



ZONING BYLAW ENFORCEMENT

July 18, 2018

The R.M. of McKillop has had a Zoning Bylaw enacted in our jurisdiction since 1968. Currently, Zoning Bylaw No. 234/11 regulates land use and development which was enacted in the spring of 2012. Zoning Bylaw No. 234/11 (the Zoning Bylaw) does not permit the use of a vacation trailer or trailer coach as a principal residential use. Under the Zoning Bylaw, a vacation trailer can be considered as an accessory building/use in the Lakeshore Development District (LS), but are prohibited in the Recreational Resort, Hamlet, and Country Residential Districts.

The enforcement activity being undertaken in the R.M. at this time is not being undertaken in haste, rather is the result of a cumulative effort over the past few years to improve the application and enforcement of policies and bylaws enacted in the R.M. These efforts were prompted by a group of rate payers within the R.M. who actively emphasize the shortfalls in the administration of policies and bylaws of the R.M. by way of petitions and complaints – requesting Council do something to improve upon it. In response to the requests of R.M. ratepayers, Council has directed that the policies and bylaws be implemented to the full extent of the R.M.'s ability.

Over the past three years the R.M. has taken active measures to better understand the concerns arising from the use of vacation trailer as a principal residential use, including:

- Feedback was collected through a Resort Property Vacation Trailer Survey held October 2015 where 257 out of 468 respondents opposed the use of vacation trailers in place of a permanent residence; and 321 out of 468 respondents opposed a fee being paid to the R.M. to permit vacation trailers on private lots.
- As a result of feedback from the survey, Council passed resolution No. 232/2016 on June 12, 2016 requiring that rate payers remove single vacation trailers that do not comply with the Zoning Bylaw by May 1, 2017 and that lots with multiple vacation trailers be removed immediately.
- A second resolution was passed on June 23, 2016 relating to multiple vacation trailers on a lot requiring that all but one (1) vacation trailer be removed by July 31, 2016, with a requirement that the remaining vacation trailer be removed in the near future.
- On April 23, 2018, Council passed Resolution 155/2018 that placed an immediate focus on enforcing noncompliance issues in the R.M. including:
 1. Correction of the use of accessory building for principal uses in resort communities;
 2. Nuisance matters;
 3. Correction of the location of buildings and number of buildings on properties that fail to comply with setback requirements and site coverage requirements;
 4. Removal of soft-sided sheds or fabric structures which are prohibited from use in the RM; and
 5. Removal of all vacation trailers from all properties in resort communities when the vacation trailer is used as a principal use



While the use of a vacation trailer or trailer coach as the primary use or structure on a residential site has been prohibited since the adoption of the current Zoning Bylaw in 2012; and, there have been efforts made in the past to curtail this non-compliant use in the R.M., Council has made the decision to prioritize the enforcement of removing vacation trailers being used as principal residential uses, along with the other enforcement issues listed above throughout 2018.

Discussions with the Ministry of Government Relations, Community Planning Branch indicate that the use of vacation trailers as a principal, residential use is an identified concern throughout the province with municipalities trying to determine the best way to enforce their policy. Furthermore, discussions with Community Planning have identified that RV's must not be connected to supporting water and sewer infrastructure unless they have been secured to a foundation and have had their wheels and axles removed. This is consistent with Section 10.4.6 (f) of the Zoning Bylaw which indicates that *"no vacation trailer shall be connected to any piped water supply or waste disposal system on any site, whether or not that system serves the existing dwelling on site"*. The R.M. has been advised that the Ministry does not currently have a set policy on the use of vacation trailers on residential lots but recommend that municipalities enforce the policies that are in place within their respective jurisdictions.