



Sustainable Planning and Community Development  
1 Centennial Square  
Victoria, BC V8W 1P6

# Tenant Assistance Plan

**This form must be submitted with your rezoning or development application. For contact, please send questions to your development services planner.**

## SUMMARY: Instructions and steps for Developers and Property Owners

<b>STEP 1</b>	<b>BACKGROUND:</b> Understand your rights and responsibilities as a landlord. Please review the documents in the background section pertaining to relocating tenants and the City's rental replacement policies.
<b>STEP 2</b>	<b>POLICY APPLICATION:</b> Complete tenant impact assessment to determine the requirements of your application.
<b>STEP 3</b>	Complete application requirement, including: <ol style="list-style-type: none"> <li>Current Site Information</li> <li>Tenant Assistance Plan</li> <li>Tenant Communication Plan</li> <li>Appendix A - Current Occupant Information and Rent Rolls (For office use only)</li> <li>Appendix B - Correspondence with Tenants Communication (For office use only)</li> </ol>
<b>STEP 4</b>	<b>SUBMIT:</b> Complete form and submit to: <ol style="list-style-type: none"> <li>Email digital copy of plan to <a href="mailto:housing@victoria.ca">housing@victoria.ca</a> (include appendices)</li> </ol>
<b>STEP 5</b>	<b>REVISE:</b> Applicant to update and return application requirements with staff input.
<b>STEP 6</b>	<b>FINALIZE:</b> City staff to finalize the review and signs off application requirements and used as attachment for the Committee of the Whole report.

## BACKGROUND: 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](#).

Please refer to the City of Victoria's [website](#) for more information regarding the City of Victoria's rental housing policies. Supporting documents include:

- Tenant Assistance Instructions and Checklist
- Tenant Assistance Policy
- Frequently Asked Questions
- Sample Letter to Tenants
- Request for Tenant Assistance Form and Privacy Guidelines
- Final Tenant Assistance Report

## POLICY APPLICATION: Tenant Impact Assessment to Determine the Requirements of your Application

Answer the questions below to determine whether a plan is required with your application:

Tenant Impact	Indicate:		Application Requirement
Are you redeveloping or demolishing a building that will result in loss of existing residential units?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	If yes, complete the next question.
Does your work require the permanent relocation of tenant(s) out of the building?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	If yes, complete and submit a tenant assistance plan.
Do you have tenant(s) who have been residing in the building for more than one year?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	If yes, tenants are eligible under the tenant assistance plan

**If any are selected no, then a tenant assistance plan is not required as part of your application.**

# TENANT ASSISTANCE PLAN

## A. Current Site Information

<b>Site Address:</b>	43, 45, 55 Gorge Road East, 2827, 2829 and 2831 Irma Street
<b>Owner Name:</b>	Brent J. Sawchyn
<b>Company Name:</b>	PC Urban (Acquisition) Corp
<b>Tenant Relocation Coordinator (Name, Position, Organization):</b>	Chris Karu, Development Manager, PC Urban

### EXISTING RENTAL UNITS

Unit Type	# of Units	Average Rents (\$/Mo.)
Bachelor	0	
1 BR	3	\$913
2 BR	6	\$1,271
3 BR	1	\$2,314
3 BR+	0	
<b>Total</b>	10	\$1,268

## B. Tenant Assistance Plan

For any renovation or redevelopment that requires relocation of existing tenants, the property owner must create a Tenant Assistance Plan that addresses the following issues:

- Early communication with the tenants
- Appropriate compensation
- Relocation assistance
- Moving costs and assistance
- Right of first refusal

The City has developed a Tenant Assistance Plan template that is available for applicant use. The template includes the required FOIPPA section 27(2) privacy notification which should be identified for tenants.

Please refer to the Tenant Assistance Policy with Tenant Assistance Plan guidelines for Market Rental and Non-Market Rental Housing Development.

### **Required under the Residential Tenancy Act**

#### **Notice to End Tenancies**

A landlord may issue a Notice to End Tenancy only after all necessary permits have been issued by the City. In addition, landlords must give four months' notice to end tenancies for renovation, demolition, and conversions. Tenants have 30 days to dispute the notice.

For more information, please refer to the [Landlord Notice to End Tenancy](#).

#### **Renovations and Repairs**

Renovations and repairs must be so extensive that they require the unit to be empty in order for them to take place, and the only way to achieve the necessary emptiness or vacancy is by terminating a tenancy. The RTA and associated guidelines provide specific guidance pertaining to whether a landlord may end a tenancy in order to undertake renovations or repairs to a rental unit.

For more information, please refer to [Ending a Tenancy for Landlord's use of Property](#).

#### **Right of First Refusal**

In instances of renovations or repairs requiring vacancy, the RTA requires tenants be offered the right of first refusal to enter into a new tenancy agreement at a rent determined by the landlord. This right of first refusal applies only to a rental unit in a residential property containing 5 or more units, and there are financial penalties for non-compliance.

For more information, please refer to [Tenant Notice: Exercising Right of First Refusal](#).

**For full details, please check the Government of British Columbia [website](#).**

Tenant Assistance Plan Components	APPLICANT	CITY STAFF
	Tenant Assistance Plan	
	<b>Date:</b> May 27, 2020	
<b>Compensation</b> Please indicate how you will be compensating the tenant(s).	We will be offering either free rent or a lump sum payment, or a combination of both to each tenant, allowing the tenant to decide per the Tenant Assistance Policy. All rates will be per the TAP: 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.	<b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/>
<b>Moving Expenses</b> Please indicate how the tenant(s) will receive moving expenses and assistance.	We will be offering a flat rate compensation (based on unit size), per the Tenant Assistance Policy.	<b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/>
<b>Relocation Assistance</b> Please indicate how the tenant(s) will receive relocation assistance.	At least 3 housing options will be presented to the tenants Comparable in unit size and type that are: - Located in the Capital Regional District, with at least one in the same municipality - No more than the higher of either 30% of household gross income or the tenant's current rent at the time of development application - Tailored to the tenant wherever possible (e.g. pet friendly, accessible, smoke-free, etc.)	<b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/>
<b>Right of First Refusal</b> Please indicate whether the applicant is offering right of first refusal to the tenant(s). Please indicate your reasoning.	All tenants will be provided with the right of first refusal in the new building, with moving expenses covered per the Tenant Assistance Policy.	<b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/>
<b>Tenants Requiring Additional Assistance</b> Please indicate whether there are tenants requiring additional assistance. If so, please indicate how the applicant plans to provide additional support.	Tenants were initially asked if they required any additional assistance, through the broker to the owners of the property. Initial responses, from the landlords/vendors indicated the tenants did not.  Since the City of Victoria has since asked for additional back-up, PC Urban has been trying to communicate with the tenants directly to find out if any additional assistance is required. To date no tenants have asked for additional assistance.	<b>Yes</b> <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/>
<b>Other Comments</b>	PC Urban is committed to working with staff to ensure that the Tenant Assistance Policy is met. PC Urban is working to directly ensure all tenants are informed of the rezoning, and of their options. PC Urban is offering to provide all tenants will full benefits as outlined in the policy (whether eligible or not) to ensure they will not have their housing affected by this rezoning.	

<b>APPLICANT</b>	
<b>Tenant Communication Plan Components</b>	<b>Tenant Communication Plan</b>
	<b>Date:</b> May 27, 2020
How and when did you inform tenants of the rezoning or development application?	As the property is not currently under PC Urban's control, we have not directly contacted any of the tenants. All communication to the existing tenants has been through the existing owners. Since PC Urban was updated by the City of Victoria of further communication being necessary, we have been working with the vendors/landlords to ensure direct communication (as outlined above and per the City's policies) occurs and we expect to have final answers from all tenants in the next 4-6 weeks.
How will you be communicating to tenants throughout the rezoning or development application (including decisions made by Council)?	We will be sending mail-outs to each house informing them of our rezoning application and major milestones and how it affects our timeline for redevelopment and when it will require them to vacate their rental units, giving as much time as possible.
What kind of resources will you be communicating to your tenants and how will you facilitate tenants in accessing these resources? (Please see the City's <a href="#">website</a> for a list of resources)	We will be informing tenants to review all relevant resources available on the City of Victoria's website as well as the Province of BC's website.
Have tenant(s) confirmed with you whether they request assistance? If so, please indicate the staff responsible or whether a third-party service is requested.	We have asked the existing owners to confirm if any of the tenants require additional assistance, per the Tenant Assistance Policy, and to date no additional assistance has been requested. As described above, we are now working with the vendors/landlords to have direct communication with each tenant and have clear communication on whether any assistance is required. To date, one tenant has required additional assistance but needs more time to fill in the form. PC Urban is committed to working with tenants to ensure they have the opportunity to request additional assistance.
Other communications notes:	

## FINAL TAP Review - [For City Staff to complete]

Application received by Hollie McKeil (City Staff) on May 27 2020 (Date)

Did the applicant meet TAP policy?      Yes          No   

Staff Comments on  
final plan:

Through this Tenant Assistance Plan, the applicant is in some ways, exceeding policy expectations by offering full compensation as outlined by the policy, to both eligible and ineligible tenants. This includes offering financial compensation, moving expenses covered, right of first refusal in new building, and relocation assistance to all current tenants (at time of application) regardless of their eligibility.

Due to unique circumstances with this application, direct written correspondence from all tenants has not yet been submitted to staff. The applicant understands that this is an essential part of fulfilling Tenant Assistance Policy expectations and is committed to providing this information to staff in advance of the public hearing. Should this rezoning application move on to a Public Hearing, the applicant will provide direct confirmation from all tenants that they have read and understood the contents of this TAP, have been provided with an opportunity to request additional assistance and to identify their needs in the relocation process.

Staff considers this solution acceptable, and will be following up with the applicant and with tenants directly as needed to ensure the TAP is implemented with tenants' individual needs considered.