

/THE CORPORATION OF THE CITY OF PENTICTON
MEMORANDUM

TO: Administrator **FILE:** 6420.40 **REP.#**
FROM: Donna Butler, Planner **DATE:** July 17/06 **RES.#**
SUBJECT: Mobile Home Park Redevelopment Policy

CAO COMMENTS:

I concur with the recommendation.

RECOMMENDATION:

It is recommended:

THAT Council endorse the attached policy regarding Mobile Home Park Redevelopment.

IMPLICATIONS OF RECOMMENDATION:

Organizational: na
Financial: na
Policy: New policy
Strategic Plan: na

REFERENCE:

Local Government Act
Section 903 Zoning Bylaws
Official Community Plan
Section 2.2 Residential Land
Zoning Bylaw 87-65
Section 37, Mobile Home Park Residential Zones (MHP)
Section 23, Screening
Section 29, Parking

BACKGROUND:

The City has been assessing the impact of the potential redevelopment of mobile home parks since the fall of 2005. Several staff reports and a draft set of policy guidelines have been prepared. Throughout the process, input has been received from Mobile Home Park owners and residents, including the local Mobile Home Park Tenants Association.

On May 1 a proposed Mobile Home Park Redevelopment resolution was

presented to Council. At that time Council received the report and requested additional legal input on similar policies of other communities. The City Solicitor reviewed legal issues with Council and suggested that a Council policy would be appropriate.

In the meantime, the City of Surrey has carried out comprehensive review of their 1995 “Manufactured Home Park Redevelopment and Strata Conversion Policy” and on June 7, 2006, endorsed a revised approach. This follows closely behind a new policy on the same issue endorsed by the City of Coquitlam. It is apparent that many communities in the Province are facing concerns surrounding mobile home park redevelopment.

Staff has reviewed the new Surrey policy and note the following key items required of the proponent:

- 1 Notice of proposed redevelopment to be given to park tenants based on a City approved Communications Plan
- 2 Provision of a demographic profile, affordable housing preferences, home conditions assessment, and costs of relocation or reuse
- 3 Assessment of relocation options and other rental units in the area
- 4 Preparation of an Affordable Housing Program for park residents with a range of options including right of first refusal for new housing units, payment of moving costs for mobile home relocation, provision of cash-in-lieu for affordable housing and reserving of new affordable housing units for park residents.
- 5 Housing Agreement for the above Program

Staff has compared the Surrey initiative with the proposed City of Penticton approach and note a similarity in many of the provisions. The Surrey policy, unlike Penticton’s, does not directly refer to compensation based on fair market value. The Surrey policy requires the preparation of an Affordable Housing Program while Penticton requests a Relocation Assistance Plan that includes affordable housing. It is suggested that the Penticton proposal as previously recommended addresses a similar range of issues as other municipal policies and represents a reasonable approach to mobile home park redevelopment. It is anticipated that should an application for mobile home park rezoning be proposed, many specific details of the Relocation Assistance Plan outlined will need to be considered on its own merits and based on the particulars of each site and tenant needs.

Proposed Council Resolution

WHEREAS it is noted that Mobile Home Parks are a unique form of affordable housing that offers a lifestyle for residents who may not wish to live in traditional multiple family housing, who enjoy a home with outdoor amenities, and a community atmosphere and who may not be able to afford other housing options. The element of pad rental, however, means that this housing option does not offer security of tenure and residents are susceptible to changing market conditions. Some residents, who are elderly or with low incomes, find displacement due to potential redevelopment of these parks a major concern; and

WHEREAS there is potential for redevelopment of existing mobile home parks in the City in response to urban development pressures and change. Council recognizes that Mobile Home Park owners may wish to sell their land to Developers who may propose to redevelop the lands to other, more dense multiple family purposes, Mobile Home Park are designated as Medium Density Residential in the Community Plan and represent a large supply of land in central locations; and

WHEREAS many Mobile Home Park residents have requested that the City ensure that they receive fair market value for their mobile homes when the Park is redeveloped; and

WHEREAS Council will consider each application for rezoning for redevelopment of a mobile home park on its own merits

NOW THEREFORE, BE IT RESOLVED THAT Council endorses the attached “Mobile Home Park Redevelopment Strategy” for rezoning applications to redevelop a mobile home park.

ALTERNATIVES:

1. Approve the resolution as outlined
2. Direct staff to review other options

DISCUSSION:

Staff has considered the comments and input of all parties and the legal opinions provided as well as newer policies by other communities. A number of options have been reviewed and the resolution recommended is believed to represent a suitable approach to this difficult issue.

It is noted by staff that during the research phase of this project, discussions with mobile home park owners indicated that many owners have no intentions at this time or in the next number of years to redevelop their parks.

Per: _____
Donna Butler, City Planner

CITY OF PENTICTON
Redevelopment of Mobile Home Parks Policy

The following is a Council policy to address the displacement of tenants through rezoning and redevelopment of mobile home parks. The policy is meant to provide tenants with the opportunity for greater notification and assistance from development proponents than is currently required under the Manufactured Home Park Tenancy Act. Council will consider rezoning applications that address the following policy:

1. All Tenants affected by any proposed mobile home park redevelopment should be advised by the owner one month prior to the application submission that an application for a mobile home site redevelopment will be made, and the owner should subsequently provide each Tenant with a notification letter 10 days prior to the matter coming to Council. This Notice should include the date, time and location of the meeting and inform the Tenant of their right to address Council.

This Notice should also include a general outline of the approval process, the requirements under Provincial laws, the City's preference that a Relocation Assistance Plan be approved by the City, the general type of items covered by the Relocation Assistance Plan, and a general idea of timing of the process.

2. Prior to final consideration of rezoning applications, the Proponent of any mobile home park redevelopment application should submit a detailed **Relocation Assistance Plan** for the relocation and/or compensation of park tenants that addresses individual tenant needs and how this Plan is to put in place.

3. Phasing of the **Relocation Assistance Plan** may coincide with rezoning and redevelopment phasing if this approach is suitable.

4. It is recommended that the Applicant provide the City with the terms of compensation offered to each tenant of the park under the **Relocation Assistance Plan**, indicating those tenants who have accepted the terms offered and those still in negotiations. The Applicant should make best efforts to demonstrate that each Tenant accepts the **Relocation Assistance Plan**, but the City may acknowledge that a reasonable proposal has been offered by the Applicant.

5. The City may request adequate assurance, either by way of a financial or legal undertaking (eg: letter of credit or performance bond, or a similar alternative) that the Relocation Assistance Plan will be met.

6. Density Bonus Zoning is encouraged for these sites where amenities, and most particularly housing amenities such as affordable rental housing, are provided and made available to existing park tenants.

7. The detailed **Relocation Assistance Plan** being demonstrated for each Tenant might include the following components:

Compensation: This could be variable to reflect tenant needs and might include

items such as:

- 1 payments made under the "*Manufactured Home Park Tenancy Act.*"
- 2 a cash payment to reflect an independently appraised value of the home as it stands on its lot, less real estate commissions and any payments made under the "*Manufactured Home Park Tenancy Act.*"
- 3 extended free pad rentals
- 4 moving costs
- 5 down payments for new unit purchase
- 6 guaranteed affordable rental in the new development by way of a *Housing Agreement*
- 7 payment of relocation costs to a new park if this opportunity exists
- 8 costs associated with building code compliance when a home is relocated
- 9 a combination of the above

Information Package for Tenants: The proponent should prepare an Information Package to direct tenants to the various options available to them. This should include compensation options, relocation options within the region, how the process will work, timing of process and government requirements.