

VILLAGE OF BERWYN

Bylaw No. 633

A BYLAW OF THE VILLAGE OF BERWYN IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING VILLAGE OF BERWYN LAND USE BYLAW No. 601.

WHEREAS Pursuant to the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, Council may amend a Land Use Bylaw, and;

WHEREAS The Council of the Village of Berwyn, in the Province of Alberta, has adopted the Village of Berwyn Land Use Bylaw No. 601, as amended, and;

WHEREAS The Council of the Village of Berwyn, in the Province of Alberta, deems it necessary to amend the Village of Berwyn Land Use Bylaw to regulate manufactured and modular homes in the Village of Berwyn, and;

NOW
THEREFORE Pursuant to Sections 230, 606 and 692 of the Province of Alberta Municipal Government Act, the Village of Berwyn Council, duly assembled, hereby enacts as follows:

1. Replace the definition “Mobile 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 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:

- 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 “Modular Home” in from Section 1.5.

3. Add the following definition “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 the modular building, apart from incidental operations such as installation of foundation supports and connections of utilities, is 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.

4. Replace the entire Section 6.4 Mobile Homes with the following section:

SECTION 6.4: MANUFACTURED HOMES

- (1) Before a development permit is issued for a manufactured home, the Development Authority shall receive verification that the home fully complies with CSA A277 Procedure for Factory Certification of Buildings Standard. If the CSA A277 sticker or the Alberta Municipal Affairs sticker is missing, the Development Authority may require an inspection by an Alberta Safety Codes Officer.
- (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 A277 standard, all required upgrades shall be made before the issuance of a development permit.
- (3) Every manufactured home shall be placed on, or anchored to, permanent pilings or other types of foundations that extend below the frostline,
- (4) 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 shall be peaked.
 - (c) Exterior finishing materials used on the roof and exterior walls shall be in good condition.
 - (d) Minimum roof overhang or eaves should be equal to or more than 30.4 cm (1.0 ft).
 - (e) The undercarriage of a manufactured home shall be completely screened from view by skirting or by such other means satisfactory to the Development Officer.
 - (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 and in a style that mimics adjacent buildings.
 - (g) 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.
 - (h) Additions shall not exceed 30% of the gross floor area of the manufactured home subject to setback requirements being met.

- (5) The hitch and wheels are to be removed from the manufactured home.
 - (6) 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.
 - (7) Used manufactured homes under consideration or relocation on a parcel shall meet the following criteria:
 - (a) enclosed by a peaked roof;
 - (b) be no older than 10 years; and
 - (c) be architecturally similar to existing dwellings in the vicinity of the proposed development.
 - (8) With the exception of driveways, no accessory building or use shall be located in the front yard of any residential district.
5. **Replace the term “Mobile Home” with the term “Manufactured Home” throughout the document.**
 6. **Replace the entire Section 6.6 Modular Homes with the following section:**

SECTION 6.6: MODULAR BUILDING

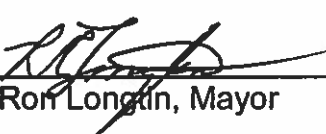
- (1) Any development for a modular building is considered discretionary in every district.
- (2) Before a development permit is issued for a modular building, the Development Authority shall receive verification that the building fully complies with the CSA A277 Procedure for Factory Certification of Buildings Standard. If the CSA A277 sticker or the Alberta Municipal Affairs sticker is missing, the Development Authority may require an inspection by an Alberta Safety Codes Officer.
- (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, all required upgrades shall be made before the issuance of a development permit.
- (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.
- (5) The full perimeter foundation should be finished in order to create the same finished appearance customarily found in single detached dwellings in the immediate area.
- (6) Modular homes shall be securely fastened and placed on a permanent foundation, excluding the use of pilings.
- (7) A modular single-detached dwelling placed in the R-1 and R-G 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.

(8) The quality of the completed modular construction shall be consistent with the quality of the other structures in the area.

7. **Remove the following use from Section 8.2(1)**
Modular single detached dwelling
8. **Remove the following use from Section 9.2(2)**
Modular single detached dwelling
9. **Replace the use "single wide or double wide mobile home" in Section 15.2(2) with the following use:**
Manufactured Home
10. **Rename "Section 10 Residential Mobile Home Park District (R-MHP)" to "Section 10 Residential Manufactured Home Park District"**
11. **If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed.**
12. **That this bylaw shall take force and effect on the date of its final passage.**

First reading given on the 14th day of April, 2016.




Ron Longtin, Mayor



Olive Toews, Chief Administrative Officer

Second Reading given on the 9th day of June, 2016.

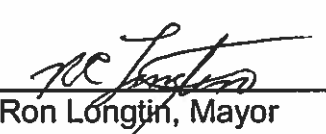


Ron Longtin, Mayor



Olive Toews, Chief Administrative Officer

Third Reading and Assent given on the 9th day of June, 2016.



Ron Longtin, Mayor



Olive Toews, Chief Administrative Officer