



## **STRAIGHT FACTS ON RECREATION VEHICLE USE**

The County of Wetaskiwin is committed to ensuring that good long range planning is provided for the County's residents and landowners. Part of that commitment includes addressing land use issues that may arise from time to time without infringing on the rights of all individuals for any public interest except to the extent that is necessary for the overall greater public interest. This includes historical knowledge of issues that arise when different land uses are mixed together. The County has been accepting public input and reviewing all matters pertaining to the use of Recreation Vehicles within those land use districts which do not list Recreation Vehicles as either a permitted or discretionary land use. At this time, the County wishes to relay the following important points including legislation related to the use of Recreation Vehicles including Park Model Trailers.

- In accordance with the Municipal Government Act of Alberta (MGA), County Council must pass bylaws to establish land use districts and policies governing land use planning.
- In 1996, County Council approved Land Use Bylaw 95/54, after extensive public consultation and input, maintaining several existing land use districts and establishing new districts.
- Each land use district lists permitted and discretionary land uses which may be allowed. Uses not listed within a land use district are not allowed.
- The majority of multi-lot subdivisions surrounding Buck Lake and Pigeon Lake including the hamlets of Buck Lake and Mulhurst are districted as Lakeshore Residential, Country Residential or Urban Residential which allow for single family residences as a permitted land use. Recreation Vehicles including Park Model Trailers are not listed as either a permitted or discretionary land use.
- The Recreational district lists Recreation Vehicle Park as a land use (but not individual Recreation Vehicles).
- The Recreation Resort Holding district lists the parking and occupation of Recreation Vehicles as a temporary and discretionary land use (no more than two weeks in a calendar year without a development permit).
- Any district in existence prior to 1995 that may have allowed for the use of Recreation Vehicles, required that annual permits be obtained for those vehicles.
- Land developers apply for the land use districts for their developments which require a public hearing and Council approval.

## **Restrictive Covenants**

- Restrictive Covenants on private developments are often registered at the time of subdivision by the landowner (but can be registered at any time) and are not reviewed, approved or enforced by the County of Wetaskiwin but are required to be dealt with in a court of law by the affected landowners.
- A Restrictive Covenant is a negative covenant legally capable of running with the land which restricts the use of the land.
- A Restrictive Covenant is not a planning document and does not supersede land use districting and bylaws approved by the Municipality.
- Restrictive Covenants cannot authorize something that is not legally allowed by either provincial legislation or municipal bylaw.

## **Recreation Vehicle Use**

As outlined by Provincial Safety Codes Staff of Municipal Affairs, Recreation Vehicles may be evaluated and determined that they are being used for residential purposes if one or a combination of the following is present or occurring:

- permanently remaining on site;
- have evidence of a foundation;
- have utilities such as power connected to them;
- have fixed renovations or structures such as decks, fireplaces, handrails, new levels or roofs;
- have wheels or modes for transport removed; or
- have connected private sewage systems.

Recreation Vehicles including Park Model Trailers are not constructed to the same safety standards of a residential dwelling under Part Nine of the Provincial Safety Codes Act. The use of a Recreation Vehicle as a residence is not authorized under the County of Wetaskiwin Land Use Bylaw nor the Provincial Safety Codes Act.

In purchasing a property, the County strongly recommends that the prospective buyer exercise due diligence and contact the Land Use Authority to determine what land uses may or may not be allowed on that property.

The County recognises the importance in finding a solution to this matter and will continue to investigate all solutions and options available and appreciates the input of all residents and landowners regarding this issue. If there are any questions related to the above, please contact Rod Hawken, Assistant County Administrator at 780-361-6225.