

# 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](mailto:housing@victoria.ca). Please contact your Development Services Planner with any questions.

Date of submission of Tenant Assistance Plan to City:

June 23, 2024

## Current Site Information

|   |  |
|---|--|
| Site Address  | 224 Kingston Street  |
| Owner Name  | One Point Properties Inc.  |
| Applicant Name and Contact Info   | Niall Paltiel - 250-514-8429<br>VP, Devopment, Mike Geric Construction   |
| Tenant Relocation Coordinator (Name, Position, Organization and Contact Info) | Shannon Kowalko - 250-213-3874<br>Marketing & Community Engagement Director/Rental Manager, Mike Geric Construction<br><br>Drew Storey - 250-385-8771<br>Property Manager, Brown Bros. Agencies Ltd. |

### Existing Rental Units

| Unit Type | # of Units | Average Rents (\$/Mo.)    |
|-----------|------------|---------------------------|
| Bachelor  |            |                           |
| 1 BR      | 2          | \$1000 & \$1300 (current) |
| 2 BR      | 1          | \$1550 (past)             |
| 3 BR      |            |                           |
| 3+ BR     |            |                           |
| Total     | 3          | \$1283                    |

### 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 checked="" type="checkbox"/> Free Rent | <input type="checkbox"/> Lump Sum Payment | <input type="checkbox"/> Combination |
|---|---|--------------------------------------|

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.

Previous tenant who resided in suite #2 at time of initial application will be provided with 4 months rent (based on their length of occupancy at time of application) as per the Rental Comparison table in the policy & CMHC average rents.

2 current tenants who do not qualify for compensation under the TAP will be provided with support through our rental partner, Brown Bros. Property Management to help find housing in the 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 type="checkbox"/> Combination |
|---|--|--------------------------------------|

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 |
|--|--|

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.

Both our internal Tenant Relocation Coordinator in partnership with our trusted rental management partner, Brown Bros. Agencies will engage with our tenants.

Email, phone and in person discussions will take place beginning now and continue on a regular basis (at minimum monthly) to ensure current (non- eligible) tenants are kept up to date as to project timing and pending relocation.

Brown Bros. has established rental properties in the James Bay neighbourhood and are committed to help us guide our tenants with realistic options for relocation, and will be tailored to the tenants wherever possible.

Yes

No

| <b>APPLICANT:</b><br>Please complete the following sections to confirm the details of the Tenant Assistance Plan:  | <b>Did applicant meet policy?</b>   |
|--|---|
| <p><b>4. Right of First Refusal</b> (Please see <a href="#">Section 4.4</a> for Market Projects and <a href="#">5.5</a> 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 type="checkbox"/> Yes      <input checked="" type="checkbox"/> No</p> <p>4.b. If right of first refusal is offered, how will this apply to returning tenants?</p> <p>There is no rental component with this project to offer current tenants.</p>   | <p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> |
| <p><b>5. Tenants Requesting Additional Assistance</b> (Please see <a href="#">Section 6.0</a>)</p> <p>5.1 Have tenants been provided with the additional assistance form and policy?</p> <p><input type="checkbox"/> Yes      <input checked="" type="checkbox"/> No</p> <p>5.b. Have tenant(s) requested additional assistance above tenant assistance policy expectations?</p> <p>Eligible tenant (unit 2) has been communicated with by email to advise of compensation owed through the Tenant Assistance Policy. We will follow up and ensure compensation is provided when our project is approved. Current tenants do not qualify under the policy but we will work with them to find alternate housing in the neighbourhood with assistance from Brown Bros.</p> | <p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> |
| <p><b>6. Notification and Communication</b> (Please see <a href="#">Section 3.4</a>)</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> <p>We will communicate frequently and transparently with tenants to ensure updates are provided through the rezoning and development application process.</p> <p>This will be done effectively by email, letter and/or phone communication as best to suit each tenants needs.</p>   |   |
| <p><b>7. Tenant Resources</b> (Please see <a href="#">Tenant Resource Guide</a>)</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> <p>Eligible tenant has received (and responded to) communication by email including the Tenant Relocation Guide resource.</p>   |   |

**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:**

At this time, CURRENT tenants residing in the 2, 1-bedroom suites, will be provided with assistance to find alternate housing ideally in the neighbourhood of James Bay if that is what they wish. Our partners at Brown Bros. Property Management have a variety of properties in the CRD but specifically in James Bay and will help us navigate this process effectively.

Eligible tenant, who resided in a 2-bedroom suite from September, 2016 to September 30, 2023 has been communicated with by email that she is entitled to compensation. Eligible tenant is aware that as per the TAP, she will receive 4 months rent at \$1580 per month plus \$1,000 moving expense, totaling \$7320.

# 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 policy expectations in providing rent and moving compensation for the eligible tenant who relocated prior to TAP finalization. It exceed policy expectations by providing relocation assistance to remaining ineligible tenants in finding a new home. Right of first refusal does not apply to this project.

# 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 us 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: