

January 20, 2006

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To: City Manager

From: General Manager Planning and Development

Subject: **Mobile Home Park Redevelopment Tenant Assistance Policy**

For: **Committee of the Whole**

**Recommendation:**

That Council adopt the proposed Mobile Home Park Redevelopment Tenant Assistance Policy outlined in the report of the General Manager Planning and Development dated January 20, 2006.

**Executive Summary:**

The issue of tenant displacement due to the redevelopment of mobile home parks has been raised because of current plans to redevelop Four Acres Trailer Court, Willow Trailer Park and Windsor Glen Mobile Home Park. A delegation representing residents of Four Acres Trailer Court and Willow Trailer Park appeared before Council on November 7, 2005 and requested that Council adopt a bylaw to prevent the redevelopment of mobile home parks. Under the current *Local Government Act*, it would be difficult to implement a bylaw that would address the full range of issues identified by the delegation. As an alternative, and an approach taken by other municipalities, Council may consider adopting a policy that firstly requires developers to consider the needs of tenants who are being displaced due to the redevelopment of their mobile home park and secondly to provide guidance when redevelopment applications are reviewed in this regard. The policy is meant to provide tenants with the opportunity for greater notification and assistance from development proponents than is currently required under the Provincial *Manufactured Park Home Tenancy Act*. Adopting this policy would be consistent with direction regarding the displacement of tenants due to redevelopment contained in the Citywide Official Community Plan.

**Background:**

At the Regular Council meeting on November 7, 2005, a delegation representing residents of Four Acres Trailer Court and Willow Trailer Park appeared on the issue of the pending sale, rezoning and redevelopment of mobile home parks and the potential displacement of residents. The delegation requested that Council adopt a bylaw that would allow the withholding of rezoning approval for the redevelopment of mobile home parks until all residents are assisted in the relocation process and fairly compensated for their displacement.

**Background** cont'd/

Council requested that staff undertake a review of City policy and report back with guidance on this matter.

This report considers current Council policy as stated in the Citywide Official Community Plan addressing tenant displacement through redevelopment (Section 4.1, Housing Choice and Affordability, Objective 3, Policy c), the Provincial *Manufactured Home Park Tenancy Act*, and the *Local Government Act*. The experience and any associated policies of other municipalities who had also addressed this issue in the past have also been considered.

**Existing Mobile Home Parks in Coquitlam**

There are currently seven mobile home parks within the City of Coquitlam (see Map 1 attached). All existing mobile home parks are zoned RMH-1 Mobile Home Residential and will therefore require rezoning in order to accommodate any form of redevelopment to another use not permitted under the zone. Most will also require an Official Community Plan amendment.

Three parks are currently the subject of development applications for comprehensively planned multi-family and mixed use development. At the start of the year, the Planning and Development Department received Official Community Plan amendment, rezoning, and development permit applications from Mosaic Homes for Four Acres Trailer Court (675 Lougheed Highway) and Willow Trailer Park (671 Lougheed Highway). In total, these two parks house 70 mobile homes.

OCP amendment and rezoning applications were also received just before year end from Polygon Homes to redevelop Windsor Glen Mobile Home Park (1133 Pipeline Road) in the Town Centre. The Windsor Glen Mobile Home Park houses 165 mobile homes.

**Discussion**

**Context of Affordable Housing**

Mobile home parks are a unique type of housing that provides an affordable option and lifestyle for people who may not wish to live in traditional multi-family housing. The element of pad rental, however, means that this housing option does not offer security of tenure, which makes residents susceptible to changing market conditions. Residents who are more vulnerable (e.g. frail seniors, those with health issues) and with low incomes may find displacement due to potential redevelopment of these areas to be a particular challenge.

The redevelopment of existing mobile home parks is an aspect of urban growth and change, and mobile home parks are under increasing pressure for redevelopment. These pressures are also experienced in areas of older, multi-family rental housing stock.

### **Citywide Official Community Plan**

The Housing Choice and Affordability section of the CWOCP currently includes a policy statement that Council will “continue to ensure that tenants displaced by redevelopment are protected through relocation assistance from the developer” (Section 4.1, Housing Choice and Affordability, Objective 3, Policy c). This policy provides some guidance to the current issue and has provided a policy context for Council’s consideration of redevelopment proposals. The current update of the existing Affordable Housing Strategy provides an opportunity to consider a broader application of the policy to other areas of the City which may experience these redevelopment pressures.

Policies and practices relating to the issue of tenant displacement (e.g. Strata Conversion Policy, strategies to preserve existing rental stock) will be further examined through the current update of the Affordable Housing Strategy.

### **Manufactured Home Park Tenancy Act**

The Provincial *Manufactured Home Park Tenancy Act*, (MHPTA) which falls under the mandate of the Residential Tenancy Office, regulates mobile home parks in British Columbia and addresses tenant notification and compensation in the event of mobile home park redevelopment. The MHPTA states that the landlord must give the tenant twelve (12) months notice to end the tenancy if the mobile home park is to be redeveloped to a non-residential use or a residential use other than a manufactured home park. All necessary permits and approvals must be in place at the time of notification.

In terms of compensation, a landlord must give tenant a payment of twelve (12) months rent under the terms of the existing tenancy agreement in compensation for displacement. This payment must be made on or before the effective date of the notice to end the tenancy.

### **Local Government Act**

The delegation that appeared before Council in November 2005 requested that Council adopt a bylaw that would allow the withholding of rezoning approval for mobile home park redevelopment until all residents are assisted in the relocation process and fairly compensated for their displacement. Under the current *Local Government Act*, it would be difficult to implement a bylaw that would address the full range of issues identified by the delegation. As an alternative, and an approach taken by other municipalities, Council may consider adopting a policy that firstly requires developers to consider the needs of tenants who are being displaced due to the redevelopment of their mobile home park and secondly to provide guidance when redevelopment applications are reviewed in this regard.

Staff have had discussions with Julia Gully, the spokesperson for residents of the Four Acres Trailer Court and Willow Trailer Park, about the legislative authority of municipalities under the *LGA* and the most appropriate methods of addressing this issue. Ms. Gully and the Active Manufactured Home Owners Association of BC are currently exploring options to encourage the Provincial government to expand the legislative authority to enable the drafting of municipal bylaws that seek to provide additional protection for tenants of mobile home parks displaced by park redevelopment.

### **Municipal Policy Review**

The issue of tenant displacement due to the redevelopment of mobile home parks has been an issue in various municipalities in recent years. Abbotsford, Surrey, Kelowna and Peachland have all adopted Council policies related to tenant displacement in the event of redevelopment of mobile home parks. The policies supplement the statutory requirements under the *Manufactured Home Park Tenancy Act* and address the issues of:

- Notification by the proponent of tenants of an intent to redevelop the existing mobile home park;
- Advance notification by the proponent of opportunities for tenants to address their concerns directly to Council;
- Compensation (either through relocation assistance plans or direct financial compensation) from the proponent to affected tenants;
- Increasing options for existing tenants by including the right of first refusal to purchase new units developed on the site.

Each of the policies reflects local circumstances and issues faced by the respective Councils. The municipal policies vary in terms of the approach to tenant compensation. Surrey, Kelowna and Peachland request that relocation assistance plans developed by the redevelopment proponents be in place prior to development approval. A relocation assistance plan developed by a proponent can be quite broad and can include financial compensation, finding alternative sites for units that are movable<sup>1</sup> and assisting tenants in finding alternative housing.

Abbotsford's approach does not address the involvement of the applicant in assisting with re-housing tenants. Instead, it focuses on the compensation of tenants through an increased amount of financial compensation, increasing the required notification time, and ensuring that tenants get the first right of refusal to purchase new units being built on-site with some amount of purchase discount. Abbotsford's policy also permits the moving of non-CSA approved and older units to other mobile home parks in the City.

The proposed policy was developed in the context of the current plans for the redevelopment of the Windsor Glen, Four Acres, and Willow Trailer Parks and resident concerns over displacement. As an alternative to directly adopting this proposed policy, Council may wish to first consider proceeding with a public consultation process. However, given the immediacy of redevelopment plans for the three mobile home parks and the concerns raised by potentially displaced residents, staff recommends that Council adopt the proposed policy at this time. Amendments to the policy can be considered should the need for refinements be identified.

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<sup>1</sup> Canadian Standards Association approved and in suitable condition.

### **Recommended Approach**

It is recommended that the proposed Council policy be focused on requiring redevelopment proponents to make a relocation assistance program for tenants an integral component of their plans for site redevelopment. It is expected that proponents would begin communicating and implementing components of the program as soon as plans for redevelopment are formulated. The relocation assistance program would:

- Account for the existing situation by profiling resident demographic characteristics and mobile home condition;
- Be flexible and multi-dimensional by including various options and components in order to respond to different tenant characteristics, needs and preferences;
- Where the redevelopment plans include residential development, include affordable housing options for tenants to remain on the subject site. Affordable housing units provided on site would be secured through a Housing Agreement entered into by the developer with the City as a condition of rezoning;
- Include a status report on the implementation of the program.

Staff will evaluate the development proponents' response to the policy in conjunction with development application Official Community Plan amendment and rezoning requirements to ensure that the objectives of the policy are met. This information would be forwarded to Council with the development application report.

The proposed policy is outlined in Attachment 1.

### **Conclusion**

The proposed policy would provide guidance to Council and the public on the issue of displacement of tenants of mobile home parks in the event of development proposals. 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 Park Home Tenancy Act*. The proposed policy allows for the diverse range of individual circumstances to be considered as part of a comprehensive relocation assistance program.

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CVP/lmc

Attach.