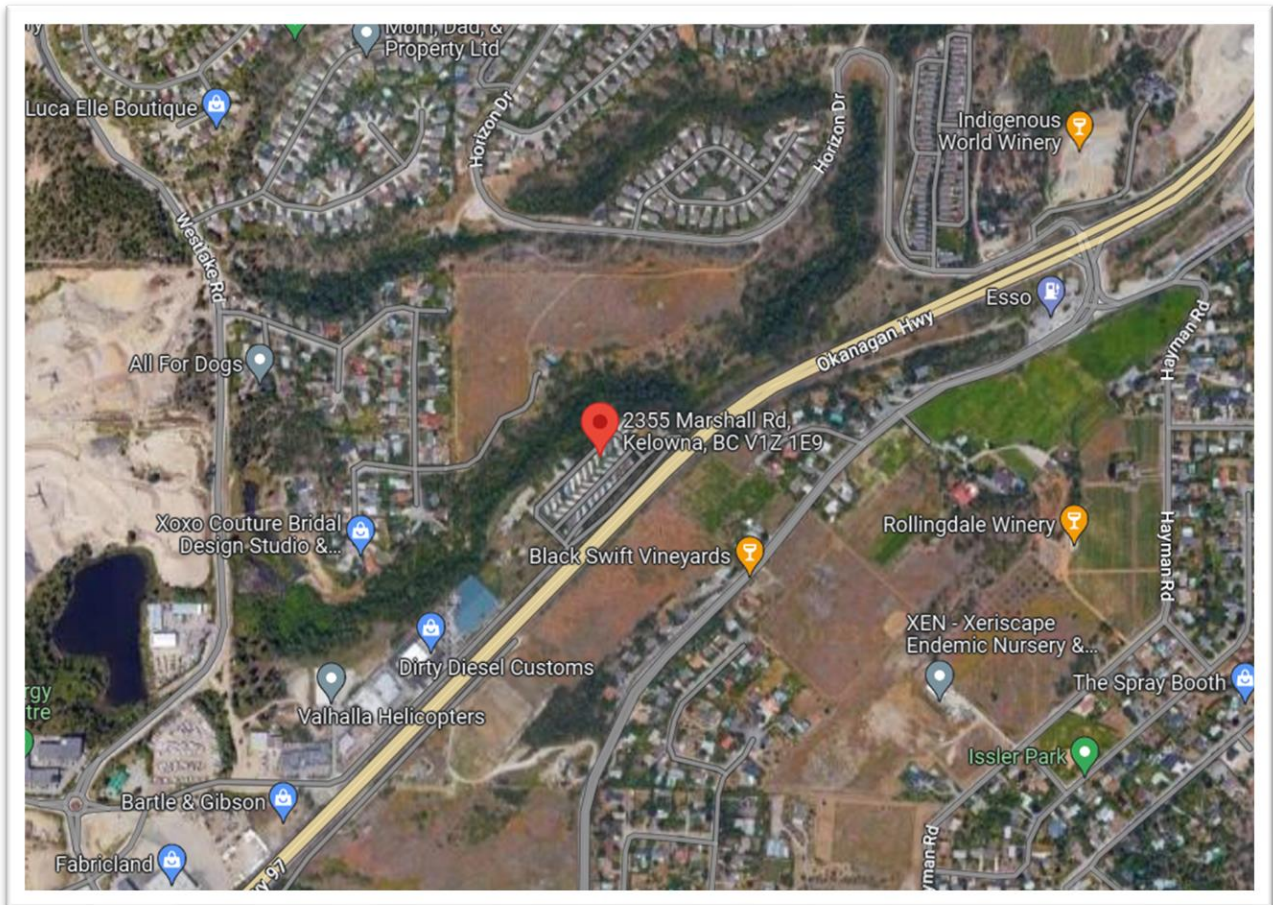


## 2355 Marshall Rd, West Kelowna BC

### Manufactured Home Park Redevelopment Plan



**Kerr Properties 002 Ltd**

A – 5350 272<sup>nd</sup> Street Langley, BC, V4W 1S3

Tel (604) 856-9772 Fax (604) 856-2325

[www.kerrproperties.ca](http://www.kerrproperties.ca)

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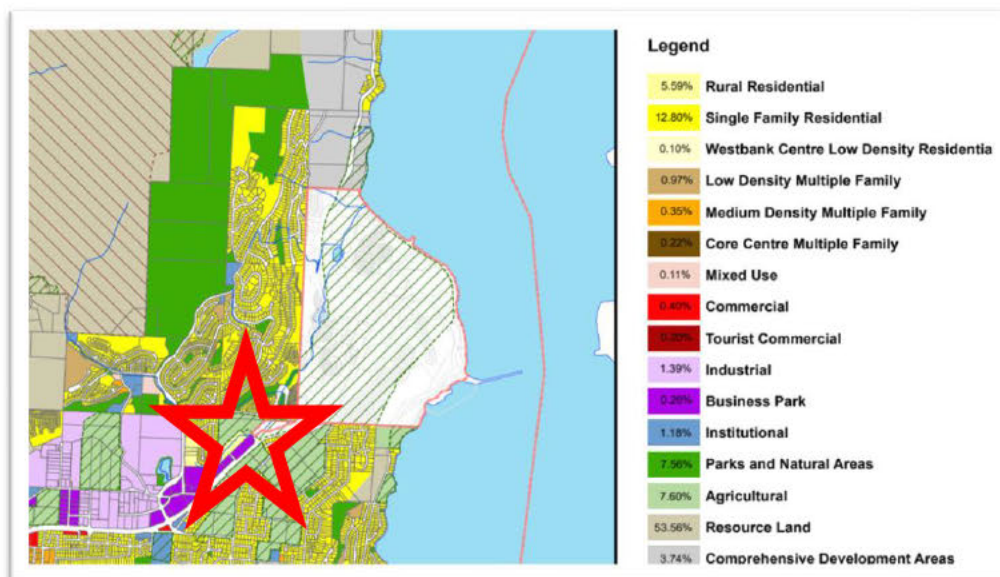
**1. Development Summary**

Kerr Properties 002 Ltd. is pleased to submit this Manufactured Home Park Redevelopment Plan which includes our Communication Plans and Relocation Assistance Program for displaced tenants per the City of West Kelowna “Manufactured Home Park Redevelopment Policy”, and Provincial legislation including the “Manufactured Home Park Tenancy Act”, the “Manufactured Home Park Tenancy Regulation”, and the “Residential Tenancy Act”.

Redevelopment plans include the closure of the existing manufactured home park originally constructed in circa 1960. The park is well past its economic life and in recent years has been plagued with ongoing domestic water, sanitary sewer, and road infrastructure issues.

Originally, the park had 43 manufactured home pads, and one house also built in the 1960’s. Remaining are 27 manufactured homes and the one house. 18 of the remaining homes are owned by Kerr Properties and are rented on a month-to-month basis. 10 of the remaining homes are owned by individual owners, and the remainder of the pads are vacant with manufactured homes already demolished or scheduled for demolition. Like the park itself, all manufactured homes are well beyond their economic life being built in the same era (> 50 years old), and devoid of CSA certification required for relocation.

In keeping with the City of West Kelowna 2040 Official Community Plan (OCP), Kerr Properties is proposing the re-zoning and development of the subject property to a Business Park / Light Industrial land use. The redevelopment of this site will add 6.5 acres of centrally located industrial land along the Highway 97 corridor and will yield approximately 150,000 square feet of high-quality buildings adding to the current low supply of available space for this land use and promoting economic development, attracting new investment, and ultimately generating employment in the City of West Kelowna.



Knowing the impacts this redevelopment will have on the existing park tenants, Kerr Properties has strived to not only meet but exceed the purpose of the City of West Kelowna Manufactured Home Park Redevelopment Policy, and Manufactured Park Home Tenancy Act. With the implementation of this comprehensive plan, we will provide displaced tenants with greater notification and transparency throughout the process, enhanced relocation assistance, financial options that will exceed statutory requirements, and ultimately assist these tenants with their relocation.

Sincerely,  
Travis Tournier



*Development Manager  
Kerr Properties 002 Ltd.*

**2. Communication Plan**

This section outlines how this Relocation Assistance Program will be communicated to the tenants before, during, and after application is made for re-zoning and development of the site.

<b>Notification Details</b>	<b>Timeline for Notice</b>	<b>Method of Delivery</b>	<b>Notice to Who</b>
Notification of Redevelopment Plans Letter (Appendix "A")	Minimum of 30 days prior to application submission to the City of West Kelowna	Registered Mail, hand delivery, posted on park community message boards	All tenants in the park
Communication Plan & Relocation Assistance Program	Minimum 10 days prior to development application being presented to the APC, Council and/or Public Hearing. After approval of plan by City Staff	Registered Mail, hand delivery, posted on park community message boards, email if provided	All tenants in the park
Progress Updates on Re-Zoning / Development Application	Quarterly	Email if provided, posted on park community message boards	All tenants in the park
Formal Notice to Vacate	Issued upon re-zoning approval from the City of West Kelowna	Registered Mail, Hand Delivery,	All tenants in the park. Formal notice type will depend on relocation option selected and tenant type

All communication and queries shall be directed in writing to the Kerr Properties Relocation Coordinator.

**Relocation Coordinator:** Jessica Green

**Mailing Address:** BLDG A – 5350 272<sup>nd</sup> Street, Langley BC, V4W 1S3

**Email:** [REDACTED]

**Phone:** [REDACTED]

### 3. Relocation Assistance Program

This section has been prepared in accordance with the “City of West Kelowna Manufactured Home Park Redevelopment Policy” and will be implemented to assist residents in finding alternative housing arrangements when the park is closed. The program outlines the general demographic of the residents, a detailed profile of the existing manufactured homes, and provides residents with multi options to choose from depending on their individual housing needs.



#### 3.1 Resident Demographic Profile




In general, but not exclusively, residents of the park have low income and consist of single seniors, single individuals, and couples / families. Although there are some residents who are gainfully employed on either a full or part-time basis, many of our residents face low household income, and are unemployed or retired and are on fixed incomes. Many residents have physical or mental disabilities and rely on government assistance programs for financial aid and living assistance.

Based on our knowledge of resident income levels as well as 2020 Census Canada statistics, household income levels range as outlined in the table below.




Type	Source	Approx. Income
Median Employment Income - Full Time Workers	Census Canada 2020 for West Kelowna	\$72,000 Annually
Median Employment Income – Part Time Workers	Census Canada 2020 for West Kelowna	\$22,400 Annually
Persons with disabilities receiving social assistance through the Ministry of Social Development and Poverty Reduction (MSDPR)	General Knowledge	\$1,358.50 - \$1,945.50 per month
Income assistance through MSDPR	General Knowledge	\$935.00 per month
Seniors on CPP, CPP-D, OAS, GIS, SAFER	General Knowledge	\$1,238.0 – 2,073.20 per month




3.2 Manufactured Home Profiles




Unit Number	Tenant or Owner	Approx. Age of Home	Likelihood of Moving	Picture of Unit
1	Vacant pad	1976	Home Already Demolished or Scheduled for Demolition	
2	Owner	1973	Highly Unlikely due to age and condition	

3	Vacant Pad	1960	Home Already Demolished or Scheduled for Demolition	
4	Owner	1970	Highly Unlikely due to age and condition	
5	Owner	1971	Highly Unlikely due to age and condition	





6	Owner	1972	Highly Unlikely due to age and condition	
7	Vacant Pad	1970	Home Already Demolished or Scheduled for Demolition	
8	Tenant	1971	To be Demolished owned by Kerr Properties	

<p>9</p>	<p>Tenant</p>	<p>1971</p>	<p>To be Demolished owned by Kerr Properties</p>	
<p>10</p>	<p>Tenant</p>	<p>1981</p>	<p>To be Demolished owned by Kerr Properties</p>	
<p>11</p>	<p>Vacant Pad</p>	<p>N/A</p>	<p>Home Already Demolished or Scheduled for Demolition</p>	




12	Tenant	1972	To be Demolished owned by Kerr Properties	
13	Owner	1975	Highly Unlikely due to age and condition	
14	Tenant	1967	To be Demolished owned by Kerr Properties	

15	Tenant	1970	To be Demolished owned by Kerr Properties	
16	Tenant	1971	To be Demolished owned by Kerr Properties	
17	Vacant Pad	N/A	Home Already Demolished or Scheduled for Demolition	

18	Tenant	1975	To be Demolished owned by Kerr Properties	
19	Owner	1971	Highly Unlikely due to age and condition	
20	Vacant Pad		Home Already Demolished or Scheduled for Demolition	




21	Tenant	1969	To be Demolished owned by Kerr Properties	
22	Vacant Pad	1978	To be Demolished owned by Kerr Properties	
23	Owner	1972	Highly Unlikely due to age and condition	

24	Vacant Pad	N/A	Home Already Demolished or Scheduled for Demolition	
25	Owner	1975	Highly Unlikely due to age and condition	
26	Vacant Pad	1980	To be Demolished owned by Kerr Properties	



27	Tenant	1982	To be Demolished owned by Kerr Properties	
28	Vacant Pad	N/A	Home Already Demolished or Scheduled for Demolition	
29	Vacant Pad	N/A	Home Already Demolished or Scheduled for Demolition	





30	Vacant Pad	N/A	Home Already Demolished or Scheduled for Demolition	
31	Tenant	1977	To be Demolished owned by Kerr Properties	
32	Owner	1950	<p>Highly Unlikely due to age and condition</p> <p><i>*Unregistered / Unauthorized unit</i></p>	

33	Tenant	1974	To be Demolished owned by Kerr Properties	
34	Owner	1968	Highly Unlikely due to age and condition  <i>*Unregistered / Unauthorized unit</i>	
35	Vacant Pad	N/A	Home Already Demolished or Scheduled for Demolition	

36	Vacant Pad	1966	To be Demolished owned by Kerr Properties	
37	Vacant Pad	N/A	Home Already Demolished or Scheduled for Demolition	
38	Tenant	1981	To be Demolished owned by Kerr Properties	

39	Tenant	1969	To be Demolished owned by Kerr Properties	
40	Vacant Pad	N/A	Home Already Demolished or Scheduled for Demolition	
41	Tenant	1975	To be Demolished owned by Kerr Properties	

42	Vacant Pad	N/A	Home Already Demolished or Scheduled for Demolition	
43	Tenant	1968	To be Demolished owned by Kerr Properties	
44	Vacant Pad	N/A	Home Already Demolished or Scheduled for Demolition	

45	Vacant Pad	1984	Home Already Demolished or Scheduled for Demolition	
House	Tenant	1970	To be Demolished owned by Kerr Properties	

### 3.3 Statutory Requirements

Below is a summary of the statutory requirements set out in the Manufactured Home Park Tenancy Act, the Manufactured Home Park Tenancy Regulation, and the Residential Tenancy Act of British Columbia.

Tenant Type	Notice Period	Compensation	Other
Owner of Manufactured Home which can be moved	12 months	\$20,000.00 CAD	You move your manufactured home at your cost
Owner of Manufactured Home which cannot be moved	12 months	Most recent assessed value minus \$20,000.00 CAD	Tenant will need to apply for dispute resolution through the RTB and may not be awarded this amount of compensation depending on the arbitrator's decision.
Tenant of Kerr Properties Owned Manufactured Home	4 months	One Months Rent	Residential Tenancy Act Applies

### 3.4 Relocation of Tenants Who Don't Own Their Manufactured Home

If you don't own the Manufactured Home you are living in and are residing in the home as a tenant of Kerr Properties, the Manufactured Home Park Tenancy Act and Regulations don't apply to you.

In this case, the applicable legislation is the Residential Tenancy Act of British Columbia, and you will be provided with a 4 month notice for Demolition of the rental unit once the necessary permits are issued by the City of West Kelowna. In this case, you are entitled to compensation equal to one month's rent.

In addition to the one month's rent, Kerr Properties will also provide a relocation assistance payment of \$1000. This one-time payment will be made to the Tenant upon move out of the rental unit.

### 3.5 Relocation Options for Owners of Manufactured Homes

#### Option #1

**SIGN ON AND SELL YOUR MANUFACTURED HOME TO US** (*Offer expires within 60 days of the date this program was received by the tenant through registered mail*)

- We pay you for your manufactured home equal to your 2023 BC Assessment plus 10%. 75% paid upon sale and remaining 25% paid upon move out. <https://www.bcassessment.ca/>
- Maximum 120 days to move out and vacate the property after selling your home to us.
- \$1000 relocation assistance payment paid upon the sale to qualifying owner occupants only.
- We pay for the demolition and disposal of your manufactured home. ~\$20,000 value for hazardous material abatement, demolition, and clean up.

#### Option #2

**RELOCATE YOUR MANUFACTURED HOME**

- You relocate your manufactured home.
- We pay you the amount prescribed by law on the effective date of notice \$20,000.00 CAD
- Owner removes the manufactured home and all structures at their cost. Note, the manufactured home must meet certain qualifications to be relocated. See section 4.2 with website links for more information.
- \$1000 relocation assistance payment paid on the effective date of notice.

#### Option #3

**DON'T SELECT OPTION #1 OR OPTION #2 ABOVE AND THE LANDLORD PROVIDES 12 MONTH NOTICE TO VACATE PER SECTION 42 OF THE MOBILE HOME PARK TENANCY ACT**

- Landlord follows the statutory requirements set out in the Manufactured Home Park Act / Regulation and issues a 12 month notice to vacate upon re-zoning approval. See Appendix "E" for sample notice.



#### 4. Additional Resources

Knowing the inconvenience and stress the closure of the park may cause tenants, we have worked hard to find helpful resources that will assist owners and tenants in relocating. This section provides useful website links, contacts for advice, phone numbers, social programs, market rentals, seniors rentals, law firms, and even moving companies which will help ease the transition into your new home.

##### 4.1 Link to Helpful Websites – Know Your Rights

- BC Assessment  
<https://www.bcassessment.ca/>
  
- Manufactured Home Park Tenancy Act  
[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/02077\\_01](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/02077_01)
  
- Manufactured Home Park Tenancy Regulation  
[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/481\\_2003](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/481_2003)
  
- Manufactured Home Park Tenancy Guide  
<https://www2.gov.bc.ca/assets/gov/housing-and-tenancy/residential-tenancies/guides/mhp-guide19.pdf>
  
- Residential Tenancy Act  
[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/02078\\_01](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/02078_01)
  
- Manufactured Homes Government Website  
<https://www2.gov.bc.ca/gov/content/housing-tenancy/owning-a-home/manufactured-home-registry>

## 4.2 Housing Resource Websites

- Subsidized housing / low-income seniors housing - <https://www.societyofhope.org/>
- Affordable rental housing for low-to-moderate income but may not be eligible for subsidized housing - <https://www.bchousing.org/>
- CO-OP housing - <https://okhc.ca/>
- Market rental housing with subsidy
  - <https://www.bchousing.org/>
  - <https://www.nowcanada.ca/>
  - <https://cmhkelowna.com/>
  - <https://foundrybc.ca/kelowna/>
  - <http://www.kfs.bc.ca/>
  - <https://www.bchousing.org/housing-assistance/rental-assistance-programs/SAFER>
  - <https://www.bchousing.org/housing-assistance/rental-assistance-programs/RAP>
- Market rental housing without subsidy
  - <https://www.castanet.net/>
  - <https://www.facebook.com/login/?next=%2Fmarketplace%2F>
  - <https://www.kijiji.ca/>
  - <https://kelowna.craigslist.org/>
  - <https://www.homefinders.rentals/>

#### **4.3 Family Housing Providers for Low Income Families and Seniors – Telephone Numbers**

- Father Delestre Family Housing – 250-860-1128
- OK Housing CO-OP – 250-860-4718
- Society of Hope – 778-478-7977
- Southgate Mannor – 250-763-2953
- Evangel Housing – 250-762-6225
- Okanagan Metis & Aboriginal Housing – 250-763-7747
- Now Canada – 250-763-3876
- Westbank First Nations – 250-769-4999
- Westbank Lions – 250-768-9590
- Brookside Seniors – 250-763-5707
- Central OK Housing – 250-768-3060
- Seventh Day Adventist – 250-862-9518
- Parkdale Place – 250-494-1161
- Peachland Seniors – 250-767-0183

#### **4.4 Local Law Firms**

- Touchstone Law Group – 250-448-2637
- Pushor Mitchell – 250-762-2108
- Montgomery Miles & Stone – 250-980-3360
- Porrelli Law – 250-768-0717

#### **4.5 Local Moving Companies**

- Packrat Movers Kelowna – 250-869-7479
- Two Small Men with Big Hearts – 250-861-5030
- Brett and Buddies – 250-469-4550

**APPENDIX "A"**

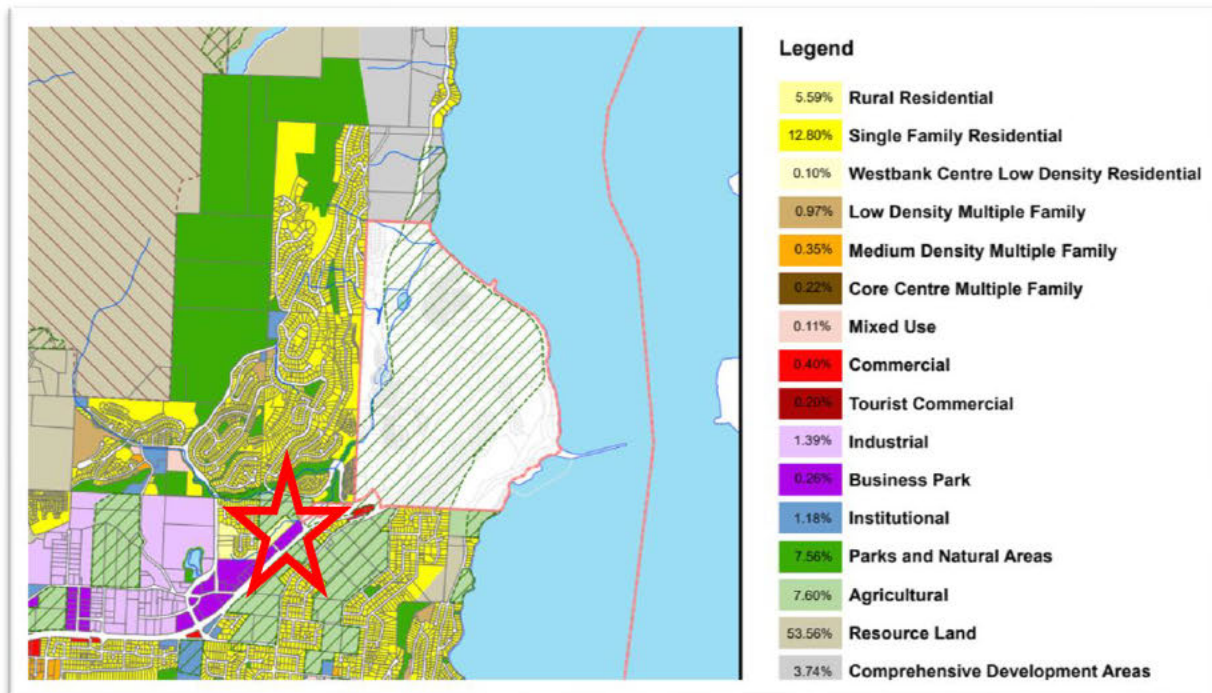
**Sample - Notification Letter to Tenants of Redevelopment Plans**

June 1, 2023

Re: Unit #\_\_\_\_ - 2355 Marshall Rd, West Kelowna, BC V1Z 1E9

Dear (tenants name as it appears on title or residential tenancy agreement)

We write to inform you of our plans to close the manufactured home park in which you live and re-develop the property to a Light Industrial / Business Park land use per the City of West Kelowna Official Community Plan land use designation (Map below).



As part of the application to re-zone and re-develop the site, we will be preparing and implementing both a Communication Plan and Relocation Assistance Program per the City of West Kelowna “Manufactured Home Park Redevelopment Policy”. This program will provide you with clear communication of the process, ample notice periods for relocating, administrative support, and financial assistance greater than the statutory requirements set out in the Manufactured Home Park Tenancy Act of BC or Residential Tenancy Act of BC.

---

Once approved by City of West Kelowna staff, both the Communication Plan and Relocation Assistance Program will be mailed and hand delivered to you prior to the applications being presented to the Advisory Planning Commission, and City Council, and before any Public Hearings are scheduled for the application.

If you have any questions or would like to have a preliminary discussion of your options before these plans are approved and shared with you, please contact the undersigned.

Sincerely,

Jessica Green

*(Sign here)*

*Relocation Coordinator  
Kerr Properties 002 Ltd.*

██████████  
████████████████████

**APPENDIX "B"**

**Status Report & Selection Form**

Unit #	Occupant Name	Tenant or Owner	Initial Notice Provided (Appendix A) (Date)	Communication Plan / Relocation Assistance Program Provided (Date)	Preferred Relocation Option	Notes
1	Vacant Pad	N/A				
2	██████████	Owner				
3	Vacant Pad	N/A				
4	██████████	Owner				
5	██████████	Owner				
6	██████████	Owner				
7	Vacant Pad	N/A				
8	██████████ ██████████ ██████████	Tenant				
9	██████████	Tenant				
10	██████	Tenant				
11	██████████	N/A				
12	██████████	Tenant				
13	██████████	Owner				
14	██████████ ██████	Tenant				
15	██████████	Tenant				
16	██████████	Tenant				
17	Vacant Pad	N/A				
18	██████████	Tenant				
19	██████████	Owner				
20	Vacant Pad	N/A				
21	██████████	Tenant				
22	Vacant Pad	N/A				



23	██████████	Owner				
24	Vacant Pad	N/A				
25	██████████	Owner				
26	Vacant Pad	N/A				
27	██████████	Tenant				
28	Vacant Pad	N/A				
29	Vacant Pad	N/A				
30	Vacant Pad	N/A				
31	██████████	Tenant				
32	██████████	Owner				
33	██████████	Tenant				
34	██████████	Owner				
35	Vacant Pad	N/A				
36	Vacant Pad	N/A				
37	Vacant Pad	N/A				
38	██████████	Tenant				
39	██████████	Tenant				
40	Vacant Pad	N/A				
41	██████████	Tenant				
42	Vacant Pad	N/A				
43	██████████	Tenant				
44	Vacant Pad	N/A				
45	Vacant Pad	N/A				
House	██████████	Tenant				

---

**RELOCATION OPTION SELECTION FORM**

July 21, 2023

**Registered Owners Name(s):** *(Name as it appears on title)*

**Civil Address:** Unit # 2 - 2355 Marshall Rd, West Kelowna, BC V1Z 1E9

**Legal Address:** OSOYOOS DIV OF YALE LAND DISTRICT, MANUFACTURED HOME REG.# 22463, BAY # 2,  
19364 COUNTY MANUFACTURED HOME PARK, MHP ROLL # 19-364-13771.000

---

I (\_\_\_\_\_, and \_\_\_\_\_) acknowledge that I / we have read the “Relocation Assistance Program” and understand the options available to us for relocation. Selected below is our preferred relocation option.

Both parties agree that this is not a binding agreement but an expression of the preferred relocation option, and intention to work in good faith with Kerr Properties 002 Ltd towards a mutually acceptable agreement.

<input type="checkbox"/>	<p><b>OPTION #1 - SIGN ON AND SELL YOUR MANUFACTURED HOME TO US</b> <i>(Offer expires within 60 days of the date this program was received by the tenant through registered mail)</i></p> <ul style="list-style-type: none"> <li>• We pay you for your manufactured home equal to your 2023 BC Assessment plus 10%. 75% paid upon sale and the remaining 25% paid upon move out. <a href="https://www.bcassessment.ca/">https://www.bcassessment.ca/</a></li> <li>• Maximum 120 days to move out and vacate the property after selling your home to us.</li> <li>• \$1000 relocation assistance payment paid upon the sale to qualifying owner occupants only.</li> <li>• We pay for the demolition and disposal of your manufactured home. ~\$20,000 value for hazardous material abatement, demolition, and clean up.</li> </ul>
<input type="checkbox"/>	<p><b>OPTION #2 - RELOCATE YOUR MANUFACTURED HOME</b></p> <ul style="list-style-type: none"> <li>• You relocate your manufactured home.</li> <li>• We pay you the amount prescribed by law on the effective date of notice \$20,000.00 CAD</li> <li>• Owner removes the manufactured home and all structures at their cost. Note, the manufactured home must meet certain qualifications to be relocated. See section 4.2 with website links for more information.</li> <li>• \$1000 relocation assistance payment paid on the effective date of notice.</li> </ul>
<input type="checkbox"/>	<p><b>OPTION #3 - DON'T SELECT OPTION #1 OR OPTION #2 ABOVE AND THE LANDLORD PROVIDES 12 MONTH NOTICE TO VACATE PER SECTION 42 OF THE MOBILE HOME PARK TENANCY ACT</b></p> <ul style="list-style-type: none"> <li>• Landlord follows the statutory requirements set out in the Manufactured Home Park Act / Regulation and issues a 12 month notice to vacate upon re-zoning approval. See Appendix "E" for sample notice.</li> </ul>

X

Registered Owners Name

X

Registered Owners Name

X

Kerr Properties 002 Ltd  
Authorized Signatory

**APPENDIX "C"**

**City of West Kelowna – Manufactured Home Park Redevelopment Policy**



# DRAFT DISTRICT OF WEST KELOWNA

## COUNCIL POLICY MANUAL

Pages: 1 of 2

Approval Date: 2008-APR-22

**SECTION: DEVELOPMENT SERVICES**

**SUBJECT: MANUFACTURED HOME PARK REDEVELOPMENT POLICY**

### **Manufactured Home Park Redevelopment Policy**

The following policy address the displacement of tenants resulting from redevelopment of manufactured home parks. The policy is meant to provide tenants with the opportunity for greater notification and assistance from applicant(s) than is currently required under the *Manufactured Park Home Tenancy Act*.

This policy applies to applications for an amendment to the Zoning Bylaw and to any other matters in which the Council may properly take into consideration the displacement of manufactured home park tenants.

While considering applications, Council may require staff to report on any existing manufactured home park use and whether it is in the public interest for Council to support redevelopment of lands presently used for that purpose while there is a shortage of suitable manufactured home sites in the region.

Council may further require a report on whether any relocation assistance plan has been proposed that would have a bearing on the issue.

If the applicant wishes the Council to consider a relocation assistance plan, it should follow the procedures below.

#### **I. Communication of Plans for Redevelopment**

1. At the pre-application stage, the applicant should notify in writing all tenants that plans for redevelopment are being made, and that a relocation assistance program is part of these plans. All tenants affected by any proposed redevelopment should be advised by the applicant 30 days prior to application submission. Notices should also be posted on communal notice boards and facilities in the manufactured home park. Copies of these communications should be submitted with the development application
2. The applicant(s) should formulate a plan for communicating the relocation assistance program to existing residents. The communication plan should provide tenants with information that will assist them in making plans for alternative living arrangements. The applicant(s) should provide updates to the residents as the process progresses and should provide tenants with a letter at least 10 days prior to the development application being presented to the relevant Advisory Planning Commission, Council Meeting and/or Public Hearing for their consideration.

#### **II. Relocation Assistance Program**

1. The relocation assistance program:
  1. Should include a profile of resident demographic characteristics, such as family size/structure, general income levels, housing needs/relocation options/preferences, and where this information is attainable;
  2. Should include a profile of manufactured home conditions and potential for moving and re-use of homes;
  3. Should be flexible and multi-dimensional by including various options and components, in order to respond to different tenant characteristics, needs and preferences;
  4. May include, in addition to the statutory requirements under the *Manufactured Home Park Tenancy Act*:
    - i. Arranging and paying for the disposal of manufactured homes;
    - ii. Unconditional compensation payments of a value that would provide tenants with some amount of equity and greater flexibility in their plans for relocation (i.e. a payment equivalent to the assessed value of the “on pad” manufactured home). This would be in addition to the mandatory payment under the *Manufactured Home Park Tenancy Act*;
    - iii. Opportunities for the right of first refusal to purchase and purchase discounts on local units developed by the applicant(s), including new units built on the subject property;
    - iv. Advice on options for relocating in the regional context in regards to market housing, non-market housing and manufactured home park opportunities.
  5. Should include a status report on the implementation of the program, indicating preferred options for the tenants.

### III. Timing

The applicant(s) should formulate, communicate and begin implementing components of the program as soon as possible, after the plans for redevelopment are made. The relocation assistance plan should be provided to the District of West Kelowna with the development application.

### IV. Evaluation of Securing of the Plan

Municipal staff will evaluate the proposed relocation assistance program in conjunction with the development application to determine if it meets the objectives of this policy. The municipality may request adequate assurance, either by way of a financial or legal undertaking (i.e. letter of credit, performance bond, or a similar alternative) that the relocation assistance plan will be implemented. Staff will include this information in the development application evaluation report that is forwarded to the Council for its consideration of the application.

**APPENDIX "D"**

**Sample - Relocation Assistance Program for Owners of a Manufactured Home**

Unit #2 - 2355 Marshall Rd, West Kelowna BC  
Relocation Assistance Program

Owner / Pad Tenant: [REDACTED]

Address: [REDACTED]





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**1. Introduction**

Dear [REDACTED],

Further to the notification letter submitted to you on **(date)** and attached again for reference as “Appendix A”, the City of West Kelowna Planning Department has now accepted our application to re-zone the property located at 2355 Marshall Rd, West Kelowna BC where your manufactured home is located on Pad #2.

The re-zoning application to a Business Park / Light Industrial land use is now in process and will be presented to the City of West Kelowna Council and Advisory Planning Commission in the near future for consideration and adoption.

Section 2 of this program outlines our Communication Plan and what you can expect from us with respect to notifications, updates, and formal notices as the re-zoning application, and closure of the park progresses.

Section 3 outlines the statutory requirements and options available to you for the sale and or relocation of your manufactured home when the park is ultimately closed.

Section 4 provides additional resources to assist owners in relocating and also provides links to all pertinent websites and information you will need to understand your rights, and legislation surrounding the closure of a Manufactured Home Park in British Columbia.

Please review this program in detail and contact the undersigned to discuss further, and to communicate your desired option for relocation.

Kind Regards,

*Jessica Green*  
*Relocation Assistance Coordinator*  
*Kerr Properties 002 Ltd.*

[REDACTED]  
[REDACTED]

**2. Communication Plan**

This section outlines and formalizes how this Relocation Assistance Program will be communicated to the tenants before, during, and after application is made for re-zoning and development of the site.

Notification Details	Timeline for Notice	Method of Delivery	Notice to Who
Notification of Redevelopment Plans Letter (Appendix "A")	Minimum of 30 days prior to application submission to the City of West Kelowna	Registered Mail, hand delivery, posted on park community message boards	All tenants in the park
Communication Plan & Relocation Assistance Program	Minimum 10 days prior to development application being presented to the APC, Council and/or Public Hearing. After approval of plan by City Staff	Registered Mail, hand delivery, posted on park community message boards, email if provided	All tenants in the park
Progress Updates on Re-Zoning / Development Application	Quarterly	Email if provided, posted on park community message boards	All tenants in the park
Formal Notice to Vacate	Issued upon re-zoning approval from the City of West Kelowna	Registered Mail, Hand Delivery,	All tenants in the park. Formal notice type will depend on relocation option selected and tenant type

All communication and queries shall be directed in writing to the Kerr Properties Relocation Coordinator.

**Relocation Coordinator:** Jessica Green

**Mailing Address:** BLDG A – 5350 272<sup>nd</sup> Street, Langley BC, V4W 1S3

**Email:** [REDACTED]

**Phone:** [REDACTED]

### 3. Relocation Assistance Program

This section has been prepared in accordance with the “City of West Kelowna Manufactured Home Park Redevelopment Policy” and will be implemented to assist residents in finding alternative housing arrangements when the park is closed.

#### 3.1 Statutory Requirements

Are you wondering what you are entitled to by law? Below is a summary of the statutory requirements set out in the Manufactured Home Park Tenancy Act, the Manufactured Home Park Tenancy Regulation, and the Residential Tenancy Act of British Columbia.

Tenant Type	Notice Period	Compensation	Other
Owner of Manufactured Home which can be moved	12 months	\$20,000.00 CAD	You move your manufactured home at your cost
Owner of Manufactured Home which cannot be moved	12 months	Most recent assessed value minus \$20,000.00 CAD	Tenant will need to apply for dispute resolution through the RTB and may not be awarded this amount of compensation depending on the arbitrator’s decision.

### 3.2 Relocation Options for Owners of Manufactured Homes

#### Option #1

**SIGN ON AND SELL YOUR MANUFACTURED HOME TO US** (*Offer expires within 60 days of the date this program was received by the tenant through registered mail*)

- We pay you for your manufactured home equal to your 2023 BC Assessment plus 10%. 75% paid upon sale and remaining 25% paid upon move out. <https://www.bcassessment.ca/>
- Maximum 120 days to move out and vacate the property after selling your home to us.
- \$1000 relocation assistance payment paid upon the sale to qualifying owner occupants only.
- We pay for the demolition and disposal of your manufactured home. ~\$20,000 value for hazardous material abatement, demolition, and clean up.

#### Option #2

##### **RELOCATE YOUR MANUFACTURED HOME**

- You relocate your manufactured home.
- We pay you the amount prescribed by law on the effective date of notice \$20,000.00 CAD
- Owner removes the manufactured home and all structures at their cost. Note, the manufactured home must meet certain qualifications to be relocated. See section 4.2 with website links for more information.
- \$1000 relocation assistance payment paid on the effective date of notice.

#### Option #3

**DON'T SELECT OPTION #1 OR OPTION #2 ABOVE AND THE LANDLORD PROVIDES 12 MONTH NOTICE TO VACATE PER SECTION 42 OF THE MOBILE HOME PARK TENANCY ACT**

- Landlord follows the statutory requirements set out in the Manufactured Home Park Act / Regulation and issues a 12 month notice to vacate upon re-zoning approval. See Appendix "E" for sample notice.

#### **4. Additional Resources**

Knowing the inconvenience and stress the closure of the park may cause tenants, we have worked hard to find helpful resources that will assist owners and tenants in relocating. This section provides useful website links, contacts for advice, phone numbers, social programs, market rentals, seniors rentals, law firms, and even moving companies which will help ease the transition into your new home.

##### **4.1 Link to Helpful Websites – Know Your Rights**

- BC Assessment  
<https://www.bccassessment.ca/>
  
- Manufactured Home Park Tenancy Act  
[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/02077\\_01](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/02077_01)
  
- Manufactured Home Park Tenancy Regulation  
[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/481\\_2003](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/481_2003)
  
- Manufactured Home Park Tenancy Guide  
<https://www2.gov.bc.ca/assets/gov/housing-and-tenancy/residential-tenancies/guides/mhp-guide19.pdf>
  
- Residential Tenancy Act  
[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/02078\\_01](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/02078_01)
  
- Manufactured Homes Government Website  
<https://www2.gov.bc.ca/gov/content/housing-tenancy/owning-a-home/manufactured-home-registry>

#### 4.2 Housing Resource Websites

- Subsidized housing / low-income seniors housing - <https://www.societyofhope.org/>
- Affordable rental housing for low-to-moderate income but may not be eligible for subsidized housing - <https://www.bchousing.org/>
- CO-OP housing - <https://okhc.ca/>
- Market rental housing with subsidy
  - <https://www.bchousing.org/>
  - <https://www.nowcanada.ca/>
  - <https://cmhkelowna.com/>
  - <https://foundrybc.ca/kelowna/>
  - <http://www.kfs.bc.ca/>
  - <https://www.bchousing.org/housing-assistance/rental-assistance-programs/SAFER>
  - <https://www.bchousing.org/housing-assistance/rental-assistance-programs/RAP>
- Market rental housing without subsidy
  - <https://www.castanet.net/>
  - <https://www.facebook.com/login/?next=%2Fmarketplace%2F>
  - <https://www.kijiji.ca/>
  - <https://kelowna.craigslist.org/>
  - <https://www.homefinders.rentals/>

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#### **4.3 Family Housing Providers for Low Income Families and Seniors – Telephone Numbers**

- Father Delestre Family Housing – 250-860-1128
- OK Housing CO-OP – 250-860-4718
- Society of Hope – 778-478-7977
- Southgate Mannor – 250-763-2953
- Evangel Housing – 250-762-6225
- Okanagan Metis & Aboriginal Housing – 250-763-7747
- Now Canada – 250-763-3876
- Westbank First Nations – 250-769-4999
- Westbank Lions – 250-768-9590
- Brookside Seniors – 250-763-5707
- Central OK Housing – 250-768-3060
- Seventh Day Adventist – 250-862-9518
- Parkdale Place – 250-494-1161
- Peachland Seniors – 250-767-0183

#### **4.4 Local Law Firms**

- Touchstone Law Group – 250-448-2637
- Pushor Mitchell – 250-762-2108
- Montgomery Miles & Stone – 250-980-3360
- Porrelli Law – 250-768-0717

#### **4.5 Local Moving Companies**

- Packrat Movers Kelowna – 250-869-7479
- Two Small Men with Big Hearts – 250-861-5030
- Brett and Buddies – 250-469-4550



**APPENDIX "A"**

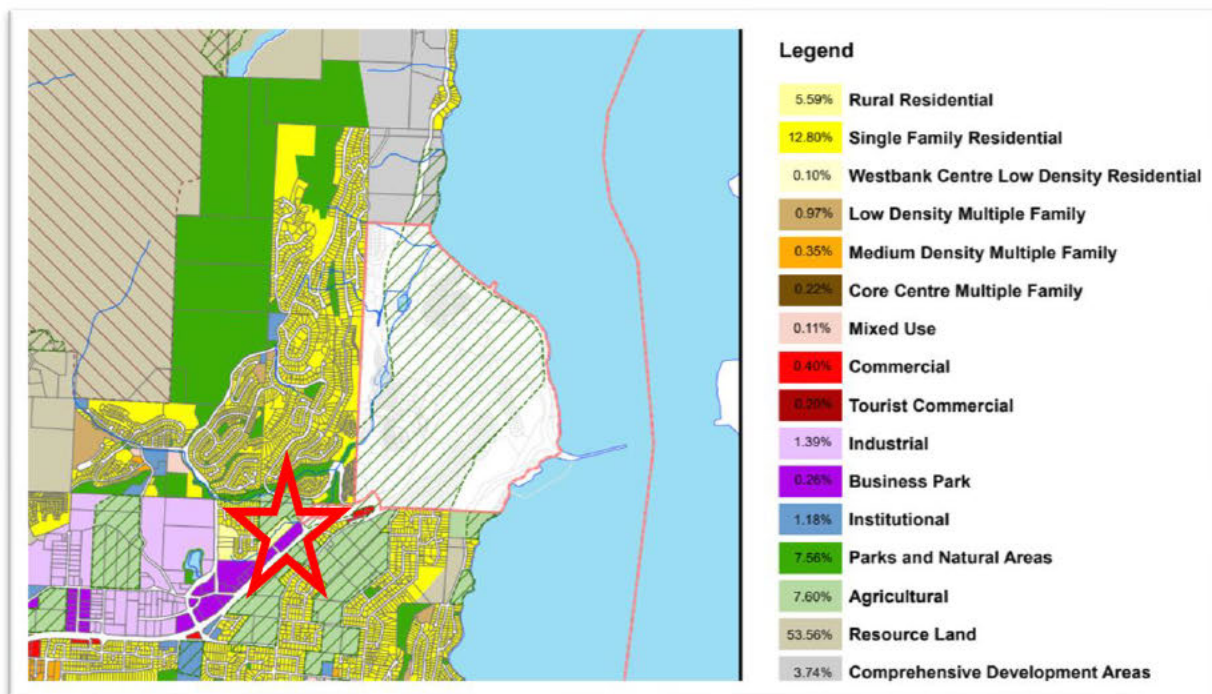
**Sample - Notification Letter to Tenants of Redevelopment Plans**

June 1, 2023

Re: Unit #\_\_\_\_ - 2355 Marshall Rd, West Kelowna, BC V1Z 1E9

Dear (tenants name as it appears on title),

We write to inform you of our plans to close the manufactured home park in which you live and re-develop the property to a Light Industrial / Business Park land use per the City of West Kelowna Official Community Plan land use designation (Map below).



As part of the application to re-zone and re-develop the site, we will be preparing and implementing both a Communication Plan and Relocation Assistance Program per the City of West Kelowna "Manufactured Home Park Redevelopment Policy". This program will provide you with clear communication of the process, ample notice periods for relocating, administrative support, and financial assistance greater than the statutory requirements set out in the Manufactured Home Park Tenancy Act of BC or Residential Tenancy Act of BC.

---

Once approved by City of West Kelowna staff, both the Communication Plan and Relocation Assistance Program will be mailed and hand delivered to you prior to the applications being presented to the Advisory Planning Commission, and City Council, and before any Public Hearings are scheduled for the application.

If you have any questions or would like to have a preliminary discussion of your options before these plans are approved and shared with you, please contact the undersigned.

Sincerely,

Jessica Green

*(Sign here)*

*Relocation Coordinator  
Kerr Properties 002 Ltd.*

██████████  
████████████████████

**APPENDIX "B"**

**City of West Kelowna – Manufactured Home Park Redevelopment Policy**



# DRAFT DISTRICT OF WEST KELOWNA

## COUNCIL POLICY MANUAL

Pages: 1 of 2

Approval Date: 2008-APR-22

<b>SECTION:</b> DEVELOPMENT SERVICES
<b>SUBJECT:</b> MANUFACTURED HOME PARK REDEVELOPMENT POLICY

### Manufactured Home Park Redevelopment Policy

The following policy address the displacement of tenants resulting from redevelopment of manufactured home parks. The policy is meant to provide tenants with the opportunity for greater notification and assistance from applicant(s) than is currently required under the *Manufactured Park Home Tenancy Act*.

This policy applies to applications for an amendment to the Zoning Bylaw and to any other matters in which the Council may properly take into consideration the displacement of manufactured home park tenants.

While considering applications, Council may require staff to report on any existing manufactured home park use and whether it is in the public interest for Council to support redevelopment of lands presently used for that purpose while there is a shortage of suitable manufactured home sites in the region.

Council may further require a report on whether any relocation assistance plan has been proposed that would have a bearing on the issue.

If the applicant wishes the Council to consider a relocation assistance plan, it should follow the procedures below.

#### I. Communication of Plans for Redevelopment

1. At the pre-application stage, the applicant should notify in writing all tenants that plans for redevelopment are being made, and that a relocation assistance program is part of these plans. All tenants affected by any proposed redevelopment should be advised by the applicant 30 days prior to application submission. Notices should also be posted on communal notice boards and facilities in the manufactured home park. Copies of these communications should be submitted with the development application
2. The applicant(s) should formulate a plan for communicating the relocation assistance program to existing residents. The communication plan should provide tenants with information that will assist them in making plans for alternative living arrangements. The applicant(s) should provide updates to the residents as the process progresses and should provide tenants with a letter at least 10 days prior to the development application being presented to the relevant Advisory Planning Commission, Council Meeting and/or Public Hearing for their consideration.

#### II. Relocation Assistance Program

1. The relocation assistance program:
  1. Should include a profile of resident demographic characteristics, such as family size/structure, general income levels, housing needs/relocation options/preferences, and where this information is attainable;
  2. Should include a profile of manufactured home conditions and potential for moving and re-use of homes;
  3. Should be flexible and multi-dimensional by including various options and components, in order to respond to different tenant characteristics, needs and preferences;
  4. May include, in addition to the statutory requirements under the *Manufactured Home Park Tenancy Act*:
    - i. Arranging and paying for the disposal of manufactured homes;
    - ii. Unconditional compensation payments of a value that would provide tenants with some amount of equity and greater flexibility in their plans for relocation (i.e. a payment equivalent to the assessed value of the “on pad” manufactured home). This would be in addition to the mandatory payment under the *Manufactured Home Park Tenancy Act*;
    - iii. Opportunities for the right of first refusal to purchase and purchase discounts on local units developed by the applicant(s), including new units built on the subject property;
    - iv. Advice on options for relocating in the regional context in regards to market housing, non-market housing and manufactured home park opportunities.
  5. Should include a status report on the implementation of the program, indicating preferred options for the tenants.

### III. Timing

The applicant(s) should formulate, communicate and begin implementing components of the program as soon as possible, after the plans for redevelopment are made. The relocation assistance plan should be provided to the District of West Kelowna with the development application.

### IV. Evaluation of Securing of the Plan

Municipal staff will evaluate the proposed relocation assistance program in conjunction with the development application to determine if it meets the objectives of this policy. The municipality may request adequate assurance, either by way of a financial or legal undertaking (i.e. letter of credit, performance bond, or a similar alternative) that the relocation assistance plan will be implemented. Staff will include this information in the development application evaluation report that is forwarded to the Council for its consideration of the application.

**APPENDIX "C"**

**Title Search**

DRAFT

APPENDIX "C" HAS BEEN  
REMOVED AS IT  
CONTAINS CONFIDENTIAL  
INFORMATION



**APPENDIX "D"**

**Detailed Tax Report**

DRAFT

APPENDIX "D" HAS BEEN  
REMOVED AS IT  
CONTAINS CONFIDENTIAL  
INFORMATION

**APPENDIX "E"**

**RTB 31 – 12 Month Notice to End Tenancy**

*Used only if Option #2 or #3 are selected*

**Tenant: This is a legal notice that could lead to you being evicted from your home**

**HOW TO DISPUTE THIS NOTICE**

You have the right to dispute this Notice within **15 days** of receiving it, by filing an Application for Dispute Resolution with the Residential Tenancy Branch online, in person at any Service BC Office or by going to the Residential Tenancy Branch Office at #400 - 5021 Kingsway in Burnaby. If you do not apply within the required time limit, you are presumed to accept that the tenancy is ending and must vacate the manufactured home park site by the effective date of this Notice.

**See pages 2 and 3 of this notice for important information**

**To the Tenant:** (use Schedule of Parties form #RTB- 26 to list additional tenants)

first and middle name	last name
first and middle name	last name
main phone	other phone

**Tenant Address:**

site/unit #	street # and name	city	province	postal code
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**From the Landlord:** (use Schedule of Parties form #RTB- 26 to list additional landlords)

first and middle name	last name
main phone	other phone

**Landlords address:**

site/unit #	street # and name	city	province	postal code
-------------	-------------------	------	----------	-------------

**I, the Landlord, give you 12 months' notice to move out of the manufactured home site located at:**

site/unit #	street # and name	city	province	postal code
-------------	-------------------	------	----------	-------------

DD/MM/YYYY

You must move out of the manufactured home site by:

name of landlord/agent	signature of landlord/agent	date signed DD/MM/YYYY
------------------------	-----------------------------	------------------------

Your personal information is collected under section 26 (a) and (c) of the Freedom of Information and Protection of Privacy Act for the purpose of administering the Residential Tenancy Act. If you have any questions regarding the collection of your personal information, please call 604-660-1020 in Greater Vancouver; 250-387-1602 in Victoria; or 1-800-665-8779 elsewhere in B.C.

**Complete the details below at the time of service (not required on landlord's copy; failure to complete does not invalidate notice).**

**Served by:**

- In person to the tenant or agent of the tenant or an adult (over 19) who appears to live with the tenant
- Sending a copy by registered mail to the address at which the person resides
- Leaving a copy in a mailbox or mail slot at the address where the person resides
- Attaching a copy to the door or other conspicuous place where the tenant resides
- Faxes it to a number you have provided as an address for service
- Emails it to an email address you have provided as an address for service
- As ordered by the Director of the Residential Tenancy Branch (attach copy of Substituted Service Order)

**Landlords should also complete Proof of Service Notice to End Tenancy (form #RTB-34) as evidence of service.**

## **IMPORTANT INFORMATION ABOUT THIS NOTICE**

### **REQUIREMENTS FOR ENDING A TENANCY WITH THIS NOTICE:**

A landlord may end a tenancy with twelve month notice to convert all or a significant part of the manufactured home park to a non-residential use or a residential use other than a manufactured home park.

#### **1. LANDLORD MUST ACT IN GOOD FAITH**

Your landlord has to intend in good faith to accomplish the purpose for ending your tenancy. A claim of good faith requires honesty of intention with no ulterior motive.

#### **2. PERMITS AND APPROVALS MAY BE REQUIRED**

Your landlord has to have all permits and approvals that are required by law in place before they give you this notice. You can ask your landlord to see the permits.

#### **3. EFFECTIVE DATE OF NOTICE**

The effective date of this Notice is the date you must vacate the manufactured home site. Your landlord must provide you with at least twelve months' notice and the effective date must be the last day of the rental period. For example, if you pay rent on the first day of each month, the effective date must be the last day of a month.

#### **4. LANDLORD MUST COMPENSATE YOU**

On or before the effective date of this Notice, your landlord has to compensate you \$20,000.

#### **5. YOU MAY BE ABLE TO MOVE OUT EARLY**

Following receipt of this Notice, you can end the tenancy sooner than the date set out in this Notice as long as you give the landlord at least 10 days' written notice to end the tenancy. Rent is payable only until the date the tenant permanently vacates the site. Ending the tenancy early does not affect your right to the \$20,000 compensation above.

#### **6. IF YOUR MANUFACTURED HOME CANNOT BE MOVED**

You may make an application for dispute resolution for additional compensation if your manufactured home is not capable of being moved from the manufactured home site and the most recent assessed value of your manufactured home is more than \$20,000.

## 7. YOU MAY BE ENTITLED TO ADDITIONAL COMPENSATION

DRAFT

After you vacate the manufactured home site, if your landlord does not take steps to accomplish the stated conversion of the manufactured home park within a reasonable period after the effective date of this Notice, your landlord must compensate you the greater of: \$5000 or the amount equal to 12 times the monthly rent that would have been payable under the tenancy agreement. You must apply to the Residential Tenancy Branch to be awarded this compensation. Your landlord may be excused from paying this amount if there were extenuating circumstances that prevented your landlord from accomplishing the purpose for ending your tenancy within a reasonable period after the effective date of the Notice.

## 8. WHEN YOU ARE CONSIDERED TO HAVE RECEIVED THIS NOTICE

You are considered to have received this notice on the day it is given to you in person (or to an adult (19+) who appears to live with you).

If you were not personally served with this Notice, you are considered to have received the Notice, unless there is evidence to the contrary, on the following:

- 3 days after the landlord either leaves the Notice in the mailbox or through the mail slot; posts it on the door or a noticeable place at the address where you live; or emails/faxes it to a number you have provided as an address for service; or
- 5 days after the landlord sends the Notice by registered or regular mail to the address where you live.

**Note: The date a person receives documents is what is used to calculate the time to respond; the deeming provisions do not give you extra time to respond**

## 9. INFORMATION FOR LANDLORDS

You can file an Application for Dispute Resolution for an Order of Possession if you believe the tenant does not intend to move out and the tenant's deadline to dispute this Notice has expired. The tenant has **15** calendar days from the date of receipt of this notice to file an Application for Dispute Resolution.

If the tenant disputes the Notice, a hearing will be held. You will have an opportunity to participate and prove that the tenancy should end for the reason you have indicated on this Notice. An error in this Notice or an incorrect move-out date on this Notice does not make it invalid. An arbitrator can order that the tenancy ends on a date other than the date specified on this Notice.

If an arbitrator upholds this Notice, the arbitrator must grant an Order of Possession to you. If an arbitrator determines this Notice is not valid, the notice to end tenancy is cancelled and the tenancy continues. Keep copies of all Notices to End Tenancy and record each date and how the Notice was given or received.

You **MUST NOT** physically evict a tenant without a Writ of Possession obtained from the Supreme Court of British Columbia after an arbitrator has issued an Order of Possession, change the locks without an arbitrator's order, or seize a tenant's personal property without a court order

### FOR MORE INFORMATION:

[www.gov.bc.ca/landlordtenant](http://www.gov.bc.ca/landlordtenant)

Public Information Lines: 1-800-665-8779 (toll-free) Greater Vancouver: 604-660-1020 Victoria: 250-387-1602

This is page 3 of a 3-page Notice. The landlord must sign page one of this Notice and must give the tenant every page.

**APPENDIX "F"**

**Relocation Option Selection Form**

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**RELOCATION OPTION SELECTION FORM**

July 21, 2023

**Registered Owners Name(s):** *(Name as it appears on title)*

**Civil Address:** Unit # 2 - 2355 Marshall Rd, West Kelowna, BC V1Z 1E9

**Legal Address:** OSOYOOS DIV OF YALE LAND DISTRICT, MANUFACTURED HOME REG.# 22463, BAY # 2, 19364 COUNTY MANUFACTURED HOME PARK, MHP ROLL # 19-364-13771.000

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I (\_\_\_\_\_, and \_\_\_\_\_) acknowledge that I / we have read the “Relocation Assistance Program” and understand the options available to us for relocation. Selected below is our preferred relocation option.

Both parties agree that this is not a binding agreement but an expression of the preferred relocation option, and intention to work in good faith with Kerr Properties 002 Ltd towards a mutually acceptable agreement.



<input type="checkbox"/>	<p><b>OPTION #1 - SIGN ON AND SELL YOUR MANUFACTURED HOME TO US</b> (<i>Offer expires within 60 days of the date this program was received by the tenant through registered mail</i>)</p> <ul style="list-style-type: none"> <li>• We pay you for your manufactured home equal to your 2023 BC Assessment plus 10%. 75% paid upon sale and the remaining 25% paid upon move out. <a href="https://www.bcasessment.ca/">https://www.bcasessment.ca/</a></li> <li>• Maximum 120 days to move out and vacate the property after selling your home to us.</li> <li>• \$1000 relocation assistance payment paid upon the sale to qualifying owner occupants only.</li> <li>• We pay for the demolition and disposal of your manufactured home. ~\$20,000 value for hazardous material abatement, demolition, and clean up.</li> </ul>
<input type="checkbox"/>	<p><b>OPTION #2 - RELOCATE YOUR MANUFACTURED HOME</b></p> <ul style="list-style-type: none"> <li>• You relocate your manufactured home.</li> <li>• We pay you the amount prescribed by law on the effective date of notice \$20,000.00 CAD</li> <li>• Owner removes the manufactured home and all structures at their cost. Note, the manufactured home must meet certain qualifications to be relocated. See section 4.2 with website links for more information.</li> <li>• \$1000 relocation assistance payment paid on the effective date of notice.</li> </ul>
<input type="checkbox"/>	<p><b>OPTION #3 - DON'T SELECT OPTION #1 OR OPTION #2 ABOVE AND THE LANDLORD PROVIDES 12 MONTH NOTICE TO VACATE PER SECTION 42 OF THE MOBILE HOME PARK TENANCY ACT</b></p> <ul style="list-style-type: none"> <li>• Landlord follows the statutory requirements set out in the Manufactured Home Park Act / Regulation and issues a 12 month notice to vacate upon re-zoning approval. See Appendix "E" for sample notice.</li> </ul>

X

Registered Owners Name

X

Registered Owners Name

X

Kerr Properties 002 Ltd  
Authorized Signatory

**APPENDIX "E"**

**Sample - Relocation Assistance Program for Tenants of Kerr Properties 002 Ltd.**

Unit #8 - 2355 Marshall Rd, West Kelowna BC  
Relocation Assistance Program

Tenant: [REDACTED]

Address: [REDACTED]



**Kerr Properties 002 Ltd**

A – 5350 272<sup>nd</sup> Street Langley, BC, V4W 1S3

Tel (604) 856-9772 Fax (604) 856-2325

[www.kerrproperties.ca](http://www.kerrproperties.ca)

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**1. Introduction**

Dear [REDACTED],

Further to the notification letter submitted to you on **(date)** and attached again for reference as “Appendix A”, the City of West Kelowna Planning Department has now accepted our application to re-zone the property located at 2355 Marshall Rd, West Kelowna BC where you are a residential tenant in unit #8.

The re-zoning application to a Business Park / Light Industrial land use is now in process and will be presented to the City of West Kelowna Council and Advisory Planning Commission in the near future for consideration and adoption.

Section 2 of this program outlines our approved Communication Plan and what you can expect from us with respect to notifications, updates, and formal notices as the re-zoning application, and closure of the park progresses.

Section 3 outlines the statutory requirements and process you can expect when a manufactured home park is closed, the home demolished, and residential tenants are being displaced.

Section 4 provides additional resources to assist owners in relocating and also provides links to all pertinent websites and information you will need to understand your rights, and legislation surrounding the closure of a Manufactured Home Park in British Columbia and eviction of residential tenants when a home is scheduled for demolition.

Please review this program in detail and contact the undersigned to discuss further.

Kind Regards,

*Jessica Green*  
*Relocation Assistance Coordinator*  
*Kerr Properties 002 Ltd.*

[REDACTED]  
[REDACTED]

**2. Communication Plan**

This section outlines and formalizes how this Relocation Assistance Program will be communicated to the tenants before, during, and after application is made for re-zoning and development of the site.

<b>Notification Details</b>	<b>Timeline for Notice</b>	<b>Method of Delivery</b>	<b>Notice to Who</b>
Notification of Redevelopment Plans Letter (Appendix "A")	Minimum of 30 days prior to application submission to the City of West Kelowna	Registered Mail, hand delivery, posted on park community message boards	All tenants in the park
Communication Plan & Relocation Assistance Program	Minimum 10 days prior to development application being presented to the APC, Council and/or Public Hearing. After approval of plan by City Staff	Registered Mail, hand delivery, posted on park community message boards, email if provided	All tenants in the park
Progress Updates on Re-Zoning / Development Application	Quarterly	Email if provided, posted on park community message boards	All tenants in the park
4 months Notice to Vacate for Demolition	Issued Upon Receipt of demolition permits	Registered Mail, Hand Delivery	Tenants of Kerr Properties who don't own their home

All communication and queries shall be directed in writing to the Kerr Properties Relocation Coordinator.

**Relocation Coordinator:** Jessica Green

**Mailing Address:** BLDG A – 5350 272<sup>nd</sup> Street, Langley BC, V4W 1S3

████████████████████  
████████████████████

### 3. Relocation Assistance Program

This section has been prepared in accordance with the “City of West Kelowna Manufactured Home Park Redevelopment Policy” and will be implemented to assist residents in finding alternative housing arrangements when the park is closed.

#### 3.1 Statutory Requirements

Are you wondering what you are entitled to by law? Below is a summary of the statutory requirements set out in the Manufactured Home Park Tenancy Act, the Manufactured Home Park Tenancy Regulation, and the Residential Tenancy Act of British Columbia.

Tenant Type	Notice Period	Compensation	Other
Tenant of Kerr Properties Owned Manufactured Home	4 months	One Months Rent	Residential Tenancy Act Applies

#### 3.2 Relocation of Tenants Who Don't Own Their Manufactured Home

If you don't own the Manufactured Home you are living in and are residing in the home as a tenant of Kerr Properties, the Manufactured Home Park Tenancy Act and Regulations don't apply to you.

In this case, the applicable legislation is the Residential Tenancy Act of British Columbia, and you will be provided with a 4 month notice for Demolition of the rental unit once the necessary permits are issued by the City of West Kelowna. In this case, you are entitled to compensation equal to one month's rent.

In addition to the one month's rent, Kerr Properties will also provide a relocation assistance payment of \$1000. This one-time payment will be made to the Tenant upon move out of the rental unit.

#### **4. Additional Resources**

Knowing the inconvenience and stress the closure of the park may cause tenants, we have worked hard to find helpful resources that will assist owners and tenants in relocating. This section provides useful website links, contacts for advice, phone numbers, social programs, market rentals, seniors rentals, law firms, and even moving companies which will help ease the transition into your new home.

##### **4.1 Link to Helpful Websites – Know Your Rights**

- BC Assessment  
<https://www.bcassessment.ca/>
  
- Manufactured Home Park Tenancy Act  
[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/02077\\_01](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/02077_01)
  
- Manufactured Home Park Tenancy Regulation  
[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/481\\_2003](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/481_2003)
  
- Manufactured Home Park Tenancy Guide  
<https://www2.gov.bc.ca/assets/gov/housing-and-tenancy/residential-tenancies/guides/mhp-guide19.pdf>
  
- Residential Tenancy Act  
[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/02078\\_01](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/02078_01)
  
- Manufactured Homes Government Website  
<https://www2.gov.bc.ca/gov/content/housing-tenancy/owning-a-home/manufactured-home-registry>



#### 4.2 Housing Resource Websites

- Subsidized housing / low-income seniors housing - <https://www.societyofhope.org/>
- Affordable rental housing for low-to-moderate income but may not be eligible for subsidized housing - <https://www.bchousing.org/>
- CO-OP housing - <https://okhc.ca/>
- Market rental housing with subsidy
  - <https://www.bchousing.org/>
  - <https://www.nowcanada.ca/>
  - <https://cmhkelowna.com/>
  - <https://foundrybc.ca/kelowna/>
  - <http://www.kfs.bc.ca/>
  - <https://www.bchousing.org/housing-assistance/rental-assistance-programs/SAFER>
  - <https://www.bchousing.org/housing-assistance/rental-assistance-programs/RAP>
- Market rental housing without subsidy
  - <https://www.castanet.net/>
  - <https://www.facebook.com/login/?next=%2Fmarketplace%2F>
  - <https://www.kijiji.ca/>
  - <https://kelowna.craigslist.org/>
  - <https://www.homefinders.rentals/>

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#### **4.3 Family Housing Providers for Low Income Families and Seniors – Telephone Numbers**

- Father Delestre Family Housing – 250-860-1128
- OK Housing CO-OP – 250-860-4718
- Society of Hope – 778-478-7977
- Southgate Mannor – 250-763-2953
- Evangel Housing – 250-762-6225
- Okanagan Metis & Aboriginal Housing – 250-763-7747
- Now Canada – 250-763-3876
- Westbank First Nations – 250-769-4999
- Westbank Lions – 250-768-9590
- Brookside Seniors – 250-763-5707
- Central OK Housing – 250-768-3060
- Seventh Day Adventist – 250-862-9518
- Parkdale Place – 250-494-1161
- Peachland Seniors – 250-767-0183

#### **4.4 Local Law Firms**

- Touchstone Law Group – 250-448-2637
- Pushor Mitchell – 250-762-2108
- Montgomery Miles & Stone – 250-980-3360
- Porrelli Law – 250-768-0717

#### **4.5 Local Moving Companies**

- Packrat Movers Kelowna – 250-869-7479
- Two Small Men with Big Hearts – 250-861-5030
- Brett and Buddies – 250-469-4550

**APPENDIX "A"**

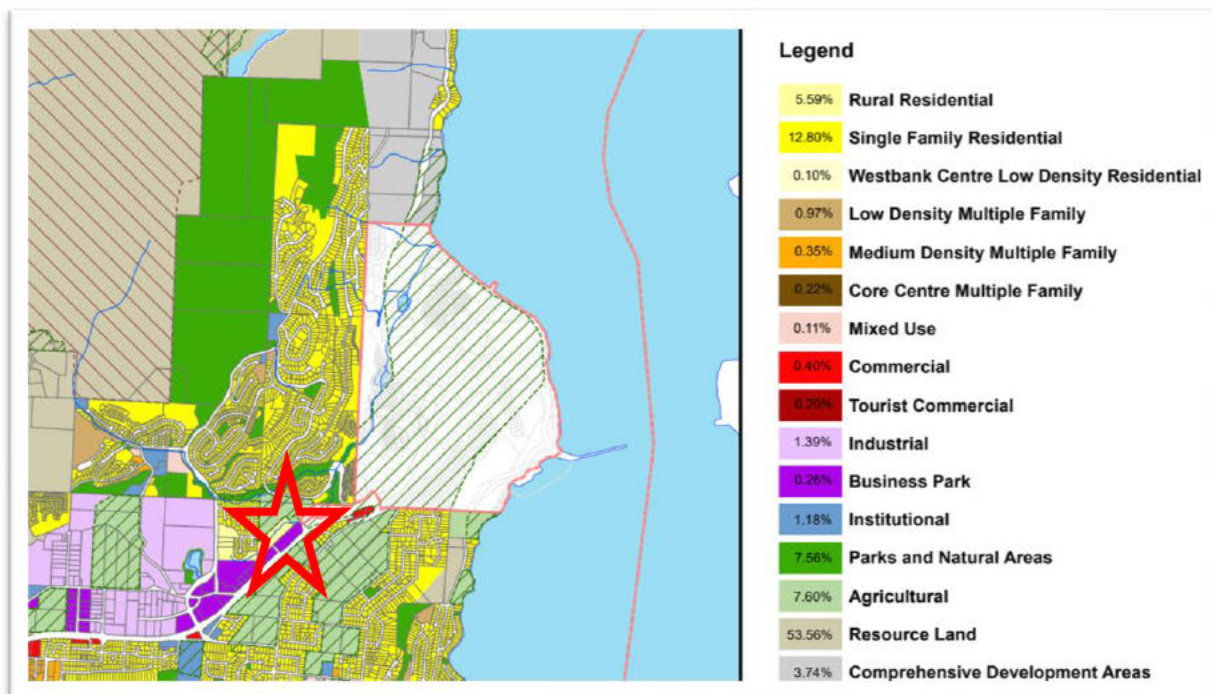
**Sample - Notification Letter to Tenants of Redevelopment Plans**

June 1, 2023

Re: Unit #\_\_\_\_ - 2355 Marshall Rd, West Kelowna, BC V1Z 1E9

Dear *(tenants name as it appears on tenancy agreement)*,

We write to inform you of our plans to close the manufactured home park in which you live and re-develop the property to a Light Industrial / Business Park land use per the City of West Kelowna Official Community Plan land use designation (Map below).



As part of the application to re-zone and re-develop the site, we will be preparing and implementing both a Communication Plan and Relocation Assistance Program per the City of West Kelowna “Manufactured Home Park Redevelopment Policy”. This program will provide you with clear communication of the process, ample notice periods for relocating, administrative support, and financial assistance greater than the statutory requirements set out in the Manufactured Home Park Tenancy Act of BC or Residential Tenancy Act of BC.

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Once approved by City of West Kelowna staff, both the Communication Plan and Relocation Assistance Program will be mailed and hand delivered to you prior to the applications being presented to the Advisory Planning Commission, and City Council, and before any Public Hearings are scheduled for the application.

If you have any questions or would like to have a preliminary discussion of your options before these plans are approved and shared with you, please contact the undersigned.

Sincerely,

Jessica Green

*(Sign here)*

*Relocation Coordinator  
Kerr Properties 002 Ltd.*

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████████████████████

**APPENDIX "B"**

**City of West Kelowna – Manufactured Home Park Redevelopment Policy**



# DRAFT DISTRICT OF WEST KELOWNA

## COUNCIL POLICY MANUAL

Pages: 1 of 2

Approval Date: 2008-APR-22

<b>SECTION:</b> DEVELOPMENT SERVICES
<b>SUBJECT:</b> MANUFACTURED HOME PARK REDEVELOPMENT POLICY

### **Manufactured Home Park Redevelopment Policy**

The following policy address the displacement of tenants resulting from redevelopment of manufactured home parks. The policy is meant to provide tenants with the opportunity for greater notification and assistance from applicant(s) than is currently required under the *Manufactured Park Home Tenancy Act*.

This policy applies to applications for an amendment to the Zoning Bylaw and to any other matters in which the Council may properly take into consideration the displacement of manufactured home park tenants.

While considering applications, Council may require staff to report on any existing manufactured home park use and whether it is in the public interest for Council to support redevelopment of lands presently used for that purpose while there is a shortage of suitable manufactured home sites in the region.

Council may further require a report on whether any relocation assistance plan has been proposed that would have a bearing on the issue.

If the applicant wishes the Council to consider a relocation assistance plan, it should follow the procedures below.

#### **I. Communication of Plans for Redevelopment**

1. At the pre-application stage, the applicant should notify in writing all tenants that plans for redevelopment are being made, and that a relocation assistance program is part of these plans. All tenants affected by any proposed redevelopment should be advised by the applicant 30 days prior to application submission. Notices should also be posted on communal notice boards and facilities in the manufactured home park. Copies of these communications should be submitted with the development application
2. The applicant(s) should formulate a plan for communicating the relocation assistance program to existing residents. The communication plan should provide tenants with information that will assist them in making plans for alternative living arrangements. The applicant(s) should provide updates to the residents as the process progresses and should provide tenants with a letter at least 10 days prior to the development application being presented to the relevant Advisory Planning Commission, Council Meeting and/or Public Hearing for their consideration.

#### **II. Relocation Assistance Program**

1. The relocation assistance program:
  1. Should include a profile of resident demographic characteristics, such as family size/structure, general income levels, housing needs/relocation options/preferences, and where this information is attainable;
  2. Should include a profile of manufactured home conditions and potential for moving and re-use of homes;
  3. Should be flexible and multi-dimensional by including various options and components, in order to respond to different tenant characteristics, needs and preferences;
  4. May include, in addition to the statutory requirements under the *Manufactured Home Park Tenancy Act*:
    - i. Arranging and paying for the disposal of manufactured homes;
    - ii. Unconditional compensation payments of a value that would provide tenants with some amount of equity and greater flexibility in their plans for relocation (i.e. a payment equivalent to the assessed value of the “on pad” manufactured home). This would be in addition to the mandatory payment under the *Manufactured Home Park Tenancy Act*;
    - iii. Opportunities for the right of first refusal to purchase and purchase discounts on local units developed by the applicant(s), including new units built on the subject property;
    - iv. Advice on options for relocating in the regional context in regards to market housing, non-market housing and manufactured home park opportunities.
  5. Should include a status report on the implementation of the program, indicating preferred options for the tenants.

### III. Timing

The applicant(s) should formulate, communicate and begin implementing components of the program as soon as possible, after the plans for redevelopment are made. The relocation assistance plan should be provided to the District of West Kelowna with the development application.

### IV. Evaluation of Securing of the Plan

Municipal staff will evaluate the proposed relocation assistance program in conjunction with the development application to determine if it meets the objectives of this policy. The municipality may request adequate assurance, either by way of a financial or legal undertaking (i.e. letter of credit, performance bond, or a similar alternative) that the relocation assistance plan will be implemented. Staff will include this information in the development application evaluation report that is forwarded to the Council for its consideration of the application.



**APPENDIX "C"**

**Title Search**

DRAFT

APPENDIX "C" HAS BEEN  
REMOVED AS IT  
CONTAINS CONFIDENTIAL  
INFORMATION

**APPENDIX "D"**

**Residential Tenancy Agreement**

DRAFT

APPENDIX “D” HAS BEEN  
REMOVED AS IT  
CONTAINS CONFIDENTIAL  
INFORMATION

**APPENDIX "E"**

**RTB 29 – 4 Month Notice to End Tenancy for Demolition**

DRAFT

**Tenant: This is a legal notice that could lead to you being evicted from your home**
**HOW TO DISPUTE THIS NOTICE**

You have the right to dispute this Notice **within 30 days** of receiving it, by filing an Application for Dispute Resolution with the Residential Tenancy Branch online, in person at any Service BC Office or by going to the Residential Tenancy Branch Office at #400 - 5021 Kingsway in Burnaby. If you do not apply within the required time limit, you are presumed to accept that the tenancy is ending and must move out of the rental unit by the effective date of this Notice.

**To the Tenant: (use Schedule of Parties form #RTB-26 to list additional tenants)**

first and middle name	last name
first and middle name	last name
main phone	other phone

**Tenant Address:**

unit #	street # and name	city	province	postal code
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**From the Landlord: (use Schedule of Parties form #RTB-26 to list additional landlords)**

first and middle name	last name
main phone	other phone

**Landlords address:**

site/unit #	street # and name	city	province	postal code
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**I, the Landlord, give you Four Month's Notice to move out of the rental unit located at:**

unit #	street # and name	city	province	postal code
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You must move out of the rental unit by:	DD/MM/YYYY		
name of landlord/agent	signature of landlord/agent	date signed DD/MM/YYYY	

Your personal information is collected under section 26 (a) and (c) of the Freedom of Information and Protection of Privacy Act for the purpose of administering the Residential Tenancy Act. If you have any questions regarding the collection of your personal information, please call 604-660-1020 in Greater Vancouver; 250-387-1602 in Victoria; or 1-800-665-8779 elsewhere in B.C.

**I am ending your tenancy because I am going to: (check a box that applies)**

- Demolish the rental unit.
- Convert the residential property to strata lots under the Strata Property Act.
- Convert the residential property into a not for profit housing cooperative under the Cooperative Association Act.
- Convert the rental unit for use by a caretaker, manager, or superintendent of the residential property.
- Convert the rental unit to a non-residential use.
- I have obtained all permits and approvals required by law to do this work. Please complete the information below.

Date Issued <small>DD/MM/YYYY</small>	Issued by	Description	Permit Number

No permits and approvals are required by law to do this work.

**The work I am planning to do is detailed in the table below:**

Planned Work	Details of work

**Complete the details below at the time of service: (Not required on landlord's copy; failure to complete does not invalidate notice).**

**Served by:**

- In person to the tenant or agent or with an adult (over 19) who apparently lives with the tenant
- Sending a copy by registered mail to the address at which the tenant resides
- Leaving a copy in a mailbox or mail slot at the address where the tenant resides
- Attaching a copy to the door or other conspicuous place where the tenant resides
- As ordered by the Director of the Residential Tenancy Branch (attach copy of Substituted Service Order)
- Fax it to a fax number you have provided as an address for service
- Email it to an email address you have provided as an address for service

**Landlords should also complete Proof of Service Notice to End Tenancy (form #RTB-34) as evidence of service.**

# IMPORTANT INFORMATION ABOUT THIS NOTICE

## REQUIREMENTS FOR THIS NOTICE

# DRAFT

### 1. LANDLORD MUST ACT IN GOOD FAITH

Your landlord has to intend in good faith to accomplish the purpose for ending your tenancy. A claim of good faith requires honesty of intention with no ulterior motive.

### 2. PERMITS AND APPROVALS REQUIRED BY LAW

Your landlord must have all permits and approvals required by law **before** they give you this notice. Permits and approvals required by law can include demolition, building or electrical permits issued by a municipal or provincial authority, a change in zoning required by a municipality to convert the rental unit to a non-residential use, and a permit or license required to use it for that purpose. Strata corporations may also require certain permits and approvals before a rental unit can be converted to a non-residential use and there may be strata bylaws that prohibit the rental unit from being used for a non-residential purpose.

### 3. EFFECTIVE DATE OF NOTICE

The effective date of this Notice is the date you must move out by. Your landlord must provide you with at least four month's notice and the effective date must be the last day of the rental period. For example, if you pay rent on the first day of each month, the effective date must be the last day of a month. For a fixed term tenancy agreement, the effective date cannot be earlier than the date the term ends.

### 4. LANDLORD MUST COMPENSATE YOU

On or before the effective date of this Notice, your landlord has to compensate you an amount equal to one month's rent payable under your tenancy agreement. You may withhold your last month's rent instead of being paid compensation. If you have already paid your last month's rent, your landlord has to refund you that amount.

### 5. YOU MAY BE ABLE TO MOVE OUT EARLY

If your tenancy is periodic (e.g. month-to-month), you can end the tenancy sooner than the date set out in this Notice as long as you give the landlord at least 10 days written notice and pay the proportion of rent due to the effective date of that notice. Ending the tenancy early does not affect your right to the one month compensation above. Fixed term tenancies cannot be ended earlier than the end of the term.

### 6. YOU MAY BE ENTITLED TO ADDITIONAL COMPENSATION

After you move out, if your landlord does not take steps toward the purpose for which this Notice was given within a reasonable period after the effective date of this Notice, your landlord must compensate you an amount equal to 12 month's rent payable under your current tenancy agreement. You must apply to the Residential Tenancy Branch to be awarded this compensation. Your landlord may be excused from paying this amount if there were extenuating circumstances that prevented your landlord from accomplishing the purpose for ending your tenancy or using the rental unit for that purpose for at least 6 months.



## 7. WHEN YOU ARE CONSIDERED TO HAVE RECEIVED THIS NOTICE

You are considered to have received this notice on the day it is given to you in person (or to an adult (19+) who appears to live with you). If you were not personally served with this Notice, you are considered to have received the Notice, unless there is evidence to the contrary, on the following:

- 3 days after the landlord either leaves the Notice in the mailbox or through the mail slot; posts it on the door or a noticeable place at the address where you live; or emails/faxes it to a number you have provided as an address for service; or
- 5 days after the landlord sends the Notice by registered or regular mail to the address where you live; or
- **Note: The date a person receives documents is what is used to calculate the time to respond; the deeming provisions do not give you extra time to respond**

## 8. INFORMATION FOR LANDLORDS

You can file an Application for Dispute Resolution for an Order of Possession if you believe the tenant does not intend to move out and the tenant's deadline to dispute this Notice has expired. The tenant has 30 calendar days from the date of receipt of this notice to file an Application for Dispute Resolution.

If the tenant disputes the Notice, a hearing will be held. You will have an opportunity to participate and prove that the tenancy should end for the reason you have indicated on this Notice. An error in this Notice or an incorrect move-out date on this Notice does not make it invalid. An arbitrator can order that the tenancy ends on a date other than the date specified on this Notice.

If an arbitrator upholds this Notice, the arbitrator must grant an Order of Possession to you. If an arbitrator determines this Notice is not valid, the notice to end tenancy is cancelled and the tenancy continues. Keep copies of all Notices to End Tenancy and record each date and how the Notice was given or received.

You **MUST NOT** physically evict a tenant without a Writ of Possession obtained from the Supreme Court of British Columbia after an arbitrator has issued an Order of Possession, change the locks without an arbitrator's order, or seize a tenant's personal property without a court order.

### FOR MORE INFORMATION:

[www.gov.bc.ca/landlordtenant](http://www.gov.bc.ca/landlordtenant)

Public Information Lines: 1-800-665-8779 (toll-free) Greater Vancouver: 604-660-1020 Victoria: 250-387-1602

This is page 4 of a 4-page Notice. The landlord must sign page one of this Notice and must give the tenant every page.