



Mid-West Planning District

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POLICY

Title	Moving In / Locating of Older Buildings
Policy #	4-2017
Issue Date	April 6, 2017
Resolution	50/17
Authority	Mid-West Planning District Board and By-Laws; Planning Act; Municipal Act; Buildings and Mobile Homes Act; MWPD Development Plan; Municipal Building and Zoning By-Laws
Repeals Policy #	1-2010

Preamble: Where provisions of this policy conflict with Manitoba Provincial Acts the Provincial Act shall prevail.

SUBJECT / APPLICATION: From time to time the Development Officer is required to make decisions on development applications regarding the moving in of older dwellings or buildings intended to be used as dwellings, including Manufactured Homes (Mobile Homes, Modular, etc.), to urban and general development areas.

Considerations: Some of the main concerns or questions to consider are as follows:

- Is the structure in a dilapidated state and therefore will requiring extensive upgrading?
- Will extensive renovations be required?
- Will the structure be in keeping with the general character and amenity of the adjacent dwellings?
- Is the building in compliance with the applicable provisions of the Manitoba Building Code?

Other Information:

It may be noted that standard residential “buildings” are typically constructed in accordance with the Manitoba Building Code under the authority of a Building Permit.

“Manufactured” Mobile & Modular Homes are typically constructed and inspected under CAN/CSA Standards and must bear a “Label” attesting that the unit was constructed and inspected in conformance with the applicable standards.

Manufactured Homes of which do not bear the appropriate label shall not be considered for re-location unless a “Standards Inspection” has been undertaken and a Department of Labour label has been affixed. (See also section 8)

This policy is only intended to be applied to Buildings and Structures or Manufactured Homes (Mobile and Modular etc.) being used as dwelling units and to buildings or structures used for an addition of which is intended to be attached to existing dwellings or manufactured home.

LEGAL AUTHORITY / RELEVANT BY-LAWS: The implementation of this policy will be by resolution of the Board of the Mid-West Planning District.

The relevant regulatory documents which may be applicable are as follows:

- The Planning Act

- The Municipal Act
- The Buildings and Mobile Homes Act
- Applicable Provincial Regulations,
- The Mid-West Planning District Development Plan
- Applicable By-Laws of the Mid-West Planning District
- Member Municipality's Building By-Laws
- Member Municipality's Zoning By-Laws

POLICY:

The moving in or location of older dwellings or buildings to be used as dwellings:

This policy is applicable to the following designated areas:

All member municipalities of the Mid-West Planning District. Zones in which these policies will apply:

- All Residential Zones
- Mobile Home Zones
- General Development Zones
- Other similar designated residential zones

An "older building" is defined as follows:

- A typically constructed building or structure of **twenty-five (25)** years of age or older, or
- A Manufactured Building (Mobile, Modular, etc.) of **fifteen (15)** years of age or older
- Any portion of a building or structure intending to be attached to an existing principal building of which falls into the applicable age category.

Responsibilities of the landowner or applicant prior to locating the structure on the destination site and administrative procedures;

- To make application to the Planning District for consideration to locate the dwelling,
- To complete the applicable permit application, including a site plan, and a written description of intent.
- To complete any other applicable information document required by the Planning District, Planning District Board or Council.
- To supply representative pictures.
- To supply, when required, proof of any required certifications.
 - Pictures of the dwelling are to be taken; specifications are as follows:
 - Representative pictures of the dwelling are to be taken by the applicant;
 - Pictures are to be taken from the front, sides and rear of the dwelling
 - Pictures are to be current, within 30 days of the application.
 - Pictures may be digital
 - Pictures may be e-mailed.
 - Pictures are to be submitted to the Development Officer for review.

Planning District Responsibilities & onsite inspection:

- At the discretion of the Development Officer an on-site inspection may be carried out to inspect the dwelling.
- All costs incurred will be applied as per the applicable by-law (s) and policy of the Mid-West Planning District.
- Required Documentation is to be processed.
- A file is to be created.
- Development Officer Summary report is to be compiled, and forwarded to the Council for their review and consideration of approval of the application.

Municipal Council responsibilities:

- The municipality is to review the pictures and the Development Officer summary report.
- The Municipality may impose conditions associated with the relocation.
- Municipality shall advise the Development Officer of their decision.
- If the application is approved, the Municipality shall supply a “Letter of Acceptance”, to the Mid-West Planning District
- If the application is denied, the Municipality shall supply a “Letter of Refusal”, to the Mid-West Planning District
- The decision of Council is final and not subject to appeal.

Planning District procedures after the Municipality provided the planning district with its decision:

- The Development officer shall advise the proponent of council’s decision in writing
- Where Council has approved the application, a copy of the letter of acceptance will be provided to the applicant.

Other Items:

Application of the applicable member municipal building by-law:

- Section 3.2, Limited Application to Existing Buildings, is applicable.
- Section 3.5, Mobile Homes and RTM’s, is applicable.
- Other sections may be applicable.

Procedures to deal with uncertified Manufactured Homes (Mobile Homes)

- The Development Officer is to provide information regarding the Certification and labeling of Mobile Homes (CSA & DOL) to the applicant
- The Development Officer is to advise the applicant of the availability of a Standards Inspection by the Department of Labor (OFC). (in place of CSA certification)

General Notes: This policy may be reviewed from time to time by the Board of the Mid-West Planning District.

End of Policy.

This Policy has been reviewed and approved for use or implementation by the Board of the Mid-West Planning District on April 6th 2017 by Resolution 50/17.

Development Officer/Designated Officer

Chairman of the Board