

## **Bylaw 2024-13**

**Public Hearing – May 14, 2024 – 9:30 a.m.**

### **Written Submissions:**

1. Wayne Patterson, Condominium Corporation 1621624  
Sunset Shores RV Resort



Wayne Patterson  
President, Board of Directors  
Condominium Corporation 1621624  
Sunset Shores RV Resort (located at 53509 RR 60, Parkland County)  
Email: ilovesunsetshores@gmail.com

May 8, 2024

Planning and Development Services, Parkland County  
53109A HWY 779  
Parkland County  
AB T7Z 1R1

**Attention: Council of Parkland County and Planning and Development Services**

**RE: Public Hearing Bylaw 2024-13**

On behalf of the Board of Directors for Condominium Corporation 1621624, thank you for the opportunity to provide this written submission on Bylaw 2024-13, the proposed amendments to Land Use Bylaw 2017-18 related to regulations and definitions for the Bareland Recreational Resort District & Recreational Unit, Park Model. Though we generally understand the intention of the amendments to the Bylaw, I would like to seek clarity and bring to your attention possible unintended consequences with some proposed language. In accordance with the Notice of Public Hearing, I would request that the following submission be accepted and reviewed and should it be necessary, be permitted to make a verbal presentation at the Public Hearing on May 14, 2024.

As you are aware, Sunset Shores RV Resort is a Bareland Recreational Resort (BRR) located in Parkland County. We are presently a community of 189 condominium units occupied by both traditional recreational vehicles (motorhomes, fifth wheel and bumper pull trailers) and Park Model homes built in accordance with the CSA Z-241 standard. Phase 3 of the resort is now under application for approval which will bring the resort to a total of 278 units.

At the present time, there are 38 units in our resort which contain Park Model homes, 10 of which have permitted Arizona Rooms and/or sunrooms attached. In representing the interests of our condominium association and the current and future owners of accessory buildings and park model homes (with or without Arizona rooms), we would like to seek further clarity on how the following proposed changes to this bylaw may affect our resort.

**1. Adding a general definition for SEASONAL in Section 20.2**

The existing Restrictive Covenant agreement in place between Parkland County and Sunset Shores RV Resort Inc limits occupancy of a Seasonal RV Unit to a period of not more than 365 consecutive days. How will “specific periods of the year based on seasons” within the new

definition of SEASONAL affect our owners' use of their units within our resort? Does the County intend to further define 'specific periods of the year'?

## 2. Adding a Use Class Definition for ADDITION in Section 20.3

The proposed changes will add a Use Class Definition for ADDITION as follows:

*ADDITION means the external construction of a structure to an existing building, which increases the building's floor area or external dimensions and when added to the principal building, creates one singular combined structure. Such structures shall include a roof and walls. This use may include, but is not limited to, a sunroom, bedroom storage or mudroom.*

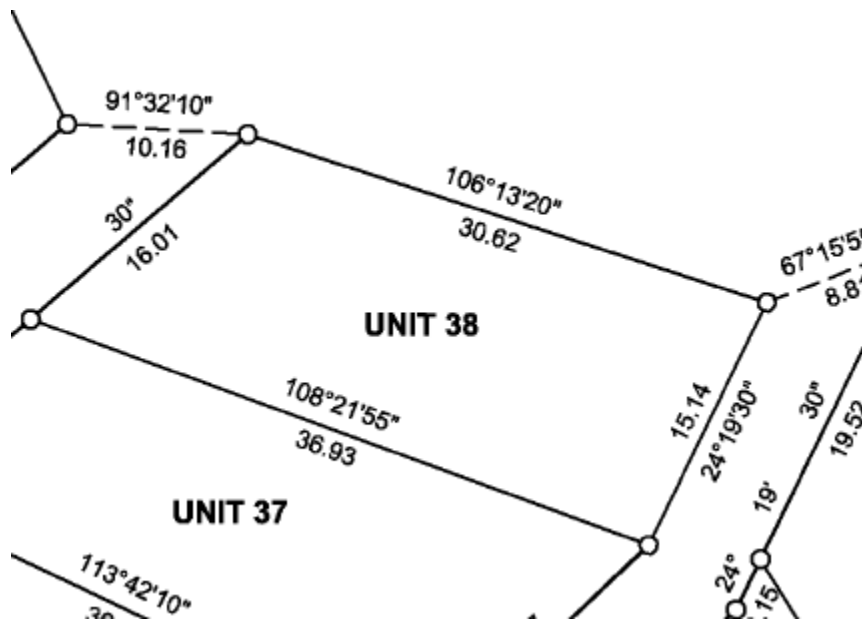
- a. The current Land Use Bylaw does not include a definition of "Arizona Room". Is the new definition of ADDITION intended to apply to those structures we have jointly been referring to as Arizona Rooms and/or replace the term "Arizona Room" used in your PLANit application?

If the answer to this question is 'YES', then the following points b. through d. raise additional complexity.

- b. The proposed definition suggests an ADDITION will add to the floor area or dimensions of an existing building. In accordance with the CSA standard, a Park Model is limited to a maximum of 538 sq ft. Considering it one combined structure could have a consequence of exceeding the maximum square footage size limit applicable to a Park Model. Similarly, the Condominium bylaws of the resorts within the BRR also contain maximum size limits on Arizona Rooms that could be exceeded when considered a combined structure. Though seemingly a simple language definition, it could have unintended consequences during an appeal or permit process.
- c. A Park Model is technically classified as an RV (recreational vehicle) rather than a "building". Though built in accordance with a specific building code, they are designed to be moveable structures, contained on a metal frame with axles and removable hitch to facilitate occasional transportation, unlike a permanent building. In most applications, any Arizona Room built alongside a park model is an independent structure with four exterior walls that can be separated from the Park Model if necessary. Though an opening between an Arizona Room and a Park Model may easily facilitate movement between them, they are two separate structures and should remain classified as such. You may consider changing the terminology 'existing building' within the proposed amendment.
- d. While both an Arizona Room and Park Model require a development permit from the county, only the Arizona Room requires a building permit.

**3. Section 5.1.4(a) - Side Yard Setback for External Parcels**

- a. The term 'External Parcels' and 'Internal Parcels' exists only in Section 5.1.4 of the current Land Use Bylaw. They are not terms defined within the Bylaw. We suggest for clarity adding a definition of 'External Parcel' and 'Internal Parcel' for clarity.
- b. In the past, when owners have applied for development permits to place a Park Model, the County has considered an External Parcel a unit which resides adjacent to a road way or to a common area or property and applied the 1.5m minimum side yard setback rule to the side of the property which does not abut the common property or roadway. For example, when a Park Model was placed on Unit 38, the minimum 1.5m setback was enforced on the property line between Unit 37 and Unit 38, even though that side of the unit does not run adjacent to a roadway or common property. The need for a larger set back on that side of the unit is not any more necessary than a setback between any other internal parcel units.



We suggest that when applying the minimum setback requirements for an External Parcel, that setback is only applicable when the development in question is directly adjacent to a roadway or common property that requires a larger set back for access, fire safety or traffic safety reasons.

**4. Section 5.1.5(c)**

- a. In the proposed change to 5.1.5(c), you propose to change the existing defined height limit for an Accessory building from 3.5m and replace it with "shall not exceed the height of the primary structure". In the case of a unit that only contains an RV (i.e. bumper pull trailer), is that RV considered the primary structure? If so, limiting the height of the

accessory building based on the height of the RV could have the effect of limiting the height to a much lower limit than the existing 3.5m. We suggest clarifying that as to not unnecessarily limit the height of an accessory building (ie shed, garage) when the primary structure is not a Park Model.

- b. Can you please clarify what 'No inhabitable spaces are allowed to be constructed on the roof of an accessory structure'? The Oxford dictionary defines Inhabitable as 'suitable to live in'. Given that an accessory structure is limited to one storey within the bylaw, would that already preclude anyone from using the roof for living? Generally, would this new restriction eliminate the use of a rooftop patio/deck on a garage/shed building like many owners currently have within the BRR resorts?

I look forward to your response and the opportunity to attend the Public Hearing on May 14.

Sincerely,



Wayne Patterson