



County of Wetaskiwin No. 10

Recreational Vehicle Usage

April 21, 2017

Mulhurst Bay Community
Center

Legislative Framework – Provincial Safety Codes Act

The County of Wetaskiwin Council, Administration and the Provincial Government all work in partnership to address issues that affect all ratepayers.



Safety Codes Act (SCA)– Is administered by Alberta Municipal Affairs .

The Safety Codes Act allows for local authorities (i.e. municipalities, corporations) to become accredited to administer the Act in part or entirely for their jurisdiction including safety codes officers, permits, inspections etc.

For accredited areas, like the County of Wetaskiwin, the County contracts with Superior Safety Codes to provide services under the Safety Codes Act.

Municipal Bylaws

A municipality may not make a bylaw that regulates a matter already regulated by the Safety Codes Act.

Legislative Framework – Provincial Safety Codes Act

Recreational Vehicles are not residential buildings under the Alberta Building Code and the standards for RVs are not regulated by the Safety Codes Act. As a result, the local authority may pass bylaws affecting the use of RV's within its jurisdiction, on such matters as zoning or land use.

If, in the opinion of a safety codes officer responsible for providing services in the County's jurisdiction, the use or proposed use of an RV is so similar to that of a residential building, the safety codes officer may make a determination that the RV is now a residential building and subject to the requirements of the Safety Codes Act including permits and inspections.

The Safety Codes Act does not determine land use – the local authority through bylaw determines land use. Every municipality has the authority to regulate land use in a way that meets the local area needs. The Safety Codes Act sets out requirements for minimum safety standards for construction and installation with respect to that land use.





Legislative Framework – Provincial Safety Codes Act

RVs and other temporary occupancies typically do not meet safety code requirements for fire rating, insulation, private sewage treatment (if not hooked up to the municipal line) and other construction code requirements if used as a residential occupancy in their original manufactured state.

The risk posed to life safety and property protection substantially increases where greater numbers of RVs or temporary dwellings such as Park Model Trailers are sited and used as residential occupancies, either mixed with code compliant residential buildings or as a separate community.

The Province of Alberta has taken steps to enhance fire protection for residential buildings to mitigate the effects of high intensity residential fires. A concentration of RVs or temporary dwellings that exist as a more permanent community would create a double standard along with a substantial risk to life, safety and property protection

Municipal Government Act (MGA)



Section 201(1) – A council is responsible for developing and evaluating the policies and programs of the municipality.

Section 202(2) – Only a Council may pass bylaws.

Section 617 – The Purpose of Land Use Planning is to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta, without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.

Section 639 – **Every municipality must pass a land use bylaw.**

The Land Use Bylaw cannot authorize a use that is not allowed by Federal or Provincial legislation.

Land Use planning requires a Council to consider the long term effects of Bylaws and Policies.

Restrictive Covenants

Section 651.1(1) – means a negative condition or covenant under which land, or any specified portion of land, is NOT to be built on, or is NOT to be used in a particular manner, or any other negative condition or covenant running with or capable of being legally annexed to land.

Restrictive covenants on private developments are often registered at the time of subdivision by the landowner and ARE NOT reviewed, approved or enforced by the County of Wetaskiwin but are required to be dealt with in legal proceedings by the affected landowners.

Restrictive covenants cannot authorize something that is not legally allowed by either federal or provincial legislation or municipal bylaws.

It is the landowners responsibility to know and understand what your property is zoned as and how that relates to development you are wishing to undertake.





Land Use Bylaw Districts (Zoning)

The County's Land Use Bylaw 95/54 establishes all Land Use Districts (also known as Zoning) and lists the Permitted and Discretionary Land Uses for each district. **The use of your land that is not listed is neither Permitted or Discretionary and would be in contravention of the land use bylaw.**

Land Use Districts in the County that allow Recreational Vehicle use when no permanent dwelling exists include:

Lakeshore Residential (Discretionary)

Recreational (Discretionary)

Wizard Lake Watershed (Discretionary)

Watershed Protection (Discretionary)

Severed Agricultural (over 80 acres) (Discretionary)

Recreation Resort Holdings (Permitted)

Mixed Recreation Residential (Permitted)



Can I camp in my recreational vehicle on my property?

Section 3.31 of the Land Use Bylaw outlines the districts where recreation vehicles can be used for Short Term Camping, along with the number of units allowed. Generally speaking, most districts allow 1 unit to be utilized for short term camping.

Can I store my recreational vehicle on my property?

Section 3.31 of the Land Use Bylaw outlines the districts where recreation vehicles can be stored, along with the number of units allowed. Generally speaking, most districts allow one (1) unit to be stored.



Has the County Changed its Policy?

Yes, since the Bylaw was passed in 1996, several amendments have been made to the Bylaw, including the extensive amendments made in April 2015 to add Recreational Vehicle use into the Bylaw.

Prior to the 2015 amendments, Recreational Vehicle use was not allowed except in the Recreation and Recreation Resort Holdings districts. The 2015 amendments increased the allowed use of Recreational Vehicles, Short Term Camping and Storage.

The County has dealt with unauthorized land uses on a complaint basis and will continue to respond to land use violations as a service to its citizens and ratepayers. Council reviewed whether the level of service should be increased from reactive to proactive, but recognize the budget implications this would have and will not be proceeding with proactive enforcement.

Has the County Changed its Policy? (cont)

In 2012, Council began an information campaign to the Real Estate industry reminding them of the status of Recreation Vehicles in relation to Residential Land districts to ensure prospective buyers were being provided with accurate information. The direction from Council was:

“...4. Educate realtors regarding Municipal Reserve & Environmental Reserve uses and development regulations. This includes the selling of lands in districts zoned where recreational vehicles are not allowed. Through the educational process, Council hopes to reduce the number of parcels sold under false pretense regarding the allowed uses including lakefront properties where Environmental and Municipal Reserves exist.”





Is the County wishing to “Ban” or “Remove” all Recreational Vehicles?

No, the County is not on a mission to “ban” Recreational Vehicles.

The County is concerned with the safety and improper use of Recreational Vehicles within those land use districts that do not allow for a Recreational Vehicle to be used or occupied on a Residential lot in place of a residential dwelling.

Mixed Recreation Residential and Recreation Resort Holding zoned properties allow for the Permitted use of Recreational Vehicles.

Lakeshore Residential, Recreation, Wizard Lake Watershed, Watershed Protection and Severed Agricultural zoned properties allow for the Discretionary use of Recreational Vehicles.

All permits that may have been issued for either RV or Park Model trailers by the County include conditions that require the applicant to comply with the Alberta Building Code requirements.

If I own property, can I invite family to stay overnight in their RV?

Generally speaking, if you have a residence, you are allowed to invite family to stay up to fourteen (14) days short term camping in one (1) unit. If you own twenty (20) acres or more then the number of units increases to three (3).





Next steps?

Council is very interested in gathering as much information as possible in order to make the best decision not only for the Mulhurst Bay area, but the County as a whole for the long term sustainability and benefit of the County.

Council will be reviewing the information provided tonight at their regular Council meeting on **May 11, 2017 at 10:30 am**. Should Council wish to propose further amendments to the Land Use Bylaw, they would have to direct Administration to prepare those amendments for deliberation at an advertised Public Hearing.

All public hearing requirements will be advertised through the Pipestone Flyer and the County website at www.county.wetaskiwin.ab.ca.



Previous RV publications – 2012 Fall Newsletter
- 2013 Fall Newsletter
- 2014 Fall Newsletter
- Multiple advertisements in Pipestone Flyer in 2013, 2014 and 2015

The public also has the option to subscribe to a number of pages on the website, allowing them to get updates as they are posted.

Written submissions will be accepted until April 30, 2017. Please send your submission to:

County of Wetaskiwin No. 10
Box 6960
Wetaskiwin, Alberta
T9A 2G5

Attn: Rod Hawken

Or email at:

rhawken@county.wetaskiwin.ab.ca

Questions or Comments?

- Reeve Kathy Rooyakers to facilitate.