



**Town of Lamont**

A BYLAW OF THE TOWN OF LAMONT  
IN THE PROVINCE OF ALBERTA

**BYLAW 08/20**

**BEING A BYLAW OF THE TOWN OF LAMONT FOR THE PURPOSE OF  
AMENDING BYLAW NO. 06/17, BEING THE LAND USE BYLAW.**

**WHEREAS** the Council of the Town of Lamont deems it advisable to amend the Land Use Bylaw;

**NOW THEREFORE**, the Council of the Town of Lamont, duly assembled, pursuant to the authority conferred upon it by the *Municipal Government Act, R.S.A. 2000, C. M-26*, and amendments thereto, enacts as follows:

1. That Bylaw 06/17 be amended as follows:

**a) PART 2 – Administration, Procedures and Enforcement**

2.4.1 Delete: Residential Manufactured Home  
Insert: Residential Modular Home

2.6.7 Delete

Insert:

2.6.7 At the discretion of the Development Authority, the applicant for an application to amend the Land Use District Map may be required to post a notification sign on the lot or site within fourteen (14) days of an application being deemed complete. Proof of the notification sign being posted on the lot or site in accordance with the above shall be provided upon placement of the sign.

All required notification signs shall:

- a) have a sign face of at least 1.2m by 1.2m;
- b) be approved by the Town for form and content prior to installation;
- c) indicate the present Land Use District, proposed Land Use District, and a general description of the proposed uses that could be developed under the proposed Land Use District;
- d) provide the Town contact phone number;
- e) be placed inside the property line in a location clearly visible from the road;
- f) be in place until the Public Hearing is completed or the application is abandoned; and
- g) be removed within seven (7) days of the completion of the Public Hearing or abandonment of the application.



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**b) Development Applications and Process**

Insert :

**3.1 Development Applications**

3.1.1 A development authority must, within twenty (20) days after the receipt of an application for a development permit, determine whether the application is complete. The application is deemed complete when it contains the documents and other information necessary to review the application.

a) The time period may be extended by an agreement in writing between the applicant and the development authority.

3.1.2 If the development authority does not make a determination on completeness within the time required in 3.1.1 the application is deemed to be complete.

3.1.3 If the Development Authority determines the application is complete the development authority must issue to the applicant an acknowledgement that the application is complete.

3.1.4 If the Development Authority determines that the application is incomplete the Development Authority must issue to the applicant a notice that the application is incomplete and that any outstanding documents and information referred to in the notice must be submitted by a date set out in the notice or a later date agreed on between the applicant and the development authority in order for the application to be considered complete.

a) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in 3.1.4 the application is deemed to be refused. Section 3.9.8 does not apply in this circumstance.

b) If the applicant submits all the outstanding information and documents within the time frame stipulated and the Development Authority determines the information is complete, the Development Authority must issue to the applicant an acknowledgement in the form and manner provided for in the land use bylaw that the application is complete.

3.1.5 Notwithstanding 3.1.3 and 3.1.4 b) the Development Authority may request additional information or documentation from the applicant that the development authority considers necessary to review the application.

3.2.3c) Delete: ... “other than telecommunication systems or works”

3.8.1 Delete: “Within five (5) days after a decision on a development permit application,”

Insert: “On the date on which the written decision was issued,”

3.8.2 Delete: “...within five (5) days”

Insert: “on the date on which the written decision was issued”



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3.8.3 Delete: "Within five (5) days after granting a variance,"

Insert: "On the date on which a variance was granted"

3.13.3 Delete: "fourteen (14)"

Insert: "twenty-one (21)"

3.13.4 Delete: "fourteen (14)"

Insert: "twenty-one (21)"

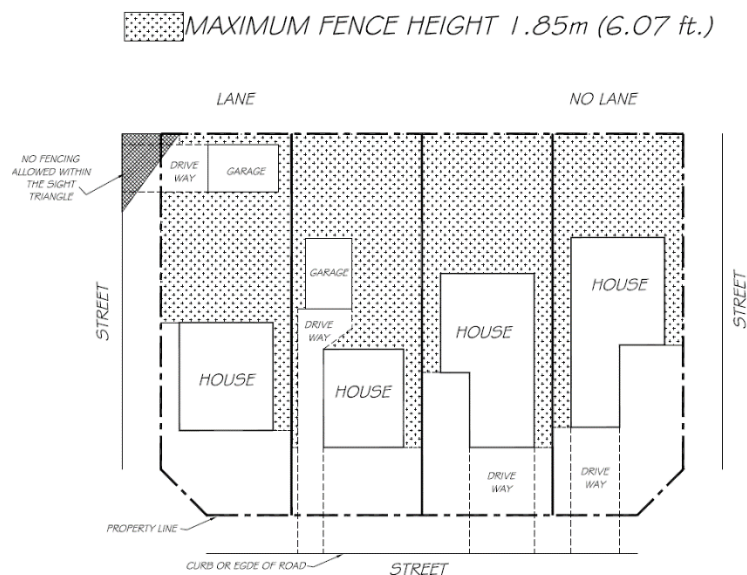
**c) Part 4 – General Regulations**

Insert :

4.8.4 The Development Authority shall not issue a development permit if it would result in a permanent dwelling or public facility, as defined by the Alberta Energy Regulator (AER), being located within 100m of a gas or oil well or within a lesser distance approved in writing by the AER. This does not include an abandoned well site.

4.8.5 The Development Authority shall not issue a development permit for a school, hospital, food establishment or residence within 300m of the working area of an operating wastewater treatment plant nor may a school, hospital, food establishment or residence be constructed if the building site is within 300m of the working area of an operating wastewater treatment plant.

4.9 Section 4.9 Fence Diagram



Amend:

4.11.4 d) Delete: R5 – Residential Manufactured Home District

Insert: R5 – Residential Modular Home District

4.16.5a) Delete: "patios"

Insert: "decks (or patios), greater than 0.6m in height"



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4.16.5b) Delete: “decks up to a maximum of:”

Insert: “decks, greater than 0.6m in height, up to a maximum of:”

4.20 Delete entire section

**Storage Pod**

4.20.1 Unless exempted by Section 3.4.17 a development permit for a storage pod, permanent or temporary, is required in all districts.

4.20.2 A storage pod as an accessory structure to an approved use may be considered in the M1 District and shall comply with the regulations of the district.

4.20.3 A storage pod may be placed temporarily on a multi residential, commercial, industrial or public service site for purposes of storage of equipment and materials. A valid development and building permit for the proposed new use must be issued for the site. The siting of the storage pods must comply with the setback regulations of the applicable district.

Insert:

**Storage Container (Sea Can)**

4.20.1 Unless exempt by Section 3.4.17 a development permit for a storage container, permanent or temporary, is required in all districts.

4.20.2 Unless exempt by Section 3.4.17 a storage container shall not be permitted to locate in a residential district.

4.20.3 A storage container as an accessory structure to an approved use shall comply with the regulations of the district.

4.20.4 At the discretion of the Development Authority the exterior finish and treatment of a storage container shall comply with the building design standards identified in Section 4.6.

4.20.5 A storage container may be placed temporarily on a multi residential, commercial, industrial or public service site for purposes of storage of equipment and materials. A valid development and building permit for the proposed new use must be issued for the site. The siting of the storage containers must comply with the setback regulations of the applicable district.

4.20.6 The siting and location of a proposed storage container shall be at the discretion, and to the satisfaction, of the Development Authority.

**d) PART 5 – Specific Use Regulations**

Insert:

**5.7 Dwelling, Backyard Suite**

5.7.1 A backyard suite contains two (2) or more rooms used or designed to be used as a residence by one (1) or more persons.

5.7.2 Contains kitchen, living, sleeping and sanitary facilities.



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- 5.7.3 Is located in a detached accessory building located in the rear yard.
- 5.7.4 May be attached to an accessory building.
- 5.7.5 Is considered accessory and secondary to the principal use of a single detached dwelling
- 5.7.6 Must be located on the same parcel as a single detached dwelling.
- 5.7.7 A backyard suite shall not be located on the same parcel as a duplex or semi-detached or multi-attached dwelling.
- 5.7.8 A backyard suite and a secondary suite shall not be located on the same parcel.
- 5.7.9 A backyard suite shall provide one (1) gravelled parking space on-site which shall be accessed from the rear lane
- 5.7.10 A backyard suite shall only be allowed on a lot with rear lane access.

**5.8 Dwelling, Single – Modular Home (Ready to Move)**

- 5.8.1 Modular homes must comply to the CSA A277 standard and must comply with the applicable district regulations of the Land Use Bylaw.
- 5.8.2 Modular homes must comply with the following architectural guidelines:
  - a) the height of the main floor above grade shall be consistent with the height of the main floor of dwelling units in the immediate and general area.
  - b) The roof pitch, style, and features, such as gables shall be consistent with the roofs of dwelling units in the immediate and general area.
  - c) The roof overhang/eaves shall be a minimum of 30 cm (12") from the surface of each wall.
  - d) The design of each modular dwelling unit shall ensure the side facing the street on which the home fronts contains a prominently placed 'front door' and windows in quantity and size that are consistent with dwelling units in the immediate area.
  - e) The foundations must comply with the same building code requirements as on-site built homes.
  - f) Skirting enclosures shall be parged or finished similarly in appearance to that customarily found on basements of other detached dwellings in the immediate and general area.
  - g) The modular home shall be a minimum of 20 feet in width or wider.



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Delete:

5.15.5 Where a Surveillance Suite is not part of the principal building; it shall be sited in accordance with the following:

- a) A minimum of 2.0 m from any Buildings; and
- b) A minimum of 2.0 m from rear and side Site boundaries; and
- c) No closer to the front Site boundary than the front line of the Principal Building.

Insert:

5.15.5 Where a Surveillance Suite is not part of the principal building it shall be sited in accordance with the setback regulations of the applicable district.

Delete:

5.15.6 When the Surveillance Suite is a Manufactured Home the unit shall comply with the Alberta Building Code, with proof submitted as part of the application. The Manufactured Home shall be secured to a foundation and properly skirted to the satisfaction of the Development Officer.

Insert:

5.15.6 The form of surveillance site shall comply with the Alberta Building Code, with proof submitted as part of the application.

**e) PART 6 - Parking and Loading**

6.5 Residential Parking Requirements Table

Insert: 'Backyard Suite' with Surveillance Suite Use

**f) PART 7 – Land Use Districts**

7.1.2 Insert new permitted use: Backyard Suite and Dwelling, Single – Modular Home\*

7.1.4 Delete heading: "Development Regulations – Principal Building

Insert heading: Development Regulations – Dwelling Single and Dwelling Single – Modular\*

Insert:

**7.1.6 Development Regulations – Accessory Building - Backyard Suite**

- a) A backyard suite may be sited above a garage, physically connected to the side of a garage or developed as a separate accessory building.
- b) The maximum gross floor area for a backyard suite shall be 46m<sup>2</sup>.
- c) The maximum gross floor area for all accessory buildings on-site shall be 108m<sup>2</sup>.



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- d) The rear yard setback where a backyard suite is located above the garage is 6.0m.
- e) The rear yard setback is 1.5m for that portion of the building used as a backyard suite.
- f) The sideyard setback is 1.2m for any portion of the building used as a backyard suite.
- g) The maximum height of the structure where the suite is a stand-alone building shall be 4.5m.
- h) A minimum 5.0m separation distance is required between the principal dwelling and any portion of the building used as a backyard suite.
- i) A backyard suite must have a private amenity space that is located outdoor and has a minimum of 7.5m<sup>2</sup> with no dimension less than 1.5m.
- j) A minimum of one (1) parking stall shall be provided on-site for the backyard suite accessed from the lane.
- k) A backyard suite shall not be permitted on a lot with no rear lane access or in a laneless subdivision.
- l) The maximum height of the structure where the basement suite is located above a garage shall be 7.5m sloping down to the height of structures on the neighboring property.

7.2.2 Insert new permitted uses:

Dwelling, Single – Modular Home\*  
 Insert new discretionary use: Backyard Suite\*

Amend:

7.2.4 Delete heading: Development Regulations – Principal Building  
 Insert new heading: Development Regulations – Dwelling Single and Dwelling Single – Modular\*

Insert:

**7.2.8 Development Regulations - Accessory Building Backyard Suite**

- a) The development regulations of Section 7.1.6 shall apply to a backyard suite.

Amend:

7.3.2 Insert new discretionary use: Dwelling, Single – Modular Home\*

7.3.7 Delete heading: Development Regulations – Single Dwelling

Insert new heading: Development Regulations – Dwelling Single and Dwelling Single, Modular

7.5 Delete heading: R5 – Residential Manufactured Home  
 Insert new heading: R5 – Residential Modular Home

7.5.1 Delete: “manufactured” and insert “modular”



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7.5.2 Delete from permitted use: “Manufactured Home”  
Insert new permitted use: Dwelling, Single – Modular Home  
Delete from discretionary use: Dwelling, Single (Modular Home only)

7.5.4 Delete heading: Development Regulations – Principal Building  
Insert heading: Development Regulations – Dwelling Single, Modular

Delete entire section:

7.5.4

- a) The maximum height shall be 5.0 m or one (1) story, whichever is less
- b) The minimum setback from the front lot line shall be 4.5m;
- c) The minimum setback from a lot line that abuts a flanking road shall be 4.5m;
- d) The minimum sideyard setback to the side of a manufactured home where there is no door on the side of the dwelling shall be 1.5 m;
- e) The minimum sideyard setback to the side of a manufactured home where there is a door on the side of the dwelling shall be 1.5m;
- f) Where a vehicle door of a garage faces a lane or road, the minimum setback from a lot line shall be 6.0m.

Insert:

7.5.4

- a) The minimum width of the dwelling shall be 6.0m.
- b) The maximum height shall be 6.0m.
- c) The minimum setback from the front lot line shall be 6.0m.
- d) The minimum flanking yard setback shall be 4.5m.
- e) The minimum sideyard setback to the side of a modular home where there is no door on the side of the dwelling shall be 1.2m.
- f) The minimum sideyard setback to the side of a modular home where there is a door on the side of the dwelling shall be 1.5m.
- g) The minimum rear yard setback shall be 7.5m or 5.5m if a corner lot.
- h) Where a vehicle door of a garage faces a lane or road, the minimum setback from a lot line shall be 6.0m.

7.5.5 Delete





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7.5.8 Delete

Insert new:

**7.5.8 Architectural Regulations**

- a) Modular homes must comply to the CSA A277 standard and must comply with the district regulations of Section 7.5. Proof of this standard shall be submitted with the development permit application
- b) Modular homes must comply with the following architectural guidelines:
  - The height of the main floor above grade shall be consistent with the height of the main floor of dwelling units in the surrounding residential area
  - The roof pitch, style, and features, such as gables shall be consistent with the roofs of dwelling units in the surrounding residential area
  - The roof overhang/eaves shall be a minimum of 30cm from the surface of each wall
  - The foundations must comply with the same building code requirements as on-site built homes
  - Skirting enclosures shall be parged or finished similarly in appearance to that customarily found on basements of other detached dwellings in the surrounding residential area
  - A minimum of two (2) parking spaces shall be provided on each lot. Each parking space to be a minimum of 3m wide by 5.5m in depth.

7.9.2 Delete permitted use: “Manufactured Home Sales”  
 Insert permitted use: “Modular Home Sales”

7.13.2 Insert new discretionary use: Dwelling, Single – Modular Home\*

**g) Part 9 - Definitions**

**Dwelling, Single Detached**

Delete: means development consisting of a detached building containing one dwelling unit, except where a secondary suite may be considered in accordance with this Bylaw. This includes modular homes that conform to the Alberta Building Code, but not a manufactured home or a park model trailer.

Insert: means development consisting of a detached building containing one (1) dwelling unit, except where a secondary suite may be considered in accordance with this Bylaw. This includes modular homes that comply with the CSA A277 standard and subject to compliance with the regulations of the district and architectural requirements. This does not include Tiny Homes.



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### Dwelling, Backyard Suite

Insert New Use Definition - **Dwelling, Backyard Suite** means an accessory use on the same lot as the principal dwelling, which is either a separate one (1) story building having no garage component, or a suite above an accessory (garage) building or to the rear of an accessory building (at grade), or a suite within an accessory building. A backyard suite has cooking, food preparation, sleeping and sanitary facilities which are separate from those in the principal dwelling. The ground floor area of a backyard suite forms part of the total accessory ground floor area allowed in the district. This may include a Tiny Home, which is constructed in accordance with the Alberta Building Code, but does not include a Park Model, a Recreational Vehicle Dwelling, or a secondary suite.

### Dwelling, Tiny Home

Insert New Use Definition – **Dwelling, Tiny Home** means a development consisting of a detached building containing one (1) dwelling unit of less than 400 sq ft in size. All land use bylaw regulations, and safety requirements, including building and fire codes must be met. These permits and codes include a provision that to be permanently occupied, the structure must be built on a permanent foundation and be fully serviced with utilities such as water and sewer lines. A tiny home shall only be considered if a Dwelling, Backyard Suite is a listed use in the land use district.

### Manufactured Home Park

Delete General Definition – **Manufactured Home Park**

### Manufactured Home (Mobile Home)

Insert General Definition – **Manufactured Home (Mobile Home)** means a one-storey building, single dwelling unit only, constructed in a factory in one (1) or more modules in conformance with CSA Z240 MH Series and is ready for occupancy on completion of installation on a foundation, connection of services and other set-up in accordance with the manufacturer's installation instructions. Since 1992, any home constructed to this standard cannot be sited in Alberta.

### Manufactured Home Subdivision

Delete General Definition – **Manufactured Home Subdivision.**

### Modular Home Subdivision

Insert General Definition – **Modular Home Subdivision** means an area subdivided by registered plan into individual lots and districted R5 – Residential Modular Home District under this Bylaw.

### Modular Home

Delete General Definition – **Modular Home**

Insert General Definition – **Modular Home** means a building providing a single dwelling unit only, constructed in a factory in on or more modules in accordance with the provincially adopted National Building Code/regulation (CSA A277) and is ready for occupancy on completion of installation on a foundation, connection of services and other set up in accordance with the manufacturer's installation instructions, the Alberta Building Code and the regulations of the Land Use Bylaw.

### Manufactured Home

Delete Use Definition – **Manufactured Home**



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Manufactured Home Sales

Delete Use Definition – **Manufactured Home Sales**

Mixed Use Development

Insert Use Definition - **Mixed Use Development** means a multi-storey building containing a dwelling unit in combination with a commercial use on the same site. The composition of uses will be those uses listed in the district located on the ground floor with residential units above. In these developments, residential uses shall not be on the same floor as commercial uses and shall not be on the ground floor.

Modular Home Sales and Manufacture

Insert Use Definition – **Modular Home Sales and Manufacture** means the sale and manufacture of modular housing in a factory-controlled environment and then brought to the building site for installation and finishing.

Storage Pod

Delete General Definition – **Storage Pod**

Storage Container (Sea Can)

Insert General Definition – **Storage Container (Sea Can)** means a rectangular metal container used as an accessory use for storage purposes.

Surveillance Suite

Delete Use Definition – **Surveillance Suite**

Insert Use Definition – **Surveillance Suite** means a temporary modular dwelling used solely to accommodate a person or persons related as family, or an employee, whose function is to provide surveillance, maintenance and/or security for a development. The surveillance suite shall form part of the development with which it is associated and clearly be an accessory use of the site on which it is located. This may include a Tiny home.

General

- 2. That this Bylaw shall come into force and take effect upon the date of third reading.

READ A **FIRST** TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor Chief Administrative Officer

READ A **SECOND** TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor Chief Administrative Officer

READ A **THIRD** TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor Chief Administrative Officer