

**PARKLAND COUNTY
PROVINCE OF ALBERTA**

BYLAW 2023-08

BEING A BYLAW FOR THE PURPOSE OF AMENDING LAND USE BYLAW 2017-18 TO PROVIDE FOR TRESTLE CREEK RECREATIONAL RESORT DISTRICT AND REDISTRIBUTE LANDS AT 12-53-7-W5M WITH THE EXCEPTION OF BLOCK 1, PLAN 892 2182

WHEREAS the Municipal Government Act, RSA 2000, c.M-26 authorizes council to pass bylaws for municipal purposes respecting planning authorities within Parkland County;

WHEREAS the Council of Parkland County has passed a Bylaw pursuant to Part 17, Section 640 of the Municipal Government Act, R.S.A. 2000, c.M-26, known as the Parkland County Land Use Bylaw 2017-18 for the purpose of regulating and controlling the use and development of land and buildings within Parkland County;

WHEREAS and pursuant to Part 17, Section 692 of the Municipal Government Act the Council of a municipality is authorized to amend a Land Use Bylaw;

WHEREAS Section 692 of the Municipal Government Act requires the Council of a municipality to hold a public hearing and advertise such a Bylaw in accordance with Section 216.4 and Section 606 of the Act, respectively;

NOW THEREFORE the Council of Parkland County, duly assembled and under the authority of the Municipal Government Act, as amended, hereby enacts the following:

TITLE

1. This bylaw shall be known as the "Trestle Creek Recreational Resort District and Redistricting Bylaw".

DEFINITIONS

2. The following definitions will apply to the corresponding words in this bylaw:
 - a) "County" means the municipality of Parkland County in the Province of Alberta;
 - b) "Council" means the council of the County.

INTERPRETATION

3. The headings in this bylaw are for reference purposes only.

LAND USE BYLAW 2017-18 AMENDMENTS

4. That Bylaw 2017-18, being the Parkland County Land Use Bylaw, is amended as follows:
 - a) That the Land Use District Map is amended by redistricting 257.6 hectares (633.6 acres) subject parcel of land at 12-53-7-W5M with the exception of Block 1, Plan 892 2182 from the BRR–Bareland Recreational Resort District and the AGG–Agricultural General District to the TCRR – Trestle Creek Recreational Resort District as shown on attached Schedule "A."
 - b) Addition of Schedule L – Trestle Creek Recreational Resort Land Use District Map
 - c) Addition of Section 5.12 – Trestle Creek Recreational Resort District Bylaw and the following clauses:
 - 1) **Purpose**

This District is intended to accommodate the development of a four-season, fully serviced, Bareland Condominium recreational resort community in a golf course setting. The development will offer various forms of non-permanent resort-style accommodations accompanied by complementary recreational, commercial, and tourist services.
 - 2) **Application**

This District shall apply to the lands legally described as Section 12-53-7-W5M, excepting thereout Plan 892 2182, Block 1. The area designated as TCRR – Trestle

Creek Recreational Resort District encompasses Sub-Districts: R - Recreational, RRA – Resort Residential Accommodation and C - Commercial as shown on Schedule L Trestle Creek Land Use Map. A Conceptual Scheme for the development, encompassing the entire tract of land, shall be adopted by Council, and amended as needed to support a comprehensive planned development.

3) Uses

a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 8.4.3 b) c) and d) shall ensure:

- i) That Accommodation and Convention Services shall include a maximum of one hotel that is limited to no more than 70 rooms for temporary accommodation.
- ii) That a Dormitory shall mean sleeping units used exclusively for the accommodation of staff employed at businesses within the TCRR District due to its remote location.
- iii) That General Commercial Retail Services be limited to a facility where patrons wash, dry, or dry clean clothing or other fabrics in machines operated by customers on the premises (i.e. laundromat).
- iv) Where listed within this District, the following uses are to provide services directly related to recreational, tourist, or convention purposes:
 - (1) Day Care Services
 - (2) Bed and Breakfast
- v) That a Wind Energy Converter System – Minor, as a Discretionary Use, is limited to no more than one system.

b) R - Recreational Sub-District

Permitted Uses

- Campground, Destination
- Community Recreation Services
- Outdoor Participant Recreation Services
- Recreational Unit, Park Model
- Semi-Public Use
- Utility Services – Minor Infrastructure
- Accessory uses for the uses listed in 8.4.3 b) ii)

Discretionary Uses

- Convenience Retail Services
- Day Care Services (See Fundamental Use Provision)
- Indoor Eating Establishment
- Indoor Participant Recreation Services
- Outdoor Eating Establishment
- Personal and Health Care Services
- Recreational Vehicle Storage
- Religious Assembly
- Service Station
- Show Home
- Utility Services – Major Infrastructure
- Wind Energy Converter System – Minor (See Fundamental Use Provision)
- Accessory uses for the uses listed in 8.4.3 b) iii)

c) RRA – Resort Residential Accommodation Sub-District

Permitted Uses

- Dormitory (See Fundamental Use Provision)
- Outdoor Participant Recreation Services
- Resort Residential, Single Detached
- Resort Residential, Duplex
- Resort Residential, Row Housing
- Resort Residential, Apartment
- Show Home
- Utility Services – Minor Infrastructure
- Accessory Uses for the uses listed in 8.4.3c) i)

Discretionary Uses

- Bed and Breakfast (See Fundamental Use Provision)
- Day Care Services (See Fundamental Use Provision)
- Religious Assembly
- Resort Residential, Secondary Suite
- Utility Services – Major Infrastructure
- Accessory Uses for the uses listed in 8.4.3 c) ii)

d) C- Commercial Sub-District

Permitted Uses

- Accommodation and Convention Services (See Fundamental Use Provision)
- Community Recreation Services
- Convenience Retail Services
- Day Care Services (See Fundamental Use Provision)
- Dormitory (See Fundamental Use Provision)
- General Commercial Retail Services (See Fundamental Use Provision)
- Indoor Eating Establishment
- Indoor Participant Recreation Services
- Retail Liquor Sales
- Outdoor Eating Establishments
- Outdoor Participant Recreation Services
- Personal and Health Care Services
- Religious Assembly
- Recycling Depot – Minor
- Security Suite
- Semi-Public Use
- Service Station
- Utility Services – Minor Infrastructure
- Accessory Uses for the uses listed in 8.4.3 d) i)

Discretionary Uses

- Day Care Services (See Fundamental Use Provision)
- Riding Arena
- Recreational Vehicle Storage
- Utility Services – Major Infrastructure

- Wind Energy Converter System – Minor (See Fundamental Use Provision)
- Accessory Uses for the uses listed in 8.4.3 d) ii)

4) Subdivision

a) General Bareland Condominium Regulations

- i) All subdivision of the lands within Section 12-53-7-W5M, excepting thereout Plan 892 2182, Block 1, shall be registered as Bareland Condominium land tenure per the Trestle Creek Golf Resort Conceptual Scheme.
- ii) A Bareland Condominium plan shall be treated in all respects as though it were a plan of subdivision and shall comply with all requirements for subdivision including, but not limited to, adequate pedestrian and vehicle access; provision of supply of potable water, sanitary sewer, storm drainage and electrical power and natural gas service; and sequencing and timing of construction of all buildings and services.
- iii) Subdivision applications may be subject to entering into a Development Agreement with Parkland County Council as a condition of subdivision.
- iv) A minimum of 10% of the gross condominium area shall be set aside for common space recreation area and no portion of any condominium unit shall be included in this open space.

b) Servicing Regulations

- i) Sanitary Sewer shall be provided in compliance with the Alberta Private Sewage Systems Chapter/Regulation 196/2015 and to the satisfaction of the Subdivision Authority and/or Development Authority.
- ii) For all developments, the availability and suitability of on-site water shall be confirmed and shall be licensed pursuant to the provisions of the Water Act.
- iii) For all developments, surface storm water shall be retained, managed and released in accordance with Alberta Environment and Parks guidelines. The neighbouring land to the development shall not be adversely affected by surface drainage from development in this District.
- iv) Utility right-of-ways and/or easements may also be required as a condition of approval for new subdivisions or development to allow for connection to a municipal or regional water and/or wastewater system.
- v) All communal servicing systems shall be operated and maintained by a condominium corporation or other private entity and follow all applicable provincial and federal permits and standards for operation.
- vi) A fire safety program for the Resort shall be developed in consultation with the local fire department and, where required, Alberta Environment and Parks.

c) Environmental Regulations

- i) Development shall encourage preservation of on-site trees.
- ii) Environmental setbacks from waterbodies and sensitive natural areas including slopes will be maintained in accordance with biophysical studies and the Provincial regulations for private and common properties. Vegetation and trees along slope areas shall be retained to the greatest extent possible.
- iii) All environmental reserve easement areas, common areas and open spaces shall retain on-site vegetation and trees to the greatest extent possible, unless required to be removed in accordance with a fire safety program.

d) R – Recreational District Condominium Regulations

i) Unit Area Requirement

- 1) A minimum Bareland Condominium Unit area of 235.0 m² shall be required for each Unit intended for Recreational Vehicle or Recreational Unit, Park Model use.

- 2) For all other Permitted and Discretionary Uses, the Subdivision Authority shall determine the minimum and maximum Unit area requirements.
- ii) Unit Density Requirement
 - 1) For all Permitted and Discretionary Uses, the Subdivision Authority shall determine the Unit density requirement.
- e) RAA - Resort Residential Accommodation District Condominium Regulations
 - i) Unit Area Requirement
 - 1) For Resort Residential, Single Detached, a minimum Unit area of 294.0 m² shall be required for each Bareland Condominium Unit.
 - 2) For Resort Residential, Duplex (Side by Side) and Row Housing (Dwelling Unit, Internal), a minimum Unit area of 197.0 m² shall be required for each Bareland Condominium Unit.
 - 3) For Resort Residential, Duplex (Side by Side) and Row Housing (Dwelling Unit, End), a minimum Unit area of 229.0 m² shall be required for each Bareland Condominium Unit.
 - 4) For Resort Residential, Apartment, a minimum Unit area of 640.0 m² shall be required for each Bareland Condominium Unit.
 - ii) Unit Width and Depth Requirements
 - 1) For Resort Residential, Single Detached, minimum Unit width shall be 10.4 m and Unit depth shall be 27.0 m.
 - 2) For Resort Residential, Duplex (Side by Side), minimum Unit width shall be 7.3 m and Unit depth shall be 27.0 m.
 - 3) For Resort Residential, Row Housing
 - a. For an Internal Unit, minimum width shall be 6.0 m and Unit depth shall be 27.0m.
 - b. For an End Unit, minimum width shall be 7.3 m and Unit depth shall be 27.0 m.
 - 4) For Resort Residential, Apartment, minimum Unit width shall be 20.0 m and Unit depth shall be 32.0 m.
 - iii) Density Requirement
 - 1) For Resort Residential, Single Detached, a maximum of 20 Units per ha shall be required.
 - 2) For Resort Residential, Duplex, a maximum of 20 Units per ha shall be required.
 - 3) For Resort Residential, Row Housing, a maximum of 40 Units per ha shall be required.
 - 4) For Resort Residential, Apartment, a maximum of 85 Units per ha shall be required.
- f) C - Commercial Condominium Regulations
 - i) Unit Area Requirement
 - 1) Minimum Bareland Condominium Unit width shall be 6.0 m.
 - 2) Minimum Bareland Condominium Unit depth shall be 30.0 m.

5) Development Regulations

- a) Unit Coverage
 - i) R – Recreational Sub-District
 - 1) Recreation Vehicle(s), Recreation Unit, Park Model(s) and Building(s) shall not cover more than 65% of a Bareland Condominium Unit.
 - ii) RRA - Resort Residential Accommodation Sub-District
 - 1) Resort Residential, Single Detached and Resort Residential, Duplex shall not cover more than 50% of a Bareland Condominium Unit.
 - 2) Resort Residential, Row Housing (Internal Unit) shall not cover more than 60% of a Bareland Condominium Unit.

- 3) Resort Residential, Row Housing (End Unit) shall not cover more than 55% of a Bareland Condominium Unit.
- 4) Resort Residential, Apartment shall not cover more than 60% of a Bareland Condominium Unit.

iii) C - Commercial Sub-District

- 1) Bareland Condominium Unit coverage shall be at the discretion of the Development Authority and take into consideration on and off-street parking, loading, storage, and waste disposal requirements.

b) Development Setbacks:

i) Development Setbacks adjacent to the external boundary of the TCRR District:

- 1) A minimum setback of 45.0 m shall be provided from the Property Line adjacent to Range Road 70 right-of-way.
- 2) A minimum setback of 20.0 m shall be provided from the Property Line adjacent to Township Road 532 and Range Road 71 right-of-way.
- 3) A minimum setback of 6.0 m shall be provided from the side or rear edge, not adjacent to any municipal roadway.

ii) R – Recreational Sub-District

- 1) A minimum front yard Setback shall be 3.5 m from an internal subdivision road.
- 2) A minimum side yard Setback shall be 1.0 m.
- 3) A minimum rear yard Setback shall be 1.0 m.
- 4) For Discretionary Uses, the Development Authority shall determine the minimum building setback.

iii) RRA - Resort Residential Accommodation Sub-District

1) Development Setbacks for Resort Residential, Single Detached:

- a. The minimum front yard Setback shall be 3.5 m.
- b. The minimum distance between the front property line and the overhead door of an attached Garage shall be 7.5 m.
- c. The minimum side yard Setback shall be 2.4 m.
- d. The minimum rear yard Setback shall be 7.5 m.
- e. The Development Authority may vary the setback requirements for corner or double fronting Units.

2) Development Setbacks for Resort Residential, Duplex and Resort Residential, Row Housing:

- a. The minimum front yard Setback shall be 3.0 m
- b. The minimum front yard Setback for a flanking front yard shall be 3.0m.
- c. The minimum side yard Setback shall be 1.2 m.
- d. The minimum rear yard Setback shall be 7.5 m.
- e. The Development Authority may vary the setback requirements for corner or double fronting Units.
- f. Where a Resort Residential, Row Housing development has been subject to a condominium plan or bareland condominium plan, minimum Setbacks shall be measured from the individual buildings to the boundaries of the plan. There shall be no minimum Setback requirements between the individual buildings and the condominium unit boundaries, except as required by Alberta Safety Codes.

3) Development Setbacks for Resort Residential, Apartment:

- a. The minimum front yard Setback for a Resort Residential, Apartment two storeys or less in height shall be 3.0 m.
- b. The minimum front yard Setback for a Resort Residential, Apartment three storeys or greater in height shall be 5.5 m.
- c. The minimum side yard Setback shall be 1.5 m or 40% of the Building Height, whichever is greater.
- d. The minimum rear yard Setback shall be 7.5 m.

- e. The Development Authority may vary the setback requirements for corner or double fronting Units.
 - f. Where a Resort Residential, Apartment development has been subject to a condominium plan or bareland condominium plan, minimum Setbacks shall be measured from the individual buildings to the boundaries of the plan. There shall be no minimum Setback requirements between the individual buildings and the condominium unit boundaries, except as required by Alberta Safety Codes.
- 4) Minimum Setbacks for Accessory Buildings:
 - a. The minimum front yard Setback shall be 3.0 m.
 - b. The minimum front yard Setback shall be 1.0 m for a flanking front yard.
 - c. The minimum side yard Setback for an internal Unit shall be 0.0 m.
 - d. The minimum side yard Setback for an end Unit shall be 1.0 m.
 - e. The minimum rear yard Setback shall be 1.0 m.
- iv) C - Commercial Sub-District
 - 1) No minimum yard setbacks are required, except where development abuts Resort Residential Accommodation use, park, open space or an environmental reserve easement area. There shall be no minimum Setback requirements between the individual buildings and the condominium unit boundaries, except as required by Alberta Safety Codes.
 - 2) When abutting a Resort Residential Accommodation use, park, open space, or environmental reserve easement area a minimum side yard Setback shall be 1.5 m or 40% of the height of the building, whichever is greater.
- c) Building Height
 - i) R - Recreational Sub-District
 - 1) The maximum Building Height for an Accessory Building shall be 4.0 m.
 - 2) For all other Permitted or Discretionary uses, the maximum Building Height shall be at the discretion of the Development Authority.
 - ii) RRA - Resort Residential Accommodation Sub-District
 - 1) The maximum Building Height for Resort Residential, Single Detached; Resort Residential; Duplex; and Resort Residential, Row Housing shall be 12.0 m.
 - 2) The maximum Building Height for Resort Residential, Apartment shall be 19.0 m.
 - 3) The maximum Building Height for an Accessory Building shall be 4.0 m.
 - iii) C – Commercial Sub-District
 - 1) The maximum Building Height for Accommodation and Convention Centre Use shall be 19.0 m.
 - 2) For all other commercial uses, the maximum Building Height shall be 10.6 m.
 - 3) The maximum Building Height for an Accessory Building shall be 4.0 m.
- 6) Other Development Regulations
 - a) Development of land within a Bareland Condominium shall be considered the same as the development of land within a fee simple subdivision, with each unit of land treated as an individual Parcel.
 - b) With the exception of common property lines on built forms that necessitate common party walls (such as Resort Residential, Duplex or Row Housing), no building on a bareland condominium unit may encroach on any property line, utility easement, or right-of-way.
 - c) All developments within this District shall comply with Subsection 11.2 of this Bylaw. The condominium association may impose additional development and architectural guidelines, which shall be consistent with the provisions of this District.

- d) Accessory Buildings:
 - i) Accessory Buildings shall not be used for accommodation purposes.
 - ii) No more than two accessory buildings shall be permitted per Bareland Condominium Unit for Recreational Vehicle or Recreation Unit, Park Model use within the R - Recreational Sub-District.
 - iii) The maximum floor area for an Accessory Building shall not exceed 50 m².
 - iv) Accessory Buildings shall be located within the rear yard or side yard only.
- e) A central garbage disposal area shall be provided for the TCRR District. No individual garbage pickup areas or outdoor storage areas shall be developed within 3.0 m of any Dwelling.
- f) C – Commercial Sub-District Landscaping and Other Regulations:
 - i) As required by the Development Authority, all required yards and all open spaces on the parcel, excluding parking spaces, on site circulation, outdoor storage, display and service area, shall be landscaped in accordance with the approved landscape plan.
 - ii) Landscaping standards shall comply with Subsection 13.2 of this Bylaw.
 - iii) The location of rooftop mechanical equipment, exhaust fans, and other sources of noise and odour must be oriented to reduce adverse effects on surrounding properties and amenity areas.
 - iv) Garbage must be located in a storage bay within, or attached to, the principal building; or within a freestanding wildlife proof enclosure to the satisfaction of the Development Authority.
- g) Pursuant to the Municipal Development Plan, the Development Authority may request an emergency response plan as a condition of a Development Permit to ensure that emergency service requirements for fire, rescue, and ambulance are met due to the Resort's remote location.
- h) Fire protection measures are to be provided to the satisfaction of the Development Authority, and may be included as a condition of a development permit as deemed necessary by the Development Authority.
- i) Pursuant to the Municipal Development Plan, a bio-physical assessment may be required for a site proposed for a multi-parcel (Bareland Condominium Unit) subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, is located within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or contains natural features such as sloughs or extensive tree cover.
 - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- j) All the uses in this District are subject to the appropriate provisions and requirements contained within PART 3 –DEVELOPMENT REGULATIONS.
 - i) For General Regulations refer to Section 11.0.
 - ii) For Specific Use Regulations refer to Section 12.0.
 - iii) For Landscaping Regulations refer to Section 13.0.
 - iv) Each Bareland Condominium Unit for Recreational Vehicle, Recreational Unit, Park Model or Resort Residential, Single Detached, Resort Residential, Duplex or Resort Residential, Row Housing use shall have a minimum of two off-street passenger vehicle parking spaces per Dwelling. Parking and loading spaces for commercial and recreational uses shall comply with Section 14 of this Bylaw or as required by the Development Authority.
 - v) For Signs refer to Section 15.0

7) Special Regulations

- a) The Subdivision Authority and/or Development Authority may decide on such other requirements as are necessary having due regard to the nature of the proposed development, the Purpose of this District, and the land use planning direction established in the Trestle Creek Golf Resort Conceptual Scheme, as may be amended from time to time.

- b) Amendment of Section 13.2 Commercial Landscape Requirements as follows:
Notwithstanding the remainder of this Section, all development on lands designated LC – Local Commercial, HC – Highway Commercial, RIC – Rural Industrial/Commercial District, or commercial developments within the TCRR – Trestle Creek Recreational Resort District shall be subject to the following landscape standards:
- i) Table 0-1: LC, HC, RIC, and TCRR Landscape Standards
- c) Addition of definitions to Section 20.2 General Definitions as follows:
- 1) DWELLING, END means the last Dwelling on each end of a row housing or similar development.
 - 2) DWELLING, INTERNAL means a Dwelling that is bounded by other Dwellings on both sides within a row housing or similar development.
- d) Addition of definitions to Section 20.3 Use Class Definitions as follows:
- 1) DORMITORY means a building or portion thereof in which sleeping units are provided by business within the TCRR District as staff accommodation and can include bathroom, kitchen, dining, and common areas within the building.
 - 2) RESORT RESIDENTIAL, APARTMENT means a development consisting of at least three (3) Dwelling Units contained on a single Bareland Condominium Unit within a building in which the Dwelling Units are arranged in a horizontal or vertical configuration which share a common hallway and access and each dwelling is separated from any other dwelling by one or more horizontal or vertical common fire separation as required by the Safety Codes Act. Resort Residential Accommodation, Apartment is intended for recreational accommodation and shall be part of a comprehensively planned and operated development offering recreational, educational, or cultural facilities.
 - 3) RESORT RESIDENTIAL, DUPLEX means a development consisting of a residential building containing two dwellings placed side by side or with one dwelling placed over the other in whole or in part and each dwelling is separated from any other dwelling by one or more horizontal or vertical common fire separation as required by the Safety Codes Act. Each dwelling has separate, individual, and direct access. A Resort Residential Accommodation, Duplex is intended for recreational accommodation and shall be part of a comprehensively planned and operated development offering recreational, educational, or cultural facilities.
 - 4) RESORT RESIDENTIAL, ROW HOUSING means a development consisting of a residential building containing a row of three or more dwellings joined in whole or in part at the side only with no dwelling being placed over another and each dwelling is separated from any other dwelling by one or more vertical common fire separation as required by the Safety Codes Act. Each dwelling has separate, individual, and direct access. Resort Residential Accommodation, Row Housing is intended for recreational accommodation shall be part of a comprehensively planned and operated development offering recreational, educational, or cultural facilities.
 - 5) RESORT RESIDENTIAL, SECONDARY SUITE means a development consisting of:
 - a) An additional Dwelling Unit located within and Accessory to Resort Residential, Single Detached; or
 - b) a Garage Suite that is Accessory to a Resort Residential, Single Detached; or
 - c) a Garden Suite, that is Accessory to a Resort Residential, Single Detached and located on a Bareland Condominium Unit greater than 0.8 ha in area.

A Resort Residential, Secondary Suite has cooking facilities, food preparation, sleeping and sanitary facilities which are separate from those of the principal on-site Dwelling Unit. A Resort Residential, Secondary Suite shall have a separate entrance from the entrance of Resort Residential, Single Detached, either from a common indoor landing or directly into the Resort Residential, Secondary Suite. This use does not include Boarding Houses.
 - 6) RESORT RESIDENTIAL, SINGLE DETACHED means a development consisting of a residential building containing one dwelling and is separated from any other dwelling. A Resort Residential, Single Detached is intended for recreational accommodation and shall be part of a comprehensively planned and operated development offering recreational, educational, or cultural facilities.

ENACTMENT/TRANSITION

- 5. Should any provision of this bylaw be deemed invalid then such invalid provision will be severed from this bylaw and such severance will not affect the validity of the remaining portions of this bylaw, except to the extent necessary to give effect to such severance.
- 6. Schedule "A" forms part of this bylaw.
- 7. This bylaw shall come into force and take effect on the day of third reading and signing thereof.

READ A FIRST TIME this 28th day of November, 2023.

READ A SECOND TIME this 9th day of January, 2024.

READ A THIRD TIME and finally passed this 9th day of January, 2024.

SIGNED AND PASSED this 9th day of January, 2024.



Mayor



Chief Administrative Officer

Bylaw No. 2023-08