

**BYLAW NO. 2010-01
OF THE TOWN OF RAINBOW LAKE
REVISED MOBILE/MODULAR HOMES DEFINITIONS & REGULATIONS**

A Bylaw of the Town of Rainbow Lake, in the province of Alberta, for the purpose of amending the Town of Rainbow Lake Land Use Bylaw No. 99-05 as amended.

WHEREAS Pursuant to Sections 230, 606 and 692 of the Province of Alberta Municipal Government Act, a Council may amend a Land Use Bylaw, and

WHEREAS The Council of the Town of Rainbow Lake, in the Province of Alberta, deems it necessary to amend the Town of Rainbow Lake Land Use Bylaw No. 99-05 for the purpose of modifying definitions and regulations permitting mobile and modular homes in the Town of Rainbow Lake,

NOW
THEREFORE The Council of the Town of Rainbow Lake, in the Province of Alberta, IN COUNCIL DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. **Exclude the term “MANUFACTURED HOME” wherever it appears in this Land Use Bylaw in the context of a MOBILE HOME, specifically included but not limited to Part one, Section (58), Section (59), Section (62); Part Six, Section 6.3 (1) and Section 6.4 (1).**
2. **Replace the term “Mobile Home Park Stall” wherever they appears in this Land Use Bylaw in the context of a MOBILE HOME and replace it with Mobile Home Park or Mobile Park lot, specifically included but not limited to Part one, Section (60), Part Six Section 6.4 (3) (c), (d), (e), (g), (j), (k) and Section 6.4 (6).**
3. Repeal Section 1.4 (58) and replace it with:

“MOBILE HOME” means a transportable, single or multiple (double) - section single detached dwelling built and assembled in a factory. It is ready for occupancy upon completion of on site installation in accordance with required factory-recommended installation instructions and is intended for non-transient occupancy, but shall not include Industrial trailers.
4. Repeal Section 1.4 (60) and replace it with:

“MOBILE HOME PARK LOT” means a leasable or rentable portion of land located within a mobile home park reserved for the placement of a mobile home for non-transient occupancy. A “MOBILE HOME PARK LOT” could be owned by a single operator or under a co-operative ownership agreement.

5. Add Section 1.4 (60A):

“MOBILE PARK” means a parcel under single ownership, which is managed by an operator and which has been designed for the placement of mobile homes on mobile park lots for transient occupancy.

6. Add Section 1.4 (60B):

“MOBILE PARK LOT” means a leasable or rentable portion of land located within a mobile home park reserved for the placement of a mobile home for transient occupancy, not to exceed one year at any one time unless authorized by Council.

7. Repeal Section 1.4 (62) and replace it with:

“MODULAR BUILDING” means finished section(s) of a complete building built in a factory for transport to the site for installation. For the purpose of this By-law, modular construction includes single or multiple dwellings, including single, semi-detached, rows, townhomes, duplexes, and apartments, but not a mobile home. Modular construction can also include commercial, industrial and institutional buildings.

8. Repeal Section 1.4 (65) and replace it with:

“MOVED-IN BUILDING” means any building moved-in or relocated from jurisdictions outside or within the corporate boundary of the Town of Rainbow Lake to a parcel within the Town of Rainbow Lake.

9. Add Section 1.4 (68A):

“NON-TRANSIENT OCCUPANCY” means occupancy when it is the intention of the parties that the occupancy will not be temporary. There is a rebuttable presumption that when the dwelling unit occupied is the sole residence of the guest, the occupancy is non-transient.

10. Add Section 1.4 (96A):

“TRANSIENT OCCUPANCY” means occupancy when it is the intention of the parties that the occupancy will be temporary. There is a rebuttable presumption that, if the unit occupied is the sole residence of the guest, the occupancy is not transient. There is a rebuttable presumption that, if the unit occupied is not the sole residence of the guest, the occupancy is transient.

11. Repeal Section 5.7 (1) and replace it with:

(1) All mobile homes shall conform to the Canadian Standards Association (CSA) and the Alberta Building Code as amended.

12. Add subsections (8) and (8) (a) (b) (c), (9), (10), (11) and (12) to Section 5.7:

(8) Used Mobile homes over 5 years of age under consideration for location or relocation on a parcel are to meet the following criteria:

(a) not constructed before 1990;

(b) enclosed by a peaked roof;

(c) to be architecturally similar to existing dwellings in the vicinity of the proposed development.

(9) Mobile homes shall be located in areas free from shifting due to frost and readily accessible to municipal or private water servicing.

(10) Each Mobile Home Park Lot shall be provided with a horizontal, stable parking apron suitable for blocking and levelling;

(11) The Mobile Home Park owner shall ensure that each Mobile Home is levelled blocked, skirted, and the hitch removed or skirted within 30 days of being installed on the lot.

13. Add Section 5.7A:

MODULAR BUILDING

(1) All modular buildings shall conform to the Alberta Safety Code.

(2) All proposed modular buildings shall be architecturally similar to existing buildings in the vicinity of the proposed development, including exterior finishes, roofline, size, scale, placement on site, to the satisfaction of the Development Officer.

14. Add Section 6.2 (1) (e) and (f) to Permitted Uses:

(a) Recreational area – outdoor

15. Add Section 6.2 (2) (i) and (j) to Discretionary Uses:

(i) Moved-in buildings

(j) Child care facility

16. Add Section 6.2 (5) (2):

Additional Requirements:

(2) No person shall use any lot or erect, alter or use any building or structure unless such lot

is served by a public water system and a sanitary sewer system.

17. Replace part of Section 6.3 (3) (a) and 6.4 (3) (a) with:

(3) Site Provisions

(a) Height of Building

Mobile Home Unit	Maximum 18 feet (5.5 m)
------------------	-------------------------

18. Add Section 6.4 (2) (h) (i):

(2) Discretionary Uses

(h) Relocated or moved-in buildings

(i) Child care facility

19. Repeal Section 6.4 (3) (h) and replace it with:

All roads and pedestrian walkways within a mobile home park shall be well drained and surfaced and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 30 feet (9.1 m) and minimum pedestrian walkway width shall be 3 feet (0.91 m).

20. Add to Section 6.4:

A RESIDENTIAL MOBILE PARK may be located in a separate section of the RESIDENTIAL MOBILE HOME PARK DISTRICT, provided the proposed section is clearly demarcated on the site plan submitted for issuance of a Development permit.

Mobile Homes are to be on a permanent basis in the RESIDENTIAL MOBILE HOME PARK DISTRICT area of the district and on a transient occupancy basis in the RESIDENTIAL MOBILE PARK area of the district as per the Special Provisions outlined in Section 6.4 (8) below.

21. Add Sections 6.4 (8) (1), (2), (3) and (3) (a) (b) (c) (d), (4), (5) and (5) (a) (b) (c), (6), (7), (8), (9) (a) (b) (i) (ii) (iii) (iv) (v) and (10) (a) (b) (c):

(8) RESIDENTIAL MOBILE PARK DISTRICT Special Provisions

(1) For a RESIDENTIAL MOBILE PARK containing over 50 lots, an emergency access shall be provided that may be in the form of a boulevard road with a central dividing strip.

(2) In a RESIDENTIAL MOBILE PARK, the owner is to ensure the site complies with Minimum Housing and Health standards.

- (3) All mobile home units shall be located on demarcated and numbered lots as per the approved site plan and may be required to include:**

 - (a) Landscaping**
 - (b) Storm water management**
 - (c) Servicing**
 - (d) Garbage location and collection of waste/recycling**
- (4) All lots are to be serviced by a public or private water and sanitary sewer system in accordance with Alberta Environment regulations.**
- (5) Notwithstanding Section (8) (3) (d), garbage is to be:**

 - (a) Located at a distance from Mobile Homes to mitigate odour impacts;**
 - (b) Located adjacent to private road with convenient access to residents;**
 - (c) Located with easy access to public road for garbage and refuse removal.**
- (6) All areas of the park not developed or occupied by park roads, walkways, driveways, parking aprons, buildings or other development facilities including playgrounds, shall be landscaped by the developer.**
- (7) Outdoor lighting in the park is to conform to the development agreement.**
- (8) Signs shall be of a character that fit within the context of the residential area including size, height and style, satisfactory to the Development Officer.**
- (9) Lot Requirements:**

 - (b) Mobile homes shall be sited on a horizontal, stable parking apron suitable for parking and/or blocking and levelling and the Mobile Home including attached structures.**
 - (c) The Mobile Park owner shall ensure that each mobile home is placed within the building envelope, levelled, and can be blocked,**

skirted on a temporary basis and shall meet the following requirements:

i. Minimum Setback from;

Adjacent Mobile Home	3.05 m (10 ft)
Carport	3.05 m (10 ft)
Porch	
Any structure or permanent Mobile Park	3.05 m (10 ft)
Any Mobile Park Boundary	3.05 m (10 ft)
Any Mobile Park Street	3.05 m (10 ft)
From any Mobile home, including any attached structures, or permanent Mobile Park structures, located directly on the opposite side of a Mobile Park street	19.8 m (65 ft)

ii. Minimum Width of Driveway:

Along Mobile Park Street	2.74 m (9 ft)
--------------------------	---------------

iii. Abut a Mobile Park street;

iv. Be clearly defined on the ground by permanent flush stakes, markers or other means, and permanently marked with a lot number for civic addressing; and;

v. Maximum height of fence;

Front Yard	0.91m (3 ft)
Side and rear yards to be measured as the average elevation from the ground at the fence or wall	1.8 m (6 ft) in.

(10) Service and Auxiliary Buildings:

- (a) The location and design of all service and auxiliary facilities are to be identified on the site plan and to conform to development agreement guidelines;**
- (b) All service buildings must be accessible by a Mobile Park street;**
- (d) A screened storage compound may be provided for trucks, campers, travel trailers,**

snowmobiles, and boats and are to be identified on the site plan and are to conform to development standards.

This Bylaw shall take force and effect on the date of its' final passage.

First reading given on the 18th day of January, 2010.

Kelly Drover, Mayor

Rosemary Offrey, Chief Administrative Officer

Second Reading given on the 15th day of March, 2010.

Kelly Drover, Mayor

Rosemary Offrey, Chief Administrative Officer

Third Reading and Assent given on the _____ day of _____, 2010.

Kelly Drover, Mayor

Rosemary Offrey, Chief Administrative Officer