



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 4367

A Bylaw to Regulate the Construction and Layout of Manufactured Home Parks

WHEREAS the Board of the Cowichan Valley Regional District has authority to regulate the construction and layout of manufactured homes and manufactured home parks;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as the “**CVRD Bylaw No. 4367 - Manufactured Home Park Bylaw, 2021.**”

2. SCOPE OF BYLAW

This bylaw applies to all land contained within the boundaries of all electoral areas within the Cowichan Valley Regional District.

3. INTERPRETATION

1. Metric units are used for all measurements in this bylaw. Such bracketed figures are included for convenience only and do not form part of this bylaw.

2. In this bylaw, unless the context otherwise requires
“addition” in respect of a manufactured home includes a detached structure, such as a carport, garage or storage building;

“community water system” means a system of waterworks that is owned, operated and maintained by the Regional District, an improvement district or a water utility;

“floor area” means an area on any storey of a building or manufactured home that is occupied or intended for occupancy, measured to the outer surface of the exterior walls, but does not include exits, attics, or crawl or duct spaces;

“manufactured home” means a dwelling unit manufactured in a factory, transported to a manufactured home park and installed and used as a residence, and does not include a park model recreational vehicle, any other kind of vehicle or a shipping container;

“manufactured home area” means that part of a manufactured home park used primarily for installed manufactured homes, including additions, and which is not used for buffer or recreation areas, roadways, owner’s residential plot, the provision of utilities, garbage disposal or service buildings;

“manufactured home park” means one or more parcels of land operated by a single business entity that are used for the placing and residential occupancy of two or more manufactured homes in accordance with the *Manufactured Home Park Tenancy Act*;

“manufactured home site” means an area of land for the installation of one manufactured home and situated within a manufactured home area;

“owner” means an owner, agent, lessor or manager of, or any person who operates, a manufactured home park;

“potable water” means water that complies with the bacteriological standards specified under the *Drinking Water Protection Act*;

“Regional District” means the Cowichan Valley Regional District;

“roadway” means an area within a manufactured home park, improved by means of compaction, gravelling or hard-surfacing for vehicular access to manufactured home sites;

“service building” means a building housing sanitary or laundry facilities.

4. VIOLATIONS

1. It will be unlawful for any person to cause, suffer or permit the establishment, extension or operation of a manufactured home park in contravention of this bylaw or to otherwise contravene or fail to comply with this bylaw.
2. CVRD Bylaw Enforcement may enter any manufactured home park at any reasonable time for the purpose of administering or enforcing this bylaw.

5. PENALTY

1. Any person who violates the provisions of this bylaw by default, neglect, refusal or failure to comply with any of its provisions will be guilty of an offence against this bylaw and will be liable upon summary conviction to a penalty not exceeding \$50,000.00.

6. SEVERABILITY

1. If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

7. GENERAL PROVISIONS

1. Prior to any works or construction commencing on a manufactured home park, a building permit will be obtained pursuant to the CVRD Building Bylaw.
2. No person will
 - a) establish, construct, alter or operate a manufactured home park; or
 - b) cause or allow a manufactured home to be placed or installed or to remain in a manufactured home park in contravention of this bylaw.
3. No person will establish, construct or alter a manufactured home park until written approval of plans and specifications is received from the person appointed by the Regional District to administer this bylaw.
4. Written approval under subsection 7.3 will not be given until
 - a) where the manufactured home park will not be connected to a sewage collection system operated by the Regional District, the information required under the Sewerage System Regulation under the *Public Health Act* or the Municipal Wastewater Regulation under the *Environmental Management Act*, as the case may be, has been filed with the applicable provincial authority, and provincial approvals required under such enactments has been obtained;
 - b) where the manufactured home park will not be connected to a community water system, any provincial approval required for a water supply system has been obtained; and
 - c) new manufactured home parks must include sewage disposal facilities that are community sewer systems or a system approved by the Ministry of Environment under the Municipal Wastewater Regulation.
5. No manufactured home park will be laid out such that any portion of the manufactured home park is separated from another portion by a highway or intervening parcel of land.
6. No manufactured home, whether occupied or not, will be located in a manufactured home park other than on a manufactured home site, except while it is being moved onto a manufactured home site.
7. No more than one manufactured home will be located on a manufactured home site.
8. No person will dispose of household garbage or refuse or any sort of waste in a manufactured home park except in facilities provided by the operator of the manufactured home park or by a solid waste or recycling contractor engaged by the operator to remove waste or recyclable materials from the manufactured home park.
9. A copy of the plan required in section 8 and a copy of this bylaw will be posted prominently and permanently in a protected place in each manufactured home park or made readily available upon request for the reference of the residents.
10. The number of manufactured home sites in a manufactured home park will not exceed 15 times the number of hectares in the manufactured home park (six times the number of acres) or the maximum number permitted by the applicable zoning bylaw.

11. The area of each manufactured home site will be not less than
 - a) 325 square metres (3500 sq. ft.) for spaces used for single-wide manufactured homes, but in no case will the width of the space be less than 12 metres (40 ft.);
 - b) 460 square metres (5000 sq. ft.) for spaces used for double-wide manufactured homes, but in no case will the width of the space be less than 14.5 metres (48 ft.)
12. The frontage of a manufactured home site abutting a cul-de-sac will be not less than 7.6 metres (25 ft).
13. The internal street system within a manufactured home park will be as follows:

	<u>R/W Width Minimum</u>	<u>Pavement Width</u>
Collector Streets	12 metres (40 ft.)	7 metres (24 ft.)
Minor Streets	9 metres (30 ft.)	6.5 metres (22 ft.)

Collector streets refers to the number of mobile home sites for which the highway is the principal means of vehicle access.

14. At least one common outdoor storage area of at least 27 square metres (300 sq. ft.) per manufactured home site is required within each manufactured home park. The storage area will be adequately landscaped and not be located in or on any buffer or recreation area required by this bylaw. No buildings or structures, other than carports, will be constructed in the storage area. Carports will not cover more than fifty percent (50%) of the area.
15. Any building or structure that has been sited in accordance with the provisions of the zoning bylaw in force at the time of the issuance of the building permit for that building or structure will be deemed to conform to the provisions of this bylaw, but all extensions or modifications to such building or structure will conform to the provisions of this bylaw.

8. PLANS AND SPECIFICATIONS

1. All applications for approval of plans and specifications will be made in writing and contain
 - a) the name and address of the applicant;
 - b) a description of the location of the land and the legal description of the land on which the proposed manufactured home park is to be constructed, altered or extended;
 - c) where the water to be provided does not come from a community water system
 - i. a map showing the location of the source of the proposed water supply and the location and extent of any area proposed for sewage disposal, wastewater disposal and garbage disposal; and
 - ii. evidence that approvals of provincial authorities required for domestic water supply have been obtained;
 - d) two complete and legible sets of plans showing
 - i. the area dimensions and legal description of the parcel of land;
 - ii. the dimension and location of the buffer area required by this bylaw;
 - iii. the number, location, dimensions and designation of all manufactured home sites, the location and dimensions of all roadways, the owner's residential plot (if any) and any amenity, buffer or recreation area required by this bylaw including any landscaping or screening to be provided in such areas;
 - iv. the dimensions and location of all service buildings, any owner's residence and

- other structures;
- v. the internal layouts of all service buildings and other structures apart from the owner's residence;
- vi. the location and details of the source of water, treatment plants, water distributing lines and outlets;
- vii. the location and details of all connections to the sewer, sewer lines, septic tank(s) and sub-surface disposal field or other private sewage treatment plants and disposal methods;
- viii. the location of all outdoor storage areas, on-site garbage and refuse disposal areas and recycling facilities;
- ix. a north arrow and notation of the scales used; and
- x. existing topography of the site.

9. BUFFER AND RECREATION AREAS

1. Every manufactured home park will have immediately within all its boundaries a buffer area a minimum of 7.5 metres (25 ft.) in width within which:
 - a) no recreation, amenity or service areas, except for waterfront recreation or amenity areas, may be located;
 - b) no manufactured home area or owner's residential plot may be located;
 - c) no building or structure may be erected or placed;
 - d) one identification sign per manufactured home park may be located which will be within 7.5 metres (25 ft.) of the parcel boundary, will be at least 2.5 metres (9 ft.) above grade except for its supporting structure, will not exceed 4.75 metres (16 ft.) in height, will not exceed 3 square metres (32 sq. ft.) in area and will not be a flashing or rotating sign;
 - e) no solid waste collection or recycling facilities may be located; and
 - f) no services to the manufactured home park may be located except for a well and associated pumping facilities (excluding a reservoir) and underground portions of an on-site sewage disposal system.
2. The only roads permitted in the buffer area are those which cross it as close to right angles as practicable and connect the manufactured home park to an abutting highway. Direct vehicular access from any abutting highway to any manufactured home site is not permitted.
3. Where a manufactured home park is separated from neighbouring property by a body of water, then notwithstanding 9.1:
 - a) for the purpose of establishing the buffer area, the manufactured home park boundary will be deemed to be the parcel boundary except when the parcel includes a water area in which case it will be deemed to be the natural boundary of the water body;
 - b) a building or buildings to house boats or dressing rooms may be located within a buffer area on land adjoining waters that are suitable for small boat navigation at low water. In no case will the buildings be located within 7.5 metres (25 feet) of any parcel boundary other than the boundary or deemed boundary adjoining the water body.
4. The owner of a manufactured home park will provide within the manufactured home park one or more recreation areas, protected from motor vehicle traffic by a fence or similar enclosure and having a total area of at least ten percent (10%) of the manufactured home park area. The buffer strip and area of any internal roadways will not be included in calculating the recreation area to be provided.

5. All buffer and recreation areas and other surface areas in the manufactured home park other than manufactured home pads, roadways and parking and outdoor storage areas will be suitably landscaped and maintained.
6. When a manufactured home park abuts property that is zoned for residential use, the buffer area immediately adjacent to such property will be provided with trees and shrubs so as to screen the manufactured home park and maintain the privacy of the adjacent properties.
7. The buffer area adjacent to any public highway will be landscaped so as to provide an attractive appearance.

10. PLACEMENT OF MANUFACTURED HOMES

1. Within a manufactured home site, no part of any manufactured home, addition or accessory building will be:
 - a) less than 1.5 metres (4.92 feet) from one manufactured home site side boundary, nor 3.0 metres (9.84 feet) from the opposite side manufactured home site side boundary;
 - b) within 1.5 metres (5 ft.) of any buffer area; and
 - c) less than 6 metres (20 ft.) from any area designated on the approved manufactured home park plan as a roadway or from any manufactured home park boundary.
2. The maximum site coverage for a manufactured home and additions to it will not exceed thirty-five percent (35%) of the manufactured home site area. For the purposes of this section, site coverage will be based on the floor area of any buildings, including open vestibules but excluding the area of any steps and eaves.
3. One level motor vehicle parking space will be provided within each manufactured home site. In addition, for every four manufactured home sites, one additional parking space will be provided for visitors.

11. OWNER'S RESIDENTIAL PLOT

1. An owner's residential plot is permitted within a manufactured home park if the area of this plot is
 - a) not less than 695 square metres (7,500 sq. ft.) where the residence is connected to a community sewer system or the approved sewage disposal system of the manufactured home park, or
 - b) where it is not so connected, not less than 695 square metres (7,500 sq. ft.) plus the area required for an on-site sewage disposal system that complies with the Sewerage System Regulation under the *Public Health Act*.
2. The owner's residential plot will abut a roadway with a minimum right-of-way width of 12 metres (40 ft.)

12. SERVICE BUILDINGS

1. In a manufactured home park, the owner will provide a service building equipped with flush type plumbing fixtures and other sanitary facilities as required in this section 15.
2. Service buildings will
 - a) be located at least 6 metres (20 ft.) and not more than 60 metres (200 ft.) from any manufactured home site;
 - b) be of a permanent construction and adequately lighted and landscaped; and
 - c) have walls, floors and partition surfaces that can be easily cleaned and will not be damaged by hosing, netting or disinfecting.
3. Laundry facilities, if available, will
 - a) be provided in the ratio of one laundry unit for every 30 manufactured home sites and will be in a separate room of a service building or in a separate building. A laundry unit will consist of not less than one clothes washing machine and one clothes dryer in working order;
 - b) have at least one double laundry tub; and
 - c) provide at least one toilet and hand basin in the service building containing laundry facilities.

13. WATER SUPPLY

1. The owner of a manufactured home park will supply the Regional District with proof of adequate water quantity and quality. This will include reports of all 72-hour pump tests, accredited well drillers certification, along with any certification or approval of the water supply system required under the *Drinking Water Protection Act*.
2. The owner of a manufactured home park will provide a water supply system to furnish a constant supply of potable water that is at a minimum pressure of 220 kilopascal (32 pounds per square inch) at all outlets. Such a water system will be designed and constructed in accordance with any Regional District bylaw enacted under s. 506 of the *Local Government Act*.
3. Potable water will be distributed to:
 - a) each service building;
 - b) each manufactured home site;
 - c) hydrants placed in accordance with section 17.
4. Each water distribution branch line serving a manufactured home site will have a minimum diameter of 0.019 metres (3/4 inch).
5. The owner of the manufactured home park will provide as-built drawings of the water system within the manufactured home park to the General Manager of Planning of the Regional District as soon as the construction of the system has been completed.

14. SEWER SYSTEMS

1. The owner of a manufactured home park will provide for disposal of all wastewater generated within the manufactured home park by providing a sewer system connected to

all plumbing fixtures and sewer laterals in the manufactured home park. This sewer system will be engineered and designed in accordance with any Regional District bylaw enacted under s. 506 of the *Local Government Act* and any provincial approval or authorization required under the *Public Health Act* or the *Environmental Management Act*.

15. SEWAGE DISPOSAL

1. The owner of a manufactured home park will provide for the disposal of all sewage and wastewater from a sewer system by causing the sewer to discharge into a community sewer system or into a private disposal system complying with the Sewerage System Regulation under the *Public Health Act* or the Municipal Sewerage Regulation under the *Environmental Management Act*.

16. GARBAGE DISPOSAL

1. The owner of a manufactured home park will:
 - a) provide for the deposit of all garbage and recyclable materials in bear proof metal containers in ample number at convenient locations within the manufactured home park;
 - b) maintain the containers so that they do not become foul-smelling, unsightly or a breeding place for flies;
 - c) store and dispose of all such material in accordance with applicable Regional District solid waste management bylaws and regulations.

17. FIRE PROTECTION

1. Portable fire extinguishers of a type approved by the Local Assistant to the Fire Commissioner will be kept in all service buildings and in all other locations specified by the Local Assistant and will be maintained in good operating condition by the owner of the manufactured home park.
2. Hydrants for fire protection will be provided and located within 90 metres (300 ft.) of each manufactured home area. Hydrants will not be more than 180 metres (600 ft.) apart and will be installed in accordance with the any Regional District bylaw enacted under s. 506 of the *Local Government Act*.

18. MAINTENANCE

1. The owner will maintain all fire protection equipment, service buildings and common areas in or on the manufactured home park in a clean, safe and sanitary condition.
2. The owner will not permit the storage of boats, travel trailers and other similar equipment, or non-licensed motor vehicles within a manufactured home park other than within a common outdoor storage area as specified in section 7.14.
3. Licensed motor vehicles will not be parked on any roadway or other area except where designated as motor vehicle parking spaces.
4. The owner of a manufactured home park will install and will maintain on all internal roadways, signs limiting the speed of vehicular traffic to 8 kilometres per hour (5 miles per hour).

19. REPEAL

Cowichan Valley Regional District Mobile Home Park Bylaw No. 275, 1976 is repealed.

This bylaw shall take effect upon its adoption by the Regional Board.

READ A FIRST TIME this _____ day of _____, 2021.

READ A SECOND TIME this _____ day of _____, 2021.

READ A THIRD TIME this _____ day of _____, 2021.

ADOPTED this _____ day of _____, 2021.

Chairperson

Corporate Officer