



Note for Internal Use Only: This form contains confidential information and should be submitted directly to housing policy staff (housing@victoria.ca). Do not upload to Tempest.

Tenant Assistance Plan

The Tenant Assistance Plan and appendices must be submitted at the time of your rezoning application, and should be submitted directly to housing@victoria.ca. Please contact your Development Services Planner with any questions.

Date of submission of Tenant Assistance Plan to City:

November, 25, 2024

Current Site Information

Site Address	131, 135, 139 Menzies Street
Owner Name	One Point Properties
Applicant Name and Contact Info	Niall Paltiel - 250.514.8429 VP, Development
Tenant Relocation Coordinator (Name, Position, Organization and Contact Info)	Shannon Kowalko - 250.213.3874 Director of Marketing and Community Engagement

Existing Rental Units

Unit Type	# of Units	Average Rents (\$/Mo.)
Bachelor		
1 BR		
2 BR	2	\$1212.50
3 BR	1	\$1900
3+ BR		
Total	3	

Current Building Type (Check all that apply):

- Purpose-built rental building
 Non-market rental housing
 Condominium building
 Single family home(s), with or without secondary suites
 Other, please specify:

Rights and Responsibilities of Landlords and Tenants

The rights and responsibilities of landlords and tenants are regulated by the Province and is set out in the [Residential Tenancy Act](#). The City of Victoria's [Tenant Assistance Policy](#) is intended to supplement the Residential Tenancy Act and offer additional support for tenants in buildings that are being considered for redevelopment. To review the full Tenant Assistance Policy and supporting documents, please refer to the [City of Victoria's website](#).

Policy Applications

If your plans to redevelop this property will result in a loss of residential rental units AND will require tenants to relocate out of the existing building(s), please submit a Tenant Assistance Plan with your application.

Do you have tenant(s) who have been residing in the building for more than one year, at the time when application is submitted?

Yes

If yes, tenants are eligible for support. Please complete the full form.

No

If no, please skip to and complete Appendix A: Occupant Information and Rent Roll.

When completing this form, please refer to the Tenant Assistance Policy guidelines for Market Rental and Non-Market Rental Housing Development. Please note that the form includes the required Freedom of Information and Protection of Privacy Act (FOIPPA) section 27(2) privacy notification which should be communicated to tenants.

APPLICANT:

Please complete the following sections to confirm the details of the Tenant Assistance Plan:

CITY STAFF:
Did applicant meet policy?

1. Compensation (Please see [Section 4.1](#) for Market Projects and [Section 5.1](#) for Non-Market Projects)

For market rental housing, compensation is recommended to be based on length of tenancy at either:

1. The higher of CMHC average rent for the City of Victoria (as identified in CMHC's Annual Rental Market Report, adjusted annually and identified in Table 1 – Rental Compensation below) or the tenant's existing rent; or
2. Free rent in a different building

1.a. Please indicate how you will be compensating the tenant(s).

<input type="checkbox"/> Free Rent	<input checked="" type="checkbox"/> Lump Sum Payment	<input checked="" type="checkbox"/> Combination
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1.b. Were the tenant(s) consulted in this decision? Yes No

1.c. Please describe how tenants will be compensated based on length of tenancy.

Tenants (current and previous) will be compensated with a lump sum calculated based on length of tenancy using the CMHC Average Rent report provided in the Policy as current rents are below the average.

Tenants residing at 131 and 135 Menzies will be compensated with an additional month assistance and will also be given support by both our internal tenant relocation coordinator and Brown Bros. Property Management in finding a comparable next home in their neighbourhood.

Yes

No

2. Moving Expenses (Please see [Section 4.2](#) for Market Projects and [Section 5.3](#) for Non-Market Projects)

2.a. Please indicate how the tenant(s) will receive moving expenses or assistance.

<input type="checkbox"/> Hired Moving Company	<input checked="" type="checkbox"/> Flat Rate Compensation	<input checked="" type="checkbox"/> Combination
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2.b. Were the tenant(s) consulted in this decision? Yes No

Yes

No

3. Relocation Assistance (Please see [Section 4.3](#) for Market Projects and [5.4](#) for Non-Market Projects)

3.a. Is the Tenant Relocation Coordinator internal or external to your organization?

<input checked="" type="checkbox"/> Internal	<input checked="" type="checkbox"/> External
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3.b. Providing as much detail as possible, please indicate how the Tenant Relocation Coordinator will engage with tenants, including when they will start engaging, how often they will engage, and what methods they will use to communicate with tenants.

We have and will continue to engage with our 2 current tenants at 131 and 135 Menzies by both phone and email, to provide ongoing updates as to the status of our proposed project. When the necessary permits are in place from the COV, tenants will be communicated with both in writing and by phone with 4 months notice. Brown Bros. Property Management will work with us to help find our current tenants their next home ideally in the James Bay or close proximity surrounding neighbourhoods tailored to their needs.

Yes

No

APPLICANT: Please complete the following sections to confirm the details of the Tenant Assistance Plan:	Did applicant meet policy?
<p>4. Right of First Refusal (Please see Section 4.4 for Market Projects and 5.5 for Non-Market Projects)</p> <p>4.a. Does right of first refusal apply to the project? <i>(If the residential property has 5 or more rental units, then yes)</i></p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>4.b. If right of first refusal is offered, how will this apply to returning tenants?</p> <div style="border: 1px solid black; padding: 5px;"> <p>Current properties only consist of 3 single family homes. The 2 current tenants will be offered the ROFR at new property at 20% below market rents for the new units.</p> </div>	<p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p>5. Tenants Requesting Additional Assistance (Please see Section 6.0)</p> <p>5.1 Have tenants been provided with the additional assistance form and policy?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>5.b. Have tenant(s) requested additional assistance above tenant assistance policy expectations?</p> <div style="border: 1px solid black; padding: 5px;"> <p>Tenants have been sent the Resource Guide, including links to all documents. Follow up by phone has also taken place. To date we have not been informed of any additional assistance required above that outlined and offered by way of the TAP.</p> </div>	<p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p>6. Notification and Communication (Please see Section 3.4)</p>	
<p>6.a. Have all tenants been informed of the proposed rezoning or development? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>6.b. How will you be communicating to tenants throughout the rezoning or development application (including decisions made by Council)?</p> <div style="border: 1px solid black; padding: 5px;"> <p>We will continue to engage with our tenants currently residing at 131 and 135 Menzies to ensure they are up to date on our application process. As decisions are made by council they will be informed both by email and phone to ensure they are fully aware of next steps.</p> </div>	
<p>7. Tenant Resources (Please see Tenant Resource Guide)</p>	
<p>7.a Have tenants been provided with the Tenant Resource Guide? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7.b. How have or will you facilitate tenants in accessing these resources?</p> <div style="border: 1px solid black; padding: 5px;"> <p>Tenants have been emailed the Tenant Resource Guide noted in the link above.</p> </div>	

8. Final Tenant Assistance Report (Please see [Final Tenant Assistance Report](#))

8.a The City of Victoria requests that applicants submit a Final Tenant Assistance Report detailing how the Tenant Assistance Plan was completed prior to the issuance of an occupancy permit.

I have read and understand this statement

Other Comments:

We have and will continue to work with current tenants of 131 and 135 Menzies to ensure they are as comfortable and informed as possible with our application process and the next steps if approved.

The previous tenant of 139 Menzies will be communicated with to confirm assistance based on length of tenancy and the CMHC average rent.

Current tenants will be provided with flat fee compensation for moving expenses and we will work with our own and Brown Bros. Property Management contacts to ensure best pricing and service to aid in the moving process.

Although we purchased the three homes in early 2022 already tenanted, we recognize and value the terms of tenancy from their inception by the previous owner(s) and will do everything we can to ensure tenants are provided fair and reasonable assistance.

Tenants at 131 and 135 Menzies, who are currently residing in these homes will be assisted with an additional months rent.

FINAL Tenant Assistance Plan Review - [For City Staff to complete]



Application Reviewed By: (City Staff) Date:

Did the applicant meet TAP policy?: Yes No N/A

Staff comments on final plan:

This tenant assistance plan meets and exceeds the Tenant Assistance Policy. Eligible tenants will be provided with rent compensation and moving expenses as per policy, as well as an additional month's rent for those tenants still residing on property. Right of First Refusal is being offered as per policy, and a property management company will provide relocation support. Tenants have not identified or requested additional assistance.

APPENDIX C: Tenant Assistance Policy Compliance with the Freedom of Information and Protection of Privacy Act



Please ensure this form is signed by both the Applicant and the Tenant Relocation Coordinator, if applicable.

The City of Victoria's Tenant Assistance Plan (TAP) collects tenant personal information to assist them to find new, comparable, accommodations. Collecting tenant personal information requires the City and developers' Tenant Relocation Coordinators to collect in compliance with FOIPPA. Following these privacy guide-lines will maintain the required compliance.

Collection: Appendix A of the Tenant Assistance Plan (TAP) collects this personal information, tenant name, length of tenancy, dependents and needs and vulnerabilities (e.g. fixed income, affordable housing, disabilities). Section 26 of FOIPPA lists all the purposes in which personal information may be collected. Helping tenants find new, comparable, accommodations is the only purpose for collecting their personal information. This purpose complies with section 26(c) that states: "the information relates directly to and is necessary for a program or activity of the public body". Tenants' personal information cannot be used for any other purposes.

Use: Tenant's personal information must comply with section 32(a) of FOIPPA that states, "it must be for the purpose for which that information was obtained or compiled, or for a use consistent with that purpose (see section 34)". The purpose is the same as that in which it was collected under section 26(c). There are no consistent purposes under the TAP program. Tenant's personal information can only be used to provide the assistance that the TAP program provides.

Disclosure: FOIPPA list only those reasons in which personal information may be disclosed and it can only be disclosed to individuals inside Canada. The tenants' personal information can only be disclosed in accordance with section 32.2(a) that states, "for the purpose for which it was obtained or compiled". In other words, disclosure is only to those who require it in order to perform work that "relates directly to and is necessary for" delivering the assistance available under TAP (e.g. on a "Need to Know" basis).

Accuracy: FOIPPA requires that "every reasonable effort" be employed to collect personal information. When tenants complete a tenant letter, they need to review the personal information they provide to confirm it is correct. Also, double for accuracy when transcribing from the letters to Appendix A.

Correction: Tenants can request to review and correct their personal information at any time including a year after the decision is implemented regarding the assistance they received under TAP. The City will provide the access, therefore, developers do not need to retain their tenant records for a year.

Protection: Every reasonable effort must be made to protect tenant information from unauthorized collection, use, disclosure, access or premature destruction. This includes password protecting tenant information, keeping it separate from other information, keeping it in one location, limiting access (need to know) and not sharing it unencrypted are all reasonable security efforts.

Storage and Access: FOIPPA requires that the tenant personal information be stored and accessed only from within Canada. Storing it on a cloud service provider, even one in Canada, is still likely to allow access from the US. Keeping it in a secure electronic folder with only one person with access is the most FOIPPA compliant.

Retention: Personal information is only kept for as long as it is operational required. Under TAP it can only be kept for one year after a decision has been made and implemented regarding the assistance a tenant is eligible for under TAP. After that, tenant letters must be destroyed so they cannot be reconstituted and the personal information in Appendix A must be aggregated so that specific individuals cannot be identified.

Applicant: I have read and understand my responsibilities with regard to compliance with FOIPPA as explained above

Signature:  Print Name: Date:

Relocation Coordinator (if applicable): I have read and understand my responsibilities with regard to compliance with FOIPPA as explained above

Signature:  Print Name: Date: