

## BYLAW NO. 1096/09

A BYLAW OF LACOMBE COUNTY, IN THE PROVINCE OF ALBERTA, TO AMEND THE LACOMBE COUNTY LAND USE BYLAW NO. 1056/07 AS IT RELATES TO RECREATIONAL VEHICLE RESORT DEVELOPMENTS

WHEREAS notices were originally given of Council's intention to amend the Land Use Bylaw in the following local newspapers:

Lacombe County News	April 17, 2009
Red Deer Express	April 22, 2009; April 29, 2009
Lacombe Globe	April 21, 2009; April 28, 2009
Rimbey Review	April 21, 2009; April 28, 2009
Sylvan Lake News	April 24, 2009; May 1, 2009
Eckville Echo	April 24, 2009; May 1, 2009
Ponoka News	April 22, 2009; April 29, 2009

AND WHEREAS a public hearing was held on May 14, 2009 to allow the general public to comment on the proposed amendments to the Land Use Bylaw;

AND WHEREAS several issues and concerns were raised at this hearing about the amendments originally proposed, which resulted in significant changes being made to the Bylaw in response to the public concerns and further investigation by the County;

AND WHEREAS Council decided to hold a second public hearing on February 11, 2010 to give the public the opportunity to comment on the further amendments proposed to the Bylaw;

AND WHEREAS notices for this further public hearing were advertised in the following local newspapers:

Lacombe County News	January 22, 2010
Red Deer Express	January 27, 2010; February 3, 2010
Lacombe Globe	January 26, 2010; February 2, 2010
Rimbey Review	January 26, 2010; February 2, 2010
Sylvan Lake News	January 29, 2010; February 5, 2010
Eckville Echo	January 29, 2010; February 5, 2010
Ponoka News	January 27, 2010; February 3, 2010
Bashaw Star	January 26, 2010; February 2, 2010

NOW THEREFORE the Council of Lacombe County under the authority and pursuant to the provisions of the Municipal Government Act, RSA 2000, c.M-26-1, as amended, enacts that the Land Use Bylaw be amended as follows:

### 1. PART 1 – INTRODUCTION

#### 1.7 Definitions

Replace the existing definitions with the following:

**LOT, CORNER** means a lot having frontage on two or more rights-of-way, other than lanes, or in the case of a bare land condominium development, a unit as described in the Condominium Property Act having two contiguous property lines abutting common property used as road access.

**LOT, INTERIOR** means any lot or bare land condominium unit, other than a corner lot.

**LOT LINE** means the legally defined boundary of any lot or bare land condominium unit, or property line.

**LOT LINE, FRONT** means, in the case of an interior lot, a property line separating the lot from an adjoining road right-of-way, other than a lane, or in the case of a bare land condominium development, a unit from common property used as road access.

**LOT LINE, REAR** means the property line along the back of the lot or bare land condominium unit, generally opposite the front line.

**LOT LINE, SIDE** means the property line along the side of a lot or bare land condominium unit, generally lying perpendicular to the front line.

**RECREATIONAL VEHICLE – MOTORIZED OR TOWABLE** means a recreational vehicle either built on or as an integral part of a self-propelled motor vehicle chassis, combining transportation and living quarters in one unit or designed to be towed by a motorized vehicle (car, van or pickup truck). These recreational vehicles are designed to provide temporary living accommodation for travel, vacation or recreational use, which may include sleeping, kitchen, bathroom and systems for fresh and waste water, ~~110/12V~~ electricity, propane, heating, air conditioning and entertainment. They shall have an overall ~~length not exceeding 12.5 m (41 ft.) and an overall~~ width not exceeding 2.6 m (8 ft. 6 in.), where the width is the sum of the distance from the vehicle centreline to the outermost projections on each side (including door handles, water connections, etc.) when the vehicle is folded or stowed away for transit. Such units include motorhomes, travel trailers, fifth-wheel trailers, folding camping trailers and truck campers. ~~In the case of a fifth-wheel travel trailer, the overall length shall not exceed 11.3 m (37 ft.) taken from the extremity to the front of the main body measured at the floor line.~~

**RECREATIONAL VEHICLE – PARK MODEL RECREATIONAL UNIT (ALSO REFERRED TO AS A “COTTAGE MODEL”)** means a recreational vehicle built on a single chassis mounted on wheels which may be removed. The unit is designed to facilitate occasional relocation, with living quarters for a temporary residence or seasonal use, and must be connected to those utilities necessary for the operation of installed fixtures and appliances. This type of recreation vehicle ~~has a gross floor area, including lofts, not exceeding 50 m<sup>2</sup> (540 ft<sup>2</sup>) in the set-up mode and~~ has a width greater than 2.6 m (8 ft. 6 in.) in the transit mode. Park Model Recreational Units require a special tow vehicle and a special permit to move on the road. They conform to the CSA Z-241 Standard for Park Model Recreational Units.

**RECREATIONAL VEHICLE – PARK MODEL TRAILER** means a recreational vehicle designed to be towed by a heavy duty tow vehicle but is of restricted size and weight so that it does not require a special highway movement permit. The maximum width when being towed is 2.6 m (8 ft. 6 in.). This type of recreational vehicle is designed for infrequent towing, and is not fitted with a 12-volt system for fixtures and appliances. Once on site in the set-up mode, it must be connected to local utilities. The Park Model Trailer is built on a single chassis mounted on wheels and has one or more slide-outs, ~~but when in set-up mode the gross trailer area does not exceed 37.2 m<sup>2</sup> (400 ft<sup>2</sup>).~~ It and conforms to the CSA Z-240 Standard for Recreational Vehicles.

## 2. PART 3 – DEVELOPMENT APPLICATION PROCESS

### 3.2 Development Not Requiring a Permit

Replace subsection (q) with the following:

- (q) subject to compliance with all relevant provisions of this Bylaw, the placement of recreational vehicles (excluding Recreational Vehicle - Park Model Recreational Unit, also referred to as a Cottage Model, and Recreational Vehicle - Park Model Trailer) in an approved recreational vehicle resort development under the Recreational Vehicle Resort “R-RVR” District; and

## 3. PART 6 – GENERAL REGULATIONS

### 6.2 Accessory Buildings and Uses

Replace subsection (3) with the following:

- (3) Maximum height restrictions for accessory buildings in the Hamlet District and other Residential Districts shall be 6.10 m (20 ft.), except that a maximum height restriction of ~~4.57 m (15 ft.)~~ 3.05 m (10 ft.) measured from floor to peak shall apply to accessory buildings in the Recreational Vehicle Resort District.

Add the following new subsections:

- (4) Only one accessory building is permitted on a condominium unit within the Recreational Vehicle Resort District. **The building shall not exceed 13.94 m<sup>2</sup> (150 ft<sup>2</sup>) in size.**
- (5) **No accessory building in the Recreational Vehicle Resort District shall be used for sleeping accommodation.**

The subsequent regulations will be re-numbered accordingly.

Replace the existing subsection (5) with the following:

- (7)** An accessory building on a site in a Residential or Recreational Vehicle Resort District shall be similar to, and complement, the principal building or recreational vehicle, **including Park Model**, in exterior material, colour and appearance.

#### 4. **PART 7 – LAND USE DISTRICTS**

##### **7.8 R-RVR Recreational Vehicle Resort District**

Replace the existing R-RVR Recreational Vehicle Resort District with a new R-RVR Recreational Vehicle Resort District as described in Schedule 1, which is attached hereto and forms part of this Bylaw.

This Bylaw shall come into effect upon final passage thereof.

INTRODUCED AND GIVEN FIRST READING this 9th day of April, 2009

GIVEN SECOND READING this        day of                    , 2010

GIVEN THIRD AND FINAL READING this        day of                    , 2010

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Terry Engen  
Reeve

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Terry Hager  
County Commissioner

## Schedule 1

### 7.8 R-RVR RECREATIONAL VEHICLE RESORT DISTRICT

#### 1. Purpose

The purpose of the Recreational Vehicle Resort District is to provide an area that will facilitate recreational vehicle resort uses **not designed for year-round occupancy**, and associated buildings through the bare land condominium tenure system.

#### 2. Uses

PERMITTED	DISCRETIONARY
Accessory building and use	Automotive gas bar
Amenity building	<del>Automotive service station</del>
One Recreational Vehicle – <b>Motorized or Towable</b> per condominium unit	Campground
One Recreational Vehicle – <b>Park Model Recreational Unit</b> per condominium unit	Community facility
One Recreational Vehicle – <b>Park Model Trailer</b> per condominium unit	Eating and drinking establishment
Park	Golf course
Recreation equipment storage	Marina and/or boat rental
	Public utility
	Public utility building
	Recreation facilities, outdoor
	Restaurant, cafe
	Retail, minor
	Security/operator suite
	Wind energy conversion system, small scale

#### 3. Regulations

~~(1) — Regulations Prevail~~

~~(a) — Where condominium corporation rules and the regulations of this Bylaw differ, the stricter rule or regulations shall apply.~~

**(1) Minimum Site Area**

- (a) All of the land contained in the existing titled area, unless otherwise approved by the Development Authority.

**(2) Minimum Condominium Unit Area**

- (a) Each condominium unit shall be a minimum of 278.72 m<sup>2</sup> (3,000 ft<sup>2</sup>) in area.

**(3) Site Coverage**

- (a) The area of land covered by a recreational vehicle, including a Park Model, plus decks and an accessory building, shall not exceed 40% of the total condominium unit area to a maximum of 416.12-134.7 m<sup>2</sup> (4,250 1,450 ft<sup>2</sup>). This maximum site coverage shall include all tip outs, push outs, pull outs, structurally attached and freestanding additions, freestanding, covered and/or enclosed decks, patios, porches and/or verandas.

**(4) Setbacks**

- (a) The setback from property lines adjoining a right-of-way shall be in accordance with the District in which the right-of-way is located.
- (b) Setbacks from common property and other property lines shall be as follows:

All recreational vehicles, including Park Models

Front line ~~3.65 m (12 ft)~~ 6.09 m (20 ft.)

Side line minimum of 0.6 m (2 ft) side yard on one side and on the opposite side, the recreational vehicle, including Park Model, shall not be closer than 1.5 m (5 ft) to the property line. Notwithstanding this, no recreational vehicle, including Park Models, shall be located within 4.88 m (16 ft) of another

Rear line 1.52 m (5 ft)

Accessory buildings to recreational vehicles, including Park Models

Front line no closer to the front line boundary than a recreational vehicle, including Park Models

Side line minimum of 0.6 m (2 ft) side yard on one side and on the opposite side, the accessory building shall not be closer than 1.5 m (5 ft) to the property line. Notwithstanding this, no accessory building shall be located within 3.05 m (10 ft) of another structure

Rear line 0.91 m (3 ft)

- (c) Setback distances for recreational vehicles, including Park Models, shall be applied to all tip outs, push outs, pull outs, structurally attached and freestanding additions, freestanding, covered and/or enclosed decks, porches and/or verandas.

**(5) Open Space**

- (a) A minimum of 20% of the gross condominium unit area shall be set aside for public or private green space area and no portion of any condominium unit shall be included in this open space.

**(6) Site Limitations**

- (a) Condominium unit development shall be limited to one recreation vehicle, including Park Model, and one associated accessory building.

- (b) Condominium unit development shall be limited to one off-road vehicle including but not limited to an ATV or dirt bike, boat or jet ski, or snowmobile. Such vehicles shall otherwise be stored in a communal storage area which has been appropriately situated and screened to the satisfaction of the Development Authority.
- (c) Where a bare land condominium development is located partially or wholly within the 1:100 year flood elevation, no recreational vehicle, including a Park Model, or other permanent structure shall be constructed or located on lands within this area.
- (d) Recreational vehicles, including Park Models, and any additions thereto are prohibited from having permanent foundations or bases extending below the frost level, pilings or basements.
- (e) ~~Structurally attached additions are limited to covered decks, and sunrooms without sleeping accommodation.~~ Garages, carports, and other structures associated with vehicle storage are prohibited.

**(7) Servicing**

- (a) The proposed development shall be serviced only by a communal water supply system or alternatively, may be directly connected to a municipal or regional water system.
- (b) An evaluation by a qualified professional is required to confirm there is a sufficient groundwater supply available to meet the needs of the proposed development, and not interfere with any existing surrounding water users.
- (c) Where a communal water system is proposed to service a development, details shall be provided to the County as to how the system will be managed and operated. A communal system must be designed and built in accordance with provincial standards, and shall be licensed by the Province. The system shall be connected to a municipal or regional water system if such services become available.
- (d) Where a communal wastewater system is proposed, the proposed development shall be serviced by a system that ~~complies with the National Sanitation Foundation International Standard for Wastewater Technology, NSF 40 Standard for Wastewater Treatment Systems or the CAN/BNQ 910 Standard for (StandAlone) Wastewater Treatment Systems~~ treats effluent to a minimum secondary treatment standard before dispersal and final treatment in the soil.
- (e) Notwithstanding subsection (e), only a communal wastewater holding tank system shall be allowed for a development located in the *Lake Development Area*, as described in the *Sylvan Lake Management Plan: 2000 Update*, unless the development can be connected directly to a municipal or regional wastewater system.

- (f) Developers of recreational vehicle resort developments may be required to register against the titled properties a caveat regarding a deferred services agreement notifying each bare land condominium unit owner of the requirement to contribute to the cost of a municipal or regional water and/or wastewater system and, at their own cost, connect the unit to such system or systems when such services become available. Such connection costs may include offsite as well as onsite costs.
- (g) Utility rights-of-way and/or easement agreements may also be required as a condition of approval for a new development to allow for connection to a municipal or regional water and/or wastewater system.

**(8) Landscaping**

- (a) Landscaping shall be subject to section 6.13 or as required by the Development Authority.

**(9) Common Storage**

- (a) A bare land condominium development shall provide common storage area(s) for the sole use of the condominium unit owners in the amount of **not less than 9.2 m<sup>2</sup> (100 ft<sup>2</sup>)** per unit, landscaped and screened to the satisfaction of the Development Authority.

**(10) Parking and Loading**

- (a) Off-street parking and/or loading areas for non-residential uses shall be provided as required by section 6.18 or as required by the Development Authority.
- (b) Each condominium unit must provide a minimum of ~~one~~**two** parking stalls.
- (c) A bare land condominium development shall provide one additional parking space for every 5 bare land condominium units for guest and overflow parking requirements.

**(11) Height ~~Design, Character and Appearance~~ of Buildings**

- (a) The maximum height of a Recreational Vehicle, **including Park Model**, shall be 5.36 m (17.6 ft) **measured from the floor to the peak**.
- ~~(b) The maximum height of an accessory building shall be no more than 3.05 metres (10 ft.), measured from the floor line to the peak.~~
- (c) The maximum height of an amenity building shall be as approved by the Development Authority.
- ~~(d) No Accessory building shall be used for sleeping accommodation.~~

**(12) Keeping of Animals**

- (a) The keeping of animals, livestock or poultry, with the exception of dogs, cats and such other domestic pets as are typically kept indoors, is prohibited.
- (b) Not more than two dogs, excluding unweaned pups, shall be kept on a ~~site-condominium unit~~.
- (c) Any dogs, cats and other domestic animals kept on a ~~site-condominium unit~~ must be controlled so that they do not create a nuisance.
- (d) No pets or domestic animals are to be kept on a commercial basis.

**(13) Objects Prohibited or Restricted in Yards**

- (a) No person shall keep in their yards
  - (i) any unlicensed, dismantled, wrecked or dilapidated vehicles, ~~unless it is suitably housed or screened from view to the satisfaction of the Development Officer;~~
  - (ii) any object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the area; or
  - (iii) building materials or supplies other than what the Development Officer considers is necessary for the completion of construction work on the site.

**(14) Additional Regulations**

- (a) Permitted and discretionary uses shall adhere to PART 6 – GENERAL REGULATIONS.