

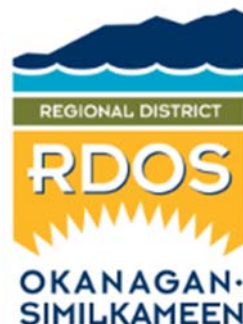
MANUFACTURED HOME PARK



Bylaw No. 2597, 2012 – Regional District of Okanagan-Similkameen

REGULATIONS BYLAW

This Bylaw has been consolidated for
Convenience only and includes all
Amendments to the text up to:
October 18, 2018



Regional District of Okanagan-Similkameen
Manufactured Home Park Regulations Bylaw No. 2597, 2012

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REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

MANUFACTURED HOME PARK REGULATIONS BYLAW NO. 2597, 2012

A Bylaw to regulate manufactured home parks
under Section 298(j) of the *Local Government Act*.

WHEREAS the *Local Government Act* enables regulations that apply to the construction and layout of manufactured home parks and the provision of facilities therein;

NOW THEREFORE the Regional Board of the Regional District of Okanagan-Similkameen in open meeting assembled HEREBY ENACTS AS FOLLOWS:

1.0 INTERPRETATION AND ADMINISTRATION

1.1 Title

This bylaw may be cited for all purposes as the “Regional District of Okanagan-Similkameen Manufactured Home Park Regulations Bylaw No. 2597, 2012”.

1.2 Application

This bylaw shall apply to Electoral Areas “A”, “C”, “D”, “E”, “F”, “H” and “I” of the Regional District of Okanagan-Similkameen, and as shown on Schedule ‘A’.ⁱ

1.3 Transition

.1 The processing of any application made prior to the date of adoption of this bylaw shall be continued and dealt with by the Board in accordance with the provisions of this bylaw.

1.4 Definitions

In this bylaw:

“**Board**” means the board of directors for the Regional District of Okanagan-Similkameen;

“**Chief Administrative Officer**” or “**CAO**” means the person appointed by the Regional Board as CAO and any person who, from time to time, is the deputy CAO or is appointed by the Regional Board to act in the capacity of the CAO in the CAO's absence;

“**Development Services**” means the Regional District’s Department of Development Services;

“**FCL**” means flood construction level;

“**Fees and Charges Bylaw**” means the Regional District’s Fees and Charges Bylaw;ⁱⁱ

“**Inspector**” means the CAO or authorised designate appointed to administer this Bylaw;

“**Manufactured Home**” means a building built in an enclosed factory environment in one or more sections, intended to be occupied as a dwelling unit in a place other than of its manufacture and conforming to the CSA Z240 or CSA A277 certified standard. The term "manufactured home" does not include a "recreational vehicle";

ⁱ Amendment Bylaw No. 2597.02, 2018 – adopted October 18, 2018.

ⁱⁱ Amendment Bylaw No. 2597.02, 2018 – adopted October 18, 2018.

“Manufactured Home Park” means any parcel of land, upon which three or more manufactured homes or single detached dwellings are located on individual manufactured home sites that are occupied exclusively for residential purposes on a rental basis. Includes all buildings and structures used or intended to be used as part of such manufactured home park or manufactured home strata development;

“Manufactured Home Park Permit” means a permit issued by the CAO allowing the construction or expansion of a manufactured home park in accordance with approved plans.

“Manufactured Home Park Space” means an area of land for the installation of one manufactured home with permissible additions and situated within a manufactured home park.

“Medical Health Officer” means the Medical Health Officer appointed under the *Health Act*;

“Owner” means the registered owner’s listed on the State of Title of the subject property; or a person authorised in writing as the owner’s agent;

“Permit Application” means an application for a Manufactured Home Park Permit;

“Secretary” means the Deputy Corporate Officer, or equivalent, of the Regional District, or his or her deputy; and

“Skirting” means detachable panels fitted between the ground surface and the base of the manufactured home to enclose the pad;

“Tenant” means the person(s) who inhabits a manufactured home in the manufactured home park. The tenant may be the owner of the manufactured home;

“Zoning Bylaw” means a Zoning Bylaw or Land Use Bylaw adopted by the Regional District.

1.5 Interpretation

A reference in this bylaw to any enactment of British Columbia is a reference to the enactment as amended, revised, consolidated or replaced from time to time, and a reference to any bylaw of the Regional District is a reference to the bylaw as amended, revised, consolidated or replaced from time to time.

1.6 Prohibitions

.1 No person shall:

- a) locate, establish, construct, alter, extend, expand, subdivide, or operate a Manufactured Home Park; or
 - b) cause or allow a Manufactured Home to be parked or to remain in a Manufactured Home Park
- in contravention of this Bylaw.

1.7 Exclusions

- .1 No persons shall be compelled to upgrade existing Manufactured Home Parks to the standards of this Bylaw but any upgrading shall not lessen the compliance with this Bylaw and expansion shall meet Bylaw provisions.
- .2 Existing Manufactured Homes that do not meet Canadian Standards Association's Standard Z-240 standards/specifications shall be permitted to relocate or move into any Manufactured Home Park only if brought up to Z-240 standards with respect to electrical service and if the gas and heating systems are in accordance with Section 3.7 of this Bylaw.

1.8 Administration

- .1 The Manager of Development Services, Regional District Building Inspectors, and such other officers, employees or agents designated from time to time by the Regional Board to act in the place of the Manager and Inspectors, subject to applicable enactments, are authorized at all reasonable times to enter on any property that is subject to regulation under this Bylaw, to ascertain whether the regulations, prohibitions or requirements under this Bylaw are being observed.
- .2 A person shall not prevent or obstruct, or attempt to prevent or obstruct, a person, an officer or an employee authorised under section 1.8.1 from entering property to ascertain whether regulations, prohibitions or requirements of this Bylaw are being met or observed.
- .3 Each person who violates any of the provisions of this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$10,000.00 and the costs of prosecution.
- .4 Each day's continuance of an offence under this bylaw constitutes a new and distinct offence.
- .5 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 must be severed and the decision that it is invalid will not affect the validity of the remaining portions of this Bylaw.

2.0 APPLICATION AND PERMIT

This information is meant as a general guide only and is not regarded as the right to development approval if the steps indicated are followed.

2.1 Application Requirements

.1 Authorisation

- (a) An application for a Manufactured Home Park Permit shall be made to the Chief Administrative Officer in writing and on the appropriate form, and shall be:
 - i) made by the owner(s) of the subject property or by a person authorized by all property owner(s);
 - ii) if a numbered company holds the property, a corporate search shall accompany the application illustrating the company directors. The signatory on the application form shall be a company director;
 - iii) made on the appropriate form designated by the CAO; and
 - iv) accompanied by the appropriate application fee outlined in the Fees and Charges Bylaw.

.2 Proposal Summary

- (a) An outline of the development proposed, including demonstration of substantial compliance with the current zoning bylaw.

.3 State of Title Certificate

- (a) a copy of the Land Title Office search print, issued not more than thirty (30) days prior to the application date for any parcel of land subject to the application; and
- (b) a copy of all non-financial charges (i.e. covenants, easements and rights-of-way, etc.) registered on the subject property(s).

.4 Site Plan

- (a) a site plan of the proposed development drawn to scale and showing dimensions, and include the following (as applicable):
 - i) north arrow and scale;
 - ii) dimensions and boundaries of property lines, rights-of-way, covenant areas and other easements;
 - iii) location and dimensions of existing and proposed structures and setbacks (including projections and overhangs) to parcel lines, rights-of-way, and easements;
 - iv) location of existing and proposed access roads, driveways, vehicle parking spaces, pathways, screening and fencing;

- v) natural and finished grades of site, at buildings & retaining walls (indicate source of grade data);
 - vi) location of any physical or topographical constraints (e.g., watercourses, shorelines, ravines, wetlands, steep slopes, bedrock outcrops, etc.);
 - vii) location of all existing and proposed water lines, wells, septic fields, and sanitary sewer and storm drain facilities, including sizes; and
 - viii) proposed covenant areas (if any).
- .5 Development Plans (drawn to scale, in metric)
- (a) detailed drawings of the proposed development, including building sections, elevations, finishes, floor plans, landscaping, access roads, driveways, vehicle parking spaces, pathways, and screening and fencing proposed for the site;
 - (b) a project summary sheet outlining density and number of dwelling units, site coverage, heights, setbacks, and other relevant data; and
 - (c) location and width of existing or proposed access(es) to the property, driveways, manoeuvring aisles and parking layout.
- .6 Site Surveys
- (a) if a proposed development involves a variance to the siting or building envelope of an existing structure a current sketch plan, certified by a BC Land Surveyor, in metric, shall be required.

2.2 Processing Procedure

A Manufactured Home Park Permit application submitted in accordance with this bylaw will be processed as follows:

- .1 Upon receipt of an application accompanied by the required fees and attachments, Development Services staff will open a file and issue a fee receipt to the applicant.
- .2 Development Services staff will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant.
- .3 Development Services staff will evaluate the proposal for compliance with relevant Regional District bylaws and policies. Staff may conduct a site visit to view the property as part of the evaluation process.
- .4 Development Services staff will refer the application to all applicable Regional District departments, government ministries and agencies for comment. Development Services staff will also notify the relevant Area Director(s).
- .5 The referral agencies' comments will then be incorporated into a staff report to the CAO.
- .6 The staff report and draft Manufactured Home Park Permit will be provided to the CAO for review.

- .7 Where all relevant conditions have been satisfied (e.g. a letter of credit has been submitted for security), the CAO will issue the Manufactured Home Park Permit. ⁱⁱⁱ
- .8 Development Services staff shall administer any further conditions of the Manufactured Home Park Permit as specified within each individual permit as required. Development Services staff may conduct inspections, on an as-required basis, to ensure that the terms of the Manufactured Home Park Permit are being satisfied

2.3 Form of Permits

- .1 The Chief Administrative Officer may designate the form of permits.

2.4 Form of Application Forms

- .1 The Chief Administrative Officer may designate the form of application forms and in so doing may prescribe different forms for different categories of applications based on the nature or complexity of the application.

2.5 Change of Ownership

- .1 If there is a change of ownership of a parcel of land that is the subject of an Amendment Application or a Permit Application, the Regional District will require an updated title certificate and written authorisation from the new owner prior to proceeding further with the application.

2.6 Lapse of Application

- .1 If Development Services staff determines that an application is incomplete, the applicant will be requested to provide the required information. If an applicant does not provide the required information within three (3) months of the request, the application and fee will be returned.
- .2 In the event that an application made pursuant to this bylaw is one (1) year old or older and has been inactive for a period of six (6) months the application will be deemed to be abandoned and will be closed.
- .3 Upon written request by the applicant prior to the lapse of the application, the Board may extend the deadline for a period of six (6) months by passing a resolution to that affect.
- .4 If applicable, a refund will be paid to the applicant in accordance with Section 3.0 of this bylaw for proposals that have been deemed to have lapsed.

ⁱⁱⁱ Amendment Bylaw No. 2597.01, 2014 - adopted October 2, 2014.

- .5 In order for an application that has lapsed under sub-sections 2.6.1 or 2.6.2 to proceed, a new application (including fee), will be required.

2.7 Renewal

- .1 A Manufactured Home Park Permit which has expired before construction begins may be renewed for a period of 6 months from the date of expiry provided a request for renewal is made in writing within 30 days of the expiry date, and a renewal fee is paid in accordance with the Regional District's Fees and Charges Bylaw. A permit may only be renewed one time.

2.8 Notice of Decision

- .1 Written notice of a decision shall be mailed or otherwise delivered to an applicant at the address provided on the application form within thirty (30) days immediately following the date of the decision.

2.9 Performance Security

- .1 Security required by permits shall be in the form of cash or an irrevocable letter of credit, effective for the term of the permit. Such irrevocable letter of credit shall be clean and unconditional, automatically renewing and redeemable at a local bank.
- .2 The amount of security may be calculated using:
 - (a) such methodologies as the CAO may prescribe from time to time; or
 - (b) an estimate or quote provided at an applicant's expense by a professional qualified to undertake or supervise the works for which the securities are required.
- .3 Where security is a condition of a permit,
 - (a) in the case of a condition in a permit respecting landscaping, the amount shall be 115% of the cost of the landscaping works, payable before the permit will be issued;
 - (b) in the case of an unsafe condition that might result from a contravention of a permit condition, the amount of security shall reflect the nature of the permit condition, the nature of the unsafe condition, and the cost to the Regional District of entering on the land, undertaking work to correct the unsafe condition, including the cost of repairing any damage to land and improvements that may have been caused by the unsafe condition or that may have occurred in connection with the repair work; and
 - (c) in the case of damage to the natural environment that might result from a contravention of a permit condition, the amount shall reflect the nature of the permit condition, the nature of the damage, and the cost to the Regional

District of entering on the land, correcting the damage to the environment, and restoring or enhancing the natural environment to compensate for the damage that has been caused by the contravention of the permit condition.

- .4 In accordance with Section 502 of the *Local Government Act*, the amount of security required under Sections 3.7.3(b) or (c) shall be determined by the CAO using the following guidelines:^{iv}
- (a) the amount of security may be calculated using such methodologies as the CAO may prescribe from time to time; or
 - (b) an estimate or quote provided at the applicant's expense by a professional qualified to undertake or supervise the works for which the securities are required. An estimate or quote under subsection (b) may be obtained by the applicant and submitted with the application.

^{iv} Amendment Bylaw No. 2597.02, 2018 – adopted October 18, 2018.

3.0 APPLICATION FEES

3.1 Application Fees

- .1 At the time of application, the applicant shall pay to the Regional District an application fee in the amount as set out in the Fees and Charges Bylaw.
- .2 The fees prescribed in the Fees and Charges Bylaw apply to each parcel of land for which the application is made, as follows:
 - (a) if an application involves two or more contiguous parcels of land, they shall be treated as one proposal;
 - (b) if an application involves two or more parcels of land that are not contiguous, they will be treated as separate applications and the fee prescribed in the Fees and Charges Bylaw applies to each parcel of land for which the application is made.

3.2 Refund of Application Fees

- .1 If an application is incomplete or withdrawn prior to formal assessment by staff, 80% of the application fee shall be refunded.

4.0 REGULATIONS & STANDARDS

4.1 Manufactured Home Space

- .1 Each manufactured home space shall be clearly marked off by permanent, flush stakes, markers or other suitable means.
- .2 All manufactured home spaces shall:
 - a) be drained to a storm sewer or other system constructed in accordance with accepted engineering practice and meet any applicable building code requirements;
 - b) be clearly numbered;
 - c) have a clearly discernible manufactured home pad constructed in accordance with the BC Building Code.

4.2 Manufactured Home

- .1 All manufactured homes shall meet or exceed the Canadian Standards Association Standard Z240, Z241 or A277, as the case may be.
- .2 All connections to services shall be in accordance with the BC Building Code and the BC Plumbing Code.
- .3 In manufactured homes located in a manufactured home park:
 - a) the installation and maintenance of all oil burners and oil-burning equipment and appliances using inflammable liquids as fuel;
 - b) the storage and disposal of inflammable liquids and oils; and
 - c) the installation, maintenance, carriage, and use of compressed gas systems;shall be in accordance with the regulations of the *Fire Services Act* or the *Gas Act*, as the case may be.
- .4 No manufactured home shall be located elsewhere in a manufactured home park than in a manufactured home area on a manufactured home space that has been approved by the Building Inspector.
- .5 Notwithstanding subsection 4, no more than one unoccupied manufactured home for every 10 manufactured home spaces in a park may be located in a designated storage area.

4.3 Skirtings

- .1 Skirtings shall be installed within 60 days of installation of a manufactured home on a manufactured home space, and shall have two easily removable access panels of a minimum width of 1.2 metres. One panel shall provide direct access to the area

enclosed by the skirting for inspection or servicing the service connections to the manufactured home, and the other providing access to the area enclosed by the skirting for storage.

- .2 Spaces shall be ventilated, as required pursuant to the BC Building Code.

4.4 Recreation Areas

- .1 Not less than 5% of the gross site area of the manufactured home park shall be devoted to tenants' recreational uses, and shall be provided in a convenient and accessible location. For the purpose of calculating recreational space requirements, any indoor recreational space provided shall be counted as double its actual area.
- .2 The recreation areas shall not include yard areas, parking areas, ancillary buildings, mobile home spaces, driveways and storage areas.
- .3 In manufactured home parks where more than 1,000 metres² of recreation space is required, two or more recreational areas may be provided.
- .4 Recreation areas in the manufactured home park, except indoor recreation facilities, shall be of a grass, concrete or asphaltic surface and shall be properly landscaped.
- .5 Swimming pools, if provided, shall be in accordance with the *BC Building Code* and "Pool Regulation" under the *Public Health Act* and shall be separated from the remainder of the manufactured home park by a fence not less than 1.5 metres in height and shall comply with all zone setbacks.

4.5 Buffer Strip

- .1 Every manufactured home park shall have immediately within all its boundaries, a buffer of a minimum of 4.5 metres in width within which the following are not permitted:
 - a) required recreation or amenity areas;
 - b) buildings or structures, except permitted signs and fences;
 - c) garbage disposal areas;
 - d) private sewage disposal system, other than the underground part of the system;
 - e) vehicle parking area(s).
- .2 Except where a hazard has been identified by a suitably qualified individual (e.g. arborist), 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.

- .3 The only roads permitted in a buffer area are those which cross it as close to right angles as practical and connect directly with the road system contained within the remainder of the manufactured home park. No road shall traverse a buffer area and give direct access from a public highway to a manufactured home park.

4.6 Access

- .1 A second access from a public highway separated by at least 60.0 metres from the first access, shall be provided to each manufactured home park containing 50 or more manufactured home spaces, up to a maximum of 3 accesses.

4.7 Roadways and Walkways

1. All manufactured home spaces, owner's residential plot, storage areas, and service buildings as well as other facilities where access is required shall have access by internal street systems.
2. Minimum roadway width requirements shall be as follows:
 - a) Roads shall have a minimum paved width of 7.0 metres and a right-of-way of 15.0 metres;
 - b) One-way roads shall not exceed 150.0 metres in length;
 - c) Dead-end cul-de-sacs shall not exceed 150.0 metres in length; and
 - d) Dead-end roads and cul-de-sacs shall have a turning circle right-of-way at the dead-end with a radius of at least 15.0 metres.
3. Roads shall be adapted to the topography, and shall have suitable gradient for safety of traffic that shall not exceed a grade of 12%.
4. Minimum speed for road design shall be 30 km/h.
5. Pedestrian walkways shall provide safe, convenient, all season pedestrian access. They shall be of adequate width for intended use and shall be durable and convenient to maintain.
6. Pedestrian walkways shall be located in areas where pedestrian traffic is concentrated; e.g., the park entrance, park office, and other important facilities. Pedestrian walkways should preferably be through interior areas removed from the vicinity of streets.
7. Alignment and gradient of walkways shall be appropriate for safety, convenience, and appearance, and shall be suitable for use both by pedestrians and for the circulation of small wheeled vehicles such as baby carriages, service carts and wheelchairs.
8. Width of pedestrian walkways shall generally be at least 2.0 metres.

9. Individual walkways shall provide access to each manufactured home space from a street or parking space connected to the street.

4.8 Drainage

- .1 All manufactured home parks shall be provided with a storm water drainage system installed according to a design by an appropriately registered professional to contain runoff on site, or discharge it to a storm runoff system in accordance with relevant provincial guidelines.

4.9 Water Supply

- .1 The owner of the manufactured home park shall supply the Regional District with proof of adequate water quantity and quality, as specified by Regional District water standards and by the Ministry of Health requirements.
- .2 The community water distribution system design must be prepared under the direction of a design professional who has the appropriate experience and is registered with the Association of Professional Engineers and Geoscientists of British Columbia.
- .3 Waterworks systems shall be designed, fabricated and installed in accordance with good engineering practice and to the water standards as set by the Regional District.
- .4 Potable water shall be distributed to:
 - a) each manufactured home space; and
 - b) standpipes or hydrants, if required.
- .5 The design and installation of the waterworks system shall be approved by the Regional District.

4.10 Sewage Treatment and Disposal Systems

- .1 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.
- .2 The community sewer collection system design must be prepared under the direction of a design professional who has the appropriate experience and is registered with the Association of Professional Engineers and Geoscientists of British Columbia.
- .3 This community sewage system shall be designed, fabricated and installed in accordance with good engineering practice and to the sewer standards as set by the

Regional District. The design and installation of a private sewage system shall be subject to the approval of the Regional District and the applicable provincial agency.

- .4 In each manufactured home space a lateral sewer terminus shall be gas-tight, protected from mechanical damage and protected from storm water infiltration.
- .5 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.

4.11 Garbage Disposal

- .1 The owner of a manufactured home park shall dispose or arrange for disposal of garbage or refuse.
- .2 If the owner of a manufactured home park establishes one or more garbage disposal areas within the park for the collection of garbage and refuse, he shall:
 - a) provide fly-tight metal containers in ample number;
 - b) maintain the containers so that they shall not become foul-smelling, unsightly, or a breeding place for flies;
 - c) screen the depot with shrubs, trees or fencing from adjacent manufactured home spaces.
- .3 If garbage is to be disposed of on the site, the methods and locations shall be in accordance with the *Pollution Control Act*.

4.12 Fire Hydrants

- .1 Fire hydrants meeting the requirements of the Regional District shall be installed and connected to the internal water supply of a manufactured home park such that no manufactured home space is beyond 120.0 metres from a fire hydrant, as measured along the internal and/or external roadway system.

4.13 Street Lighting


- .1 Street lighting shall be installed and maintained to adequately illuminate the traveled portion of the roadway at the following locations:
 - a) the intersection of access roads and public highways;
 - b) all internal intersections;
 - c) the turning circle of cul-de-sacs;
 - d) any point at which an internal roadway changes direction 30° or more; and
 - e) pedestrian walkway entrances.

READ A FIRST TIME on the 20th day of December, 2012.

READ A SECOND TIME on the 20th day of December, 2012.

READ A THIRD TIME on the 20th day of December, 2012.

ADOPTED this 7th day of March, 2013.

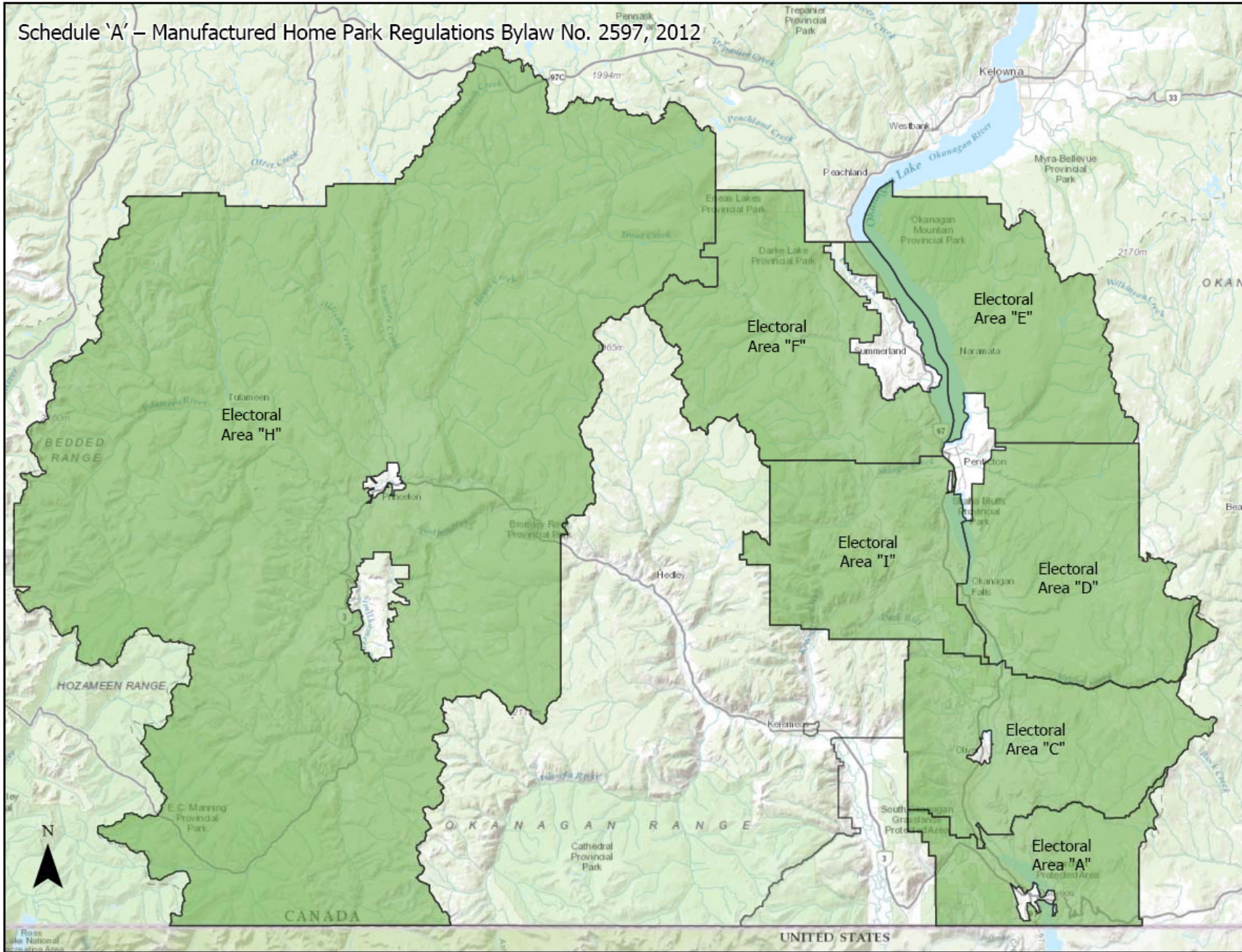


Board Chair



Chief Administrative Officer

Schedule 'A' – Manufactured Home Park Regulations Bylaw No. 2597, 2012



SUMMARY OF AMENDMENTS

Bylaw No.	Adopted	Amendment	Purpose
2597.01, 2014	2014-10-02	Section 2.2.7, 2.2.8 & 2.2.9	Updating processing procedures
2597.02, 2018	2018-10-18	Title, Section 1.2, Section 1.4, Section 2.9.4 & adding Schedule 'A'	Reflect creation of Electoral Area "1" and 2016 revisions to <i>Local Government Act</i> section numbers.