

**BYLAW NO. 226/2021  
TOWN OF BENTLEY**

**A BYLAW OF THE TOWN OF BENTLEY TO AMEND  
LAND USE BYLAW NO. 189/2016**

WHEREAS Section 639 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, provides that every municipality must pass a land use bylaw; and

WHEREAS the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, permits a Council to pass a bylaw to amend the land use bylaw; and

WHEREAS the Council of the Town of Bentley deems it necessary and expedient to amend Land Use Bylaw Number 189/2016;

NOW THEREFORE THE COUNCIL OF THE TOWN OF BENTLEY DULY ASSEMBLED ENACTS AS FOLLOWS:

1. THAT Schedule B: Supplementary Regulations is amended by replacing Section 1(5) with the following:

“1(5) Building Demolition

- (a) A development permit is required where the demolition of one or more buildings or structures having a floor area greater than 10.0 m<sup>2</sup> (108 ft<sup>2</sup>) is proposed and will take place in advance of obtaining approval for redevelopment of the site or replacement of the buildings. This application shall be processed as a permitted use in all Land Use Districts.
- (b) In addition to the requirements of Section 3.3 of Part Three (Permission for Development), the Development Officer may require an application that involves demolition of a building to be accompanied by a statement indicating:
  - (i) how the demolition will be carried out to avoid or minimize the creation of dust and other nuisances to surrounding properties.
  - (ii) the final reclamation and grading of the parcel;
  - (iii) the proposed means of removing the buildings, disposing of material and time of demolition activity; and
  - (iv) the safety protocols to be used during the demolition activity.
- (c) Whenever a development permit is issued that involves the demolition of a building, it shall be a condition of the permit that:
  - (i) the site be properly cleaned, with all debris removed;
  - (ii) the site is left in a graded condition that removes or fills in excavations and is in accordance with the site drainage requirements of this Land Use Bylaw; and
  - (iii) the applicant arranges for the safe disconnection of all municipal

and private utilities serving the building to be demolished prior to demolition commencing.

- (d) Where a permit is approved, the Development Authority may require the applicant to provide a letter of credit or other security of such amount to cover the costs of reclamation and any damage to utilities."

2. THAT Part One, Section 1.8 Definitions is amended as follows:

- (a) The text and graphic for the definition of "Manufactured Home" is replaced with:

"means a residential building containing one dwelling unit constructed off site in one or more sections and intended to be occupied in a place other than where it was manufactured"; and

- (b) The text and graphic for the definition of "Modular Unit or Home" is deleted.

3. THAT Schedule B: Supplementary Regulations is amended by adding the following as Section 6(18):

"6(18)     Manufactured Homes outside the Manufactured Home District (R3)

- (a) A manufactured home and any additions to the manufactured home in a District other than the Manufactured Home District (R3) shall meet all of the requirements that apply to a single family detached dwelling for that District.

- (b) In addition to the requirements that apply to a single family detached dwelling, a manufactured home, and any additions to the manufactured home in a District other than the Manufactured Home District (R3) shall have:

- (i) a minimum roof pitch of 4:12 (rise:run);
- (ii) a roof surface of wood or asphalt shingles, clay or concrete tiles, slate or wood shakes, or metal or composite material;
- (iii) a minimum roof overhang or eaves of 0.3m (1.0 ft) from each external wall surface;
- (iv) a permanent foundation consisting of a concrete basement or crawl space with footings;
- (v) a maximum length to width ratio of 3:1 (3 units of length to 1 unit of width);

(vi) a minimum width of 6.1m (20 ft) measured from external wall surface to external wall surface; and

(vii) a minimum floor area as required in the applicable District.

(c) The maximum age of any manufactured home on a parcel in a District other than the Manufactured Home District (R3) shall be five (5) years. The age shall be measured from the date the manufactured home was created to the date that it is proposed to be developed on the parcel."

4. THAT Schedule C: Land Use District Regulations is amended by:

(a) Replacing the text for "Maximum Manufactured Home Age" in the Manufactured Home Park Standards in the Manufactured Home District (R3) with:

"The maximum age of any manufactured home shall be five (5) years. The age shall be measured from the date the manufactured home was created to the date that it is proposed to be developed on the parcel. Only the Municipal Planning Commission can vary the maximum age requirement through the development permit application process"; and

(b) Adding the following to end of the table for Manufactured Home Individually Titled Lot Standards in the Manufactured Home District (R3):

"Maximum Manufactured Home Age: The maximum age of any manufactured home shall be five (5) years. The age shall be measured from the date the manufactured home was created to the date that it is proposed to be developed on the parcel. Only the Municipal Planning Commission can vary the maximum age requirement through the development permit application process."

5. THAT Schedule C: Land Use District Regulations is amended by:

(a) Removing "Existing Manufactured Home" from the list of Discretionary Uses in the Low-Density Residential District (R1) and replacing it with "Manufactured Home existing on site as of April 27, 2021" where it would appear in alphabetical order; and

(b) Removing "Modular Homes" from the list of Permitted Uses in the Low-Density Residential District (R1A), the General Residential District (R2), the General Residential District (R2A), and the General Residential District (R2B); and

(c) Adding "Manufactured Homes meeting the requirements of Schedule B, Section 6(18)" where it would appear in alphabetical order to the list of Discretionary Uses in the Low-Density Residential District (R1A), the General Residential District (R2), the General Residential District (R2A), and the General Residential District (R2B); and

- (d) Deleting the words "and Modular Homes" in the subheading under Parcel Development Regulations in the Low-Density Residential District (R1), the Low-Density Residential District (R1A), the General Residential District (R2), the General Residential District (R2A), and the General Residential District (R2B).

Read a First time in Council this 23 day of February, 2021

Read a Second time in Council this 27 day of April, 2021

Read a Third time in Council this 27 day of April, 2021

**TOWN OF BENTLEY**

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER