

PUBLIC HEARING INFORMATION PACKAGE

Zoning Amendment Bylaw No. 4016 (Temporary Mobile Home)

Public Hearing Notice and Bylaw No. 4016

1. Notice of Public Hearing for **June 18, 2025** at **7:00 p.m.**
2. 1st Notification of Public Hearing – Municipality’s Social Media - June 2, 2025
3. 2nd Notification of Public Hearing – Cowichan Valley Citizen and Chemainus Valley Courier - June 11 and 12, 2025
4. Proposed Zoning Amendment Bylaw No. 4016
5. Existing Temporary Mobile Home Bylaw No. 1685

Planning Staff Reports

1. Report to May 7, 2025 Regular Council Meeting – 1st and 2nd Readings of Bylaw No. 4016, Schedule Public Hearing

Council Recommendations

1. Council Recommendation from May 7, 2025 Regular Council Meeting – 1st and 2nd Readings of Bylaw No. 4016, Schedule Public Hearing

Public Comments

No Written Submissions Received to-date.



NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held at **7:00 p.m.** on **Wednesday, June 18, 2025** to allow Council to receive public input on **“Zoning Amendment Bylaw No. 4016, 2025”**. As authorized by the *Local Government Act*, this hearing will be conducted by electronic means and members of the public will be provided an opportunity to be heard verbally or by submitting their comments in writing in advance of the hearing. This hearing will be a Hybrid Meeting and will be conducted in person from Council Chambers and by video conference using the Cisco Webex platform. Anyone wishing to participate may do so in person by attending Council Chambers, or by joining the meeting using a computer, smartphone or tablet, or telephone (audio only). If you wish to participate electronically, please visit www.northcowichan.ca/virtualmeeting for instructions on how you can join this hearing and find the link to join. You may also view the meeting as it is streamed live by going to www.northcowichan.ca/Agendas and click on the [‘View Live Stream’](#) link. A copy of the recording will be made available after the meeting on North Cowichan's website for on-demand viewing.

Zoning Amendment Bylaw No. 4016 proposes to **repeal Temporary Mobile Home Bylaw No. 1685** and to make the following amendments to Zoning Bylaw 1997, No. 2950 for the purpose of removing the reference of the Temporary Mobile Home Bylaw:

- Deleting the definition of “Temporary Mobile Home” and removing the off-street parking regulations associated with Temporary Mobile Homes
- Removing Temporary Mobile Home from the permitted uses and removing all associated regulations (e.g., setbacks and density provisions) from the following zones:
 - Agricultural Zone (A1)
 - Rural Zone (A2)
 - Rural Restricted Zone (A3)
 - Rural Resource Zone (A4)
 - Rural Residential Zone (A5)
 - Residential Rural Zone (R1), and
 - Urban Residential Rural Zone (R1-U)

PUBLIC INPUT

If you believe your interests in land will be affected by the proposed bylaw, you are encouraged to submit your comments by following the instructions provided below:

1. In Writing in Advance of the Public Hearing:

Submit your comments in writing to Mayor and Council until **1:00 p.m.** on **Monday, June 16, 2025** by:

- Email to publicmeetings@northcowichan.ca
- Mail to Mayor and Council, Municipality of North Cowichan, 7030 Trans-Canada Highway, North Cowichan, BC V9L 6A1
- Fax to 250-746-3133
- In-Person deposited through the mail slot at the Municipal Hall, Main Entrance

2. Verbally or in Writing at the Public Hearing:

- In Person by attending Council Chambers at Municipal Hall, 7030 Trans-Canada Highway, North Cowichan, BC.
- Virtually by logging in electronically, details and instructions will be available at least one week prior to the Hearing at www.northcowichan.ca/PublicHearings.
- Written submissions may be submitted during the Public Hearing by presentation to the Corporate Officer or her designate.

PLEASE NOTE: Submissions should reference the bylaw number and include your name and the civic address or legal description of the land affected by the proposal. Please be advised that all submissions, including the individual's name and address will form part of the public record and will be published on North Cowichan's website. Do not include any personal information in your submission that you do not wish to be disclosed, as submissions received are public documents and will not be redacted (with the exception of email addresses on electronic submissions, phone numbers and signatures). Written submissions will not be accepted after the conclusion of the Public Hearing.

A copy of the Bylaw and related documents, including public comments received in writing, will be available to inspect online at www.northcowichan.ca/PublicHearings until the close of the Public Hearing. The documents may also be inspected in the Planning Department at the Municipal Hall, Monday to Friday (excluding statutory holidays) between **8:30 a.m. to 4:00 p.m.** from **May 30, 2025** to **June 18, 2025**.

Personal information is collected by North Cowichan under the authority of s. 26 (c) of the Freedom of Information and Protection of Privacy Act for the purpose of administering the Public Hearing. Please direct any questions about personal information to North Cowichan's Privacy Officer by Phone: 250-746-3116, Email: privacy@northcowichan.ca or Regular Mail: 7030 Trans-Canada Highway, North Cowichan, BC V9L 6A1

Notice of Public Hearing

Zoning Amendment Bylaw No. 4016, 2025

Wednesday, June 18, 2025 at 7:00pm

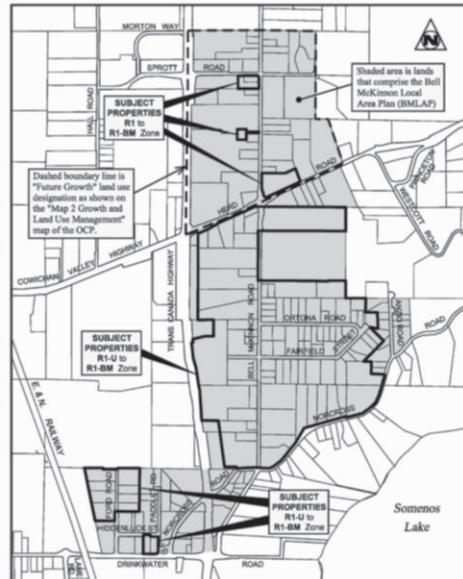


NOTICE OF PUBLIC HEARINGS

Notice is hereby given that Public Hearings will be held at 7:00 p.m. on Wednesday, June 18, 2025 to allow Council to receive public input on "Zoning Amendment Bylaw No. 4008, 2025", "Zoning Amendment Bylaw No. 4013, 2025" and "Zoning Amendment Bylaw No. 4016, 2025". As authorized by the Local Government Act, these hearings will be conducted by electronic means and members of the public will be provided an opportunity to be heard verbally or by submitting their comments in writing in advance of the hearings. These hearings will be a Hybrid Meeting and will be conducted in person from Council Chambers and by video conference using the Cisco Webex platform. Anyone wishing to participate may do so in person by attending Council Chambers, or by joining the meeting using a computer, smartphone or tablet, or telephone (audio only). If you wish to participate electronically, please visit www.northcowichan.ca/virtualmeeting for instructions on how you can join the hearings and find the link to join. You may also view the meeting as it is streamed live by going to www.northcowichan.ca/Agendas and click on the 'View Live Stream' link. A copy of the recording will be made available after the meeting on North Cowichan's website for on-demand viewing.

Zoning Amendment Bylaw No. 4008 (Bell McKinnon Residential Rural Zone – R1-BM) proposes to amend Zoning Bylaw 1997, No. 2950 to prevent low-density in the Bell McKinnon Local Area Plan (BMLAP) area by:

- Adding a new "Bell McKinnon Residential Rural Zone (R1-BM)" which has the same regulations as the "Residential Rural Zone (R1)" except that the R1-BM zone has a larger a minimum lot size of two hectares (4.94 acres).
- Within the BMLAP area, changing all properties currently in the "Urban Residential Rural Zone (R1-U)" to the new Bell "McKinnon Residential Rural Zone (R1-BM)".
- Within the BMLAP area, changing all properties currently in the "Residential Rural Zone (R1)" to the new "Bell McKinnon Residential Rural Zone (R1-BM)".



The map shows the boundary of the BMLAP area shaded in grey. This area includes lands on both sides of Bell McKinnon Road extending from Drinkwater Road north to past Sprott Road and includes an area north of Drinkwater Road on the west side of the Trans-Canada Highway.

The areas where the zone is proposed to change are outlined in black in the map.

Zoning Amendment Bylaw No. 4013 (Cannabis Sales – 3055 Oak Street) proposes to amend Zoning Bylaw 1997, No. 2950, Section 40.5 [Cannabis Sales Prohibited] by adding the following subsection:

"40.11 Despite Section 40.5, one cannabis retail store is permitted at 3055 Oak Street (PID: 023-186-151)".

This amendment is to allow for retail cannabis sales on the subject property as shown outlined in bold on the map.



Zoning Amendment Bylaw No. 4016 proposes to **repeal Temporary Mobile Home Bylaw No. 1685** and to make the following amendments to Zoning Bylaw 1997, No. 2950 for the purpose of removing the reference of the Temporary Mobile Home Bylaw:

- Deleting the definition of "Temporary Mobile Home" and removing the off-street parking regulations associated with Temporary Mobile Homes.
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NOTICE OF PUBLIC HEARINGS

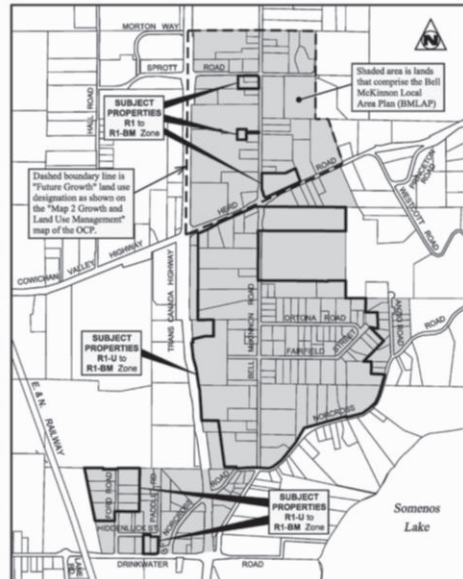
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NORTH
Cowichan



The Corporation of the District of North Cowichan

Zoning Amendment Bylaw

BYLAW NO. 4016

A bylaw to amend the Zoning Bylaw by removing reference to the Temporary Mobile Home Bylaw and to repeal the Temporary Mobile Home Bylaw

The Council of The Corporation of The District of North Cowichan, enacts in open meeting assembled, as follows:

Citation

1 This Bylaw may be cited as *"Zoning Amendment Bylaw No. 4016, 2025"*.

Amendment

2 Zoning Bylaw 1997, No. 2950, is amended by:

- (a) Deleting the definition of "temporary mobile home" from Part 3 - Definitions, section 12 [Definitions].
- (b) Deleting the final row "Temporary Mobile Home – 2 spaces" from the table in Part 4 – General Regulations, Section 21 (1) [Off-Street Parking - Residential].
- (c) Deleting "Temporary Mobile Home (subject to the Temporary Mobile Home Permit Bylaw)" from the Permitted Uses listed in Section 51(1) Agricultural Zone (A1), Section 52(1) Rural Zone (A2), Section 53(1) Rural Restricted Zone (A3), Section 54(1) Rural Resource Zone (A4), Section 55(1) Rural Residential Zone (A5), Section 56(1) Residential Rural Zone (R1), and Section 56.1(1) Urban Residential Rural Zone (R1-U).
- (d) Deleting Subsection 53(4)(b)(iii), under Density in the Rural Restricted Zone (A3), Subsection 55(4)(e), under Density in the Rural Residential Zone (A5), Subsection 56(4)(b), under Density in the Residential Rural Zone (R1), Subsection 56.1(4)(d) under Density in the Rural Urban Residential Rural Zone (R1-U).
- (e) Deleting Subsection 51(6)(f) under the Minimum Setbacks in the Agricultural Zones (A1), Subsection 52(6)(e) under the Minimum Setbacks in the Rural Zone (A2), Subsection 53(6)(d) under the Minimum Setbacks in the Rural Restricted Zone (A3), 54(6)(b) under the Minimum Setbacks in the Rural Resources Zone (A4), and Subsection 55(6)(c) under the Minimum Setbacks in the Rural Residential Zones (A5).
- (f) Deleting "or where a Temporary Mobile Home is permitted under section 53(4)(a)(ii)" from Subsection 53(4)(d) under Density in the Rural Restricted Zone (A3).

Repeal

3 *Temporary Mobile Home Bylaw No. 1685, 1976*, and all amendments thereto, is hereby repealed.

READ a first time on

READ a second time on

This bylaw was advertised on the municipality's _____ site on _____, in the Cowichan Valley Citizen and the Chemainus Valley Courier on _____, and was posted to the municipality's public notice places on _____.

CONSIDERED at a Public Hearing on _____.

RECEIVED the approval of the Minister of Transportation and Transit on _____.

ADOPTED on _____.

CORPORATE OFFICER

PRESIDING MEMBER



The Corporation of the District of North Cowichan

Temporary Mobile Home Permit Bylaw [BL3700]

Bylaw 1685

[Consolidated and printed by authority of the Corporate Officer under The Corporation of the District of North Cowichan Consolidation and Revision Authority Bylaw 3514. Current to July 23, 2020. Last amended July 18, 2018. Amendments: 1857, 2767, 2808, 2860, 3139, 3470, 3567, 3624, 3700.]

WHEREAS it is deemed desirable to grant permission for the siting, use and occupancy of mobile homes within the Municipality on a temporary basis to meet special needs for compassionate reasons;

AND WHEREAS it is deemed necessary to regulate and control the site, use and occupancy of mobile homes granted such permission; [BL 3189]

NOW THEREFORE, the Municipal Council of The Corporation of the District of North Cowichan, in open meeting assembled, enacts as follows:

1 In this Bylaw:

“Inspector” means the Manager of Building and Compliance and other Building Inspectors so appointed by the Chief Administrative Officer;

“mobile home” means a factory built dwelling unit no more than 4.3 m (14 ft.) wide that conforms to Canadian Standards Association Z240-MH series standard. [BL3567]

- 2** If this Bylaw is complied with and Provincial health regulator’s approval respecting water supply and sewage disposal is received, Council may issue a permit to use and occupy a mobile home on a parcel not smaller than 0.81 ha (2 acres) for one of the following purposes:
- (a) To accommodate or care for a sick or elderly person. Council may ask for a medical doctor’s certification of the need to care for the person or the person’s birth certificate;
 - (b) To accommodate a child needing accommodation for the child’s family. Council may ask for evidence substantiating the need to use or occupy a mobile home for this purpose;
 - (c) To accommodate an owner while the owner’s permanent residence is under construction. Despite section 3, a permit issued for this purpose is valid for 2 years or, if shorter, from when a building permit is issued for the permanent residence to when an occupancy permit is issued for the permanent residence. If the building permit expires, the temporary permit is considered to expire;
 - (d) To accommodate farm help;
 - (e) For the protection of property against vandalism. Council will only issue a

permit for this purpose if the parcel is zoned for an industrial or commercial use. [BL3189]

- 3** All permits issued by Council under this Bylaw shall be for a period of one year, and shall be renewable upon written application should the circumstances of the applicant remain the same. However, the permit shall at all times be subject to the relevant sections of this Bylaw and any amendments thereto. [BL3189]
- 4 - 7** [Repealed; BL3189]
- 8** An application for a permit under this Bylaw must be made in the form prescribed by the Director of Development Services. [BL3139; BL3624]
- 9** Notwithstanding anything contained in this Bylaw, the owner of the parcel of land on which a permit has been issued to site a mobile home shall, not later than the 31st day of December in each year declare that the use of the accommodation is still required and that the occupancy has not changed or that the said mobile home has been removed from the said parcel of land.
- 9.1** To verify a permit holder's ongoing eligibility for a permit, a North Cowichan officer or employee may visit a parcel on which a mobile home is temporarily sited. [BL3139; BL3567]
- 10** All permits issued pursuant to this Bylaw shall be subject to the following conditions:
 - (a) [Repealed; BL3567]
 - (a.1) the mobile home must be anchored to a foundation to prevent it from moving;
 - (a.2) a foundation plan complying with the Canadian Standards Association's CAN/CSA-Z240 MH Series of Standards, Mobile Homes, must be submitted to the Inspector;
 - (b) sanitary facilities, water supply, heating equipment, and the storage and disposal of flammable liquids, oils, and compressed gas provided for the occupant shall be in accordance with all applicable laws and regulations;
 - (c) the mobile home shall be approved for occupancy by the Inspector;
 - (d) no extensions, additions or alterations shall be made to a mobile home, other than
 - (i) one porch not exceeding an area of 9.29 m² (100 ft²), and
 - (ii) skirting to enhance the comfort and appearance of the mobile home;
 - (e) a site plan showing the proposed location of the mobile home must be submitted to the Inspector;
 - (f) the mobile home must be sited to the rear or side of the front line of the existing dwelling;
 - (g) the mobile home must be located no closer than 8 m from any lot line;
 - (h) the mobile home must be vacated immediately upon the expiry of the temporary permit;
 - (i) the mobile home shall not be occupied by anyone other than the person or persons authorized by the permit. [BL2767, BL3139, BL3567]
- 11** Not more than one temporary permit may be issued pursuant to this Bylaw for any one parcel

of land, except in the Agricultural Land Reserve should the British Columbia Land Commission issue letters of approval for additional accommodation.

- 12** A permit shall automatically be deemed to expire under the following conditions:
- (a) under section 2 (c);
 - (b) the mobile home is used for any other purpose than that for which the permit was issued;
 - (c) the mobile home is occupied by anyone other than the person or persons for which the permit was issued;
 - (d) a physician certifies that the person for which the permit was issued under section 2 (a) no longer requires care and maintenance;
 - (e) the original applicant ceases to own or reside on the parcel of land;
 - (f) the term of occupancy or use permitted by the British Columbia Land Commission has expired;
 - (g) any of the general conditions contained in section 10 hereof cannot or are not being met. [BL3139]
- 13** The mobile home shall be removed from the parcel of land within a period of 90 days from the expiry of the temporary permit.
- 14** The Council may revoke any permit issued pursuant to this Bylaw for reasonable cause.
- 15** Every person who occupies, or permits to be occupied, a mobile home after the temporary permit has expired, or who has allowed any unauthorized use or occupancy of such mobile home, shall be deemed to be in violation of this Bylaw. [BL3139]
- 16** Any person who is aggrieved by the interpretation or enforcement of any section of this Bylaw may submit an appeal in writing to the Municipal Council. [BL3139]
- 17** A mobile home permitted under section 2 shall be considered as a separate dwelling unit and the occupier shall pay the user rates required by the appropriate bylaw. [BL1857; BL3139]
- 18** An applicant shall pay to the Municipality
- (a) a non-refundable fee prescribed in the Fees Bylaw, upon application, for a new permit, and
 - (b) an annual fee prescribed in the Fees Bylaw, following approval, but before issuance, for a renewed permit. [BL2860; BL3139; BL3470]
- 19** Every person who occupies or permits to be occupied a mobile home under section 2, whose permit fees, water or sewer user rates are in arrears shall be deemed to be in violation of this Bylaw. [BL1857; BL3139]
- 20** Every person who violates any of the provisions of this Bylaw, or suffers or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, shall be deemed to be guilty of an infraction thereof and shall be liable upon summary conviction to a fine not less than \$25 and not exceeding \$250, which penalty and costs shall be recoverable and enforceable upon summary conviction, and a further penalty not

exceeding the same amount for each and every day which the contravention or violation shall continue. [BL3700]

21 Repealed. [BL3139] [BL3700]

Read a first and second time on May 19, 1976.

Read a third time on June 9, 1976.

Adopted on June 23, 1976.

PLANNING REPORT

Report

Date May 7, 2025

File: SPP00109

Subject Temporary Mobile Home Bylaw (Repeal)

PURPOSE

To present for first and second reading a zoning amendment bylaw that proposes to remove reference to the Temporary Mobile Home Bylaw and to repeal Temporary Mobile Home Bylaw No. 1685.

BACKGROUND

Temporary Mobile Home Bylaw No. 1685 (TTP Bylaw) was adopted in 1976, aspects of the bylaw no longer reflect current planning law and best practice. The bylaw outlines conditions and requirements that must be met to obtain a Temporary Mobile Home Permit (TTP), which is issued by Council and must be renewed annually. A TTP allows a property owner to have a second dwelling (a mobile home) on their property that would not otherwise be permitted by Zoning Bylaw No. 2950 (Zoning Bylaw).

In 2024, staff conducted a review of all the existing TTPs¹ and found that over half of them were no longer necessary due to changes to the Zoning Bylaw that have occurred over time. Most significantly, in October 2022, the Zoning Bylaw was amended to allow a second home on properties over a certain size in most rural zones. Additionally, zoning bylaw amendments in 2024 changed the definition of single-family homes to include manufactured homes and to permit detached accessory dwelling units on most residential properties within the urban containment boundary (UCB).

As a result of the 2024 review of existing TTPs, 33 permits are being cancelled on the grounds that they are no longer necessary. Twenty-three permits are still active on properties where the Zoning Bylaw would not permit a second dwelling were it not for the TTP (Attachment 2).

DISCUSSION

The TTP Bylaw states that Council may issue a TTP for specific purposes, including:

- To accommodate or care for a sick or elderly person.
- To accommodate a child needing accommodation for the child's family.

Although the TTP Bylaw does allow TTPs for other uses (e.g., for farm help, during construction of a permanent residence, or as a caretaker dwelling), the vast majority of TTPs have historically been issued for one of the reasons listed above to accommodate a specific type of user on compassionate grounds. This type of provision (which appears to regulate a *user* rather than a *use*) is likely unenforceable. Accordingly, having the permits expire when these circumstances change (e.g., due to a death or change in someone's medical status) is also problematic. As a further difficulty, requiring the mobile home to be removed within 90 days of the expiry of the permit is likely unenforceable (unless it can be related to section 53(2) of the *Community Charter*, such as for a health or safety reason).

¹ Special thanks to 2024 Planning Student Rahul Parameswaran who completed this work.

Recommendation to Repeal the TTP Bylaw

Because of the issues around the appropriateness/enforceability of the TTP Bylaw, and because the Zoning Bylaw has changed to be more permissive of second dwellings, staff, having conferred with legal counsel, recommends repealing the TTP Bylaw and making related amendments to remove the references to it from the Zoning Bylaw. Under this and all options presented, people seeking an additional dwelling can still apply for a zoning bylaw amendment or a Temporary Use Permit.

For the 23 existing TTPs, this will mean that the use becomes non-conforming and is protected under Part 14, Division 14 of the *Local Government Act*. This protection means that the dwellings will be able to stay indefinitely, provided that the use is not discontinued for a period of more than six months. Alterations and additions would be prohibited² and if the building is damaged to the extent of 75% or more, it could not be rebuilt/replaced.³ Although the non-conforming protection has limits, it arguably allows for greater continuity than the existing TTP regime. Permit holders would no longer need to renew the TTP on an annual basis, and the non-conforming protection would not expire. Further, it remains open to these property owners to seek a zoning amendment to permit the use fully.

Although repealing the TTP Bylaw confers more permanence for these 23 dwellings than was originally contemplated, the reality is that the “temporary” mobile homes have been much less transient than the name implies. In fact, the 2024 review of the permits found that most permits had been renewed for at least 10 years, and some permits were older than 25 years. Once a TTP is obtained, a building permit is also required. Mobile homes must meet the Z240-MH CSA standard (required for year-round occupation), be placed on a permanent foundation and be connected to a water source and septic/sanitary service. It is unrealistic to expect that property owners will make this level of investment for a one- or two-year period. The unenforceability of some of the TTP Bylaw provisions also presents a challenge. If so directed, staff can explore what steps North Cowichan can take to have the mobile homes removed. Although this is likely possible, this is not presented as an option below because it is likely to be far more complex and costly than the options presented, and there is no compelling reason to take such action at this time.

An additional consideration is that the residential use provisions in rural areas are being reviewed as part of the comprehensive zoning bylaw review. Depending on the outcome of that process, additional dwellings may be permitted on some rural parcels, potentially meaning that many of the 23 properties with existing dwellings may again comply with the future zoning.

Under Option 2, the proposed zoning amendment bylaw would be revised to “spot zone” these 23 properties so that a detached second dwelling is permitted on each property. This would mean that the existing mobile home could be replaced (with a permanent dwelling), unlike under the non-conforming option.

² Note that these restrictions are likely to be a low impact on the property owners since mobile homes are generally difficult to alter.

³ The property owners would still have the option to make planning applications for Council and/or Board of Variance permission to alter/rebuild these mobile homes.

Temporary Mobile Home Bylaw under the current Zoning Bylaw

As confirmed by legal counsel, the Temporary Mobile Home Bylaw must be read concurrently with the Zoning Bylaw, meaning that any new temporary mobile home must comply with the provisions in both bylaws. The Zoning Bylaw currently permits temporary mobile homes in the following zones: Rural Restricted Zone (A3), Rural Residential Zone (A5), Residential Rural Zone (R1), and Urban Residential Rural Zone (R1-U).⁴

Both the R1-U and A3 zones already permit a detached accessory dwelling unit (DADU). So, the temporary mobile home provision would allow for a (“temporary”) second DADU, which may not be a desired outcome. Note also that while the TTP Bylaw allows for a temporary mobile home as a caretaker dwelling on a commercial or industrial property, the Zoning Bylaw does not permit temporary mobile homes in any commercial or industrial zones.

Temporary Mobile Home Bylaw under Official Community Plan Policy

Except for the R1-U zone, all the zones that permit a temporary mobile home are primarily in rural areas and outside the UCB. The Official Community Plan (OCP) generally speaks to the fact that very little housing growth is anticipated in the areas outside of the UCB. However, while subdivision is strongly discouraged within the rural areas, the OCP does provide support for housing options to allow rural landowners to accommodate family, farm labour, or generate a modest income (in the form of up to three permanent dwelling units contained within two buildings). Therefore, conferring more permanent status on the mobile homes with existing permits is not inconsistent with the OCP.

Temporary Mobile Home Bylaw compared to the Second Dwelling on Rural Lands Policy

Another policy related to this topic is the 2019 Council Policy: Second Dwelling Rural Lands Policy (SDRLP). This policy provides criteria that staff use to evaluate site-specific zoning bylaw amendment requests for detached second dwellings in rural areas.

Part of the 2024 review of the existing TTPs was to evaluate the following hypothetical question:

If the property owners requested a zoning bylaw amendment to make their mobile home permanent, would staff be likely to support the request based on the criteria established in the SDRLP?

Although it was not possible to evaluate every provision of the SDLRP with available information, the 2024 review suggested that 17 of the 23 properties where the mobile home does not meet the Zoning Bylaw provisions do meet the provisions of the SDRLP. The remaining six properties are between the minimum parcel size prescribed by the TTP Bylaw (0.81 ha [2 acres]) and the size prescribed by the SDRLP (1 ha [2.5 acres]) and thus would not fall far short of compliance.

⁴ Note that Temporary Mobile Home is also listed as a permitted use in the A1, A2, and A4 zones, however the density provisions do not allow an additional dwelling/residential building so the applicability in these zones is very limited.

A “fixed” Temporary Mobile Home Bylaw would have very limited applicability

If Council wishes to retain the existing TTP regime for the 23 permitted dwelling units, Option 3 is to revise the TTP Bylaw to remove the unenforceable sections. Unless other scenarios are identified where a TTP would be desirable, the revised bylaw would not allow new permits to be issued. As noted, most of the past TTPs have been issued for compassionate grounds, which are not an appropriate regulatory basis and have likely become obsolete in many cases.

OPTIONS

1. **(Recommended Option)** THAT Council:
 - 1) gives first and second reading to Zoning Amendment Bylaw No. 4016, 2025 and,
 - 2) directs staff to schedule a public hearing for Zoning Amendment Bylaw No. 4016, 2025.
 - The TTP Bylaw will be repealed, as will references to TTPs and the TTP Bylaw in the Zoning Bylaw.
 - Existing TTPs would be canceled and no longer need to be renewed on an annual basis. Note that invoices for renewal fees have not yet been issued for 2025.
 - Dwellings with an existing TTP (Attachment 2) would be protected under the non-conforming provisions of the *Local Government Act* and could remain but not be replaced or altered.
2. THAT Council directs staff to amend Zoning Amendment Bylaw No. 4016 by adding site-specific zoning provisions to allow second dwellings on the properties with existing Temporary Mobile Home Permits and to bring Bylaw No. 4016 back to Council for consideration.
 - The TTP Bylaw will be repealed, as will references to TTPs and the TTP Bylaw in the Zoning Bylaw.
 - Existing TTPs would be canceled and no longer need to be renewed on an annual basis.
 - Properties with existing TTPs would be “spot zoned” to allow a second dwelling. The existing dwelling could remain or be replaced.
3. THAT Council directs staff to draft an amendment bylaw for Temporary Mobile Home Bylaw No. 1685 to address the aspects of the bylaw that are unenforceable and inconsistent with Zoning Bylaw No. 2950 and to disallow new permits from being issued.
 - The TTP Bylaw and Zoning Bylaw will be amended to improve consistency between the two.
 - The TTP Bylaw would be amended to remove unenforceable sections and disallow the issuance of new permits.
 - Existing TTPs would remain and continue to need to be renewed on an annual basis.

IMPLICATIONS

The annual renewal fee for the TTPs is \$150. By repealing the TTP Bylaw, North Cowichan will forego \$3,600 in 2025 and a proportional amount going forward. To offset this amount, the significant administrative cost and overhead associated with sending annual TTP invoices and processing payment could be redirected to other tasks.

RECOMMENDATION

1. THAT Council:
- 1) gives first and second reading to Zoning Amendment Bylaw No. 4016, 2025, and,
 - 2) directs staff to schedule a public hearing for Zoning Amendment Bylaw No. 4016, 2025.

Report prepared by:



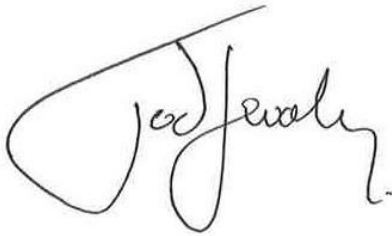
Christina Hovey, RPP, MCIP
Project Planner

Report reviewed by:



Amanda Young, RPP, MCIP
Director, Planning and Building

Approved to be forwarded to Council:



Ted Swabey
Chief Administrative Officer

Attachments:

- (1) Zoning Amendment Bylaw No. 4016, 2025
- (2) List of Active Temporary Mobile Home Permits



The Corporation of the District of North Cowichan

Zoning Amendment Bylaw

BYLAW NO. 4016

A bylaw to amend the Zoning Bylaw by removing reference to the Temporary Mobile Home Bylaw and to repeal the Temporary Mobile Home Bylaw

The Council of The Corporation of The District of North Cowichan, enacts in open meeting assembled, as follows:

Citation

- 1 This Bylaw may be cited as "*Zoning Amendment Bylaw No. 4016, 2025*".

Amendment

- 2 Zoning Bylaw 1997, No. 2950, is amended by:
 - (a) Deleting the definition of "temporary mobile home" from Part 3 - Definitions, section 12 [Definitions].
 - (b) Deleting the final row "Temporary Mobile Home – 2 spaces" from the table in Part 4 – General Regulations, Section 21 (1) [Off-Street Parking - Residential].
 - (c) Deleting "Temporary Mobile Home (subject to the Temporary Mobile Home Permit Bylaw)" from the Permitted Uses listed in Section 51(1) Agricultural Zone (A1), Section 52(1) Rural Zone (A2), Section 53(1) Rural Restricted Zone (A3), Section 54(1) Rural Resource Zone (A4), Section 55(1) Rural Residential Zone (A5), Section 56(1) Residential Rural Zone (R1), and Section 56.1(1) Urban Residential Rural Zone (R1-U).
 - (d) Deleting Subsection 53(4)(b)(iii), under Density in the Rural Restricted Zone (A3), Subsection 55(4)(e), under Density in the Rural Residential Zone (A5), Subsection 56(4)(b), under Density in the Residential Rural Zone (R1), Subsection 56.1(4)(d) under Density in the Rural Urban Residential Rural Zone (R1-U).
 - (e) Deleting Subsection 51(6)(f) under the Minimum Setbacks in the Agricultural Zones (A1), Subsection 52(6)(e) under the Minimum Setbacks in the Rural Zone (A2), Subsection 53(6)(d) under the Minimum Setbacks in the Rural Restricted Zone (A3), 54(6)(b) under the Minimum Setbacks in the Rural Resources Zone (A4), and Subsection 55(6)(c) under the Minimum Setbacks in the Rural Residential Zones (A5).
 - (f) Deleting "or where a Temporary Mobile Home is permitted under section 53(4)(a)(ii)" from Subsection 53(4)(d) under Density in the Rural Restricted Zone (A3).

Repeal

3 *Temporary Mobile Home Bylaw No. 1685, 1976*, and all amendments thereto, is hereby repealed.

READ a first time on

READ a second time on

This bylaw was advertised on the municipality's _____ site on _____, in the Cowichan Valley Citizen and the Chemainus Valley Courier on _____, and was posted to the municipality's public notice places on _____.

CONSIDERED at a Public Hearing on _____.

RECEIVED the approval of the Minister of Transportation and Transit on _____.

ADOPTED on _____.

CORPORATE OFFICER

PRESIDING MEMBER

List of Active Temporary Mobile Home Permits

As of May 2025, the following 23 Temporary Mobile Permits are active under Temporary Mobile Home Permit Bylaw No. 1685. If Bylaw No. 1685 is repealed and Zoning Bylaw No. 2950 is amended to removed Temporary Mobile Homes as a permitted use, then the mobile homes associated with the permits listed below will be protected under the non-conforming provisions of Part 14, Division 14 of the *Local Government Act*.

Permit No.	Address	PID
TTP00011	7022 BELL MCKINNON RD	005-056-284
TTP00023	7155 BELL MCKINNON RD	001-234-579
TTP00030	2834 LOWERY RD	005-351-928
TTP00032	3260 COWICHAN VALLEY HWY	007-107-188
TTP00037	3740 PANORAMA CRES	017-638-721
TTP00038	8628 CROFTON RD	003-243-362
TTP00040	8659 SWALLOWFIELD RD	005-839-505
TTP00043	8913 CROFTON RD	004-644-964
TTP00048	6838 SOMENOS RD	005-268-630
TTP00050	5618 MENZIES RD	003-676-005
TTP00055	2726 HERD RD	005-475-091
TTP00057	4155 SAHTLAM RD	006-007-244
TTP00058	3416 GIBBINS RD	004-737-032
TTP00059	3883 GIBBINS RD	002-894-157
TTP00060	7469 ROSEVEAR RD	006-247-741
TTP00062	7705 OSBORNE BAY RD	001-138-189
TTP00065	3462 SMILEY RD	Strata
TTP00066	7395 BELL MCKINNON RD	000-112-127
TTP00072	7223-7221 BELL MCKINNON RD	011-879-661
TTP00076	7042 NORCROSS RD	000-201-511
TTP00079	5855-5853 MENZIES RD	003-574-415
TTP00088	6730-6726 MARTIN RD	000-596-671
TTP00092	5421-5423 WINCHESTER RD	002-070-804

COUNCIL

RECOMMENDATIONS

2. Municipal Fine Amendment Bylaw No. 3997, 2025. CARRIED

8.4 Zoning Amendment Bylaw No. 4002, 2025 for adoption

IT WAS MOVED AND SECONDED:

THAT Council adopt Zoning Amendment Bylaw 4002, 2025. (Opposed: Findlay, Manhas)
CARRIED

8.5 Zoning Amendment Bylaw No. 4006 for first three readings

Councillor Manhas declared a conflict of interest as his Spouse is employed by Clements Centre Society – the Zoning Amendment applicants, and left the meeting at 6:00 p.m.

IT WAS MOVED AND SECONDED:

THAT Council gives first, second and third readings to Zoning Amendment Bylaw 4006, 2025 (2731 Vian Street from R7 to CD14). CARRIED

Councillor Manhas returned to the meeting at 6:36 p.m.

8.6 Zoning Amendment Bylaw No. 4016, 2025 for first and second reading

IT WAS MOVED AND SECONDED:

THAT Council:

1. gives first and second reading to Zoning Amendment Bylaw No. 4016, 2025, and,
 2. directs staff to schedule a public hearing for Zoning Amendment Bylaw No. 4016, 2025.
- CARRIED

9. REPORTS

9.1 2025 By-Election Results

IT WAS MOVED AND SECONDED:

THAT Council accepts the report from the Chief Election Officer on the 2025 by-election results, dated May 7, 2025, for information. CARRIED

9.2 Agricultural Land Commission Application (ID No. 102680) – 3711 Cowichan Lake Road

IT WAS MOVED AND SECONDED:

THAT Council:

- a. authorizes Agricultural Land Commission application ID 10268 for removal of aggregate and soil and placement of fill on 3711 Cowichan Lake Road to be forwarded to the Agricultural Land Commission with a recommendation that it be approved; and,
- b. provides additional comments to the Agricultural Land Commission that it is recommended that controls be put in place to ensure that once material extraction has been completed, the land is returned to an improved level of agricultural productivity and that this occurs by a specified date. CARRIED