



# STAFF REPORT TO COMMITTEE

**DATE OF REPORT** April 7, 2021

**MEETING TYPE & DATE** Special Electoral Area Services Committee Meeting of July 7, 2021

**FROM:** Community Planning Division  
Land Use Services Department

**SUBJECT:** CVRD Manufactured Home Park Bylaw 4367 and Re-Development Policy 2021

**FILE:** 6480 Community Planning – Official Community Plan

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## PURPOSE/INTRODUCTION

The purpose of this report is to present for consideration:

- CVRD Manufactured Home Park Re-Development Policy for the Electoral Areas (2021); and
- CVRD Bylaw No. 4367, Manufactured Home Park Bylaw, 2021

## RECOMMENDED RESOLUTION

That it be recommended to the Board:

1. That the revised Manufactured Home Park Re-Development Policy be approved;
2. That “CVRD Bylaw No. 4367 - Manufactured Home Park Bylaw, 2021” be forwarded to the Board for 1<sup>st</sup> and 2<sup>nd</sup> reading; and
3. That the public hearing for Bylaw No. 4367 be waived in accordance with sections 464(2) and 467 of the *Local Government Act*.

## BACKGROUND

As part of ongoing improvement, consistent with the Corporate Strategic Plan 2020-2022, existing land use planning policies and regulatory bylaws are reviewed for consistency with the draft Official Community Plan for the Electoral Areas Bylaw 4270 and with the *Local Government Act*.

This includes a review of the CVRD Manufactured Home Park Re-Development Policy (2008) and Manufactured Home Park Bylaw (Attachments A and B).

For reference, the authority of the CVRD Board to regulate, by bylaw, the maintenance of manufactured homes, manufactured home sites and manufactured home parks, is defined under Part 9 of the *Local Government Act* s. 298.

## ANALYSIS

### 1. Manufactured Home Park Re-Development Policy for the Electoral Areas 2021

The Manufactured Home Park Re-Development Policy for the Electoral Areas (2021) would replace the existing Manufactured Home Park Re-Development Policy (2008).

The purpose of both policies is to provide manufactured home park tenants with notification and assistance from development proponents in addition to what is currently required under the *Manufactured Home Park Tenancy Act*.

The 2021 policy clarifies the CVRD’s jurisdiction with respect to the relocation of existing tenants of a manufactured home park subject to re-development. It is within the Regional District’s

jurisdiction to request certain information to be provided with an application for rezoning, however the CVRD cannot stipulate that relocation of existing tenants is required.

The proposed policy is attached (Attachment C).

## **2. Cowichan Valley Regional District Bylaw No. 4367, Manufactured Home Park Bylaw 2021**

This new bylaw would replace Bylaw No. 275, CVRD Mobile Home Park, 1978.

Bylaw No. 4367 deletes ultra vires content and moves some content to the electoral area zoning bylaws. It retains regulations pertaining to servicing (water, sewer, solid waste) and general siting and setback requirements.

A table explaining the proposed changes between Bylaw No. 275 and proposed Bylaw No. 4367 is attached (Attachment E)

The proposed bylaw contains a site coverage regulation, which staff have identified to have potential overlap with zoning bylaws. The Modernized Zoning Bylaw will address this overlap and make rules consistent.

As the proposed bylaw contains zoning type regulations, such as site coverage, public notice is required in accordance with s. 464 of the *Local Government Act*. The proposed bylaw is consistent with the existing Official Community Plans, therefore a public hearing can be waived in favour of a notice (s. 464(2) *Local Government Act*).

The modernized zoning bylaw will have two manufactured home park zones, one for rentals that references Bylaw No. 4367 and one that permits subdivision and does not reference Bylaw No. 4367.

### **FINANCIAL CONSIDERATIONS**

N/A

### **COMMUNICATION CONSIDERATIONS**

N/A

### **STRATEGIC/BUSINESS PLAN CONSIDERATIONS**

This responds to the Strategic Plan direction to review all existing land use bylaws to identify challenges and opportunities for improved consistency.

### **GENERAL MANAGER COMMENTS**

☐ Not Applicable

Referred to (upon completion):

- ☐ Communications & Engagement
- ☐ Community Services (*Cowichan Community Centre, Cowichan Lake Recreation, South Cowichan Recreation, Arts & Culture, Emergency Management, Facilities & Transit*)
- ☐ Corporate Services (*Finance, Human Resources, Legislative Services, Information Technology, Procurement*)
- ☐ Engineering Services (*Environmental Services, Recycling & Waste Management, Water Management*)

- ☐ Land Use Services (*Community Planning, Development Services, Inspection & Enforcement, Economic Development, Parks & Trails*)

Prepared by:

  
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Reviewed for form and content and approved for submission to the Committee:

Resolution:

Financial Considerations:

☒ Manager, Legislative Services

☒ Manager, Finance

**ATTACHMENTS:**

Attachment A – CVRD Manufactured Home Park Re-Development Policy (2008)

Attachment B – CVRD Manufactured Home Park Bylaw 275

Attachment C – CVRD Manufactured Home Park Re-Development Policy for the Electoral Areas  
2021

Attachment D – CVRD Manufactured Home Park Bylaw 4367, 2021

Attachment E – Explanatory Table of Changes (Bylaw 275 to Bylaw 4367)