d) in section 1.17.4, in the definition of "CAMPGROUND, MAJOR", deleting the following text:

"This does not include manufactured home and manufactured home (singlewide)."

and replacing it with the following text:

"This does not include manufactured home and manufactured home (singlewide) or seasonal recreational resort.";

- (e) in section 1.17.4, in the definition of "CAMPGROUND, MINOR", deleting the following text:

"This does not include manufactured home and manufactured home (singlewide)."

and replacing it with the following text:

"This does not include manufactured home and manufactured home (singlewide) or seasonal recreational resort.";

- (f) in section 1.17.4., deleting the definition of "CAMPSITE" and replacing it with the following text:

"CAMPSITE means an area of land that:

- is used for seasonal short-term accommodation for individuals within a tent or recreational vehicle; and
- is at least 325 m² in area, 10 m wide, and 24 m deep.

Campsite does not include: land used for the storage of a recreational vehicle; or land used for accommodation for persons within a boarding or lodging house, cabin, hotel, manufactured home, manufactured home (singlewide), modular home, motel, or park model trailer.";

- (g) in section 1.17.4., after the definition of "RESIDENTIAL SECURITY/OPERATOR UNIT" and before the definition of "RETAIL, ADULT", adding the following text:

"RESORT SITE means an area of land that:

- is used for seasonal short-term accommodation for individuals within a cabin; and
- is at least 183.0 m² in area, 8.5 m wide, and 21.5 m deep.

Resort site does not include: land used for the storage of a recreational vehicle; or land used for accommodation for persons within a boarding or lodging house, hotel, manufactured home, manufactured home (singlewide), modular home, motel, park model trailer, tent, or recreational vehicle.";

(h) in section 1.17.4., after the definition of "SEASONAL DECORATION" and before the definition of "SECONDARY SUITE*", adding the following text:

"SEASONAL RECREATIONAL RESORT* means development that:

- consists of an area of land that has been planned and improved and is used for a seasonal short-term period;
- contains 60 or less resort sites or contains a combined total of 60 or less campsites and resort sites (for clarity it cannot contain only campsites);
- may have resort sites located on the same lot or on adjacent bare land condominium units; and
- may include one or more of administrative offices, boating facilities, laundry facilities, picnic grounds, playgrounds, sanitary facilities, and indoor or outdoor space designed for passive recreational use.

It is a fundamental use criteria for seasonal recreational resort that a cabin can only be located on a resort site.

Seasonal recreational resort does not include: campground, major; or campground, minor.";

(i) in section 4.6, in Table 4.4 (Non-Residential Parking Requirements), under the heading "Recreational Uses", and after the row containing the text "Recreation, outdoor" and before the row containing the text "Spectator entertainment", adding the following text as a row:

"	Seasonal Recreational Resort	1 per campsite plus 1 per resort site	";
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- (j) after section 6.6 and before section 6.7, adding the following text:

"6.6A CABIN

- 6.6A.1. A cabin must meet Canadian Standards Association standards or conform to the Alberta Building Code.
- 6.6A.2. Only 1 cabin may be located on a bare land condominium unit.";

- (k) after section 6.17A and before section 6.18, adding the following text:

"6.17B SEASONAL RECREATIONAL RESORT

- 6.17B.1. A seasonal recreational resort must:
- a) provide a potable water system that is designed to the satisfaction of the development authority and in conformance with provincial legislation, County bylaws and County standards;
 - b) provide a sewage disposal system that is designed to the satisfaction of the development authority and in conformance with provincial legislation, County bylaws and County standards;
 - c) provide electricity services to each resort site and campsite;
 - d) have each resort site and campsite accessible from an internal roadway; and
 - e) have any building located on a resort site that is not a bare land condominium unit conform to the minimum setback requirements set out in the applicable zoning district for a lot that is not a bare land condominium unit as if the front boundary line of the resort site is the front lot line, the rear boundary line of the resort site is the rear lot line, and the side boundary lines of the resort site are the side lot lines."; and

(l) within Part 9: Rural Area Zoning Districts, after section 9.9 (C7 - Local Commercial) and before section 9.10 (RA - Rural Residential/Agriculture), adding as section 9.9A the text attached as Schedule "A" to this bylaw.

FIRST READING: _____

SECOND READING: _____

THIRD READING: _____

SIGNED THIS ____ day of _____, 20____.

MAYOR

DIRECTOR, LEGISLATIVE AND LEGAL
SERVICES

SCHEDULE "A"

9.9A SRR1 – SEASONAL RECREATIONAL RESORT 1

9.9A.1. Purpose

To provide for seasonal recreational resort development that allows for seasonal short-term accommodation and limited amenities in order to support medium-scale nature-based tourism in the Beaver Hills Policy Area of the Municipal Development Plan.

9.9A.2. Permitted Uses and Discretionary Uses

Subject to any fundamental use criteria for certain uses set out below, the permitted uses and the discretionary uses for this zoning district are:

Permitted Uses

cabin*
seasonal recreational resort*

Discretionary Uses

food service, specialty
recreation, community
recreation, outdoor
residential security/operator unit
retail, convenience
utility service, minor

Refer to Part 6, Specific Use Regulations, for additional regulations pertaining to uses containing an asterisk (*)

9.9A.3. Fundamental Use Criteria

- a) The fundamental use criteria for certain uses before such uses become permitted uses or discretionary uses within this zoning district are:
 - i) cabin can only occur on a site that contains an existing seasonal recreational resort for which there is a valid development permit;
 - ii) the discretionary uses listed in section 9.9A.2.:
 - 1) can only occur on a site that contains an existing seasonal recreational resort for which there is a valid development permit; and
 - 2) cannot occur on a bare land condominium unit;
 - iii) a food service, speciality can only occur where the gross floor area does not exceed 235 m²;
 - iv) where located on the same site, the combined total gross floor area of food service, specialty cannot exceed 235m²;
 - v) a recreation, community can only occur where the gross floor area does not exceed 93 m²;
 - vi) only 1 residential security/operator unit may be located on the same site as a seasonal recreational resort;
 - vii) a retail, convenience can only occur where the gross floor area does not exceed 235 m²; and

- viii) where located on the same site, the combined total gross floor area of retail, convenience cannot exceed 235m².

9.9A.4. Subdivision Regulations

- a) For a bare land condominium unit:
 - i) the minimum width is 8.5 m;
 - ii) the minimum depth is 21.5 m; and
 - iii) the minimum area is 183.0 m².

9.9A.5. Development Regulations

- a) For a lot that is not a bare land condominium unit:
 - i) the maximum building height of any:
 - 1) principal building is 10.0 m; and
 - 2) accessory building is 4.5 m; and
 - ii) the minimum setback of any building from any:
 - 1) front lot line is:
 - i) 7.5 m where such front lot line does not abut a road, rural; and
 - ii) 30.0 m where such front lot line abuts a road, rural;
 - 2) rear lot line is:
 - i) 6.0 m where such rear lot line does not abut a road, rural; and
 - ii) 30.0 m where such rear lot line abuts a road, rural; and
 - 3) side lot line is:
 - i) 6.0 m where such side lot line does not abut a road, rural or a road, flanking;
 - ii) 10.0 m where such side lot line abuts a road, flanking but does not abut a road, rural; and
 - iii) 30.0 m where such side lot line abuts a road, rural.
- b) For a bare land condominium unit:
 - i) the maximum building height of any:
 - 1) principal building is 6.0 m; and
 - 2) accessory building is 4.5 m;
 - ii) the minimum setback of any building from a front lot line is 5.5 m;
 - iii) the minimum setback of any principal building from a:
 - 1) side lot line is:
 - i) 1.2 m where the door of the principal building does not face that side lot line; and
 - ii) 2.4 m where the door of the principal building faces that side lot line; and
 - 2) rear lot line is 2.4 m;
 - iv) the maximum site coverage is 35 %; and

- v) not more than 1 accessory building may be located on a bare land condominium unit.

9.9A.6. Development Permit Applications

- a) If a development is proposed to be located within this zoning district on a bare land condominium unit, then as part of an application for a development permit the applicant must submit proof to the satisfaction of the development officer that such development has been authorized by the board of the condominium corporation.

9.9A.7. Other Regulations

- a) In addition to the regulations listed above, permitted and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other Parts of this Bylaw.