



REPORT TO THE ADVISORY PLANNING COMMISSION

DATE: June 17, 2025

REPORT: DEV 25-48

FROM: Deepa Chandran, Planner

FILE: 3090-20/DV25-03

SUBJECT: Development Variance Permit DV25-03 for 1685 Main Street

RECOMMENDATIONS:

THAT the Advisory Planning Commission recommend that Council approve Development Variance Permit DV25-03, for 37-4430 Highway 16, legally described as Coast Range 5 Land District, Manufactured Home Reg.# 39525, Bay # 37, 25478 Hudson Bay Manufactured Home Park, Mhp Roll # 25-478-1200-030, to vary Section 12 (a), of the Town of Smithers Mobile Home Park Bylaw No. 748, by reducing the minimum setback between mobile homes from 6.0 m to 3.27 m, subject to the following condition:

- a) That the mobile home is modified to integrate the additional fire protection measures as required by the Town of Smithers Building Bylaw.

BACKGROUND:

Application: Hudson Bay Mobile Home Park, located at 4430 Highway 16, containing a total of 108 mobile home spaces in one parcel, is one of the three mobile home parks in Smithers. The Applicant purchased the mobile home bay #37 in 2021, with the intent to renovate the existing mobile home (see **Attachments 1 & 2**). Consequently, the Town issued a Building Permit for the renovation works. As the structural upgrade could not be completed in accordance with the Town’s Building Bylaw requirements, the Applicant decided to replace the existing mobile home with a new 4.89 m x 23.21 m mobile home, built to the current standards.

Section 12 (a), of the Town of Smithers Mobile Home Park Bylaw No. 748 requires at least a 6.0 m setback between mobile homes, including additions. Due to the length of the new mobile home, the applicant is unable to meet the minimum setback requirement on one side. Hence, on June 4, 2025, the applicant submitted the Development Variance Permit (DVP) application DV25-03 (see **Attachment 3**).

CAO <input type="checkbox"/>	Dir/FIN <input type="checkbox"/>	PCSO <input type="checkbox"/>	Agen Date: June 24, 2025
Dir/CS <input type="checkbox"/>	Dir/DS <input type="checkbox"/>	EC/DEV <input type="checkbox"/>	Closed Agen Date:
EXEC. ASST <input type="checkbox"/>	Dir/OPS <input type="checkbox"/>	REC <input type="checkbox"/>	Agenda Placement: APC
HR <input type="checkbox"/>	Dir/COM <input type="checkbox"/>	BLDG INS <input type="checkbox"/>	Other:
MAYOR <input type="checkbox"/>	AIRPORT <input type="checkbox"/>	PLANNER <input type="checkbox"/>	
COUNCIL <input type="checkbox"/>	FIRE <input type="checkbox"/>	WEBSITE <input type="checkbox"/>	

OCP and Zoning: The entire Hudson Bay mobile Home Park is designated Low Density Residential in the Official Community Plan (OCP) and zoned R-4 Manufactured Home Park Residential (see **Attachment 4**).

DISCUSSION:

Mobile Home Park developments in Smithers are jointly regulated by the Town of Smithers Zoning Bylaw and the Mobile Home Park Bylaw. The Town's Zoning Bylaw No. 1987 designates parcels or areas in town that permit mobile home development while the Mobile Home Park Bylaw No. 748 establishes detailed site design, access, service, and development requirements for establishing new mobile home parks and mobile home spaces.

The Hudson Bay Mobile Home Park is a non-strata mobile home park, where the tenants install their mobile home on a pre-serviced mobile home space leased individually from the mobile home park owner through an agreement, paying a monthly pad rental fee. As per the Mobile Home Park Bylaw, a mobile home placed in an individual mobile home park space must meet the following requirements:

- minimum 6.0 m setback requirements from adjacent mobile homes, 2.0 m from internal access roads, and 1.5 m from a lane;
- maximum of 35% parcel coverage;
- the size of the additions shall not exceed 23 sq m;
- contain at least 1 parking stall on the mobile home space, while the second stall shall be in a different location in the mobile home park; and
- must be accessed only via internal roads and not directly from the highway.

As per the proposal, the new mobile home will be placed on mobile home park bay #37 in compliance with all the above requirements, except for the 6.0 m setback requirement on one side. Thus, the applicant is requesting to vary the setback on one side from 6.0 m to 3.27 m. Once the DVP is approved, the applicant will obtain a Transportation Permit from the Manufactured Home Registry, enabling them to transport the new mobile home to the space that the applicant had been renting since 2021. Currently, the applicant is in the process of demolishing the existing mobile home, preparing the site for the new structure.

The setback requirements for various categories of developments are set from a fire and safety perspective. As such, reducing the required setbacks also makes the structures and their occupants more vulnerable to fire and safety risks. The Town's Building Bylaw and the provincial Building Code also lists various engineering solutions that are acceptable where the minimum fire separation requirements cannot be met, without compromising either occupant safety or fire protection.

Staff support approving the requested variance for the following reasons.

- i. The applicant has integrated additional fire protection measures as required by the Building Bylaw. The Building Inspector has already reviewed and approved the alternative engineering solution proposed, ensuring the fire

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- protection and safety of the new mobile home and the adjacent mobile home despite the narrower setbacks.
- ii. There have been substantial changes to the mobile home manufacturing standards over the last several decades. As Hudson Bay Mobile Home Park and the individual mobile home spaces within it were first established several decades ago, bringing a newer mobile home to an existing space presents technical challenges and non-compliance issues in terms of site layouts. Hence, where an owner agrees to meet additional engineering solutions for fire safety, approval of the DVP becomes the only way to support mobile home park use. As any recently built mobile home will not fit within the existing mobile home's footprint, denial of the requested DVP is likely to result in the loss of an existing mobile home space.
 - iii. The applicant had made reasonable efforts to renovate the existing mobile home, which, if approved, would not have required a DVP. The applicant's current proposal to install a new mobile home built to the current standards -- especially with additional fire protection features -- presents a safer and affordable housing solution as compared to occupying the existing mobile home that does not meet the building code requirements.
 - iv. The Hudson Bay Mobile Home Park owner agrees to the requested variance, provided that the applicant obtains fire insurance for the new structure. Approval of the DVP is the first step in obtaining the Town's approval for placing the new mobile home at the subject location, and it is necessary for obtaining the Transportation Permit and the insurance as well.
 - v. As the mobile home has integrated additional fire protection features, the approval of the DVP will not have any adverse impact on the neighbouring structures or residents.
 - vi. In general, living in a mobile home -- irrespective of strata or non-strata differences -- is regarded as an affordable housing option in any community. Loss or underutilization of a mobile home space due to changing mobile home design standards or the inability to meet the required setbacks also means the permanent loss of an affordable housing unit in the community.

POLICY CONSIDERATIONS / LEGISLATION:

In the OCP, sections 6.1 Land Use and Infrastructure (policy 1), 7.2 Housing Diversity and Flexibility (policy 2), 7.3 Housing Affordability and Availability (policies 5 and 7) support the applicant's proposal, and hence the requested variances (see **Attachment 5**). Staff recommendation aligns with the Town's Housing Needs Report (HNR) recommendations on the need to create and retain more rental and affordable housing stock in the community.

ENVIRONMENTAL / ACCESSIBILITY IMPLICATIONS:

Approval of the requested variance will not have any adverse impacts on the environment or accessibility.

CONCLUSION:

The changing mobile home design standards over the years poses technical challenges in terms of installing recently designed mobile homes within existing mobile home spaces. The mismatch between the current and past design standards requires mobile homeowners to modify mobile homes -- including new ones -- to meet additional fire and safety standards. In the given case, the proposed engineering solution ensures the fire and safety of the new mobile home and the neighbouring structures. Approval of the DVP also supports the Town's intent to create and retain affordable rental housing in the community. Hence, staff recommend the approval of the DVP application.

COMMUNICATIONS:

In compliance with the requirements of *Local Government Act*, Town of Smithers Development Procedures Bylaw, and Town of Smithers Public Notice Bylaw.

NEXT STEPS:

Once the DVP is approved by Council, the Applicant intends to obtain a Building Permit from the Town, confirming that the mobile home will be installed in accordance with the plans and the design modifications approved. Based on the Building Permit issued by the Town, the applicant will obtain fire insurance and a Transportation Permit to move the mobile home to the Town.

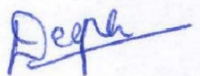
ALTERNATIVES:

1. Require changes to the variance permit application.
2. Deny the Development Variance Permit.

ATTACHMENTS:

1. Subject Property map
2. Ortho-images of the Property
3. Application DV25-03
4. OCP & Zoning maps
5. Relevant sections OCP Bylaw No. 1935

Respectfully submitted:



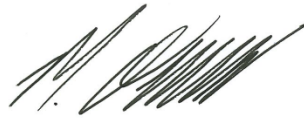
Deepa Chandran
Planner

Reviewed by:



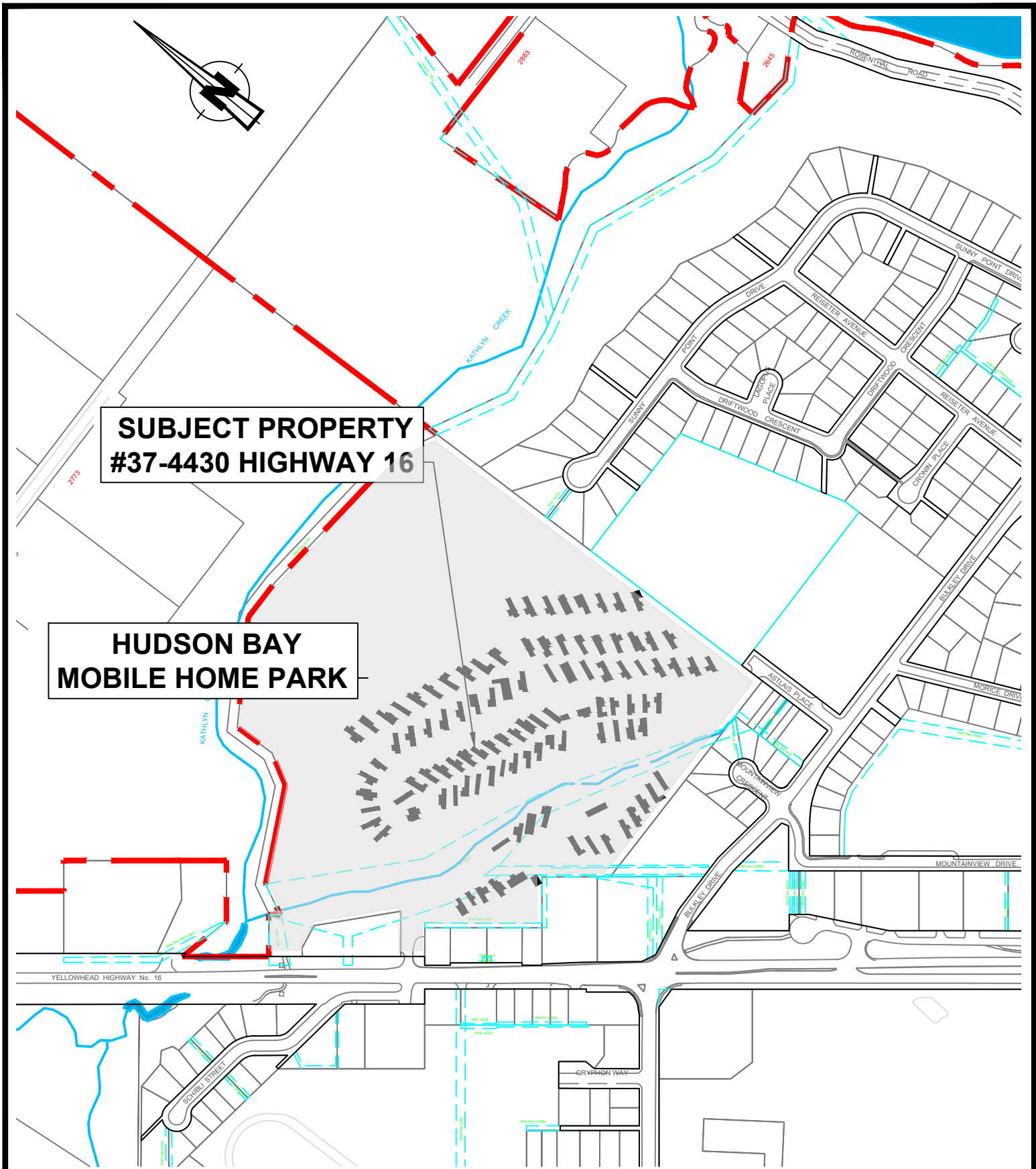
Mark Allen
Director of Development Services

Submission approved by:



Michael Dewar
Chief Administrative Officer

\\tos-fs01\pccommon\3000-3699 land administration\3090 development variance permits\3090-20 - permits (individual)\2025\dev25-03 37
4430 hb mobile home park (beaubien)\report\dev 25-048 hbmh park (beaubien).docx



**SUBJECT PROPERTY
#37-4430 HIGHWAY 16**

**HUDSON BAY
MOBILE HOME PARK**



TITLE:
DEVELOPMENT PERMIT APPLICATION
37-4430 HIGHWAY 16 DV25-03
SUBJECT PROPERTY MAP

SCALE: as shown	
DRAWN BY: AS	DATE: 2025/06/17
APPROVED BY: MFA	DATE: 2025/06/17
DRAWING PATH:	

N:\3000-3699 LAND ADMINISTRATION\3090 DEVELOPMENT VARIANCE PERMITS\3090-20 PERMITS (INDIVIDUAL)\2025\DV25-03 37-4430 HB Mobile Home Park (Beaubien) \PROCESS\Maps\DV25-03 Attach.1 Subject Property

Attachment 2: Ortho-images of the Property



Image.1 Hudson Bay Mobile Home Park (highlighted in blue polygon) is one of the three mobile home parks in town, and contains 108 serviced mobile home spaces.

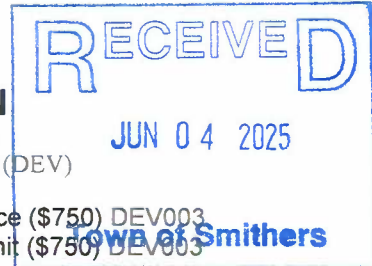


Image 2: Approximate boundaries of mobile home bay#37 within the mobile home park (highlighted)-- The new mobile home that the applicant wants to bring to the site is longer than the existing mobile home, which will result in a narrower setback, and consequently, leading to the subject Development Variance Permit application.



MS DEV003 750.00
 VISA CU 750.00
 R:133681 / B:2025060401 / T:6504 04/Jun/2025 ANNETTE
 PO Box 879, 1027 Aldous Street, Smithers, BC V0J 2N0
 Telephone (250) 847-1600 Fax (250) 847-1601
 www.smithers.ca

DV25-03



DEVELOPMENT PROPOSAL APPLICATION

APPLICATION TYPE: Enter all applications under miscellaneous (MS) category development (DEV)

- Joint Official Community Plan & Zoning Amendment (\$2,000) DEV001
- Official Community Plan Amendment (\$1,500) DEV001
- Zoning Bylaw Amendment (\$1,500) DEV001
- Development Permit with minor variance* (\$800) DEV003
- Development Permit with variance (\$1,100) DEV003
- Temporary Use Permit (\$1,000) DEV003
- Board of Variance (\$750) DEV003
- Development Variance Permit (\$750) DEV003
- Development Variance Permit (minor)* (\$300)
- Development Permit with no variance (\$750) DEV003
- Development Permit Amendment (\$600) DEV003
- Temporary Use Permit Extension (\$1,000) DEV003

APPLICANT INFORMATION

APPLICANT	REGISTERED OWNER(S)
Name(s): <u>Sarah Beaubien</u>	Name(s): <u>Beaubien Living</u>
Mailing address: <u>4723 Slack Rd</u>	Mailing address: <u>4723 Slack Rd</u>
Phone: <u>778-210-2050</u>	Phone: <u>778-210-2050</u>
Fax/Email: <u>sarahnikal7@hotmail.com</u>	Fax/Email: <u>sarahnikal7@hotmail.com</u>

SUBJECT PROPERTY INFORMATION

Civic address: #37 4430 HWY 16 Smithers B.C V0J 2N2

Legal description: _____

Description of the present use of the property: _____

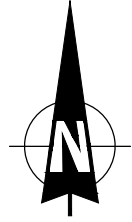
Existing OCP designation: _____ Existing zoning designation: _____

Proposed OCP designation: _____ Proposed zoning designation: _____

PROPOSAL DESCRIPTION (supplemental letter of intent/rationale is encouraged):

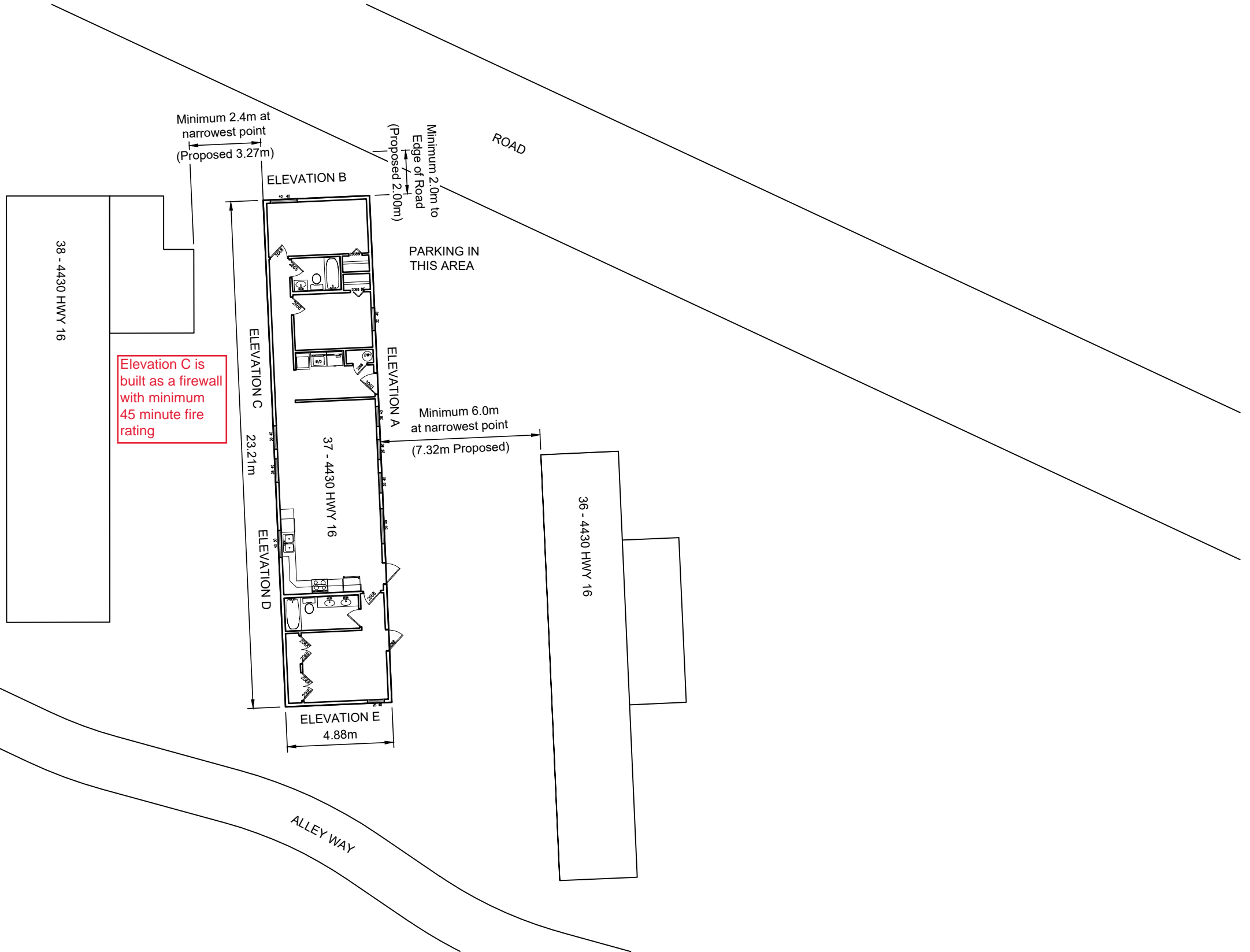
Fire wall on right side of home where neighbours are too close with addition of their home.

* Minor variance means a request to vary a provision of a Town bylaw as permitted under sections 7.2 - 7.5 of the Town of Smithers Development Procedures Bylaw No. 1908.



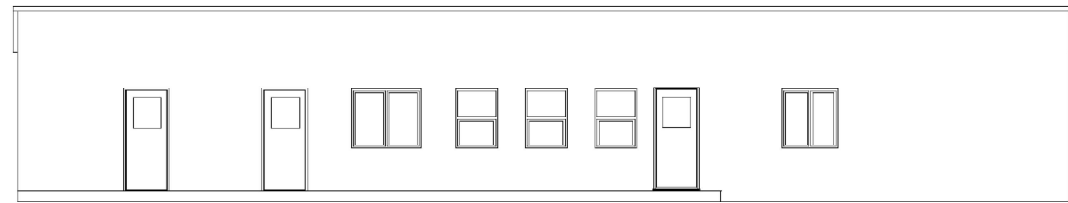
BC Building code requires 2.4 metres for elevation C. However, the town of Smithers bylaw No. 748 requires a minimum setback of 6 metres between mobile homes. A variance will be required. Current proposed distance between trailers on lot 38 and 37 will be 3.27 metres.

Elevation C is built as a firewall with minimum 45 minute fire rating

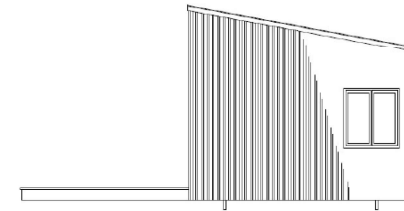


Rev	Date	Checked	Approved	Notes
1	2025-06-11	APD	APD	For Permit

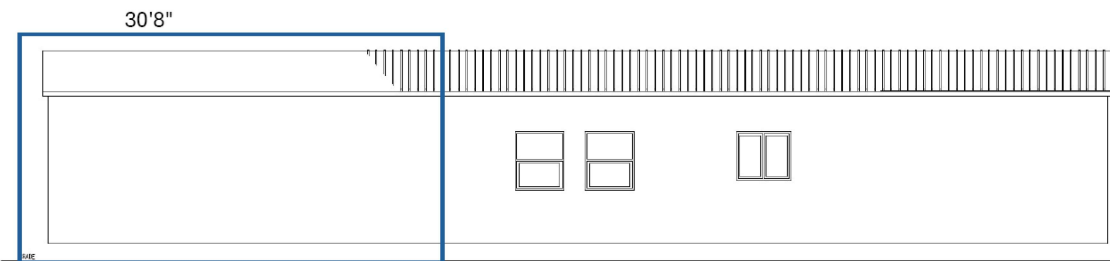
Scale 1:200	Client: Beaubien Living Ltd.	Project Title: #37-4330 Highway 16	
Paper B	#37-4330 Highway 16 Smithers, B.C.	Description: General Layout	
Project Number: 1920-27		Drawing Number: 1920-27-S-01	Sheet: 1 / 1
			Revision: 1



Side Elevation A			
Spatial Separation	9.10.15 Spatial Separation Between Houses Table 9.10.15.4 Openings Allowed	Minimums: Fire Rating Wall Construction Wall Cladding	0 minutes Combustible Combustible
Total Wall Area	74.2 m ²		
Openings	5.15 m ²		
Openings (%)	6.94 %		
Minimum Separation Distance	2.4 m	(1.2 m x 2 due to fire response times)	

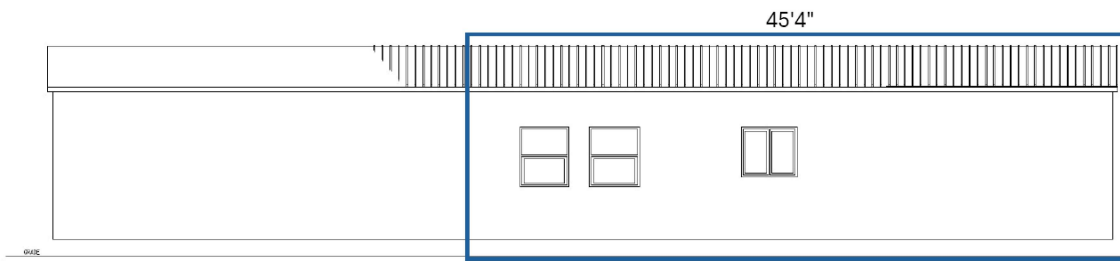


End Elevation B			
Spatial Separation	9.10.15 Spatial Separation Between Houses Table 9.10.15.4 Openings Allowed	Minimums: Fire Rating Wall Construction Wall Cladding	0 minutes Combustible Combustible
Total Wall Area	13.76 m ²		
Openings	1.03 m ²		
Openings Provided	7.51 %		
Minimum Separation Distance	2.7 m	(1.35 m x 2 due to fire response times)	



Side Elevation C			
Spatial Separation	9.10.15 Spatial Separation Between Houses Table 9.10.15.4 Openings Allowed	Minimums: Fire Rating Wall Construction Wall Cladding	45 minutes Combustible Non Combustible
Total Wall Area	22 m ²		
Openings	0.00 m ²		
Openings (%)	0.00 %	OK	
Minimum Separation Distance	1.2 m	(0.6 m x 2 due to fire response times)	

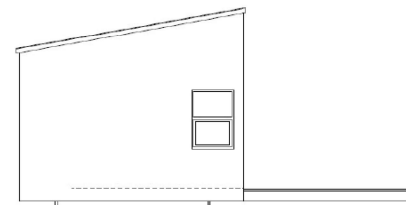
Side Elevation C requires a 45 minute fire rating. Wall construction - 1/2" Type X gypsum board, 2 x 6 wood studs @ 24" OC, R24 Rock or Slag Fibre Insulation, 1/2" OSB Sheathing, Cement Fibre Siding



Side Elevation D			
Spatial Separation	9.10.15 Spatial Separation Between Houses Table 9.10.15.4 Openings Allowed	Minimums: Fire Rating Wall Construction Wall Cladding	0 minutes Combustible Combustible
Total Wall Area	33.83 m ²		
Openings	2.63 m ²		
Openings (%)	7.78 %		
Minimum Separation Distance	2.9 m	(1.45 m x 2 due to fire response times)	

9.10.15.3: Limiting distance has been adjusted for fire response times exceeding 10 minutes. Adjusted limiting distance is 2 x limiting distance as allowed in Table 9.10.15.4

A-9.10.15.4 (2) Doors openings calculated as glazed portions only. Opaque portions of doors do not have to be included in the opening calculation.

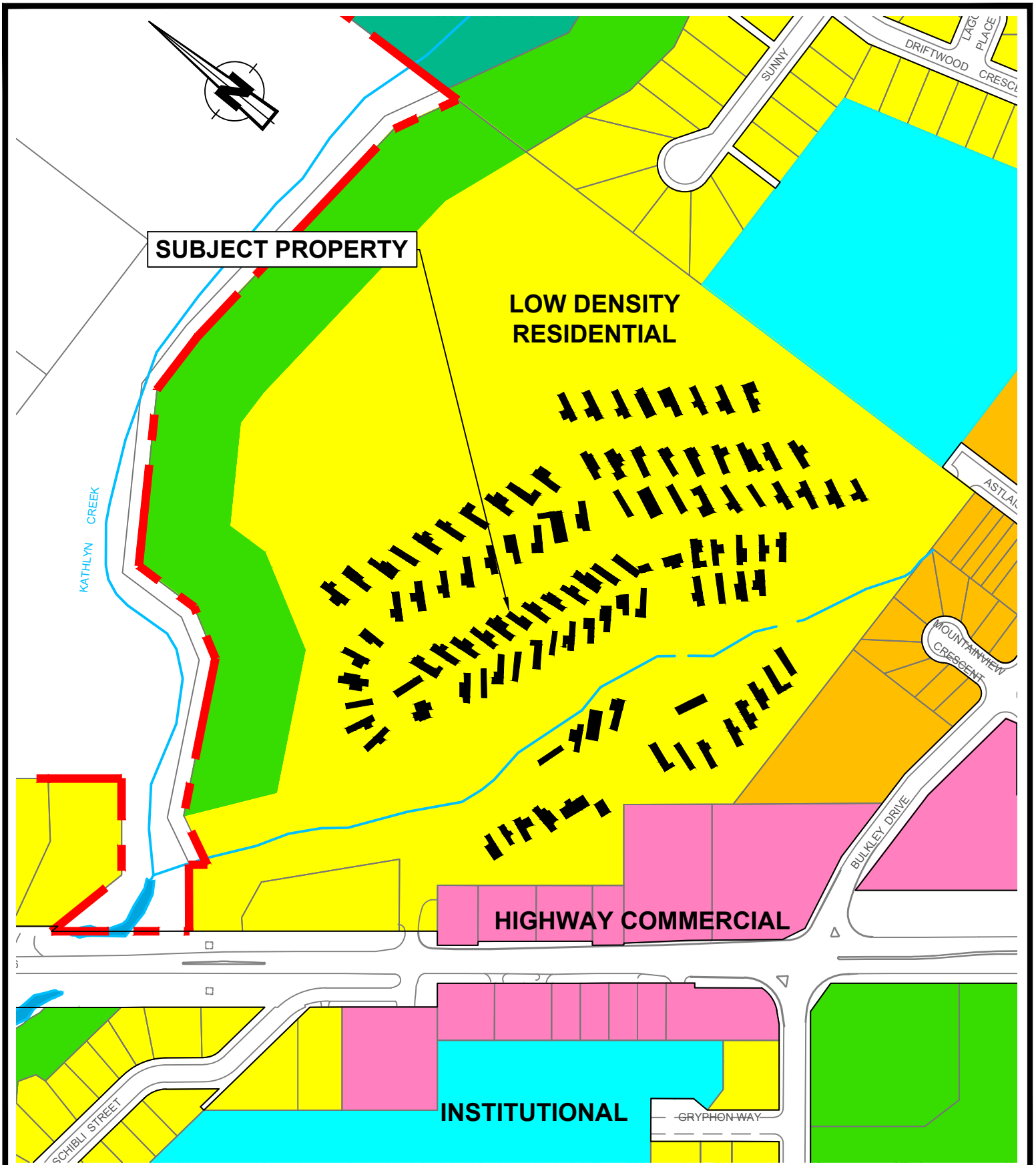


End Elevation E			
Spatial Separation	9.10.15 Spatial Separation Between Houses Table 9.10.15.4 Openings Allowed	Minimums: Fire Rating Wall Construction Wall Cladding	0 minutes Combustible Combustible
Total Wall Area	13.76 m ²		
Openings	0.67 m ²		
Openings (%)	4.88 %		
Minimum Separation Distance	2.40 m	(1.2 m x 2 due to fire response times)	



23 May 2025
Permit # 1002404

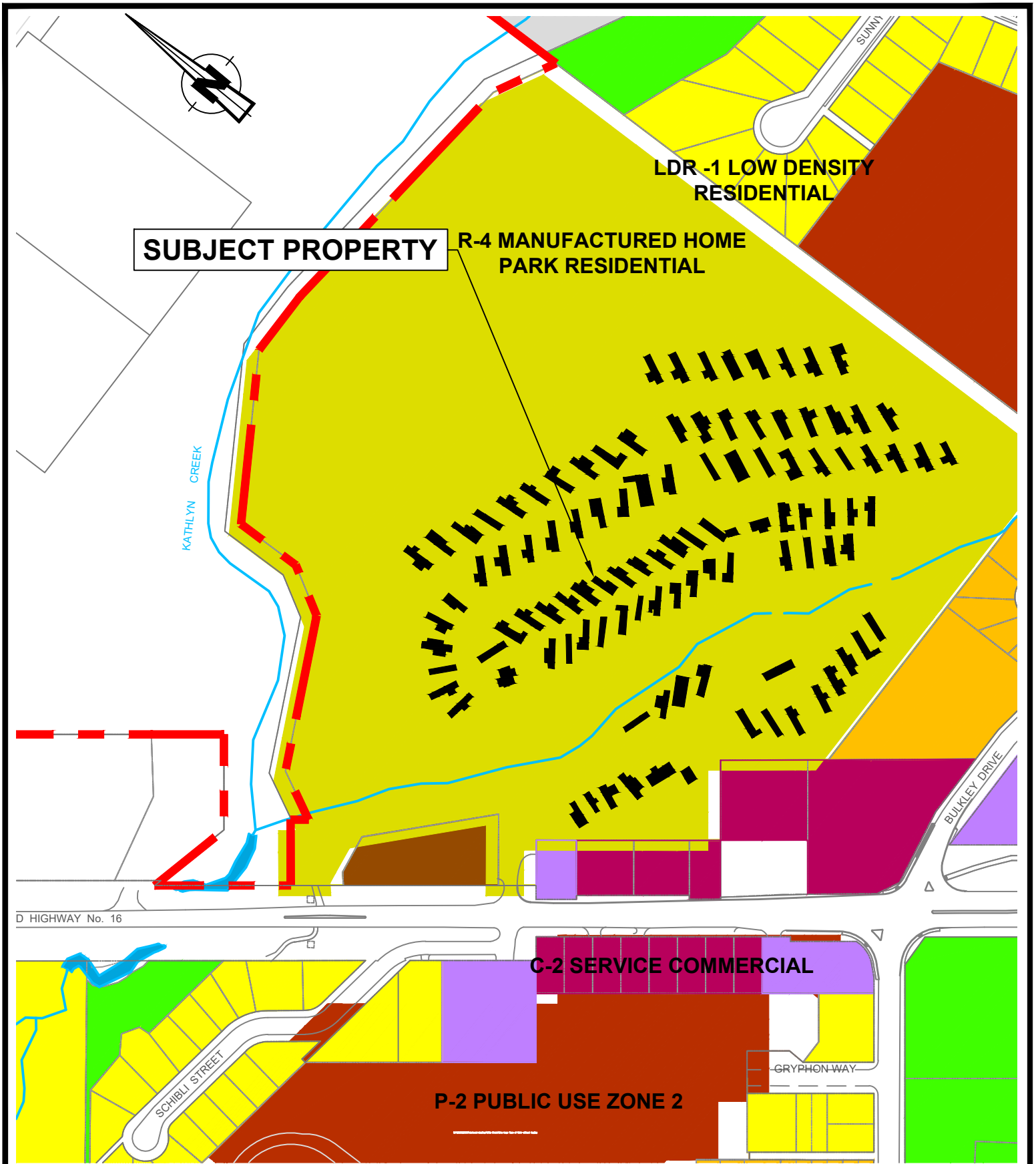
MD Engineering Ltd. 9337 Berge Drive PO Box 1177 Grande Cache, AB, T0E0Y0 780 827 6416 www.mdengineering.ca aaron.davis@mdengineering.ca AB Permit to Practice #: 11716 BC Permit to Practice #: 1002404	Rev	Date	Checked	Approved	Notes	Scale 1:4 Paper B Client: Beaubien Living Ltd. #37, 4330 Highway 16 Smithers, B.C. Project Number: 1920-27	Project Title: #37 4330 Highway 16 Description: Spatial Separation Calculations Drawing Number: 1920-27-S-02	Sheet: 2 / 2 Revision: A
	A	2025-05-22	APD	APD	Fire Separation Calculations			



TITLE:
DEVELOPMENT VARIANCE PERMIT APPLICATION
#37-4430 HIGHWAY DV25-03 OCP MAP

SCALE: as shown
 DRAWN BY: AS DATE: 2025/06/17
 APPROVED BY: MFA DATE: 2025/06/17

DRAWING PATH: \\N\3000-3699 LAND ADMINISTRATION\3090 DEVELOPMENT VARIANCE PERMITS\3090-20 - PERMITS (INDIVIDUAL)\2025\DV25-03 37 4430 HB Mobile Home Park (Beaubien)\PROCESSING\2025-06-17\37-4430-Highway-DV25-03-Map.dwg



TITLE:
**DEVELOPMENT VARIANCE PERMIT
 APPLICATION #37-4430 HIGHWAY 16
 DV25-03 ZONING MAP**

SCALE: as shown	
DRAWN BY: AS	DATE: 2025/06/17
APPROVED BY: MFA	DATE: 2025/06/17
DRAWING PATH: N:\3000-3699 LAND ADMINISTRATION\3090 DEVELOPMENT VARIANCE PERMITS\3090-20 - PERMITS (INDIVIDUAL)\2025\DV25-03 37-4430 HB Mobile Home Park (Beaubien)\PROCESS\Maps\DV25-03	

growth management within the Regional District have a significant impact on growth management strategies within Smithers related specifically to housing supply, demand and uptake. Therefore, it is important that growth management decisions are coordinated to ensure they address objectives of each of these two entities.

Boundary expansion may be needed in the future as the economy of Smithers continues to diversify. In the past, the area between Lake Kathlyn and the Town was the subject of a municipal boundary extension study, which concluded that utility-servicing constraints did not support extension into this area at that time. It was also recognized that rural residents live there as a lifestyle choice and may not wish to become incorporated into municipal boundaries. The Tatlow Road area may be suitable for industrial use in the future.

6.1 Land Use and Infrastructure

Objective:

- To encourage compact settlement patterns that:
 - Ensure efficient use of the land base to preserve natural open space areas and conserve natural resources.
 - Ensure the efficient, cost effective and contiguous provision of municipal infrastructure, public facilities, and transportation systems.
 - Ensure the development of complete neighbourhoods that encourage active transportation options and reduce reliance on fossil fuel powered vehicles.

Policies:

1. New medium to high density growth and development will be accommodated through sensitive infill and intensification (redevelopment) of existing built and serviced areas. These forms of development will be given priority over development proposals on previously undeveloped (greenfield) sites within the Town boundaries.
2. The majority of new medium to high density residential growth should occur within the medium and high-density infill areas as shown on Map 1: Land Use. Growth outside of these areas should be near active transportation routes, trails and pathways.
3. Commercial, mixed-use, and multi-unit development proposals shall demonstrate how they meet the Development Permit Area design guidelines.

6.2 Land Use Plan and Designations

The following land use designations are intended to guide future development in Smithers. The areas to which these designations apply are shown on Map 1: Land Use.

7.2. Housing Diversity and Flexibility

Objective:

- To increase the mix of housing types, tenures, and densities to meet the diverse community housing needs of existing and future residents.

Policies:

1. Reference the Smithers Housing Needs Report (updated every 5 years) for the most current information regarding local housing need.
2. Support residential intensification on areas designated as low density residential by permitting greater flexibility for constructing rental suites. This includes supporting the construction of both a carriage house and secondary suite on one lot, provided off-street parking is available.
3. Encourage medium and high-density residential development that allow residents to downsize their home and remain in the community as they age, including various forms of supportive housing and multi-level care facilities.
4. Support proposals for a wide range of supportive housing, including the co-location for on-site supports.
5. Use incentives for rental housing development, such as density bonussing, reducing required parking, tax incentives and participating in external incentive programs.
6. Encourage innovative proposals for residential developments, such as small lot subdivisions and micro suites.
7. Housing types, sizes, and tenures should be mixed wherever possible to encourage a social mix within individual neighbourhoods.
8. Support the development of residential rental suites as an auxiliary use in commercial, civic use, and light/medium industrial designations.
9. Appropriate temporary residential uses are supported on lands within the Town of Smithers.
10. Support non-profits, educational institutions, and senior levels of government to create new housing developments in Smithers, including senior/elder housing, Indigenous housing, housing for those experiencing homeless or at risk, and supportive housing. Encourage new housing to be in walking distance to downtown, amenities and transit.
11. Encourage residential design to meet Universal Design standards and best practices.
12. Support Indigenous led approaches to Indigenous housing.

7.3. Housing Affordability and Availability

Objective:

- To encourage a range of safe and affordable housing options which meet the needs of individuals and families of varying income levels, age groups, and needs.

Policies:

1. Give priority to development proposals for small and compact forms of housing such as small-lot single detached homes, town homes, and low-rise apartments.
2. Monitor participation in the Town of Smithers Rental Housing Incentive Program, and update, as required.
3. Encourage alternative housing tenures within residential areas such as co-housing, cooperative housing, and fee-simple town homes, especially where these meet an affordable housing need.
4. Integrate seniors and supported housing into the community where there is good access to public transit and basic support services.
5. Support the creation of new, and the retention of existing, rental housing and discourage the conversion of rental housing to strata ownership.
6. Support the location of supportive or transitional housing within the Town (the provisions of the *Community Care and Assisted Living Act* govern many aspects of these homes).
7. Encourage the retention and creation of mobile home parks, in appropriate locations, as a viable and important source of affordable home ownership in Smithers.
8. The Town will continue its role in developing Town land by inviting private developers to bid on developing the land. Lot prices will, generally at a minimum, recover the actual costs of development, but will also be used to shape and focus housing in particular areas of Town.
9. Consider density bonusing provisions for residential projects that help achieve specific housing goals such as the creation of additional senior/elder housing, affordable rental housing, and supportive housing.
10. Encourage large-scale hotel and resort developments to ensure there is an affordable supply of rental housing for employees, and where required, include the provision to provide employee housing.
11. Encourage the development of partnerships among community groups, non-profit organizations, the business community, professionals, and all levels of government to provide affordable and available housing.