


**MISCELLANEOUS PLANNING ITEM
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
SECOND & THIRD READING TO BYLAW 39/2025
October 8, 2025**

APPLICATION INFORMATION		File No. 25R 024
	SUBJECT LANDS LEGAL DESCRIPTION: <u>Multiple Properties:</u> Ptn. E 24-20-29 W4	
	LANDOWNERS: Multiple Landowners	
	APPLICANT: Condominium Corporation No. 0311515 o/a Country Lane Estates	
	AGENT: Township Planning + Design – Robyn Erhardt	
	CURRENT LAND USE: Direct Control District #10 (DC#10)	
PROPOSAL: Amendments to Direct Control District #10		
LOCATION: The subject lands that hold Direct Control District #10 designation are located to the west side of 79 St E which is a Municipal Service Road, adjacent to Hwy 2. The lands are located within the Paradise Ranch Area Concept Plan which was adopted in 2002 which provides guidance for the development of the Recreational Vehicle Park area. A large portion of the subject lands are adjacent to the Sheep River and within the Provincial Draft Floodway and Flood Fringe area.		
DIVISION NO: 7	Councillor: R.D. McHugh	FILE MANAGER: Brittany Smith

PURPOSE OF REQUEST:

Request for Council to provide second and third readings to Bylaw 39/2025.

BACKGROUND:

Country Lane Estates Recreation Vehicle Park was created in 2003 under a Condominium Corporation with individual titled lots. It was determined that Recreation Vehicles cannot be considered a permanent dwelling under the Alberta Building Code, therefore, Council approved a Development Permit to allow for a maximum of 200 day stays. Those 200 days were left to the Condominium Corporation to determine, and it was decided that the park would close over the winter months.

May 28, 2025: Council gave first reading to Bylaw 39/2025 to authorize the amendments to Direct Control (DC) District #10 which included textual amendments, administrative changes to reflect the current operations of Country Lane Estates to align with the County’s development standards, to revise the occupancy period from 200 days in a calendar year to an open period from April 1 to October 31 each year, to implement winter occupancy requirements for members wishing to stay over the winter and to allow unit owners to provide small business services to other members of the recreation vehicle park.

Prior to further consideration of the Bylaw, the following conditions were required:

- Applicant to provide necessary amendments to the Direct Control District #10 as per recommendations by Foothills County staff and Council direction, including a rear yard

setback of 0.3m from the private road to the south and 5m from property line along 79th St East to the satisfaction of the Foothills County;

- Submission of a complete master development permit application (to include a clear definition and implementation / tracking of winter stay with limit), and the necessary fees; and
- Final land use amendment fees to be submitted.

The applicant has completed all conditions. The revised and compiled amendments to the Direct Control District #10 has been included in Schedule C of this staff report.

COUNCIL ACTION REQUESTED:

Council is respectfully requested to consider granting 2nd and 3rd reading to Bylaw 39/2025, authorizing the amendments to Direct Control (DC) District #10.

APPENDICES

APPENDIX A: MAP SET

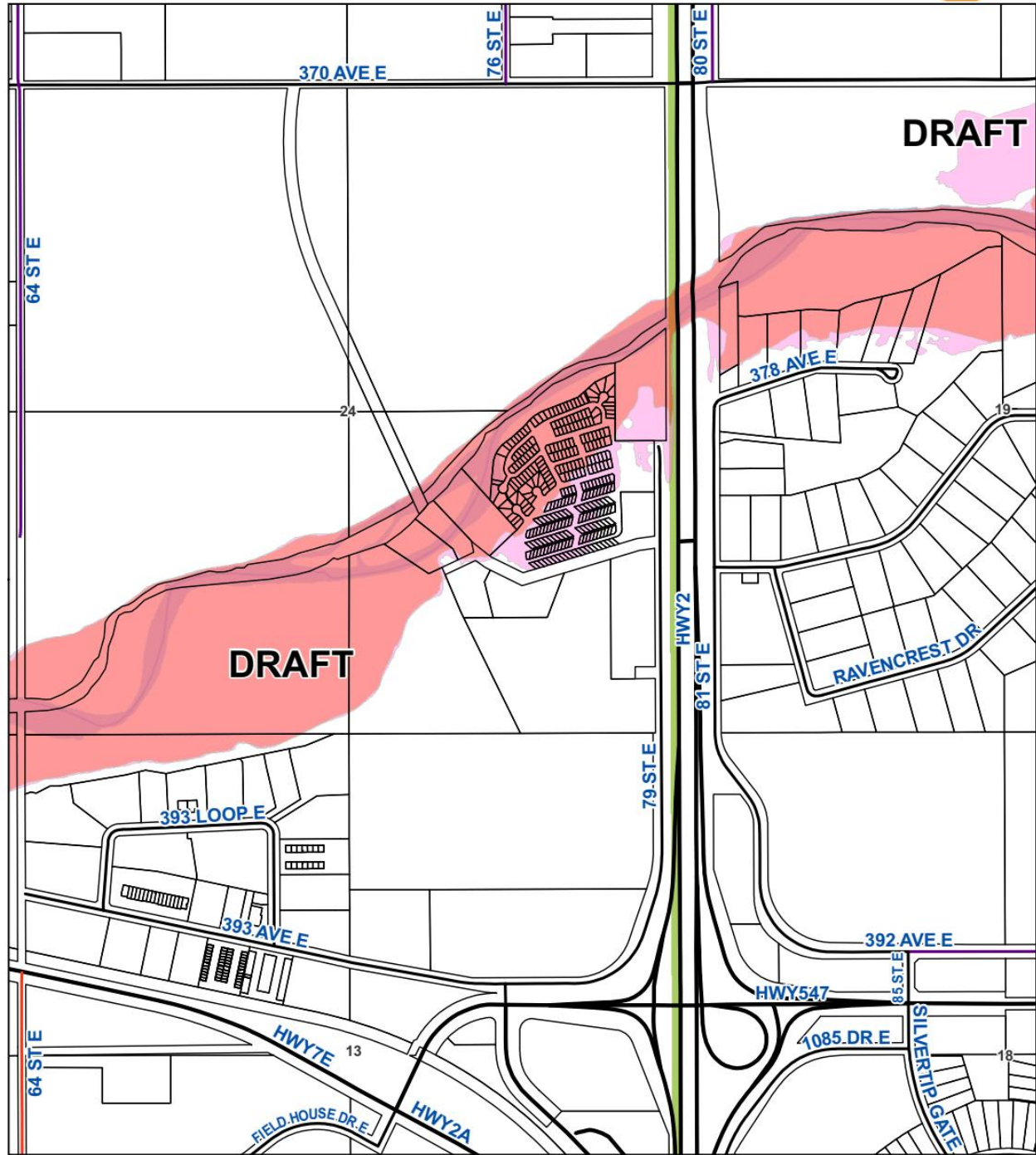
LOCATION & LAND USE MAP

DRAFT PROVINCIAL FLOOD HAZARD MAP

APPENDIX B: BYLAW 39/2025

APPENDIX C: COMPILED DIRECT CONTROL DISTRICT #10 (DC#10)

DRAFT PROVINCIAL FLOOD HAZARD MAP – SHEEP RIVER



- Floodway
- Flood Fringe

BYLAW 39/2025

BEING A BYLAW OF FOOTHILLS COUNTY TO AUTHORIZE AN AMENDMENT TO THE LAND USE BYLAW NO. 60/2014 AS AMENDED

WHEREAS pursuant to the provisions of the Municipal Government Act, Chapter M-26 Revised Statutes of Alberta 2000, and amendments thereto, the Council of Foothills County in the Province of Alberta, has adopted Land Use Bylaw No. 60/2014 and amendments up to and including those passed on July 3, 2024;

AND WHEREAS pursuant to Section 191(1) of the Municipal Government Act, Chapter M-26 Revised Statutes of Alberta 2000, the power to pass a bylaw under this or any other enactment includes a power to amend or repeal the bylaw;

AND WHEREAS Bylaw 39/2025 was introduced to further amend Land Use Bylaw 60/2014 by authorizing amendments to Direct Control (DC) District #10 as described within the attached Schedule 'A'.

1. This Bylaw shall have effect on the date of third reading.

FIRST READING: May 28, 2025

Reeve

CAO

SECOND READING:

Reeve

CAO

THIRD READING:

Reeve

CAO

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta this day of , 2025.

APPENDIX C: COMPILED DIRECT CONTROL DISTRICT #10 (DC10)

18.10 DIRECT CONTROL DISTRICT #10 (DC10)

DC#10

18.10.1 PURPOSE AND INTENT

The purpose and intent of this district is to guide the development and operation of the Recreation Vehicle Park and to allow for the Direct Control by Council over development on the following lands:

- Plan 0311515, E ½ 24-20-29 W4M
- Plan 9410556, Block 3; S.E. 24-20-29 W4
- Plan 1310433, Block 7, Lot 1; S.E. 24-20-29 W4
- Plan 9412581, Block 4, Lot 1, S.E. 24-20-29-W4
- Plan 9412581, Block 4, Lot 2, S.E. 24-20-29-W4
- Plan 9412581, Block 5, Lot 1, S.E. 24-20-29-W4
- Plan 9511238, Block 6, Lot 1, S.E. 24-20-29-W4

18.10.2 PERMITTED USES

- Recreation Vehicle (excluding Park Models)
- Signs not requiring a Development Permit
- Home Office
- Solar Power System, Private (Not requiring a Development Permit)

18.10.3 DISCRETIONARY USES

- Accessory Buildings / Uses
- Agriculture, Intensive
- Arena, Commercial
- Business / Administrative Office
- Concession / Food Court
- Convenience Store / Services
- Convention Facility
- Country Recreational Centre / Lodge
- Dwelling single family,
-No more than 1 such dwellings are permitted on a lot that is less than 32.4 ha (80 acres) in size.
- Equestrian Uses
- Maintenance Shop
- Park Model
- Pathways – Equestrian/People
- Retail Kiosk
- Recreation Vehicle Park Business
- Screening
- Signs requiring a development permit
- Short Term Campground
- Solar Power System, Private (Requiring a Development Permit)
- Staging Kitchen
- Storage
- Utilities
- Wash Areas
- Washrooms

18.10.4 REQUIREMENTS

18.10.4.1 Standards of development shall be at the discretion of the Council.

18.10.5 MINIMUM REQUIREMENTS – GENERAL

18.10.5.1 Area of Lot:

- a. Area shown on Certificate of Title; or
- b. Area allowed for by Bylaw amending this section.

18.10.5.2 Minimum Yard Setback Requirements:

- a. Front Yard Setback:
 - i. 5m (16.40 ft.) from an internal subdivision road – property line.
 - ii. 64m (209.97ft.) from the centre line of a Municipal Road, Major.
 - iii. 48m (157.48 ft.) from the centre line of a Municipal Road.
 - iv. 40m (131.23 ft.) from the ultimate right of way or 70 meters from the centre line of a Provincial highway, whichever is greater.
 - v. Or as determined by Council.
- b. Side Yard Setback:
 - i. 15m (49.21 ft.) from property line.
 - ii. Or as determined by Council.
- c. Rear Yard Setback
 - i. 15m (49.21 ft.) from property line.
 - ii. Or as determined by Council.

Please refer to the Special Provisions section below for setbacks for units under Plan 0311515, E ½ 24-20-29 W4M.

18.10.5.3 Other Minimum Setback Requirements:

- a. See Section 9.27 “Special Setback Requirements” of this Land Use Bylaw for additional setback requirements that may apply.

18.10.6 SPECIAL PROVISIONS REGARDING THE RECREATION VEHICLE PARK LOCATED ON PLAN 0311515, E ½ 24-20-29 W4M

18.10.6.1 Minimum Yard Setback Requirements for each of the 289 Units:

- a. Front Yard Setback:
 - i. 5m (16.40 ft.) from a private road - property line.

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- ii. 1m (3.28ft) from an internal subdivision road – property line.
- iii. Or as determined by Council.

b. Side Yard Setback:

- i. 0.3m (1.0 ft.) from property line.
- ii. Or as determined by Council.

c. Rear Yard:

- i. 0.3m (1.0 ft.) from property line.
- ii. Or as determined by Council.

18.10.6.2 Minimum Yard Setback Requirements for the Common Property:

a. Front Yard Setback:

- i. 5m (16.40 ft.) from the property line adjacent to a private road.
- ii. 5m (16.40 ft.) from the property line adjacent to a Municipal Road.
- iii. 40m (131.23 ft.) from the ultimate right of way or 70m from the centreline of a Provincial highway, whichever is greater
- iv. Or as determined by Council.

b. Side Yard Setback:

- ii. 1.5m (4.9 ft.) from property line.
- iii. Or as determined by Council.

c. Rear Yard Setback

- i. 1.5m (4.9 ft.) from property line.
- ii. Or as determined by Council.

18.10.6.3. Each Unit Owner shall ensure that all development complies with the Land Use Bylaw and approved development permit(s).

18.10.6.4. Any proposed development that does not align with the Land Use Bylaw and approved development permit(s) shall first obtain a separate development permit approval from Foothills County, in accordance with 18.10.6.3.

18.10.6.5. Any new Condominium Corporation bylaws or rules, or amendments to the existing Condominium Corporation bylaws, or rules shall be filed with Foothills County within fifteen (15) days of their passage or adoption.

18.10.6.6. The condominium bylaws or rules shall include the following provisions:

- a. Unit Owners shall consent in writing to the removal of any Recreation Vehicle and Park Model located on a Unit in case of a flood which threatens to cause damage to the Recreation Vehicle or Park Model; and

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- b. Unit Owners shall comply with the emergency response plan to be prepared and updated annually by the Board and completed to the satisfaction of the County.
- 18.10.6.7 The emergency response plan shall be updated annually by the Condominium Corporation Board and provided to the County by October 15 of each year. The emergency response plan shall include the following provisions:
- i. A list of the Units that will be occupied during park closure;
 - ii. The contact information for a primary contact who will be on site during park closure; and
 - iii. The emergency response plan shall include a 24-hour and 48-hour flood emergency response plan.
- 18.10.6.8 A restrictive covenant in a form satisfactory to the County shall be registered against the title to all Units that will be located wholly or partially within the one 1:100 year floodway to the effect that no development of any kind whatsoever, whether temporary or permanent will be permitted on any such Unit without the consent of both the Condominium Corporation Board and the County, which consents may be granted upon conditions including a condition that the Unit Owner grant releases (including an indemnity) from and against any and all claims for damages suffered by the Unit Owner or any other person by reason of the Unit being wholly or partially located within the one 1:100 year floodway.
- 18.10.6.9 A stormwater management plan may be required for any development proposed within the Recreation Vehicle Park.
- 18.10.6.10 The Recreation Vehicle Park is open from April 1st to October 31st each year. There shall be no occupancy of the Units when the park is closed for the season from the date of November 1st to March 31st each year, notwithstanding section 18.10.6.11 and 18.10.6.12, and 18.10.6.13.
- 18.10.6.11 There shall be no permanent occupancy of Recreation Vehicles located on Units within the Recreation Vehicle Park.
- 18.10.6.12 Unit Owners may occupy their Recreation Vehicle or Park Model as early as March 14 and as late as November 14 provided they have written approval from the Condominium Corporation Board.
- 18.10.6.13 A maximum of eight (8) Units may be occupied during park closure (November 1st to March 31st each year) provided the following provisions are met:
- a. A master development permit is obtained to allow occupancy during park closure;
 - b. Recreation Vehicles and Park Models shall be certified as Habitable for winter occupancy to the satisfaction of the Condominium Corporation Board; and
 - c. The Unit Owners shall meet the criteria for long-term occupancy established and enforced by the Condominium Corporation Board, as established in the Condominium Corporation Bylaws of Corporation No. 0311515 and the Minimum Housing and Health Standards for Winter Occupancy at the Recreation Vehicle Park.
- 18.10.6.14 The term for the master development permit shall be for a minimum of five (5) years, and Council may grant a longer term at their discretion.
- 18.10.6.15 Maximum Lot Coverage:

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- a. No building/structure or group of buildings/structures including accessory buildings/structures, and impervious surfaces shall cover more than sixty (60) percent of any Unit; or
- b. As determined by Council.

18.10.6.16 Unit Owners may operate a Recreation Vehicle Park Business out of their Unit if the following provisions are met:

- a. Unit Owners shall request in writing and be granted permission from the Condominium Corporation Board to operate a Home Office out of their Unit;
- b. The Unit Owner shall provide services only to other Unit Owners within the Recreation Vehicle Park within Plan 0311515;
- c. All employees of the business must be residents of the Recreation Vehicle or Park Model that the business operates out of;
- d. No outdoor storage of business materials are situated on the property; and
- e. No traffic is generated by the business.

18.10.7.1 PROCEDURE

- 18.10.7.1 Notwithstanding the procedure established for Development Permit applications in the Land Use Bylaw, an application for a development permit in respect of the lands referred to in Section 18.10.1 shall be referred by the Development Officer to Council for its decision.
- 18.10.7.2 Notwithstanding the procedure established for the issuance of Development Permits in the Land Use Bylaw, Council shall decide on all applications for Development Permits for lands referred to in Section 18.10.1. Council may approve a Development Permit application with or without conditions or may refuse an application for Development Permit.
- 18.10.7.3 There is no appeal to the Development Appeal Board from a decision of Council on an application for a Development Permit in respect of the lands referred to in Section 18.10.1.

18.10.8 DEFINITIONS – IN THIS DISTRICT:

Arena, Commercial – see Section 2 “Interpretations for definitions of, “arena, commercial”. More information on riding arenas can be found in Section 10.3 of this bylaw.

Concession / Food Court – means a small area within a building where fast food & beverages are offered for sale over the counter any may provide for a seating area. However, this is not to be construed as a restaurant;

Condominium Corporation – means the condominium corporation constituted under the Condominium Property Act, RS.A, 2000, c. C-22, by the registration of the Condominium Plan 0311515.

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Condominium Corporation Board - means the Board of Directors of the Condominium Corporation;

Convenience Store / Services – means a store set up to provide for the basic needs of those people occupying the Recreational Park and Country Recreation Centre / Lodge. This would not be open to the general public and may include laundry and washroom facilities.

Convention Facility – means a building or facility available for the purposes of assembly, culture, instruction, and educational, social and recreational activity, and may include entertainment which is ancillary to the above-stated purposes.

Country Recreational Centre / Lodge – means a building which provides for short-term or occasional lodging and boarding of patrons. This building would include accessory facilities to the prime or principal use and intended for patrons of the Recreational Centre / Lodge.

Equestrian Uses – means uses that may include boarding, training / lessons, horse rentals, wash areas, manure / composting area, trail riding, to allow veterinary and farrier services and the necessary accessory buildings and uses, such as but not limited to, wash areas, box stalls, holding pens, paddocks, jumping course, outdoor riding rings, tack rooms.

Habitable – means a recreation vehicle that is determined to be suitable for a person to live in all year, in accordance with the Minimum Housing and Health Standards for Winter Occupancy and the minimum safety codes for recreation vehicles, to the satisfaction of the Condominium Corporation Board.

Park Model – means a Recreation Vehicle that conforms to the Canadian Standards Association CAN/CSA Z241 Series and is designed for seasonal camping with a gross floor area no greater than 50 square metres (538 sq. ft.) when in set-up mode and is not permitted to be placed on a permanent foundation. Each Park Model must ensure that the axels, wheels and hitch remain on each unit, no exceptions. Each Park Model must be moveable or secured to the satisfaction of the approved emergency response plan (ERP).

Recreation Vehicle – see Section 2.5 “Definitions” in this Land Use Bylaw for definitions of Recreation Vehicle. More information on recreation vehicle storage can be found in Section 10.18 of this Bylaw.

Recreation Vehicle Park – means the development designed and intended to be used for long term location of Recreation Vehicles and Park Models located within E ½ 24-20-29 W4M Plan 0311515, between April 1st and October 31st of the year.

Recreation Vehicle Park Business - means an office situated within a Park Model or Recreation Vehicle that is located within the Recreation Vehicle Park located within Plan 0311515 and where the business or service offered is provided to other Unit Owners within the Recreation Vehicle Park only.

Retail Kiosk – means a small open structure within an existing building used to display and sell merchandise to the public and includes the storage of merchandise on or about the premises in quantities sufficient only to supply the establishment.

Screening – means the deck is permitted to have an engineered roof, however, is not permitted to be enclosed at any time, except commercially manufactured metal framed screen rooms.

Short Term Campground – means the development for the purpose of providing short-term accommodation, no more than 16 days, for Recreational Vehicles or tents. This campground is not construed to mean a development for the purpose of accommodating long-term or permanent occupancy.

Staging Kitchen – means a facility for the second-stage preparation (i.e.: warming and arranging) of food which has been cooked off-site and transported to the kitchen).

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Unit – means a lot created by way of legal survey and registered at Alberta Land Titles that is located within Condominium Plan 0311515 intended for the accommodation of a Recreation Vehicle or Park Model for temporary residence or seasonal use.

Unit Owner – means a person or corporation who is registered as the owner of a Unit in the Condominium Plan within Plan 0311515.
