

Attachment 2
REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1738

A Bylaw to Establish Manufactured Home Park Regulations

WHEREAS the *Local Government Act* enables a Regional District to regulate the construction and layout of trailer courts, manufactured home parks and camping grounds and require that those courts, parks and grounds provide facilities.

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

1. Citation

This Bylaw may be cited for all purposes as "Regional District of Nanaimo Electoral Area 'F' Manufactured Home Park Regulations Bylaw No. 1738, 2016".

2. Manufactured Home Park Regulations

Electoral Area 'F' Manufactured Home Park Regulations Bylaw No. 1738, 2016 hereby establishes manufactured home park regulations as set out in Schedule 'A' of this Bylaw.

3. Application

Electoral Area 'F' Manufactured Home Park Regulations Bylaw No. 1738, 2016 applies to the construction and layout of manufactured home parks in the following zone designated by "Regional District of Nanaimo Electoral Area F Zoning and Subdivision Bylaw No. 1285, 2002":

- a. MHP-2 Manufactured Home Park 2

Introduced and read three times this 22nd day of March, 2016.

Adopted this day of , 201x.

Chair

Corporate Officer

Schedule 'A' to accompany "Regional District of Nanaimo Electoral Area 'F' Manufactured Home Park Regulations Bylaw No. 1738, 2016".

Chairperson

Corporate Officer

Schedule A



Electoral Area 'F' Manufactured Home Park Regulations Bylaw



Regional District of Nanaimo Bylaw No. 1738, 2016

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1. DEFINITIONS

Buffer means an area of preserved natural vegetation, introduced vegetation, a planted berm, or any combination thereof.

Building Inspector means a person employed by the Regional District with the responsibility to administer and enforce the Building Bylaw.

Chief Building Inspector means the person holding the office of Manager of Inspection and Enforcement of the Regional District of Nanaimo.

Community Sewage System is a communal method of providing wastewater management which has been designed and installed under the direction of a professional who is registered with the Association of Professional Engineers and Geoscientists of British Columbia (APEG) in accordance with all applicable enactments.

Community Water System is a communal method of providing potable water which has been designed by a professional who is registered with the Association of Professional Engineers and Geoscientists of British Columbia (APEG) and has received a valid permit to operate under the *Drinking Water Protection Act* (British Columbia).

Construction includes installation of onsite services and other infrastructure, reconstruction, relocation, installation, repair, alteration, demolition, moving and the installation of other improvements required by this bylaw.

Highway has the same meaning as in the *Transportation Act*.

Internal Access Road means a road, lane, driveway or other route not vested in a public authority and used or intended to be used to provide vehicle access to a Manufactured Home Space in a Manufactured Home Park.

Introduced Vegetation means vegetation, other than Invasive or Noxious Species, planted on a parcel to act as a Buffer.

Invasive or Noxious Species means a species listed in the Schedule to the Weed Control Regulations, B.C. Reg. 143 or any other plant that is not native to Vancouver Island and has been identified as an invasive species by the Invasive Species Council of British Columbia.

Landscaping Plan means drawings and specifications, as required by this bylaw, showing the details of a proposed Buffer.

Lot means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or *Strata Property Act*.

Lot Line means the boundary of a lot, and;

- a) **Front Lot Line** means the lot line that is common to the lot and an abutting a highway or access route in a bare land strata plan, and where there are two or more such lot lines, the shortest is deemed to be the front lot line, and in the case of a panhandle lot means the line separating the body of the lot from the panhandle;
- b) **Rear Lot Line** means the lot line opposite to the front lot line in the case of a lot having four sides, or the lot line most distant from the front lot line and not abutting a highway or other lots having more or less than four sides, or where a rear portion of the lot is bounded by intersecting side lot lines, it shall be the point of such intersection;
- c) **Exterior Side Lot Line** means a lot line that is not a front or rear lot line and that is common to the lot and abutting a highway or access route in a bare land strata plan or railway;
- d) **Other Lot Line** means a lot line that is not a front, rear or exterior side lot line.

Manufactured Home as defined in Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002.

Manufactured Home Pad as defined in Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002.

Manufactured Home Park as defined in Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002.

Manufactured Home Park Permit means a permit issued by the Regional District of Nanaimo to permit the establishment, construction, upgradation, expansion, alteration or subdivision of a manufactured home park on a lot where manufactured home park is a permitted use.

Manufactured Home Space as defined Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002.

Steep Slope means land with a slope of 20% or greater for a minimum of 9.0 meters horizontally.

Zoning Bylaw means Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002.

2. PURPOSE OF BYLAW

This bylaw is enacted for the purpose of regulating the construction and layout of Manufactured Home Parks and for establishing standards for the construction and facilities to be installed within Manufactured Home Parks only on lots zoned Manufactured Home Park 2 (MHP-2). The purpose of the bylaw does not extend:

- a) to the protection of persons constructing or operating Manufactured Home Parks, or the park's residents, from economic loss;

- b) to the assumption by the Regional District of any responsibility for ensuring compliance by any owner, operator or resident of a Manufactured Home Park or an architect or engineer or any other person with this bylaw or any other enactment applicable to the operation of a Manufactured Home Park, the supply of potable water, the supply of water for firefighting purposes, or the disposal of sewage.

3. GENERAL REQUIREMENTS

- a) No person shall establish, construct, upgrade, expand, alter or subdivide a Manufactured Home Park until a complete application has been received, and a Manufactured Home Park Permit is issued by the Building Inspector.
- b) A Manufactured Home Park Permit shall permit the establishment, upgrading, and/or expansion of a Manufactured Home Park on the land concerned only in compliance with the Manufactured Home Park plan as approved and for which a permit has been issued.
- c) Nothing contained in this bylaw shall relieve any person from obtaining the necessary building permits and approvals for buildings and structures constructed, located or relocated in a Manufactured Home Park.

4. EXCLUSIONS

- a) The provisions of this bylaw do not apply to land that is not zoned Manufactured Home Park 2 (MHP-2).
- b) This bylaw does not apply to the Construction and layout of a Manufactured Home Park on strata lots created by subdivision under the Bare Land Strata Regulation, B.C. Reg 75/78.

5. AUTHORITY OF THE CHIEF BUILDING INSPECTOR

- a) The Chief Building Inspector is authorized to:
 - I. administer this bylaw, and
 - II. enter, at all reasonable times, upon the land subject to the regulations of this bylaw, to ascertain whether such regulations are being obeyed; in accordance with Section 16 of the Community Charter.
- b) order the correction of any Construction which is being or has been done in contravention of this bylaw.
- c) to order the immediate cessation or suspension of Construction ('Stop Work') that is proceeding in contravention of this bylaw or is being constructed without a Manufactured Home Park Permit by placing a Notice on the Construction and/or delivering such notice to the owner of the real property on which the construction is taking place, or at the owner's address.

6. ADMINISTRATION

If any section, subsection, sentence, clause or phrase of this bylaw is, for any reason, held to be invalid by decision of any court of competent jurisdiction, the invalid portion may be severed without affecting the validity of the remaining portions of this bylaw.

7. MANUFACTURED HOME PARK APPLICATION, FEE, APPROVAL AND PERMIT

7.1 Application

All applications for approval of plans and specifications shall be made in writing to the Building Inspector and shall include two full sets of working drawings to scale showing:

- I. the name and address of the applicant;
- II. the legal description of all lots on which the proposed Manufactured Home Park is to be established, constructed, altered or extended;
- III. a north arrow and notations of scales used;
- IV. the lot dimensions;
- V. the location and dimensions of the setback area required under the Zoning Bylaw;
- VI. the number, location, dimensions and designation of all Manufactured Home Spaces;
- VII. the location, dimensions and grade of all Internal Access Roads and their relationship to existing Highways;
- VIII. the location and dimensions of all recreation or common areas;
- IX. the location and dimensions of the owner's or manager's dwelling unit and all other accessory buildings;
- X. the location and details of the source of potable water supply, treatment plants, distribution lines and outlets;
- XI. the location and details of all connections to the sewer, sewer lines, septic tank and subsurface disposal fields;
- XII. the location and details of all on-site solid waste, recycling, and organic waste collection containers;
- XIII. the location and details of all parking areas;
- XIV. the location and details of all buffer areas;
- XV. all watercourses or water frontage within or adjacent to the Manufactured Home Park;
- XVI. all steep slopes within or adjacent to the land concerned; and
- XVII. any other information that the Regional District may deem necessary.

7.2 Permit Application Fee

The applicant for a permit under this bylaw must pay fees in accordance with the applicable Regional District of Nanaimo Building Fees and Charges bylaw at the time of application or at such later time, prior to the issuance of a permit, as permitted by the Regional District.

7.3 Issuing Permit

- a) Where:
- i. an application has been made;
 - ii. the proposed work set out in the application complies with this bylaw and all other applicable bylaws and enactments; and,
 - iii. the applicant for a Manufactured Home Park Permit has paid to the Regional District of Nanaimo the applicable fees,
- the Building Inspector shall issue the Manufactured Home Park Permit for which the application was made.
- b) A Manufactured Home Park Permit shall not be issued until the necessary permits and approvals have been granted by the other authorities also having jurisdiction.
- c) Subsequent to examination of an application, the Regional District shall notify the applicant in writing within 60 days that either a Manufactured Home Park Permit is issued or that it is refused and the reasons therefore.
- d) Notwithstanding the provisions in Regional District of Nanaimo Building Regulations Bylaw No. Bylaw 1250, 2010, in the event that after the issuance of a Manufactured Home Park Permit, the construction authorized thereunder is not commenced (one required inspection requested and approved) within 365 days from the date of issuance, then such permit shall lapse and be void, and the work shall not be commenced until a new permit has been issued and the applicable fee is paid.
- e) A copy of the Manufactured Home Park Permit must be posted in the Manufactured Home Park office for the reference of Manufactured Home Park occupiers.

8. MANUFACTURED HOME PARK STANDARDS

8.1 Standards for Manufactured Home Spaces

- a) Every Manufactured Home Space shall:
- i. be properly drained, free of stagnant pools, and be graded for rapid drainage of precipitation;
 - ii. be clearly numbered; and
 - iii. provide a clearly discernible Manufactured Home Pad.

- b) Gradients of a Manufactured Home Space must be less than:
 - i. 6% longitudinal gradient; and
 - ii. 15% cross or crown gradient;
- c) No Manufactured Home shall be located in a Manufactured Home Park other than on a manufactured home pad; and
- d) not more than one (1) Manufactured Home shall be located within a Manufactured Home Space.

8.2 Manufactured Home Standards

- a) Every Manufactured Home located on a Manufactured Home Space shall be supported on a foundation system approved by the Building Inspector and comply with the British Columbia Building Code.
- b) Every Manufactured Home must meet or exceed the CSA Z240 or CSA A277 certified standard.
- c) Skirting shall be provided and installed within 60 days of installation of a Manufactured Home on a Manufactured Home Pad in accordance with the British Columbia Building Code.
- d) In a Manufactured Home:
 - i. the installation of all woodstoves and chimneys;
 - ii. the installation and maintenance of all oil burners and oil-burning equipment and appliances using inflammable liquids as fuel;
 - iii. the storage and disposal of inflammable liquids and oils;
 - iv. the installation, maintenance, carriage and use of compressed gas systems;
 - v. the plumbing and electrical installation; and,
 - vi. the connections to services;

shall be in accordance with the regulations of the authority having jurisdiction.

8.3 Access

- a) No Manufactured Home Park shall be established nor extended, nor shall the number of Manufactured Home Spaces increase unless Highway access to the Manufactured Home Park is approved by the Ministry of Transportation and Infrastructure.
- b) A second access from a Highway, separated by at least 60.0 m from the first access, shall be required for a Manufactured Home Park containing 50 or more Manufactured Home Spaces.
- c) With the exception of a) and b) above, the layout of a Manufactured Home Park shall be designed to ensure that access to all parts of a Manufactured Home Park is by way of Internal Access Roads.

- d) No part of a Manufactured Home Park shall have direct access from a Highway except as permitted by the bylaw.

8.4 Frontage

The minimum frontage of each Manufactured Home Space on an Internal Access Road shall be as follows:

- i. 12.0 m,
- ii. notwithstanding i above, where a Manufactured Home Space abuts a cul-de-sac or an internal access road with an outside curve which has a radius of 12.0 m or less, the minimum frontage shall be 6.0 m.

8.5 Internal Access Roads

- a) All Internal Access Roads within a Manufactured Home Park shall be:
 - i. of a hard durable surface so as not to produce dust;
 - ii. well drained;
 - iii. maintained; and
 - iv. adapted to the topography.
- b) The maximum grade of all internal access roads shall be 7%.
- c) The minimum Internal Access Road width requirements shall be as follows:
 - i. access roads from a Manufactured Home Park to a Highway shall have a minimum surfaced width of 6.5 m and no parking shall be allowed on such Internal Access Roads.
 - ii. all other Internal Access Roads:
 - a) with parking on both sides shall have a minimum surfaced width of 11.0 m;
 - b) with parking on one side shall have a minimum surfaced width of 8.5 m;
 - c) with no parking shall have a minimum surfaced width of 5.0 m.
- d) No dead-end Internal Access Road or cul-de-sac shall be more than 100 m in length.
- e) Dead-end Internal Access Roads and cul-de-sacs shall have a turning circle right-of-way at the terminus with a radius of at least 12.0 m and must be approved by the Fire Chief of the fire department that would provide fire protection to the Manufactured Home Park.

8.6 Buffer Strip

- a) Every Manufactured Home Park shall have a Buffer adjacent to all lot lines that form the external boundary of a Manufactured Home Park except where crossed by Internal Access Roads as permitted in section 8.6(e).
- b) The width of the Buffer required by Section 8.6 (a) above shall be a minimum of:
 - i. 4.5 metres from Front and Exterior Side Lot Lines and
 - ii. 2.0 metres from all Other Lot Lines.
- c) The following shall not be located within a Buffer:
 - i. required recreation or amenity areas, except for waterfront recreation or amenity areas;
 - ii. buildings or structures, except permitted signs and fences;
 - iii. garbage, recycling, or organics waste disposal areas;
 - iv. private sewage disposal systems and other infrastructure, other than the underground components of such systems; and,
 - v. vehicle parking area(s).
- d) Except where Invasive or Noxious Species are being removed or a hazard has been identified by a qualified professional arborist or other horticulturist, no plant material may be removed nor may any substance of which land is composed be deposited or removed from a Buffer area except as part of an approved landscaping plan.
- e) The only roads permitted in a Buffer area are those which cross the Buffer directly to connect with the road system contained within the remainder of the Manufactured Home Park.
- f) No internal access or other road shall traverse a Buffer area and give direct access from a Highway to a Manufactured Home Park.
- g) Notwithstanding the above, if the Regional Board approves a Development Variance Permit to allow the minimum setback requirements of the applicable Zoning Bylaw to be relaxed, the Buffer strip may be reduced in the area immediately adjacent to the building or structure subject of the Development Variance Permit to the extent that relaxation is consistent with the approved Development Variance Permit.

8.7 Recreation Area

- a) At least 5% of the gross site area of the Manufactured Home Park shall be set aside exclusively for recreational use by the residents of the Manufactured Home Park.
- b) For the purpose of calculating recreational space requirements, any indoor recreational space provided shall be counted as double its actual floor area.

- c) The recreation areas shall not encroach within buffer strips, or include areas within the minimum required setback, parking areas, common accessory buildings, internal access roads and Manufactured Home Spaces.
- d) In Manufactured Home Parks where more than 1000 m² of recreation space is required, two (2) or more recreation areas may be provided.
- e) Recreation areas in the Manufactured Home Park, except indoor recreation facilities, shall be of grass, asphaltic surface or other alternative permanent surface suitable to the proposed primary recreational activity approved by the Building Inspector, and shall be landscaped in a manner that is appropriate to the proposed activity.

8.8 Solid Waste Management

- a) No person residing in a Manufactured Home Park shall dispose of refuse or any solid waste except in accordance with “Regional District of Nanaimo Solid Waste and Recycling Collection Service Rates and Regulations Bylaw No. 1591, 2010”.
- b) If curbside collection is not provided, the owner or manager of a Manufactured Home Park shall provide at least one (1) container in a location accessible by a suitably graded and surfaced footpath for the deposit of:
 - i. solid waste;
 - ii. recyclables; and
 - iii. organic waste;for use by the tenants of the Manufactured Home Park.
- c) Such containers must be durable, bear-proof, insect-tight, water-tight and rodent-proof.
- d) With the exception of containers used for curbside collection, all solid waste, recycling, and organic waste receptacles shall be completely screened from the view of adjacent Manufactured Home Spaces with evergreen shrubs, trees, or solid fencing.

8.9 Water System

- a) All Manufactured Home Parks with a density greater than one (1) Manufactured Home per hectare must be serviced by a Community Water System approved and operated in accordance with Ministry of Health and Canadian Drinking Water Standards.
- b) Proof of a valid permit to operate a water supply system shall be required.
- c) All community water systems must be designed by a qualified professional registered with the Association of Professional Engineers and Geoscientists of British Columbia (APEG).
- d) Waterworks systems shall be designed, fabricated and installed in accordance with good engineering practice to the satisfaction of the Regional District.

- e) The Water Supply System shall provide a constant supply of potable water at a minimum working pressure of 200 kPa to a maximum working pressure of 350 kPa for all outlets.
- f) Potable water shall be distributed to:
 - i. each Manufactured Home Space;
 - ii. accessory buildings, if required;
 - iii. recreational areas, if required;
 - iv. hydrants;
 - v. hose bibs; and,
 - vi. standpipes or hydrants, if required.

8.10 Community Sewage Treatment and Disposal Systems

- a) The owner of a Manufactured Home Park shall provide for the disposal of all wastewater effluent that is generated within the Manufactured Home Park by providing a Community Sewage System connected to all plumbing fixtures and sewage laterals in the Manufactured Home Park.
- b) The Community Sewage System design must be prepared under the direction of a qualified professional who is registered with the Association of Professional Engineers and Geoscientists of British Columbia (APEG).
- c) Community Sewage Systems shall be designed, fabricated and installed in accordance with the guidelines established by the Association of Professional Engineers and Geoscientists of British Columbia (APEG). The design and installation of a private Community Sewage System shall be subject to the approval of the applicable Provincial agencies.
- d) Each Manufactured Home Space shall have lateral sewer terminus that is gas-tight, protected from experiencing mechanical damage and is protected from storm water infiltration.
- e) For the purpose of determining pipe sizes, each Manufactured Home Space shall be considered as having a hydraulic load according to requirements of the BC Plumbing Code.
- f) In the event that the number of Manufactured Homes per Manufactured Home Park does not require a Community Sewer System, then each Manufactured Home shall be served by a septic disposal system constructed to the standards of the authority having jurisdiction.

8.11 Fire Suppression

- a) A water supply system, considered adequate by the local Fire Chief to provide fire protection, shall be installed to provide fire protection to the Manufactured Home Park.
- b) Where on-site water storage is proposed for fire suppression, it shall be equipped with a connector suited to the local fire department to the satisfaction of the local Fire Chief.