

**BYLAW NO. 15-11
TOWN OF FALHER**

A BYLAW OF THE TOWN OF FALHER, IN THE PROVINCE OF ALBERTA TO PROVIDE TO AMEND BYLAW NO. 14-05, BEING THE FALHER LAND-USE BYLAW.

WHEREAS the Council of the Town of Falher, in the Province of Alberta has adopted the Falher Land-Use Bylaw No. 14-05 on December 8th, 2014; and

WHEREAS the Council, pursuant to the provisions of the Municipal Government Act, R.S.A. 2000, has the authority to amend the Land-Use Bylaw.

NOW THEREFORE, the Council of the Town of Falher, in the Province of Alberta duly assembled hereby enacts as follows:

1. **Replace the definition for “Manufactured Home”, in Section 1.5, with the following definition:**

“MANUFACTURED HOME” means a development of a transportable dwelling unit that is built off-site. It is designed to be transported on its own wheels or on a steel chassis and upon arriving at the site for placement is, apart from incidental operations such as installation of foundation supports and connections of utilities, ready for year round occupancy. This definition does not apply to recreational vehicles or industrial camp trailers. A manufactured home meets any one of the following design criteria:

- Is supported by a steel frame
- Has a roof pitch of less than 1:4
- The eaves are equal to or less than 30.4 cm (1.0 ft.)
- The length to width ratio of the unit is more than 3:1

2. **Remove the definition for “Manufactured Home (Double Wide)” from Section 1.5.**
3. **Remove the definition for “Modular Home” from Section 1.5.**
4. **Add the following definition for “Modular Building” to Section 1.5.**

“MODULAR BUILDING” means a development that is built off-site and designed to be transported and assembled on a permanent foundation at the building site. Upon arriving at the site for placement is, apart from incidental operations such as installation of foundation supports and connections of utilities, ready for year round occupancy. A modular building may include residential, commercial, industrial and institutional buildings. This definition does not apply to manufactured homes, recreational vehicles or industrial camp trailers.

5. **Replace the entire Section 6.24 Manufactured Homes with the following section:**

6.24 MANUFACTURED HOMES

6.24.1 Before a development permit is issued for a manufactured home, the Development Authority shall receive verification that the home fully complies with the Alberta Building Code (ABC) and either the CSA Z240 MH National Manufactured Home Standard or CSA A277 Procedure for Factory Certification of Buildings Standard. If the CSA Z240/A277 sticker or the Alberta Municipal Affairs sticker verifying compliance to the ABC is missing, the Development Authority may require an inspection by an Alberta Safety Codes Officer.

6.24.2 Should an inspection by an Alberta Safety Codes Officer be required, and should the inspection indicate that upgrades to the manufactured home are necessary to bring the home into compliance with the CSA Z240/A277 standard or the ABC, all required upgrades shall be made before the issuance of a development permit.

6.24.3 In addition to the requirements of subsection (1) and (2) above, a manufactured home must meet the following aesthetic regulations:

- (a) The height of the main floor above grade shall be consistent with the height of the main floor of dwellings in the immediate area.
- (b) The roof pitch shall be consistent with the roof pitch of dwellings in the immediate area.
- (c) Exterior finishing materials used on the roof and exterior walls shall be consistent with the materials used on dwellings in the immediate and general area and be in good condition.
- (d) Minimum roof overhang or eaves should be consistent with the overhang or eaves of dwellings in the immediate area.

- (e) The undercarriage of a manufactured home shall be completely screened from view by fireproof skirting or by such other means satisfactory to the Development Officer or the Municipal Planning Commission.
- (f) The design of each manufactured home shall ensure the side or end of the building facing the street contains a front door, and/or windows in quantity and size to provide a strong visual connection between the building and the street.
- (g) Every manufactured home shall be placed on a full perimeter foundation that complies with the ABC unless the manufactured home is designed to be supported on longitudinal floor beams, in which case an alternate skirted foundation system as described in CSA Z240.10.1 may be utilized.
- (h) The full perimeter foundation or the skirting utilized on an alternative skirting foundation should be parged in order create the same finished appearance customarily found on concrete basements of single detached dwellings in the immediate area.
- (i) All accessory structures, additions, porches, and skirting shall:
 - (i) be of a quality and appearance equivalent to that manufactured home;
 - (ii) be considered as part of the main building; and
 - (iii) be erected only after obtaining a development permit.
- (j) The floor area of porches shall be proportionate to the floor area of the manufactured home unit and this relationship shall be determined by the Development Authority.
- (k) Additions shall not exceed 30% of the gross floor area of the manufactured home subject to setback requirements being met.
- (l) For the purposes of storage, any domestic equipment or seasonally used equipment shall be stored in adequate covered storage or screening either individually on the lot or communally, and shall conform to the Alberta Building Codes (ABC) standards.
- (m) The following regulations also apply to manufactured home uses located in residential subdivisions and manufactured home parks:
 - (i) The hitch and wheels are to be removed from the manufactured home.
 - (ii) All manufactured homes shall be placed on a foundation or base. The manufactured home is to be attached by means of bolting or similar connectors to the foundation or base.
 - (iii) The property is to be grassed and landscaped within one (1) year from the date of issue of the development permit.
 - (iv) Minimum lot area and width may be less in the case of existing registered substandard lots, with the approval of the Development Authority.

6.24.4 Any required aesthetic upgrades to the manufactured home must be completed before the issuance of the development permit. The completion of foundation or skirting material must be completed within thirty (30) days of the placement of the manufactured home on a site.

6.24.5 Used manufactured homes over the age of 5 years under consideration or relocation on a parcel shall meet the following criteria:

- (a) not be older than 10 years of age,
- (b) enclosed by a peaked roof,
- (c) be architecturally similar to existing dwellings in the vicinity of the proposed development.

6.24.6 Manufactured homes shall be located in areas free from shifting due to frost and readily accessible for water line hook-up.

6.24.7 With the exception of driveways, no accessory building or use shall be located in the front yard of any residential district.

6. Add the following Section to Part 6 General Land Use Provisions:

6.32 MODULAR BUILDING

6.32.1. Any development for a modular building is considered discretionary.

- 6.32.2. Before a development permit is issued for a modular building, the Development Authority shall receive verification that the building fully complies with the Alberta Building Code (ABC) and CSA A277 Procedure for Factory Certification of Buildings Standard. If the CSA A277 sticker or the Alberta Municipal Affairs sticker verifying compliance to the ABC is missing, the Development Authority may require an inspection by an Alberta Safety Codes Officer.
- 6.32.3. Should an inspection by an Alberta Safety Codes Officer be required, and should the inspection indicate that upgrades to the modular building are necessary to bring the building into compliance with the CSA A277 standard or the ABC, all required upgrades shall be made before the issuance of a development permit.
- 6.32.4. A proposed modular building shall be architecturally similar to existing buildings in the vicinity of the proposed development, including its exterior finish, roofline, size, scale, placement on site, to the satisfaction of the Development Authority.
- 6.32.5. Modular buildings shall be securely fastened and placed on a permanent foundation.
- 6.32.6. A modular single-detached dwelling placed in the R-1 or R-2 District shall have a front door and a minimum of one window facing the street to provide a strong visual connection between the building and the street.
- 6.32.7. The quality of the completed modular construction shall be consistent with the quality of the other structures in the area.

- 7. **Remove the use “Modular Home” from Section 7.5.1(b).**
- 8. **Remove the use “Modular Home” from Section 7.6.1(a).**
- 9. **Remove the term “Modular Home” from throughout the document.**
- 10. **If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed.**
- 11. **That this bylaw shall take force and effect on the date of its final passage.**

READ a first time this _____ day of _____, 2015

MAYOR

MUNICIPAL ADMINISTRATOR

READ a second time this _____ day of _____, 2015.

READ a third time and finally passed this _____ day of _____, 2015.

MAYOR

MUNICIPAL ADMINISTRATOR