



COUNTY OF WETASKIWIN NO. 10
Strong Proactive Leadership • Safe Progressive Communities

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www.county.wetaskiwin.ab.ca

STRAIGHT FACTS ON RECREATION VEHICLE USE - PART 2

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. In 2012 the County formed a committee and accepted input over a three (3) year period for the amending bylaw. The County has been accepting further public input and reviewing all matters pertaining to the use of Recreation Vehicles since the April 2015 amendments to Land Use Bylaw 95/54.

Q&A

Can Council get rid of Bylaw 95/54 if enough people don't agree with it?

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.

Why can't I just use my RV on my property?

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. Any district in existence prior to Bylaw 95/54 that may have allowed for the use of Recreation Vehicles required that annual permits be obtained for those vehicles.

Who sets the land use zoning on a property?

Land developers apply for the land use districts for their developments which require a public hearing and Council approval. Realtors sell land for a developer and on behalf of their agency and do not always have knowledge of the local municipality's bylaws. 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.

Why did Bylaw 95/54 change to restrict Recreation Vehicle (RV) use?

Bylaw 95/54, which was fully enacted in 1996, did not include any RV use except in the Recreational and Recreational Resort Districts. Bylaw 2015/10, which was passed on April 28, 2015, amended Bylaw 95/54 to allow RV use as permitted or discretionary in some districts and added short term camping and RV storage in most districts. These amendments were a result of a three (3) year public process which included a committee of twelve (12) County residents who met several times in early 2013.

Why was there no public engagement to make all landowners aware of the pending changes?

In 2012 the County advertised for members to sit on the RV committee. There were also several articles in the County newsletters and information posted on the County website. Public engagement occurred for three (3) years through the committee, in the newspaper and on the County website. On November 13, 2014 Council held a public hearing to review the committee findings. That Public Hearing was advertised in accordance with the Municipal Government Act. All the recommendations put forward were positive changes to the Land Use Bylaw removing the current restrictions that allowed very little RV use.

What opportunity is there to make amendments to this Bylaw?

A landowner or Council can apply to amend the Bylaw at any time but must go through a process which includes a public hearing. If the amendment is for a specific area of the County then along with the advertisement, the County sends out notification to adjacent landowners. If the amendment relates to the entire County (as was the case for the RV amendments) then it is advertised in the local paper and on the County website. Both of these cases meet the requirements of the Municipal Government Act. The wording of the Bylaw can be amended (which would be County wide) or a property can apply to change its' current zoning (which would be a specific area).

What were the complaints that led to the enforcement?

Administration has been receiving complaints since before 2010, long before the Mulhurst Citizens Group approached Council. Some of the more common complaints were: Septic disposal, unsightly premise, noise including loud generators, campground parties, decreased land values, unfair tax system, encroachments on neighbor's property, safety concerns, and other complaints of a general nature.

Is the County only dealing with Mulhurst Bay Recreation Vehicles?

No, the Land Use Bylaw pertains to all properties in the County. Council has directed Administration to investigate and manage compliance issues on a complaint basis as staffing resources allow. Simply put, if you are non-compliant and the County does not receive a complaint, there will be no enforcement until either a complaint is received or you apply for a change in use that requires the County to review existing uses. If enforcement is pursued against your property under the current Bylaw, the requirements may include, but not be limited to, the removal of an RV(s), a change in status/use of an RV(s) or needing to obtain the necessary RV Use permit (if allowed within your zoning).

Why can I not be Grandfathered?

In this case the current use of the land is considered non-compliant under the original 95/54 Land Use Bylaw. Council has taken the position of not allowing grandfathering of unauthorized uses of land as a result of the passing of time without enforcement. If Council was to make a change to the Bylaw that changed a use of the land from compliant to non-compliant then grandfathering would be allowed.

Why was there no previous enforcement being pursued?

Council sets the priorities for Administration and is responsible to approve a budget for resources to manage those priorities. Over the past 15 years, Council has approved an increase in the level of resources from a casual employee to today's staffing level of two (2) development officers and two (2) bylaw enforcement officers. As complaints have increased, so have Council's priorities to enforce the bylaws.

I don't comply with the Bylaw, what do I need to do?

We strongly recommend you contact Planning & Development staff in writing to verify your zoning, determine what uses are allowed and have been permitted, and what you need to do to come into compliance.

If I am hosting a family reunion or ball tournament, can I get a permit?

At this time, the Bylaw does not allow for a special event permit. Administration will be proposing amendments made to the Bylaw to increase the number of RV units allowed at local community halls to accommodate these types of events. These properties are designed to accommodate these events more than a residential property.

The County recognizes the importance in finding a solution to this matter and will continue to investigate all solutions and options available while taking into account input received from residents and landowners. If there are any questions related to the above, please contact Rod Hawken, Assistant County Administrator at rhawken@county.wetaskiwin.ab.ca or 780-361-6225.

DEVELOPMENT PERMITS

TAKE NOTICE THAT THE FOLLOWING DEVELOPMENT PERMIT(S) FOR THE PROPOSED USE LISTED BELOW HAVE BEEN ISSUED IN ACCORDANCE WITH BY-LAW 95/54, LAND USE BY-LAW OF THE COUNTY OF WETASKIWIN NO. 10.

Development Permit # D16/241

NEW MOVED IN 16' X45' MODULAR HOME WITH 12' X 16' EXTENSION: NW 7-48-27-W4M. This is a discretionary use as specified by Section 8.5 (b) of Schedule B, Land Use By-law 94/54, amended by By-Law 15/10.

THE ABOVE NOTED PERMIT(S) SHALL NOT COME INTO EFFECT UNTIL AFTER FOURTEEN (14) DAYS FROM THE FIRST DATE OF THIS PUBLICATION.

Any person wishing to review the above application(s) or permit(s) may do so at the County Office during normal business hours.

IN ACCORDANCE WITH SECTION 686 OF THE MUNICIPAL GOVERNMENT ACT, ANY PERSONS CLAIMING TO BE AFFECTED BY THIS DECISION MAY SERVE WRITTEN NOTICE OF APPEAL, ALONG WITH PRESCRIBED FEE OF \$150.00 TO:

FRANK COUTNEY, SECRETARY TO THE DEVELOPMENT APPEAL BOARD
COUNTY OF WETASKIWIN NO. 10
P.O. BOX 6960
WETASKIWIN, ALBERTA
T9A 2G5

WITHIN FOURTEEN DAYS OF THE FIRST DATE OF THIS NOTICE.