

Planning and Land Use Committee Report

For the Meeting of July 9, 2015

To: Planning and Land Use Committee Date: June 30, 2015 From: Stephen Stern, Land Development Technologist Subject: Strata Conversion Application for 1237-1239 Oscar Street

RECOMMENDATION

That Council approve the contribution to the Victoria Housing Reserve Fund in lieu of the previous approval from June 28, 2012, requiring a covenant securing one of the units at 1237 - 1239 Oscar Street, as rental for a five (5) year period.

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's reconsideration of their original approval from June 28, 2012 requiring a section 219 Covenant securing one of the strata units as rental for 5 years in exchange for a contribution of \$10,000.00 to the Victoria Housing Reserve Fund.

The applicant, Mr. Paul Bourke, had applied to the Approving Officer to convert the existing purpose built duplex into three (3) strata units and submitted a tenant plan with the application for Council consideration. Council approved the tenant plan provided with the strata conversion application for 1237 Oscar Street, subject to one of the existing units being secured as rental for a five (5) year period.

Respectfully submitted.

Decision Request

Stephen Stern Land Development Technologist

Jas Paul A/Director of Engineering and Public Works

Report accepted and recommended by the City Manager:

Jason Johnson

Date:

Strata Conversion Application for 1237 - 1239 Oscar Street

BACKGROUND

Mr. Bourke was issued a preliminary strata approval which outlined the conditions for such an approval that included preparing a covenant, to the satisfaction of the City solicitor, securing one of the units as rental for 5 years.

Mr. Bourke has indicated that given his current heath, that the requirement for a covenant would pose a hardship. As an alternative, he has submitted a request to have Council reconsider placing a covenant on title and its place accept a contribution of \$10,000.00 towards the Victoria Housing Reserve Fund.

Relevant Legislation and Policy

Under section 242 of the *Strata Property Act*, conversion of previously occupied buildings requires approval from the Municipal Approving Authority. In the case of 1237 – 1239 Oscar Street, the approval of the tenant plan submitted with the strata application required Council approval.

Council, acting as "Approving Authority", can reconsider their previous approval.

Sustainable Planning and Community Development Evaluation

The vacancy rate in the City has continued to drop and in a tightening rental market rents are likely to rise more significantly than they have in the past two years. The current rental vacancy rate for purpose built rental, three (3) or more units, in the City of Victoria is 1.2% (CMHC **April 2015**). An additional \$10,000 added to the Victoria Housing Reserve Fund will enable the City to support the development of one affordable rental unit within a future development. Considering that an investor-owned condominium unit is likely to rent at a rate much higher than the purpose-built market rate, the applicant's proposal provides the opportunity to achieve the development of unit that will rent at an a much lower level for a term longer than five years.

Strategic Relevance

The impact of this approval is that a contribution to Victoria Housing Reserve Fund will enable the City to support the development of one affordable rental unit within a future development. This offering will be held in trust by the applicant's solicitor under his undertaking to be released to the City upon submission of the final strata plan for approval.

List of Attachments

- Preliminary Approval Letter for Strata Conversion
- Correspondence from the applicant's solicitor
- Supporting email correspondence
- Previous Council Report and Approval from June 28, 2012.



Engineering and Public Works Department

#1 Centennial Square

Victoria

British Columbia

V8W 1P6

Tel: 250-361-0300

Fax: 250-361-0311

www.victoria.ca

June 4, 2015

File no. SUB 00228 BP 049833

Paul L. Bourke # 1 Briar Place Victoria, BC V8S 3J5

Dear Mr. Bourke:

Re: 1237 - 1239 Oscar Street – Proposed Conversion of an Existing Three Unit Building to Three (3) Strata Units Currently at:

LOT 42, FAIRFIELD SECTION, VICTORIA, PLAN 1055 Primary PID: 000-559-814

The City has completed the review of your application dated May 13, 2012 to convert the existing Three Unit Building to Three (3) Strata Units.

This conversion is subject to an approval from the municipal "approval authority" under Section 242 of the Strata Property Act which ensures compliance with applicable Provincial Codes and Municipal Bylaws. On June 28, 2012 Council set an additional condition associated with your strata conversion:

"It was moved by Councillor Alto, seconded by Councillor Helps, that Council approve the tenant plan provided with the strata conversion application 1237 Oscar Street, subject to one of the existing units being secured as rental for five a (5) year period."

In addition, our records indicate that the proposed use is consistent with the current zoning designation of the property and the Planning Department has confirmed this proposed use under the R-1B Zone (Single Family Dwelling District). Please contact Charlotte Wain at 250-361-0340 with any Zoning inquiries.

In order to ensure compliance with applicable Provincial Codes and Municipal Bylaws the applicant shall now proceed as follows:

- Submit a Section 219 Covenant in a form satisfactory to the City Solicitor securing one of the proposed strata units as rental for 5 years. Please have your solicitor contact the Land Development Technologist for further information.
- Obtain and submit occupancy permits for the completion of all required building permit work for the proposed strata units. Our records indicate that a building permit has been issued for the subject property on *March 11, 2014*.
- Provide written confirmation that onsite parking conforms to Schedule "C" of the Zoning Bylaw. Confirmation will be required in writing from the Planning Department. Parking allocation shall be clearly defined in the final strata plans.
- 4. Hire a British Columbia Land Surveyor to arrange to prepare the final strata plan. Provide the British Columbia Land Surveyor with copies of the Site Servicing Plan and Building Permit Plans (if necessary) approved by the City.

1237 - 1239 Oscar Street – Proposed Conversion June 4, 2015

- 5. Submit the preliminary strata plan(s) containing all required copies of any information as noted in (a) and (b) below, along with a final strata approval fee of \$50.00 within 30 days prior to issuance of final occupancy and to arrange for an inspection, by the Land Development Technologist, of the proposed strata units.
- 6. Upon final approval of the Strata Plan, the plan will be released to your solicitor on an undertaking to the satisfaction of the City's solicitor to register the plan in the Land Title Office concurrently with any documents required as a condition of Strata Conversion. Any required documents registered against title must be in priority to any charges of a financial nature. Prior to release of the Strata Plan, your lawyer shall provide a letter of undertaking stating:
 - a) that if for any reason the subdivision plan is not deposited in the Land Title Office within two months of its approval, it will be returned to the Approving Officer of the City of Victoria; and
 - b) that a registered copy of the proposed strata plan, a copy of each new title search, and a copy of all other documents registered as a condition of Strata Titling will be forwarded to the Approving Officer upon final registration at the Land Title Office (please forward all registered documents to the Approving Officer, care of the Land Development Technologist).
- Submit the final strata plan package containing copies of any required information to Stephen Stern. Submitted plans and documents will be sent to the Approving Officer for review and approval.

Please note that it is the responsibility of the applicant to provide the plans noted above to the surveyor to ensure that the surveyor's strata plan matches the City approved plans. It is also the responsibility of the applicant and the applicant's surveyor to design the boundaries and assign the ownership within the proposed strata plan so that each strata unit will comply with Provincial Codes and Municipal Bylaws and to ensure that encroachments do not occur.

If any other information comes to light before an application is made for strata plan approval under Section 242 of *Strata Title Act*, these statements may be reconsidered and altered. It is also noted that approval of any strata plan will be subject to compliance with all legislation and regulations.

This preliminary approval expires on **June 4**, **2016**. If you have any questions regarding your application please call Stephen Stern at 250-361-0501.

Yours truly,

eff Mitton

Deputy Approving Officer

Attachments

C.

Chief Building Inspector Charlotte Wain, Development Services July 06, 2012 Letter from Legislative and Regulatory Services

w:\admin\word\land development\ss\2015\1237 - 1239 oscar.doc

Stephen Stern

From: Sent: To: Subject: John Reilly Monday, Jun 15, 2015 8:20 AM Stephen Stern RE: 1237-1239 Oscar Street Council Requirement for a Section 219 Covenant

Nice work on this Stephen.

John

From: John Mullin [mailto:jmullin@mdlawcorp.com]
Sent: Sunday, Jun 14, 2015 3:11 PM
To: Stephen Stern
Cc: John Reilly; Paul Bourke
Subject: Re: 1237-1239 Oscar Street Council Requirement for a Section 219 Covenant

Hi Stephen - I have heard from my client and he is prepared to make the \$10,000 contribution in lieu of the rental requirement - if you could proceed with presenting the proposal to committee/council as soon as possible, that would be great - let me know on timing, thanks John

Sent from my iPhone

On Jun 12, 2015, at 10:50 AM, "Stephen Stern" <<u>sstern@victoria.ca</u>> wrote:

Good Morning John,

I think that given John's, (Senior Planner – Social Issues, Community Planning Division), comment below it would be reasonable to secure the minimum amount of \$10,000.00. If this is acceptable to your client then I can initiate the process of presenting his request to Committee / Council for their consideration. I will need to prepare the necessary report to Council etc..

Regards

Stephen Stern Land Development Technologist Land Development & Support Services City of Victoria 1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0501 F 250.361.0311 C 250.216.4172

<image001.gif> <image002.png><image003.gif> <image004.gif> <image005.gif>

From: John Reilly
Sent: Thursday, Jun 11, 2015 9:41 AM
To: Stephen Stern
Subject: RE: 1237-1239 Oscar Street Council Requirement for a Section 219 Covenant

Sorry for the delay in responding, Stephen. The City's grant program provides a \$10K per unit. \$5K will only get us half way there. If we are losing one unit, I'd like to see a contribution of \$10K to allow us to get one more unit in the rental market. Let me know what comes of the negotiations.

John

From: Stephen Stern
Sent: Tuesday, Jun 9, 2015 2:23 PM
To: John Reilly
Subject: 1237-1239 Oscar Street Council Requirement for a Section 219 Covenant
Importance: High

Good Afternoon John,

Attached is the PLA and Letter from Legislative Services regarding the approval of the "tenant plan" with a condition that one of the units be rental for 5 years.

The applicant's solicitor has indicated that given the failing health of the owner, the requirement could prove to be an issue. The applicant is proposing an initial offering in lieu of the covenant, to provide a monetary payment into the housing fund (\$5000.00).

My commitment to him was to present this to staff and see if it supportable and counter There will be a formal letter to the City with the rationale behind this offering..

Thoughts

Stephen Stern Land Development Technologist Land Development & Support Services City of Victoria 1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0501 F 250.361.0311 C 250.216.4172

<image001.gif>

<image002.png><image003.gif>

<image004.gif> <image005.gif>

2

Mullin DeMeo

BARRISTERS & SOLICITORS

Date: June 19th, 2015

City of Victoria #1 Centennial Square Victoria, BC V8W 1P6

Attention: Stephen Stern

RE: 1237-1239 Oscar Street - Proposed Conversion of an Existing Three Unit Building to Three Strata Units

Further to our emails and correspondence on this matter I confirm that I have received \$10,000 in trust and I provide my irrevocable undertaking to pay these funds to the City prior to our deposit of the Strata Plan at the Land Title Office and provided the rental requirement condition (i.e. Covenant as set forth in paragraph 1. of the City's June 4, 2015 letter) has been removed.

Yours truly,

MULLIN DEME Per John D. Mullin /kd

 1626 GARNET ROAD, VICTORIA, BRITISH COLUMBIA, CANADA V8P 3C8

 Toll Free 1-877-477-3327
 Phone [250] 477-3327
 Fax [250] 477-0980

Email LAWYERS@MDLAWCORP.COM www.realestatelawvictoria.com



BARRISTERS & SOLICITORS

Date: June 10th, 2015

City of Victoria #1 Centennial Square Victoria, BC V8W 1P6

Attention: Stephen Stern

RE: 1237-1239 Oscar Street - Proposed Conversion of an Existing Three Unit Building to Three Strata Units

We act on behalf of Paul Bourke. We are writing to request the removal of the requirement to have one of the existing units secured as a rental for a five year period. Mr. Bourke has outlined a summary of circumstances which is attached to my letter. Mr. Bourke's current health requires him to sell all three of the units when the strata plan has been filed. In lieu of the rental requirement, Mr. Bourke asks council to consider his proposal of a financial contribution to a City of Victoria housing fund in the amount of \$5,000. We look forward to hearing from you.

Yours truly,

MULLIN DEMEO er

John D. Mullin /kd

1626 GARNET ROAD, VICTORIA, BRITISH COLUMBIA, CANADA V8P 3C8 Toll Free 1-877-477-3327 Phone [250] 477-3327 Fax [250] 477-0980 Email LAWYERS@MDLAWCORP.COM www.realestatelawvictoria.com

- I started the renovation of 1237/1239 Oscar Street in 1999; my intention was always to strata the building into 3 units. This building was a legal duplex when I purchased it.
- The work to renovate this building into a 3 suite complex increases the housing density of the area without causing any harm to the area and without increasing the square footage of the building. It only increases the number of units by one and provides three desirable and affordable homes in a much sought after area.
- I worked full time at my sales job in the fishing industry until I retired 1 year ago. I am not a developer. I do not have a company or Government pension (except the OAS and CPP-my retirement funds are in my property on Oscar Street.
- I worked on the house in the early morning and evenings as well as the weekends and during my vacation time.
- The new requirement to keep one of the 3 units as a rental property imposes a significant financial hardship on me. The market for a rental only condo in a house conversion is very limited –it is more common in larger buildings where professional managers can ensure your property is looked after.
- Additional, it is likely that it will be more difficult to market the two other units if the third one has to remain as a rental for 5 years. This in turn reduces the value of the units and thus the value of my "pension" fund.
- I just turned 69 on June 3 and if it is another 5 years before I can sell this rental unit I will be 74 years old. I feel this is much too old to be looking after a rental unit in a 104 year old house.
- Unfortunately, I had an accident while working on the house about 5 years ago: I tore the rotator cuff in both my shoulders and I am still recovering from 2 different surgeries each of which has taken 2+ years to heal. As a result I had to hire workers to do work I normally would have done and this took longer as I had limited funds to work with. I am now finished the renovation required to strata the property into 3 units.
- In addition to my shoulder injuries I have had two surgeries to remove cancerous tumours on my left eye and beside my left ear. On this Friday, June 12, I am scheduled for surgery on my prostate and the recovery time ranges from 3 months to one year. My family is concerned about my health and wants me to sell all three units - not 2 and keep one as a rental.
- I respectfully request that an exception be made under these circumstances for the above reasons. In consideration of this, I am prepared to donate \$5,000 to a low cost housing fund of your choice, as appropriate.





Legislative and Regulatory Services Department

Legislative Services

#1 Centennial Square Metoria British Columbia MeW 198

Tel (250) 361-0571 Fax (250) 361-0348 www.victoria.ca July 06, 2012

Mr. Paul Bourke #1 Briar Place Victoria, BC V8S 3J5

Dear Mr. Bourke:

Re: Strata Conversion Application for property known as 1237 Oscar Street

At the Victoria City Council meeting of June 28, 2012, Council passed the following resolution:

That Council approve the tenant plan provided with the strata conversion application 1237 Oscar Street, subject to one of the existing units being secured as rental for five a (5) year period.

If you have any further questions concerning your application, please contact Stephen Stern, Land Development Technologist, at 250.361.0501.

Yours truly, C-Robert G. Woodland

Corporate Administrator

ih C:

John Sturdy, Acting Director of Engineering Stephen Stern, Land Development Technologist Fairfield-Gonzales Neighbourhood Association



Planning and Land Use Standing Committee Report

Date:May 28, 2012From:Stephen Stern, Land Development TechnologistSubject:Strata Conversion Application for 1237 Oscar Street

Executive Summary:

The applicant, Paul Bourke has applied to the Approving Officer to convert the existing purpose built duplex into three (3) strata units and has submitted a tenant plan with the application for Council consideration. The Planning Department advises that the proposed use complies with the R-1B (Single Family Dwelling Zone).

Under Section 242 of the *Strata Property Act*, conversion of previously occupied buildings requires approval from the Municipal Approving Authority (City Council). The purpose of this report is to seek Council's approval of a tenant plan submitted with an application to strata title a duplex at 1237 Oscar Street. The duplex is currently occupied with tenants renting on a yearly lease basis.

The applicant has submitted a basic tenant plan with proposed variations suggesting a graduated rental timeframe based on the number of units the applicant can rent, as noted below:

- One of the units as rental for a period of 5 years (60 months),
- Should the applicant rent two units within the building, the applicant proposes that the rental time frame for the initial unit offered would be reduced to 2 ½ years (30 months),
- Should the applicant rent three units within the building, the applicant proposes that the rental time frame for the initial unit offered would be reduced to 20 months.

The basic one unit rental for 5 years proposal can be secured by means of a Covenant under Section 219 of the *Land Title Act* registered on title. The proposed graduated rental timeframe, with scheduled declarations will require additional staff administration and a more complex legal agreement. The applicant's proposal to rent one or more of the other units in a graduated rental timeframe does not secure the equivalent of a single rental unit for five years. Legal costs associated with preparation and registration of the covenant is the responsibility of the applicant.

Recommendation:

That Council approve the tenant plan provided with the strata conversion application for 1237 Oscar Street, subject to one of the existing units being secured as rental for a five (5) year period.

Respectfully submitte Dwayne Kalynchuk, P. Eng. Peter Sparanese, P. Eng. Stephen Stern General Manager of Land Development Director of Engineering and Technologist Public Works Operations Report accepted and recommended by the City Manager: Gail Stephens

Decision Request Strata Conversion Application for 1237 Oscar Street May 28, 2012 Page 1 of 2

w:\wpdocs\admin\word\committee reports\2012\1237 oscar_plusc.doc

Relevant Legislation and Policy:

Under Section 242 of the *Strata Property Act*, conversion of previously occupied buildings requires approval from the Municipal Approving Authority (City Council).

The City's "*Residential Strata Titling Policy*" requires Council's approval for Tenant Plans that accompany an application to strata title. The proposed Tenant Plan is to not displace the current tenants and secure the rental units for a minimum period of five (5) years.

The current rental vacancy rate (CMHC Fall 2011) for purpose built rental, three (3) or more units, in the City of Victoria is 1.8%.

Sustainability Evaluation:

The applicant has offered to rent one of the proposed strata units for an initial period of five (5) years. The tenant plan also includes a graduated rental timeframe in which the applicant has suggested that if two (2) suites were rented out this would be reduce the covenant rental period to 30 months and if all three suites were to be rented it out then further reduce the covenant rental period to 20 months.

This proposal has been submitted for evaluation to the Sustainability Department for evaluation and staff have no objections to securing by means of a Covenant under Section 219 of the Land Title Act registered on title, one of the existing rental units.

Staff recommends keeping a simpler approach that secures one unit, without conditions, as rental for the full five (5) years.

Strategic Relevance:

The impact of this approval is consistent with similar requests for duplex conversions of this nature. This approval ensures that the existing units is maintained within the rental pool for a reasonable length of time, in this case five (5) years and will be secured by a covenant under Section 219 of the Land Title Act, to be registered on title.

Recommendation:

That Council approve the tenant plan with provided with the strata conversion application for 1237 Oscar Street and with the stipulation that one of the existing rental units be secured for the full five (5) year period.

Recommendation Summary:

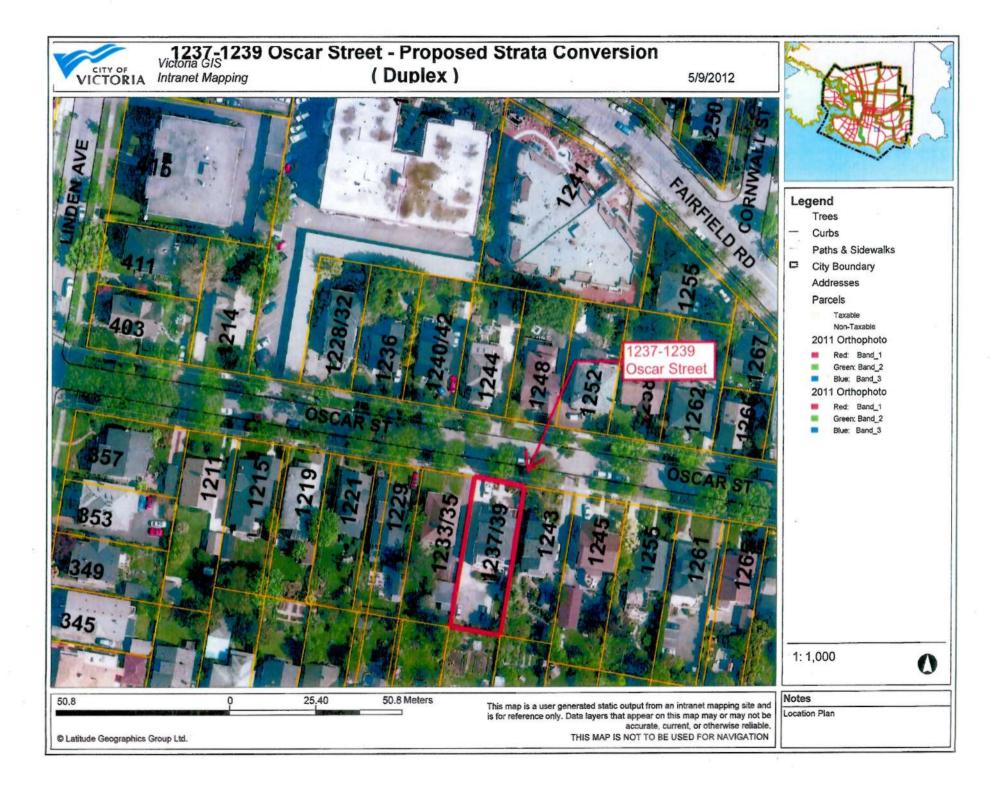
Staff recommend keeping a simpler approach that secures one unit, without conditions, as rental for the full five (5) years.

Background	Material:	Attached	X

Available ____ N/A ___

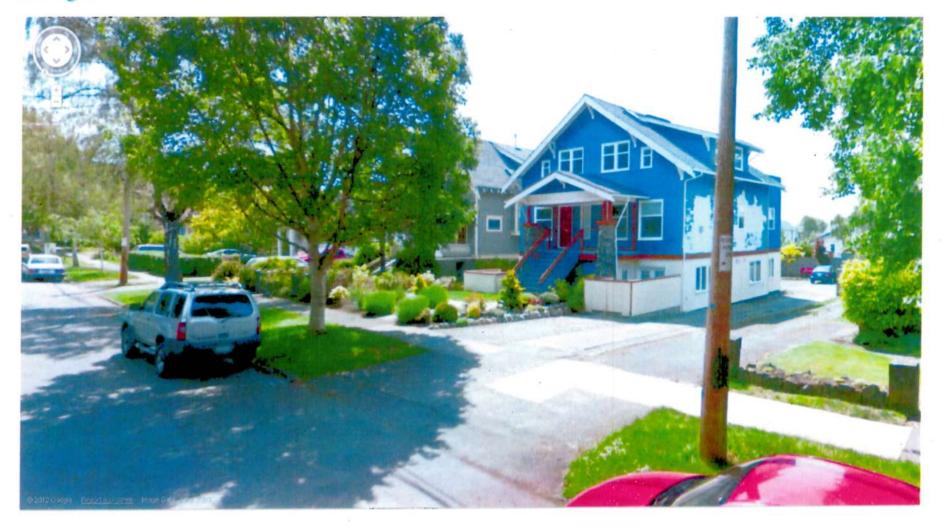
Decision Request Strata Conversion Application for 1237 Oscar Street

w:\wpdocs\admin\word\committee reports\2012\1237 oscar_plusc.doc



To see all the details that are visible on the screen, use the Print link next to the map.

Google



CITY OF V ENGINEERIN	
POLICY: Residential Strata Titling	
Prepared By: Land Development	Date: 1997
Authorized By: Victoria City Council	Date: 1997

- 1. A preliminary approval obtained from City Council or the Approving Officer is valid for a period of one year from the date Council's resolution to approve is adopted.
- When the rental apartment vacancy rate as provided by Canada Mortgage and Housing Corporation falls below 4% for Metro Victoria, no applications to convert existing residential rental buildings containing more than four rental dwelling units shall be accepted.
- Any owner/developer denied the privilege to apply to convert existing residential buildings to strata lots for the reason outlined in Paragraph (2) has the right to appeal to City Council and a successful appeal is required before the City Engineer will accept a formal application to convert.
- 4. The vacancy rate applicable to an application shall be the rate that prevails in the rental statistics provided by C.M.H.C. on the date the preliminary application is received at City Hall.
- 5. Tenant Plan Rental Residential Strata Conversions

Any preliminary application to convert a building containing active rental dwelling units shall be accompanied with a Tenant Plan which will set out:

- a. Certification that the owner/developer has notified the tenants of the building of the proposal to convert the building into strata units.
- b. A complete list of the tenants in the building.
- c. The type of choices such as a continued fixed-term tenancy, option to purchase rental unit, etc. offered to the tenants that would allow them to continue to occupy their units after the strata conversion has been completed.
- d. Any monetary assistance to be offered, such as rental-free period, moving expenses, etc.
- e. Formal notification that tenants have been advised of other agencies that may be of assistance, such as Pacifica Housing, the Capital Regional District, etc.

The Tenant Plan shall be submitted to Council for review at the preliminary application stage and the owner/developer shall certify that the Tenant Plan, as adopted by Council, has been carried out prior to final approval. The Tenant Plan shall be signed by all the tenants.

Strata Conversion

<u>No. of units</u>	Vacancy rate	<u>Approval level</u> With tenants	Approval level If vacant
=3</td <td>N/A</td> <td>Council With tenant plan</td> <td>Approving Officer</td>	N/A	Council With tenant plan	Approving Officer
= 4	N/A	Council With tenant plan	Council
> 4	> 4%	Council With tenant plan	Council
> 4	< 4%	Not accepted by staff, but appealable to Council	Not accepted by staff, but appealable to Council

Land Development Section - Strata Conversion Approval Matrix

Approving Officer Authority

Council, on July 24, 2003, **delegated the powers** and performance of the duties of the approving authority under Section 242 of the Strata Property Act (conversion of previously occupied buildings) to the duly appointed subdivision approving officer, with the following limits:

- Residential buildings containing no more than 3 units, and industrial and commercial buildings.
- Residential buildings that are vacant or owner-occupied.
- Buildings in good condition, in substantial compliance with the BC Building Code.





Corporation of the City of Victoria

Engineering Department, Land Development Section

185315 **TENANT PLAN – STRATA TITLING Preliminary Application** □ Final Application ADDRESS APPLICANTS NAME (PRINT) SOURKE ACE VICTORIA #1 BRIAR AUL PROJECT ADDRESS VACANT # EXISTING UNITS RENTED OSCAR ST. OWNER OCCUPIED 1237/1239 # NEW UNITS IN PROJECT # TOTAL PROPOSED STRATA UNITS EXPLAIN NATURE OF PROJECT AND REASON FOR STRATA TITLING: stated 3 unnen E irean k tuto en EXPLAIN TYPES OF ASSISTANCE / OFFERED TO TENANTS: - Fixed Term Tenancy -- Option to Purchase -- Rental Assistance -- Alternative Rental -5 EE ATTACHED L - Other -

TENANT INFORMATION (Please Print)					
TENANT'S SIGNATURE	PHONE #	UNIT #	DATE ACCEPTED	DATE COMPLETED	
	21		14		

NOTE: If the above space is insufficient use back of form.

	APPLICANT'S	CERTIFICATION
FINAL /	I <u>PAUL</u> <u>BOMRHE</u> confirm that the infe to the City of Victoria that I will provide the tenant (s) with the assistance	ormation contained in this form is correct to the best of my knowledge and certify are as accepted by the tenant as outlined on this TENANT PLAN.
FIN	Applicant's Signature (Confirming Offer Accepted)	Date
	Applicant's Signature (Confirming Offer Completed)	Date

NOTE: THIS TENANT PLAN CAN BE MADE AVAILABLE IN OTHER LANGUAGES UPON REQUEST.

Revised March 2004

Application No.



Corporation of the City of Victoria Engineering Department, Land Development Section

TENANT PLAN – STRATA TITLING

Prelim	inary Application	L Final Ap	plication	
APPLICANTS NAME (PRINT)	ADDRESS			PHONE # / FAX #
PROJECT ADDRESS	# EXISTING UN	ITS RENTED	OWNER OCCUPI	ED, VACANT
# NEW UNITS IN PROJECT	# TOTAL PROF	POSED STRATA UNITS		

EXPLAIN NATURE OF PROJECT AND REASON FOR STRATA TITLING:

TACHED 5 2 1

EXPLAIN TYPES OF ASSISTANCE / OF	FERED TO TENANTS:			
LI - Fixed Term Tenancy -				
I - Option to Purchase -				
- Rental Assistance -	2		2.	
iJ - Alternative Rental -				
U-Other- XUNRELATE	O TO TH	is Ar	PLICATION NOT	ICE TOVACATE
WAS GIVENAI	FEBRUAR	¥1.00	NSIDER This 6	INITAS VACANT
(BY THE HOMER	5) TE	NANT INFO	RMATION (Please	Print)
TENANT'S SIGNATURE	PHONE #	UNIT #	DATE ACCEPTED	DATE COMPLETED

PHONE #	UNIT #	DATE ACCEPTED	DATE COMPLETED
2	1237	Y APRIL 03.2012	
	OSCAR,	+ April 3/12	
	1237		
	OSCAR		
	PHONE #	05CAR. 1237	2 1237 Y APRIL 03.2012 OSCAR Y APRIL 03.2012 1237 1237

NOTE: If the above space is insufficient use back of form.

	APPLICANT	'S CERTIFICATION
AL /	I Paul Bounde confirm that the to the City of Victoria that I will provide the tenant (s) with the assistance of the tenant (s) with the second secon	information contained in this form is correct to the best of my knowledge and certify ance as accepted by the tenant as outlined on this TENANT PLAN.
FIN/	Applicant's Signature (Confirming Offer Accepted)	Date
	Applicant's Signature (Confirming Offer Completed)	Date

NOTE: THIS TENANT PLAN CAN BE MADE AVAILABLE IN OTHER LANGUAGES UPON REQUEST.

Revised March 2004

Application No.



Corporation of the City of Victoria

Engineering Department, Land Development Section

TENANT PLAN – STRATA TITLING

Prelin	ninary Application	U	Final Application	
APPLICANTS NAME (PRINT)	ADDRESS			PHONE # / FAX #
PROJECT ADDRESS	# EX	ISTING UNITS RENTED	OWNER OCCUP	PIED, VAGANT
# NEW UNITS IN PROJECT	# TC	TAL PROPOSED STRA	TA UNITS	

EXPLAIN NATURE OF PROJECT AND REASON FOR STRATA TITLING:

SEE ATTACHED

EXPLAIN TYPES OF ASSISTANCE / OFFERED TO TENANTS:

- Fixed Term Tenancy -

I - Option to Purchase -

- Rental Assistance -

L - Alternative Rental -

Settier-CONTINUATION OF MONTH TO MONTH TERANCY INDEFINITION

	TE	NANT INFO	RMATION (Please Pri	int)
TENANT'S SIGNATURE	PHONE #	UNIT #	DATE ACCEPTED	DATE COMPLETED
* KOMPOLICANO	21	1239	X-1211/3'2012	
+ & Boghen	-	USCAR	+ April 3- 2012	
GERALD GOGUEN				
ROMA GOGAEN				

NOTE: If the above space is insufficient use back of form.

	APPLICANT	S CERTIFICATION
FINAL /	to the City of Victoria that I will provide the tenant (s) with the assista	information contained in this form is correct to the best of my knowledge and certif ince as accepted by the tenant as outlined on this TENANT PLAN.
FIN PREL IL	Applicant's Signature (Confirming Offer Accepted)	Date
	Applicant's Signature (Confirming Offer Completed)	Date

NOTE: THIS TENANT PLAN CAN BE MADE AVAILABLE IN OTHER LANGUAGES UPON REQUEST.

Revised March 2004

Subject: Tenancy letter City of Victoria

April 4, 2012

Regarding;

1237/1239 Oscar Street

Dear Mayor and Council,

I have applied to convert my Conversion duplex to a 3 unit strata.

I have advised the tenants, Gerry and Roma Goguen, in 1239 Oscar (Garden duplex suite) of my intentions regarding the strata triplex. Their suite requires no construction work for the proposed conversion to a triplex, except some additional 2x4 studs (4 in total packed together) in an interior wall, to support the addition of a beam in the third floor. This is about an 8 hour job, including the drywall repair and painting. The required work will be done, at the convenience of the Goguens, when they are out of town visiting their daughter in Vancouver. They have indicated to me that they support the conversion to a strata triplex.

Regarding 1237 Oscar Street;

On February 1 (over 2 months ago) Keith and Deane Homer, gave me their official notice that they intend to move during the next few months into a house, with a yard for their dog, and more storage space inside. I have also advised Keith and Deane Homer of 1237 Oscar of my intentions regarding the strata triplex. They have indicated to me that they support the conversion to a strata triplex.

The departure of Keith and Deane Homer has nothing to do with the strata triplex conversion and this 1237 portion of the existing duplex should be considered as vacant.

I am prepared to continue to rent one of the 3 proposed suites in the strata triplex for a period of 5 years (60 months). If two suites are rented out this would reduce the total rental period to 2.5 years (30 months). If all 3 suites are rented out the total rental period would be 20 months.

Regards

Paul Bourke

Paul Sourke

cc. Mr. Stephen Stern Land Development Technologist, Land development Section City of Victoria. FOLDER # BOVO0404 FILE # OO 238