

County of St. Paul No. 19  
5015 – 49 Ave.,  
St. Paul, AB T0A 3A4

July 19, 2016

**ATTENTION: Bryan Bespalko, Bylaw Enforcement Officer**

**RE: Lot 01, Block 03, Plan 8121812, (337, 56415 – Range Road 112)**

**David Brown**

**5012 - 51 Avenue**

**Box 1127**

**Lamont, AB**

**TOB 2RO**

**AND**

**Michael Lesser**

**8733 – 99 Avenue**

**Fort Saskatchewan, AB**

**T8L 2Y4**

Having received an Order pursuant to County of St. Paul No. 19 By-law 2013-50, Section 8.4 (4) (e) Recreational Vehicles, we are responding in writing to the issuing Bylaw Enforcement Officer, Mr. Bryan Bespalko, through e-mail, to be followed by a hard copy of the same letter.

We wish to dispute this Bylaw, and the reasons are listed below.

We thank you in advance for taking the time to look over and respond to our concerns.

1. The land purchase was completed October 23, 2001 – this bylaw did not become law until August 12, 2008 – 7 years after the property was purchased.
2. At the time of purchase, we ensured that the above mentioned property could, in fact, be owned by two separate individual families, and there was no limit to the number of recreational vehicles.
3. Since the day of purchase, there have always been 5 recreational vehicles on the property.

In closing, we would like to see the above mentioned property be grandfathered as per the Bylaw when it was purchased.

Please note the address change for David Brown.

Sincerely,

David Brown

Michael Lesser

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## County of St. Paul No. 19

August 8, 2016

**REGISTERED MAIL**

David Brown  
22 Jubilee Drive  
Fort Saskatchewan, AB  
T8L 2M1

**AND**

Michael Lesser  
8733-99 ave  
Fort Saskatchewan, AB  
T8L 2Y4

Dear Mr. Brown and Mr. Lesser:

**Re: Lot 01, Block 03, Plan 8121812 (337, 56415 - Range Road 112)**

In my capacity as Designated Officer, I am hereby issuing an Order pursuant to County of St. Paul No. 19 By-law 2013-50, Section 8.4 (4)(e) Recreational Vehicles, with respect to the above mentioned lands. A copy of the by-law is attached for your reference.

I attended at the lands, and from a site inspection off of the lands, determined that the lands, because of the number of recreational vehicles, are detrimental to the surrounding area. Accordingly, I am ordering that the following work be done in order to comply with By-law 2013-50, Section 8.4 (4)(e)

- Remove all recreational vehicles in excess of 2 from the property

The above work is to be completed within 14 days of receipt of this letter. If you do not comply with this request, the County may perform the work and add the costs of performing the work to your tax roll for the land.

You may request County Council to review this order by written notice within 14 days of the receipt of this order.

Yours truly,

Bryan Bepalko  
Bylaw Enforcement Officer

Encl.

## 8.4 COUNTRY RESIDENTIAL ONE (CR1) DISTRICT

### (1) Purpose:

- a. The general purpose of this District is to provide for specific areas where multi-lot country residential development may take place within various parts of the County.

### (2) Permitted Uses:

- a. Buildings and Uses Accessory to Permitted Uses
- b. Manufactured Homes less than 10 Years of Age from Date of Development Application
- c. Minor Home Occupations
- d. Single Detached Dwellings

### (3) Discretionary Uses:

- a. Basement Suites
- b. Bed and Breakfast Establishments
- c. Buildings and Uses Accessory to Discretionary Uses
- d. Day Care Facilities
- e. Extensive Agriculture
- f. Extensive Recreation
- g. Garage Suites
- h. Institutional and Public Uses
- i. Manufactured Homes more than 10 Years of Age from Date of Development Application
- j. Public Utility Buildings and Installations
- k. Resort Commercial Uses
- l. Other uses which, in the opinion of the Development Authority, are similar to the above listed Permitted or Discretionary Uses

### (4) Regulations:

#### a. Minimum Lot Size:

- i. Permitted uses within 122 m (400 ft) of a lake – In the case of a development permit, 0.2 ha (0.5 ac.) of land which, in the opinion of the Development Authority, is developable. In the case of a subdivision application, 0.2 ha (0.5 ac.) of land which, in the opinion of the Subdivision Authority, is developable land.
- ii. Permitted uses more than 122 m (400 ft) from a lake – In the case of a development permit, 0.4 ha (1 ac.) of land which, in the opinion of the Development Authority, is developable. In the case of a subdivision application, 0.4 ha (1 ac.) of land which, in the opinion of the Subdivision Authority, is developable land.

#### b. Minimum Required Yards:



- i. Front and Corner: Internal Local Road – 7.7 m (25 ft) from the boundary of the right-of-way; Grid Road – 39.6 m (130 ft) from the centerline of a County road; and Major and Minor Two-Lane Highways – 70 m (230 ft) from the centre line or 40 m (131.2 ft) from the boundary of the right-of-way, whichever is greater.
  - ii. Side – 6.1 m (20 ft) each; and
  - iii. Rear – 7.7 m (25 ft).
- c. Minimum Floor Area: Single detached dwellings/manufactured homes – 74.3 m<sup>2</sup> (800 ft<sup>2</sup>).
- d. Maximum Building Height: Dwelling units – 7.7 m (25 ft) and two storeys on properties adjacent to water bodies or lakes; 10.0 m (32.8 ft) and two storeys on all other properties; Accessory buildings – as per Section 7.2 of this Bylaw.
- e. Recreational Vehicles:
  - i. No development permit shall be required for the placement of two or less recreation vehicles on a lot if those recreation vehicles are:
    - 1. Mobile (licensed, insured, and with its wheels intact), are on site for seven (7) days or longer, and have no accessory buildings or structures, such as parking pads, porches, associated with any of them; or
    - 2. Not Mobile, being on site for more than seven (7) days, or has any accessory buildings or structures associated with it. A development permit shall be required for the placement of any such accessory structures on a lot. The issuance of such a development permit shall be considered entirely discretionary.
  - ii. The number of recreation vehicles on a parcel, may, on occasion, exceed the maximum of 2 subject to: the Development Authority being advised in writing of the dates when more than 2 recreation vehicles will be on the parcel and the number of recreation vehicles expected; the parcel being able, in the opinion of the Development Authority, to sufficiently accommodate all recreation vehicles expected as well as any accompanying vehicles; provisions satisfactory to the Development Authority being made for the disposal of sewage; and the maximum period of time when more than two recreation vehicles are on site shall not exceed five consecutive days and shall not occur more than two times in a calendar year.
  - iii. If a recreational vehicle is developed so as to become a part of a building, such as by the removal of its wheels or the addition of a building or structure onto it which encloses or immobilizes the recreational vehicle, the recreational vehicle will then be regarded as a manufactured home or single detached dwelling.
- f. Intensive Recreation and Resort Commercial Developments - Intensive recreation developments and resort commercial developments shall be developed only with careful consideration of the impacts such development may have on the residential and recreational amenity of adjacent residential uses, and shall be developed with appropriate buffers and conditions, as established and required by the Development Authority, to mitigate any negative impacts. No intensive recreation or resort commercial development shall have any more than a total of twenty-five (25) units, either recreational vehicle stalls or hotel or motel units, for rental or use.
- g. The re-subdivision of lots in the CR1 District into smaller parcels will only be allowed: if the subdivision was initially designed to allow for such re-subdivision, or if the subdivision currently has a mixture of lot sizes, and if all other regulations of this Land Use Bylaw are

satisfied.







