

VULCAN COUNTY

CHINOOK INTERMUNICIPAL SUBDIVISION & DEVELOPMENT APPEAL BOARD

May 13, 2024

1:00 pm

Hearing No. DP 24-2024

Appellant/Applicant: Keri Thornton & Bruce Paterson

LIST OF EXHIBITS

- A. Notice of Hearing and Location Sketch Map
- B. List of Persons Notified
- C. Notice of Appeal with Reasons
- D. Notice of Decision DP 24-2024
- E. Municipal Planning Commission Request for Decision
- F. Circulation Response Letters
- G. Development Permit Application 24-2024
- H. Excerpts from Vulcan County Land Use Bylaw 2020-028

VULCAN COUNTY

NOTICE OF CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

Development Permit 24-2024

THIS IS TO NOTIFY YOU THAT IN ACCORDANCE WITH SECTION 686 OF THE MUNICIPAL GOVERNMENT ACT, REVISED STATUTES OF ALBERTA, 2000, CHAPTER M-26, AS AMENDED, A PANEL OF THE CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD WILL HEAR AN APPEAL OF A DEVELOPMENT PERMIT ISSUED BY THE:

**Development Authority of the Vulcan County
with respect to Development Permit No. 24-2024**

APPELLANTS: Keri Thornton & Bruce Paterson

LEGAL DESCRIPTION: Lot 1, Block 1, Plan 201 1054 within NW 2-17-25-W4M

PROPOSAL: Recreational Vehicle Deemed Similar to Short-Term Rental 1

DECISION: REFUSED

PLACE OF HEARING: **Vulcan County – Administration Building, Council
Chambers**
102 Centre St.
Vulcan, AB

DATE OF HEARING: **May 13, 2024**

TIME OF HEARING: **1:00 p.m.**

PROCEDURES PRIOR TO THE HEARING FOR DP 24-2024:

1. **Provide Written Submissions** - The Appeal Board is encouraging all hearing participants to submit presentations, letters, and comments to the Board prior to the hearing. It is preferred that written material is emailed to the Board Clerk, ideally in a PDF format. Please contact the Clerk with your written submissions, which will be accepted until 12:00 p.m. May 9, 2024.

EMAIL: kattieschlamp@orrsc.com

MAIL: **Kattie Schlamp, Board Clerk**
Oldman River Regional Services Commission
3105 – 16th Avenue N., Lethbridge, Alberta T1H 5E8

If you are bringing information to the hearing for submission, you are required to supply 12 copies.

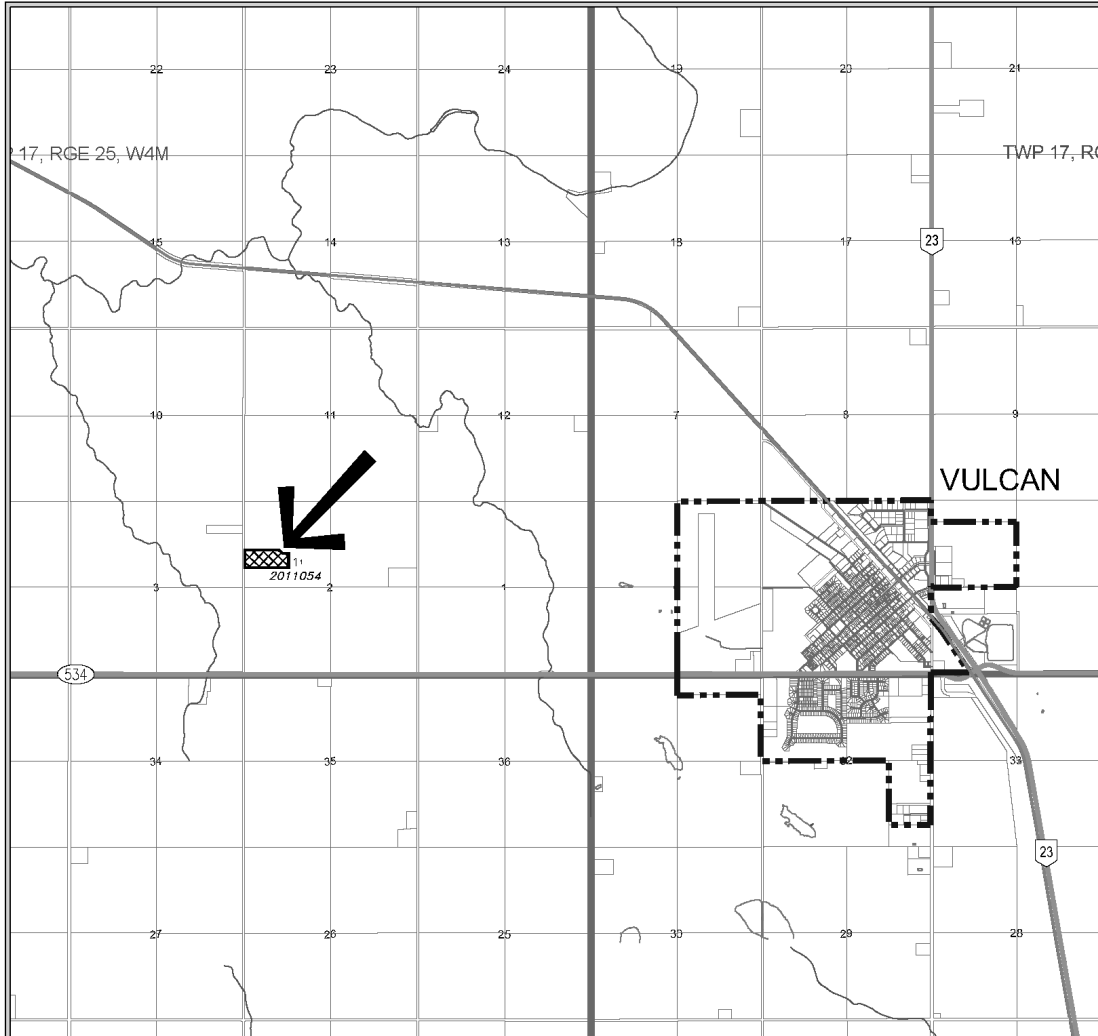
2. **Exhibit Viewing** - The initial appeal exhibit package will be posted on the ORRSC website at www.orrsc.com. Any additional submissions submitted up to noon on May 9, 2024, will be posted to the website prior to the hearing.

VULCAN COUNTY

CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Land Subject of Appeal Hearing DP 24-2024

Lot 1, Block 1, Plan 201 1054 within NW 2-17-25-W4M



LOCATION SKETCH
LOT 1, BLOCK 1, PLAN 2011054 WITHIN
NW 1/4 SEC 2, TWP 17, RGE 25W 4M
MUNICIPALITY: VULCAN COUNTY
DATE: APRIL 26 2024

MAP PREPARED BY:
CLERK OF THE APPEAL BOARD, CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD
FOR THE PURPOSES OF THE APPEAL HEARING. THE CLERK IS NOT RESPONSIBLE FOR ERRORS OR OMISSIONS.



OLDMAN RIVER REGIONAL SERVICES COMMISSION

April 26, 2024 N:\Vulcan-County\Vulcan-County-Projects\LOCATION SKETCH - LOT 1, BLOCK 1, PLAN 2011054 - NW2-17-25-4.dwg

DATE: April 26, 2024


Kattie Schlamp, Clerk
Subdivision & Development Appeal Board

VULCAN COUNTY
CHINOOK INTERMUNICIPAL SUBDIVISION &
DEVELOPMENT APPEAL BOARD

Development Application DP 24-2024

List of Persons Notified

Municipality:

CAO, Vulcan County
Vulcan County Development Officer
Vulcan County MPC (6)
ORRSC Planner, Ryan Dyck

SDAB Members:

Christopher Northcott
Evert Van Essen
Grant Turner
Michael Monner
Sheila Smidt

Appellant/Applicant:

Keri Thornton & Bruce Paterson

Other Persons Notified:

Adam Kettenbach
Edward & Joanne Kettenbach
Theodore Ostermann
Heartland Farms Ltd.



P.O. BOX 180
VULCAN, ALBERTA
TOL 2B0

TELEPHONE: 1-403-485-2241
TOLL FREE: 1-877-485-2299
FAX: 1-403-485-2920
www.vulcancounty.ab.ca

Appeal Form

Site Information

Legal Description of Site 2011054; 1; 1

Development Permit Number or Subdivision Application Number 24-2024

Appellant Information

Name Keri Thornton & Bruce Paterson

Street Address or Box Number

Box [REDACTED]

City

Vulcan

Province

Alberta

Postal Code

TOL 2B0

Email Address

keri@keyholerealestate.ca
[REDACTED]@aol.com

Phone Number

[REDACTED]

Appeal Against

Development Permit

Approval

Conditions on Approval

Refusal

Subdivision Application

Approval

Conditions of Approval

Refusal

Order

Notice of Order

Reasons for Appeal (attach separate sheet if required)

Please find reasons for appeal attached.

Signature of Appellant

Date April 24, 2024

For the consideration of:

CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD
Re: The REFUSAL by Vulcan County Municipal Planning Committee of Vulcan County
Development Permit 24-2024 - Thornton/Paterson | Plan 2011054, Block 1, Lot 1
Reasons for Appeal as presented April 24, 2024

Background

We, the above named appellants, applied for a development permit to construct a new short-term rental cabin in September 2022ⁱ. At that time the concept of “short-term rental” did not exist in the Land Use Bylaws as a definition and, after deliberation during the associated MPC meetingⁱⁱ, the existing Land Use Bylaws pertaining to Bed & Breakfastⁱⁱⁱ operations were immediately amended to accommodate this new style of operation, and a conditional approval granted as a result of this change. During the construction process, we experienced some confusion regarding construction requirements, with various inspectors stipulating one thing and the next contradicting it. There was also confusion regarding some of the additional criteria that we were asked to satisfy by Planning & Development in order to operate a short-term rental, however we put this down to the fact that we were very much breaking new ground in Vulcan County and were happy to work with them in breaking this new ground. The net result was that we were approved to “commence development operations” in July of 2023^{iv} i.e. we were permitted to advertise and rent the cabin for short-term accommodation.

As part of this approved development, we had installed additional (permitted) utility connections, which we utilised to service a travel-trailer. After receiving numerous enquiries from those employed in large-scale construction projects in Vulcan County, we then decided to also offer this trailer for short-term rental use. As far as we understood it, the placement of the trailer did not appear to contravene conditions as noted in the original development permit and, as the services connected to it were approved & inspected and the entire site inspected by the fire service, we did not consider this an expansion and/or addition of a permanent structure that would require further approval. We were aware of others who were providing the same service elsewhere in the County, that had been approved (or so we believed) so we (mistakenly) understood that there was no need for a further development permit. At that time we could find no specific reference in the Land Use Bylaw that prohibited the use of “recreational vehicles” for use as short-term rentals; we understand that this amendment to the Bylaws was consolidated subsequent to our application, albeit in a non-specific and confusing manner, as detailed in the following appeal^v.

In September 2023 we received notification from the Vulcan County Development officer that a further permit was in fact required to utilise the travel trailer for short-term rental accommodation and this notification conveniently included the development permit application for our completion^{vi}. We were additionally advised that, as the proposed rental unit was classed as an RV, there would be a restriction on its use to seasonal only, as the bylaw defines them as a living unit, but not as a permanent dwelling. We had no issue with the stipulation that the travel-trailer may only be used seasonally, and completed and returned the requested application to the Development Officer within 72-hours of notification. Formal notification of approval was received a few days later^{vii}, upon which we completed further improvements (installed a boardwalk and deck) and landscaping around the travel-trailer in order to make it more aesthetically pleasing and usable for guests. Unfortunately, a few weeks later, we were advised that this development permit was rescinded^{viii}, as a critical error had been made when issuing it in that RV’s were now excluded for use as short-term rentals in the very newly amended Bylaws, that it seems were consolidated within days of our achieving approval to commence development operations. It very much surprised us that the Planning and Development team did not seem to be fully aware of this new exclusion in the very new Bylaws, however place no blame with them in this error.

At a subsequent meeting with the Planning & Development department^{ix}, it was further explained to us that this particular use of RV’s – and of short-term rentals in general - was new to Vulcan County’s Land Use Bylaws, and as such, there were understandably some kinks to work out to allow these development proposals run more smoothly. The Planning and Development team advised that they intended to include changes in an upcoming amendment review over the winter months and add language to the Land Use Bylaw to the specific use of RV’s as Short-Term Rentals that would ostensibly make the use of RV’s discretionary for this purpose in some format.

As we fully intended to offer the travel-trailer as seasonal short-term rental only, we saw no urgency in proceeding with any appeals or further applications at that time and chose to leave the matter with the Planning & Development professionals to work through said “kinks” to the newly amended Bylaw with Council and find a way forward for stakeholders.

Shortly after the new year^x, the Development Officer advised that they were presenting other ideas to Council^{xi} at the next MPC Meeting in order to remedy this and other gaps in the Bylaws as they pertain to short-term rentals, as their suggestion that RV’s be approved with discretionary use had “not been received well” during general discussions. This was later underlined when Council chose not to take, nor consider further, any of the ideas proposed by the Planning & Development team forward and made no amendments to the bylaws at all^{xii} regarding the use of RV’s for short-term rental use^{xiii}. Council’s suggested remedy to the ambiguity regarding our additional development was that we were to apply to re-zone some of our property to a Rural Recreational land use district and apply for a development permit for a campground^{xiv}. After investigating this suggestion, we discovered that our proposed development fits no better under those bylaws than it does under the bylaws for the zoning our property currently occupies. We then requested a meeting with the Vulcan County Reeve, Jason Schneider^{xv}, where we presented a detailed explanation of our issue; that we fall into a gap between bylaws and asked for his input and perspective as our ward councillor as how best to move forward to bridge this gap. Although his comments during the meeting were extremely encouraging and implied he was sure that a solution could be found, he later came back to us^{xvi} to advise that Council “didn’t have much of an appetite for this type of short-term rental accommodation” and our options were to either apply to re-zone to Rural Recreational and apply for a development for a campground – which appears to be akin to using a sledgehammer to crack a walnut – or re-zone to Direct Control, which was explained as where “Council deems the need to control their use and development directly as opposed to going through the normal Planning Commission route”. During our meeting, he had indicated that Direct Control was not an idea solution and should be considered as our last resort, so we were somewhat surprised that this was now being suggested. However, the direct implication was that, if we went in either of these directions, Council would be more amenable to allowing the travel-trailer to be used as short-term accommodation as it stood i.e. exactly the same short-term accommodation proposal submitted, but under a different land use designation. The Reeve went on to explain that Council had raised concerns previously, including the need to have the RV affixed to a permanent foundation and that, although by no means be a simple solution, may be an avenue to allow us to “pitch our concept to Council of having a “Permanent RV” as a short-term rental”.

With this in mind, and after further discussions with Planning & Development, we chose to address the concerns of Council in a further development permit application to be considered under the Section 39 “Similar Use” component of the Bylaws and re-purpose the travel trailer into permanent short-term seasonal accommodation^{xvii}. We proposed to remove all elements that uniquely make a travel-trailer suitable for travel, attach it to a permanent foundation (as recommended) and, in doing so, permanently convert it from its original purpose, in the same way that other stakeholders have converted other non-traditional structures for this purpose. The MPC determined that our application was in fact similar in nature to Short-Term Rental 1 as detailed in the Bylaws and our application proceeded as a normal discretionary use permit application. Prior to the MPC meeting, we were asked to provide additional information further to our application, including interior and exterior photographs of the RV and age, model and floor plan information.^{xviii}

During the MPC meeting^{xix} we were asked a considerable number of questions about this specific application and other development applications that we had made and, although we failed to understand the relevance of the questions pertaining to these other (approved) applications, we provided all information as requested. We felt that some attending the meeting were somewhat combative which was disappointing, as it appeared that decisions regarding our application had already been made by them. We were asked by one Councillor why we didn’t apply to rezone to Rural Recreational and apply for a development permit for a campground and, when we indicated that we believed our development didn’t fit any better under that Bylaw than the one under which we were applying, our reply and the comments of another Councillor were met with some disdain. Council then chose to continue their deliberations in a closed format and, later that day, we were advised that our application had been refused^{xx}.

We strongly refute the decision of Council for the following reasons:

- **Short Term Rental was expressly limited to use in that of a Dwelling Unit and not a portable unit like a Recreational Vehicle (per permit refusal 24-2024)**

As per Land Use Bylaw: RECREATIONAL VEHICLE^{xxi} means a transportable living unit, designed to be moved on its own wheels or by other means (including units permanently mounted on trucks), designed or constructed to be used for sleeping or living purposes on a short-term, temporary basis. Such living units are subject to highway safety standards rather than housing standards. Typical units include, but are not limited to motor homes, campers, holiday trailers, travel trailers, fifth wheel trailers, and tent trailers. These units are not allowable as a permanent DWELLING”

Our development application proposed to use a travel trailer, or Recreational Vehicle” **for sleeping or living purposes on a short-term, temporary, seasonal basis** i.e. exactly the definition the Land Use Bylaw dictates. We dispute that “such living units are subject to highway safety standards rather than housing standards” and have been unable to find this definition in law elsewhere. While it is correct that an RV is subject to Vehicle Safety regulations^{xxii}, all Recreational Vehicles are built to CSA^{xxiii} standards in Canada by rule of law. The travel trailer that we propose to utilise for the very purpose for which it was constructed: as short-term, seasonal living accommodation, bears a registered mark that indicates that it has been built to CSA Z240 standards. The Vulcan County Land Use Bylaw indicates that further subheadings of CSA Z240 are acceptable for other forms of manufactured / modular dwellings that are directly permitted, or not expressly prohibited within the LUB, so we fail to understand why they are not acceptable in this case. The Canadian Government recognise that “...park model trailers, travel trailers and motor homes may qualify as residential units... (when) permanently affixed to the land in the same manner as a house...”^{xxiv} Notwithstanding the above, we are seeking to utilise the travel-trailer as temporary, short-term, seasonal accommodation and not a “permanent dwelling” and, as such, this specific limitation as indicated in the Bylaws is moot.

- **A recreational vehicle does not, in character and substance, meet the criteria for a Dwelling Unit as established in the LUB despite the proposed modifications (per permit refusal 24-2024)**

As per Land Use Bylaw, the definition of a “DWELLING UNIT means a structure built for the purpose of being a self-contained living premises, designed to be occupied by an individual or family or other household group, in which facilities are included for cooking, sanitation, and sleeping. Such units include, but are not limited to, single-unit dwellings, modular dwellings, duplexes, apartments, manufactured dwellings and moved-in buildings for residential use.

A travel-trailer is legally defined as a structure built purely for the above purposes on a short-term, temporary basis and therefore meets the above criteria. The Use Definition of a Dwelling Unit as provided in the Land Use Bylaw (as above) does not expressly indicate that it cannot be an RV or mobile in nature – and other definitions pertaining to “Dwellings” permit other mobile (to one extent or another) structures. However, as Council had previously expressed concern regarding the mobility of the unit, this specific development application proposed to remove all elements that uniquely make a travel-trailer mobile and suitable for travel. During the Development meeting, Council did indicate that our proposal of siting the frame on permanent jack stands would not suffice for this and screw piles or an immovable foundation would be necessary instead, which we immediately indicated that we would be prepared undertake instead.

Furthermore, under another Land Use district, RV’s are permitted as a “...habitable dwelling but not as a permanent dwelling”, which is later defined as “exceeding 72-hrs...within a 7 day period..”^{xxv} One could consider this contradictory and extremely confusing for stakeholders.

Although a travel trailer does not contravene the definition of a “Dwelling Unit” as provided in the Land Use Bylaw, there is no clear indication that it is this is the definition that actually applies when applied to short-term rentals, as the term has no capitalisation^{xxvi}. (provided in full for clarity):

SHORT-TERM RENTAL 1 means the operation of commercial accommodation within all or a portion of a dwelling unit, including a Secondary Suite(s) or a room(s) in or a portion of a dwelling unit for a period

not exceeding 30 days, and the owner or property manager of the property is required to occupy the dwelling (within the same suite or an attached suite), or an adjacent dwelling on the same parcel, as their primary residence and be present on the premises during the majority of the operation of the Short-Term Rental. For the purposes of this Bylaw a Short-Term Rental 1 includes a Bed and Breakfast.

On its own, one would probably consider this as nothing more than an administrative error however, in conjunction with the extensive contradictions and lack of clarity, it is our opinion that it speaks more to Council's inability to provide a cohesive framework under which they refused our development application and is, in our opinion, yet another example of the lack of clarity within this legal document. Where incongruity exists, one would usually default to legal Canadian definitions of "dwelling" as utilised within formal documents^{xxvii}, which a travel trailer absolutely satisfies: "A dwelling unit is a residential unit that contains: private kitchen facilities, a private bath, a private living area" (For the convenience of the Board, further sources of such are attached within the Reference section of this document)

- ***In order to provide certainty with respect to regulation in use and location as well as to distinguish between campgrounds / RV parks (per permit refusal 24-2024)***

Given Council's ability to utilise "discretionary use" when approving developments^{xxviii}, stakeholders can conceivably never be sure of the permitted use of any development from the outside looking in. From the outside one can never be sure if any building on a property is approved as a permanent dwelling, short-term rental, short-term seasonal accommodation, commercial – or a barn or outbuilding, for that matter. Similarly, if we were to re-zone to Direct Control it was indicated that the travel trailer would be permissible as applied for, however there would be no visible difference for stakeholders looking in, which surely further contradicts this statement.

The Vulcan County Strategic Plan^{xxix} heralds the acceptance of innovative ideas and approaches, purports to realise opportunity and growth and seeks financial viability through diversification and strengthening of the assessment base. While utilising a travel-trailer for the very purpose for which it is constructed is hardly innovative, the idea of utilising it as short-term, seasonal accommodation aside from in a traditional campground setting appears to be. While we applaud Council's attempts to provide certainty of perception as to whether a single travel trailer on a property would confuse stakeholders, surely this is in direct contrast to the true consideration of new approaches to old problems which would result in a revenue stream for Vulcan County re property taxation that is currently being overlooked.

- ***The use of RV's is covered under Campground bylaws. We should "just re-zone and apply for this permit instead" (verbal statement made during the Development meeting and by another Vulcan County representative prior to the meeting)***

As per Land Use Bylaws (Schedule 5, Section 11) "two or more camping units...is considered a campground". Furthermore, the minimum design standards of campgrounds detailed in Land Use Bylaw, Standards of Development Section 11.3, include (but are not limited to):

- (e) each camp site stall must be accessed by an internal road*
- (f) (required) internal roads shall be hard surfaced or surfaced to the satisfaction of the Development Authority and shall be (either) [10ft in width for one-way traffic and 20' wide for two-way traffic]*
- (i) all campsite boundaries shall be defined on the ground by permanent flush stakes, or markers...*
- (j) (each) minimum camping stall shall be...[20' wide, 60' deep, 1,200ft² in area]*
- (m) one parking stall [is required] per campsite*

Our development nowhere near "fits" into the campground definition as provided in the current Land Use Bylaw and considerably more development would be necessary in order to comply. In addition, campgrounds are required to adhere to the Recreation Area Regulations (198/2004) and Alberta Economic Development & Tourism's Minimum Standards for Approved Campgrounds and Trailer Parks. In order to adhere to all legal requirements, we would be required to make our development considerably larger, which is a direct contravention of the experience we seek to offer visitors, and we are unsure why Council would encourage such unnecessary

development in a rural setting. Furthermore, the Rural Recreational Land Use Regulations do not currently directly indicate if a Short-Term Rental (1 and/or 2) is permitted under Rural Recreational zoning, under which our original development falls. We can only assume that Council have considered this original development when encouraging us to “just apply to rezone and apply for a campground permit” and have a solution that is not clearly indicated in the Land Use Bylaws.

Notwithstanding, the express implication provided by Council is that our travel-trailer would be approved for short-term seasonal accommodation if the land it sits on is zoned as Rural Recreation and a campground development permit is approved (as per above requirements). This is further confirmed by Schedule 3 of the current Bylaws^{xxx}:

1.4 The following developments shall not require a development permit.....

(u) camping units...used for intermittent seasonal residential/recreational use within an approved campground (for the purposes of this document, a travel trailer falls under the definition of a “camping unit” as per the Bylaw “Use Definitions”)

It therefore appears that, simply by way of re-zoning the land and operating a permitted campground, travel-trailers become approved as a Dwelling for short-term, seasonal accommodation, if you have sufficient numbers of them, yet our application to utilise one for the very same purpose was declined simply because we are not a campground.

Furthermore with only two units on our property, of which only one may be immediately visible, and with a “Permanent Dwelling” directly adjoining in the immediate vicinity (i.e. the approved short-term rental cabin), stakeholders may still easily struggle to distinguish our development as a permitted campground and not simply short-term rental units. There would conceivably be no “certainty with respect to regulation in use and location for stakeholders”.

- ***We should “apply for rezoning to Direct Control district” (verbal statement made during the Development meeting and via email from Reeve Schneider)***

It has been directly implied on more than one occasion that, simply by way of re-zoning the land to Direct Control District^{xxxi}, the travel trailer would be permissible as seasonal short term accommodation, either in its original form or after removal of all unique elements that make it such. However, all following comments (from either Council, Reeve or Planning & Development) usually refute this suggestion as quickly as it is made. Per Reeve Schneider: “Essentially...(Direct Control is)...a zoning for unique developments or land uses that just don't fit anywhere else or council deems the need to control their use and development directly as opposed to going through the normal Planning Commission route.” Therefore, per the Land Use Bylaws, “...all (future) development applications...(are referred) to Council for a decision and “shall provide a regular report to the Municipal Planning Commission summarizing the applications made for a development permit and the decision made...”. Under this land district, “...there is no (right of) appeal to the Subdivision and Development Appeal Board on a decision of an application for a development permit”. As such, Council retain direct and complete control over all development under this district. This is not an acceptable option for us, for the very reasons above and Council have indicated that they are similarly reluctant. Furthermore, we do not feel that our development is intrinsically unique, simply because it falls into a gap in existing contradictory Bylaws. Notwithstanding, if exactly the same development permit to use the travel trailer as short-term is also permissible under this zoning, we fail to understand what valid reasons Council can provide to reasonably decline it under the district under which we are currently zoned.

- ***“What are other Municipalities doing” (verbal statement made during the Development meeting)***

We fail to see the relevance regarding this statement and the core reason behind any business becoming obsolete is a lack of innovation. While we appreciate the relevance of collaborative intermunicipal frameworks within the Vulcan County Strategic Plan, Council risk undermining other core values in choosing to refuse permits due to the lack of innovation and/or forward-thinking from adjoining Municipalities. This is somewhat reflected in

that half of the adjoining Municipalities have yet to address the use of Short-Term rentals at all, despite a clearly recognised demand for this style of accommodation since 2009^{xxxii}.

Foothills County: Land Use Bylaw 60/2014 (as consolidated December 6, 2023)

No explicit exclusion of RV's as "Tourist Homes" (the comparative Bylaw classification to Short Term Rentals)

Willow Creek: Land Use Bylaw No. 1826

Currently no comparative classification for Short Term Rentals. Willow Creek categorise short-term accommodation as Bed & Breakfast: "...sleeping accommodations and a morning meal...", Guest House: "...accessory building with no kitchen or cooking facilities..." and/or Cabin: "...habitable dwelling of not less than 300 sq ft..."

They do not explicitly exclude Recreational Vehicles for use as a "dwellings"

Wheatland County: Land Use Bylaw 2016-01 (as per approved amendment 20240206)

Currently no comparative classification for Short Term Rentals. They categorise short-term accommodation as Bed & Breakfast, "...no more than four commercial units...(within a) ...single detached dwelling..." and "...no change to the external appearance of residence..."

There appears to currently be no provision for individual, self-contained short-term "dwellings" of any kind. They do not explicitly exclude Recreational Vehicles for use as "dwellings"

Lethbridge County: Land Use Bylaw 24-007

Although they cannot be used for permanent living accommodation, there is direct provision in their Land Use Bylaw for the use of RV's as Short-Term Seasonal Rentals, subject to certain conditions including, but not limited to, adequate potable water and septic disposal.

During the MPC meeting there were several occasions where Council referred to their concerns that permitting the use of a travel trailer in this manner would be "setting a precedent" for future development applications. Although we refute the idea that any single permit in and of itself provides a "precedent", surely Council's provision of a lawful, safe avenue for stakeholders to utilise is one worth setting. If there truly is an issue with stakeholders utilising RV's in the manner, then this surely underlines that there is a demand for which there is no lawful avenue for most. Through direct enquiries we were – and still are - aware of a huge unmet demand for short-term accommodation for seasonal workers in Vulcan County, that is caused in part by the amount of large-scale long-term development that has been approved (wind turbines, solar farms etc) and are also aware of a lack of accommodation for tourists and visitors to the County who have a more conservative budget. Many tourists are now experiencing the cancellation of their prior-booked accommodation as these vendors elect to house these workers instead; one can only presume because housing workers is generally a longer and more secure opportunity for them. The blanket banning of the use of RV's for short-term accommodation for those in Rural General zoning, has not and will not stop stakeholders offering this service, any more than providing a lawful avenue to bridge this gap (without the extreme of rezoning and massive developments) would encourage everyone to do it. Those who (allegedly) offer this service in an entirely unlawful way e.g where RV's are sited on land with no permitted services, fire inspection, road access etc (as indicted by the Reeve during our meeting) will most likely continue to do so - and most likely with impunity if the alleged scale of the issue is true (of which there is no evidence currently available to us) - as current resources regarding their detection, investigation and due process is unlikely to make any effective change and, with no standard currently demanded by Council, this is surely more dangerous for the end-users and the environment. Conversely, those who wish to offer this style of accommodation lawfully on a smaller scale currently have no avenue as we and they fall into a gap in the Bylaws that Council refuse to direct address, despite the best efforts of their Planning & Development Professionals. Our original development application broke new ground in Vulcan County, yet Council recognised the changes in the wants and needs of society and were prepared to provide a framework that allowed it to proceed, They did not even consider refusing it because "everyone may do it" Any precedent that could be conceived from this approval would most likely vary hugely from every subsequent individual application as any two developments are rarely identical. A bed and breakfast that has one bedroom to rent doesn't need to be a hotel, so why does one RV need to be a campground?

We understand that the LUB amendments regarding Short Term Rentals were consolidated as a retroactive response, however it appears that there was a limited cohesive process regarding their composition and empirical application which provides considerable contradiction and confusion for stakeholders. If Council can apply extensive discretionary use and/or exemptions that would allow us to utilise the travel-trailer for short-term seasonal accommodation under the campground heading with Rural Recreational zoning, or permit its discretionary use under Direct Control zoning, why is it not possible to provide similar discretion and/or exemptions under Rural General zoning, particularly when their arguments for refusal are so contradictory and selective. If a travel trailer/RV is deemed permissible for short term seasonal accommodation under one zoning, why is it not permitted under another?

We respectfully refer the Appeal Board to the Canadian Government^{xxxiii}, who stipulate that clear legislation must be simple and precise and that care must be taken in drafting; that all legislation must be in the public interest and appear to the public to be necessary and reasonable. The user must be able to consult the law in effect at any given time and find clarity, simplicity and intelligibility. With this in mind, we respectfully request a review by the Appeal Board of the refusal of Development Permit 24-2024 as it relates to the inconsistency and contradiction of the Land Use Bylaws as written and Council's interpretation and application of such including, but not limited to, Council's refusal to fully employ the resources and opinions of their Planning & Developments professionals.

We truly appreciate that this is an extremely difficult issue for the Appeal Board to consider however, for the benefit of all stakeholders, we feel that it is imperative that our application is now provided fair and unbiased consideration. We have taken direction from the Planning & Development team every step of the way and they have been exhaustive in their attempts to find a way forward in the sake of clarity for all stakeholders and yet Council have chosen to take none of the suggestions provided by these chosen professionals forward. In pursuing all options suggested by them, we have paid several fees for development permits that have subsequently all been refused (or approved and rescinded). Unfortunately, in having "no appetite" for this style of development, Council have elected to not address the inconsistencies in the Bylaws as they stand, nor utilise their power of discretionary use regarding our applications for either the travel trailer in its original form, or the re-purposing of it that removes all elements that uniquely make it such – the latter of which one Councillor indicated simply "didn't work" for them. Instead of addressing the inconsistencies and contradictions in the Bylaws regarding the use of this style of seasonal short-term accommodation under this specific zoning, Council continue to try to push us into a large unwanted, unnecessary development expansion under a Bylaw where our development fits no better, and regardless of the environmental implications of such.

Please find attached documents in support of references made, with the expectation of the Bylaws of adjoining Municipalities, which were omitted in order to be as concise as is possible, however are aware that the Board may choose to review them at their own volition. We have also been unable to provide written references regarding the MPC Meeting of April 2, 2024 that pertained to this development application, as we have been unable to obtain the minutes of this meeting (either approved or otherwise), nor the notes and supporting documents as requested under Access to Information Act via a FOIP submitted over a week ago.

We thank the Appeal Board for their time thus far in reading and considering our appeal and would welcome the opportunity to answer any questions and/or provide further information as necessary.

References

- ⁱ DP 68-20022, August 31, 2022
- ⁱⁱ MPC Meeting, September 21, 2022
- ⁱⁱⁱ Section 9, Vulcan County Land Use Bylaw 2020-028 March 2021, Consolidated to Bylaw 2022-021, August 2022
- ^{iv} Development Conditions Satisfied Letter, July 13, 2023
- ^v Vulcan County Land Use Bylaw 2020-028 March 2021, Consolidated to Bylaw 2023-017, July 2023
- ^{vi} Email from Development Officer at Vulcan County Planning & Development, September 15, 2023
- ^{vii} DP 73-2023, September 21, 2023
- ^{viii} Cancellation of Development Permit 73-2023, October 4, 2023
- ^{ix} Email from Vulcan County Planning & Development Team, October 5, 2023
- ^x Email from Development Officer at Vulcan County Planning & Development, January 22, 2024
- ^{xi} Request for Decision at Regular Meeting of Council, February 7, 2024 from Vulcan County Planning & Development to Council
- ^{xii} Minutes of Regular Meeting of Council, February 7, 2024
- ^{xiii} Email from Development Officer at Vulcan County Planning & Development, February 7, 2024
- ^{xiv} Schedule 5, Section 11, Vulcan County Land Use Bylaw 2020-028 March 2021, Consolidated to Bylaw 2023-017, July 2023
- ^{xv} February 27, 2024 at property where development was proposed: Plan 2011054, Block 1, Lot 1
- ^{xvi} Via direct personal email, March 16, 2024
- ^{xvii} Proposed Development 24-2024, March 21, 2024
- ^{xviii} Email from Development Officer at Vulcan County Planning & Development, April 2, 2024
- ^{xix} Council and Municipal Planning Commission Meeting, April 3, 2024
- ^{xx} Notice of Refusal 24-2024
- ^{xxi} Use Definitions; Vulcan County Land Use Bylaw 2020-028 March 2021, Consolidated to Bylaw 2023-017, July 2023
- ^{xxii} Motor Vehicle Safety Regulations (C.R.C., c. 1038)
- ^{xxiii} Canadian Standards Association
- ^{xxiv} Part I of Schedule V, Subsection 123(1) Excise Tax Act
- ^{xxv} Vulcan County Land Use Bylaw, Land Use Districts, Schedule 2, Hamlet Residential, Section 14.2
- ^{xxvi} Vulcan County Land Use Bylaw as consolidated 2023-017
- ^{xxvii} Statistical Dwelling Reference Guide (publications.gc.ca) and/or Criminal Code of Canada (laws-lois.justice.gc.ca) and/or Residential Real Property (www.canada.ca/en/revenue-agency/services/forms-publications/publications/19-2/residential-real-property.html#P224_7528) and/or Introduction to the Underused Housing Tax (www.canada.ca/en/revenue-agency/services/forms-publications/publications/uhtn1/introduction-underused-housing-tax.html#_Toc122681149) et al
- ^{xxviii} Vulcan County Land Use Bylaw as consolidated 2023-017, Process Flowcharts
- ^{xxix} Vulcan County Strategic Plan 2022-2026
- ^{xxx} Vulcan County Land Use Bylaw, Schedule 3 (u), Development Not Requiring a Development Permit
- ^{xxxi} Vulcan County Land Use Bylaw as consolidated 2023-017
- ^{xxxii} Inception of Airbnb in Canada
- ^{xxxiii} Canadian Government; Clear Legislation - www.justice.gc.ca/eng/rp-pr/csj-sjc/ilp-pji/cl-ic/index.html#:~:text=Clear%20legislation%20presupposes%20a%20simple,to%20be%20necessary%20and%20reasonable.



Per Reference: i
Appeal re refused Vulcan County
Development Permit 24-2024
Thornton / Paterson

P.O. BOX 180
VULCAN, ALBERTA
T0L 2B0

TELEPHONE: 1-403-485-2241
TOLL FREE: 1-877-485-2299
FAX: 1-403-485-2920
www.vulcancounty.ab.ca

Bruce Paterson

September 21, 2022

[REDACTED]
High River, AB T1V 1L1

Re: Development Permit 68-2022

Dear Applicant,

Vulcan County has approved your development permit application for a Bed & Breakfast on Plan 2011054, Block 1, Lot 1; your enclosed permit will take effect after **21 days – October 13, 2022.**

As per *Alberta Municipal Government Act [Section 685]* you are eligible to appeal the conditions of the approval from the Development Authority. The appeal can be made in writing to the Secretary of the Chinook Intermunicipal Subdivision and Development Appeal Board and must contain the reasons for your appeal. The written appeal, along with the \$600 appeal fee can be mailed to the address at the top of the page or dropped off to the County Office at 102 Centre Street in Vulcan. The appeal period ends on **October 12, 2022**, any appeal must be received by the Vulcan County before this deadline.

Please read all the conditions of the permit carefully as you will be required to comply with all of them. Note, this is not a building permit; you will need to contact Park Enterprises Ltd. – Lethbridge at (403) 329-3747 or email: contact@parkinspections.com for any safety permits and inspections required (building, electrical, gas, plumbing, sewage).

If you have any questions please contact me at (403)485-3135 or email devassist@vulcancounty.ab.ca.

Kindest regards,

Alena Matlock
Development Officer
Vulcan County



**DEVELOPMENT PERMIT
68-2022**

Development Permit 68-2022 for a **Bed & Breakfast** in Rural General on Plan 2011054, Block 1, Lot 1 as applied for by Bruce Paterson has been:

- () APPROVED
- (x) APPROVED, subject to the following conditions:

1. No Development authorized by this Development Permit shall commence:
 - a. Until at least 21 days after the issue of the Development Permit, or
 - b. If an appeal is made, until the appeal is decided on.
2. The minimum/maximum requirements for all setbacks as established in Land Use Bylaw 2020-028 are met.
3. This is not a building permit; all Permits as required under the Safety Codes Act and its regulations shall be obtained and a copy of the Building Permit and any other required Safety Code Act approvals or permits shall be submitted to the County.
4. Any permits or approvals, if required by Alberta Transportation, shall be obtained and a copy of the permit or approval shall be submitted to the County.
5. The applicant is solely responsible to obtain and comply with any other required Municipal, Provincial or Federal government permits, approvals, or licenses.
6. The applicant must ensure the facility is developed in accordance with the National Fire Code Alberta Edition and will require an inspection by Vulcan County Protective Services prior to operation.
7. The applicant must ensure the facility meets all applicable requirements under the Alberta Public Health Act, and copies of approvals and/or licenses shall be provided to Vulcan County.
8. The applicant must complete an on-site approval inspection by AHS-EPH, prior to guest occupation.
9. The bed & breakfast cabin building must be permanently fixed to the ground through a foundation, screw piles or anchoring.
10. The applicant ensures the driveway to the new bed & breakfast cabin is constructed to the standard outlined in Policy 32-1012 Private Driveways to the satisfaction of the Development Authority.
11. The applicant will ensure one parking space be kept for the sole use of the Bed and Breakfast cabin.
12. Any expansion of the operation or addition of new buildings for the bed and breakfast will require separate development permits.
13. That the standard outlined in Land Use Bylaw 2020-028, Schedule 5: Section 9.1 and 9.3, be waived to allow for cooking facilities within the rental unit.

If approved, you are hereby authorized to proceed with the specified development after 21 days of the issuance of this permit, provided that any stated conditions are complied with, and the development is in accordance with any approved plans and application.

Should an appeal be made against this decision to the Chinook Intermunicipal Subdivision and Development Appeal Board, this Development Permit shall be null and void. The appeal would be governed by By-law 2021-012.

Signature of Development Officer

September 21, 2022
Date of Decision

NOTE: THIS IS NOT A BUILDING PERMIT.

NOTE: FAILURE TO COMPLY WITH THE CONDITIONS OF THIS PERMIT WILL RESULT IN PUNITIVE ACTION BEING TAKEN BY THE DEVELOPMENT OFFICER AS AUTHORIZED BY SECTIONS 557, 566 AND 646 OF THE MUNICIPAL GOVERNMENT ACT.

NOTE: A DEVELOPMENT PERMIT LAPSES AND IS AUTOMATICALLY VOID IF DEVELOPMENT AUTHORIZED IS NOT COMMENCED WITHIN TWELVE (12) MONTHS OR COMPLETED TO THE SATISFACTION OF THE DEVELOPMENT AUTHORITY WITHIN TWENTY-FOUR (24) MONTHS FROM THE DATE OF ISSUING THE PERMIT. THE DEVELOPMENT AUTHORITY MAY, AT ITS DISCRETION, APPROVE EXTENSIONS TO THESE TIME LIMITS.

APPEAL PROCEDURE

The Land Use Bylaw provides that any person claiming to be affected by the decision may appeal to the Secretary of the Chinook Intermunicipal Subdivision and Development Appeal Board **WITHIN 21 DAYS AFTER NOTICE OF THE DECISION IS GIVEN.** Contact the Development Officer (403-485-2241) for more information.



Per Reference: ii
Appeal re refused Vulcan County
Development Permit 24-2024
Thornton / Paterson

**VULCAN COUN
MINUTES**
Municipal Planning Commission
Meeting
9:00 a.m.
September 21, 2022
Council Chambers
Administration Building
102 Centre Street, Vulcan, Alberta

Present: Chair Shane Cockwill Vice Chair Doug Logan
Member Jodie Gateman Member Jason Schneider
Member Laurie Lyckman Member Kelly Nelson

Also Present: Nels Petersen, Chief Administrative Officer
Lansey Middleton, Legislative Services Manager
Colleen Dickie, Development & Legislative Assistant
Anne Erickson, Manager of Development Services
Alena Matlock, Development Officer

As per Procedure Bylaw 2021-036, all resolutions of the Municipal Planning Commission are recorded votes, when resolutions are carried unanimously, names will not be recorded.

Call to Order

Chair Cockwill called the meeting to order at 9:00 a.m.

Adoption of Agenda and Emergent Issues

MPC 2022-09-21-01 MOVED BY MEMBER GATEMAN that the agenda be adopted as presented.

CARRIED UNANIMOUSLY.

Adoption of Minutes

Minutes of the September 7, 2022 Municipal Planning Commission Meeting

MPC 2022-09-21-02 MOVED BY MEMBER SCHNEIDER that the minutes of the September 7, 2022 meeting be adopted as presented.

CARRIED UNANIMOUSLY.

Action List

Development Permit Summary

MPC 2022-09-21-03 MOVED BY MEMBER NELSON that the Development Permit Summary be accepted as information.

CARRIED UNANIMOUSLY.

Development Permits

Development Permit 68-2022 - Paterson

Bed and Breakfast

Plan 2011054, Block 1, Lot 1

Administration spoke to the application.

This is a 16 acre parcel with two existing dwellings, mature trees and some agricultural buildings. It is zoned Rural General. The intent is to have a cabin available for short term stays, year round.

Concerns brought forward to administration:

- This seems like more of an Air B & B application
- Do we need to change the LUB as Vulcan County Land Use Bylaw requirements for Bed & Breakfasts states there can be no cooking facilities.
- Why does the cabin need to be fixed to the ground?

Administration responded, stating that a waiver of Schedule 5 Standards: Section 9: Bed and Breakfast Operations: 9.1 and 9.3, could be applied. The Land Use Bylaw also states that buildings must be permanently fixed to the ground through foundation, screw piles or anchoring, mainly because of wind.

Chair Cockwill invited the applicant to the table. Bruce Paterson came forward to speak to the application. He said they are looking at a cabin with separate bedroom, separate living room, separate washroom as well as a separate kitchen but are willing to change the plans to make this concept work. There are lots of examples of this kind of development all over the world. They want to have an income from the land and are only asking for one unit at this time. 'Air B & B' is a brand and just a term to describe accommodation of many types. It is a company used to advertise some developments. This is a standalone cabin used as a small home away from home but on our property. This cabin will be 12 by 14 ft., low profile, surrounded by trees. A good example of this can be found at Prairie Rose Cottage.

Concerns for administration:

- If we strike the condition forbidding kitchen facilities, will the applicant have to reapply?
- Should this be changed from a 'Bed and Breakfast' to 'Lodging'?
- Is there a sketch of the cabin?

Administration stated that 'bed and breakfast' was the closest use in the Land Use Bylaw. We could add condition 13 to waive sections 9.1 and 9.3 in section 9 of Bed and Breakfast Operations. The applicant can advertise as they choose. If they were to apply for another unit it would be for a new permit under the amended bylaw. There is no sketch on file.

MPC 2022-09-21-04 MOVED BY MEMBER NELSON that Development Permit 68-2022 for a Bed and Breakfast in Rural General on Plan 2011054, Block 1, Lot 1 as applied for by Bruce Paterson be approved subject to the following conditions:

Municipal Planning Commission - Minutes September 21, 2022

1. No Development authorized by this Development Permit shall commence:
 - a. Until at least 21 days after the issue of the Development Permit, or
 - b. If an appeal is made, until the appeal is decided on.
2. The minimum/maximum requirements for all setbacks as established in Land Use Bylaw 2020-028 are met.
3. This is not a building permit; all Permits as required under the Safety Codes Act and its regulations shall be obtained and a copy of the Building Permit and any other required Safety Code Act approvals or permits shall be submitted to the County.
4. Any permits or approvals, if required by Alberta Transportation, shall be obtained and a copy of the permit or approval shall be submitted to the County.
5. The applicant is solely responsible to obtain and comply with any other required Municipal, Provincial or Federal government permits, approvals, or licenses.
6. The applicant must ensure the facility is developed in accordance with the National Fire Code Alberta Edition and will require an inspection by Vulcan County Protective Services prior to operation.
7. The applicant must ensure the facility meets all applicable requirements under the Alberta Public Health Act, and copies of approvals and/or licenses shall be provided to Vulcan County.
8. The applicant must complete an on-site approval inspection by AHS-EPH, prior to guest occupation.
9. The bed & breakfast cabin building must be permanently fixed to the ground through a foundation, screw piles or anchoring.
10. The applicant ensures the driveway to the new bed & breakfast cabin is constructed to the standard outlined in Policy 32-1012 Private Driveways to the satisfaction of the Development Authority.
11. The applicant will ensure one parking space be kept for the sole use of the Bed and Breakfast cabin.
12. Any expansion of the operation or addition of new buildings for the bed and breakfast will require separate development permits.
13. That the standard outlined in Land Use Bylaw 2020-028, Schedule 5: Section 9.1 and 9.3, be waived to allow for cooking facilities within the rental unit.

CARRIED UNANIMOUSLY.

Adjournment

Chair Cockwill adjourned the meeting of the Municipal Planning Commission at 9:21 a.m.

Shane Cockwill, Chair

Anne Erickson, Manager of
Development Services

SECTION 7 AUTOMOTIVE REPAIR AND PAINT SHOPS

- 7.1 Automotive repair and paint shops shall not be located within 76.2 m (250 ft) of the boundary of any property in an acreage residential or grouped country residential land use district.
- 7.2 All operations associated with automotive repair and paint shop uses shall be contained within a completely enclosed building except where outdoor storage is expressly allowed.
- 7.3 Where outdoor storage is allowed, such storage shall not be located in the front yard and shall be screened from view from any road or lane. Wherever possible, outdoor storage should not back onto or face an adjacent residential parcel. The Development Authority may place conditions on a development permit approval to require screening.
- 7.4 The applicant shall be responsible for compliance with Alberta Environment and Parks regulations and guidelines for containing, storing and disposing of paint or fluids.
- 7.5 For any business that is involved in selling, repairing, or salvaging automotive vehicles, the applicant shall be responsible for compliance with the Alberta Motor Vehicles Industry Council (AMVIC) licensing requirements.

SECTION 8 AUTO RECYCLING AND SALVAGE YARDS

- 8.1 The site of an Auto Recycling and Salvage Yard shall not be located within 1 km (0.6 mile) from any adjacent residence.
- 8.2 All vehicles and machinery must be stored within an approved enclosure or compound, and maintenance of the site should be in accordance with the standards deemed necessary for the use of the site in an acceptable fashion at the discretion of the Development Authority.

SECTION 9 BED AND BREAKFAST OPERATIONS

- 9.1 A bed and breakfast operation shall only provide breakfast meals to registered overnight guests prepared in the common kitchen of the principal residence.
- 9.2 A bed and breakfast operation shall be operated out of the primary residence and may also include the use of supplementary buildings, being either:
 - (a) existing agricultural buildings or other buildings that are proposed to be converted into temporary sleeping quarters and used in conjunction with an existing residence for a bed and breakfast; or
 - (b) an authorized supplementary residence.
- 9.3 No cooking facilities are allowed in sleeping rooms or suites.
- 9.4 In addition to the off-street parking requirements for the dwelling/accessory building units, one off-street parking space per rented guest room shall be required for a bed and breakfast operation.
- 9.5 Alterations to the principal building may be permitted but shall not change the principal character or external appearance of the principal building.



Per Reference: iv
Appeal re refused Vulcan County
Development Permit 24-2024
Thornton / Paterson

P.O. BOX 180
VULCAN, ALBERTA
T0L 2B0

TELEPHONE: 1-403-485-2241
TOLL FREE: 1-877-485-2299
FAX: 1-403-485-2920
www.vulcancounty.ab.ca

July 13, 2023

Bruce Paterson & Keri Thornton
PO Box [REDACTED]
Vulcan, AB T0L 2B0

Re: Conditions Satisfied for Development Permit 68-2022

Dear Mr. Paterson & Ms. Thornton

Vulcan County has completed the review of conditions for Development Permit 68-2022 for a Short Term Rental issued on September 21, 2022.

Please accept this letter as confirmation that all required conditions on Development Permit 68-2022 have been satisfied, and you may commence development operations as described in your business plan.

If you have any questions, please contact the Development Department at 403-485-2241 or email devassist@vulcancounty.ab.ca.

Kindest regards,

A handwritten signature in blue ink that reads "Alena Matlock".

Alena Matlock
Development Officer
Vulcan County

C17



Per Reference: v
Appeal re refused Vulcan County
Development Permit 24-2024
Thornton / Paterson

LAND USE BYLAW NO. 2020-028

March 2021

(Consolidated to Bylaw 2023-017, July 2023)



Per Reference: vi

Appeal re refused Vulcan County
Development Permit 24-2024

Thornton / Paterson

Keri Thornton

From: Alena Matlock <devassist@vulcancounty.ab.ca>
Sent: September 15, 2023 11:29 AM
To: Keri Thornton; Bruce Paterson
Subject: RV as Short Term Rental - DP required
Attachments: DP Application Form.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Good morning Keri and Bruce,

It has come to my attention, that along with the small dwelling constructed on your property for the purposes of short term rental, there is an RV on the property also being utilised and rented as a short term rental. As per condition #12, of your original development permit, any expansion or addition of rental units will require separate development permits.

In this case, the permit would be a permitted use for a Short-term rental 1, and we will require a completed application form, a site plan, describing where on the property the RV is/will be situated, and a fee of \$250.00.

Please include in the site plan the area proposed for parking, and the distances to other buildings and property lines. Additionally, as the proposed rental unit is an RV, there would be a restriction on its use to seasonal only, as our bylaw defines them as a living unit, but not as a permanent dwelling. I would also like to see the plan for how the rental unit will be serviced.

Attached is the application form, please let me know if you have any questions.
Thanks,

Alena Matlock

Development Officer

Vulcan County

102 Centre Street | Box 180 | Vulcan | T0L 2B0

Office: (403) 485-2241

Direct: (403) 485-3135

Fax: (403) 485-2920

devassist@vulcancounty.ab.ca



APPLICATION FOR DEVELOPMENT PERMIT

OFFICE USE ONLY			
Application No.	Roll No.	Deemed Complete <input type="checkbox"/> Yes <input type="checkbox"/> No	Date of Completion
Date Received	Division	Land Use District	
Application Fee (\$)	Fire Dept.	Use	
Date Application Fee Received	Gas Coop	Land Title Verified <input type="checkbox"/> Yes <input type="checkbox"/> No	

1) APPLICANT AND LAND INFORMATION

Applicant Name: _____
 Phone: _____ Email: _____
 Mailing Address: _____

IF APPLICANT IS NOT THE REGISTERED OWNER

Applicant's Interest In Property Agent Contractor Tenant Other: _____

Registered Owner's Name: _____
 Phone: _____ Email: _____
 Mailing Address: _____

Quarter: _____ Section: _____ Township: _____ Range: _____ W4M

Plan: _____ Block: _____ Lot: _____

Municipal Street Address (If Applicable): _____

Parcel Area Acres: _____ Hectares: _____

Existing Development

Please detail existing buildings, structures, uses, and improvements existing on the parcel.
 (If they will be altered as part of this application, please detail the improvements)



2) DEVELOPMENT DETAILS

Proposed Development

Please detail the proposed development including uses, buildings, structure, and any other planned renovations or improvements; including the dimensions of each.

Estimated Commencement Date: _____ Estimated Completion Date: _____
Estimated cost of the project (\$): _____

For **residential** developments please check all applicable boxes below:

- | | |
|--|---|
| <input type="checkbox"/> Single detached dwelling | <input type="checkbox"/> Manufactured home 1 (new) |
| <input type="checkbox"/> Semi-detached dwelling | <input type="checkbox"/> Manufactured home 2 (previously occupied) |
| <input type="checkbox"/> Ready-to-move home (new) | <input type="checkbox"/> Accessory building to approved use |
| <input type="checkbox"/> Moved-in dwelling (previously occupied) | <input type="checkbox"/> Accessory building prior to principal building |
| <input type="checkbox"/> Modular home | <input type="checkbox"/> Other: |

3) Other

Access

Is the parcel adjacent to an existing developed roadway? Yes No
Is the parcel currently subject to an Approach Agreement with Vulcan County? Yes No

Servicing

Please indicate how the proposed development will be serviced

<i>Water Supply</i>				<i>Sewer Servicing</i>		
<input type="checkbox"/> Cistern	<input type="checkbox"/> Well	<input type="checkbox"/> Dugout	<input type="checkbox"/> Coop	<input type="checkbox"/> Septic Tank	<input type="checkbox"/> Septic Field	<input type="checkbox"/> Communal
Other: _____				Other: _____		

Location

Please indicate if any of the following are within 1.6 km (1 mile) of the proposed development

- | | | |
|---|---|--|
| <input type="checkbox"/> Provincial Highway | <input type="checkbox"/> Confined Feeding Operation | <input type="checkbox"/> Sour gas well or pipeline |
| <input type="checkbox"/> Sewage Treatment Plant | <input type="checkbox"/> Waste Transfer Station or Landfill | <input type="checkbox"/> River or Waterbody |

Please indicate if any of the following are within 800m (1/2 mile) of the proposed development

- | | |
|--|---|
| <input type="checkbox"/> Slope of 15% or greater | <input type="checkbox"/> Existing multi-lot residential subdivision |
|--|---|



4) Declaration

I/We have read and understand the terms noted below and hereby apply for a development permit to carry out the development described within this application including any attached forms, plans, and documents.

I/We hereby certify that all plans and information submitted are, to the best of my knowledge, true and correct.

I/We hereby certify that the registered owner of the land is aware of and in agreement with this application.

I/We hereby give consent to allow authorized persons the right to enter the subject land and/or building(s) for the purpose of an inspection with respect to this application.

Date: _____ Applicant's Signature: _____

Date: _____ Registered Owner's Signature: _____
(Required If Different from Applicant)

5) Development Permit Process

1. The Development Permit Application is to be submitted along with the application fee as described in the Fees for Service Bylaw and any additional information as indicated in Appendix A.
2. The County office will then notify adjacent landowners and may place an ad in the Vulcan Advocate respecting the proposed development.
3. You will receive a copy of the Notice of Decision and Development Permit Application in the mail dated the day the Development Permit was approved, although the Development Permit is not valid until 21 days after the Date of Issue of Notice of Decision.
4. The Development Permit is subject to all conditions specified on the Development Permit.
5. After the advertisement period a copy of the Development Permit and Notice of Decision will be sent to all relevant stakeholders which may require a copy of the approved development permit.
6. If your application has been refused or approved subject to conditions set forth by the Development Authority, you can appeal the decision to the **SUBDIVISION AND DEVELOPMENT APPEAL BOARD** or **LAND AND PROPERTY RIGHTS TRIBUNAL**, as specified on in the Development Permit or Notice of Refusal. If an applicant wishes to appeal the decision, a written notice of appeal must be served to the Vulcan County Planning and Development Department **within 21 days of the Date of Issue of Notice of Decision**. Vulcan County's Planning and Development Department will then forward the appeal to the relevant appeal body. Appeals may be mailed to:

VULCAN COUNTY PLANNING AND DEVELOPMENT
180 VULCAN, ALBERTA T0L 2B0
Phone 403-485-2241 Fax 403-485-2920



Per Reference: vii

Appeal re refused Vulcan County
Development Permit 24-2024
Thornton / Paterson

P.O. BOX 180
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TELEPHONE: 1-403-485-2241
TOLL FREE: 1-877-485-2299
FAX: 1-403-485-2920
www.vulcancounty.ab.ca

Keri Thornton
PO Box [REDACTED]
Vulcan, AB T0L 2B0

September 21, 2023

Re: Development Permit 73-2023

Dear Applicants,

Please read all the conditions of the permit carefully as you will be required to comply with all of them. Vulcan County has given conditional approval to your development permit application for a Short-term Rental 1 on Plan 2011054, Block 1, Lot 1; your enclosed permit will take effect after **21 days – October 13, 2023.**

As per *Alberta Municipal Government Act [Section 685]* you are eligible to appeal the conditions of the approval from the Development Authority. The appeal can be made in writing to the Secretary of the Chinook Intermunicipal Subdivision and Development Appeal Board and must contain the reasons for your appeal. The written appeal, along with the \$600 appeal fee can be mailed to the address at the top of the page or dropped off to the County Office at 102 Centre Street in Vulcan. The appeal period ends on **October 12, 2023**, any appeal must be received by Vulcan County before this deadline.

Note, this is not a building permit; you will need to contact **either** Park Enterprises Ltd. (403-329-3747; email: contact@parkinspections.com) **or** Superior Safety Codes (Lethbridge office: 403-320-0734; Calgary office: 1-866-999-4777; or by email to info@superiorsafetycodes.com) for all safety code permits and inspections required (building, electrical, gas, plumbing, and private septic).

If you have any questions, please contact me at (403)485-3135 or email devassist@vulcancounty.ab.ca.

Kindest regards,

Alena Matlock
Development Officer
Vulcan County



DEVELOPMENT PERMIT
73-2023

Development Permit 73-2023 for a **Short-Term Rental 1** in Rural General on Plan 2011054, Block 1, Lot 1 as applied for by Keri Thornton has been:

- APPROVED
- APPROVED, subject to the following conditions:

1. No Development authorized by this Development Permit shall commence:
 - a. Until at least 21 days after the issue of the Development Permit, or
 - b. If an appeal is made, until the appeal is decided on.
2. The minimum/maximum requirements for all setbacks, as established in Land Use Bylaw 2020-028 are met.
3. All outstanding taxes be paid prior to development commencement.
4. This is not a building permit; all Permits as required under the Safety Codes Act and its regulations shall be obtained and a copy of the Building Permit and any other required Safety Code Act approvals or permits shall be submitted to the County.
5. The applicant is solely responsible to obtain and comply with any other required Municipal, Provincial or Federal government permits, approvals, or licenses.
6. The Recreational Vehicle utilized as a Short-Term Rental may only be occupied seasonally, between April 1 and September 30 in any calendar year.
7. When in use as a short-term rental the Recreational Vehicle must be fixed to the ground through some type of anchoring.
8. The applicant will ensure one parking space be kept for the sole use of the guests for the Short-term rental in the Recreational Vehicle.
9. The applicant ensures the driveway to the new bed & breakfast cabin is constructed to the standard outlined in Policy 32-1012 Private Driveways to the satisfaction of the Development Authority.
10. This Development Permit is valid for 12 months from the date of issue unless the Municipal Planning Commission has extended the term of the Development Permit in accordance with the Land Use Bylaw.

If approved, you are hereby authorized to proceed with the specified development after 21 days of the issuance of this permit, provided that any stated conditions are complied with, and the development is in accordance with any approved plans and application.

Should an appeal be made against this decision to the Chinook Intermunicipal Subdivision and Development Appeal Board, this Development Permit shall be null and void. The appeal would be governed by By-law 2021-012.

Signature of Development Officer

September 21, 2023

Date of Decision

NOTE: THIS IS NOT A BUILDING PERMIT.

NOTE: FAILURE TO COMPLY WITH THE CONDITIONS OF THIS PERMIT WILL RESULT IN PUNITIVE ACTION BEING TAKEN BY THE DEVELOPMENT OFFICER AS AUTHORIZED BY SECTIONS 557, 566 AND 646 OF THE MUNICIPAL GOVERNMENT ACT.

NOTE: A DEVELOPMENT PERMIT LAPSES AND IS AUTOMATICALLY VOID IF DEVELOPMENT AUTHORIZED IS NOT COMMENCED WITHIN TWELVE (12) MONTHS OR COMPLETED TO THE SATISFACTION OF THE DEVELOPMENT AUTHORITY WITHIN TWENTY-FOUR (24) MONTHS FROM THE DATE OF ISSUING THE PERMIT. THE DEVELOPMENT AUTHORITY MAY, AT ITS DISCRETION, APPROVE EXTENSIONS TO THESE TIME LIMITS.

APPEAL PROCEDURE

The Land Use Bylaw provides that any person claiming to be affected by the decision may appeal to the Secretary of the Chinook Intermunicipal Subdivision and Development Appeal Board **WITHIN 21 DAYS AFTER NOTICE OF THE DECISION IS GIVEN.** Contact the Development Officer (403-485-2241) for more information.



P.O. BOX 180
VULCAN, ALBERTA
T0L 2B0

TELEPHONE: 1-403-485-2241
TOLL FREE: 1-877-485-2299
FAX: 1-403-485-2920
www.vulcancounty.ab.ca

October 4, 2023

Bruce Paterson & Keri Thornton
PO Box [REDACTED]
Vulcan, AB, T0L 2B0

Re: Cancellation of Development Permit 73-2023

Dear Applicant,

Through the course of reviewing the recently issued Development Permit 73-2023 for a Short-term Rental 1 to be applied to a Recreational Vehicle located on your property at Plan 2011054, Block 1, Lot 1, it was determined by the Development Authority that the permit was issued in error.

Vulcan County Land Use Bylaw's definition of a Short-Term Rental 1 applies to commercial accommodation within all or a portion of a "Dwelling Unit". The definition for a recreational vehicle under the same bylaw, explicitly excludes recreational vehicles as "Dwellings".

Therefore under section 52.1(c) please be advised that the approval for Development Permit 73-2023 was issued in error, as a Recreational Vehicle does not meet the definition of a dwelling unit and therefore an application for this type of development permit may not be made. Development Permit 73-2023 is now cancelled.

Also as per Vulcan County Land Use Bylaw 2020-028, Section 52.3 you are eligible to appeal the decision of the Development Authority. The appeal can be made in writing to the Secretary of the Chinook Intermunicipal Subdivision and Development Appeal Board and must contain the reasons for your appeal. The written appeal, along with the \$600 appeal fee can be mailed to the address at the top of the page or dropped off to the County Office at 102 Centre Street in Vulcan. The appeal must be submitted prior to the appeal period ending on **October 25, 2023**, any appeal must be **received** by Vulcan County before this deadline.

If you have any questions, please contact me at 403-485-2241 or email devassist@vulcancounty.ab.ca.

Regards,

Alena Matlock
Development Officer
Vulcan County

Keri Thornton

From: Alena Matlock <devassist@vulcancounty.ab.ca>
Sent: October 4, 2023 1:27 PM
To: Keri Thornton; Bruce Paterson
Subject: Development Permit 73-2023 issued in error
Attachments: Administrative Section 52 - Suspension or Cancellation of a Development Permit.pdf; Dwelling definitions.pdf; Recreational Vehicle Definition.pdf; Short Term Rental Definitions.pdf; Cancellation Letter 73-2023.pdf

Good afternoon Keri & Bruce,

When I issued you a permit for a Short-Term Rental 1 for the Recreational Vehicle on your property, I made a critical error, and the permit will need to be cancelled.

The problem is with the definition of a Short-Term Rental 1; where it states:

Short-Term Rental 1 means the operation of a commercial accommodation within all or a portion of a **dwelling unit**, including a Secondary Suite(s) or a room(s) in or a portion of a dwelling unit for a period not exceeding 30 days, and the owner or property manager of the property is required to occupy the dwelling (within the same suite or attached suite), or an adjacent dwelling on the same parcel, as their primary residence and be present on the premises during the majority of the operation of the Short-Term Rental. For the purposes of this Bylaw a Short-Term Rental 1 includes a Bed and Breakfast.

The Short term rental permit can only be applied to dwelling units, which our bylaw explicitly excludes Recreational Vehicles from being Dwelling units:

Recreational Vehicle means a transportable living unit, designed to be moved on its own wheels or by other means (including permanently mounted on trucks), designed or constructed to be used for sleeping or living purposes on a short-term, temporary basis. Such living units are subject to highway safety standards rather than housing standards. Typical units include, but are not limited to motor homes, campers, holiday trailers, travel trailers, fifth wheel trailers and tent trailers. These units are not allowable as a permanent **DWELLING** (see definition).

As Recreational Vehicles cannot be considered a dwelling unit, I cannot issue a permit for a Short-Term Rental 1 for a recreational vehicle. Therefore according to section 52.1(c) in Vulcan County Land Use Bylaw, when the Development Authority determines that the application was issued in error, the Development Authority may suspend or cancel the permit by giving notice in writing to the holder of it and stating the reasons for the suspension or cancellation.

Please see attached letter, giving notice that Development Permit 73-2023 has been cancelled as it was issued in error; the error being that a recreational vehicle cannot be considered a dwelling unit, and Short-Term Rental 1 permits may only be issued to those buildings defined as dwelling units.

Thank you,

Alena Matlock

Development Officer

Vulcan County

102 Centre Street | Box 180 | Vulcan | TOL 2B0

Office: (403) 485-2241

Direct: (403) 485-3135

Fax: (403) 485-2920

devassist@vulcancounty.ab.ca

- 49.4 Where a new development permit proposing to change an existing approved development permit is approved, the new development permit shall supersede the original development permit to the extent that they deal with the same matter.

SECTION 50 TRANSFERABILITY OF DEVELOPMENT PERMIT

- 50.1 A valid development permit is transferable where the use remains unchanged and the development is affected only by a change of ownership, tenancy, or occupancy, of the land or building.
- 50.2 A transferred development permit is only valid with the prior written consent of the Development Authority.
- 50.3 A home occupation permit is non-transferable and is invalidated by a change of ownership, tenancy, or occupancy.

SECTION 51 REAPPLICATION FOR A DEVELOPMENT PERMIT

- 51.1 If an application for a development permit is refused by the Development Authority or, on appeal the Subdivision and Development Appeal Board, the submission of another application for a development permit on the same parcel of land for the same or for a similar use of the land may not be accepted by the Development Officer for at least six months after the date of refusal.
- 51.2 If an application was refused solely because it did not comply with the standards of this Bylaw or was refused as an incomplete application under Section 32.10, the Development Officer may accept another application on the same parcel of land for the same or similar use before the time period referred to in Section 51.1 has lapsed, provided the application has been modified to comply with this Bylaw.

SECTION 52 SUSPENSION OR CANCELLATION OF A PERMIT

- 52.1 If, after a development permit has been issued, the Development Authority determines that:
- (a) the application contained a misrepresentation;
 - (b) facts were not disclosed which should have been at the time of consideration of the application for the development permit;
 - (c) the development permit was issued in error; or
 - (d) the applicant withdrew the application by way of written notice;
- the Development Authority may suspend or cancel the development permit by giving notice in writing to the holder of it and stating the reasons for any suspension or cancellation.
- 52.2 Upon receipt of the written notification of suspension or cancellation, the applicant must cease all development and activities to which the development permit relates.
- 52.3 A person whose development permit is suspended or cancelled under this section may appeal within 21 days of the date the notice of cancellation or suspension is received to the Subdivision and Development Appeal Board.
- 52.4 If a development permit is suspended or cancelled, the Subdivision and Development Appeal Board shall review the application if an appeal is filed by the applicant and either:

Keri Thornton

Per Reference: ix
Appeal re refused Vulcan County
Development Permit 24-2024
Thornton / Paterson

From: Alena Matlock <devassist@vulcancounty.ab.ca>
Sent: October 5, 2023 10:39 AM
Subject: Meeting Today

Good morning,

As discussed in the joint meeting held this morning, the following is the plan for the next steps with regards to permitting Recreational Vehicles as Short-term rentals.

This particular use is new to Vulcan County's Land Use Bylaw, and as such, there are some kinks to work out to make these development proposals run smoothly.

Our plan moving forward then, is to include these changes in a routine text amendment review this winter and add language to the Land Use Bylaw to this specific use, (being Recreational Vehicles used as Short-Term Rentals.) The goal would be to make the use discretionary in some format, whether that be fully with Municipal Planning Commission, or with the Development Officer, to ensure that pre-approval notification and the opportunity for comment is provided prior to the issuance of a Development Permit.

This should benefit not only this development, but developments of this type in Vulcan County. When the matter is to be formally presented to Council in a Bylaw, I will reach out to both of you, and let you know what the proposal is, and invite your comment at the Public Hearing for the changes.

If there are any questions, or suggestions for making this change exactly what is needed, please let me know. I definitely invite input from the parties directly involved.

Thank you again for coming today.
Kindest regards,

Alena Matlock

Development Officer

Vulcan County

102 Centre Street | Box 180 | Vulcan | T0L 2B0

Office: (403) 485-2241

Direct: (403) 485-3135

Fax: (403) 485-2920

devassist@vulcancounty.ab.ca

Keri Thornton

Per Reference: x

Appeal re refused Vulcan County
Development Permit 24-2024
Thornton / Paterson

From: Alena Matlock <devassist@vulcancounty.ab.ca>
Sent: January 22, 2024 8:32 AM
To: Keri Thornton
Subject: Land Use Bylaw Amendment

Good morning Keri,

Yes, I am working on it right now actually. There aren't any problems so far, though we haven't yet presented any of the ideas to members of Council for their opinion on the matter. If they are amenable to this plan of an additional use in the bylaw, I intend to get it to Council for first reading by our February 28th meeting, so that the public hearing will be no later than the April 3 meeting. Ideally, if all goes well, we can have it read for second and third time on April 3rd, and then it will be in place to apply for development permits.

I will caution you that I have had a bit of push back and alternative suggestions as to how this matter can be solved, so though ideally we would like to see an additional use be added to the bylaw, it may not work out that way in the end. I will keep you updated when the matter will be up for Public Hearing so you can make your opinions about it known to the Council at that time as well.

Please let me know if you have any further questions.
Thanks!

Alena Matlock

Development Officer

Vulcan County

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Direct: (403) 485-3135

Fax: (403) 485-2920

devassist@vulcancounty.ab.ca

From: Keri Thornton <info@keyholerealestate.ca>
Sent: Friday, January 19, 2024 5:51 PM
To: Alena Matlock <devassist@vulcancounty.ab.ca>
Subject: RE: Meeting Today

Good evening Alena

I hope your holidays were relaxing and fun-filled – albeit they probably feel like it was months ago now!

I also hope that you don't get work emails at home and, if you do, I hope that you ignore this until Monday! But I have been meaning to reach out for some time now and it seems to slip my mind so, if I don't do it now, goodness knows when I will next remember!

I wanted to touch base re the amendment of the Bylaw to allow recreational vehicles as short term rentals. As much as we are in the depths of (a suddenly very cold!) winter, we're only 10-weeks or so from the Spring season and there is much I would like to put in place before then to attract more guests to our property.

Could you let me know how things are progressing please?

Many thanks

Keri

Keri Thornton ABR. SRES. CCS
REALTOR | REAL ESTATE BROKER



Keyhole Real Estate | 28-10 Avenue SE | High River AB T1V 1E7
Call/Text: (403) 852-6021 | email:info@keyholerealestate.ca | www.keyholerealestate.ca

From: Alena Matlock <devassist@vulcancounty.ab.ca>

Sent: Thursday, October 5, 2023 10:39 AM

Subject: Meeting Today

Good morning,

As discussed in the joint meeting held this morning, the following is the plan for the next steps with regards to permitting Recreational Vehicles as Short-term rentals.

This particular use is new to Vulcan County's Land Use Bylaw, and as such, there are some kinks to work out to make these development proposals run smoothly.

Our plan moving forward then, is to include these changes in a routine text amendment review this winter and add language to the Land Use Bylaw to this specific use, (being Recreational Vehicles used as Short-Term Rentals.) The goal would be to make the use discretionary in some format, whether that be fully with Municipal Planning Commission, or with the Development Officer, to ensure that pre-approval notification and the opportunity for comment is provided prior to the issuance of a Development Permit.

This should benefit not only this development, but developments of this type in Vulcan County. When the matter is to be formally presented to Council in a Bylaw, I will reach out to both of you, and let you know what the proposal is, and invite your comment at the Public Hearing for the changes.

If there are any questions, or suggestions for making this change exactly what is needed, please let me know. I definitely invite input from the parties directly involved.

Thank you again for coming today.

Kindest regards,

Alena Matlock

Development Officer

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devassist@vulcancounty.ab.ca



Request for De

Per Reference: xi
Appeal re refused Vulcan County
Development Permit 24-2024
Thornton / Paterson

REGULAR MEETING OF COUNCIL – FEBRUARY 7TH, 2024

Land Use Amendment Discussion Direction for Short-term Rentals

Recommended Action: That Council provide direction to administration with regard to short-term rentals.

Submitted by: Alena Matlock, Development Officer
Department: Planning & Development
Approval: Nels Petersen, Chief Administrative Officer

Proposal & Background

Following the founding of websites like AirBnB, VRBO and others, the short-term rental market of people renting out various accommodation on their properties or homesteads has steadily grown. Vulcan County has also received interest from developers looking to pursue this type of recreational development in our municipality. To address this particular use, Vulcan County modified the bylaw from addressing only "Bed and Breakfast" style at-home accommodation, to a more modern, all encompassing "Short-term Rental" use, intended to capture all of the commercial short term rental activity possible.

Vulcan County Land Use Bylaw has two categories of Short-term Rental:

SHORT-TERM RENTAL 1: means the operation of commercial accommodation within all or a portion of a dwelling unit, including a Secondary Suite(s) or a room(s) in or a portion of a dwelling unit for a period not exceeding 30 days, and the owner or property manager of the property is required to occupy the dwelling (within the same suite or an attached suite), or an adjacent dwelling on the same parcel, as their primary residence and be present on the premises during the majority of the operation of the Short-Term Rental. For the purposes of this Bylaw a Short-Term Rental 1 includes a Bed and Breakfast.

SHORT-TERM RENTAL 2 means the operation of short-term commercial accommodation within all or a portion of a dwelling unit, including a Secondary Suite(s), or a room(s) in or a portion of a dwelling unit for a period not exceeding 30 days and the owner of the property is not required to occupy the dwelling unit as their primary residence.

These definitions do encompass most short-term rentals in Vulcan County, however, administration has received reports and has seen advertised the rental of, often a single, parked Recreational Vehicle on a farmstead or acreage for short term rental. Websites like AirBnB, VRBO, HipCamp, Outdoorsy etc. have the ability to list the Short-term rental of Recreational Vehicles at people's homes.

Unfortunately, because our current definition of Short-term Rentals states "means the operation of commercial accommodation within all or a portion of a dwelling unit..." this explicitly excludes

Recreational Vehicles being permitted as Short-term rentals as we have also defined Recreational Vehicles as “not allowable as a permanent dwelling”.

They also cannot be defined as “Campgrounds or Recreational Vehicle Parks” as our definition for those includes language “means a development designed with distinct sites for short-term camping purposes by **two or more** camping units.” So having a single Recreational Vehicle, listed as a short-term rental is not covered by this.

Another item of importance to note is that Short-term Rental 1 is listed as a Permitted Use in Rural General and there is currently no limit to the number of Short-term Rentals allowed to be operating on one property, though following the first unit, the addition of more short-term rentals becomes a discretionary use. The language in Schedule 5: Standards of Development is as follows:

SECTION 8 SHORT-TERM RENTALS

- 8.1 More than one (1) Short-Term Rental unit may be developed on the same property at the discretion of the Development Authority. Accessory buildings may be considered to be part of a Short-Term Rental use at the discretion of the Development Authority provided they are shown to be suitable for the intended purpose.
- 8.2 The Development Authority may establish the maximum number of occupants for a Short-Term Rental as a condition of approval.
- 8.3 The owner of a Short-Term Rental 2 shall provide the name and phone number of a local representative who can respond readily to any complaints received with respect to the use.
- 8.4 The Short-Term Rental shall post its development permit and the approved number of rental units and maximum occupancy in a conspicuous place within the unit.
- 8.5 Alterations to the principal building for the purpose of a Short-Term Rental may be permitted but shall not change the principal character or external appearance of the principal building.

Administration has come up with a few options to discuss:

- A. Create a new use for “Short-term rental RV”, with associated definitions, standards and application requirements then have operators obtain development permits.
- B. Amend the Campground and or Recreational Vehicle Park definition and have those who wish to pursue a Short-term rental of a recreational vehicle rezone to Rural Recreational and pursue a permit for a Campground or RV park.
- C. Amend the “Short-term rental” definition to include Recreational Vehicles as valid dwelling units in the context of a short-term rental.
- D. Allow the use as exempt from requiring a development permit by adding it to Schedule 3: Development Not Requiring a Development Permit with parameters and standards.

Though this use is a bit high profile and has received more attention, the prevalence of it in Vulcan County is not that high. At the time of writing, I know of two properties currently pursuing this use, and I have fielded phone calls for a potential third.

Strategic Plan Alignment

Foster a Collaborative Environment

Financial/Policy Consideration

Land Use Bylaw

FOIP Consideration

All bylaws are public documents.

Implementation/Communication

Administration will incorporate the direction of Council and bring the Land Use Bylaw text amendment to a future meeting.

Attachments:

Use Definitions Land Use Bylaw

Schedule 5: Section 8 Short-term Rentals

CAMPGROUND means a development designed with distinct sites for short-term camping purposes by two or more camping units. The use of the land is intended for seasonal occupancy by camping-related equipment. The campground may also include supplementary facilities such as an administrative office, washrooms, cooking and eating shelters, convenience retail operations, laundry facilities and a living area for the owner/operator. Also see **RECREATIONAL VEHICLE PARK**.

RECREATIONAL VEHICLE PARK means a lot or parcel of land intended for temporary occupancy **by two or more** recreational vehicles for travel, recreation, seasonal, or vacation usage for periods of stay subject to an approved conceptual scheme or area structure plan and its provisions. Uses where unoccupied recreational vehicles are offered for sale or lease, or are stored, are not included. Associated structures in a recreational vehicle park may include laundry facilities, restrooms, showers, sanitary dump facilities, water stations, playgrounds or storage areas intended to serve the needs of the residents of the park. Also see **CAMPGROUND**.

SHORT-TERM RENTAL 1 means the operation of commercial accommodation within all or a portion of a dwelling unit, including a Secondary Suite(s) or a room(s) in or a portion of a dwelling unit for a period not exceeding 30 days, and the owner or property manager of the property is required to occupy the dwelling (within the same suite or an attached suite), or an adjacent dwelling on the same parcel, as their primary residence and be present on the premises during the majority of the operation of the Short-Term Rental. For the purposes of this Bylaw a Short- Term Rental 1 includes a Bed and Breakfast.

SHORT-TERM RENTAL 2 means the operation of short-term commercial accommodation within all or a portion of a dwelling unit, including a Secondary Suite(s), or a room(s) in or a portion of a dwelling unit for a period not exceeding 30 days and the owner of the property is not required to occupy the dwelling unit as their primary residence.

SECTION 8 SHORT-TERM RENTALS

- 8.1 More than one (1) Short-Term Rental unit may be developed on the same property at the discretion of the Development Authority. Accessory buildings may be considered to be part of a Short-Term Rental use at the discretion of the Development Authority provided they are shown to be suitable for the intended purpose.
- 8.2 The Development Authority may establish the maximum number of occupants for a Short-Term Rental as a condition of approval.
- 8.3 The owner of a Short-Term Rental 2 shall provide the name and phone number of a local representative who can respond readily to any complaints received with respect to the use.
- 8.4 The Short-Term Rental shall post its development permit and the approved number of rental units and maximum occupancy in a conspicuous place within the unit.
- 8.5 Alterations to the principal building for the purpose of a Short-Term Rental may be permitted but shall not change the principal character or external appearance of the principal building.

SECTION 9 BUILDING DESIGN, CHARACTER, APPEARANCE AND QUALITY OF DEVELOPMENT

- 9.1 The Development Authority may impose conditions to ensure:
 - (a) that the design, character and appearance of a building is compatible with other buildings in the vicinity unless it is setting a higher standard of design, character and appearance for the land use district or a particular locality;
 - (b) that the design, character and appearance of the building is consistent with the purpose of the land use district in which the building is located;
 - (c) that a development complies with any provision of a statutory plan applicable to the design, character and appearance of the building in the district; and
 - (d) that, where the development is to be located adjacent to or within view of a highway, the Development Authority may require that the design of a building be to a higher standard than that required elsewhere in the County. This may include, but is not limited to:
 - (i) appearance of building,
 - (ii) landscaping, and
 - (iii) access/egress from property.
- 9.2 The Development Authority may attach reasonable planning related conditions to a development approval which serve to improve the quality of any proposed development within any land use district. Such special conditions may include, but are not limited to, landscaping, paving parking areas, exterior building finishes, setback variations, the control of noise, smoke, smell and industrial wastes.

SECTION 10 BUILDINGS WITH LIVE/WORK UNITS

- 10.1 A building may be occupied by a combination of one or more of the uses listed for a district and each use shall be considered a separate use and each use shall obtain a development permit.
- 10.2 A building may only contain uses where those uses are allowed within the particular district.



**VULCAN COUNTY
MINUTES**

Vulcan County Council Meeting
February 7, 2024
Council Chambers
Administration Building
102 Centre Street, Vulcan, Alberta

Present: Reeve Jason Schneider Councillor Laurie Lyckman
 Councillor Jodie Gateman Councillor Christopher Northcott
 Councillor Kelly Nelson Councillor Doug Logan

Absent: Deputy Reeve Shane Cockwill

Also Present: Nels Petersen, Chief Administrative Officer
Lansey Middleton, Legislative Services Manager
Whitney Ivarson, Municipal Assistant
Colleen Dickie, Development & Legislative Assistant
Anne Erickson, Manager of Development Services
Alena Matlock, Development Officer
Ryan Dyck, ORRSC Planner (remote attendance)
Mark DeBoer, Director of Corporate Services

As per Procedure Bylaw 2021-036, all resolutions of Council are recorded votes, when resolutions are carried unanimously, names will not be recorded.

Call to Order

Reeve Schneider called the meeting to order at 9:18 a.m.

Adoption of Agenda and Emergent Issues

CC 2024-01-07-01 MOVED BY COUNCILLOR NELSON that the agenda be adopted as amended, with the following additions:

- Closed Meeting 7(b) Tax Arrears: FOIP Section 24(1)(c)
- Closed Meeting 7(c) SAEWA Update: FOIP Section 24(1)(a)

CARRIED UNANIMOUSLY.

Adoption of Minutes

Minutes of the January 17, 2024 County Council Meeting

CC 2024-01-07-02 MOVED BY COUNCILLOR LYCKMAN that the minutes of the January 17, 2024 County Council Meeting be adopted as presented.

CARRIED UNANIMOUSLY.

County Council Meetings - Minutes February 07, 2024

Minutes of the January 17, 2024 Public Hearing for Bylaw 2023-029

CC2024-01-07-03 MOVED BY COUNCILLOR LOGAN that the minutes of the January 17, 2024 Public Hearing for Bylaw 2023-029 be adopted as presented.

CARRIED UNANIMOUSLY.

Council Correspondence

Council Action List

CC 2024-01-17-04 MOVED BY COUNCILLOR LOGAN that the Council Action List be accepted for information.

CARRIED UNANIMOUSLY.

Administration

Chinook Intermunicipal Subdivision and Development Appeal Board Member Appointment

CC 2024-01-17-05 MOVED BY COUNCILLOR NELSON that Council appoint Iuliana Morar as a member at large to the Chinook Intermunicipal Subdivision and Development Appeal Board for a term of two years.

CARRIED UNANIMOUSLY.

Bylaw 2023-029 Land Use Bylaw Amendment - Rezone - Vulcan District Ag Society

CC 2024-01-17-06 MOVED BY COUNCILLOR NORTHCOTT that Council give second reading to Bylaw 2023-029.

CARRIED UNANIMOUSLY.

CC 2024-01-17-07 MOVED BY COUNCILLOR LYCKMAN that Council give third reading to Bylaw 2023-029.

CARRIED UNANIMOUSLY.

Land Use Bylaw Amendment Discussion - Direction for Short-Term Rentals

CC 2024-02-07-08 MOVED BY COUNCILLOR NELSON that the Land Use Bylaw Amendment discussion regarding short term rentals be accepted for information.

CARRIED UNANIMOUSLY.

Tangible Capital Asset Policy 12-2214 Amendment

CC 2024-02-07-09 MOVED BY COUNCILLOR LOGAN that Council approve Tangible Capital Assets Policy 12-2214, as amended.

CARRIED UNANIMOUSLY.

Tool Allowance Policy 12-3146

CC 2024-02-07-10 MOVED BY COUNCILLOR GATEMAN that Council approve Policy 12-3146 Tool Allowance Policy, as presented.

CARRIED UNANIMOUSLY.

County Council Meetings - Minutes February 07, 2024

Disposal of a Portion of NW 12-14-25 W4

CC 2024-02-07-11 MOVED BY COUNCILLOR LYCKMAN that Council approve the sale of PT NW 12-14-25-W4 (5.25 acres) with the sale price to be set at the value determined by a third-party independent market value appraisal completed in accordance with the Uniform Standards of Professional Appraisal Practice by a certified Appraiser.

CARRIED UNANIMOUSLY.

Meetings with Provincial Ministers at 2024 RMA Spring Convention

CC 2024-02-07-12 MOVED BY COUNCILLOR LYCKMAN that, subject to availability, Council direct Administration to request meetings with provincial ministers at the 2024 RMA Spring Convention, as discussed.

CARRIED UNANIMOUSLY.

Reeve Schneider recessed the meeting at 10:30 a.m. and reconvened the meeting at 10:43 a.m.

Closed Meeting

CC 2024-02-07-13 MOVED BY COUNCILLOR GATEMAN that Council move to a closed session at 10:43 a.m. to discuss the following matters pursuant to the *Freedom of Information and Protection of Privacy Act*:

- Tax Payment Plan Agreement: *FOIP Section 24(1)(c)*
- Tax Arrears Listing: *FOIP Section 24(1)(c)*
- SAEWA Update: *FOIP Section 24(1)(a)*
 - Staff present: N. Petersen, W. Ivarson, C. Dickie, M. DeBoer

CARRIED UNANIMOUSLY.

CC 2024-02-07-14 MOVED BY COUNCILLOR GATEMAN that Council moved to an open meeting at 11:24 a.m.

CARRIED UNANIMOUSLY.

Public Input Session

Reeve Schneider opened Public Input Session at 11:25 a.m.

No one was present to address Council.

Reeve Schneider closed Public Input Session at 11:25 a.m.

Motions Arising out of the Closed Meeting

Tax Payment Plan Agreement

CC 2024-02-07-15 MOVED BY COUNCILLOR GATEMAN That Council approves a Tax Payment Plan Agreement with Owner Number 201492, including payments starting in January 2024 and ending in December 2024 (12-month term) inclusive of the estimated 2024 tax levies, as presented in the closed meeting.

CARRIED UNANIMOUSLY.

Tax Arrears Listing

CC 2024-02-07-16 MOVED BY COUNCILLOR LYCKMAN that Council record an Allowance for Doubtful Accounts for the tax arrears and penalties for the Tax Rolls that are not considered to be collectable (customer #180355), effective as at December 31, 2023. AND, that an Allowance for Doubtful Accounts be setup for levies and penalties that may be accrued until the Tax Rolls are completely written off.

CARRIED UNANIMOUSLY.

SAEWA Update

CC 2024-02-07-17 MOVED BY COUNCILLOR NORTHCOTT that the SAEWA Update be accepted as information.

CARRIED UNANIMOUSLY.

Councillor Reports

Written councillor reports were included in the agenda.

CC 2024-02-07-18 MOVED BY COUNCILLOR LOGAN that the Councillor Reports be accepted for information.

CARRIED UNANIMOUSLY.

Administrative Inquiries

Councillor Lyckman asked Administration if Vulcan County would be interested in paying postage for the newsletter that FCSS puts out in Carmangay, which is approximately \$37 per month. CAO Petersen said Administration would look into this.

Adjournment

Reeve Schneider adjourned the meeting at 11:33 a.m.

Jason Schneider, Reeve

Nels Petersen, CAO

Keri Thornton

From: Alena Matlock <devassist@vulcancounty.ab.ca>
Sent: February 7, 2024 10:32 AM
To: Keri Thornton; Bruce Paterson
Subject: Discussion regarding short term RV rentals

Good morning,

As we discussed I had the Short-term RV rentals item on the meeting agenda today. Following a bit of discussion around the table, Council has decided to make no changes to our current Land Use Bylaw.

So that means to pursue the development of the RV for short term rental on your property, you will first need to have two RVs, to meet the definition of the campground, but you must also pursue the Land Use Bylaw amendment to rezone the portion of your property you wish to host the RVs on.

The process will go: Land Use Bylaw Amendment application first, with all the information regarding the scope of the development proposal, as well as the plan for operations, emergency response, proposed utility installations, and any other information that supports your reasoning for making the application

If the rezoning work is successful, then an application can be made for a development permit for a Recreational Vehicle Park or a Campground (Also requires minimum of two RVs).

There was no appetite from council to introduce an avenue to pursue this development in a singular or one-off type fashion.

I have sent you the information regarding making the Land Use Bylaw amendment last week, so hopefully you've had a chance to look it over. I am here for questions or to help you in making your application to Council for the Land Use bylaw amendment should you choose to pursue it.

Please let me know if you have any questions.
Thanks,

Alena Matlock

Development Officer

Vulcan County

102 Centre Street | Box 180 | Vulcan | TOL 2B0

Office: (403) 485-2241

Direct: (403) 485-3135

Fax: (403) 485-2920

devassist@vulcancounty.ab.ca

- 10.3 An applicant applying for a building with live/work unit(s) must submit a site plan and floor plans for all buildings, identifying each use and indicating the location and area required for each use.
- 10.4 The Development Authority may require that each use has its own separate utility servicing lines and infrastructure provided.
- 10.5 The minimum size of a dwelling unit shall be 46.4 m² (700 ft²).
- 10.6 The dwelling unit shall be part of and contiguous with the building that contains the non-residential use.
- 10.7 The non-residential component of a live/work unit will be a minimum of 25 percent of the Gross Floor Area.
- 10.8 Separate entrances shall be provided for the non-residential and residential uses. Each entrance shall have direct or indirect (via a hallway) access to a public street.

SECTION 11

CAMPGROUNDS AND RECREATIONAL VEHICLE PARKS

- 11.1 For the purposes of this Bylaw, any development that contains or provides for two or more camping units for commercial camping purposes is considered a campground and must apply for and obtain a development permit.
- 11.2 An application for a development permit shall include:
 - (a) a site plan illustrating in detail the proposed improvements to the site, including camping areas, roadways, natural barriers, landscaping, perimeter fencing, storage areas, playgrounds and utility areas;
 - (b) an analysis of the biophysical characteristics of the subject lands, including how environmentally sensitive areas and species shall be protected;
 - (c) a utility servicing plan indicating how water and sewer will be provided and managed;
 - (d) floor plans, elevations and sections of the buildings at a minimum scale of 1:200 or such other scale as required by the Development Officer for any proposed buildings;
 - (e) a business plan including hours and season of operation, number of employees, site security, camping rules, refuse management and any other relevant matters;
 - (f) a fire and emergency management plan.
- 11.3 The following design standards shall be adhered to during the development and operation of a campground or recreational vehicle park:
 - (a) minimum site area of 1.2 ha (3 acres) unless otherwise allowed by the Development Authority;
 - (b) the campground layout shall promote the conservation and management of habitat, wetlands and coulees/steep slopes;
 - (c) a minimum 7.6 m (25 ft) natural or landscaped defensible space buffer shall be provided from property line and maintained free of camping stalls or units;
 - (d) a minimum of 10 percent of the total site shall be set aside in a location suitable to the Development Authority as a common open space recreation area;
 - (e) each camp site stall must be accessed by an internal road;

Keri Thornton

From: Jason Schneider <Jason.Schneider@vulcan.ca>
Sent: February 14, 2024 8:31 AM
To: Keri Thornton
Subject: Re: Request for Help & Guidance re Ongoing Development

All good points!

I was wondering why I had two open days next week and the Family Day holiday explains it!

How about we go with Tuesday, Feb. 20 at 10am? I'm flexible on the time if earlier or later works better for your schedule.

Thanks
Jason

Jason Schneider
Reeve - Vulcan County
Office: 403-485-2241
Cell: 403-485-1803
102 Centre Street
Box 120, Vulcan, AB, T0L 2B0

From: Keri Thornton <info@keyholerealestate.ca>
Sent: Wednesday, February 14, 2024 7:25 AM
To: Jason Schneider <Jason.Schneider@vulcan.ca>
Subject: RE: Request for Help & Guidance re Ongoing Development

Good morning Jason

Thanks for coming back to me so quickly. We appreciate the opportunity to meet with you to exchange ideas to hopefully find a path forward.

It's to be chilly tomorrow morning, so may not be ideal to have an outdoor discussion if we can avoid it. Next week looks to be a little kinder, although Feb 19th is the Family Day holiday. We wouldn't expect you to work on a holiday however, if it suits your schedule then we're free from 11:00am onwards. Let me know if you're bringing the family and we can prepare the fire pit for some dogs.

If Monday Feb 19th doesn't work for you after all, we totally understand. We're also available the morning of Tuesday Feb 20th when it would be perfect for us if you could schedule us as your first appointment of the day.

Looking forward to meeting you.

Kind regards

Keri
Keri Thornton ABR. SRES. CCS

REALTOR | REAL ESTATE BROKER



Keyhole Real Estate | 28-10 Avenue SE | High River AB T1V 1E7
Call/Text: (403) 852-6021 | email:info@keyholerealestate.ca | www.keyholerealestate.ca

From: Jason Schneider <Jason.Schneider@vulcan.ca>
Sent: Tuesday, February 13, 2024 9:59 PM
To: Keri Thornton <info@keyholerealestate.ca>
Subject: Re: Request for Help & Guidance re Ongoing Development

Thanks for the email Keri, I would welcome an opportunity to meet with you.

My schedule is a bit messy this week, I am available on Thursday morning (Feb 15), or additionally I'm surprisingly open on Feb 19 or 20 of next week. Not sure what time works best for you, but early next week I'm pretty flexible.

Let me know if any of those 3 dates work for you, or we can look for an alternate.

Thanks
Jason

Jason Schneider
Reeve - Vulcan County
Office: 403-485-2241
Cell: 403-485-1803
102 Centre Street
Box 120, Vulcan, AB, T0L 2B0

From: Keri Thornton <info@keyholerealestate.ca>
Sent: Monday, February 12, 2024 3:30 PM
To: Jason Schneider <Jason.Schneider@vulcan.ca>
Subject: Request for Help & Guidance re Ongoing Development

You don't often get email from info@keyholerealestate.ca. [Learn why this is important](#)
Good afternoon Jason

We're hoping that you can help and/or provide some guidance as our Ward councillor. We have a small development on our property with one short-term rental cabin and are looking at innovative ways to expand on our development without a high impact on our property or the environment surrounding us in general. We have had

some guidance from the MD Planning Department, however the problem that we now have is that our proposed development does not fit under any existing Bylaws, so we're seeking an out-of-the box solution that will allow us and other similar hospitality providers / homesteaders to bridge a gap in providing short-term accommodation on a smaller scale. We have been overwhelmed by the support that we have received from the Vulcan County Planning Department & Committee and have seen first-hand how willing they have been to adapt and make provisions to bylaws to meet changing needs and times. To date, we can't speak highly enough about Vulcan County; most recently our experience with the Roads department which was nothing short of exemplary. Our move from Foothills was an eye opener and we've been pleasantly surprised by the support and generosity shown from the Vulcan community, from visitors and temporary workers (all evident from our reviews and feedback) to contractors and small local businesses that we have built relationships with and who have – and continue to - supply us with goods and services. With rental property both in Vulcan town and our rural location, we recognise that there are fundamental differences between the two and the rural aspect is definitely unique in its own right and our vision for our rural location is as different as the location is itself.

We've always been aware that change and forward-thinking is not always welcomed by all, particularly when those changes are sparked by incomers to a community. We understand that change and forward-thinking may not always be welcomed by everyone, especially when introduced by newcomers to a community. However, by fostering open dialogue and sharing ideas, we aim to present our suggestions to address new problems in a more nuanced manner. This innovative approach was a significant factor in our decision to move to and invest in Vulcan County as a long-term retirement plan. We are genuinely excited about the prospect of having a positive impact on the growth of Vulcan County for future generations.

We would like to invite you to visit our property to witness firsthand the successful result of the development that your committee approved last year. Bruce attended the meeting and felt genuine interest and excitement from the committee, which was a refreshing change from Foothills. We take immense pride in the outcome – and we invite you to review our Facebook page (www.facebook.com/ballacresfarmvacations) about how we continue to work to breathe new life into our property while maintaining a respect for the history and heritage that came before us. We would be honoured if you (and your fellow Councillors, should they also like to come and see our work thus far) could experience it firsthand. We understand that you are a busy family man, so we are prepared to accommodate any date and time that best suits your schedule. We eagerly await the opportunity to meet you in a less formal setting as our Ward Councillor and share our vision with you. You are of course welcome to bring your family, who are also welcome to stroll around the guest pathways and enjoy the views, or play some disc golf in our guest paddock.

Thank you for taking the time to read this email. Please advise when works for you to visit, and we will ensure the kettle is on and/or the beer is chilled for your visit!

Kind regards

Keri Thornton & Bruce Paterson

Keri Thornton ABR. SRES. CCS
REALTOR | REAL ESTATE BROKER



Keri Thornton

Per Reference: xvi

Appeal re refused Vulcan County
Development Permit 24-2024
Thornton / Paterson

From: Jason Schneider <Jason.Schneider@vulcan.ca>
Sent: March 16, 2024 11:07 PM
To: Keri Thornton
Subject: Re: Request for Help & Guidance re Ongoing Development

Hi Keri,

I've had the chance to float a few ideas around, and unfortunately I don't think I've got a silver bullet solution to this one, which probably doesn't come as a surprise.

Now as far as what the next steps are, I think you've got two paths.

1. Rezone to Campground - So this is obviously not your preferred route, totally understand. If you were to go down this route, you would need waivers which might include things like a waiver of having a hard-top road to service (which is a common waiver for campgrounds), a waiver for parking requirements, and a waiver of the two unit minimum, etc. Honestly the waivers probably wouldn't be the hardest part, the part where this breaks down is in the fact that you are looking for a "permanent" use, which is where you stray from the campground definition as the RV would not be moving and campgrounds would be considered "non-permanent".

2. Apply for rezoning to Direct Control district - So this solution is one that council hasn't been a huge fan of in the past because it adds some complexities to the mix. Essentially it's a zoning for unique developments or land uses that just don't fit anywhere else or council deems the need to control their use and development directly as opposed to going through the normal Planning Commission route. There are pro's and con's to this and adds a bit of a layer of complexity particularly if you want to do any other development on the rezoned piece of property as it would all have to go to Council for a decision. So this would by no means be a simple solution, but may be an avenue to allow you to pitch your concept to council of having a "Permanent RV" as a short-term rental. The concerns that were raised at the meeting earlier this year would need to be addressed, particularly I'd think having the RV affixed to a permanent foundation as that was brought up. Council has been hesitant to use this zoning as it circumvents the development process a bit as well as potentially sets a precedent for other developments and has been a little more controversial as it removes the ability for appeal. This would be something you'd probably want to explore further with our development team for a better explanation of than my one paragraph stab at it. I don't think it's the perfect solution or a slam dunk, but it might be a path forward.

Ultimately, from the discussion that occurred at our earlier meeting where land use bylaw amendments were discussed, the concern was that this type of short-term rental was not something Council had much of an appetite for across the board or across the County. Now your development is very unique compared to anything else we have in the County, so whichever way you go you will have to convince Council that your development is unique, will not carry negative impacts or set a precedent.

I think you will probably want to setup a meeting with the development team to go over this a bit more, I've met with Anne and Alena to go over my thoughts on what the next steps might be so they are aware of what I'm suggesting. I was out of the office at a conference last week and am leaving for meetings in Edmonton tomorrow afternoon so I haven't touched base with them for a couple days now and they may have some other ideas since I spoke with them last.

I hope this helps a little bit and maybe moves things forward. Please let me know if you have any questions.

Thanks
Jason

Jason Schneider
Reeve - Vulcan County
Office: 403-485-2241
Cell: 403-485-1803
102 Centre Street
Box 120, Vulcan, AB, T0L 2B0

From: Keri Thornton <info@keyholerealestate.ca>
Sent: Friday, March 15, 2024 3:48 PM
To: Jason Schneider <Jason.Schneider@vulcan.ca>
Subject: FW: Request for Help & Guidance re Ongoing Development

You don't often get email from info@keyholerealestate.ca. [Learn why this is important](#)

Good afternoon Jason

I hope you have had a good week after your time away from the County!

I'm just checking in to see how things are progressing following our chat. Is there any further information or anything else we can do to help you present the issue of using RV's as short-term accommodation to Council to find a way forward in our applying to amend a Bylaw – and preferably not the campground bylaw! - to accommodate this.

Have a great weekend!

Kind regards

Keri

Keri Thornton ABR. SRES. CCS
REALTOR | REAL ESTATE BROKER



Per Reference: xvii

Appeal re refused Vulcan County
Development Permit 24-2024
Thornton / Paterson

P.O. BOX 180
VULCAN, ALBERTA
TOL 2B0

TELEPHONE: 1-403-485-2241
TOLL FREE: 1-877-485-2299
FAX: 1-403-485-2920
www.vulcancounty.ab.ca

March 21, 2024

Our File: DP 24-2024

Keri Thornton & Bruce Paterson
PO Box [REDACTED]
Vulcan, AB TOL 2B0

<sent via email to keri@keyholerealestate.ca>

Notification of Proposed Development

Vulcan County has received your development permit application:

Legal Land Location: Plan 2011054, Block 1, Lot 1 within NW 2-17-25 W4
Type of Development: Similar in Nature to: Short Term Rental 1
Land Use District: (RG) – Rural General
Applicant: Keri Thornton & Bruce Paterson

Please consider this letter as confirmation that your application has been deemed complete. However, as per Section 683.1(10) of the Municipal Government Act, the development authority may, in the course of reviewing the application, request additional information and documentation from the applicant that the development authority considers necessary.

The Municipal Planning Commission will be meeting to consider this application on **April 3, 2024** at 9:00 a.m. Vulcan County Administration Building, 102 Centre Street Vulcan, Alberta. You are welcome to attend.

If you have any questions about the permitting process or if you require more information, please contact the Vulcan County office, quoting the above file number by **4:00 pm on April 2, 2024**, to the Development Department via regular mail, fax, email devassist@vulcancounty.ab.ca, or call 403-485-3135.

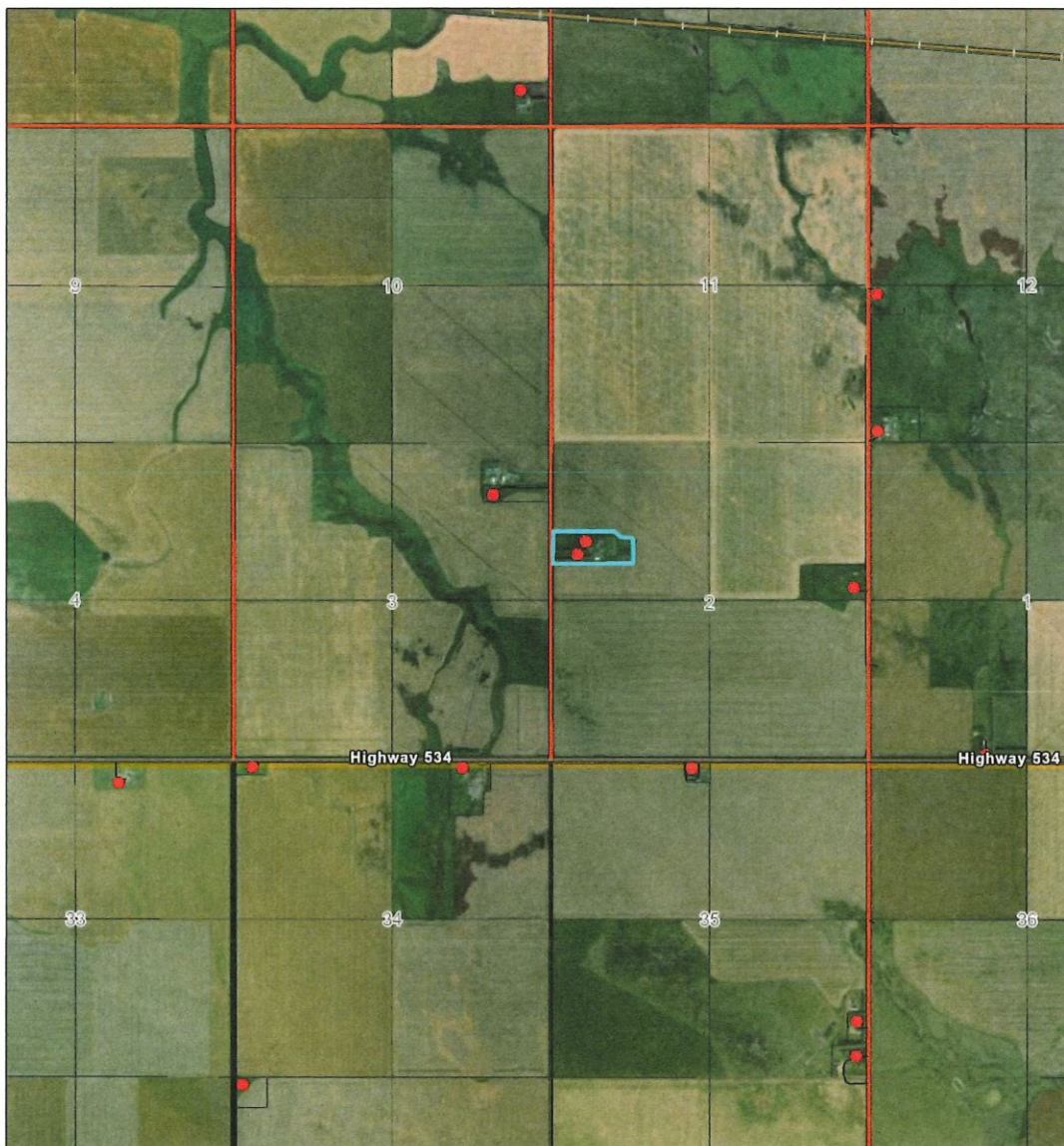
Kindest Regards,

Alena Matlock
Development Officer
Vulcan County



Re: Development Permit Application - March 20, 2024
 170055 Range Road 252 | Vulcan County | W4 R25T17 S2 Q1W

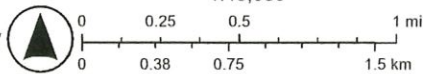
Ortho 24-2024



3/21/2024, 9:46:44 AM

1:45,030

- Residences
- Landowners (March 1, 2024)
- Provincial Secondary Highway
- Railway
- County Gravel Road
- County Paved Road



Esri Canada, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc. METI/NASA, USGS, EPA, USDA, NRCan, Parks Canada, Southern Alberta, Earthstar Geographics



2) DEVELOPMENT DETAILS

Proposed Development

Please detail the proposed development including uses, buildings, structure, and any other planned renovations or improvements; including the dimensions of each.

Re-purposing a travel trailer into short-term seasonal accommodation. We acknowledge that a travel trailer, in its virgin state, cannot be approved for short term accommodation so we propose to re-purpose it in the same way that one may convert an airplane fuselage, grain-bin, school bus, sea can or anything else that they may choose to serve as short term, seasonal accommodation. In order to do so, we propose to remove all of the elements that uniquely make a travel trailer suitable for travel and, in doing so, essentially permanently convert it from its original purpose. To this effect, we propose to:

- Remove the axles, including the wheels braking system and entire suspension
- Remove the hitch
- Remove the VIN
- Remove the licence plate
- Site frame on permanent jack-stands
- Skirt the structure
- Site structure on a gravel pad
- Connect it to permanent services that have been inspected and approved
- Install permanent stairs, including handrail
- Remove all exterior decals that reference brand and model
- Landscape and develop around the structure

In doing so we will negate the ability to move the structure as one would normally; it will cease to be a travel trailer and would become a repurposed structure, to be used as short term seasonal accommodation between the months of April and September (inclusive)

Estimated Commencement Date: March 27, 2024

Estimated Completion Date: April 14, 2024

Estimated cost of the project (\$): \$5,000

For **residential** developments please check all applicable boxes below:

- | | |
|--|---|
| <input type="checkbox"/> Single detached dwelling | <input type="checkbox"/> Manufactured home 1 (new) |
| <input type="checkbox"/> Semi-detached dwelling | <input type="checkbox"/> Manufactured home 2 (previously occupied) |
| <input type="checkbox"/> Ready-to-move home (new) | <input type="checkbox"/> Accessory building to approved use |
| <input type="checkbox"/> Moved-in dwelling (previously occupied) | <input type="checkbox"/> Accessory building prior to principal building |
| <input type="checkbox"/> Modular home | <input checked="" type="checkbox"/> Other: |

Short-term seasonal rental 1

3) Other

Access

Is the parcel adjacent to an existing developed roadway? Yes No

Is the parcel currently subject to an Approach Agreement with Vulcan County? Yes No

Servicing

Please indicate how the proposed development will be serviced

Water Supply

Cistern Well Dugout Coop

Other: _____

Sewer Servicing

Septic Tank Septic Field Communal

Other: _____

Location

Please indicate if any of the following are within 1.6 km (1 mile) of the proposed development

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Provincial Highway | <input type="checkbox"/> Confined Feeding Operation | <input type="checkbox"/> Sour gas well or pipeline |
| <input type="checkbox"/> Sewage Treatment Plant | <input type="checkbox"/> Waste Transfer Station or Landfill | <input type="checkbox"/> River or Waterbody |

Please indicate if any of the following are within 800m (1/2 mile) of the proposed development

- | | |
|--|---|
| <input type="checkbox"/> Slope of 15% or greater | <input type="checkbox"/> Existing multi-lot residential subdivision |
|--|---|



4) Declaration

I/We have read and understand the terms noted below and hereby apply for a development permit to carry out the development described within this application including any attached forms, plans, and documents.

I/We hereby certify that all plans and information submitted are, to the best of my knowledge, true and correct.

I/We hereby certify that the registered owner of the land is aware of and in agreement with this application.

I/We hereby give consent to allow authorized persons the right to enter the subject land and/or building(s) for the purpose of an inspection with respect to this application.

Date: March 20, 2024

Applicant's Signature: Keri Thornton Digitally signed by Keri Thornton
Date: 2024.03.20 13:00:49 -06'00'

Date: _____

Registered Owner's Signature: _____
(Required If Different from Applicant)

5) Development Permit Process

1. The Development Permit Application is to be submitted along with the application fee as described in the Fees for Service Bylaw and any additional information as indicated in Appendix A.
2. The County office will then notify adjacent landowners and may place an ad in the Vulcan Advocate respecting the proposed development.
3. You will receive a copy of the Notice of Decision and Development Permit Application in the mail dated the day the Development Permit was approved, although the Development Permit is not valid until 21 days after the Date of Issue of Notice of Decision.
4. The Development Permit is subject to all conditions specified on the Development Permit.
5. After the advertisement period a copy of the Development Permit and Notice of Decision will be sent to all relevant stakeholders which may require a copy of the approved development permit.
6. If your application has been refused or approved subject to conditions set forth by the Development Authority, you can appeal the decision to the **SUBDIVISION AND DEVELOPMENT APPEAL BOARD** or **LAND AND PROPERTY RIGHTS TRIBUNAL**, as specified on in the Development Permit or Notice of Refusal. If an applicant wishes to appeal the decision, a written notice of appeal must be served to the Vulcan County Planning and Development Department **within 21 days of the Date of Issue of Notice of Decision**. Vulcan County's Planning and Development Department will then forward the appeal to the relevant appeal body. Appeals may be mailed to:

VULCAN COUNTY PLANNING AND DEVELOPMENT
180 VULCAN, ALBERTA T0L 2B0
Phone 403-485-2241 Fax 403-485-2920

Keri Thornton

From: Alena Matlock <devassist@vulcancounty.ab.ca>
Sent: April 2, 2024 10:53 AM
To: Keri Thornton
Subject: Info on RV
Attachments: Section 39 Similar Use.pdf

Good morning Keri,

We did a final agenda review this morning and a couple of questions came up that I think would be good to provide information on at the outset.

So, the procedure of a “similar to” use proposal is slightly different than a regular discretionary use application. It is a two step process where MPC is first asked to determine if your proposal is similar to the use that is listed in the Land Use District. If they determine that it is, then they will hear the application as a normal discretionary use permit. If they determine it is not similar to the use that is listed in the Land Use District, then the permit shall be refused. (Section 39.4c Language directly out of the Bylaw attached).

All that to say, that if they do decide to hear it as a regular application, then they would like a bit more information about the RV. Could you provide me with a few items before tomorrow? I know it’s very short notice. They would like some photos of the outside and inside of the RV, as well as the age and model of the RV and a floor plan layout of the RV.

Please let me know if you have any questions.
Thanks!

Alena Matlock

Development Officer

Vulcan County

102 Centre Street | Box 180 | Vulcan | T0L 2B0

Office: (403) 485-2241

Direct: (403) 485-3135

Fax: (403) 485-2920

devassist@vulcancounty.ab.ca

SECTION 38 DEVELOPMENT PERMITS IN DIRECT CONTROL DISTRICTS

38.1 In accordance with section 641(4)(a) of the *MGA*, there is no opportunity to appeal an application for a development permit in a Direct Control district.

SECTION 39 SIMILAR USE

39.1 Upon receipt of an application for a development permit for a use that is not specifically defined in the Use Definitions in Schedule 2, but which may be similar in character and purpose to other uses of land and structures in the land use district in which such use is proposed, the Development Officer may classify the use as either similar to a permitted use or similar to a discretionary use.

39.2 Where a use has been classified similar to a permitted use, the Development Officer may process the application accordingly as a permitted use or refer the application to the Municipal Planning Commission for a decision. The notice of the decision shall be subject to Section 44.

39.3 Where a use has been classified similar to a discretionary use for which the Municipal Planning Commission is authorized to issue a decision, the Development Officer shall:

- (a) notify adjacent landowners and other persons likely to be affected in accordance with Section 43; and
- (b) refer the application to the Municipal Planning Commission for a decision.

39.4 Upon referral of an application by the Development Officer for a use that may be similar in character and purpose to a permitted or discretionary use, the Municipal Planning Commission:

- (a) shall rule whether or not the proposed use is similar to a use in the land use district in which it is proposed;
- (b) if the proposed use is deemed similar to a use in the land use district in which it is proposed, the application shall be reviewed as a discretionary use application;
- (c) if the proposed use is not deemed similar to a use in the land use district in which it is proposed, the development permit shall be refused.

SECTION 40 TEMPORARY USE

40.1 Where a proposed development is for a discretionary use, the Development Authority may issue a temporary development permit for that development if:

- (a) the proposed development is of a temporary nature;
- (b) the Development Authority wishes to ensure the suitability or compatibility of a multi-phase project prior to allowing full build out of the project by only allowing one or more phases to commence;
- (c) the Development Authority wishes to ensure that the development authorized by the permit will cease by a specified date or will not be ongoing indefinitely.

40.2 Temporary use applications shall be subject to the following conditions:

- (a) the applicant or developer is liable for any costs involved in the cessation or removal of any development at the expiration of the established time period;
- (b) the Development Authority may require the applicant to submit security guaranteeing the cessation or removal of the temporary use; and



Per Reference: xix
Appeal re refused Vulcan County
Development Permit 24-2024
Thornton / Paterson

VULCAN COUN MINUTES

**Municipal Planning Commission
Meeting**
9:00 a.m.
April 3, 2024
Council Chambers
Administration Building
102 Centre Street, Vulcan, Alberta

Present: Chair Kelly Nelson
Member Jodie Gateman
Member Jason Schneider
Member Shane Cockwill
Member Laurie Lyckman

Absent: Vice Chair Doug Logan

Also Present: Nels Petersen, Chief Administrative Officer
Lansey Middleton, Legislative Services Manager
Colleen Dickie, Development & Legislative Assistant
Anne Erickson, Manager of Development Services
Alena Matlock, Development Officer
Ryan Dyck, ORRSC Planner(remote)

As per Procedure Bylaw 2021-036, all resolutions of the Municipal Planning Commission are recorded votes, when resolutions are carried unanimously, names will not be recorded.

Call to Order

Chair Nelson called the meeting to order at 9:00 a.m.

Adoption of Agenda and Emergent Issues

MPC 2024-04-03-01 MOVED BY MEMBER LYCKMAN that the agenda be adopted as presented.

CARRIED UNANIMOUSLY.

Adoption of Minutes

Minutes of the March 13, 2024 Municipal Planning Commission Meeting

MPC 2024-04-03-02 MOVED BY MEMBER SCHNEIDER that the minutes of the March 13, 2024 Municipal Planning Commission Meeting be adopted as presented.

CARRIED UNANIMOUSLY.

Action List

Development Permit Summary

MPC 2024-04-03-03 **MOVED BY MEMBER GATEMAN** that the Development Permit Summary be accepted as information.

CARRIED UNANIMOUSLY.

Development Permits

Development Permit 21-2024 - King

Second Dwelling

Plan 9612380, Lot 25

Administration spoke to the application. There are a few minor deficiencies noted on the home inspection and contractors will be hired to complete the repairs. The home will be placed on a full basement. A new shared driveway will be built within the property and a rural address sign will be applied for.

Chair Nelson invited the applicant to the table. Lance King, applicant, came forward to speak to his application. He said the reason for the second dwelling is to house their eldest daughter.

Questions for the applicant:

- Where will the new residence be located?
- Will there need to be anymore information for the shared driveway?

Mr. King said the new residence will be located between the two rows of trees on the east side. As the shared driveway is within the construction boundaries, there won't be any more information required. There are contracts in place with the neighbors for the shared driveway.

Chair Nelson thanked Mr. King for coming forward.

No concerns were received from the neighbors.

No one else came forward.

MPC 2024-04-03-04 **MOVED BY MEMBER COCKWILL** that Development Permit 21-2024 for a **Second Dwelling/Moved in Dwelling** in Grouped Country Residential on Plan 9612380, Lot 25 as applied for by Lance King be **APPROVED**, subject to the following conditions:

1. No Development authorized by this Development Permit shall commence:
 - a. Until at least 21 days after the issue of the Development Permit, or
 - b. If an appeal is made, until the appeal is decided on.
2. The minimum/maximum requirements for all setbacks as established in Land Use Bylaw 2020-028 are met.
3. All outstanding taxes owed to Vulcan County shall be paid prior to the commencement of this development.
4. This is not a building permit; all Permits as required under the Safety Codes Act and its regulations shall be obtained and a copy of the Building Permit and any other required

Municipal Planning Commission (MPC) Meetings - Minutes April 03, 2024,

Safety Code Act approvals or permits shall be submitted to the County.

5. The applicant is solely responsible to obtain and comply with any other required Municipal, Provincial or Federal government permits, approvals, or licenses.
6. That the Second Dwelling be situated on a permanent foundation.
7. The applicant enters into an Approach Agreement with Vulcan County.
8. The applicant obtains a Rural Address sign for the new dwelling from Vulcan County.
9. The applicant constructs a driveway for the new home to the Private Driveway Standard in Policy 32-1012.
10. That the following deficiencies identified in the home inspection report be repaired or replaced to the satisfaction of the Development Authority.
 - a. Electrical panel deficiencies
 - b. Minor Plumbing deficiencies
 - c. Chimney height deficiencies
11. This Development Permit is valid for 12 months from the date of issue unless extended in accordance with the Land Use Bylaw.

CARRIED UNANIMOUSLY.

Development Permit 22-2024 - Arrowwood Colony

Multi-unit Dwelling

NW 28-19-25 W4

Administration spoke to the application.

No concerns were received.

The applicant was not present.

No one came forward.

MPC 2024-04-03-05 MOVED BY MEMBER SCHNEIDER that Development Permit 22-2024 for a **Multi-unit Dwelling** in Rural General on NW 28-19-25 W4 as applied for by Arrowwood Colony, be **APPROVED**, subject to the following conditions:

1. No Development authorized by this Development Permit shall commence:
 - a. Until at least 21 days after the issue of the Development Permit, or
 - b. If an appeal is made, until the appeal is decided on.
2. The minimum/maximum requirements for all setbacks as established in Land Use Bylaw 2020-028 are met.

Municipal Planning Commission (MPC) Meetings - Minutes April 03, 2024,

3. All outstanding taxes owed to Vulcan County shall be paid prior to the commencement of this development.
4. This is not a building permit; all Permits as required under the Safety Codes Act and its regulations shall be obtained and a copy of the Building Permit and any other required Safety Code Act approvals or permits shall be submitted to the County.
5. The applicant is solely responsible to obtain and comply with any other required Municipal, Provincial or Federal government permits, approvals, or licenses.
6. That the Multi-unit Dwelling be situated on a permanent foundation.
7. This Development Permit is valid for 12 months from the date of issue unless extended in accordance with the Land Use Bylaw.

CARRIED UNANIMOUSLY.

Development Permit 24-2024 - Thorton/Paterson

Similar to: Short-term Rental 1
Plan 2011054, Block 1, Lot 1

Administration spoke to the application and explained the process to review. MPC will decide if the use is Similar to Short Term Rental 1 in Rural General and if it meets the requirements of Vulcan County's Land Use Bylaw.

No concerns were received from agencies.

Concerns were received from adjacent landowners as to how it would affect them.

Chair Nelson invited the applicants to the table. Applicants Keri Thorton and Bruce Pattison came forward.

Questions for the applicants:

- Have the concerns of the adjacent landowners been addressed?
- Did you install the single wire, barbed wire fence?
- In your letter it said that you had County approval of culverts to direct water flow. What does this mean?
- Is the trail on the map used?
- How long has the trailer been on site?
- How was the trailer permitted?
- Was the trailer advertised on Air BnB before it was permitted?
- What is the trailer sitting on?

The applicants stated that trespassing on adjacent land is unlikely to happen as most guests are contractors working in the area and only adult guests are allowed. There are three rows of trees between most sides of the development, so the perimeters are defined. A fence is planned for the northeast side in the future. No fire pits are allowed. We did not install the barbed wire fence. It is along the range road. The culvert has been installed to divert water so that it does not flow over the approach. The trail is used for the lawnmower and for an emergency exit. The trailer had been

Municipal Planning Commission (MPC) Meetings - Minutes April 03, 2024,

applied for and approved but due to administration error, it has to be re-approved. The trailer was for one or two contractors to stay in. We do not use our cabin for contractors. The trailer was advertised on Air BnB before it was permitted but that was our error. The trailer will be sitting on what ever the bylaw allows.

Chair Nelson asked if there is anyone affected by this application to come forward.

Ed and Joanne Kettenbach came forward. They represent Heartland Farms which owns the neighboring land on either side. The Kettenbach's said they have questions about the trailer as they saw people staying in the trailer. They have seen comments on Air BnB. Also the Cabin, trailer, plus a tent was being used. They are concerned about an increase of people on the land as it is very close to their land. The trail is inches from their son's land. People that come out to the country may not be aware of what happens on Ag land. They are very concerned about the use of the land for recreational purposes. There is a fire structure on the site. They are very concerned about the increase of people near their Ag land.

Questions to the Kettenbach's:

- Which part of the trail are questionably used near your land?
- What concerns do you have?

The Kettenbach's said the trail does not have a barrier on it. People were questioning the noise from the bin dryers on our land.

Chair Nelson thanked the Kettenbach's for coming forward.

Chair Nelson invited the applicants to the table for rebuttal.

Mr. Pattison and Ms. Thorton came forward. Mr. Pattison said they are happy to discuss any issues with the adjacent landowners. Our map that we give out to our guests clearly states there are no trespassers allowed on the adjacent land. We hosted a family event in which the cabin, trailer and a tent were used. We only asked about the bin dryer noise out of curiosity, not a complaint.

Questions for the applicants:

- How long have you lived on the property?
- Where is the trail on your property?
- What mitigating items are you explaining to your guests in order to set things straight?
- Farming operations could be going all hours of the day and night. Notifications from the adjacent landowners may be overlooked.

Mr. Pattison stated they have lived on the property since December 2022. The trail goes from the west to the east and we have installed marker posts to identify the boundaries. We have a massive liability with having people on our property. We warn people to be aware of activities that go on in the area. We hope that the neighbors will let us know if there are farming operations that are going on, for safety reasons.

Question for administration:

- What exactly is this development application for?

Administration stated that it is for a short-term rental, seasonal dwelling.

Questions for the applicants:

Municipal Planning Commission (MPC) Meetings - Minutes April 03, 2024,

- How do the trails connect?
- Are you okay with the requirements from the County?
- If this is approved, is there an idea of a campsite considered? A short-term accommodation using a trailer does not meet the bylaw requirements. A campground use would comply with the bylaw. If this goes forward, it would set a precedent for RV's as a secondary dwelling.
- What is the purpose of the trail that presents some concerns with the neighbors?

Mr. Pattison responded stating the grass gets mowed to the left of the row of trees by the range road. It is just a lazy loop around the grain bins. The guests do not have access to our private yard. The northern, eastern and southern boundaries will be fenced for clear definition. We will do all of the modifications to make the site more pleasing. We realize that this is a new type of application and are willing to make all of the required changes. We do not want a campground. This piece of land is our home. We are not campers and have no desire to run a campground. We developed the corner of the property because it is a private spot. If we were to rezone it, it would open it up to all types of issues. We just want a short-term accommodation to manage. We do not want to expand or have a campground. We want to create something really nice. The trail creates privacy for us and our guests. This could create a precedent as to how things should be done.

Question for administration:

- Similar in nature sets a precedent as this is totally new. Is this zoned rural general?
- There are so many questions to look at. Can an RV become not an RV?
- Does any other municipality allow this kind of development?
- Can this trailer pass a safety inspection?

Administration stated that it is zoned rural general. We have not come across this kind of development before. The trailer could have an inspection but it is done through a different code.

Mr. Pattison stated that this application is for a short-term seasonal development and our first application was for a fulltime cabin.

Chair Nelson thanked Mr. Pattison and Ms. Thorton for coming forward.

Chair Nelson recessed the meeting at 10:04 a.m. and reconvened the meeting at 10:11 a.m.

Private Deliberations

MPC 2024-04-03-06 MOVED BY MEMBER GATEMAN to move into a closed session at 10:11 a.m. pursuant to Section 197(2.1) of the *Municipal Government Act*.

CARRIED UNANIMOUSLY.

MPC 2024-04-03-07 MOVED BY MEMBER LYCKMAN that the Municipal Planning Commission move to an open session at 10:59 a.m.

CARRIED UNANIMOUSLY.

Chair Nelson recessed MPC at 10:59 a.m. until the conclusion of Council meeting. Reconvened at 2:50 p.m.

MPC 2024-04-03-08 MOVED BY MEMBER GATEMAN to move Municipal Planning Commission back into a closed session at 2:50 p.m.

CARRIED UNANIMOUSLY.

MPC 2024-03-09 MOVED BY MEMBER GATEMAN to move Municipal Planning Commission to an open session at 3:14 p.m.

CARRIED UNANIMOUSLY.

MPC 2024-04-03-10 MOVED BY MEMBER GATEMAN that the Municipal Planning Commission **APPROVE** Development Permit 24-2024 a **Similar to Short-term Rental 1** with the following conditions:

1. No Development authorized by this Development Permit shall commence:
 - a. Until at least 21 days after the issue of the Development Permit, or
 - b. If an appeal is made, until the appeal is decided on.
2. The minimum/maximum requirements for all setbacks as established in Land use Bylaw 2020-028 are met.
3. This is not a building per; all Permits as required under the Safety Codes Act and its regulations shall be obtained and a copy of the Building Permit and any other required Safety Code Act approvals or permits shall be submitted to the County.
4. The applicant is solely responsible to obtain and comply with any other required Municipal, Provincial or Federal government permits, approval, or licenses.
5. The applicant must ensure the facility is developed in accordance with the National Fire Code Alberta Edition and will require an inspection by Vulcan County Protective Services prior to operation.
6. The applicant develops an Emergency Response Plan to the satisfaction of Vulcan County Protective Services.
7. The applicant must ensure the facility meets all applicable requirements under the Alberta Public Health Act, and copies of any required approvals and/or licenses shall be provided to Vulcan County.
8. The proposed short term rental unit must be permanently fixed to the ground through a foundation, screw piles or anchoring.
9. The applicant ensures the driveway to the short-term rental unit is constructed to the standard outlined in Policy 32-1012 Private Driveways to the satisfaction of the Development Authority.
10. The applicant will ensure one parking space be kept for the sole use of the Short-term rental unit.
11. This development permit for the proposed use is subject to a 5-year term.

DEFEATED.

MPC 2024-04-03-11 MOVED BY MEMBER LYCKMAN that the Municipal Planning Commission **REFUSE** Development Permit 24-2024 for a **Similar**

to Short-term Rental 1 on Plan 2011054, Block 1, Lot 1, for the following reasons:

- A. The subject of the development permit application is a Recreational Vehicle consistent with the definition for the same in Land Use Bylaw No. 2020-028 (LUB). Despite the proposed modifications to the Recreational Vehicle, the Municipal Planning Commission finds that the Recreational Vehicle does not, in character and substance, meet the criteria for a Dwelling Unit as established in the LUB, and is best classified as a Recreational Vehicle. Therefore, the MPC refuses the application on the basis that the subject of the application is a Recreational Vehicle (and not a Dwelling Unit), and given that the definition for Short Term Rental 1 limits the use of a Short Term Rental to a Dwelling Unit, the MPC is unable to approve the application as it is bound by and cannot waive use.

- B. Additionally, the MPC wishes to express that in its opinion a Short Term Rental was expressly limited to use in that of a Dwelling Unit (or a permanent style accessory building pursuant to Section 8, Schedule 5 of the LUB), and not a portable unit like a Recreational Vehicle, in order to provide certainty with respect to the regulation of the use and its location on a property, as well as to distinguish between Campgrounds/Recreational Vehicles Parks and Short Term Rentals.

CARRIED UNANIMOUSLY.

Adjournment

Chair Nelson adjourned the meeting at 3:18 p.m.

Kelly Nelson, Chair

Anne Erickson, Manager of Development Services



Per Reference: xx
Appeal re refused Vulcan County
Development Permit 24-2024
Thornton / Paterson

P.O. BOX 180
VULCAN, ALBERTA
T0L 2B0

TELEPHONE: 1-403-485-2241
TOLL FREE: 1-877-485-2299
FAX: 1-403-485-2920
www.vulcancounty.ab.ca

April 3, 2024

Keri Thornton & Bruce Paterson
PO Box [REDACTED]
Vulcan, AB T0L 2B0

Re: Development Permit Application 24-2024 (NOTICE OF DECISION)

Dear Applicant,

Vulcan County Municipal Planning Commission has **REFUSED** your development permit application for a Similar to Short-term Rental 1 on Plan 2011054, Block 1, Lot 1 (the "Development").

Vulcan County Municipal Planning Commission has determined that the proposed Discretionary Use is refused for the following reasons:

- A. The subject of the development permit application is a Recreational Vehicle consistent with the definition for the same in Land Use Bylaw No. 2020-028 (LUB). Despite the proposed modifications to the Recreational Vehicle, the Municipal Planning Commission finds that the Recreational Vehicle does not, in character and substance, meet the criteria for a Dwelling Unit as established in the LUB, and is best classified as a Recreational Vehicle. Therefore, the MPC refuses the application on the basis that the subject of the application is a Recreational Vehicle (and not a Dwelling Unit), and given that the definition for Short Term Rental 1 limits the use of a Short Term Rental to a Dwelling Unit, the MPC is unable to approve the application as it is bound by and cannot waive use.
- B. Additionally, the MPC wishes to express that in its opinion a Short Term Rental was expressly limited to use in that of a Dwelling Unit (or a permanent style accessory building pursuant to Section 8, Schedule 5 of the LUB), and not a portable unit like a Recreational Vehicle, in order to provide certainty with respect to the regulation of the use and its location on a property, as well as to distinguish between Campgrounds/Recreational Vehicles Parks and Short Term Rentals.

As per *Alberta Municipal Government Act [Section 685]* you are eligible to appeal the decision of the Development Authority. The appeal can be made in writing to the Secretary of the Chinook Intermunicipal Subdivision and Development Appeal Board and must contain the reasons for your appeal. The written appeal, along with the \$600 appeal fee can be mailed to the address at the top of the page or dropped off at the County Office at 102 Centre Street in Vulcan. The appeal period ends on **April 24, 2024**, any appeal must be received by Vulcan County before this deadline.

If you have any questions, please contact me at 403-485-3135 or email devassist@vulcancounty.ab.ca.

Regards,

Alena Matlock; Development Officer - Vulcan County

PARKING AREAS AND STRUCTURES means an area of land or building which is provided and maintained on the same lot as the principal use for the purpose of storing motor vehicles. This use does not include campgrounds or RV parks.

PARKS AND PLAYGROUNDS means land developed for public recreational activities that does not require major buildings or facilities, and may include open grassed areas, picnic areas, playgrounds, pedestrian and bicycle paths, landscaped areas and associated public washrooms. This definition may also be applied to public open space which is not in private ownership and is open to use by the public.

PERSONAL SERVICE BUSINESS means development providing services for personal care and appearance, physical and mental health services, services for cleaning, servicing, altering and maintenance of personal effects and accessories. This use includes barbershops, beauty salons, clinics, counselling services, medical offices, tailors, diet centers, shoe repair shops, dry cleaners, upholstery and rug cleaners, and Laundromats.

PRE-FABRICATED BUILDING MANUFACTURER means development used for the manufacturing, fabricating, processing, assembly, production and/or packing of pre-fabricated buildings, as well as administrative offices and warehousing and wholesale distribution uses which are accessory uses to the above, provided that the use does not generate any detrimental impact, potential health or safety hazard or nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated.

PUBLIC BUILDING OR USE means a building or facility that is owned and/or administered by any level of government or a corporation which is an agent of the Crown under federal or provincial statute, or a registered charity or society, for the purpose of furnishing services or commodities to the public.

PUBLIC DAY USE AREA means a public area of land provided for use during daylight hours that is owned and/or administered by any level of government.

R

RECREATION FACILITY means a development, constructed for the purpose of housing or supporting sports or recreational activities. The facility typically involves a fee for use or where admission is by membership to a club, organization or association. Typical facilities would include athletics clubs, roller skating rinks, bowling alleys, paint ball facilities, and racquet clubs. Facilities associated with the operation may include eating facilities, administrative offices and retail operations, provided that any such operation is accessory and clearly incidental to the principal recreational use.

RECREATIONAL VEHICLE means a transportable living unit, designed to be moved on its own wheels or by other means (including units permanently mounted on trucks), designed or constructed to be used for sleeping or living purposes on a short-term, temporary basis. Such living units are subject to highway safety standards rather than housing standards. Typical units include, but are not limited to motor homes, campers, holiday trailers, travel trailers, fifth wheel trailers, and tent trailers. These units are not allowable as a permanent **DWELLING** (see definition).

RECREATIONAL VEHICLE PARK means a lot or parcel of land intended for temporary occupancy by two or more recreational vehicles for travel, recreation, seasonal, or vacation usage for periods of stay subject to an approved conceptual scheme or area structure plan and its provisions. Uses where unoccupied recreational vehicles are offered for sale or lease, or are stored, are not included. Associated structures in a recreational vehicle park may include laundry facilities, restrooms, showers, sanitary dump facilities, water stations, playgrounds or storage areas intended to serve the needs of the residents of the park. Also see **CAMPGROUND**.

Motor Vehicle Safety Regulations (C.R.C. (Consolidated Regulations of
Regulations are current to 2024-04-01 and on 2023-11-08.

Motor Vehicle Safety Regulations

C.R.C. (Consolidated Regulations of Canada), c. 1038

MOTOR VEHICLE SAFETY ACT

Motor Vehicle Safety Regulations

1 [Repealed, SOR/2020-22, s. 2]

Interpretation

2 (1) In these Regulations,

AATCC means the American Association of Textile Chemists and Colorists; (*AATCC*)

accessory mass [Repealed, SOR/2008-258, s. 1]

Act means the *Motor Vehicle Safety Act*; (*Loi*)

adjacent seat means a designated seating position so located that a portion of its occupant space is not more than 25.4 cm from an emergency exit for a distance of at least 38.1 cm measured horizontally and parallel to the emergency exit; (*siège adjacent*)

adjustment hardware means hardware designed for adjusting the size of a seat belt assembly to fit the user, including such hardware as may be integral with a buckle, a retractor or attachment hardware; (*pièces de réglage*)

agricultural commodity trailer [Repealed, SOR/99-357, s. 1]

aiming reference plane [Repealed, SOR/96-366, s. 1]

air bag means an inflatable automatic occupant protection system that may be deployed when a collision occurs; (*sac gonflable*)

air brake system means a brake system that uses air as a medium for transmitting pressure or force from the driver control to the service brake, including an air-over-hydraulic brake subsystem, but does not include a system that uses compressed air or vacuum only to assist the driver in applying muscular force to hydraulic or mechanical components; (*système de freinage à air comprimé*)

prescribed class [Repealed, SOR/2020-22, s. 3]

prime glazing material manufacturer [Repealed, SOR/2002-187, s. 1]

prison bus means a bus that is specially designed for the purpose of transporting inmates; (*autobus pénitentiaire*)

production options mass [Repealed, SOR/2008-258, s. 1]

production restraint system for disabled persons [Repealed, SOR/98-160, s. 1]

pulpwood trailer [Repealed, SOR/99-357, s. 1]

push-out window means a vehicle window designed to open outward to provide for emergency egress; (*fenêtre basculante*)

readily removable window means a window that can be quickly and completely removed from a vehicle without tools and, in the case of a bus having a GVWR of more than 4 535.9 kg (10,000 pounds), shall include a push-out window and a window mounted in an emergency exit that can be manually pushed out of its location in the vehicle without the use of tools, regardless of whether the window remains hinged at one side to the vehicle; (*fenêtre amovible*)

rear outboard designated seating position means any outboard designated seating position that is to the rear of a front outboard designated seating position, but does not include a designated seating position adjacent to a walkway located between the seat and the side of the vehicle interior that is designed to allow access to more rearward seating positions; (*place assise désignée extérieure arrière*)

recreational trailer means a trailer designed to provide temporary living accommodation for travel, vacation or recreational use; (*remorque de camping*)

reflex reflector means a device on a vehicle that is intended to indicate the position and dimensions of the vehicle to the driver of an approaching vehicle using light reflected from the lamps of the approaching vehicle; (*cataphote*)

replaceable bulb headlamp [Repealed, SOR/96-366, s. 1]

restraint system has the same meaning as in subsection 100(1) of the *Motor Vehicle Restraint Systems and Booster Seats Safety Regulations*; (*ensemble de retenue*)

restraint system for disabled persons [Repealed, SOR/98-160, s. 1]

restricted-use motorcycle [Repealed, SOR/2020-22, s. 3]

restricted-use vehicle means a vehicle — excluding a competition vehicle but including an all-terrain vehicle designed primarily for recreational use — that



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CSA Z240 RV SERIES:23

Recreational vehicles

English, French

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Residential Real Property

From: [Canada Revenue Agency](#)

GST/HST memorandum 19.2

February 1998

Overview

This initial section of 19.2, *Residential Real Property*, examines terms that are key to interpreting the provisions of Part IX of the *Excise Tax Act* (the Act)—the goods and services tax (GST) and harmonized sales tax (HST)—that apply to residential real property. If a term is defined in the Act, the full definition is given in Section 1.5, *Definitions*, of the GST/HST Memoranda Series.

The remaining discussion of the application of the GST/HST to residential real property is provided in the following sections:

19.2.1 Residential Real Property—Sales

19.2.2 Residential Real Property—Rentals

19.2.3 Residential Real Property—Deemed Supplies

19.2.4 Residential Real Property—Special Issues

Disclaimer

C68

excluded from the definition of mobile home since it did not normally meet the dimensional requirements or the requirement for it to be towed “on its own chassis” that existed at that time.

Vehicles designed for recreational use; park model trailers

13. Travel trailers, motor homes, camping trailers or other vehicles or trailers designed for recreational use are specifically excluded from the definition of “mobile home”. Park model trailers are not considered to be mobile homes within the definition of subsection 123(1) since they are not designed to be placed or installed on a foundation as required in the definition. However, park model trailers, travel trailers and motor homes may qualify as residential complexes if they are residential units and permanently affixed to the land in the same manner as a house. For further discussion, see paragraphs 42 and 43.

Multiple unit residential complex

Apartment building

14. A multiple unit residential complex is a residential complex having more than one residential unit, other than a condominium complex. The most common example is an apartment building. (A duplex is generally considered to be a multiple unit residential complex, but as noted in paragraph 48, a duplex is considered a single unit residential complex for purposes of GST/HST new housing rebates.)

Place of residence

15. “Place of residence” is a key concept in the definitions of “builder”, “residential complex”, “residential unit” and “short-term accommodation”. Also, as discussed in Section 19.2.3, *Residential Real Property—Deemed*

HAMLET RESIDENTIAL – HR

PURPOSE: To provide for a high quality living environment for hamlet residents pursuant to the Municipal Development Plan recognizing that hamlets act as an important service centre for the agricultural community.

SECTION 1 USES

1.1 Permitted Uses

Accessory building, structure or use
Additions to existing buildings
Home occupation 1
Manufactured dwelling 1
Modular dwelling 1
Ready-to-move dwelling
Sign, Category 1 (e)
Single detached dwelling
Utilities (e)

1.2 Discretionary Uses – MPC

Child care facility
Duplex
Group home, limited
Group home, major
Manufactured dwelling park/community
Modular dwelling 2
Multi-unit dwelling
Parking areas and structures
Parks and playgrounds
Public building or use
Religious assembly
Secondary suite
Senior citizen housing
Short-Term Rental 2

Discretionary Uses – DO

Home occupation 2
Manufactured dwelling 2
Moved-in building
Moved-in dwelling
Renewable energy, individual
Short-Term Rental 1

(e) means “Exempt” and development will not require a development permit if it meets all the provisions of this Bylaw and is in accordance with any applicable requirements in Schedule 3.

SECTION 2 SPECIAL REFERRAL

2.1 The Development Officer shall refer all discretionary use applications to the appropriate Hamlet Advisory Committee and/or Condominium Association as well as any agent associated with architectural controls, comment prior to presentation to the Development Authority.

- (c) open staircases with or without a landing if they do not project more than 2.4 m (8 ft) over or into the rear yard setback and not exceeding one half of the minimum side yard setback required for the lot.

SECTION 13 LANDSCAPING AND SCREENING

- 13.1 The front yard (except for sidewalks and driveways) shall be landscaped to the satisfaction of the Development Officer. Landscaping may consist of any or all of the following:
 - (a) trees, shrubs, lawn, flowers;
 - (b) large feature rocks, field stone and other hard surface materials (Development Authority approval is required if this type of landscaping exceeds 25 percent of the total landscaped area);
 - (c) berming, terracing;
 - (d) innovative landscaping features;
 - (e) landscape ornaments;
 - (f) other features that may include, but not limited to, front walkways and steps.
- 13.2 In the case of corner lots, the minor street frontage shall also be landscaped to the satisfaction of the Development Officer.
- 13.3 No non-residential development in hamlets shall be allowed which may interfere with the amenity of residential areas in the hamlet and the Development Authority may:
 - (a) require it be screened to minimize conflict between residential and non-residential land uses; or
 - (b) may refuse it if the potential conflict cannot be resolved.

SECTION 14 RECREATIONAL VEHICLES

- 14.1 A Recreational Vehicle is not allowed to be used or stored on undeveloped residential parcels.
- 14.2 One Recreational Vehicle may be stored, in a rear or side yard, on a developed residential parcel containing a habitable dwelling but is not to be used as a permanent dwelling unit. For the purpose of this provision, permanent means exceeding, 72 hours, consecutively or cumulatively within a 7 day period.

SECTION 15 LAND SUITABILITY AND SERVICING REQUIREMENTS – See Schedule 4.

SECTION 16 STANDARDS OF DEVELOPMENT – See Schedule 5.

S

SAND AND GRAVEL OPERATIONS – see **NATURAL RESOURCE EXTRACTION/PROCESSING**

SANDBLASTING FACILITY means a development of buildings where the major source of activity involves the large scale sandblasting of agricultural, industrial, automotive or oilfield equipment. Sandblasting facilities may also include welding and painting facilities on-site.

SCHOOL means a place of instruction operated with or without public funds pursuant to the *School Act*.

SEA-CAN – see **SHIPPING CONTAINER**

SECONDARY SUITE means a subordinate dwelling unit located within or attached to a single detached dwelling.

SECURITY SUITE means a dwelling unit or portion of a building used to provide accommodation for security personnel and in commercial, recreational, or industrial districts shall contain no more than one bedroom and be no larger than 55.7 m² (600 ft²).

SEED CLEANING PLANT means a building or facility used for the storage and preparation of seed used in **AGRICULTURAL OPERATIONS**.

SENIOR CITIZEN HOUSING means development, including lodges, which is used as a residence for elderly individuals not requiring constant or intensive medical care.

SHIPPING CONTAINER means any container that is or was used for transport of goods by means of rail, truck or by sea. These are generally referred to as a Sea-Container, sea cargo container, sea can or cargo container. Such containers are typically rectangular in shape and are generally made of metal. For the purposes of this Bylaw, when such a container is used for any purpose other than transporting freight, it will be considered as a structure, must conform to these regulations and may require a permit.

SHOOTING RANGE means an area, building or structure, typically operated by a non-profit organization, that is designed or intended for the safe discharge, on a regular and structured basis, of firearms, archery, or other projectiles, including but not limited to rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any similar firearm, for the purpose of sport shooting, target practice or shooting competitions.

SHORT-TERM RENTAL 1 means the operation of commercial accommodation within all or a portion of a dwelling unit, including a Secondary Suite(s) or a room(s) in or a portion of a dwelling unit for a period not exceeding 30 days, and the owner or property manager of the property is required to occupy the dwelling (within the same suite or an attached suite), or an adjacent dwelling on the same parcel, as their primary residence and be present on the premises during the majority of the operation of the Short-Term Rental. For the purposes of this Bylaw a Short-Term Rental 1 includes a Bed and Breakfast.

SHORT-TERM RENTAL 2 means the operation of short-term commercial accommodation within all or a portion of a dwelling unit, including a Secondary Suite(s), or a room(s) in or a portion of a dwelling unit for a period not exceeding 30 days and the owner of the property is not required to occupy the dwelling unit as their primary residence.

SIGN means any development, either temporary or permanent:

- (a) constructed and permanently affixed directly or indirectly to any building, structure, window or a parcel of land; and/or
- (b) which is used to advertise, identify or display a commercial or non-commercial activity, product, place, organization, institution, person, service, event or location, by any means, including words, letters,

DUGOUT means an excavation specifically sited and constructed for the purpose of catching and storing water. Depending on the circumstances, the dugout may be intended for either seasonal use or permanent use. For use purposes these may be considered as an **ACCESSORY STRUCTURE**.

DUPLEX means a residential structure that contains two separately owned dwelling units on one parcel of land. Typically the duplex will have separate entrances for each owner but the two units will be connected either by a common floor/ceiling, or by a common wall (party wall) between units.

DWELLING UNIT means a structure built for the purpose of being a self-contained living premises, designed to be occupied by an individual or family or other household group, in which facilities are included for cooking, sanitation, and sleeping. Such units include, but are not limited to, single-unit dwellings, modular dwellings, duplexes, apartments, manufactured dwellings and moved-in buildings for residential use.

DWELLING UNIT, COMBINED means a dwelling unit that is contained, wholly or partly, within an accessory building that appears, predominantly, as an accessory building.

DWELLING, MANUFACTURED 1 means a completely self-contained dwelling unit, designed and constructed entirely within a factory setting. A manufactured dwelling 1 refers to a new structure, and one that has not been previously occupied or used as a show home. Typically, it is transported to a site in not more than one piece on its own chassis and wheel system or on a flatbed truck. For the purposes of this Bylaw, a manufactured dwelling does not include a “modular dwelling” or “ready-to-move dwelling”.

DWELLING, MANUFACTURED 2 has the same meaning as manufactured dwelling 1, except that it has been occupied previously as a dwelling.

DWELLING, MODULAR 1 means a dwelling unit built at an off-site manufacturing facility in conformance with CSA standards designed in two or more modules or sections. The dwelling is transported by transport trailer in sections and delivered to the site where it is assembled and placed on a contiguous concrete basement.

DWELLING, MODULAR 2 means a dwelling unit built at an off-site manufacturing facility in conformance with CSA standards designed in two or more modules or sections. The dwelling is transported by transport trailer in sections and delivered to the site where it is assembled and placed on approved foundation other than a contiguous concrete basement.

DWELLING, MOVED-IN means a previously existing, established and occupied dwelling, which is removed from one site and then transported and re-established on another site. For the purposes of this Bylaw, a moved-in building does not include a “manufactured dwelling”, “modular dwelling”, “ready-to-move dwelling”, motor home, travel trailer, recreation vehicle and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

DWELLING, MULTI-UNIT means a residential building that contains three or more dwelling units where each unit is provided with its own separate primary access to the outside.

DWELLING, READY-TO-MOVE means a previously unoccupied dwelling constructed at a place other than its permanent location (off-site) which is built to current Alberta Safety Codes Standards and is transported in whole or in parts, complete with paint, cabinets, floor covering, lighting and plumbing fixtures, to a site and placed on a permanent wood or concrete basement foundation. For purposes of this Bylaw, a ready-to-move dwelling does not include a manufactured dwelling, modular dwelling or moved-in building.

DWELLING, SECOND means a standalone additional dwelling unit on a lot which is not contained within the principal residence. A secondary dwelling unit may be a manufactured dwelling, ready-to-move dwelling, modular, moved-



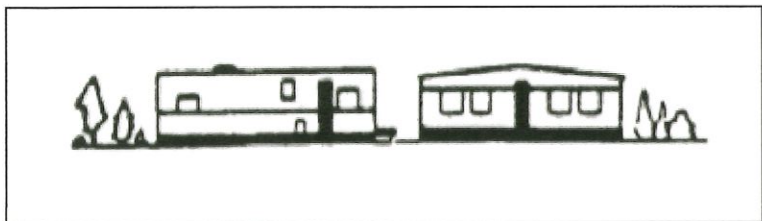
Type of Dwelling Reference Guide, Census of Population, 2021

Release date: March 30, 2022 (preliminary) | Updated on: April 27, 2022

Definitions and concepts

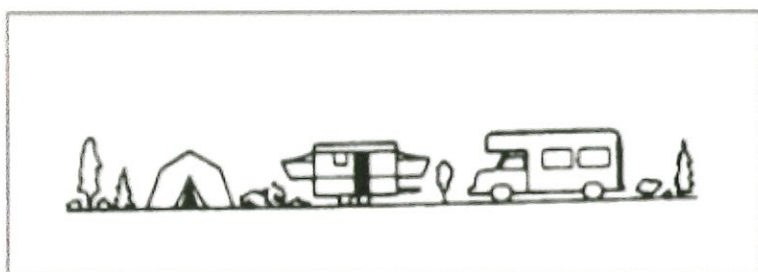
The census counts people in the dwelling (www.statcan.gc.ca/census-recensement/2021/ref/dict/az/definition-eng.cfm?ID=dwelling-logements004) in which they usually live to ensure that a person is enumerated once and only once. People are counted in their usual place of residence (www.statcan.gc.ca/census-recensement/2021/ref/dict/az/definition-eng.cfm?ID=pop126) .

There are two types of dwellings in the census—private dwellings (www.statcan.gc.ca/census-recensement/2021/ref/dict/az/definition-eng.cfm?ID=dwelling-logements005) and collective dwellings (www.statcan.gc.ca/census-recensement/2021/ref/dict/az/definition-eng.cfm?ID=dwelling-logements002) . Private dwellings can be broken down into regular dwellings (www.statcan.gc.ca/census-recensement/2021/ref/dict/az/definition-eng.cfm?ID=dwelling-logements011) and marginal dwellings occupied by usual residents (www.statcan.gc.ca/census-recensement/2021/ref/dict/az/definition-eng.cfm?ID=dwelling-logements009) . Regular dwellings are further classified into three categories—private dwellings occupied by usual residents (www.statcan.gc.ca/census-recensement/2021/ref/dict/az/definition-eng.cfm?ID=dwelling-logements006) , unoccupied private dwellings (www.statcan.gc.ca/census-recensement/2021/ref/dict/az/definition-eng.cfm?ID=dwelling-logements007) , and collective dwellings (www.statcan.gc.ca/census-recensement/2021/ref/dict/az/definition-eng.cfm?ID=dwelling-logements003) .



Other movable dwelling (Code 9)

A single dwelling, other than a mobile home, used as a place of residence, but capable of being moved on short notice, such as a tent, recreational vehicle, travel trailer, houseboat or floating home.



Collective dwelling

Collective dwellings are classified using data collected with the Collective Dwelling Record, Form 1A. This form provides an overview of the collective dwelling, including the total number of usual residents and the type of collective being enumerated. To create the more detailed classification of collective dwellings, an administrator of each collective dwelling is asked a series of auxiliary questions regarding the level of care and services provided at the collective dwelling. Based on this information, the appropriate collective dwelling classification is assigned.

For more information on the reasons why the census questions are asked, please refer to the five fact sheets (www.statcan.gc.ca/census-recensement/2021/road2021-chemin2021/index-eng.cfm#fs-fi) found on The road to the 2021 Census web page.

Criminal Code (R.S.C. (Revised Statutes of Canada), 1985, c. C-46)

Act current to 2024-04-01 and on 2024-01-14.

Criminal Code

R.S.C. (Revised Statutes of Canada), 1985, c. C-46

An Act respecting the Criminal Law

Short Title

Short title

1 This Act may be cited as the *Criminal Code*.

R.S., c. C-34, s. 1.

Interpretation

Definitions

2 In this Act,

Act includes

- (a) an Act of Parliament,
- (b) an Act of the legislature of the former Province of Canada,
- (c) an Act of the legislature of a province, and
- (d) an Act or ordinance of the legislature of a province, territory or place in force at the time that province, territory or place became a province of Canada; (*loi*)

appearance notice means a notice in Form 9 issued by a peace officer; (*citation à comparaître*)

associated personnel means persons who are

- (a) assigned by a government or an intergovernmental organization with the agreement of the competent organ of the United Nations,
- (b) engaged by the Secretary-General of the United Nations, by a specialized agency of the United Nations or by the International Atomic Energy Agency, or

document of title to goods includes a bought and sold note, bill of lading, warrant, certificate or order for the delivery or transfer of goods or any other valuable thing, and any other document used in the ordinary course of business as evidence of the possession or control of goods, authorizing or purporting to authorize, by endorsement or by delivery, the person in possession of the document to transfer or receive any goods thereby represented or therein mentioned or referred to; (*titre de marchandises*)

document of title to lands includes any writing that is or contains evidence of the title, or any part of the title, to real property or to any interest in real property, and any notarial or registrar's copy thereof and any duplicate instrument, memorial, certificate or document authorized or required by any law in force in any part of Canada with respect to registration of titles that relates to title to real property or to any interest in real property; (*titre de bien-fonds*)

dwelling-house means the whole or any part of a building or structure that is kept or occupied as a permanent or temporary residence, and includes

(a) a building within the curtilage of a dwelling-house that is connected to it by a doorway or by a covered and enclosed passage-way, and

(b) a unit that is designed to be mobile and to be used as a permanent or temporary residence and that is being used as such a residence; (*maison d'habitation*)

environment means the components of the Earth and includes

(a) air, land and water,

(b) all layers of the atmosphere,

(c) all organic and inorganic matter and living organisms, and

(d) the interacting natural systems that include components referred to in paragraphs (a) to (c); (*environnement*)

every one, person and owner, and similar expressions, include Her Majesty and an organization; (*quiconque, individu, personne et propriétaire*)

explosive substance includes

(a) anything intended to be used to make an explosive substance,

(b) anything, or any part thereof, used or intended to be used, or adapted to cause, or to aid in causing an explosion in or with an explosive substance, and

(c) an incendiary grenade, fire bomb, molotov cocktail or other similar incendiary substance or device and a delaying mechanism or other thing intended for use in connection with such a substance or device; (*substance explosive*)

feeble-minded person [Repealed, 1991, c. 43, s. 9]

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Introduction to the Underused Housing Tax

From: [Canada Revenue Agency](#)

Underused Housing Tax Notice UHTN1

May 2023

This version replaces the one dated January 2023. This notice has been updated to clarify situations where a bed and breakfast may not be a residential property for purposes of the underused housing tax.

The purpose of this notice is to help you determine if you have to file a return and pay the underused housing tax for your residential property for a calendar year.

Except as otherwise noted, all statutory references in this publication are to the provisions of the Underused Housing Tax Act (UHTA) and its regulations. The information in this publication does not replace the law found in the UHTA and its regulations.

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Conditions for filing a return

You have to file a return, Form UHT-2900, Underused Housing Tax Return and Election Form, for each of your properties in Canada for which all of the following conditions are met on December 31 of a calendar year:

- the property is a residential property
- you are an owner of the residential property
- you are not an excluded owner of the residential property

What is a residential property

The underused housing tax applies to residential property in Canada.

Generally, **residential property** is defined as property that is either of the following:

- a detached house or similar building that contains not more than three dwelling units, along with any appurtenances and the related land
- a semi-detached house, rowhouse unit, residential condominium unit or other similar premises, along with any common areas, appurtenances and the related land

What is a dwelling unit

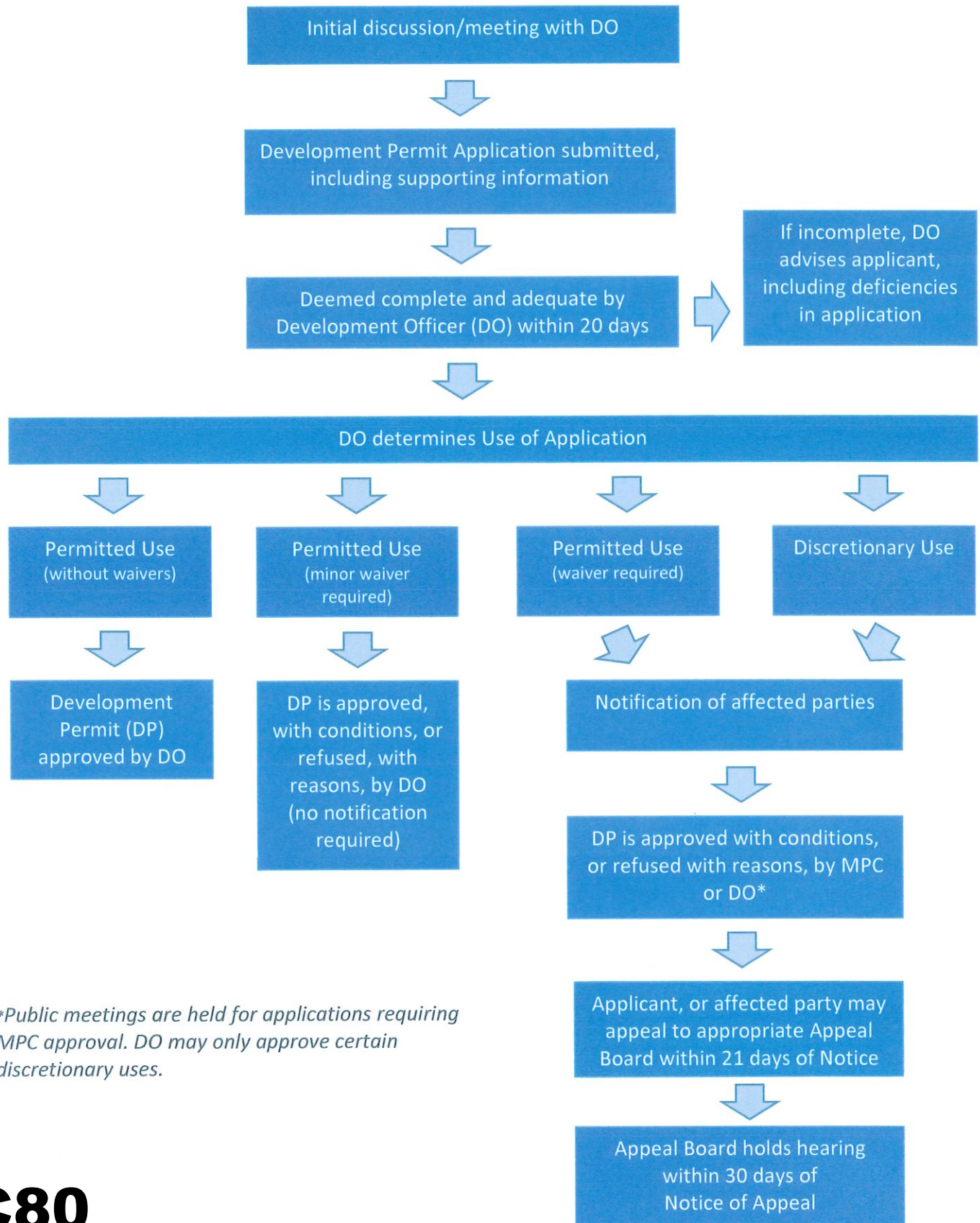
A **dwelling unit** is a residential unit that contains:

- private kitchen facilities
- a private bath
- a private living area

Generally, a **residential unit** is a single self-contained set of rooms in a building or part of a building that is distinguished from any other such set of rooms in the building or part and that is characteristic of, and suitable as, a residence.

Per Reference: xxviii
Appeal re refused Vulcan County
Development Permit 24-2024
Thornton / Paterson

Development Permit



**Public meetings are held for applications requiring MPC approval. DO may only approve certain discretionary uses.*

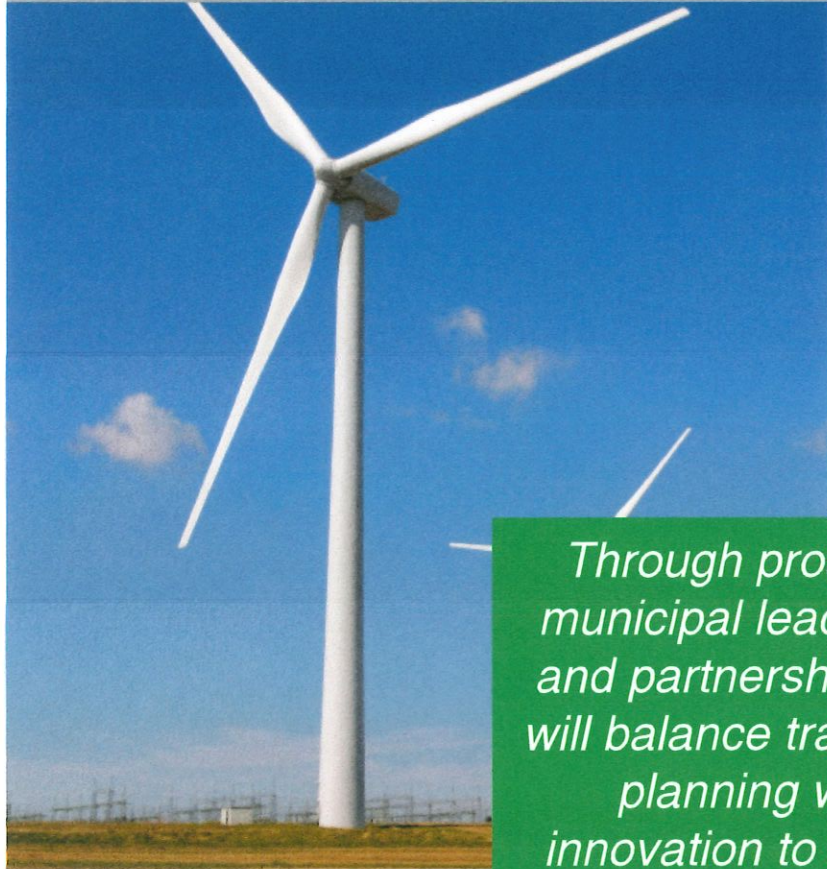
Per Reference: xxix
Appeal re refused Vulcan County
Development Permit 24-2024
Thornton / Paterson

Vulcan Strategic Plan 2022 - 2026

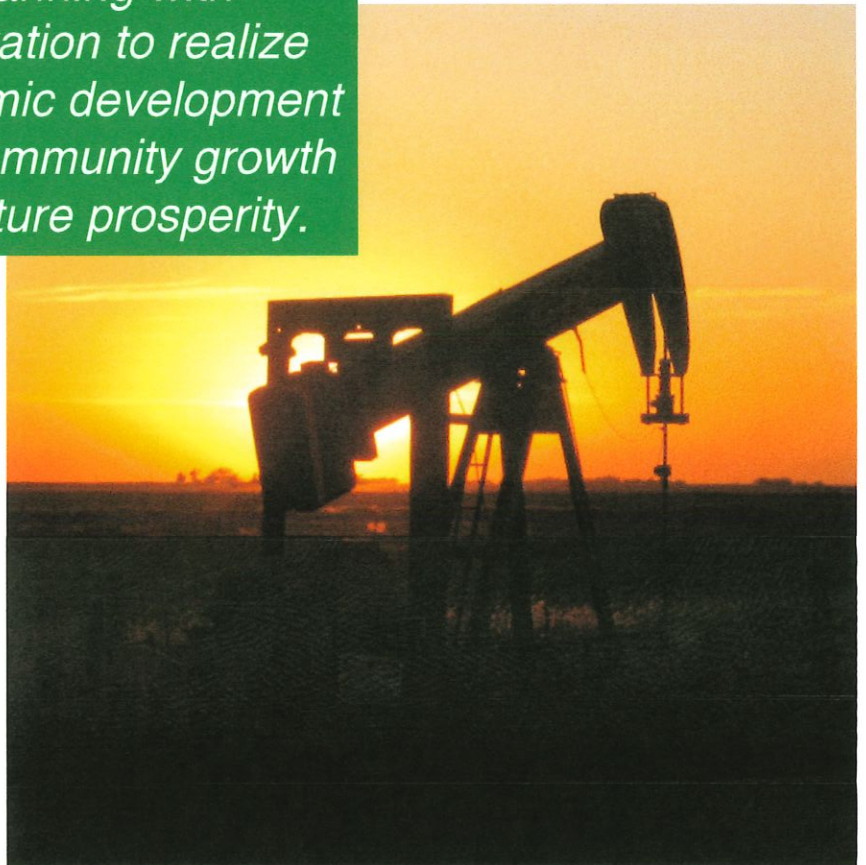
Advancing Successes



Our Purpose



Through proactive municipal leadership and partnerships, we will balance traditional planning with innovation to realize economic development and community growth for future prosperity.



A Purpose Statement is meant to identify how the organization will contribute towards the Vision Statement. Each organization within the community may articulate its own purpose and the contribution it will make to supporting a successful community. In this case, the Purpose Statement articulates the overall strategy Vulcan County will deploy towards realizing the Vision Statement.

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Key Success Measures

Stakeholder Satisfaction

- Reduced complaints
- Timely response times to complaints and requests for service
- Healthy relationships with neighbouring municipalities, communities, and our citizens
- Improved external communications

Council Satisfaction

- Effective communications with CAO
- Policy development, implementation & evaluation
- Public consultation

Employee Satisfaction

- Low levels of absenteeism
- High levels of staff retention
- Elevated performance
- Improved internal communications
- Professional growth

Sustainability

- New and existing municipal services and infrastructure are maintainable and provide benefits for the future
- Negative impacts from external stakeholder projects are reviewed and mitigated to the best of our ability

Process and Systems Improvements

- Approval and acceptance of innovative ideas and approaches
- Investment in innovative technologies
- Updated regulatory documents and processes

Financial Viability

- Diversification and strengthening of the assessment base
- Reasonable taxation and fee levels
- Prudent reserve levels
- High quality and well-maintained infrastructure
- Successfully working within budget

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

SECTION 1 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

In accordance with Administrative Sections 29 and 30, the following rules apply to developments not requiring a development permit.

- 1.1 This section does not negate the requirement of obtaining all required permits, as applicable, under the *Safety Codes Act* and any other Provincial or Federal statute.
- 1.2 Notwithstanding that no development permit may be required by the municipality for the uses outlined below, any development within 300 m (984 ft) of the limit of a provincial controlled highway or within 800 m (2,625 ft) from the centre point of an intersection of a controlled highway and a public road would require the benefit of a permit from Alberta Transportation. This includes dugouts, shelter belts, animal shelters, etc.
- 1.3 The following developments shall not require a development permit:
 - (a) any use or development exempted under section 618(1) of the *MGA*;
 - (b) any use or development exempted by the Lieutenant Governor in Council pursuant to section 618(4) of the *MGA*;
 - (c) any use or development exempted under the *Planning Exemption Regulation*;
 - (d) telecommunication antenna systems that are regulated by Innovation, Science and Economic Development Canada subject to Schedule 6, Telecommunication Siting Protocols;
 - (e) the completion of a building which was lawfully under construction at the date this Bylaw came into effect provided that the building is completed in accordance with the terms and conditions of any development permit granted;
 - (f) the completion of a building that did not require a development permit under the previous Land Use Bylaw and which was lawfully under construction provided the building is completed within 12 months from the date this Bylaw came into effect;
 - (g) the installation, maintenance or repair of public works buildings, services, and utilities carried out by or on behalf of federal, provincial, municipal, or public authorities on land which is publicly owned or controlled;
 - (h) highways, roads, pipelines or any other development exempted under the *MGA*, or any other provincial act or regulation, which in the opinion of the Development Authority are associated with the construction, repair or upgrade of said development.
- 1.4 The following developments shall not require a development permit, but must otherwise comply with all other provisions (i.e. setbacks to roads and property lines) and any applicable standards (Schedules 4 and 5) of this Bylaw. Where an exemption is tied to a certain threshold, a proposal that exceeds the threshold must apply for and obtain a development permit.
 - (a) any agricultural use, building or structure associated with extensive agriculture or grazing (including corrals, stockpiles, haystacks, pole-barns, fencing, grain bins, sheds and barns – not including confined feeding operations) not located:

- (n) public utility buildings;
- (o) landscaping that does not result in a change of grade that will negatively affect an adjacent property;
- (p) the erection of towers, flag poles and other poles not exceeding 12.2 m (40 ft) in height;
- (q) roof or wall-mount solar collectors (Renewable Energy, Individual);
- (r) single wind turbines (Renewable Energy, Individual) which are roof mounted or on a tower not exceeding a total height of 12.2 m (40 ft);
- (s) decks or patios connected to and used in association with a dwelling unit;
- (t) satellite dishes less than 1 m (3.3 ft) in diameter;
- (u) camping units, not in excess of any maximum that may have been established in a development permit, used for intermittent seasonal residential/recreational use within an approved campground;
- (v) temporary outdoor swimming pools and above ground hot tubs;
- (w) the installation of asphalt, concrete, brick, stone, wood or aggregate driveways, sidewalks, patios or steps;
- (x) the stripping of any topsoil to accommodate a building or other development provided that an approved development permit exists in support of the activity and the topsoil is not removed from the parcel concerned;
- (y) shipping containers which are used for purposes accessory to an agricultural use in the Rural General "RG" land use district;
- (z) not more than two shipping containers which are used for purposes accessory to an agricultural use in the Reservoir Vicinity "RV" and Urban Fringe "UF" land use districts;
- (aa) not more than one shipping container which is used for purposes accessory to a dwelling unit use in the Rural General "RG," Reservoir Vicinity "RV," Urban Fringe "UF," Single Lot Country Residential "SCR," and Small Holdings "SH," land use districts;
- (ab) not more than two shipping containers which are used for purposes accessory to a commercial or industrial use in the Rural Industrial "RI," and Rural Commercial "RC," land use districts;
- (ac) utilities developed in accordance with an approved subdivision or development.

1.5 If there is any question whether or not a development requires a development permit, the matter shall be referred to the Municipal Planning Commission, whose decision shall be final.

- 34.6 The Development Authority may issue a development permit for a discretionary use granting approval of some portion, aspect or use of the proposed development, and refusing another portion, aspect or use of the proposed development, and shall provide reasons for the partial refusal.

SECTION 35 DEVELOPMENT PERMIT CONDITIONS

- 35.1 When a development permit is approved with conditions all “prior to release” conditions must be satisfied prior to the permit being released and becoming effective.
- 35.2 When a development permit is approved with conditions of an ongoing nature, those conditions must be satisfied in perpetuity.

SECTION 36 ADDITIONAL PLANNING REQUIREMENTS

- 36.1 A conceptual scheme may be required, at the discretion of the Municipal Planning Commission, prior to determining that an application for a discretionary use is complete (in accordance with Section 32.2), when in the opinion of the Municipal Planning Commission a development is not at its full build out stage.
- 36.2 The Municipal Planning Commission may require, as a condition of development permit, that the conceptual scheme forms part of the development permit and, if desired to be deviated from in the future, shall require a subsequent application for a development permit in order to approve the deviation, along with a revised conceptual scheme.

SECTION 37 DIRECT CONTROL DISTRICTS

- 37.1 Upon receipt of a completed application for a development permit in a Direct Control district, the Development Officer shall:
- (a) refer the application to Council for a decision, except where the decision making authority has been delegated to the Municipal Planning Commission or the Development Officer; and
 - (b) notify adjacent landowners and other persons likely to be affected in accordance with Section 43.
- 37.2 After considering any response to notifications issued under Section 43, Council or the delegated decision making authority may:
- (a) approve a development permit with or without conditions, stating reasons; or
 - (b) refuse to approve the development permit, stating reasons.
- 37.3 In accordance with section 641(4)(a) of the MGA, there is no appeal to the Subdivision and Development Appeal Board on a decision of an application for a development permit in a Direct Control district.
- 37.4 Where Council chooses to redistrict a parcel to Direct Control, it shall establish, within the particular Direct Control bylaw, site specific direct control information which may include standards and procedural direction.

SECTION 38 DEVELOPMENT PERMITS IN DIRECT CONTROL DISTRICTS

- 38.1 In accordance with section 641(4)(a) of the MGA, there is no opportunity to appeal an application for a development permit in a Direct Control district.

SECTION 39 SIMILAR USE

- 39.1 Upon receipt of an application for a development permit for a use that is not specifically defined in the Use Definitions in Schedule 2, but which may be similar in character and purpose to other uses of land and structures in the land use district in which such use is proposed, the Development Officer may classify the use as either similar to a permitted use or similar to a discretionary use.
- 39.2 Where a use has been classified similar to a permitted use, the Development Officer may process the application accordingly as a permitted use or refer the application to the Municipal Planning Commission for a decision. The notice of the decision shall be subject to Section 44.
- 39.3 Where a use has been classified similar to a discretionary use for which the Municipal Planning Commission is authorized to issue a decision, the Development Officer shall:
- (a) notify adjacent landowners and other persons likely to be affected in accordance with Section 43; and
 - (b) refer the application to the Municipal Planning Commission for a decision.
- 39.4 Upon referral of an application by the Development Officer for a use that may be similar in character and purpose to a permitted or discretionary use, the Municipal Planning Commission:
- (a) shall rule whether or not the proposed use is similar to a use in the land use district in which it is proposed;
 - (b) if the proposed use is deemed similar to a use in the land use district in which it is proposed, the application shall be reviewed as a discretionary use application;
 - (c) if the proposed use is not deemed similar to a use in the land use district in which it is proposed, the development permit shall be refused.

SECTION 40 TEMPORARY USE

- 40.1 Where a proposed development is for a discretionary use, the Development Authority may issue a temporary development permit for that development if:
- (a) the proposed development is of a temporary nature;
 - (b) the Development Authority wishes to ensure the suitability or compatibility of a multi-phase project prior to allowing full build out of the project by only allowing one or more phases to commence;
 - (c) the Development Authority wishes to ensure that the development authorized by the permit will cease by a specified date or will not be ongoing indefinitely.
- 40.2 Temporary use applications shall be subject to the following conditions:
- (a) the applicant or developer is liable for any costs involved in the cessation or removal of any development at the expiration of the established time period;
 - (b) the Development Authority may require the applicant to submit security guaranteeing the cessation or removal of the temporary use; and

The most popular Airbnb rentals in Canada are unique cott remote, lush wilderness — and most of them are in B.C. or

Only one of the listings that made the top five in Canada is in a city.

- [Canadians should consider risks in renting out homes on Airbnb, experts say](#)
- [ANALYSIS | Debate over Airbnb and Uber reveals hypocrisy of 'sharing' economy](#)
- [Regulation could strengthen sharing economy in long run](#)
- [Airbnb Canada agrees on need for new regulations and data sharing](#)

While not without its problems and controversies, many travellers use the home rental service instead of traditional hotels. Airbnb told CBC News that Canadians have hosted more than 627,000 guests since the service started operating here in 2009.

Here's a look at the listings — out of more than 50,000 in the country — that get the most requests for bookings. These should offer ample summer vacation inspiration.

1. [Hobbit-esque cottage on Mayne Island, B.C.](#)

For \$140 a night, spend time at this cottage on a ferry-accessible island between Vancouver and Victoria.

The listing says the building is hand-sculpted out of local, sustainable, natural materials. The cottage is home to gardens, orchards and sheep.

We and select advertising partners use trackers to collect some of your data in order to enhance your experience and to deliver personalized content and advertising. If you are not comfortable with the use of this information, please review your device and browser privacy settings before continuing your visit.

[Learn more](#)

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Notice to readers:

There have been recent reports of fraudulent phone calls that appear to be from the Department of Justice. [Learn more.](#)

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> [International Development](#) > [Clear Legislation](#)

Clear Legislation

Next Page →

G rard Caussignac [1].

What is clearly thought out is clearly expressed, and the words to say it come easily.

Boileau

Introduction

Clarity and intelligibility

"Clear" means easy to understand or intelligible. It also means unequivocal or unambiguous. For a document to be described as clear, it must not only be easy for its audience to understand but also convey the same message

to those who read it. Order, neatness and precision are related concepts. What is orderly, neat and precise is also clear. On the other hand, disorder and imprecision lead to confusion and ambiguity.

Clarity and simplicity

Clarity is not the same thing as simplicity. A text is not necessarily clear because the subject it describes is simple; conversely, a text that deals with a complex subject is not automatically hard to understand. Consequently, a distinction must be made between clarity on one hand and simplicity or complexity on the other. The former concept relates to the presentation of a document's subject matter, while the latter ones refer to the nature of the subject matter itself. The fact that the reality we all experience is complex does not excuse the enactment of legislation that is hard to understand. On the other hand, it is not possible to guarantee that legislation, no matter how well drafted, will be easily understood by all members of the public in every area subject to it. All that can be aimed at is to ensure that the legislative message, given the nature of its subject matter, is clear and intelligible to all the persons it addresses.

Subjective nature of the concept of clarity

The degree of a statement's clarity can be assessed in terms of formal criteria such as presentation, forms of communication, drafting and the logical expression of the ideas. But at the same time, it also depends on the assessment made by the intended recipient. The clarity of a document therefore depends on a combination of objective and subjective aspects. The concept of clarity is subjective to the extent that it depends on the knowledge, abilities, experiences and state of mind of the person whom the information addresses. Thus, a legal provision will seem perfectly clear to the person who drafted it, but a lawyer wanting to use it in support of a

legal argument may well find it less clear, and the lawyer's client may not understand its meaning at all. For the judge who will have to interpret the provision in order to decide its applicability, this task is made all the more easy according to the extent that the legislature's intentions have been clearly expressed.

The subjective nature of clarity thus makes it impossible to argue absolutely that one document is clear and another is not. A statement can be described as clear only if it is easily comprehensible to the circle of individuals it addresses. The members of this circle must be able to understand with their current level of knowledge of the subject in question the meaning of the information in the form in which it is proffered. If the reader has to acquire new knowledge of the subject or turn to the statement's author or a specialist for explanations, it is no longer possible to speak of the information's clarity or ease of comprehension.

Ignorance of the law is no excuse

The well-known adage according to which ignorance of the law is no excuse implies that all members of the public have a right and a concomitant duty: the right to be informed of and to examine the rules that are in effect and the duty to obtain information on the content of these rules in order to comply with them. For this right to be exercised, legislation must not only be made accessible to the public but also be expressed in a manner that is sufficiently clear for it to be properly understood by every individual it affects.

Since a state's legal system affects all the areas of activity in which citizens, institutions and authorities are involved, very few individuals, if any at all, will be able to acquire an adequate knowledge of all the law's subjects so as to understand all the norms in effect. As in other professions, this

situation naturally leads to specialisation among lawyers in the various branches of the law. We must therefore recognise that, in practice, it is not possible to produce legislation that as a whole is comprehensible to everyone, although this is an ideal that, as far as possible, we should attempt to attain.

In a democratic state, in which the legislature is formed from the people, the standards of clarity and intelligibility for enactments are high. Members of the public must be able to fully appreciate the contents and effects of proposed legislation and form an opinion before voting on it in a referendum or deciding whether to request that the issue be put to the popular vote. To the extent that enactments are not sufficiently comprehensible in themselves, it is essential that all necessary explanations be provided so that members of the public can make their democratic choices and exercise their democratic rights in full knowledge of the facts. Accordingly, it is unsatisfactory to enact legislation that is accessible only to parliamentarians and lawyers.

Clarity of legislation and clarity of enactments

This text considers the question of clarity in legislative messages from two points of view: legislation considered as a whole and particular enactments assessed on an individual basis. The clarity of legislation as a legal institution depends on the clarity of the individual enactments that it comprises. A high-quality structure cannot be built with poor-quality bricks. The quantity of enactments, the system used to organise them and the connections made between them all play decisive roles, just as the way in which bricks are arranged and cemented into place contributes to the quality of the building.



P.O. BOX 180
VULCAN, ALBERTA
T0L 2B0

TELEPHONE: 1-403-485-2241
TOLL FREE: 1-877-485-2299
FAX: 1-403-485-2920
www.vulcancounty.ab.ca

April 3, 2024

Keri Thornton & Bruce Paterson
PO Box [REDACTED]
Vulcan, AB T0L 2B0

Re: Development Permit Application 24-2024 (NOTICE OF DECISION)

Dear Applicant,

Vulcan County Municipal Planning Commission has **REFUSED** your development permit application for a Similar to Short-term Rental 1 on Plan 2011054, Block 1, Lot 1 (the "Development").

Vulcan County Municipal Planning Commission has determined that the proposed Discretionary Use is refused for the following reasons:

- A. The subject of the development permit application is a Recreational Vehicle consistent with the definition for the same in Land Use Bylaw No. 2020-028 (LUB). Despite the proposed modifications to the Recreational Vehicle, the Municipal Planning Commission finds that the Recreational Vehicle does not, in character and substance, meet the criteria for a Dwelling Unit as established in the LUB, and is best classified as a Recreational Vehicle. Therefore, the MPC refuses the application on the basis that the subject of the application is a Recreational Vehicle (and not a Dwelling Unit), and given that the definition for Short Term Rental 1 limits the use of a Short Term Rental to a Dwelling Unit, the MPC is unable to approve the application as it is bound by and cannot waive use.
- B. Additionally, the MPC wishes to express that in its opinion a Short Term Rental was expressly limited to use in that of a Dwelling Unit (or a permanent style accessory building pursuant to Section 8, Schedule 5 of the LUB), and not a portable unit like a Recreational Vehicle, in order to provide certainty with respect to the regulation of the use and its location on a property, as well as to distinguish between Campgrounds/Recreational Vehicles Parks and Short Term Rentals.

As per *Alberta Municipal Government Act [Section 685]* you are eligible to appeal the decision of the Development Authority. The appeal can be made in writing to the Secretary of the Chinook Intermunicipal Subdivision and Development Appeal Board and must contain the reasons for your appeal. The written appeal, along with the \$600 appeal fee can be mailed to the address at the top of the page or dropped off at the County Office at 102 Centre Street in Vulcan. The appeal period ends on **April 24, 2024**, any appeal must be received by Vulcan County before this deadline.

If you have any questions, please contact me at 403-485-3135 or email devassist@vulcancounty.ab.ca.

Regards,

Alena Matlock; Development Officer - Vulcan County

REGULAR MEETING OF THE MUNICIPAL PLANNING COMMISSION – April 3rd, 2023

Development Permit 24-2024 Thornton/Paterson – Similar to: Short-term Rental 1 Plan 2011054, Block 1, Lot 1

Recommended Action: That the Municipal Planning Commission approve Development Permit 24-2024 with the following conditions:

1. No Development authorized by this Development Permit shall commence:
 - a. Until at least 21 days after the issue of the Development Permit, or
 - b. If an appeal is made, until the appeal is decided on.
2. The minimum/maximum requirements for all setbacks as established in Land Use Bylaw 2020-028 are met.
3. This is not a building permit; all Permits as required under the Safety Codes Act and its regulations shall be obtained and a copy of the Building Permit and any other required Safety Code Act approvals or permits shall be submitted to the County.
4. The applicant is solely responsible to obtain and comply with any other required Municipal, Provincial or Federal government permits, approvals, or licenses.
5. The applicant must ensure the facility is developed in accordance with the National Fire Code Alberta Edition and will require an inspection by Vulcan County Protective Services prior to operation.
6. The applicant develops an Emergency Response Plan to the satisfaction of Vulcan County Protective Services.
7. The applicant must ensure the facility meets all applicable requirements under the Alberta Public Health Act, and copies of any required approvals and/or licenses shall be provided to Vulcan County.
8. The proposed short term rental unit must be permanently fixed to the ground through a foundation, screw piles or anchoring.
9. On site weed control shall be required for the lifespan of the development.
10. Prior to seeding any native grass or wildflower mixes the seed mix be approved by Vulcan County Agriculture Services.
11. The applicant ensures the driveway to the short-term rental unit is constructed to the standard outlined in Policy 32-1012 Private Driveways to the satisfaction of the Development Authority.
12. The applicant will ensure one parking space be kept for the sole use of the Short-term rental unit.
13. This development permit for the proposed use is subject to a 5-year term.

Submitted by: Alena Matlock, Development Officer
Department: Planning & Development
Approval: Nels Petersen, Chief Administrative Officer

E1

Proposal & Background

Keri Thornton and Bruce Paterson have applied for a Development Permit to permit the use of a recreational vehicle as a second rental unit for the existing Short-term rental business, operated on their property. The proposal details a proposal to re-purpose the travel trailer to make it a more permanent structure to utilize it for short-term seasonal accommodation. The applicant has operated a short-term rental business since Spring of 2023, and had such success and demand for accommodation, they proposed a more economical option for their guests would be to utilize an RV for short-term rentals. Unfortunately, Vulcan County's bylaw specifically excludes Recreational Vehicles as dwellings and also restricts applications for Short-term rentals to apply to buildings that can be dwellings.

The Land Use Bylaw defines a Short term Rental 1 as the commercial operation within all or a portion of a dwelling unit, including a Secondary Suite(s) or room(s) in or a portion of a dwelling unit for a period not exceeding 30 days and the owner of the property is required to occupy the dwelling, or an adjacent dwelling on the same parcel as their primary residence; For the purposes of this Bylaw a Short-term Rental 1 includes a Bed and Breakfast. This definition, along with the other mentioned terms (dwelling unit, secondary suite, bed and breakfast) are attached to the RFD for review.

The development permit proposal is detailed in their application; they intend to re-purpose the travel trailer to ensure it is not temporary in nature, by proposing to remove the aspects of the RV that make it roadworthy, fix the RV in place and skirt it, as well as install permanent stairs, and landscape around the structure. Administration has added as conditions the requirement for an Emergency Response Plan, that the proposed short term rental be fixed to the ground through some type of foundation, and that the proposed use be subject to a 5-year term, at the end of which, if all parties are satisfied with the operations, another application can be made to extend approval for the additional rental unit. The applicant has provided some additional photos of the RV for their application, and they state the RV is a 2002 Keystone Sprinter.

The Development Permit application was circulated to those persons likely to be affected, including adjacent and surrounding landowners, Vulcan County departments, government departments and referral agencies [Section 43]. Administration has received responses from Telus and Atco Gas stating no concerns. At the time of writing this report Administration has received comments from an adjacent landowner, and their response has been attached. Their concerns are primarily regarding the incompatibility of extensive recreation adjacent to an active farming operation with regards to safety and liability, the increased fire risk associated with more intensive short-term rental use and the suitability of a recreational vehicle for the proposed use.

Financial/Policy Consideration

Land Use Bylaw 2020-028

SECTION 39 SIMILAR USE

- 39.1 Upon receipt of an application for a development permit for a use that is not specifically defined in the Use Definitions in Schedule 2, but which may be similar in character and purpose to other uses of land and structures in the land use district in which such use is proposed, the Development Officer may classify the use as either similar to a permitted use or similar to a discretionary use.
- 39.2 Where a use has been classified similar to a permitted use, the Development Officer may process the application accordingly as a permitted use or refer the application to the Municipal Planning Commission for a decision. The notice of the decision shall be subject to Section 44.
- 39.3 Where a use has been classified similar to a discretionary use for which the Municipal Planning Commission is authorized to issue a decision, the Development Officer shall:
- (a) notify adjacent landowners and other persons likely to be affected in accordance with Section 43; and
 - (b) refer the application to the Municipal Planning Commission for a decision.
- 39.4 Upon referral of an application by the Development Officer for a use that may be similar in character and purpose to a permitted or discretionary use, the Municipal Planning Commission:
- (a) shall rule whether or not the proposed use is similar to a use in the land use district in which it is proposed;
 - (b) if the proposed use is deemed similar to a use in the land use district in which it is proposed, the application shall be reviewed as a discretionary use application;
 - (c) if the proposed use is not deemed similar to a use in the land use district in which it is proposed, the development permit shall be refused.

FOIP Consideration

Development Permits are advertised and so become public knowledge.

Implementation/Communication

The applicant and all affected agencies and landowners will be notified of the Municipal Planning Commission's decision.

Attachments

Development Permit Application
Application Items – Appendix A
Site Plan
Ortho
Applicants trailer pictures
Adjacent Landowner Comments
Land Use Definitions



APPLICATION FOR DEVELOPMENT PERMIT

OFFICE USE ONLY			
Application No. <u>24-2024</u>	Roll No. <u>251702320</u>	Deemed Complete <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Date of Completion <u>22 March 2024</u>
Date Received <u>20 March 2024</u>	Division <u>3</u>	Land Use District <u>Rural General</u>	
Application Fee (\$) <u>500.00</u>	Fire Dept. <u>Vulcan</u>	Use <u>Similar in nature to: Short-term Rental</u>	
Date Application Fee Received <u>22 March 2024</u>	Gas Coop <u>Sunshine</u>	Land Title Verified <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

1) APPLICANT AND LAND INFORMATION

Applicant Name: KERI THORNTON / BRUCE PATERSON

Phone: [REDACTED] Email: [REDACTED]

Mailing Address: [REDACTED]

IF APPLICANT IS NOT THE REGISTERED OWNER

Applicant's Interest In Property Agent Contractor Tenant Other: _____

Registered Owner's Name: _____

Phone: _____ Email: _____

Mailing Address: _____

Quarter: NW Section: 2 Township: 17 Range: 25 W4M

Plan: 2011054 Block: 1 Lot: 1

Municipal Street Address (If Applicable): _____

Parcel Area Acres: 16.04 Hectares: _____

Existing Development

Please detail existing buildings, structures, uses, and improvements existing on the parcel.

(If they will be altered as part of this application, please detail the improvements)

Residential Homes w/Garage (2)
 Hip Barn (1)
 Storage Shops (2)
 Short-Term Rental Cabin (1)
 Grain Bins
 Garden Sheds
 Greenhouse



2) DEVELOPMENT DETAILS

Proposed Development

Please detail the proposed development including uses, buildings, structure, and any other planned renovations or improvements; including the dimensions of each.

Re-purposing a travel trailer into short-term seasonal accommodation. We acknowledge that a travel trailer, in its virgin state, cannot be approved for short term accommodation so we propose to re-purpose it in the same way that one may convert an airplane fuselage, grain-bin, school bus, sea can or anything else that they may choose to serve as short term, seasonal accommodation. In order to do so, we propose to remove all of the elements that uniquely make a travel trailer suitable for travel and, in doing so, essentially permanently convert it from its original purpose. To this effect, we propose to:

Remove the axles, including the wheels braking system and entire suspension
 Remove the hitch
 Remove the VIN
 Remove the licence plate
 Site frame on permanent jack-stands
 Skirt the structure
 Site structure on a gravel pad
 Connect it to permanent services that have been inspected and approved
 Install permanent stairs, including handrail
 Remove all exterior decals that reference brand and model
 Landscape and develop around the structure

In doing so we will negate the ability to move the structure as one would normally; it will cease to be a travel trailer and would become a repurposed structure, to be used as short term seasonal accommodation between the months of April and September (inclusive)

Estimated Commencement Date: March 27, 2024 Estimated Completion Date: April 14, 2024
 Estimated cost of the project (\$): \$5,000

For **residential** developments please check all applicable boxes below:

- | | |
|--|--|
| <input type="checkbox"/> Single detached dwelling | <input type="checkbox"/> Manufactured home 1 (new) |
| <input type="checkbox"/> Semi-detached dwelling | <input type="checkbox"/> Manufactured home 2 (previously occupied) |
| <input type="checkbox"/> Ready-to-move home (new) | <input type="checkbox"/> Accessory building to approved use |
| <input type="checkbox"/> Moved-in dwelling (previously occupied) | <input type="checkbox"/> Accessory building prior to principal building |
| <input type="checkbox"/> Modular home | <input checked="" type="checkbox"/> Other: <u>Short-term seasonal rental 1</u> |

3) Other

Access

Is the parcel adjacent to an existing developed roadway? Yes No
 Is the parcel currently subject to an Approach Agreement with Vulcan County? Yes No

Servicing

Please indicate how the proposed development will be serviced

<i>Water Supply</i>				<i>Sewer Servicing</i>		
<input checked="" type="checkbox"/> Cistern	<input type="checkbox"/> Well	<input type="checkbox"/> Dugout	<input type="checkbox"/> Coop	<input checked="" type="checkbox"/> Septic Tank	<input type="checkbox"/> Septic Field	<input type="checkbox"/> Communal
Other: _____				Other: _____		

Location

Please indicate if any of the following are within 1.6 km (1 mile) of the proposed development

<input checked="" type="checkbox"/> Provincial Highway	<input type="checkbox"/> Confined Feeding Operation	<input type="checkbox"/> Sour gas well or pipeline
<input type="checkbox"/> Sewage Treatment Plant	<input type="checkbox"/> Waste Transfer Station or Landfill	<input type="checkbox"/> River or Waterbody

Please indicate if any of the following are within 800m (1/2 mile) of the proposed development

<input type="checkbox"/> Slope of 15% or greater	<input type="checkbox"/> Existing multi-lot residential subdivision
--	---



4) Declaration

I/We have read and understand the terms noted below and hereby apply for a development permit to carry out the development described within this application including any attached forms, plans, and documents.

I/We hereby certify that all plans and information submitted are, to the best of my knowledge, true and correct.

I/We hereby certify that the registered owner of the land is aware of and in agreement with this application.

I/We hereby give consent to allow authorized persons the right to enter the subject land and/or building(s) for the purpose of an inspection with respect to this application.

Date: March 20, 2024

Applicant's Signature: Keri Thornton Digitally signed by Keri Thornton Date: 2024.03.20 13:00:49 -06'00'

Date: _____

Registered Owner's Signature: _____
(Required If Different from Applicant)

5) Development Permit Process

1. The Development Permit Application is to be submitted along with the application fee as described in the Fees for Service Bylaw and any additional information as indicated in Appendix A.
2. The County office will then notify adjacent landowners and may place an ad in the Vulcan Advocate respecting the proposed development.
3. You will receive a copy of the Notice of Decision and Development Permit Application in the mail dated the day the Development Permit was approved, although the Development Permit is not valid until 21 days after the Date of Issue of Notice of Decision.
4. The Development Permit is subject to all conditions specified on the Development Permit.
5. After the advertisement period a copy of the Development Permit and Notice of Decision will be sent to all relevant stakeholders which may require a copy of the approved development permit.
6. If your application has been refused or approved subject to conditions set forth by the Development Authority, you can appeal the decision to the **SUBDIVISION AND DEVELOPMENT APPEAL BOARD** or **LAND AND PROPERTY RIGHTS TRIBUNAL**, as specified on in the Development Permit or Notice of Refusal. If an applicant wishes to appeal the decision, a written notice of appeal must be served to the Vulcan County Planning and Development Department **within 21 days of the Date of Issue of Notice of Decision**. Vulcan County's Planning and Development Department will then forward the appeal to the relevant appeal body. Appeals may be mailed to:

VULCAN COUNTY PLANNING AND DEVELOPMENT
180 VULCAN, ALBERTA T0L 2B0
Phone 403-485-2241 Fax 403-485-2920



March 20, 2024

Vulcan County Planning & Development
102 Centre Street
Vulcan AB T0L 2B0

APPLICATION FOR DEVELOPMENT PERMIT: 170055 Range Road 252, Vulcan County

Please find attached development application form, duly completed as required, together with aerial photograph of our property indicating site of proposed development, together with information re setbacks from property boundaries and existing structures.

As regards the Appendix A – Additional Information, please find information as follows:

Site Plan

Attached

Identification of Potential Impacts

We can identify no potential impacts on the enjoyment or use of nearby lands. All lands directly adjoining are arable farmland and area where development is proposed is 90% bordered by hedgerow.

Consultation with People Who May be Affected

The closest residential habitation is over 1,450' away, as the crow flies and we have been unable to identify any potential impact on the use or enjoyment of this property resulting from this proposed development. During a meeting also attended by the Vulcan County Planning & Development team, these neighbours indicated that they have no issue with this proposed development.

Overview of Existing Site Conditions

Existing vegetation within the paddock where development is proposed comprises of grass and hedgerow (Caragana), together with some native wildflowers and trees planted by the property owners. There would be no changes or impact on existing vegetation. The proposed development includes landscaping with additional vegetation (Mops Mugo Pine, Birds Next Spruce or similar) which would provide additional habitats for native wildlife although, to date, we have seen no evidence of any unique species in this regard. There are no waterbodies in the vicinity of this parcel of land.

Description of Proposed Operations

Minimal construction would be required, which would be completed during the hours of 8:00am and 8:00pm for a short period of time. The property owners reside on the property and will provide site security, such as it would be required. Thereafter, guests will be required to check-in at the proposed short-term accommodation before 8:00pm and are required to check out by 10:00am however, given the number of occupants the proposed development will be able to accommodate, there will not be a large number of guests arriving / departing at any one time.

Transportation Plan

Existing roads have previously been deemed appropriate for use by Vulcan County, who have also approved the onsite parking.

BALLACRES FARM

E7

Waste Management Plan

A dumpster is rented from an appropriate vendor and emptied as necessary

Reclamation Plan

Not applicable

Historical Resource Overview

Not applicable

Biophysical Impact Assessment

There would be no biophysical impact

Geotechnical Report

Not applicable

Stormwater Management Plan

Stormwaters currently collect in the Western area of this property. Approval has been obtained from Vulcan County for the landowners to install culverts that will direct this water towards County drainage for collection.

Water/Wastewater Servicing Strategies

A permitted and approved septic tank will be utilised for the collection of wastewater

Traffic Impact Assessment

There would be an extremely minimal amount of traffic generated by this development, that would have no discernable impact on existing traffic numbers

Phase 1 Environmental Site Assessment

Not applicable

Groundwater Impact Analysis and Soils Study

Not applicable

Erosion Control Strategy

Not applicable

Architectural Control Guidelines

Not applicable

I trust that the above provides all of the required information to allow Vulcan Conty Planning & Development to fully consider our application, however please do not hesitate to reach out to either myself or my husband (as per the application) should you require further information.

Yours faithfully



Keri Thornton ABR. SRES. CCS



N ↑

33m / 108'

72m / 236'

11m / 36'

339m / 1,112'

Ballacres Farm

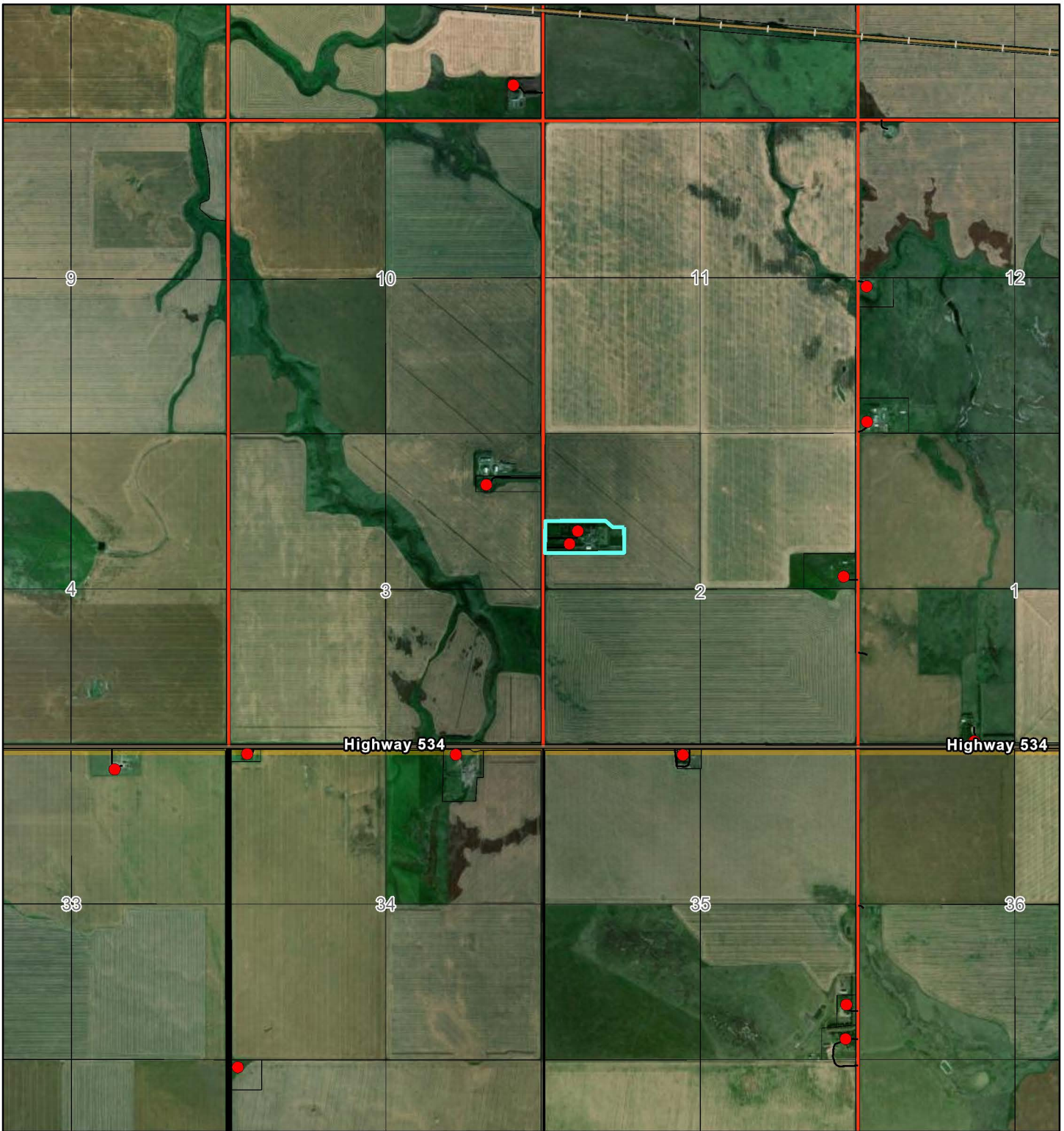
125m / 410'

Range Rd 252

E9

Re: Development Permit Application - March 20, 2024
170055 Range Road 252 | Vulcan County | W:4 R:25 T:17 S:2 Q:NW

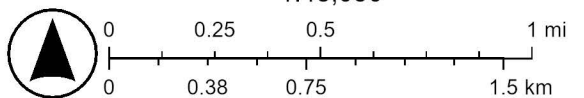
Ortho 24-2024



3/21/2024, 9:46:44 AM

1:45,030

- Residences
- Provincial Secondary Highway
- Railway
- County Gravel Road
- County Gravel Road
- County Paved Road
- Landowners (March 1, 2024)



Esri, Canada, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, USDA, NRCAN, Parks Canada, Southern Alberta, Earthstar Geographics

E10

Ballacres Trailer (1)



E11

Ballacres Trailer (2)



E12

Ballacres Trailer (3)



E13

Ballacres Trailer (4)



E14

LAND USE BYLAW DEFINITIONS

SHORT-TERM RENTAL 1 means the operation of commercial accommodation within all or a portion of a dwelling unit, including a Secondary Suite(s) or a room(s) in or a portion of a dwelling unit for a period not exceeding 30 days, and the owner or property manager of the property is required to occupy the dwelling (within the same suite or an attached suite), or an adjacent dwelling on the same parcel, as their primary residence and be present on the premises during the majority of the operation of the Short-Term Rental. For the purposes of this Bylaw a Short- Term Rental 1 includes a Bed and Breakfast.

DWELLING UNIT means a structure built for the purpose of being a self-contained living premises, designed to be occupied by an individual or family or other household group, in which facilities are included for cooking, sanitation, and sleeping. Such units include, but are not limited to, single-unit dwellings, modular dwellings, duplexes, apartments, manufactured dwellings and moved-in buildings for residential use.

BED AND BREAKFAST means an owner-occupied dwelling offering short-term lodging, generally not exceeding one week, to registered guests and providing only a breakfast meal. The facility may include one or more supplementary buildings for accommodation.

SECONDARY SUITE means a subordinate dwelling unit located within or attached to a single detached dwelling.

ADJACENT LANDOWNER COMMENTS

From: Joanne Kettenbach [REDACTED]
Sent: April 2, 2024 9:32 AM
To: Alena Matlock
Subject: Notification of Proposed Development - Your File DP-2024
Attachments: BKReview.pdf; BKTrail.jpg

Alena,

We are in receipt of the above referenced Notification of Proposed Development Application dated March 21, 2024. We received this Application because we own farm land adjoining the location of the proposed development and are the closest neighbours to the proposed development.

The Applicant has stated that "neighbours" have no issue with proposed development. We assume he is referring to us. Please be advised that the Applicant does not represent us and does not speak for us with regard to this application. Please disregard the Applicants comment regarding consultation with affected people.

We oppose the proposed development for the following reasons and provide the following comments:

- We did not object to the Applicant's application for one short term rental but do object to additional short term rentals on their property.

- An additional short term rental on the property leads to an increase in the influx of people on the Applicants property that are not familiar with the activities that occur on our adjoining land. These activities include large agricultural equipment operating within close proximity (108 feet) to the short term rental unit. This equipment includes but is not limited to seeding equipment, land and aerial spraying equipment, harvesting equipment, semi trucks with grain trailers, rolling equipment and harrowing equipment. We are concerned that people unfamiliar with this equipment may trespass on our land and be unaware of the limited ability of the equipment operators to see, to avoid and to stop in the case a child, adult or pet is in the field in the line of the field operation taking place. The Applicant has a trail on their property that the renters are encouraged to use. Much of the trail is right on the edge of our farmland. The risk of the renters trespassing on the farmland is great because there are no barriers between the trail and the farmland. This part of the trail is right next to where our farming operations take place. There is a safety issue when you have people, children and pets in close proximity to large agricultural equipment, especially when those people are unfamiliar with the equipment. The trail adjacent to our farmland increases the stress of those operating that equipment when you know there are people, children or pets unfamiliar with farming operations in the direct vicinity. We are concerned that if there is an accident or issue as a result of a renter trespassing on our land we may be facing liability issues. *A picture of part of the trail is attached.*

- The people renting these short term rentals have no vested interest in the Applicants or the neighbouring property which can result in careless behavior by the renters. We are concerned that there will be an increase in the risk of fire hazards and stray garbage resulting from the activity of additional renters on the property. These fire hazards could result from people smoking, camp fires, barbecues, etc.

- We are concerned that there will be complaints from an increased number of renters with regards to our farms operations including the spraying of herbicides, fungicides, insecticides and the noise and dust associated with farming operations. We are concerned that if a renter suffers negative health effects from our farming operations, we may face liability issues.
- The applicant initially applied for and was approved for only one short term rental unit. They subsequently set up and rented out an additional rental unit in the form of a travel trailer. This additional rental unit was not approved by the County. We are concerned the Applicant disregards rules with regards to county regulations regarding short term rentals on the property. Further action of this nature by the Applicant may negatively affect our use and enjoyment of our adjoining property. *A review by a renter of the Applicant's Airbnb commenting on the fact that the travel trailer was rented to them is attached. The review suggests an additional unit was set up to accommodate the renters (besides the approved rental and trailer).*
- An increase in these short term rentals in the County, increases the necessity for an increase in the monitoring of these properties. Is the County prepared to spend more funds and resources to ensure that these short term rentals are being operated pursuant to County regulations and to respond to adjoining landowners complaints and concerns. The Applicant has already been operating a short term rental unit without the necessary permits. Are there consequences for the Applicant for operating an unpermitted short term rental?
- As ratepayers, we are concerned that if this "re-purposed" travel trailer is approved for a short term rentals, we will see many older, non-functioning recreational vehicles be set up throughout the county as short term rentals. Small acreage properties may become more like campgrounds which we believe are not compatible with intensive farming operations which is the primary industry of Vulcan County. If approved, this "re-purposed" trailer may become a precedent for other property owners seeking to obtain revenue from setting up recreational vehicles in a campground like setting on their property.
- Regardless of the Applicant's assertions that the travel trailer will "cease to be a travel trailer" after they make alterations to the unit, it is still a travel trailer. It can be restored to a unit capable of being pulled to different locations.
- As a general comment about the procedure of notifying people affected by proposed developments, the time frame in which we have to respond to this notification is very short. The notification is dated March 21, 2024. We picked up the notification package from the post office March 22, 2024. We only have until April 2, 2024 to respond which is 12 days. We are fortunate that we are not away and do have time to respond. For others that may not be the case if they are away on holidays or there is a delay in mail delivery. As of Friday, March 29, Adam Kettenbach, an adjacent land owner and most affected by the proposed development had not received the full Development Details package, only a one page notice letter.

In conclusion, we are opposed to the approval of additional short term rentals, in any form on the Applicants property due to the reasons and concerns above.

Ed and Joanne Kettenbach - Adjacent Landowners
Heartland Farms Ltd. - Adjacent Landowner
Adam Kettenbach - Adjacent Landowner

Email Attachment (1) Picture of Trail



E18

Email Attachment (2)Review



Gage

High River, Canada

★★★★★ · August 2023 · Stayed a few nights

Keri and Brice were able to have our family rent the cabin AND the trailer at the same time so we could celebrate a birthday!

we asked if a couple people could bring a tent or trailer and she worked with us to be able to accommodate for a unique experience.

They made sure that when we had inquiries on additional stuff to include, they went above and beyond to make sure our stay was as comfortable and enjoyable as possible. I've never had quite a generous stay before and would recommend anyone who wants the joy of a camping type environment, while having the privacy you just can't get anywhere else.

The cabin had far more modernization while still having the lovely rustic nature vibe than expected.

Would give a 6/5 rating if possible. Will definitely be making it a permanent option going forward for our Air BnB getaways!

From: [Joanne Kettenbach](#)
To: [Alena Matlock](#)
Subject: Notification of Proposed Development - Your File DP-2024
Date: April 2, 2024 9:32:00 AM
Attachments: [BKReview.pdf](#)
[BKTrail.jpg](#)

Alena,

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We oppose the proposed development for the following reasons and provide the following comments:

- We did not object to the Applicant's application for one short term rental but do object to additional short term rentals on their property.

- An additional short term rental on the property leads to an increase in the influx of people on the Applicant's property that are not familiar with the activities that occur on our adjoining land. These activities include large agricultural equipment operating within close proximity (108 feet) to the short term rental unit. This equipment includes but is not limited to seeding equipment, land and aerial spraying equipment, harvesting equipment, semi trucks with grain trailers, rolling equipment and harrowing equipment. We are concerned that people unfamiliar with this equipment may trespass on our land and be unaware of the limited ability of the equipment operators to see, to avoid and to stop in the case a child, adult or pet is in the field in the line of the field operation taking place. The Applicant has a trail on their property that the renters are encouraged to use. Much of the trail is right on the edge of our farmland. The risk of the renters trespassing on the farmland is great because there are no barriers between the trail and the farmland. This part of the trail is right next to where our farming operations take place. There is a safety issue when you have people, children and pets in close proximity to large agricultural equipment, especially when those people are unfamiliar with the equipment. The trail adjacent to our farmland increases the stress of those operating that equipment when you know there are people, children or pets unfamiliar with farming operations in the direct vicinity. We are concerned that if there is an accident or issue as a result of a renter trespassing on our land we may be facing liability issues. *A picture of part of the trail is attached.*

- The people renting these short term rentals have no vested interest in the Applicant's or the neighbouring property which can result in careless behavior by the renters. We are concerned that there will be an increase in the risk of fire hazards and stray garbage resulting from the activity of additional renters on the property. These fire hazards could result from people smoking, camp fires, barbecues etc.

- We are concerned that there will be complaints from an increased number of renters with regards to our farms operations including the spraying of herbicides, fungicides, insecticides and the noise and dust associated with farming operations. We are concerned that if a renter suffers negative health effects from our farming operations, we may face liability issues.

- The applicant initially applied for and was approved for only one short term rental unit. They subsequently set up and rented out an additional rental unit in the form of a travel trailer. This additional rental unit was not approved by the County. We are concerned the Applicant disregards rules with regards to county regulations regarding short term rentals on the property. Further action of this nature by the Applicant may negatively affect our use and enjoyment of our adjoining property. *A review by a renter of the Applicant's Airbnb commenting on the fact that the travel trailer was rented to them is attached. The review suggests an additional unit was set up to accommodate the renters (besides the approved rental and trailer).*

- An increase in these short term rentals in the County, increases the necessity for an increase in the monitoring of these properties. Is the County prepared to spend more funds and resources to ensure that these short term rentals are being operated pursuant to County regulations and to respond to adjoining landowners complaints and concerns. The Applicant has already been operating a short term rental unit without the necessary permits. Are there consequences for the Applicant for operating an unpermitted short term rental?

- As ratepayers, we are concerned that if this "re-purposed" travel trailer is approved for a short term rentals, we will see many older, non-functioning recreational vehicles be set up throughout the county as short term rentals. Small acreage properties may become more like campgrounds which we believe are not compatible with intensive farming operations which is the primary industry of Vulcan County. If approved, this "re-purposed" trailer may become a precedent for other property owners seeking to obtain revenue from setting up recreational vehicles in a campground like setting on their property.

- Regardless of the Applicant's assertions that the travel trailer will "cease to be a travel trailer" after they make alterations to the unit, it is still a travel trailer. It can be restored to a unit capable of being pulled to different locations.

- As a general comment about the procedure of notifying people affected by proposed developments, the time frame in which we have to respond to this notification is very short. The notification is dated March 21, 2024. We picked up the notification package from the post office March 22, 2024. We only have until April 2, 2024 to respond which is 12 days. We are fortunate that we are not away and do have time to respond. For others that may not be the case if they are away on holidays or there is a delay in mail delivery. As of Friday, March 29, Adam Kettenbach, an adjacent land owner and most affected by the proposed development had not received the full Development Details package, only a one page notice letter.

In conclusion, we are opposed to the approval of additional short term rentals, in any form on the Applicants property due to the reasons and concerns above.

Ed and Joanne Kettenbach - Adjacent Landowners
Heartland Farms Ltd. - Adjacent Landowner
Adam Kettenbach - Adjacent Landowner





Gage

High River, Canada

★★★★★ · August 2023 · Stayed a few nights

Keri and Brice were able to have our family rent the cabin AND the trailer at the same time so we could celebrate a birthday!

we asked if a couple people could bring a tent or trailer and she worked with us to be able to accommodate for a unique experience.

They made sure that when we had inquiries on additional stuff to include, they went above and beyond to make sure our stay was as comfortable and enjoyable as possible. I've never had quite a generous stay before and would recommend anyone who wants the joy of a camping type environment, while having the privacy you just can't get anywhere else.

The cabin had far more modernization while still having the lovely rustic nature vibe than expected.

Would give a 6/5 rating if possible. Will definitely be making it a permanent option going forward for our Air BnB getaways!

From: [Mike Kiemele](#)
To: [Alena Matlock](#)
Subject: RE: Notification of Proposed Development 24-2024
Date: April 2, 2024 9:11:41 AM

I have no concerns

-----Original Message-----

From: Alena Matlock <devassist@vulcancounty.ab.ca>
Sent: Thursday, March 21, 2024 11:57 AM
To: Mike Kiemele <mike.kiemele@vulcancounty.ab.ca>
Subject: Notification of Proposed Development 24-2024

Good morning,

Please see attached document regarding proposed Development Permit 24-2024.

Thank you,

From: [Ala Taremi](#)
To: [Alena Matlock](#)
Subject: FW: Notification of Proposed Development 24-2024
Date: April 1, 2024 9:21:45 AM
Attachments: [Agency Notification Letter 24-2024.pdf](#)

Hi Alena,

Thank you for inviting our comments on the above-referenced application. Alberta Health Services (AHS) understands that this application is proposing to develop a short-term rental located at Plan 2011054, Block 1, Lot 1 within NW 2-17-25 W4 of Vulcan County. Based on the information provided, AHS provides the following comments:

1. The proposed source of drinking water and type of wastewater system were not identified in the application. Whenever possible, AHS-EPH supports the regionalization of water and wastewater utilities; in particular, the connection to existing Alberta Environment and Parks-approved municipal or regional drinking water and wastewater systems. Please note that the drinking water must be potable if clients will be accommodated in this dwelling. AHS-EPH requests further information regarding the proposed drinking water source, as well as information on the proposed wastewater system that will serve this development.
2. Please be aware of the following requirements for rental units:

General Premise Requirements

Owners must ensure that their accommodation is:

- structurally sound,
- waterproof / windproof / weatherproof,
- free of insect and rodent infestations, and
- free from physical hazards, debris and refuse.

Accommodations must also have:

- clean common areas,
- doors and exterior windows that can be locked and easily opened for escape or ventilation, and
- walls, windows, ceilings and floors that are in good repair and are easily cleanable.

Smoke Alarms

Operational smoke alarms must be installed in all rental dwellings between each sleeping area and the remainder of the suite.

Utilities

The owner must provide a continuous supply of electricity and heat unless there is a rental agreement showing that utilities are the responsibility of the tenant. Please note that if the water supply is from a well, bacteriological samples must be submitted to an approved laboratory to ensure the potability of the supply. If the potable water is provided by the county, the water account will remain in the name of the registered owner; therefore the owner must provide a continuous supply of hot and cold water to the rental accommodation. If the waste water and sewage is handled by a private sewage disposal system, it must be adequate in size to handle the additional impact.

Food Preparation Area

An area for food preparation must be present unless meals are provided, and must include a sink, storage cupboards or cabinets, a counter or table, cooking equipment and a refrigerator.

Washroom Facilities

All rental suites must include a flush toilet, washbasin and bathtub or shower.

Bedrooms

Rooms used for sleeping must be provided with adequate ventilation in the form of a window or mechanical

ventilation that meets the requirements of the Alberta Building Code.

If rooms used for sleeping do not have adequate fire suppression (sprinklers) or a door providing direct access to the outside, they must have windows that provide an unobstructed opening of at least 0.35m² with no dimension less than 380 mm. If windows are supplied with security bars, the security bars must open from the inside and not require special tools or knowledge to open.

Regulations

The Alberta Public Health Act, Housing Regulation (AR 173/99) and the Minimum Housing and Health Standards set out requirements that landlords must follow regarding the upkeep and condition of their rental properties. Please note that these regulations and standards are distinct and separate from building and construction codes.

These regulations can be found on the Alberta Health Services, Environmental Public Health website at: <http://www.albertahealthservices.ca/eph/Page8302.aspx> .

Additionally, all properties must be maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003 which stipulates,

No person shall create, commit or maintain a nuisance. A person who creates, commits or maintains any premise in a condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.

Based on the information provided, AHS-EPH has no objections to the application. Please call (587)943-2790 or ala.taremi@ahs.ca if you have any questions or concerns.

Sincerely,

Ala Taremi, BSc, BEH, CPHI(C)
Environmental Public Health
Safe Healthy Environments
Email: Ala.Taremi@albertahealthservices.ca
Phone: +1-587-943-2790

ahs.ca/eph | ahs.ca/injuryprevention | ahs.ca/suicideprevention

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-----Original Message-----

From: Rieza Del Rosario <Rieza.DelRosario@albertahealthservices.ca>

Sent: Thursday, March 21, 2024 3:36 PM

To: Ala Taremi <Ala.Taremi@albertahealthservices.ca>

Subject: FW: Notification of Proposed Development 24-2024

F7

-----Original Message-----

From: Alena Matlock <devassist@vulcancounty.ab.ca>

Sent: Thursday, March 21, 2024 11:56 AM

To: CalgaryZone.EnvironmentalHealth <calgaryzone.environmentalhealth@ahs.ca>

Subject: Notification of Proposed Development 24-2024

Caution - This email came from an external address and may contain unsafe content. Ensure you trust this sender before opening attachments or clicking any links in this message _____

Good morning,

Please see attached document regarding proposed Development Permit 24-2024.

Thank you,

From: [Lahnert, Jessica](#)
To: [Alena Matlock](#)
Subject: RE: Notification of Proposed Development 24-2024
Date: March 25, 2024 11:33:58 AM

Hi Alena,

ATCO Gas has no objection to the proposed development.

Thanks,

Jessica Lahnert
Administrative Coordinator, Land
Natural Gas

P. 403 245 7443

-----Original Message-----

From: Alena Matlock <devassist@vulcancounty.ab.ca>
Sent: Thursday, March 21, 2024 11:57 AM
To: South Land Administration <SouthLandAdministration@atco.cul.ca>
Subject: Notification of Proposed Development 24-2024

****Caution – This email is from an external source. If you are concerned about this message, please report using Phish Alert Button in your Outlook for analysis.****

Good morning,

Please see attached document regarding proposed Development Permit 24-2024.

Thank you,

The information transmitted is intended only for the addressee and may contain confidential, proprietary and/or privileged material. Any unauthorized review, distribution or other use of or the taking of any action in reliance upon this information is prohibited. If you receive this in error, please contact the sender and delete or destroy this message and any copies.

From: [circulations](#)
To: [Alena Matlock](#)
Subject: RE: Notification of Proposed Development 24-2024
Date: March 26, 2024 12:57:36 PM

Good Morning,

Thank you for including TELUS in your circulation
At this time, TELUS has no concerns with the proposed activities.

Thanks,

Jaylene Perkins (she/her)
Real Estate Specialist | TELUS Land Solutions Team
Customer Network Planning (CNP)
18811 107 Avenue NW, Edmonton, AB T5S 2L9
The future is friendly®
circulations@telus.com

-----Original Message-----

From: Alena Matlock <devassist@vulcancounty.ab.ca>
Sent: Thursday, March 21, 2024 11:57 AM
To: [circulations](mailto:circulations@telus.com) <circulations@telus.com>
Subject: Notification of Proposed Development 24-2024

RESPOND BY APR 3

Good morning,

Please see attached document regarding proposed Development Permit 24-2024.

Thank you,



APPLICATION FOR DEVELOPMENT PERMIT

OFFICE USE ONLY			
Application No.	Roll No.	Deemed Complete <input type="checkbox"/> Yes <input type="checkbox"/> No	Date of Completion
Date Received	Division	Land Use District	
Application Fee (\$)	Fire Dept.	Use	
Date Application Fee Received	Gas Coop	Land Title Verified <input type="checkbox"/> Yes <input type="checkbox"/> No	

1) APPLICANT AND LAND INFORMATION

Applicant Name: KERI THORNTON / BRUCE PATERSON

Phone: (403) 852-6021 / (403) 815-1808

Email: keri@keyholerealestate.ca / ballacresvacations@gmail.com

Mailing Address: BOX [REDACTED] | VULCAN | AB T0L 2B0

IF APPLICANT IS NOT THE REGISTERED OWNER

Applicant's Interest In Property Agent Contractor Tenant Other: _____

Registered Owner's Name: _____

Phone: _____ Email: _____

Mailing Address: _____

Quarter: NW Section: 2 Township: 17 Range: 25 W4M

Plan: 2011054 Block: 1 Lot: 1

Municipal Street Address (If Applicable): _____

Parcel Area Acres: 16.04 Hectares: _____

Existing Development

Please detail existing buildings, structures, uses, and improvements existing on the parcel.
(If they will be altered as part of this application, please detail the improvements)

Residential Homes w/Garage (2)
 Hip Barn (1)
 Storage Shops (2)
 Short-Term Rental Cabin (1)
 Grain Bins
 Garden Sheds
 Greenhouse



2) DEVELOPMENT DETAILS

Proposed Development

Please detail the proposed development including uses, buildings, structure, and any other planned renovations or improvements; including the dimensions of each.

Re-purposing a travel trailer into short-term seasonal accommodation. We acknowledge that a travel trailer, in its virgin state, cannot be approved for short term accommodation so we propose to re-purpose it in the same way that one may convert an airplane fuselage, grain-bin, school bus, sea can or anything else that they may choose to serve as short term, seasonal accommodation. In order to do so, we propose to remove all of the elements that uniquely make a travel trailer suitable for travel and, in doing so, essentially permanently convert it from its original purpose. To this effect, we propose to:

- Remove the axles, including the wheels braking system and entire suspension
- Remove the hitch
- Remove the VIN
- Remove the licence plate
- Site frame on permanent jack-stands
- Skirt the structure
- Site structure on a gravel pad
- Connect it to permanent services that have been inspected and approved
- Install permanent stairs, including handrail
- Remove all exterior decals that reference brand and model
- Landscape and develop around the structure

In doing so we will negate the ability to move the structure as one would normally; it will cease to be a travel trailer and would become a repurposed structure, to be used as short term seasonal accommodation between the months of April and September (inclusive)

Estimated Commencement Date: March 27, 2024

Estimated Completion Date: April 14, 2024

Estimated cost of the project (\$): \$5,000

For **residential** developments please check all applicable boxes below:

- | | |
|--|---|
| <input type="checkbox"/> Single detached dwelling | <input type="checkbox"/> Manufactured home 1 (new) |
| <input type="checkbox"/> Semi-detached dwelling | <input type="checkbox"/> Manufactured home 2 (previously occupied) |
| <input type="checkbox"/> Ready-to-move home (new) | <input type="checkbox"/> Accessory building to approved use |
| <input type="checkbox"/> Moved-in dwelling (previously occupied) | <input type="checkbox"/> Accessory building prior to principal building |
| <input type="checkbox"/> Modular home | <input checked="" type="checkbox"/> Other: |

Short-term seasonal rental 1

3) Other

Access

- Is the parcel adjacent to an existing developed roadway? Yes No
- Is the parcel currently subject to an Approach Agreement with Vulcan County? Yes No

Servicing

Please indicate how the proposed development will be serviced

Water Supply

- Cistern Well Dugout Coop

Other: _____

Sewer Servicing

- Septic Tank Septic Field Communal

Other: _____

Location

Please indicate if any of the following are within 1.6 km (1 mile) of the proposed development

- Provincial Highway Confined Feeding Operation Sour gas well or pipeline
- Sewage Treatment Plant Waste Transfer Station or Landfill River or Waterbody

Please indicate if any of the following are within 800m (1/2 mile) of the proposed development

- Slope of 15% or greater Existing multi-lot residential subdivision



4) Declaration

I/We have read and understand the terms noted below and hereby apply for a development permit to carry out the development described within this application including any attached forms, plans, and documents.

I/We hereby certify that all plans and information submitted are, to the best of my knowledge, true and correct.

I/We hereby certify that the registered owner of the land is aware of and in agreement with this application.

I/We hereby give consent to allow authorized persons the right to enter the subject land and/or building(s) for the purpose of an inspection with respect to this application.

Date: March 20, 2024

Applicant's Signature: Keri Thornton Digitally signed by Keri Thornton
Date: 2024.03.20 13:00:49 -06'00'

Date: _____

Registered Owner's Signature: _____
(Required If Different from Applicant)

5) Development Permit Process

1. The Development Permit Application is to be submitted along with the application fee as described in the Fees for Service Bylaw and any additional information as indicated in Appendix A.
2. The County office will then notify adjacent landowners and may place an ad in the Vulcan Advocate respecting the proposed development.
3. You will receive a copy of the Notice of Decision and Development Permit Application in the mail dated the day the Development Permit was approved, although the Development Permit is not valid until 21 days after the Date of Issue of Notice of Decision.
4. The Development Permit is subject to all conditions specified on the Development Permit.
5. After the advertisement period a copy of the Development Permit and Notice of Decision will be sent to all relevant stakeholders which may require a copy of the approved development permit.
6. If your application has been refused or approved subject to conditions set forth by the Development Authority, you can appeal the decision to the **SUBDIVISION AND DEVELOPMENT APPEAL BOARD** or **LAND AND PROPERTY RIGHTS TRIBUNAL**, as specified on in the Development Permit or Notice of Refusal. If an applicant wishes to appeal the decision, a written notice of appeal must be served to the Vulcan County Planning and Development Department **within 21 days of the Date of Issue of Notice of Decision**. Vulcan County's Planning and Development Department will then forward the appeal to the relevant appeal body. Appeals may be mailed to:

VULCAN COUNTY PLANNING AND DEVELOPMENT
180 VULCAN, ALBERTA T0L 2B0
Phone 403-485-2241 Fax 403-485-2920



APPENDIX A – Additional Information

All items indicated below by the Development Authority are required for an application to be deemed complete.

- Site Plan, including:
 - Location of the proposed development on the parcel, and
 - Distances from the proposed development to existing structures and property lines.
- Identification of any potential impacts the proposed development may have on the enjoyment or use of nearby lands, including:
 - A summary of potential impacts, and
 - Steps to be taken to minimize impacts on nearby lands.
- Summary of any consultation with any people who may be affected by the proposed development, including:
 - How consultation was implemented;
 - Who was successfully contacted;
 - Summary of comments from affected parties, and
 - Steps to be taken to address any concerns raised.
- Overview of Existing Site Conditions, including:
 - Existing vegetation, waterbodies, and any unique species or topographical features;
 - Description and justification for proposed changes or impacts on existing vegetation, waterbodies, and any unique species or topographical features
- Description of Proposed Operations, including:
 - Hours of Operation;
 - Hours of Construction, and
 - Site Security and, where necessary, signage.
- Transportation Plan, including:
 - Proposed use of existing roads including, where necessary, haul routes, and
 - Proposed construction of new roads, including the proposed standard of construction
- Waste Management Plan.
- Reclamation Plan.
- Historical Resource Overview (HRO) and, if necessary, a Historical Resource Impact Assessment.
- Biophysical Impact Assessment.
- Geotechnical Report, including Slope Stability Analysis if any slopes are greater than 15%.
- Stormwater Management Plan.
- Water/Wastewater Servicing Strategies.
- Traffic Impact Assessment.
- Phase 1 Environmental Site Assessment.
- Groundwater Impact Analysis and Soils Study.
- Erosion Control Strategy.
- Architectural Control Guidelines.
- Other:



March 20, 2024

Vulcan County Planning & Development
102 Centre Street
Vulcan AB T0L 2B0

APPLICATION FOR DEVELOPMENT PERMIT: 170055 Range Road 252, Vulcan County

Please find attached development application form, duly completed as required, together with aerial photograph of our property indicating site of proposed development, together with information re setbacks from property boundaries and existing structures.

As regards the Appendix A – Additional Information, please find information as follows:

Site Plan

Attached

Identification of Potential Impacts

We can identify no potential impacts on the enjoyment or use of nearby lands. All lands directly adjoining are arable farmland and area where development is proposed is 90% bordered by hedgerow.

Consultation with People Who May be Affected

The closest residential habitation is over 1,450' away, as the crow flies and we have been unable to identify any potential impact on the use or enjoyment of this property resulting from this proposed development. During a meeting also attended by the Vulcan County Planning & Development team, these neighbours indicated that they have no issue with this proposed development.

Overview of Existing Site Conditions

Existing vegetation within the paddock where development is proposed comprises of grass and hedgerow (Caragana), together with some native wildflowers and trees planted by the property owners. There would be no changes or impact on existing vegetation. The proposed development includes landscaping with additional vegetation (Mops Mugo Pine, Birds Next Spruce or similar) which would provide additional habitats for native wildlife although, to date, we have seen no evidence of any unique species in this regard. There are no waterbodies in the vicinity of this parcel of land.

Description of Proposed Operations

Minimal construction would be required, which would be completed during the hours of 8:00am and 8:00pm for a short period of time. The property owners reside on the property and will provide site security, such as it would be required. Thereafter, guests will be required to check-in at the proposed short-term accommodation before 8:00pm and are required to check out by 10:00am however, given the number of occupants the proposed development will be able to accommodate, there will not be a large number of guests arriving / departing at any one time.

Transportation Plan

Existing roads have previously been deemed appropriate for use by Vulcan County, who have also approved the onsite parking.

Waste Management Plan

A dumpster is rented from an appropriate vendor and emptied as necessary

Reclamation Plan

Not applicable

Historical Resource Overview

Not applicable

Biophysical Impact Assessment

There would be no biophysical impact

Geotechnical Report

Not applicable

Stormwater Management Plan

Stormwaters currently collect in the Western area of this property. Approval has been obtained from Vulcan County for the landowners to install culverts that will direct this water towards County drainage for collection.

Water/Wastewater Servicing Strategies

A permitted and approved septic tank will be utilised for the collection of wastewater

Traffic Impact Assessment

There would be an extremely minimal amount of traffic generated by this development, that would have no discernable impact on existing traffic numbers

Phase 1 Environmental Site Assessment

Not applicable

Groundwater Impact Analysis and Soils Study

Not applicable

Erosion Control Strategy

Not applicable

Architectural Control Guidelines

Not applicable

I trust that the above provides all of the required information to allow Vulcan County Planning & Development to fully consider our application, however please do not hesitate to reach out to either myself or my husband (as per the application) should you require further information.

Yours faithfully



Keri Thornton ABR. SRES. CCS





33m / 108'

72m / 236'

11m / 36'

339m / 1,112'

Ballacres Farm

125m / 410'

Range Rd 252

Re: Development Permit Application - March 20, 2024
170055 Range Road 252 | Vulcan County | W:4 R:25 T:17 S:2 Q:NW





LAND USE BYLAW NO. 2020-028

March 2021

(Consolidated to Bylaw 2023-029, February 2024)

EXCERPTS



SECTION 38 DEVELOPMENT PERMITS IN DIRECT CONTROL DISTRICTS

- 38.1 In accordance with section 641(4)(a) of the *MGA*, there is no opportunity to appeal an application for a development permit in a Direct Control district.

SECTION 39 SIMILAR USE

- 39.1 Upon receipt of an application for a development permit for a use that is not specifically defined in the Use Definitions in Schedule 2, but which may be similar in character and purpose to other uses of land and structures in the land use district in which such use is proposed, the Development Officer may classify the use as either similar to a permitted use or similar to a discretionary use.
- 39.2 Where a use has been classified similar to a permitted use, the Development Officer may process the application accordingly as a permitted use or refer the application to the Municipal Planning Commission for a decision. The notice of the decision shall be subject to Section 44.
- 39.3 Where a use has been classified similar to a discretionary use for which the Municipal Planning Commission is authorized to issue a decision, the Development Officer shall:
- (a) notify adjacent landowners and other persons likely to be affected in accordance with Section 43; and
 - (b) refer the application to the Municipal Planning Commission for a decision.
- 39.4 Upon referral of an application by the Development Officer for a use that may be similar in character and purpose to a permitted or discretionary use, the Municipal Planning Commission:
- (a) shall rule whether or not the proposed use is similar to a use in the land use district in which it is proposed;
 - (b) if the proposed use is deemed similar to a use in the land use district in which it is proposed, the application shall be reviewed as a discretionary use application;
 - (c) if the proposed use is not deemed similar to a use in the land use district in which it is proposed, the development permit shall be refused.

SECTION 40 TEMPORARY USE

- 40.1 Where a proposed development is for a discretionary use, the Development Authority may issue a temporary development permit for that development if:
- (a) the proposed development is of a temporary nature;
 - (b) the Development Authority wishes to ensure the suitability or compatibility of a multi-phase project prior to allowing full build out of the project by only allowing one or more phases to commence;
 - (c) the Development Authority wishes to ensure that the development authorized by the permit will cease by a specified date or will not be ongoing indefinitely.
- 40.2 Temporary use applications shall be subject to the following conditions:
- (a) the applicant or developer is liable for any costs involved in the cessation or removal of any development at the expiration of the established time period;
 - (b) the Development Authority may require the applicant to submit security guaranteeing the cessation or removal of the temporary use; and

LAND USE DISTRICT REGULATIONS

RURAL GENERAL – RG

PURPOSE: *To protect the agricultural land base of the municipality while allowing non-agricultural developments which complement the area's economy.*

SECTION 1 USES

1.1 Permitted Uses

- Accessory building, structure or use
- Additions to existing buildings
- Agricultural building (e)
- Agricultural operation (e)
- Extensive agriculture (e)
- Home occupation 1 (e)
- Home occupation 2
- Manufactured dwellings 1
- Meteorological tower
- Modular dwellings 1 and 2
- Moved-in building
- Moved-in dwelling
- Ready-to-move dwelling
- Renewable energy, individual
- Shipping container (e)
- Short-Term Rental 1
- Sign, Category 1 (e)
- Sign, Category 2
- Single detached dwelling
- Utilities (e)

1.2 Discretionary Uses – MPC

- Abattoir
- Agricultural Processing
- Agricultural repair shop
- Airstrip
- Animal care service, small and large
- Cemetery and interment services
- Child care facility
- Community hall
- Duplex
- Exhibition centre
- Home occupation 3

Discretionary Uses – DO

- Dwelling unit, combined
- Manufactured dwelling 2
- Second dwelling unit
- Secondary suite
- Sign, Category 3

Discretionary Uses – MPC (continued)

Intensive horticultural operation
Kennel, breeding
Kennel, breeding *(existing)*
Multi-unit dwelling
Mushroom farm
Natural resource extraction and processing
Public building or use
Religious assembly
Renewable energy, commercial/industrial
Riding stable/arena
Rodeo grounds
School
Shooting range *(existing)*
Short-Term Rental 2
Stripping and sale of topsoil
Telecommunication tower
Work camp, long term
Work camp, short term

(e) means “Exempt” and development will not require a development permit if it meets all the provisions of this Bylaw and is in accordance with any applicable requirements in Schedule 3.

SECTION 2 PARCEL AND LOT SIZE

- 2.1 A minimum lot size of 0.4 ha (1 acre) is recommended for any permitted or discretionary use. This may be varied by the Municipal Planning Commission to reasonably accommodate the proposed use. Parcels and lot sizes for all land uses shall be determined by the Municipal Planning Commission. The following parcel sizes apply to the uses listed below.
- 2.2 Extensive Agriculture
- (a) existing parcels;
 - (b) 64.8 ha (160 acres) or an unsubdivided quarter section.
- 2.3 Farmsteads
- (a) existing parcels;
 - (b) flexible maximum based on farmstead definition.
- 2.4 Vacant Country Residential
- (a) existing parcels;
 - (b) minimum of 0.4 ha (1 acre);
 - (c) maximum of 1.2 ha (3 acres).
- 2.5 Confined Feeding Operations
- (a) existing parcels.

SECTION 3 DENSITY

- 3.1 The maximum number of parcels allowed on an unsubdivided quarter section of land shall be two, unless a redesignation process is undertaken and approved.

SECTION 4 MINIMUM SETBACK FROM PROPERTY LINES

- 4.1 All structures and buildings shall be setback 7.6 m (25 ft) from all property lines not fronting on or adjacent to a municipal roadway.

SECTION 5 MINIMUM SETBACKS FROM ROADS

- 5.1 No part of a building or structure shall be located within 38.1 m (125 ft) of the centre line of any public roadway which is not designated as a provincial highway under the *Highways Development and Protection Regulation*.
- 5.2 Any road designated as a provincial highway under the *Highways Development and Protection Regulation* is subject to setbacks as required by Alberta Transportation and any applications for development adjacent to a highway should be referred to Alberta Transportation for a Roadside Development Permit.
- 5.3 No part of any dugout, regardless of size, shall be located within 76.2 m (250 ft) of the right-of-way of a highway or public road.
- 5.4 Dugouts may be allowed closer to the centre line of a highway or public road if a barricade is installed along 100 percent of the length of that part of the dugout fronting the highway or public road and 25 percent of the length of the sides of the dugout.

SECTION 6 MINIMUM SETBACKS FROM IRRIGATION INFRASTRUCTURE

- 6.1 No part of a building or structure shall be located:
- (a) within 10.0 m (33 ft) of the centreline of a Bow River Irrigation District (BRID) irrigation pipeline or 3.0 m (10 ft) of a registered right-of-way or easement for any irrigation pipeline or irrigation canal, whichever is greater;
 - (b) within 60.1 m (200 ft) from any BRID or Alberta Environment water reservoir measured from the water's edge at full supply level (FSL) or 30.5 m (100 ft) from the registered reservoir right-of-way, whichever is greater.

SECTION 7 ACCESS

- 7.1 The municipality may, at the time of subdivision or development, require the developer to enter into an agreement for the construction or upgrade of any approach(es) necessary to serve the development area in accordance with County Design Guidelines.
- 7.2 To ensure proper emergency access, all developments shall have direct legal and physical access to a public roadway in accordance with County Design Guidelines. If the development is within 300 m (984.3 ft.) of a provincial highway, direct legal and physical access to a public roadway shall be to the satisfaction of Alberta Transportation.

- 7.3 The requirement for a service road or subdivision street to provide access may be imposed as a condition of subdivision approval for any new development. Survey and construction costs shall be the responsibility of the applicant.

SECTION 8 ACCESSORY BUILDINGS

- 8.1 An accessory building shall not be used as a dwelling unit except where approval is granted for a Dwelling Unit, Combined.
- 8.2 An accessory building shall be setback a minimum 3.0 m (10 ft) from the principal dwelling and from all other structures on the same lot.
- 8.3 Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.

SECTION 9 FENCES AND SHELTERBELTS

- 9.1 Agricultural fences constructed of rails, stakes, strung wire, or similar material with more than 85 percent of their surface area open for free passage of light and air may be located along the property boundaries of any agricultural parcel and are not subject to the 38.1 m (125 ft) setback from municipal roads or the required setbacks for the land use district.
- 9.2 Fences used as an enclosure, barrier, boundary, means of protection, privacy screening or confinement constructed of any allowable material (wood, stone/brick, metal, or plastic) with less than 85 percent of their surface area open for free passage of light must be located outside the required setbacks for the land use district and shall not exceed 2.4m (8 ft.) in height.
- 9.3 In rural areas along municipal roads, the construction or erection of a fence, hedge or shelterbelt shall comply with the following:
- (a) no fence, hedge, tree or shelterbelt shall be erected which would unduly restrict the vision of approaching traffic; and
 - (b) no fence, hedge, tree or shelterbelt under Section 9.2 shall be erected closer than 7.6 m (25 ft) of the right-of-way of a municipal road. This provision shall not apply to existing yardsites developed before the passing of this Bylaw.

SECTION 10 SERVICING REQUIREMENTS

- 10.1 Every development shall be required to install a sewage disposal system and potable water system to the satisfaction of the Development Authority and in accordance with any applicable County Design Guidelines.
- 10.2 The Development Authority may refuse a development if the parcel on which it is proposed is not large enough, or suitable in any other way, to support a sewage disposal system to the standard required by the Alberta Private Sewage Systems Standard of Practice or this Bylaw.

SECTION 11 SUBDIVISION

General

- 11.1 The Municipal Planning Commission may only approve one subdivision on an unsubdivided quarter section within the Rural General – RG district. The Municipal Planning Commission may consider a quarter section to be unsubdivided if previous subdivisions were for the purpose of:
- (a) public or quasi-public use;
 - (b) the parcel meets the requirements of 11.4, Agricultural Uses;
 - (c) the parcel meets the requirements of 11.6, Cut-Off or Fragmented Agricultural Parcel; or
 - (d) the parcel meets the requirements of 11.8, Subdivision of Existing Small Titles.

Agricultural Uses

- 11.2 A subdivision for an intensive horticultural use may be treated as an agricultural use and may be permitted as one of the allowable subdivisions from a quarter section.
- 11.3 The Municipal Planning Commission shall not approve an application for subdivision of a parcel on which an existing or proposed confined feeding operation (CFO) is located.
- 11.4 The creation of large agricultural parcels will be considered on a case-by-case basis and may include the following:
- (a) the creation of a 32.4 ha (80 acre) parcel provided there is a minimum residual parcel size of 28.3 ha (70 acres); or
 - (b) logical divisions based on topography or other conditions at the discretion of the Municipal Planning Commission.
- 11.5 A parcel created pursuant to the provisions of the above policy or previous provincial policies may be eligible for the subdivision of an existing farmstead or vacant parcel provided that the proposal is consistent with the requirements established for single lot parcels in 11.10 and 11.11.

Existing Agricultural Parcels

- 11.6 The enlargement, reduction or realignment of an existing separate parcel may be approved provided that:
- (a) the additional lands required are to accommodate existing or related improvements; or
 - (b) the proposal is to rectify or rationalize existing habitation, occupancy, cultivation or settlement patterns; and
 - (c) no additional parcels are created over and above those presently in existence;
 - (d) the proposed new lot and the proposed residual lot will continue to have direct legal and physical access to a public roadway, adequate development setbacks, and a suitable building site; and
 - (e) the size, location and configuration of the proposed lot will not significantly affect any irrigation or transportation system in the area nor the urban expansion strategies of neighbouring municipalities.

Cut-Off or Fragmented Agricultural Parcel

- 11.7 Subdivision of an undeveloped or developed cut-off parcel may be approved if:
- (a) the proposed lot is separated from the residual by:
 - (i) a registered exception from the title,
 - (ii) a feature that creates a significant physical barrier to use of both sides as a unit;
 - (b) the proposed lot has legal access;
 - (c) neither the proposed lot or the residual parcel are occupied by a confined feeding operation.
- 11.8 A parcel created pursuant to the provisions of the above policy or previous provincial policies may be eligible for the subdivision of an existing farmstead or vacant parcel provided that the proposal is consistent with the requirements established for single lot parcels in 11.10 and 11.11 and the residual of the fragmented parcel must be at least 1.2 ha (3 acres) in size.

Subdivision of Existing Small Titles

- 11.9 An existing title of land that is 16.2 ha (40 acres) or less but greater than 2.4 ha (6 acres) may be divided into two parcels if:
- (a) both parcels can accommodate joint access to a public road; and
 - (b) the subdivision does not propose to create more than four titles per quarter.

Single Lot Developed Farmstead

- 11.10 A subdivision that proposes to create a single parcel containing a developed residence or farmstead may be approved provided that:
- (a) the proposed parcel is to be subdivided from a previously unsubdivided quarter section compliant with the farmstead definition with a flexible maximum parcel size based on the improvements; and
 - (b) **Farmstead** means a part of a parcel that:
 - (i) is presently or was formerly used as a single detached dwelling;
 - (ii) is further developed with agricultural buildings such as quonsets and grain bins, accessory buildings, structures such as corrals, storage compounds and/or storage or areas used for farm machinery, produce and fertilizer, dugout and/or water well or municipal rural water and septic system;
 - (iii) is of a compact size and physically defined by topography, shelterbelts or other physical characteristics;
 - (iv) does not include any cultivated farmland or lands suitable for agricultural production unless included within a shelter belt and/or physically defined area. Fencing alone shall not constitute a physically defined area if it encompasses agricultural land or hazard lands that are not necessary for the habitation of the proposed subdivision and that may be left with the larger agricultural parcel unless impractical to do so; limited pasture land used for grazing of animals may be included where the lands are part of a developed yard site; and
 - (c) the proposed lot on which the dwelling is located and the proposed residual parcel have direct legal and/or physical access to a public roadway;
 - (d) the access is satisfactory to Alberta Transportation where the access is onto or in close proximity to a primary highway;

- (e) the size and location of the proposed lot will not significantly affect any irrigation system in the area;
- (f) the dwelling unit located on the proposed parcel can meet or exceed the minimum distance separation (MDS) requirements from an existing confined feeding operation, as established in the *Agricultural Operation Practices Act, Standards and Administration Regulation*; and
- (g) the residual parcel size after subdivision is to be flexible based on the proposal for subdivision.

Single Lot Vacant

11.11 A subdivision which proposes to create a single vacant parcel may be approved provided that:

- (a) the proposed parcel to be created is a maximum of 1.2 ha (3.0 acres) in size;
- (b) the proposed single residential lot contains, in the opinion of the Municipal Planning Commission, a buildable site;
- (c) the proposed single residential lot can be serviced to the satisfaction of the Municipal Planning Commission;
- (d) the development on the proposed single residential lot will not, in the opinion of the Municipal Planning Commission, inhibit public access to or otherwise have a detrimental effect on agriculture or the recreational use of a river valley, water body, environmentally sensitive area or special scenic location;
- (e) the proposed lot and the residual parcel both have direct legal and physical access to a public roadway;
- (f) the access is satisfactory to Alberta Transportation where the access is onto or in close proximity to a primary highway; and
- (g) the size and location of the proposed lot will not significantly affect any irrigation system in the area.

Public and Institutional Uses

11.12 A subdivision application for public or institutional uses may be recommended for approval if:

- (a) the Municipal Planning Commission is satisfied that suitable, existing alternative parcels are not reasonably available in another land use district;
- (b) the legal and physical access, including access to the residual agricultural lot, satisfies Alberta Transportation, in the case of a provincial highway or the Municipal Planning Commission in the case of municipal roads; and
- (c) the Municipal Planning Commission is satisfied that the use is primary, suitable, serviceable and will be developed as proposed; and
- (d) where already functioning, the application encompasses the developed site only.

11.13 The conversion of small parcels established for public or institutional purposes to other uses should be limited to those developments which, in the opinion of the Municipal Planning Commission, are considered appropriate and compatible with surrounding uses.

SECTION 12 LAND SUITABILITY AND SERVICING REQUIREMENTS – See Schedule 4.

SECTION 13 STANDARDS OF DEVELOPMENT – See Schedule 5.

BULK FUEL STORAGE AND SALES means a facility used to store bulk fuel for sale and distribution. Such a facility may include an administrative office, outdoor work area(s) and storage area(s).

BUSINESS SUPPORT SERVICE means an establishment primarily engaged in providing services for other business establishments such as advertising, building maintenance, clerical, printing, bookkeeping, financial services, employment services, professional advice, security and other similar services.

C

CAMPGROUND means a development designed with distinct sites for short-term camping purposes by two or more camping units. The use of the land is intended for seasonal occupancy by camping-related equipment. The campground may also include supplementary facilities such as an administrative office, washrooms, cooking and eating shelters, convenience retail operations, laundry facilities and a living area for the owner/operator. Also see **RECREATIONAL VEHICLE PARK**.

CAMPING UNIT means a temporary development facilitating overnight occupancy by one or more persons, typically for recreational purposes within a campground, and includes tents, recreational vehicles, park model trailers, park model recreational units and other similar, non-permanent facilities.

CANNABIS means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the *Cannabis Act* (Canada) and its regulations, as amended from time to time and includes edible products that contain cannabis.

CANNABIS ACCESSORY means cannabis accessory as defined in the *Cannabis Act* (Canada) and its regulations, as amended from time to time.

CANNABIS PRODUCTION FACILITY means the use of building or land where federally approved medical or non-medical (recreational) cannabis plants are grown, processed, packaged, tested, destroyed, stored or loaded for shipping, and that meets all federal or provincial requirements and that meets all requirements of this Bylaw.

CANNABIS RETAIL STORE means the use of a store, premises or a building for a commercial retail cannabis business, licensed by the Province of Alberta, where legal non-medical cannabis and cannabis accessories are sold to individuals who attend at the premises and the product sales or associated sales are expressly authorized by the Alberta Gaming and Liquor Commission (AGLC).

CAR WASH means a user pay facility, whether automated or manual, used to clean the exterior and/or interior of personal motor vehicles. This type of facility is not intended for commercial vehicles, oilfield vehicles, cattle liners, farm equipment, or other similar vehicles.

CARDLOCK FUEL DISPENSING FACILITY means a building, structure or part thereof, where fuel, oil and other similar products used in the operation of truck engines are sold to account customers only via cardlock controllers.

CEMETERY AND INTERMENT SERVICES means a development for the entombment of the deceased and may include such facilities as crematories, cinerarium, columbarium, mausoleums, memorial parks, burial grounds, cemeteries and gardens of remembrance.

CHILD CARE FACILITY means the use of a building or facility (or part) for the care and supervision of children during the day by person(s) typically unrelated to the children. Examples of such a facility include day-care centres, nurseries, day homes, and after-school or baby-sitting programs.

DUGOUT means an excavation specifically sited and constructed for the purpose of catching and storing water. Depending on the circumstances, the dugout may be intended for either seasonal use or permanent use. For use purposes these may be considered as an **ACCESSORY STRUCTURE**.

DUPLEX means a residential structure that contains two separately owned dwelling units on one parcel of land. Typically the duplex will have separate entrances for each owner but the two units will be connected either by a common floor/ceiling, or by a common wall (party wall) between units.

DWELLING UNIT means a structure built for the purpose of being a self-contained living premises, designed to be occupied by an individual or family or other household group, in which facilities are included for cooking, sanitation, and sleeping. Such units include, but are not limited to, single-unit dwellings, modular dwellings, duplexes, apartments, manufactured dwellings and moved-in buildings for residential use.

DWELLING UNIT, COMBINED means a dwelling unit that is contained, wholly or partly, within an accessory building that appears, predominantly, as an accessory building.

DWELLING, MANUFACTURED 1 means a completely self-contained dwelling unit, designed and constructed entirely within a factory setting. A manufactured dwelling 1 refers to a new structure, and one that has not been previously occupied or used as a show home. Typically, it is transported to a site in not more than one piece on its own chassis and wheel system or on a flatbed truck. For the purposes of this Bylaw, a manufactured dwelling does not include a “modular dwelling” or “ready-to-move dwelling”.

DWELLING, MANUFACTURED 2 has the same meaning as manufactured dwelling 1, except that it has been occupied previously as a dwelling.

DWELLING, MODULAR 1 means a dwelling unit built at an off-site manufacturing facility in conformance with CSA standards designed in two or more modules or sections. The dwelling is transported by transport trailer in sections and delivered to the site where it is assembled and placed on a contiguous concrete basement.

DWELLING, MODULAR 2 means a dwelling unit built at an off-site manufacturing facility in conformance with CSA standards designed in two or more modules or sections. The dwelling is transported by transport trailer in sections and delivered to the site where it is assembled and placed on approved foundation other than a contiguous concrete basement.

DWELLING, MOVED-IN means a previously existing, established and occupied dwelling, which is removed from one site and then transported and re-established on another site. For the purposes of this Bylaw, a moved-in building does not include a “manufactured dwelling”, “modular dwelling”, “ready-to-move dwelling”, motor home, travel trailer, recreation vehicle and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

DWELLING, MULTI-UNIT means a residential building that contains three or more dwelling units where each unit is provided with its own separate primary access to the outside.

DWELLING, READY-TO-MOVE means a previously unoccupied dwelling constructed at a place other than its permanent location (off-site) which is built to current Alberta Safety Codes Standards and is transported in whole or in parts, complete with paint, cabinets, floor covering, lighting and plumbing fixtures, to a site and placed on a permanent wood or concrete basement foundation. For purposes of this Bylaw, a ready-to-move dwelling does not include a manufactured dwelling, modular dwelling or moved-in building.

DWELLING, SECOND means a standalone additional dwelling unit on a lot which is not contained within the principal residence. A secondary dwelling unit may be a manufactured dwelling, ready-to-move dwelling, modular, moved-

in dwelling or a site-built dwelling/accessory building in accordance with the land use district it is proposed to be located within.

DWELLING, SINGLE DETACHED means a freestanding residential dwelling containing one dwelling unit stick built on site, not forming part of and not physically attached to any other dwelling or structure.

E

ENTERTAINMENT ESTABLISHMENT means a use that provides dramatic, musical, dancing or cabaret entertainment and includes supplementary food service and/or facilities for alcoholic beverage consumption.

EQUIPMENT SALES, RENTAL AND SERVICE means development for the retail sale, wholesale distribution, rental and/or service of hand tools, small construction, farming, gardening and automotive equipment, small machinery parts and office machinery and equipment.

EXHIBITION CENTRE means the use of land or building, public or private, for temporary events including seasonal shows, conventions, conferences, seminars, product displays or sale of goods, recreation activities, and entertainment functions. This use may include accessory functions including food and beverage preparation and service for on-premise consumption.

F

FARM/INDUSTRIAL MACHINERY SALES, RENTAL AND SERVICE means the use of land or buildings for the sale, service and/or rental of agricultural implements and heavy machinery used in the operation, construction or maintenance of buildings, roadways, pipelines, oil fields, mining, or forestry operations, and in freight hauling operations. Cleaning, repairing and sale of parts and accessories may be allowed as part of the principal use.

FARM SUPPLY AND SERVICE means a commercial operation established for the sale, storage and distribution of agricultural products, including grain and other crop products (including elevators), livestock feed and supplements, fertilizers and chemicals. Such a facility may include an administrative office, ancillary structures, outdoor work areas, parking, and outdoor storage areas.

FARMER'S MARKET means the use of land or buildings where fresh farm or garden produce is sold in retail or wholesale setting and where goods are typically displayed in bulk bins or stalls for customer selection. This use includes vendors of fruit, vegetables, meat products, baked goods, dry goods, spices and non-food products such as handicrafts, provided that the sale of fresh food products remains the primary function.

FARMING means the use of a parcel of land and/or buildings for the raising of livestock or the production of crops. This type of use does not include a confined feeding operation for which registration and approval is required from the Natural Resources Conservation Board.

FEED MILLS/GRAIN TERMINALS means a facility for the collection, grading, processing, storage, and shipping and receiving of grain crops.

FLEET AND TRANSPORTATION SERVICES 1 means development involving a fleet of vehicles for:

- (a) the delivery of food by mobile catering service; or
- (b) the transportation of people, mail, negotiable currency and documents; or
- (c) the delivery of packages and small articles by courier service.

PARKING AREAS AND STRUCTURES means an area of land or building which is provided and maintained on the same lot as the principal use for the purpose of storing motor vehicles. This use does not include campgrounds or RV parks.

PARKS AND PLAYGROUNDS means land developed for public recreational activities that does not require major buildings or facilities, and may include open grassed areas, picnic areas, playgrounds, pedestrian and bicycle paths, landscaped areas and associated public washrooms. This definition may also be applied to public open space which is not in private ownership and is open to use by the public.

PERSONAL SERVICE BUSINESS means development providing services for personal care and appearance, physical and mental health services, services for cleaning, servicing, altering and maintenance of personal effects and accessories. This use includes barbershops, beauty salons, clinics, counselling services, medical offices, tailors, diet centers, shoe repair shops, dry cleaners, upholstery and rug cleaners, and Laundromats.

PRE-FABRICATED BUILDING MANUFACTURER means development used for the manufacturing, fabricating, processing, assembly, production and/or packing of pre-fabricated buildings, as well as administrative offices and warehousing and wholesale distribution uses which are accessory uses to the above, provided that the use does not generate any detrimental impact, potential health or safety hazard or nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated.

PUBLIC BUILDING OR USE means a building or facility that is owned and/or administered by any level of government or a corporation which is an agent of the Crown under federal or provincial statute, or a registered charity or society, for the purpose of furnishing services or commodities to the public.

PUBLIC DAY USE AREA means a public area of land provided for use during daylight hours that is owned and/or administered by any level of government.

R

RECREATION FACILITY means a development, constructed for the purpose of housing or supporting sports or recreational activities. The facility typically involves a fee for use or where admission is by membership to a club, organization or association. Typical facilities would include athletics clubs, roller skating rinks, bowling alleys, paint ball facilities, and racquet clubs. Facilities associated with the operation may include eating facilities, administrative offices and retail operations, provided that any such operation is accessory and clearly incidental to the principal recreational use.

RECREATIONAL VEHICLE means a transportable living unit, designed to be moved on its own wheels or by other means (including units permanently mounted on trucks), designed or constructed to be used for sleeping or living purposes on a short-term, temporary basis. Such living units are subject to highway safety standards rather than housing standards. Typical units include, but are not limited to motor homes, campers, holiday trailers, travel trailers, fifth wheel trailers, and tent trailers. These units are not allowable as a permanent **DWELLING** (see definition).

RECREATIONAL VEHICLE PARK means a lot or parcel of land intended for temporary occupancy by two or more recreational vehicles for travel, recreation, seasonal, or vacation usage for periods of stay subject to an approved conceptual scheme or area structure plan and its provisions. Uses where unoccupied recreational vehicles are offered for sale or lease, or are stored, are not included. Associated structures in a recreational vehicle park may include laundry facilities, restrooms, showers, sanitary dump facilities, water stations, playgrounds or storage areas intended to serve the needs of the residents of the park. Also see **CAMPGROUND**.

S

SAND AND GRAVEL OPERATIONS – see **NATURAL RESOURCE EXTRACTION/PROCESSING**

SANDBLASTING FACILITY means a development of buildings where the major source of activity involves the large scale sandblasting of agricultural, industrial, automotive or oilfield equipment. Sandblasting facilities may also include welding and painting facilities on-site.

SCHOOL means a place of instruction operated with or without public funds pursuant to the *School Act*.

SEA-CAN – see **SHIPPING CONTAINER**

SECONDARY SUITE means a subordinate dwelling unit located within or attached to a single detached dwelling.

SECURITY SUITE means a dwelling unit or portion of a building used to provide accommodation for security personnel and in commercial, recreational, or industrial districts shall contain no more than one bedroom and be no larger than 55.7 m² (600 ft²).

SEED CLEANING PLANT means a building or facility used for the storage and preparation of seed used in **AGRICULTURAL OPERATIONS**.

SENIOR CITIZEN HOUSING means development, including lodges, which is used as a residence for elderly individuals not requiring constant or intensive medical care.

SHIPPING CONTAINER means any container that is or was used for transport of goods by means of rail, truck or by sea. These are generally referred to as a Sea-Container, sea cargo container, sea can or cargo container. Such containers are typically rectangular in shape and are generally made of metal. For the purposes of this Bylaw, when such a container is used for any purpose other than transporting freight, it will be considered as a structure, must conform to these regulations and may require a permit.

SHOOTING RANGE means an area, building or structure, typically operated by a non-profit organization, that is designed or intended for the safe discharge, on a regular and structured basis, of firearms, archery, or other projectiles, including but not limited to rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any similar firearm, for the purpose of sport shooting, target practice or shooting competitions.

SHORT-TERM RENTAL 1 means the operation of commercial accommodation within all or a portion of a dwelling unit, including a Secondary Suite(s) or a room(s) in or a portion of a dwelling unit for a period not exceeding 30 days, and the owner or property manager of the property is required to occupy the dwelling (within the same suite or an attached suite), or an adjacent dwelling on the same parcel, as their primary residence and be present on the premises during the majority of the operation of the Short-Term Rental. For the purposes of this Bylaw a Short-Term Rental 1 includes a Bed and Breakfast.

SHORT-TERM RENTAL 2 means the operation of short-term commercial accommodation within all or a portion of a dwelling unit, including a Secondary Suite(s), or a room(s) in or a portion of a dwelling unit for a period not exceeding 30 days and the owner of the property is not required to occupy the dwelling unit as their primary residence.

SIGN means any development, either temporary or permanent:

- (a) constructed and permanently affixed directly or indirectly to any building, structure, window or a parcel of land; and/or
- (b) which is used to advertise, identify or display a commercial or non-commercial activity, product, place, organization, institution, person, service, event or location, by any means, including words, letters,

SECTION 8 SHORT-TERM RENTALS

- 8.1 More than one (1) Short-Term Rental unit may be developed on the same property at the discretion of the Development Authority. Accessory buildings may be considered to be part of a Short-Term Rental use at the discretion of the Development Authority provided they are shown to be suitable for the intended purpose.
- 8.2 The Development Authority may establish the maximum number of occupants for a Short-Term Rental as a condition of approval.
- 8.3 The owner of a Short-Term Rental 2 shall provide the name and phone number of a local representative who can respond readily to any complaints received with respect to the use.
- 8.4 The Short-Term Rental shall post its development permit and the approved number of rental units and maximum occupancy in a conspicuous place within the unit.
- 8.5 Alterations to the principal building for the purpose of a Short-Term Rental may be permitted but shall not change the principal character or external appearance of the principal building.

SECTION 9 BUILDING DESIGN, CHARACTER, APPEARANCE AND QUALITY OF DEVELOPMENT

- 9.1 The Development Authority may impose conditions to ensure:
 - (a) that the design, character and appearance of a building is compatible with other buildings in the vicinity unless it is setting a higher standard of design, character and appearance for the land use district or a particular locality;
 - (b) that the design, character and appearance of the building is consistent with the purpose of the land use district in which the building is located;
 - (c) that a development complies with any provision of a statutory plan applicable to the design, character and appearance of the building in the district; and
 - (d) that, where the development is to be located adjacent to or within view of a highway, the Development Authority may require that the design of a building be to a higher standard than that required elsewhere in the County. This may include, but is not limited to:
 - (i) appearance of building,
 - (ii) landscaping, and
 - (iii) access/egress from property.
- 9.2 The Development Authority may attach reasonable planning related conditions to a development approval which serve to improve the quality of any proposed development within any land use district. Such special conditions may include, but are not limited to, landscaping, paving parking areas, exterior building finishes, setback variations, the control of noise, smoke, smell and industrial wastes.

SECTION 10 BUILDINGS WITH LIVE/WORK UNITS

- 10.1 A building may be occupied by a combination of one or more of the uses listed for a district and each use shall be considered a separate use and each use shall obtain a development permit.
- 10.2 A building may only contain uses where those uses are allowed within the particular district.

SECTION 12 CAMPGROUNDS AND RECREATIONAL VEHICLE PARKS

- 12.1 For the purposes of this Bylaw, any development that contains or provides for two or more camping units for commercial camping purposes is considered a campground and must apply for and obtain a development permit.
- 12.2 An application for a development permit shall include:
- (a) a site plan illustrating in detail the proposed improvements to the site, including camping areas, roadways, natural barriers, landscaping, perimeter fencing, storage areas, playgrounds and utility areas;
 - (b) an analysis of the biophysical characteristics of the subject lands, including how environmentally sensitive areas and species shall be protected;
 - (c) a utility servicing plan indicating how water and sewer will be provided and managed;
 - (d) floor plans, elevations and sections of the buildings at a minimum scale of 1:200 or such other scale as required by the Development Officer for any proposed buildings;
 - (e) a business plan including hours and season of operation, number of employees, site security, camping rules, refuse management and any other relevant matters;
 - (f) a fire and emergency management plan.
- 12.3 The following design standards shall be adhered to during the development and operation of a campground or recreational vehicle park:
- (a) minimum site area of 1.2 ha (3 acres) unless otherwise allowed by the Development Authority;
 - (b) the campground layout shall promote the conservation and management of habitat, wetlands and coulees/steep slopes;
 - (c) a minimum 7.6 m (25 ft) natural or landscaped defensible space buffer shall be provided from property line and maintained free of camping stalls or units;
 - (d) a minimum of 10 percent of the total site shall be set aside in a location suitable to the Development Authority as a common open space recreation area;
 - (e) each camp site stall must be accessed by an internal road;
 - (f) internal roads shall be hard surfaced or surfaced to the satisfaction of the Development Authority and shall be:
 - (i) 3.0 m (10 ft) in width for one-way traffic, and
 - (ii) 6.0 m (20 ft) in width for two-way traffic;
 - (g) fires will be permitted only in designated fire pits or other such facilities;
 - (h) potable water and sewage disposal facilities must be provided to the satisfaction of the Development Authority and to provincial standards;
 - (i) all campsite boundaries shall be defined on the ground by permanent flush stakes, or markers, with a stall number or other identification system;
 - (j) minimum camping stall shall be:
 - (i) 6.0 m (20 ft) in width,
 - (ii) 18.0 m (60 ft) in depth,

- (iii) 108 m² (1,200 ft²) in area;
 - (k) minimum distance between campsites shall be 3.0 m (10 ft), typically with landscaping or other buffering features;
 - (l) fences shall be uniform in design and maintained in a safe and attractive condition;
 - (m) one parking stall per campsite;
 - (n) visitor parking shall be provided in a common area to the satisfaction of the Development Authority at a ratio of one stall per 10 campsites;
 - (o) a landscaping plan that retains and supplements natural vegetation shall be provided to the satisfaction of the Development Authority.
- 12.4 Applications which propose to establish or enlarge a campground or recreational vehicle park shall be evaluated with respect to Alberta Economic Development and Tourism's Minimum Standards for Approved Campgrounds and Trailer Parks.
- 12.5 Campgrounds and recreational vehicle parks may allow for seasonal stays between May 1 and October 31, or a different period at the discretion of the Development Authority.
- 12.6 Construction of roads and/or approaches leading to a proposed or enlarged campground or recreational vehicle park may be required as a condition of development approval. An existing road or approach may be required to be upgraded to sustain the volume and type of traffic to be generated by the proposed campground.
- 12.7 One on-site security/operator suite may be allowed.
- 12.8 Noise control measures may be required and may include the use of berms, natural barriers and screens and locating noise-insensitive aspects of the campground or recreational vehicle park close to the noise source.
- 12.9 All facilities shall meet the standards of the *Recreation Area Regulation* and all other public health regulations and be kept in a manner satisfactory to Alberta Health Services.

SECTION 13 CANNABIS PRODUCTION FACILITIES

- 13.1 The owner or applicant must provide as a condition of development permit a copy of the current licence for all activities associated with cannabis production as issued by Health Canada.
- 13.2 The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- 13.3 The development must be undertaken in a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.
- 13.4 The development shall not operate in conjunction with another approved use.
- 13.5 The development shall not include an outdoor area for storage of goods, materials or supplies.