



The Corporation of the District of North Cowichan

Mobile Home Parks Bylaw [BL 3700]

Bylaw 1775

[Consolidated and printed by authority of the Corporate Officer under section 139 of the Community Charter. Current to May 29, 2020. Last amended July 18, 2018. Amendments: 1804, 2366, 3139, 3470, 3700.]

The Council of the Corporation of the District of North Cowichan in open meeting assembled ENACTS as follows:

Interpretation and Administration

1.01 Application

This bylaw shall be applicable within the boundaries of The Corporation of the District of North Cowichan.

1.02 Definitions

In this bylaw, unless the context otherwise requires,

"ancillary building" means a building for the common use of the tenants and includes recreation buildings, laundry, and other service facilities;

"approval" means approval in writing;

"buffer area " means the buffer area described in Section 4.04;

"council" means the Council of The Corporation of the District of North Cowichan;

"double blocking" means a system of blocking in which blocks of alternate courses are placed at 90 degrees;

"floor area" means an area of a mobile home that is occupied or intended for occupancy but does not include exits or attic, crawl or duct spaces;

"Inspector" means the Building Inspector or such other person appointed by the Council to

administer this bylaw;

"Medical Health Officer" means the Medical Health Officer appointed under the *Health Act* for the territorial jurisdiction of the area in which a mobile home park is located;

"mobile home" means a dwelling unit no more than 4.3 m (14 ft.) wide, equipped with a toilet, and bathtub or shower, manufactured in single or multiple units, and occupied or intended to be occupied on a year-round, long-term basis somewhere other than where it is made; [BL 3139]

"mobile home area" means that part of a mobile home park used primarily for installed mobile homes, including permissible additions, and which is not used for buffer area, roadways, owners' residential plot, the procuring and treatment of water, collective sewage treatment, effluent disposal from a collective sewage treatment plant, garbage disposal, or ancillary buildings;

"mobile home park" means land used or occupied by any person for the purposes of providing spaces for the accommodation of more than three mobile homes and for imposing a charge or rental for the use of such space;

"mobile home space" means an area of land for the installation of one mobile home with permissible additions and situated within a mobile home area;

"mobile home pad" means that portion of a mobile home space, designated, designed, and prepared for the support of a mobile home. It may contain service connections;

"owner" means an owner, agent, lessor, or manager of, or any person, who operates a mobile home park;

"potable water" means water which is approved for drinking purposes by the Ministry of Health;

"roadway" means an allowance within a mobile home park part or all of which is made suitable for normal vehicular use so vehicles can gain access to abutting spaces;

"utility service building" means a building or structure providing for public utility facilities for water, sewer, electrical, telephone, and similar services, established by the municipality, regional district, by another government body or by a company regulated by statute.

1.03 Prohibitions

No person shall

- a. locate, establish, construct, alter, extend, expand, subdivide, or operate a mobile home

park; or

- b. cause or allow a mobile home to be parked or to remain in a mobile home park in contravention of this bylaw.

1.04 Exclusion

- a. Subject to section 104(b) the provisions of this bylaw do not apply to a mobile home park or any part of a mobile home park existing prior to coming into force of this bylaw.
- b. No person shall be compelled to upgrade existing parks to the standards of this bylaw, but any upgrading shall not lessen the compliance with the bylaw and expansion shall meet bylaw provisions.
- c. Existing mobile homes that do not meet Canadian Standards Association Standard Z-240 standards/specifications shall be permitted to relocate or move into a mobile home park developed prior to the adoption of this bylaw only if brought up to Z-240 standards
- d. with respect to electrical service, and if the gas and heating systems are in accordance with section 3.07 of the bylaw.

1.05 Administration

- a. The Building Inspector or such other person appointed by the Council shall administer this bylaw.
- b. Persons appointed under sub-section (a) may enter any mobile home park at any reasonable time for the purpose of administering or enforcing this bylaw.

1.06 Violation

- a. It shall be unlawful for any person to cause, suffer or permit the establishment, extension, or operation of a mobile home park in contravention of this bylaw or otherwise to contravene or fail to comply with this bylaw.
- b. It shall be unlawful for any person to prevent or obstruct any official appointed under sub-section 1.05 from carrying out his duties under this bylaw.

1.07 Penalty

- a. Any person who violates any provisions of this bylaw is liable on summary conviction to a penalty not exceeding ONE THOUSAND DOLLARS (\$1,000.00), and also the cost of the prosecution.
- b. Each day during which such violation is continued shall be deemed to constitute a new

and separate offence.

- c. Upon conviction, the court may direct that no prosecution under sub-section (b) may be made, with respect to the continuance of the violation, for such period of time as it directs.

1.08 Severability

- a. If any section, sub-section, 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 shall not affect the validity of the remaining portions of this bylaw.

Mobile Home Park Application, Approval and Permit

2.01 Application Plans and Specifications

All applications for approval of plans and specifications shall be made in writing and shall contain:

- a. the name and address of the applicant;
- b. the intended use of the land;
- c. a popularly understandable description of the location of the land and the legal description of the land on which the proposed mobile home park is to be established, constructed, altered, or extended;
- d. a map showing the location of the source of the proposed water supply, and the location and extent of the area proposed for sewage disposal, wastewater disposal, and garbage disposal;
- e. Two full sets of working drawings to scale showing:
 - i. the area dimensions and legal description of the parcel of land;
 - ii. the dimensions and location of the buffer area;
 - iii. the number, location, dimensions, and designation of all mobile home spaces, and location and dimensions of all roadways, the owner's residential plot (if any), and recreation area;
 - iv. the dimensions and location of all ancillary buildings, the owner's residence, and other structures;
 - v. the internal layouts of all service ancillary buildings and other structures, apart from the owner's residence;
 - vi. the location and details of the source of water treatment plants, water distribution 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 and details of all on-site garbage and refuse disposal areas;
- ix. a north arrow and notation of the scales used;
- x. a general landscaping plan for the site;
- xi. all water courses or water frontage within or adjacent to the land concerned;
- xii. all steep banks or slopes within or adjacent to the land concerned; and
- xiii. the relationship of the proposed mobile home park to adjacent roads.

2.02 Approval and Permit

- a. No person shall establish, construct, alter, or subdivide a mobile home park until written approval of detailed plans and specifications is received and permit issued by the Inspector.
- b. Written approval and permit under sub-section (a) shall not be given until a sewage disposal permit has been issued, water supply and system, and garbage disposal method has been approved by the authority having jurisdiction.
- c. The Inspector shall examine each complete application for a mobile home park permit and shall notify the applicant in writing within SIXTY (60) days either that the permit is issued or that it is refused.
- d. The Inspector may:
 - i. require the applicant to provide additional relevant information, including but not limited to topographic and soil condition data;
 - ii. conduct inspections and tests in the vicinity of the site of the proposed mobile home park.
- e. If the issuance of a mobile home park permit is refused, the Inspector shall notify the applicant in writing of the reasons for refusal.
- f. Applicant may appeal to the Board of Variance with respect to relaxation of provisions within the jurisdiction of the Board of Variance.
- g. A mobile home park permit shall permit the establishment of a mobile home park on the land concerned only in compliance with the mobile home park plan approved and permit issued.
- h. If, after the issuance of any permit, the construction authorized thereunder be not commenced within SIX (6) months from the date thereof, or if, after the commencement of a period of SIX (6) months through any cause other than weather conditions, strikes or lockouts, or if the work be not carried on continuously and in a bonafide manner such permit shall be void, and the work shall not be again commenced until a new permit shall have been issued and fee paid.
- i. Fees
 - i. Each application for a mobile home park permit submitted shall be

- accompanied by the application fee prescribed in the Fees Bylaw for each mobile home space shown in the mobile home park plan. [BL 3470]
 - ii. Each application for renewal of a mobile home park permit shall be accompanied by the application fee prescribed in the Fees Bylaw for each mobile home space shown in the mobile home park plan. [BL 3470]
 - iii. The charge for permits for the construction of buildings or structures in the mobile home park shall be the same as specified in the building bylaw in effect in The Corporation of the District of North Cowichan.
 - iv. The value of construction shall be the contract price together with a reasonable allowance for extras or such construction value to be calculated or fixed by the Building Inspector according to the submitted plan and specifications.
 - j. No application for a mobile home park permit shall be accepted for processing unless it includes all documents, information, and fees required in sections 2.01 and 2.02.

General Provisions

- 3.01 a. No person shall locate a mobile home or owner's residence except on a well-drained site that is at all times free of stagnant pools, and is graded for rapid drainage.
- b.
 - i. Notwithstanding any other provisions of this bylaw, no building or structure, excepting fences or signs or water related structures or buildings such as pumphouses and boathouses shall be constructed, reconstructed, altered, moved or extended, nor mobile home located, with the underside of the floor system of any area used for habitation, business, or storage of goods damageable by floodwaters, or in the case of a mobile home, the ground level on which it is located, lower than .6 metres (1.97 ft.) above the two hundred year flood level where it can be determined, or if not, less than 3 metres (9.84 ft.) above the natural boundary of any nearby water course or lake or within 7.6 metres (24.93 ft.) of the natural boundary of the sea and a lake, or within 30 metres (98.42 ft.) of the natural boundary of any nearby watercourse or source of water supply excluding wells with the exception of any mobile homes sited on pads established within the mobile home park prior to June 1, 1978. [BL 1804]
 - ii. Where landfill is used to achieve the required elevation, no portion of the landfill slope shall be closer than the above setback distance(s) from the natural boundary, and the face of the fill slope shall be adequately protected against erosion from flood waters.
 - iii. Provided that with the approval of the Deputy Minister of Environment, or his Designate, these requirements may be reduced.
 - iv. For the purpose of the sub-section, the following definitions shall apply:

"Natural Boundary" means the visible high-water mark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the lake, river, stream or other body of water, a character distinct from that of the banks thereof, in

respect to vegetation, as well as in respect to the nature of the soil itself.

"Watercourse" is any natural or man-made depression with well-defined banks and a bed .6 metres (1.97 ft.) or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of 2.5 square kilometres (.97 sq. mi.) or more or as required by an official of the Ministry of Environment of the Province of British Columbia.

- 3.02** All parcels or parts of land included in a mobile home park site shall be contiguous.
- 3.03** The plumbing, electrical, and building in any mobile home park, including additions and alterations, shall comply with the bylaws or regulations in force in the territorial jurisdiction in which the mobile home park is situate.
- 3.04**
- a. No mobile home shall be located elsewhere in a mobile home park than on a mobile home area.
 - b. No more than one mobile home shall be located in a mobile home space.
 - c. Notwithstanding sub-section (a) no more than one unoccupied mobile home for every ten mobile home spaces in a park may be located in a designated storage area.
- 3.05** No person shall dispose of garbage or refuse or any sort of waste except in accordance with the arrangements made by the owner of the mobile home park, and approved by the Medical Health Officer.
- 3.06** A copy of the plan required in section 2.01(e) and a copy of this bylaw shall be posted prominently and permanently in the mobile home park office for the reference of the residents.
- 3.07** In mobile homes located in a mobile home park:
- a. the installation and maintenance of all oil burners and oil-burning equipment and appliances using inflammable liquids as fuels;
 - b. the storage and disposal of inflammable liquids and oils;
 - c. the installation, maintenance, carriage, and use of compressed gas systems shall be in accordance with the regulations of the *Fire Marshall Act* or the *Gas Act* as the case may be.
- 3.08** All mobile homes shall meet or exceed the Canadian Standards Association Standard Z-240 or A-277 as the case may be.

- 3.09** All connections to services shall be in accordance with the B.C. Building Code.
- 3.10** Any mobile home located on a space shall be supported by "double blocking" or other method as approved by the Building Inspector. [BL 1804]

Mobile Home Park Design and Layout Standards

4.01 General Purpose

The general purpose of these standards/regulations is to ensure the development of mobile home parks in an environment appropriate for residential use.

4.02 Mobile Home Space/Lot

- a. The minimum area for a mobile home space shall be 325 square metres (3498.27 sq. ft.).
- b. The minimum frontage of each mobile home space abutting an internal roadway right-of-way shall be 12 metres (39.37 ft.) except in the case of mobile home space abutting a cul-de-sac or a panhandle mobile home space in which cases minimum frontage shall be 6 metres (19.68 ft.).
- c. Each mobile home space shall be clearly marked off by suitable means.
- d. All mobile home spaces shall:
 - i. be drained properly;
 - ii. be clearly numbered;
 - iii. have a clearly discernible mobile home pad of compacted gravel or surfaced with asphalt or concrete pavement. Mobile home pads shall have a maximum 6% longitudinal and/or 15% cross or crown gradient.

Read a first time on March 7, 1984
Read a second and third time on April 4, 1984
Adopted on April 18, 1984