

MUNICIPAL DISTRICT OF BIGHORN NO. 8

BYLAW #05-Z/20

A BYLAW FOR THE PURPOSE OF AMENDING THE MUNICIPAL DISTRICT OF BIGHORN NO. 8 LAND USE BYLAW IN ACCORDANCE WITH THE MUNICIPAL GOVERNMENT ACT, CHAPTER M-26, REVISED STATUTES OF ALBERTA 2000, AS AMENDED

WHEREAS the Municipal District of Bighorn No. 8 adopted Land Use Bylaw No. 09-Z/18;

AND WHEREAS Council has received an application from the landowner to amend Land Use Bylaw No. 09-Z/18 to make amendments to Direct Control District 4 (DC-4) which regulates land use and development on the Portion of NE and NW 27-26-6-W5M in order to better achieve the development objectives of the landowners;

AND WHEREAS Council, having considered at a public hearing the concerns of persons claiming to be affected by this bylaw amendment application, believes that the amendment of the Land Use Bylaw should be allowed in order to achieve the orderly, economical and beneficial use of land in the Municipal District;

NOW THEREFORE, the Municipal Council of the Corporation of the Municipal District of Bighorn No. 8 in the Province of Alberta, duly assembled in Council, enacts as follows:

1. Land Use Bylaw No. 09-Z/18 is amended by the replacement of Section 39, Direct Control District 4 (DC-4) as set out in Schedule "A" attached hereto.
2. The Land Use Bylaw amendments contained in Bylaw 05-Z/20 shall be consolidated into Bylaw 09-Z/18.

READ A FIRST TIME THIS 12th DAY OF MAY, 2020.

READ A SECOND TIME THIS 14th DAY OF JULY, 2020.

READ A THIRD TIME THIS 14th DAY OF JULY, 2020.


REEVE


EXECUTIVE SECRETARY

SCHEDULE 'A'

SECTION 39

DIRECT CONTROL DISTRICT 4 (DC-4)

39 DIRECT CONTROL DISTRICT 4 (DC-4)

39.1. Purpose and Intent

39.1.1 The purpose of this district is to allow for the existing retreat business, ancillary event space, overnight accommodations and associated dining facilities and recreational activities.

39.2. Permitted Uses

Accessory Building	Dwelling, Single Detached
Agriculture, Extensive	Home-Based Business, Minor
Accessory Use - Events	Retreat

39.3. Discretionary Uses

Accessory Use	Home Based Business, Major
Accommodation, Staff	Shipping Containers
Dwelling, Factory Built	Signs
Energy Generation System (Small)	Visitor Accommodation

39.4. Subdivision Regulations

39.4.1 Future subdivision of the lands shall only be for uses provided for in the DC-4 District. A Municipal Development Plan amendment will be required if future subdivision is proposed.

39.5. Development Regulations

39.5.1 In addition to the general and specific land use provisions contained in Part 2 of this Bylaw, the following provisions shall apply to every new development in this district:

Development Regulations		
Guest Rooms (for Retreat or Events)	Maximum	27 Guest rooms
Guest Rooms for Visitor Accommodation Use		Up to 15 of the 27 Guest Rooms per Night
Staff Accommodation	Maximum	3 bedrooms
Front yard setback	Minimum	40.0 m (131.2 ft)
Rear yard setback	Minimum	30.0 m (98.4 ft)
Side yard setback	Minimum	30.0 m (98.4 ft)
Building height		
Principal buildings	Maximum	12.0 m (39.4 ft)

SCHEDULE 'A'

SECTION 39

DIRECT CONTROL DISTRICT 4 (DC-4)

39.6 Events

39.6.1 The initial Development Permit shall be issued for a trial period of two (2) years. Upon completion of a satisfied trial period, subsequent Development Permits may be issued for up to five (5) years at the discretion of the Development Authority.

39.6.2 Up to twenty-five (25) Events shall be permitted per calendar year. For the purposes of this regulation, an Event means any public or private event, gathering, celebration or similar type of activity that has an expected attendance of no more than seventy-five (75) visitors at one time.

39.6.3 Guests of any event can stay for a maximum of (7) nights.

39.6.4 The number of events to be allowed per calendar year is at the sole discretion of the Development Officer, but may not exceed the maximum permitted events as per provision 39.6.2.

39.6.5 The MD may at any time require verification/documentation from the landowner regarding any events not related to the retreat business to ensure compliance with the Development Permit conditions.

39.7 Visitor Accommodation

39.7.1 The initial Development Permit shall be issued for a trial period of two (2) years. Upon completion of a satisfied trial period, subsequent Development Permits may be issued for up to five (5) years at the discretion of the Development Authority.

39.8 Additional Regulations

39.8.1 A Traffic Impact Assessment or other technical studies may be required by the MD at the Development Permit stage for the future development of the lands.

39.8.2 Outdoor live music and/or use of any amplified systems shall only be permitted for a maximum of 4-hours per event, and between the hours of 8:00 am to 8:00 pm. The M.D.'s Noise Bylaw applies for all other activities on the property.

39.8.3 Music festivals shall not be allowed at The Crossing.

39.8.4 The Development Officer will have discretion on all Permitted Uses. Notwithstanding this, the Development Officer may refer any applications for Permitted Uses to Council.

39.8.5 Council will have discretion on all Discretionary Uses. Council may, at its sole discretion,

SCHEDULE 'A'

SECTION 39

DIRECT CONTROL DISTRICT 4 (DC-4)

hold a public hearing for any application received or referred by the Development Officer. The public hearing shall be advertised in at least 1 edition of a newspaper circulating in the area. The public hearing shall be conducted in accordance with municipal public hearing procedure.