

TOWN OF BEAUSEJOUR

BY-LAW NO. 1489 | 02

BEING a By-law of The Town of Beausejour to amend By-law No. 1070 being the Town of Beausejour Zoning By-law, as amended.

WHEREAS Section 47(2) of The Planning Act, Chapter P80, R.S.M. 1975, provides that a Zoning By-law may be amended.

NOW THEREFORE The Council of The Town of Beausejour, in meeting duly assembled, enacts as follows:

1. DEFINITIONS

"PART I" - DEFINITIONS of The Town of Beausejour Zoning By-law is hereby amended by deleting Sections 1.2.62 and 1.2.64, and adding thereto the following new definitions:

1.2.43.1 **Factory Built House(s)** means a factory-built, manufactured, dwelling(s), whether modular (built in two or more sections) or unitary construction, which complies with the National Building Code and which is built off-site by a manufacturer having **CAN/CSA-A277 "Procedure for Certification of Factory Built Houses"** accreditation.

For purposes of this by-law, a "factory built house" shall not include a "mobile home" as defined herein.

- 1.2.62 **"Mobile Home"** means a factory-built, compact and transportable detached single-family dwelling with all the following characteristics:
- (a) Designed for long-term occupancy for the domestic use of one or more individuals living as a single housekeeping unit, containing and having cooking, eating, living, sleeping, and sanitary facilities, and with plumbing and electrical connections provided for permanent attachment to outside systems;
  - (b) Designed to be moved or transported after fabrication on its own wheels, other trailers, or detachable wheels;
  - (c) Designed without provisions for its adaptation to a basement; and
  - (d) Conforms with the Canadian Standards Association (CSA) Z240 series standards for mobile homes.

1.2.64 **Mobile Home Site** means a zoning site within a residential mobile home subdivision for the placement of a mobile home or factory built house.

1.2.64.1 **"Mobile Home Space"** means a space in a residential mobile home park for the placement of a mobile home, and where permitted, the placement of a factory built house.

1.2.65.1 **"Modular Home"** means a dwelling(s), which is manufactured or fabricated off-site in two or more near-complete, standardized sections or units, and attached or joined together on a foundation at the building site.

## 2. RESIDENTIAL ZONES

"PART 4" - RESIDENTIAL ZONES of the Town of Beausejour Zoning By-law is hereby amended by adding thereto the following sections:

- 4.2.4 (e) Mobile Homes, as defined herein, are not permitted in THE "R1" Single-Family, "R2" Two-Family, and "R3" Multiple-Family Residential Zones.
- 4.2.4 (f) Matters relating to the licencing and regulation of mobile homes and mobile home parks are also contained within the Town of Beausejour Mobile Home and Mobile Home Park By-law.
- 4.2.4.1 "Factory Built Houses" as defined herein shall be deemed to be single-family or two-family dwellings (if constructed as such) for purposes of this By-law provided that said houses are:
- (a) manufactured by a **CAN/CSA-A277** accredited facility;
  - (b) placed upon a basement or enclosed perimeter wall foundation constructed in accordance with the Manitoba Building Code; and
  - (d) a minimum of 900 square feet each in floor area for each dwelling unit.

Factory built houses may be located in the Single Family, Two-Family, Multiple Family, "R-MH-P" Residential Mobile Home Park Zone and "R-MH-S" Residential Mobile Home Subdivision Zones, provided all other applicable requirements of the zoning by-law are complied with.

## **3. "RHMP" RESIDENTIAL MOBILE HOME PARK TABLE**

TABLE IV "RHMP" Residential Mobile Home Park Use and Bulk Table, is hereby amended:

- a. By adding the footnote reference letter "**c**" and the phrase "as further regulated in Table IV (a) and subsection 4.3.5.2" after Mobile home parks, in the Permitted Uses column;
- b. By adding the following footnote after footnote "**c**" at the bottom of the table.
  - <sup>c</sup> Matters relating to the licencing and regulation of mobile homes and mobile home parks are also contained within the Town of Beausejour Mobile Home and Mobile Home Park By-law.
- "Factory Built Houses" as defined herein shall be permitted to locate within a mobile home park, provided all other requirements of this by-law are complied with; and
- c. By adding the following Subsection 4.3.5.1, Table IV (a) and subsection 4.3.5.2 and 4.3.5.3 after Table IV.

#### 4.3.5.1 TABLE IV (a) SITING REQUIREMENTS WITHIN MOBILE HOME PARKS

Minimum area of mobile home space	4,000 sq. ft.
Minimum width of mobile home space	40 feet
Minimum depth of mobile home space	100 feet
Minimum side-to-side clearance between mobile homes <sup>a</sup>	10 feet
Minimum end-to-end clearance between mobile homes	15 feet
Minimum width of road right-of-way	40 feet
Minimum Front Yard (as measured from front site line)	10 feet
Minimum distance from service building to nearest mobile home	20 feet
<p>Minimum clearance between any mobile home and:</p> <p>(i) any local residential street, not within the mobile home park</p> <p>(ii) any other park property boundaries shall be</p> <p>30 feet</p> <p>10 feet.</p> <p>These setbacks shall be treated as buffer strips and suitably landscaped with plantings. No development or storage of any kind shall be permitted in the setbacks.</p>	

<sup>a</sup> Any porch, carport or addition to the mobile home shall be regarded as part of the mobile house for purposes of separation.

#### 4.3.5.2 GENERAL REQUIREMENTS FOR MOBILE HOME PARKS

An application for a residential mobile home park may be filed by the owner (or his agent) of the proposed mobile home park.

The application and plans shall be filed with the Development Officer and Licence Inspector and referred to the Council for approval. A permit for placement of a mobile home or factory built house in a mobile home park shall not be issued until council has approved the plans.

Every person wishing approval for a mobile home park shall conform to the all requirements of this by-law and the Town of Beausejour Mobile Home and Mobile Home Park By-law and shall file with the Development Officer and Licence Inspector a written application which includes:

- (a) The name and address of the applicant or the applicants;
- (b) The location, the legal description of the property and size of the proposed mobile home park;
- (c) Detailed, scaled drawings of the proposed mobile home park, drawn at a scale of 1 inch equals 100 feet (1:1200 metric) or greater, with appropriate measurements, numbers and annotations, depicting the following:
  - (i) All mobile home spaces (appropriately numbered), playgrounds, open space, service and utility areas;
  - (ii) All proposed roadways and/or driveways, including the type of road surface and the location and means of vehicular and pedestrian access;
  - (iii) The size, the shape and the number of the mobile home sites;

- (iv) The type of pad and on-site parking surface;
  - (v) The drainage facilities for surface water in the area;
  - (vi) The location of all proposed sanitary conveniences, garbage storage and service buildings;
  - (vii) The proposed design and method for on-site water distribution and sewage collection and for connection to the municipal systems;
  - (viii) The design and location of hydro, telephone and gas lines, and street lighting;
  - (ix) The fire protection for the area;
  - (x) The relationship of each mobile home site to neighbouring buildings and to the limits of the property within which the mobile home site is located; and
  - (xi) The intended use of each mobile home.
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- (a) All utilities shall be underground;
  - (d) Service buildings shall be centrally located, and not be further than three hundred (300) feet from any dependent mobile home, and shall be provided with adequate light, heat and ventilation. All service buildings shall be approved prior to construction;
  - (e) Tanks for the storage of fuel oil and propane shall be concealed from view by screening or other appropriate measures;
  - (f) Each mobile home space shall be clearly marked by corner posts or other satisfactory means and identified by a number sign;
  - (g) The management of every mobile home park shall provide for the storage of refuse, garbage and debris in a sanitary manner in a location readily accessible to all mobile homes;
  - (h) All roadways within the mobile home park shall be properly illuminated by lighting units approved by Council;
  - (i) All roadways within any mobile home park shall be ~~gravelled~~ or hard surfaced and properly maintained. Only temporary parking is allowed on roadways;
  - (j) At least one (1) parking space shall be provided on each mobile home space;
  - (k) A separate open area for children's playground(s) shall be provided within the mobile home park on a basis of a minimum area of 2,400 square feet or 200 square feet per mobile home, whichever is the greater;
  - (l) The mobile home shall be provided with durable skirting to screen the view of the foundation supports and undercarriage;
  - (m) All accessory structures such as patios, porches, additions and skirting shall meet the requirements of the Building By-law and shall be so designed and erected as to harmonize with the mobile homes; and
  - (n) The portion of the mobile home park not occupied by mobile home pads, mobile home additions, common use and storage buildings, roads, walkways, driveways, car parking areas and any other developed facilities shall be sodded or seeded with grass and landscaped with suitable trees and shrubbery.

4.3.5.3 EXISTING MOBILE HOME PARKS

- (a) Mobile home parks, which are lawfully in existence at the effective date of this amendment shall have non-conforming rights in accordance with the Planning Act.
- (b) Where a lawfully existing mobile home park is being re-developed, the requirements of this by-law do not have to be adhered to, provided that the standard is being improved and the non-conformity decreased.
- (c) Where a lawfully existing mobile home park is being re-developed within the current boundaries of said park, the requirements of this by-law do not have to be adhered to, provided that the standard is being improved and the non-conformity decreased.
- (d) Where a lawfully existing mobile home park is being extended or expanded beyond the current boundaries of said park, the requirements of this by-law shall be adhered to insofar as it affects the expanded or newly extended area.

4. ZONING MAP

Zoning Map No. One, as amended, attached to and being part of the Town of Beausejour Zoning By-law, as amended, is hereby further amended so that the area described as follows:

Part of the east half of the NE ¼ 35-12-7 E.P.M.

as more particularly described and shown outlined by a heavy broken line on Appendix "A", attached hereto, now zoned partly "R3" Multiple Family Residential Zone and Partly "P" Parks, Recreation and Institutional Zone, be hereby rezoned to "R-MH-P" Residential Mobile Home Park Zone.

DONE and PASSED in Council, assembled at Beausejour, Manitoba this 30<sup>th</sup> day of April A.D. 2002,

Eud Kazjow  
Mayor

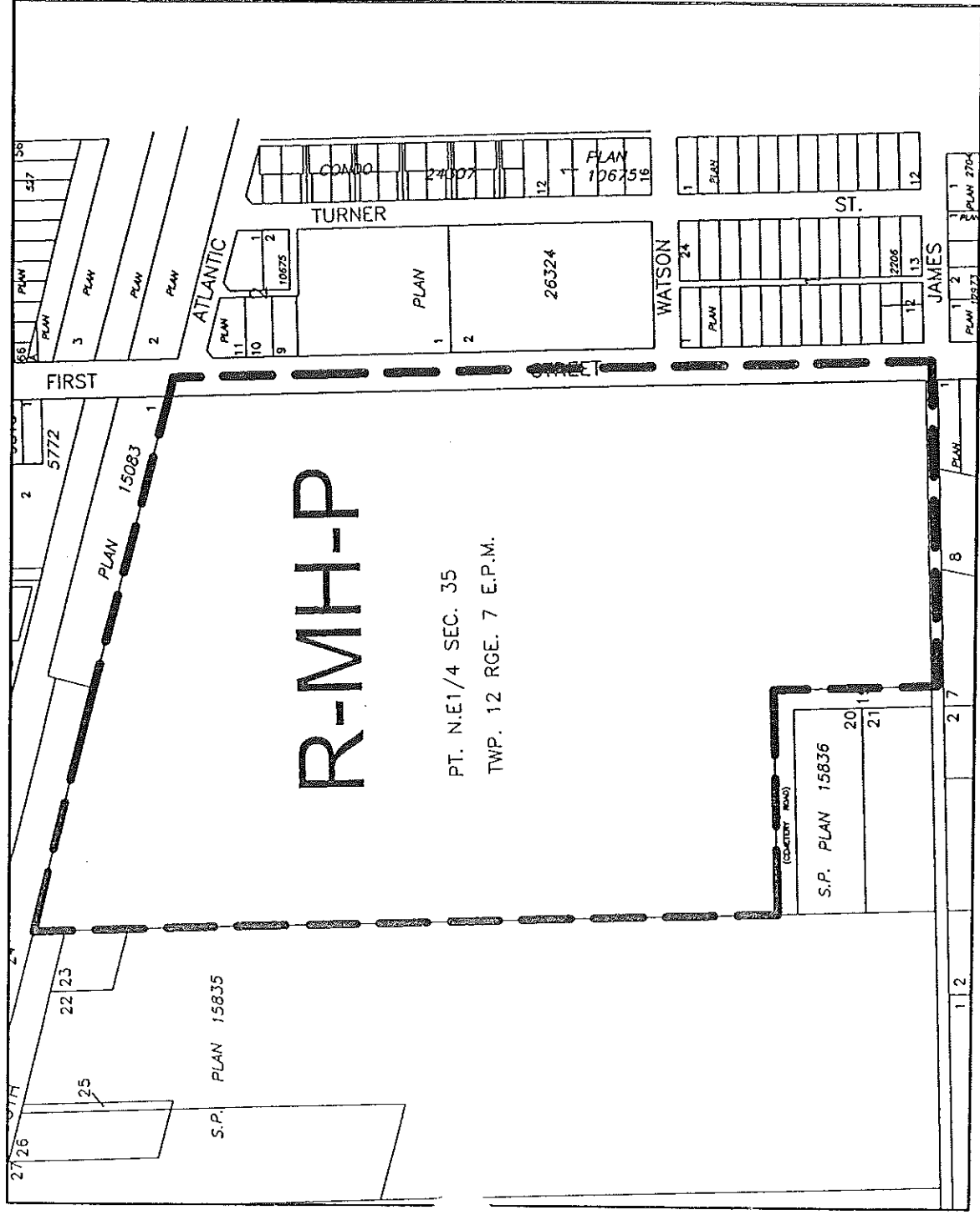
R. Quina  
Chief Administrative Officer

Read a 1st time this 26<sup>th</sup> day of March A.D. 2002.

Read a 2nd time this 30<sup>th</sup> day of April A.D. 2002.

Read a 3rd time this 30<sup>th</sup> day of April A.D. 2002.

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# R-MH-P

PT. N.E.1/4 SEC. 35  
TWP. 12 RGE. 7 E.P.M.

**APPENDIX "A"**  
 ATTACHED TO BY-LAW NO. 1489/02  
 OF THE TOWN OF BEAUSEJOUR  
 AMENDING APPENDIX A, ZONING MAP NO. ONE  
 OF BY-LAW 1070, AS AMENDED.  
 BEING THE TOWN OF BEAUSEJOUR ZONING BY-LAW

**LEGEND:**

- R-MH-P Residential Mobile Home Park Zone
- Area Affected



Scale: 1" = 400'  
 MANITOBA  
 Intergovernmental Affairs  
 Date: March 12, 2002  
 Dwg. No. 401-58-155