

City of Fort St. John
Factory-Built House Park BYLAW No. 2412, 2019

A Bylaw to regulate factory-built house parks pursuant to Section 63 of the Community Charter.

WHEREAS Section 63 of the Community Charter, provides that Council may, for the protection of persons and property, regulate factory-built house parks within the City of Fort St. John,

PART ONE – INTERPRETATION & ADMINISTRATION

NOW THEREFORE Council of the City of Fort St. John, in open meeting assembled hereby enacts as follows:

1. CITATION

This bylaw may be cited as “City of Fort St. John Factory-Built House Park Bylaw No. 2412, 2019”.

2. REPEAL

Manufactured Home Development Bylaw No. 1568, 2001 is repealed.

3. INTERPRETATION

3.1 A reference in this bylaw to an enactment is a reference to an enactment of the Council of the City, or of British Columbia and regulations thereto, as amended, revised, consolidated, or replaced from time to time.

3.2 A reference in this bylaw to a bylaw, policy or form of the City is a reference to the bylaw, policy or form as amended, revised, consolidated or replaced from time to time.

4. DEFINITIONS

4.1 In this bylaw:

“Accessory Building” – means a building separate from and subordinate to the principal building that is located on the same lot as the principal building.

“Administration Office” – means a business facility within the factory-built house park for its management and operation.

“Amenity Space” – means outdoor or indoor space provided in a factory-built house park and specifically designed for the tenants’ use of cultural, social and recreational activities and, except as specifically permitted in the zone, not used for commercial purposes. Such spaces may include, but are not limited to, communal meeting spaces, plazas, sports and fitness facilities, cultural facilities, gardens, tennis courts, swimming pools, garden plots, grassed open space and children’s play structures. Amenity spaces do not include hallways or indoor or outdoor alcoves or other similar spaces.

“Director” – means the Director of Planning and Engineering for the City, their deputy or a person designated to act in their place under section 4 of the Schedule to the *Community Charter*.

“Factory-Built House” – means a house that is compliant with the CSA-A277 and/or CSA-Z240 standards.

“Factory-Built House Park” means a parcel of land used for the siting of factory-built houses, accessory buildings and related amenities.

“High Quality Materials” – means exterior materials such hardy-plank, vinyl siding, stone, or other durable materials.

“Lot” – means an area within a factory-built house park designated by the Owner of the park as a factory-built house lot that complies with all siting and size requirements of this bylaw and the City’s Zoning Bylaw.

“Owner” – means the owner of a parcel of land on which a factory-built house park is developed.

“Parcel” – means any lot, block of land, or other area that is registered in the records of the Land Title Office, and encompasses all lots within a factory-built house park.

“Qualified Professional” – means a professional architect, biologist, engineer, geoscientist, planner or other professional licensed to practice in British Columbia, with experience relevant to the applicable matter, as determined by the Director.

4.2 Words and phrases in this bylaw that are defined in the City’s Zoning Bylaw but not defined in this bylaw have the meaning set out in the Zoning Bylaw.

5. ADMINISTRATION

- 5.1 The Director, Building Inspector, or other officers or employees of the City who are designated by Council, are authorized to enter, at all reasonable times, any day of the week, on any real property that is subject to regulation under this bylaw to ascertain whether the provisions of this bylaw are being adhered to.
- 5.2 The provisions of this bylaw do not apply to a factory-built house park or any part of a factory-built house park existing prior to the enactment of this bylaw, but do apply at all times to a factory-built house prior to the location of it on a lot.
- 5.3 No person shall be compelled to upgrade existing factory-built house parks to the standards of this bylaw; but any park upgrading undertaken by an owner shall comply with this bylaw and any expansion shall comply with this bylaw.

6. SEVERANCE

If any section, subsection, sentence, clause, definition 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.

7. GENERAL PROVISIONS

- 7.1 No person shall locate, establish, construct or alter a factory-built house park without written approval from the City of plans and specifications in compliance with this bylaw.
- 7.2 All contiguous parcels or portions of parcels of land proposed for the development of a factory-built house park shall be consolidated into one registered parcel of land prior to the issuance of any permits or approvals.
- 7.3 Every owner of a factory-built house park or their agent shall obtain a building permit from the City to locate, alter or relocate a factory-built house within a factory-built house park.
- 7.4 No factory-built house shall be located anywhere in a factory-built house park other than on a lot that complies with this bylaw and the Zoning Bylaw.
- 7.5 Each factory-built house lot shall be clearly and permanently marked by a Qualified Professional.
- 7.6 No more than one factory-built house shall be permitted on a lot that complies with this bylaw and the Zoning Bylaw.
- 7.7 All connections to services shall be in accordance with the requirements of the B.C. Building Code and Subdivision and Development Servicing Bylaw.
- 7.8 All buildings, structures or additions shall be in accordance with the requirements of the B.C. Building Code and all applicable City Bylaws.
- 7.9 Tenants shall obtain a written letter of permission from the factory-built house park owner or their agent and obtain a building permit from the City prior to the commencement of any alterations or additions to a factory-built house or construction of a separate building or structure within a factory-built house park.
- 7.10 The occupancy of any factory-built house or approved addition shall not take place until an occupancy permit has been issued by the City for the house..
- 7.11 Display homes for sale within the factory-built house park shall be permitted **only if** installed on lots in accordance with this bylaw.

- 7.12 A copy of the approved factory-built house park plan and this bylaw shall be posted prominently and permanently in an accessible location within a factory-built house park.

8. DEVELOPMENT STANDARDS

8.1 Minimum Parcel Size

Minimum parcel size for a factory-built house park shall be in accordance with the City's Zoning Bylaw.

8.2 Maximum Parcel Coverage

Maximum parcel coverage for a factory-built house park shall not exceed fifty percent (50%) of the gross parcel area.

8.3 Maximum Building Height

1. No factory-built house, accessory building, or addition shall exceed 10.5 metres in height.
2. Accessory buildings and additions shall not exceed the height of the principal structure.

8.4 Parcel Line Setbacks

1. No factory-built house lot shall be located:
 - a. Within 1.5 metres of a front parcel line;
 - b. Within 1.5 metres of an interior side parcel line;
 - c. Within 1.5 metres of an exterior side parcel line; and
 - d. Within 1.5 metres of a rear parcel line.

8.5 Minimum Lot Sizes

1. The minimum lot width is 11.0 metres;
2. The minimum lot depth is 28.0 metres; and
3. The minimum lot area is 308 square metres.

8.6 House Siting

1. No factory-built house or any addition shall be located within 6 metres of another factory-built house.

8.7 Lot Line Setbacks

1. No factory-built house shall be located:
 - a. Within 6.5 metres of a front lot line;
 - b. Within 1.5 metres of a side lot line; and
 - c. Within 6.5 metres of a rear lot line.
2. No addition, garage or carport shall be located:
 - a. Within 3.0 metres of a front lot line;
 - b. Within 1.5 metres of a side lot line; and
 - c. Within 3.0 metres of a rear lot line.

8.8 Maximum Lot Coverage

1. Maximum lot coverage, including all additions or accessory structures shall not exceed fifty-five percent (55%) of the factory-built house lot.

8.9 Accessory Buildings

1. All accessory buildings shall be developed in accordance with the B.C. Building Code and applicable City Bylaws.
2. No accessory buildings shall be located within the area of a lot that is in front of a factory-built house.
3. No accessory buildings shall be located within 3.0 metres of a factory-built house.
4. The maximum floor area of all accessory buildings on a factory built home lot shall not exceed 50 square metres.
5. All accessory buildings shall be factory prefabricated units certified by CSA or constructed to the same standard, and shall be finished so that the design and construction shall complement the factory-built house.

8.10 Additions

1. The following are permitted additions to factory-built houses:
 - a. Garages or carports;
 - b. Sun and rain shelters;
 - c. Rooms;
 - d. Patios and decks.
2. All additions shall require a building permit and shall comply with all requirements of the B.C. Building Code and applicable City Bylaws.
3. No addition shall exceed the height of the principal building.
4. No addition shall be located within 6.0 metres of another factory-built house.
 - a. Exception: Patios and decks shall not be located within 3.0 metres of another factory-built house.
5. All additions shall be factory prefabricated units certified by CSA or of an equivalent standard, and shall be finished so that the design and construction shall complement the factory-built house.

8.11 Parking

Parking shall be provided in accordance with the City's Zoning Bylaw.

8.12 Landscaping & Buffering

1. Landscaping requirements shall be in accordance with the City's Zoning Bylaw and the Subdivision and Development Servicing Bylaw.
2. The entire perimeter of any factory-built house park parcel shall be buffered from neighbouring properties in the following manner, in addition to all requirements within the City's Zoning Bylaw:
 - a. Solid wood fencing; and
 - b. Massed planting.
3. Fencing of individual lots shall be in accordance with the City's Zoning Bylaw.

8.13 Amenity Space

1. Amenity space shall be provided in accordance with the City's Zoning Bylaw.

8.14 Pathways & Sidewalks

1. A sidewalk shall be provided on at least one side of the access driveway into a factory-built house park, and shall be constructed to the standards and requirements set out in the City's Subdivision and Development Servicing Bylaw.
2. Where applicable, pathways shall be required to be constructed on a factory-built house park to maintain connectivity to existing trail networks or public areas as identified within the City's Parks and Recreation Master Plan or other applicable Bylaws.

8.15 Storage Compounds

1. One storage compound may be provided within the factory-built house park for the storage of boats, travel trailers, recreational vehicles or other large items or equipment owned by the owner or residents of the park which are not appropriate to store on a factory-built house lot.
2. When provided, the storage compound shall be a minimum of 25 square metres per factory-built house lot in the park.
3. Any storage compound shall be located at the rear of the parcel and shall be screened from view in the way of solid wood fencing and a landscaped buffer around the entire perimeter of the compound on the outside of the fence visible from within the park.
4. A storage compound shall be securely fenced, gated and lighted, in such a manner that the lighting does not impact any lots within the factory-built house park or neighbouring parcels of land.
5. Only communal buildings owned by the owner of the park shall be constructed in the storage compound for the use of the residents. Such buildings shall meet the standards for accessory buildings as outlined within the Zoning Bylaw, in addition to all applicable BC Building Code regulations, and shall not exceed 10.5 metres in height.
6. No outdoor portion of a factory-built house park shall be used for or permitted to be used for the wrecking or storage of derelict vehicles or equipment, lumber, inflammable debris, refuse, or other unused items as identified within the City's Property Standards Bylaw.

8.16 Signs

1. Signs shall be permitted on the subject parcel in accordance with the Sign Bylaw.
2. In addition to signage permitted by the Sign Bylaw, there must be one lighted sign located near the entrance of the factory-built house park which shows:
 - a. The road layout;
 - b. Numbered location of all factory-built house lots; and
 - c. Location of all recreational and other facilities or services within the factory-built house park;

to assist rapid response of emergency vehicles or personnel and to guide visitors.

9. DEVELOPMENT SERVICING AND SAFETY STANDARDS

9.1 Standards for Factory-Built Houses, Foundations and Home Installations

1. All Factory-Built Houses shall be certified by the Canadian Standards Association and contain the appropriate label.
2. Installation of factory-built houses and foundation requirements shall meet all BC Building Code and applicable City Bylaw requirements.

9.2 Skirting and Ventilation of Crawl Space

1. At least one access panel of not less than 500 x700 mm shall be provided in the skirting for periodic inspections and maintenance of services. The panel shall be located close to the sewer and water connections.
2. Skirting shall be factory prefabricated or of equivalent quality and shall be prefinished or painted so that the design and construction shall complement the factory-built house.
3. When skirting is used, year round ventilation of the crawl space shall be provided according to the BC Building Code and CSA Standards.

9.3 Driveways

1. All driveways must be constructed to the Subdivision and Development Servicing Bylaw standards.

9.4 Water and Sewer

1. All factory-built house parks must be connected to City water and sewer in compliance with the Subdivision and Development Servicing Bylaw and all other City bylaws and regulations.
2. A utility shed is required to be installed near the front entrance along the property line to provide access to the sewer and water main connections. This utility shed shall be constructed of high quality materials

9.5 Drainage

1. The drainage system for factory-built house parks must be designed and constructed to Subdivision and Development Servicing Bylaw Standards.

9.6 Solid Waste Disposal

1. The owner of a factory built house park must comply with the City's Solid Waste Management Bylaw.

10. APPLICATION, APPROVALS AND PERMITS

10.1 Applications for Approval

1. All applications for approval to establish or expand a factory-built house park shall be made in writing to the Director using the "Application for Factory-Built House Park" form and "Factory-Built House Park Application Checklist", Schedule 'A' and Schedule 'B' hereto attached.
2. The Director is authorized to issue Factory-Built House Park Permits.

10.2 Fees

Each application submitted for a permit to establish or expand a factory-built house park shall be accompanied by an application fee of One Thousand Five Hundred (\$1500.00) plus Fifty dollars (\$50.00) for each factory-built house lot shown on the plan.

10.3 Securities

Pursuant to the City's Development Approval Procedures Bylaw, Subdivision and Development Servicing Bylaw or any other relevant bylaw or policy, securities may be required prior to issuance of a permit.

PART 2 – VIOLATIONS

11. OFFENCES

- 11.1 Every person who:
1. violates a provision of this bylaw;
 2. permits, suffers or allows any act to be done in violation of any provision of this bylaw; and
 3. neglects to do anything required to be done under any provision of this bylaw, commits an offence and on summary conviction by a court of competent jurisdiction, the person is subject to a fine of not more than \$10,000.00, or a term of imprisonment not exceeding three months, or both, in addition to the costs of prosecution. Each day during which a violation, contravention or breach of this bylaw continues is deemed to be a separate offence.
- 11.2 Every person who fails to comply with any order or notice issued by the Director, or who allows a violation of this bylaw to continue, contravenes this bylaw.
- 11.3 Every person who commences work requiring a building permit or an approval under this bylaw without first obtaining such a permit or approval must, if a Stop Work notice is issued and remains outstanding for 30 days, pay an additional fee as outlined in Schedule C of this bylaw.

12. DEEMED OFFENCE

- 12.1 An owner is deemed to have knowledge of and be liable under this bylaw in respect of any Factory-Built House the owner owns or permits to be located on a parcel owned by the owner.
- 12.2 No person is deemed liable under section 12.1 who establishes, on a balance of probabilities, that the contravention of this bylaw occurred before they became the owner of the parcel.
- 12.3 Nothing in section 12.2 affects:
1. the City's right to require and the owner's obligation to obtain a permit or approval under this bylaw; and
 2. the obligation of the owner to comply with this bylaw.

13. TICKETS

- 13.1 The offences in Schedule C are designated for enforcement under s. 264 of the *Community Charter*.
- 13.2 The following persons are designated as bylaw enforcement officers under section 264(1) (b) of the *Community Charter* for enforcing the offences in Schedule C: the Director, building officials, fire inspectors and persons designated by Council as bylaw enforcement officers.
- 13.3 The words or expressions set forth in Column 1 of Schedule C are authorized pursuant to s. 264(1)(c) of the *Community Charter* to designate the offence committed under the bylaw section number appearing in Column 2 opposite the respective words or expressions.
- 13.4 The amounts appearing in Column 3 of Schedule C are the fines established pursuant to s. 265(1)(a) of the *Community Charter* for the corresponding offence designated in Column 1.

READ FOR THE FIRST THREE TIMES THIS 23rd DAY OF APRIL, 2019

MINISTER OF TRANSPORTATION AND HIGHWAYS APPROVAL RECEIVED THIS 25th DAY OF JANUARY, 2019

ADOPTED THIS 13th DAY OF MAY, 2019



LORI ACKERMAN
MAYOR



JANET PRESTLEY, DIRECTOR OF
LEGISLATIVE AND ADMINISTRATIVE
SERVICES

BYLAW 2412, 2019 - SCHEDULE A - APPLICATION FOR A FACTORY-BUILT HOUSE PARK

- New Factory-Built House Park Application Fee = \$1500.00 plus \$50.00 for each Factory-Built House Lot**
- Amendment to an Existing Factory-Built House Park = \$1000.00 plus \$50.00 for each Factory-Built House Lot being amended**

(Please select which type of application you are applying for above) - **Advertising & Security Deposit fees are extra**

- PRE-APPLICATION MEETING IS REQUIRED.** Date Completed: _____
- FACTORY-BUILT HOUSE PARK PERMIT CHECKLIST** submitted with this application.

PLEASE PRINT

Registered Owner(s): _____ Business Name: _____

Mailing Address: _____

Daytime Phone: _____ Cell: _____

Fax: _____ Email: _____

APPLICANT IF DIFFERENT THAN OWNER:

Applicant Name: _____ Business Name: _____

Mailing Address: _____

Daytime Phone: _____ Cell: _____

Fax: _____ Email: _____

DEVELOPMENT INFORMATION: *Attach a separate page if more space is needed to provide information below.

Civic Address: _____ Parcel Identifier (PID): _____

Lot/Unit _____ Section _____ Block _____ Township _____ Range _____ W6M Plan _____

Existing Use of Land: _____

Number of proposed lots: _____

Other proposed amenities: _____

Has Development Started? YES NO

Lot Size (m²): _____ Size of Proposed Development (m²): _____

Zoning: _____

Only complete applications will be accepted for processing, as verified by Planning & Engineering Staff.

Submission of a duly signed Factory-Built House Park Permit Application authorizes the City of Fort St. John staff to enter the property to carry out required inspections during the construction of this development.

No Development shall commence, and no Building Permit shall be issued, without a valid Factory-Built House Park Permit. Any work started without proper permits may be subject to fines as outlined in Schedule C of the Factory-Built House Park Bylaw.

Registered Owner/Agent:

I, (print Owner name) _____ hereby certify that I am the registered owner of the land described above.

And further that, I have designated (print Agent name) _____ as an agent to act on my behalf of this application with signed consent.

OWNER SIGNATURE

DATE

AGENT SIGNATURE

DATE

FOR OFFICE USE ONLY:

Pre-Development Meeting Date: _____

Date Received: _____

FBHP File #: _____

Fee: _____

Receipt # / Invoice #: _____

Checklist Complete? Y/N Staff initial & Date: _____

BYLAW NO. 2412, 2019 - SCHEDULE B - FACTORY-BUILT HOUSE PARK PERMIT

This checklist of submission requirements shall be attached to all Factory-Built House Park Permit applications. All of the following information is necessary to facilitate the review and evaluation of your application. All items submitted must be clear and legible.

The City of Fort St. John will accept complete applications only for review. Thank you for your cooperation.

All Boxes Shall be “Checked” And Items Attached to the Application

APPLICATION CHECKLIST

COPY OF CURRENT CERTIFICATE OF TITLE(S):

- No more than 30 days old at time of application.** May be obtained from BC Online or a British Columbia Land Title Office. If applicant is not the registered owner, a letter of authorization from the registered owner must accompany the Certificate of Title.
- Copies of any restrictive covenants, easements or caveats registered on title(s).

APPLICABLE FEES / DEPOSITS:

Development fees must be made payable to the City of Fort St. John. Factory-Built House Park Application Review Process will not commence until after the Factory-Built House Park fee is paid in full.

- FACTORY-BUILT HOUSE PARK FEE PAID**
 - Copy of proof of payment must be provided to Planning & Engineering staff for record.

Building Permits will not be issued prior to payment of deposits. Deposit requirements may vary. A list and calculation of required deposits will be provided to the applicant based on the Factory-Built House Park application submitted.

DEVELOPMENT SPECIFIC INFORMATION:

- Detailed Studies (upon request) – Studies showing the potential impact of the proposed development on traffic patterns, shadowing, utilities, drainage in the area etc.
- Geotechnical reports covering environmental contamination concerns and other aspects such as slope stability, soils etc.
- Submission of Detailed Description of the proposed use and/or development.
- Site Profile.
- Any other information as deemed necessary by the Planning & Engineering Department to properly evaluate the application.

THE FOLLOWING MUST BE PROVIDED: **ONE (1) HARD COPY SET OF ALL PLANS (TO SCALE) AND;**
ONE (1) SET OF DIGITAL DRAWINGS (DWF/DWG/PDF)

PLANNING REVIEW REQUIREMENTS

SITE PHOTOS:

- Colour photographs of the site in its current state.

SITE PLAN:

- Standard Information: legal description of the land, civic address, north arrow, plan scale.
- All dimensions to be in **METRIC** – meters and decimals thereof.
- Location and dimensions of property lines. Please note adjacent uses.
- Location of any encroachments on the property.
- Location of any existing and/or proposed buildings dimensioned to property lines and/or structures including all appurtenances (street lights, utility pedestal, etc.) retaining walls, fences, sidewalks, playgrounds and all other physical features.
- Existing utility right of ways and easements.
- Proposed front, rear and side yard setbacks (dimensioned to the property lines).
- Proposed parking areas (fully dimensioned in metric), location of drive-thru queuing lanes, etc.
- Existing and proposed accesses.
- Location of screened garbage collection facilities.
- Lighting plan for any storage compounds or light standards along paths/sidewalks/roadways.
- Written information provided on this plan shall include parking stall requirement calculations, information on the level of illumination, where lighting may affect adjacent residential properties.

DETAILED LANDSCAPE PLAN:

Landscape plan(s) may be required. Landscape Plan(s) must be drawn at a scale of 1:500 or larger, be submitted IN COLOUR, and must clearly identify the following:

- North Arrow.
- Property lines.
- Adjacent land uses.
- All on-site structures and buildings.
- All storage areas (for snow, garbage, recycling, goods).
- Pedestrian pathways and connections to off-site routes.
- Surface treatments of all areas, hard and soft (ire: mulch, stone, concrete, sod).
- Existing plant material drawn and labeled.
- Proposed plant material drawn to scale based on mature canopy size.
- Location of any bike racks.

- Location of any bus stops.
- Buffering and screening as applicable to the development.
- Proposed plants labeled with a key, cross referenced to a plant list.
- Plant list includes botanical and common name, size, condition and quantity columns.
- Plans match City of Fort St. John's current Subdivision and Development Servicing Bylaw.
- Detailed installation notes to the Landscape Contractor based on the instructions within the current Subdivision and Development Servicing Bylaw.
- Itemized areas of on-site pavement, landscaping – existing lighting, trees, and any other pertinent features.

ENGINEERING REVIEW REQUIREMENTS

Note: Site Plan(s) already approved by Planning must be updated, reviewed and re-approved if site layout changes due to site engineering requirements.

SERVICING PLANS (must be stamped and sealed):

- Location of all existing services on site and on adjacent lands that may be affected by the proposed development.
- Proposed location of all deep services, including water, storm and sanitary services. Include information on service sizes, pipe length, and slopes, rim and invert elevations on all manholes/catch basins/hydrants.
- Proposed location of all shallow utilities including power, telephone, cable and gas services, including proposed locations of all transformers and other appurtenances.
- Existing or proposed driveway accesses.

GRADING PLANS (must be stamped and sealed):

- Designed on-site storm water management plan and design calculations as per the current Subdivision and Development Servicing Bylaw Design Standards.
- Proposed elevations at the corners of all proposed structures.
- Proposed slopes/grades (indicated as a percent).
- Spot elevations throughout the site on both paved and soft landscape surfaces demonstrating positive and effective drainage. Show existing elevations along property lines and 1.0 m off-site along the perimeter.
- The location of manholes/catch basins onsite with rim and invert elevations.
- Location and heights of existing and proposed retaining walls.

The Zoning Bylaw, Subdivision and Development Servicing Bylaw and any other statutory documents can be located on the City of Fort St. John website: www.fortstjohn.ca.

Additional information may be required during the processing of any Factory-Built House Park Permit Application.

BYLAW NO. 2412, 2019 - SCHEDULE C – OFFENCES AND PENALTIES

Offence	Section	Penalty
Siting infringement	8.4, 8.6, 8.7	\$100.00/offence/day
Height infringement	8.3	\$100.00/offence/day
Over height fence	8.12	\$100.00/offence/day
Accessory building/addition infringement	8.9, 8.10	\$100.00/offence/day
Insufficient parking	8.11	\$100.00/offence/day
Failure to provide accessible parking as required	8.11	\$100.00/offence/day
Failure to provide landscaping	8.12	\$100.00/offence/day
Yard open space requirement	8.2, 8.8	\$100.00/offence/day
External storage of products/materials/containers	8.15	\$100.00/offence/day
Insufficient parcel/lot size	8.1, 8.5	\$100.00/offence/day
Insufficient provision of amenity space	8.13	\$100.00/offence/day
Failure to provide pathways/sidewalks	8.14	\$100.00/offence/day
Improper use of storage compounds	8.15	\$100.00/offence/day
Improper/inadequate installation of signs	8.16	\$100.00/offence/day
Improper skirting/ventilation	9.2	\$100.00/offence/day