

BYLAW NO. 2015-06

BEING A BYLAW OF BIRCH HILLS COUNTY IN THE PROVINCE OF ALBERTA

TO AMEND THE BIRCH HILLS COUNTY LAND USE BYLAW NO. 02-08

WHEREAS, the Council of Birch Hills County has adopted Land Use Bylaw No. 02-08, and

WHEREAS The Council of Birch Hills County, in the Province of Alberta, has deemed it desirable to amend the Birch Hills County Land Use bylaw No. 02-08 to add a provision regarding modular buildings within the Hamlet Watino (HW) District, amend several provisions and definitions, and housekeeping amendments;

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

- 1. Delete the definition for “cabin” in section 2 and replace it with:**

“CABIN (WATINO)” means a small house or cottage within the hamlet of Watino, used on a seasonal basis. The minimum floor area is to be no less than 74.3 m² (800 ft²), and has a direct connection to a source of potable water, electricity, and sewage disposal.

- 2. Delete the definition for “car and truck washing facility” in section 2 and replace it with:**

“CAR AND TRUCK WASHING FACILITY” means a facility for washing motorized vehicles, and includes a central water supply.

- 3. Delete the definition for “child care facility” in Section 2 and replace it with:**

“CHILD CARE FACILITY” means the use of a building or portion thereof for the provision of care, maintenance, and supervision of children under the age of thirteen (13) years, by

persons other than one related by blood or marriage, for periods not exceeding twenty four (24) consecutive hours and includes all facilities licensed by the relevant provincial licensing authority. Home child care or home child care facilities include daycares.

4. Delete the definition for “manufactured home” in Section 2 and replace it with:

“MANUFACTURED HOME” means the development of a transportable dwelling unit that is built off-site. It is designed to be transported on its own wheels or by other means on a longitudinal steel frame and upon arriving at the site for placement is, apart from incidental operations such as installation of foundation supports and connections of utilities, is 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:

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

5. Delete the definition for “modular home” in Section 2 and replace it with:

“MODULAR DWELLING” means a transportable dwelling that is built off-site in modules and assembled on 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.

Modular Dwellings are required to be built to the CSA A277 standard and to meet the Alberta Building Code. For the purposes of this Bylaw a “manufactured home” shall not be considered to be a modular dwelling.

6. Delete the definition for “place of worship” and replace it with:

“PLACE OF WORSHIP” means a structure where people gather for prayer and related religious, philanthropic, and/or social activities. Accessory developments include rectories, manses, classrooms and dormitories. Places of worship include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.

7. Delete the definition title of “retail outlet” and replace it with:

“RETAIL OUTLET”

8. Delete Section 5.2.1 (i) and replace it with the following:

5.2.1(i) All developments must be provided with sanitary facilities pursuant to Alberta Municipal Affairs – Codes and Permits.

9. Delete Section 9.3.3 and replace with:

9.3.3 Development within the Flood Fringe area must comply with provincial rules and regulations. All development permits must have prior approval from the Province of Alberta.

10. Delete Section 9.8.1 and replace it with:

9.8.1 All modular buildings, accessory structures, additions and porches shall meet provincial construction standards; be aesthetically pleasing, including meeting or exceeding the appearance and condition of surrounding structures; and oriented on a lot to the satisfaction of the Development Authority.

11. Delete Section 9.8.2 and replace it with:

9.8.2 All modular buildings are to be manufactured within the last fifteen (15) years from the development permit application date, with the exception of the hamlet of Watino.

12. Add Section 9.8.3 and renumber 9.8.3 to 9.8.4; 9.8.4 to 9.8.5:

All modular buildings within the hamlet of Watino are to be manufactured within the last five (5) years from the development permit application date.

13. This Bylaw shall be passed and become effective when it receives third reading and final passage, and is signed by the Reeve and the Chief Administrative Officer.

READ a first time this 11th day of June, 2015.

READ a second time this 9th day of July, 2015.

READ a third and final time this 9th day of July, 2015.

SIGNED this 9th day of July, 2015.

*Original Signed By*__

**Reeve
Marvin Doran**
Birch Hills County

*Original Signed By*_____

**Chief Administrative Officer
Harold Northcott**
Birch Hills County