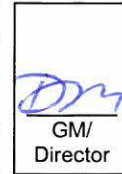
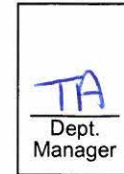


AGENDA INFORMATION

- ☐ Regular Meeting
☐ Other:

Date: May 31, 2021

Date: _____



The District of North Vancouver REPORT TO COUNCIL

May 11, 2021

File: 10.5040.01/000.000

AUTHOR: Arielle Dalley, Community Planner
Jessica Lee, Community Planner

SUBJECT: Residential Tenant Relocation Assistance Policy – Proposed Amendments

RECOMMENDATION:

THAT the amended Residential Tenant Relocation Assistance Policy, as described in the report entitled “Residential Tenant Relocation Assistance Policy – Proposed Amendments” dated May 11, 2021, be approved by Council.

AND THAT “Multi-Family Rental Housing Demolition Notice Bylaw 7406, 2003 Repeal Bylaw 8510, 2021” is given FIRST, SECOND and THIRD Readings.

REASON FOR REPORT:

To bring forward a revised Residential Tenant Relocation Assistance Policy (**Attachment 1**), as directed by Council at the Regular Meeting of Council on December 7, 2020, and to repeal the Multi-Family Rental Housing Demolition Notice Bylaw (Bylaw 7406) (**Attachment 2**).

SUMMARY:

The District’s current Residential Tenant Relocation Assistance Policy (“RTRAP” or “Policy”) (**Attachment 3**) was approved by Council on November 28, 2016. The intent of the Policy is to minimize the impacts faced by renters who would be displaced through the rezoning process. Since its introduction, the Policy has been put into effect on several occasions. In 2020, the District’s Rental, Social, and Affordable Housing Task Force (“Task Force”) suggested improvements to the current Policy that would better support tenants (**Attachment 4**).

The revised RTRAP has been drafted in consideration of the Task Force’s input, feedback from stakeholder engagement, and local best practices. The key proposed changes are:

- An enhanced tenant assistance package with specified financial and relocation supports (e.g. moving expenses, residency bonus); and

- Added clarity on when the Policy applies, communication with affected tenants, and requirements at the time of submission (including standardized forms to make reporting and monitoring easier).

Staff are also recommending that the Multi-Family Rental Housing Demolition Notice Bylaw (Bylaw 7406) (**Attachment 5**), adopted in 2003, be repealed as it is out of date and the intent of the bylaw, which is to specify the notice period for the demolition of multi-family rental housing, has been brought in to the revised RTRAP.

BACKGROUND AND EXISTING POLICY:

Official Community Plan

Goals 2 and 3 of the District's Official Community Plan are to encourage and enable a diverse mix of housing types, tenure, and affordability to accommodate the lifestyles and needs of people at all stages of life, and to foster a safe, socially inclusive, and supportive community that enhances the health and well-being of all residents. Supporting tenants through a revised Residential Tenant Relocation Assistance Policy would help to achieve these goals.

Rental and Affordable Housing Strategy

The District's Rental and Affordable Housing Strategy (RAHS) Goal 5: "Minimizing Impacts to Tenants" highlights concerns regarding the potential demolition of older multi-family buildings and the challenges this may create for displaced renters. It encourages the development of a Residential Tenant Relocation Assistance Policy that offers assistance to tenants in their search for new housing.

In 2012, an analysis conducted by Coriolis Consulting for Metro Vancouver estimated that anywhere between 70% and 93% of the District's purpose-built rental stock was at risk of redevelopment.

Residential Tenant Relocation Assistance Policy

In order to address the needs of tenants displaced as a result of redevelopment, the District approved a Residential Tenant Relocation Assistance Policy in 2016. It was amended in 2018 to extend its applicability to single-family homes and strata units operating as rental units, in addition to purpose-built rental housing.

The Policy applies to all rezoning applications that require the demolition of a building or combination of buildings containing five or more rental units. Currently, the Policy broadly outlines examples of potential assistance measures for tenants. These may include an extension of the notice period to end a tenancy, additional months of free rent, and assistance with moving expenses. The Policy also sets out expectations for:

- an occupancy summary (e.g. current number of affected units, rents and bedrooms);
- a tenant communication plan outlining how tenants will be notified and involved; and
- a tenant relocation coordinator who would help identify comparable rental units.

The Residential Tenant Relocation Assistance Policy sets out the District's preferred suggestions for supporting tenants who would be displaced as a result of redevelopment.

The Policy's provisions do not replace the legal requirements required by the Provincial *Residential Tenancy Act (RTA)*, but may augment them.

In 2019, the District's Rental, Social, and Affordable Housing Task Force was formed to explore and identify innovative local government housing solutions including tenant relocation policies. On September 28, 2020, the Task Force submitted their interim report to Council along with their suggestions on how to strengthen the Residential Tenant Relocation Assistance Policy. On December 7, 2020, Council directed District staff to prepare a revised Policy for Council's consideration.

ANALYSIS:

District staff have reviewed the Task Force's suggested revisions to the Policy, sought input from key industry stakeholders, and reviewed other municipal approaches to tenant relocation assistance (**Attachment 6**).

Policy Implementation to Date

To date, eleven rezoning applications in the District have involved tenant relocation. The following summary comments are provided:

- Five applications have been approved, including:
 - Two (Branches and Mountain Court Phase 1) which were submitted prior to the Policy being approved in 2016, and the applicants voluntarily offered tenant relocation assistance for renters;
 - Two (Emery Place and Maplewood Village) which were submitted after the Policy was approved in 2016 and provided tenant relocation assistance and compensation in accordance with the Policy;
 - One (Seymour Estates) which was submitted prior to the Policy being applicable to strata residential buildings (2018 amendment). The applicant voluntarily offered tenant relocation assistance for renters of the strata units in compliance with the current Policy;
- Four detailed planning applications are in progress; and
- Two rezoning proposals are at the preliminary stage and will be evaluated based on the updated Policy, if approved, upon submission of a Detailed Planning Application.

The compensation provided to tenants in previous and current rezoning applications has informed the development of the proposed Policy revisions described in this report.

Stakeholder Input

District staff contacted the Rental, Social and Affordable Housing Task Force, the Urban Development Institute (UDI), LandlordBC, and the Tenant Resource and Advisory Centre (TRAC) for feedback on a draft version of a revised RTRAP. A summary of the feedback, along with detailed responses received, is provided in **Attachment 7**.

All stakeholder input was carefully reviewed by staff. Revisions to the Policy presented in the following section are based on the feedback received, as well as the review of regional and local experience. Not all of the feedback was incorporated into the revised Policy, for reasons ranging from the legality of the suggestion to the practicality of implementation.

The proposed changes to the Policy represent District staff's best efforts to balance supports and flexibility for tenants, certainty for applicants, and the viability of potential new affordable rental developments. The Policy may be reviewed over time and future changes could be made based on the experience with implementation in the District and other regional tenant relocation assistance policies.

Proposed Amendments to the Policy

The key proposed changes to the Policy are described below. These amendments are intended to create a more equitable policy that adequately supports existing tenants, and can be implemented and administered in a viable manner. A redline version of the proposed Policy is provided as **Attachment 8**.

Enhanced Tenant Assistance Package

District staff propose the following amendments to the tenant assistance package:

- Financial assistance:
 - Increase from 3 to 4 months' rent (Provincial *RTA* requires 1 month's rent);
 - Specify the residency bonus at \$35 for each month that the tenant has resided in the building; and
 - Provide a flat rate moving expense ranging from \$1,000 to \$1,500 based on number of bedrooms;
- Relocation assistance:
 - Specify that the Tenant Relocation Coordinator will:
 - identify three comparable rental units with the same number of bedrooms and that best meet the tenant's needs and preferences; and
 - help tenants secure units by providing references and setting up viewing times;
 - Indicate that monthly rents should be no higher than 10% above current rent (current provision) or 10% above CMHC median rent for Metro Vancouver, whichever is greater (this acknowledges that in some cases for long-term tenants, there may be no units available in the market that are within the threshold of 10% above the tenants' current rent);
- Notice to vacate: Increase from 4 to 6 months (Provincial *RTA* requires 4 months); and
- First right to purchase: Specify a 5% purchase discount for a new strata unit on site.

Clarifications to Applicability Criteria, Communication Expectations and Submission Details, and Timing of Compensation

Staff propose the following amendments to improve clarity and implementation of the Policy:

- Applicability Criteria:
 - Add wording explicitly stating that the Policy applies to any dwelling unit occupied by tenants as their primary place of residence, including single-family homes and strata units operating as rental units, regardless of whether their tenancy agreement is periodic or fixed term. This would provide further clarity

- with respect to the 2018 amendments expanding the applicability of the policy beyond purpose-built rental units;
- Specify that tenants who move into an existing vacant rental unit after submission of a Detailed Planning Application are not expected to receive the supports offered to pre-existing tenants. However, such tenants would be entitled to the notice and compensation requirements set out in the Provincial RTA;
- Communication Expectations and Submission Details:
 - Specify that at the Preliminary Planning Application stage, tenants should be notified by the applicant in writing of the intent to redevelop the site and that tenant relocation assistance is a part of these plans;
 - Add to the Current Occupancy Assessment Summary the number of occupants in each rental unit;
 - Standardize the format and contents of submission details by asking applicants to fill out a new Residential Tenant Relocation Assistance Plan form (new forms will be finalized by District staff and will be made available publicly if the revised Policy is approved by Council);
 - Add reference to a new voluntary tenant household needs assessment form that will help standardize the communication between the Tenant Relocation Coordinator and existing tenants regarding the tenant's particular needs or preferences that would factor into the suitability of alternate accommodation (the form should be given to the tenant by the applicant, but the tenant may decide to complete the form or not);
- Timing of compensation
 - Specify that the financial compensation agreed to in the tenant assistance package is provided to tenants only following final adoption of the rezoning bylaw. A tenant who has moved out prior to final adoption would receive their compensation immediately following final adoption of the rezoning. For all remaining tenants, compensation would be provided prior to the tenant vacating their unit.

It should be noted that in rare cases, there may be rezoning applications where it is anticipated that this Policy would not apply.

Timing/Approval Process for Current and New Applications:

The Residential Tenant Relocation Assistance Policy applies to rezoning applications at the time a Detailed Planning Application is made. If the proposed amendments to the Policy are approved by Council, the amendments would come into effect immediately. Any new Detailed Planning Applications received on or after that date would be evaluated against the amended Policy.

Detailed Planning Applications in progress would continue to be guided by the current Policy. However, staff would provide all such in-stream applicants a copy of the revised Policy and

inform applicants that if they wish to follow the revised Policy, staff would support that choice and outline this for Council in any introduction report.

Concurrence:

The proposed amendments to the Residential Tenant Relocation Assistance Policy have been reviewed by the District's municipal solicitor and Development Planning staff.

Financial Impacts:

All costs associated with tenant relocation assistance are the responsibility of the rezoning applicant and do not impact the District directly. Any financial compensation offered to tenants are not expected to be offset against other negotiated Community Amenity Contributions provided by the applicant.

Liability/Risk:

The provisions of the RTRAP are voluntary as the District cannot impose mandatory tenant relocation requirements on developers because residential tenancy falls under the jurisdiction of the Province and the *Residential Tenancy Act*. However, the District can evaluate a rezoning application based on compliance with the Policy.

The developer's voluntary commitment to the District to offer tenant assistance (made as a condition of rezoning bylaw adoption) will be fully secured prior to Council consideration of adoption of the rezoning bylaw.

Conclusion:

The District's Residential Tenant Relocation Assistance Policy provides tenants displaced as a result of redevelopment with financial compensation and options to remain living in and connected to their communities. The proposed amendments to the Policy would expand residential tenant assistance measures and clarify the District's minimum expectations.

Options:

1. THAT the amended Residential Tenant Relocation Assistance Policy, as described in the report entitled "Residential Tenant Relocation Assistance Policy – Proposed Amendments" dated May 11, 2021, be approved by Council.

AND THAT "Multi-Family Rental Housing Demolition Notice Bylaw 7406, 2003 Repeal Bylaw 8510, 2021" be given FIRST, SECOND and THIRD Readings.

OR

2. THAT Council advises staff on any preferred specific revisions and/or alternative direction regarding the amended Residential Tenant Relocation Assistance Policy.

Respectfully,



Arielle Dalley
Community Planner



Jessica Lee
Community Planner

Attachment 1: Revised Residential Tenant Relocation Assistance Policy

Attachment 2: Multi-Family Rental Housing Demolition Notice Bylaw 7406, 2003 Repeal Bylaw 8510, 2021

Attachment 3: Current Residential Tenant Relocation Assistance Policy

Attachment 4: Document entitled "Revisions to Residential Tenant Relocation Assistance Policy" as developed by the Rental, Social, and Affordable Housing Task Force, September 2020

Attachment 5: Multi-Family Rental Housing Demolition Notice Bylaw (Bylaw 7406)

Attachment 6: Scan of Municipal Tenant Relocation Assistance Policies

Attachment 7: Stakeholder Feedback on draft Residential Tenant Relocation Assistance Policy, April 2021

Attachment 8: Redline version of revised Residential Tenant Relocation Assistance Policy

REVIEWED WITH:		
<input type="checkbox"/> Community Planning <input checked="" type="checkbox"/> Development Planning MA <input type="checkbox"/> Development Engineering <input type="checkbox"/> Utilities <input type="checkbox"/> Engineering Operations <input type="checkbox"/> Parks <input type="checkbox"/> Environment <input type="checkbox"/> Facilities <input type="checkbox"/> Human Resources <input type="checkbox"/> Review and Compliance	<input type="checkbox"/> Clerk's Office <input type="checkbox"/> Communications <input type="checkbox"/> Finance <input type="checkbox"/> Fire Services <input type="checkbox"/> ITS <input checked="" type="checkbox"/> Solicitor RP <input type="checkbox"/> GIS <input type="checkbox"/> Real Estate <input type="checkbox"/> Bylaw Services <input checked="" type="checkbox"/> Planning [Signature]	External Agencies: <input type="checkbox"/> Library Board <input type="checkbox"/> NS Health <input type="checkbox"/> RCMP <input type="checkbox"/> NVRC <input type="checkbox"/> Museum & Arch. <input type="checkbox"/> Other:



The Corporation of the District of North Vancouver

ATTACHMENT 1

CORPORATE POLICY

Title	Residential Tenant Relocation Assistance Policy (Revised)
Section	Development and Community Planning

POLICY

This policy provides guidelines for residential tenant relocation assistance.

This policy is supported by the District's Official Community Plan through the following goals:

- Encourage and enable a diverse mix of housing type, tenure and affordability to accommodate the lifestyles and needs of people at all stages of life; and
- Foster a safe, socially inclusive and supportive community that enhances the health and well-being of all residents.

Council recognizes that housing is essential to the well-being of all District residents. Existing residential buildings, particularly older purpose-built rental buildings, form an important source of housing in the District that tends to be more affordable for residents. Low rental vacancy rates mean that tenants being displaced by redevelopment can find it challenging to obtain alternate comparable and affordable accommodations in a timely manner.

Policy approved on: November 28, 2016

Policy amended on: March 19, 2018 and _____

Applicability:

This policy is applicable to rezoning applications that result in the demolition of any building or combination of buildings containing five or more dwelling units occupied by renters as their primary place of residence at the time of submission of a Detailed Planning Application, including rental units in single family homes, strata units operating as rental units, and purpose-built rental units. This policy and the provisions outlined within represent the preferred suggestions for a voluntary commitment by the developer applicant (the "**Developer**") to support renters who may be evicted as part of a redevelopment.

Supports should generally be provided on a dwelling unit basis and should be provided to tenant households regardless of whether the tenancy agreement in place is periodic (month to month) or fixed term (lease). Any compensation provided to tenants by the Developer should not be used in Community Amenity Contribution negotiations. The Residential Tenant Relocation Assistance Policy does not replace or affect in any way the requirements set out in the *Residential Tenancy Act*.

Exemptions:

This policy does not apply to redevelopment that is permitted outright under existing zoning. Furthermore, tenants who move into an existing rental dwelling unit after submission of a Detailed Planning Application are not expected to receive the supports offered to pre-existing tenants and should be notified as such prior to signing their rental agreement.

Provisions:**A. Provisions at the Preliminary Planning Application Stage**

At the Preliminary Planning Application stage, the Developer should notify all tenants in writing that plans for redevelopment are being made and that a relocation assistance package is part of these plans. Tenants should be informed that this is not a notice to vacate, but rather an early effort to inform tenants of possible upcoming changes. Early in the process, the Developer should provide tenants with information concerning the District's Residential Tenant Relocation Assistance Policy. Copies of these communication materials should be submitted to municipal planning staff.

B. Provisions at the Detailed Planning Application Stage

At the time of submission of a Detailed Planning Application, the Developer should submit a completed Residential Tenant Relocation Assistance Plan application form, which should include the following components:

1. Current Occupancy Assessment Summary:

Should contain the following information:

- a. Number of occupied and vacant units;
- b. Number of people living in each unit, if the tenant agrees to provide this information;
- c. Type of tenancy for each tenant household (e.g. periodic or fixed term);
- d. Start and, if relevant, end date of tenancy for each tenant household;
- e. Rent for each unit;
- f. Number of bedrooms of each unit; and
- g. Specific tenant household characteristics from the tenant household needs assessment form, should the tenant wish to provide this information, which may include mobility or accessibility features, the need for a pet-friendly unit, proximity to particular amenities such as schools, or number of parking spaces needed.

2. Tenant Assistance Package:

At minimum, the Tenant Assistance Package should include:

- a. Financial Assistance;
 - i. The equivalent of four months' rent (either by cash, free rent up to the maximum length of the notice period, or a combination of both as the tenant prefers) to each tenant household.

- ii. A residency bonus in the form of an additional \$35 per month for each month the tenant has resided in the rental unit or complex.
- iii. Assistance with moving expenses in the form of a flat rate payout of \$1,000 for studio and 1-bedroom units, \$1,250 for 2-bedroom units, and \$1,500 for 3-bedroom or larger units (Developers should adjust these amounts upwards annually based on an appropriate consumer index).

b. Relocation Assistance;

- i. An experienced Tenant Relocation Coordinator should be hired or appointed by the Developer to assist those tenants who wish assistance in finding new rental accommodation (the "Tenant Relocation Coordinator").
- ii. The Tenant Relocation Coordinator should provide a list of at least three available, comparably priced rental dwelling units to each tenant household that have the same number of bedrooms as the current unit, are located within the District unless otherwise specified by the tenant household, and/or meet other needs or preferences specified by the tenant if possible. The Tenant Relocation Coordinator is also expected to help tenants secure units, including by providing references and by setting up viewing times for potential units, where desired. In the event of a dispute between the tenant and the Tenant Relocation Coordinator, the Developer should make available and pay for a mediator.
- iii. The recommended maximum rent for the available replacement rental units found by the Tenant Relocation Coordinator should be no more than the greater of:
 - 10% above the tenant's current rent; or
 - 10% above the most recently published CMHC median rent level, by number of bedrooms, for Metro Vancouver

except in cases where the tenant has requested that the Tenant Relocation Coordinator provide a list of more expensive available rental units. When no comparably priced rental units are available, then available units closest to the comparable price should be provided
- iv. In cases where temporary housing is a possibility, then the Developer should provide interim housing options on site, if feasible, during the construction of the new building(s) for tenants who wish to return to the new units.
- v. In cases involving vulnerable tenants (e.g. seniors, persons with disabilities, tenants with low income, mental health issues, etc.), Developers are encouraged to connect the tenant to, or provide the tenant with information on, or otherwise facilitate, additional support to tenants, such as help accessing BC Housing rent supplement assistance (e.g. Shelter Aid for Elderly Residents (SAFER)), where appropriate, and partnering with health organizations and other non-profit services.

c. Timing of Compensation

If the tenant moves out prior to approval of the rezoning application, financial compensation is to be provided to the tenant by the Developer immediately following final adoption of the rezoning bylaw(s). For all other tenants, financial compensation is to be provided to the tenant no later than the date they move out whether or not a demolition permit has been obtained or an eviction notice has been served.

d. Notice to Vacate

The Developer should offer to provide to all remaining tenants in possession of rental units a minimum of six months' notice to vacate, after a Demolition Permit is issued by the District.

e. First Right to Rent

The Developer should offer evicted tenants the first right to rent in any new purpose-built rental units. In cases where rental units are replaced with below-market rental units, returning tenants must meet any applicable eligibility requirements. For tenants exercising the right to rent new purpose-built rental units at the development, compensation for moving expenses to reflect Section 2.a.iii should be provided at both the move out stage and when the tenant returns to the building.

- f. Evicted tenants who wish to purchase a strata unit or a "rent to own" in the new development should be offered a right of first refusal with a 5% purchase price discount.

3. Tenant Communications Plan:

The Developer should provide to the District an outline of how tenants will be involved and notified of input opportunities throughout the rezoning process. This communications plan will be included in the staff report for Council. Developers should provide updates to residents as the rezoning process progresses, including when the application for rezoning is considered at Council meetings, Council workshops, public information meetings, and Public Hearings. These notifications should be provided directly to tenants and where possible, posted in conspicuous places within the building(s). Information on tenant resources, including the Residential Tenancy Branch webpage, this Residential Tenant Relocation Assistance Policy, and resources available through the Tenant Resource and Advisory Centre, should also be made available to tenants. The Developer should provide copies of all written correspondence and notifications to municipal planning staff.

4. Tenant Relocation Coordinator:

The Developer should direct the Tenant Relocation Coordinator to aid tenants in finding alternative rental units, as specified in this policy, and to implement any Tenant Assistance Package offered to the tenants. The Tenant Relocation Coordinator should have regular hours during which they are available to the tenants by phone and email, and those hours should be convenient to the tenants and where possible, posted in conspicuous places on-site. Reasonable measures should be taken to ensure that any tenants with language barriers are provided pertinent information in their preferred language.

C. Provisions After Rezoning Approval

If the rezoning bylaw is adopted by Council, the Tenant Assistance Package that the Developer has voluntarily committed to the District to offer to the tenants will be secured by the District by way of a section 219 covenant granted by the Developer, or by such other means as may be required by the Municipal Solicitor. The agreed upon Tenant Relocation Package should be delivered in writing to each tenant's residential address by the Tenant Relocation Coordinator.

Authority to Act:

Administration of this policy is delegated to the Community Planning Department.

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The Corporation of the District of North Vancouver

Bylaw 8510

A bylaw to repeal Multi-Family Rental Housing Demolition Notice Bylaw 7406, 2003

The Council for The Corporation of the District of North Vancouver enacts as follows:

Citation

1. This bylaw may be cited as "Multi-Family Rental Housing Demolition Notice Bylaw 7406, 2003 Repeal Bylaw 8510, 2021".

Repeal

2. Multi-Family Rental Housing Demolition Notice Bylaw 7406, 2003 is hereby repealed.

READ a first time

READ a second

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

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The Corporation of the District of North Vancouver

CORPORATE POLICY

Title	Residential Tenant Relocation Assistance Policy (Current)
Section	Development and Social Planning

POLICY

This policy is supported by the District's Official Community Plan through the following goals:

- Encourage and enable a diverse mix of housing type, tenure and affordability to accommodate the lifestyles and needs of people at all stages of life, and
- Foster a safe, socially inclusive and supportive community that enhances the health and well-being of all residents.

Council recognizes that existing residential buildings, particularly purpose-built rental buildings, form an important source of affordable rental housing for many District residents. Ongoing low rental vacancy rates create challenges for tenants being displaced by redevelopment to find alternate affordable accommodations in a timely manner.

Policy approved on: November 28, 2016

Policy amended on: March 19, 2018

PROCEDURE

The following procedure used to implement this policy does not form part of the policy. This procedure may be amended from time to time at the discretion of the Chief Administrative Officer. Adherence to this policy does not guarantee development approval from Council.

Applicability:

This policy is applicable to all rezoning applications that require the demolition of any building or combination of buildings containing more than four rental dwelling units, at the time of the detailed application. This policy and the measures outlined represent the preferred suggestions for a voluntary commitment by the developer applicant to provide additional measures to support renters' efforts to find suitable alternative accommodations.

Exemptions:

This policy does not apply to redevelopment that is permitted as an outright use under existing zoning.

Provisions:

Consideration of the following provisions are requested of development applicants as a voluntary commitment to implement the Residential Tenant Relocation Assistance policy:

A. Provisions at the Development Application Stage

The applicant should submit the following documents at the time of Development Application:

1. Current Occupancy Summary: With the following information:
 - a. Number of occupied and vacant units;
 - b. Type of tenancy for each tenant (e.g. periodic or fixed term);
 - c. Start and end of tenancy for each tenant;
 - d. Rent for each unit;
 - e. Number of bedrooms of each unit;
 - f. Mobility or accessibility features and/or other housing supports required by the tenant.
2. Tenants Assistance Package: An outline of the proposed assistance the applicant intends to offer tenants. In consideration of the scale of the redevelopment project this package may contain any or all of the following considerations:
 - a. Extension of the notice period;
 - b. Additional months of free rent;
 - c. Assistance with moving expenses;
 - d. Residency bonus for long time tenants;
 - e. First right to rent in new building;
 - f. Any rental discount for returning tenants; and
 - g. Any purchase discount for returning tenants wishing to become owners.
3. Tenant Communications Plan: An outline of how tenants will be involved and notified of input opportunities throughout the rezoning and development process. Information on tenant resources such as that available from the Tenant Resource and Advisory Centre should be made available to tenants and notifications posted in conspicuous places within the building(s). The applicant is responsible for providing copies of all written correspondence and notifications to tenants and to municipal planning staff. This material will be included in the staff report for Council review and consideration.
4. Tenant Relocation Co-ordinator: The applicant should designate a Tenant Relocation Co-ordinator to aid tenants in finding up to three comparable rental units in the municipality, or on the North Shore. The Tenant Relocation Co-ordinator should have regular hours during which they are available to the tenants and those

hours should be convenient to the tenants. These hours should be posted in conspicuous places on-site.

The recommended maximum rent for the new units found by the Tenant Relocation Coordinator should be no more than 10% above current rent unless agreed to by tenant.

The Tenant Relocation Coordinator is responsible for tracking the units found for each tenant and submitting a status report to Planning staff prior to the issuance of a Demolition Permit. Tenants may opt out of this service by providing the Coordinator written notice.

Prior to the issuance of an Occupancy Permit the District must be presented with documentation on the status of all tenants including those who wish to relocate to the new building.

B. Provisions After Development Approval

If the rezoning is approved by Council, the following provisions are applicable:

1. After a Demolition Permit is issued by the municipality the applicant will provide all tenants with a minimum of two months' notice as required by the *Residential Tenancy Act*,
2. The applicant will provide all tenants with the compensations agreed to in the Tenants Assistance Package. The applicant should compensate all tenants, whether on periodic (month to month) or fixed term (lease) tenures, with three months' rent to assist in finding alternative accommodation. The applicant should also allow tenants who elect to vacate their units up to three months prior to the end of the "Notice to End Tenancy" period to leave without paying the outstanding rent and to qualify for any other provisions included in the Tenants Assistance Package,
3. The applicant is required to provide to Planning staff proof of delivery of the approved Tenant Assistance Package prior to the issuance of any Occupancy Permit.

Authority to Act:

Administration of this policy is delegated to the Community Planning Department.

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FORWARD: **Please note that the items listed in this document are only suggestions and are based along the same lay out/headings as the existing RTRAP for ease of comprehension.

All Task Force (TF) input is indicated in green font. Comments are further indicated by grey shading.

REVISIONS TO RESIDENTIAL TENANT RELOCATION ASSISTANCE POLICY

POLICY

These recommended revisions reflect more accurately the crisis in our current housing climate, fairness to ALL demovictées and to set a standard for future residential tenant relocation provisions province wide.

Therefore, adding some wording like the following in this portion: the District wishes to become a provincial leader in delivering assistance to displaced tenants utilizing the OCP goals and is striving to create a policy that will ensure a fair process and quality of life for ALL displaced tenants. The District also encourages Developers to aspire above the forthcoming measures.

This policy is supported by the District's Official Community Plan through the following goals:

- Encourage and enable a diverse mix of housing type, tenure and affordability to accommodate the lifestyles and needs of people at all stages of life, and
- Foster a safe, socially inclusive and supportive community that enhances the health and well-being of all residents.

Housing is a fundamental human right and Council recognizes that existing residential buildings, particularly purpose-built rental buildings, form an important source of affordable rental housing for many District residents. The Ongoing low rental vacancy rates crisis creates challenges severe hardships for tenants being displaced by redevelopment to find alternate comparable and affordable accommodations in a timely manner.

Under this heading there should also be some wording that notes "Council recognizes that this housing crisis has had a serious impact to our community and its' quality of life and it is necessary to update/amplify/mandate this policy in order to meet the dire housing needs of our community.

Policy approved on: November 28, 2016

Policy amended on: March 19, 2018

PROCEDURE

The following procedure used to implement this policy does not form part of the policy.

Can staff please explain what this means? Does this statement make this policy non-binding? Further, this policy, as mentioned in our RAHS revision, should become a bylaw or introduce enabling legislation so that it becomes fully binding. (As we understand it, a bylaw does not give a municipality authority over provincial law, which is why the 'enabling legislation' is mentioned here.)

This procedure may be amended from time to time at the discretion of the Chief Administrative Officer. Adherence to this policy does not guarantee development approval from Council.

Applicability: -

What is the widest most allowable application of tenant policy? Can renter be defined to include tenants in a land assembly area, in an older strata where a large percentage are rental units? (i.e., if owner gets paid by developer, can or should developer be required to compensate tenant)? We recommend Council advocate to province for widest application of tenant protections. This should involve requesting 'ENABLING LEGISLATION' of the Province for Municipalities to require these provisions to protect tenants.

This policy is applicable to all rezoning applications that require the demolition of any building or combination of buildings containing more than four rental dwelling units, at the time of the detailed application. This policy and the measures outlined ~~will be mandatory~~ *represent the preferred suggestions for a voluntary commitment by* for the developer applicant to provide ~~additional~~ *any and all* measures ~~necessary~~ *to support renters' efforts to by finding suitable, (similar in rent, sq ftge and number of bedrooms) affordable type housing. alternative accommodations.* Document: 3047442

We need to define renter; this policy should clarify that it applies to ALL renters regardless of status, type of lease or agreement, and is applied to ALL forms of rentals, stratas, purpose built, etc. ALL tenants/renters should be treated the same in any type of dwelling and under all redevelopment

Exemptions:

This policy does not apply to redevelopment that is permitted as an outright use under existing zoning.

Provisions: ~~Consideration of~~ The following provisions ~~are~~ *will be requested* mandatory of all development applicants as a ~~voluntary~~ commitment to implement the Residential Tenant Relocation Assistance policy:

A. Provisions at the Development Application Stage

Prior to reading/detailing the following, the task force feels it is imperative to create standardized forms for A.1, A.2, A.3, for tenant relocation information and status with the following information. This creates a contractual facet, ensuring a fair & accountable process for all. The task force has researched some sample templates and can provide these. This information is important because it reflects the development's impact to our current community and to our quality of life. It also provides us with statistics and records to analyze this huge impact made by the development.

For sites subject to this policy, the applicant should submit the following documents at the time of Preliminary Rezoning Application:

1. Current Standardized Occupancy Summary Form: With the following information:

The development of a standardized occupancy form for ALL applicants at the Preliminary Application to Rezone should include everyone in the RTRAP plus address special needs, ie seniors, students, disabled, pets, # of vehicles, etc. So add these areas for information in the following:

- a. Number of occupied and vacant units;
- b. Number of people living in residence. (As in we have absolutely no records of the huge amount of people that we have displaced).
- c. Type of tenancy for each tenant (e.g. periodic or fixed term);
- d. Start and end of tenancy for each tenant;
- e. Rent for each unit;
- f. Number of bedrooms of each unit;
- g. Mobility or accessibility features and/or other housing supports required by the tenant.
- h. Number and type of pets owned.
- i. Age of tenants? Is extremely important. Add something for the elderly (who are seriously impacted by demoviction to the point it has a dire effect on their life span and health) ... elderly shall be given the utmost attention during this process.
- j. We also need to address the needs of children who are also severely affected by moving such as changing schools and losing friendships.
- l. list anyone who needs special help with moving; i.e., they are hoarders, have no one to help them pack and move, are elderly and cannot pack themselves, (this might be covered under the existing f. so maybe reword that to be more detailed and binding)
- k. People who need interpreters.
- l. Number of vehicles owned by tenant/renter. Builder to ensure existing parking ability is not reduced for demovictes. Parking should be replaced on a 1-1 ratio.

2. Tenant Assistance Package:

*Via standardized forms, require tenant assistance to meet provincial standards within the RTA. **Maximize/increase** the notice to vacate period and the required months of free rent. The provisions for moving expenses, right of first refusal, return at displaced rental rate, any purchase discount, rent to own options must be specific and clearly communicated in Preapplication to DNV and to each tenant.*

An outline of the proposed assistance the applicant ~~intends to~~ **will** offer tenants. In consideration of the scale of the redevelopment project. This package may contain ~~any or all of~~ **shall contain all of the** following ~~considerations~~ **provisions** and shall apply to all re-developments with 4 units and up:

- a. Extension of the notice to vacate period;
- b. ~~Additional~~ **Minimum 6 months of free rent;**
- c. Assistance with moving expenses with receipts – to include the use of a moving vehicle and assistance with packing if needed;
- d. Residency bonus for long time tenants; **we need to be more specific here so provide/insert a standardized rental graph like CNV has in their relocation policy.**
- e. First right to rent in new building; at same rate as before or per the Residential Tenancy Act at an increase of 2.5%
- f. Any rental discount for returning tenants; **Be specific so state percentage as in 20%**
- g. Any purchase discount for returning tenants wishing to become owners. **Be specific so state percentage as in 20%**
- h. Create a rent to buy option for demovictes;
- i. This policy and compensation therein is to apply to everyone that is forced to relocate, even people who choose to move early as the move was created by the redevelopment;

- j. Provide a detailed plan showing phased development and timing of rental availability as the development will progress;
- k. The provision of any type of swing housing needed (trailers, modular, container) until tenant is permanently relocated.

3. Tenant Communications Plan: An outline of how tenants will be involved and notified of input opportunities throughout the rezoning and development process. Information on tenant resources such as that available from the Tenant Resource and Advisory Centre should be made available to tenants and notifications posted in conspicuous places within the building(s). The applicant is responsible for providing copies of all written correspondence and notifications to tenants and to municipal planning staff. This communications plan will be included in the staff report for Council review and consideration.

TF recommends that in order to make the Tenant Communications Plan binding, we feel the need to: Create a form (contract) indicating a step-by-step public input process including First/Second/Third reading of bylaw/ensure notification given for each tenant at each step (initialed by both parties each step).

State explicitly when tenant qualifies to receive compensation (i.e., early departure?) -developer to give package that includes RTA, RTRAP Municipal policy, TRAC, other tenant resources Name/request a non-partisan tenant representative/agency for communication with Council /staff on equal level to developer as a tenant communications rep.

*Tenant rep can verify all tenants receive and understand the process, including translation and any special need, when they would qualify for compensation (i.e., at adoption? First reading? etc.) ** Tenant must sign the form (contract) to verify that they have been fully advised on the above items, development and relocation process.*

TF has suggested in RAHS that this position might be filled internally

4. Tenant Relocation Co-ordinator: The applicant should designate a Tenant Relocation Co-ordinator to aid tenants in finding up to three comparably priced rental units in the municipality, or on the North Shore which have the same number of bedrooms and features as their existing housing. The Tenant Relocation Co-ordinator should have regular hours during which they are available to the tenants and those hours should be convenient to the tenants. These hours should be posted in conspicuous places on-site. The recommended maximum rent for the new units found by the Tenant Relocation Coordinator should be no more than 10% above current rent unless agreed to by tenant. The Tenant Relocation Coordinator is responsible for continuing to tracking the units found for each tenant and submitting a status report to Planning staff prior to the issuance of a Demolition Permit. Tenants may opt out of this service by providing the Co-ordinator written notice.

Prior to the issuance of an ~~Occupancy~~ Building (Wouldn't occupancy be a little too late?) Permit the District must be presented with documentation on the status of all tenants including those who wish to relocate to the new building. *Can staff inform TF where this existing information is found at DNV?*

Developer should be required to hire outside firm for tenant relocation, not employee of company who simply sends craigslist ads or possibly create a position within DNV for this role.

Determine best rental relocation option below and lobby Province to bring into law:

- a. rent no more than 10% above current rent
- b. rent no more than 10% current year's median CMHC rent (include graph/chart for guidance and update annually).
- c. developer pays rent gap above previous two options for duration of displacement
- d. developer provide a temporary or transitional site.
- e. if rent exceeds median CMHC rental rates by more than 10% then Relocation Coordinator shall continue to find comparable units and/or the Developer will pay the rent gap for duration of displacement (if tenant moves back in) or for two (or more) years following displacement.
- f. Developer/TRC shall provide updated reports (f/u statistics) on all tenants 2 years after issuance of a demolition permit to provide proof that everyone was provided for. This should be done so no one falls thru the cracks.

B. Provisions After Development Approval

If the rezoning is approved by Council, the following provisions are applicable:

1. After a Demolition Permit is issued by the municipality the applicant will provide all tenants with a minimum of ~~two~~ six months' notice due to housing crisis
2. The applicant will provide all tenants with the compensations agreed to in the Tenant Assistance Package. The applicant ~~should~~ will compensate all tenants, whether on periodic (month to month) or fixed term tenures, with ~~three~~ six months' rent to assist in finding alternative accommodation. This is due to the current housing crisis and less than 1% rental market. The applicant should also allow tenants who elect to vacate their units up to ~~three~~ six months prior to the end of the "Notice to End Tenancy" period to leave without paying the outstanding rent and to qualify for any other provisions included in the Tenant Assistance Package.
 **Council should lobby for longer time limits to be required in the Residential Tenancy Act
3. A provision should go in here also for "based on length of tenancy" – provide a chart with numerical amounts based on length of tenancy.
4. The applicant is required to provide to Planning staff proof of delivery of the approved Tenant Assistance Package prior to the issuance of any ~~Occupancy~~ Building Permit.

Authority to Act:

Administration of this policy is delegated to the Community Planning Department

How is this all enforced?

Should council also consider fines for applicants who do not follow this policy, to include fines for developers that stall redevelopment after demovicting residents thus leaving an even more crucial housing gap and crisis?

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THE DISTRICT OF NORTH VANCOUVER

MULTI-FAMILY RENTAL HOUSING DEMOLITION NOTICE BYLAW

BYLAW 7406

Effective Date – July 28, 2003

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws below. The amending bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

Original Bylaw	Date of Adoption
Bylaw 7406	July 28, 2003
Amending Bylaw	Date of Adoption
N/A	N/A

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the principal bylaw (Multi-Family Rental Housing Demolition Notice Bylaw – Bylaw 7406). The number of any amending bylaw that has been repealed is not referred to in this consolidation.

THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER

BYLAW 7406

A bylaw to specify the notice period of the end of tenancy agreement for the purpose of demolition of the housing.

WHEREAS the District is concerned that rental multi-family residential dwelling units may face demolition;

AND WHEREAS the District is currently experiencing a zero percent vacancy rate for 1 bedroom suites and 1.4% for family rental accommodation of two bedrooms or more;

AND WHEREAS such demolitions would lead to the displacement of persons who find it increasingly difficult to find affordable rental accommodation on the North Shore;

AND WHEREAS the Council wishes to take immediate steps to ensure that multi-family tenants housing have a more adequate time to search for replacement housing;

NOW THEREFORE the Municipal Council of the Corporation of the District of North Vancouver enacts as follows, pursuant to the powers conferred upon it by Section 38 of the *Residential Tenancy Act* and other powers thereunto enabling:

1. This bylaw may be cited as "**MULTI-FAMILY RENTAL HOUSING DEMOLITION NOTICE BYLAW, 2003**".
2.
 - (a) Save as hereafter provided, words and phrases contained in the bylaw shall have the meaning ascribed to such words and phrases in "District of North Vancouver Zoning Bylaw, 1965" or the *Local Government Act* R.S.B.C. 2002, section 250 as the case may be.
 - (b) "Multi-Family Residential Building" means a building or structure which:
 - i. contains more than one dwelling unit which was occupied, or occupied other than by the owner thereof, on date of final adoption of this bylaw; and
 - ii. has not been subdivided under the *Strata Title Act* R.S.B.C. 2002.
3. Any landlord wishing to demolish a multi-family rental residential project, in whole, or in part, shall provide not less than six months notice to each tenant.
4. Notwithstanding anything to the contrary herein contained, if, in the opinion of the Council, it is necessary to demolish or remove any Multi-Family Residential Building for the safety and protection of persons or property, the Council may authorize the issuance of a demolition or removal permit with a lesser notice period to tenants.
5. Any person who contravenes any provision of this bylaw shall be guilty of an offence and liable on conviction to a fine not exceeding \$3,000 or to imprisonment for not longer than 60 days, or to both such fine and imprisonment.

Scan of Municipal Tenant Relocation Assistance Policies

May 2021¹

ATTACHMENT 6

Municipality	Length of Notice	Compensation	Moving Expenses	Relocation Assistance	Right of First Refusal	Current Occupancy Assessment
District of North Vancouver Residential Tenant Relocation Assistance Policy (Proposed)	6 months	<ul style="list-style-type: none"> 4 months' rent Residency bonus of \$35 per month for each month of tenancy length 	Flat rate payout (based on bedroom type) <ul style="list-style-type: none"> \$1,000 (studio or 1 BR) \$1,250 (2 BR) \$1,500 (3 BR+) When a tenant is exercising the right of first refusal, applicant pays the moving expenses for both the move out and return to the building	<ul style="list-style-type: none"> Tenant Relocation Coordinator Tenant provided with at least 3 housing options that meet the following: <ul style="list-style-type: none"> Rent to be no more than 10% above current rent or 10% above Metro Vancouver median rent Same number of bedrooms Located in District of North Vancouver, unless otherwise specified Meet specific tenant needs or preferences 	<ul style="list-style-type: none"> Right of first refusal to move into new purpose-built rental units When the replacement unit is below market rental housing, returning tenant must meet eligibility requirements Right of first refusal to purchase a new strata unit or "rent to own" unit at a 5% discount 	<ul style="list-style-type: none"> Number of occupied and vacant units Number of people living in each unit Tenancy type Term of tenancy Rent Number of bedrooms Specific tenant household characteristics
City of Vancouver Tenant Relocation and Protection Policy (Tenant Protection for Market Rental Housing Development)	4 months as per <i>Residential Tenancy Act</i> (RTA) and after all permits are issued	Based on length of tenure: <ul style="list-style-type: none"> 4 months' rent (up to 5 years) 5 months' rent (5-10 years) 6 months' rent (10-20 years) 12 months' rent (20-30 years) 18 months' rent (30-40 years) 24 months' rent (40+ years) 	Two options paid by the applicant: <ol style="list-style-type: none"> (1) Applicant arranges an insured moving company (2) Flat rate payout (based on unit type) <ul style="list-style-type: none"> \$750 (bachelor and 1 BR) \$1,000 (2 BR+) If permanent relocation cannot be secured, applicant pays the moving expenses for both the relocation to and from any interim accommodation	<ul style="list-style-type: none"> Primary point of contact for tenants Tenants provided with 3 options that best meet the tenant's identified priorities Low income tenants or tenants facing barriers to housing assisted in securing an affordable option (30% or less of household income) All relocation options should be in Vancouver unless otherwise specified by the tenant 	Right of first refusal to move into new building at 20% discount below starting market rent or at new non-market rents (when the replacement unit is social housing)	<ul style="list-style-type: none"> Number of occupied and vacant units by unit type Occupancy rate Average unit size Average rent If applicable, reason for having more than 5% vacancy within the building For each existing unit: <ul style="list-style-type: none"> Tenant name Tenant's contact information Unit number Move-in date Unit type and size Existing rent Whether tenant has a pet(s) Any special circumstances

¹ Information presented is best available as of May 2021 and may be subject to change

Municipality	Length of Notice	Compensation	Moving Expenses	Relocation Assistance	Right of First Refusal	Current Occupancy Assessment
City of Coquitlam Tenant Assistance Policy	4 months as per RTA	Applicant proposes compensation above 1 month's rent required as per RTA	n/a	<ul style="list-style-type: none"> On-site Resident Support Specialist recommended Applicant proposes relocation and assistance options 	n/a	<ul style="list-style-type: none"> Number of on-site rental units Bedroom mix Tenancy characteristics Rent Vacancy and occupancy rates
City of New Westminster Tenant Relocation Policy	4 months as per RTA	At least 3 months' rent for moving expenses, utility reconnection fees, and other relocation costs (regardless of length of tenancy)	Included within compensation	<ul style="list-style-type: none"> Strategy for assisting tenants in finding appropriate housing Evidence that all tenants have been satisfactorily assisted 	n/a	<ul style="list-style-type: none"> Number of on-site eligible units (by bedroom type) Rent Vacancy rate
City of North Vancouver Residential Tenant Displacement Policy	4 months as per RTA and after demolition permit is issued	Based on type of tenancy: <ul style="list-style-type: none"> 3 months' rent (month-to-month tenancy) 3 months' rent recommended (fixed-term tenancy) 	Included within compensation	<ul style="list-style-type: none"> Tenant Relocation Coordinator Tenant provided with up to 3 comparable units in the City of North Vancouver with rents being: <ul style="list-style-type: none"> No more than 10% above CMHC average rents in CNV based on the number of bedrooms If tenant's existing rent exceeds the CMHC rent level, no more than 10% above tenant's current rent 	<ul style="list-style-type: none"> Right of first refusal to move into the new building, with terms to be negotiated New below-market units recommended to be rented to displaced tenants 	<ul style="list-style-type: none"> Number of occupied and vacant units Type of tenancy Tenancy term Rent Unit size and number of bedrooms Mobility or accessibility requirements and/or other housing supports required by tenant
City of Richmond Market Rental Housing Policy & Official Community Plan	4 months as per RTA	3 months' rent for tenants with tenancies greater than 1 year	n/a	<ul style="list-style-type: none"> Applicant provides assistance in finding alternative accommodation which meets the tenant's needs, is located in Richmond, or is located in another location at the tenant's discretion Alternative accommodation should be no more than CMHC average area rents for Richmond 	<ul style="list-style-type: none"> Right of first refusal to move into a new replacement unit at the City's low-end market rates without having to meet income level eligibility Right of first refusal to purchase a new strata unit at a minimum 5% discount 	n/a

Municipality	Length of Notice	Compensation	Moving Expenses	Relocation Assistance	Right of First Refusal	Current Occupancy Assessment
City of Port Moody Tenant Relocation Assistance Policy	4 months as per RTA	Based on length of tenure: <ul style="list-style-type: none"> • 2 months' rent (up to 4 years) • 3 months' rent (5-9 years) • 4 months' rent (10-19) • 6 months' rent (over 20 years) 	Two options paid by the applicant: <ol style="list-style-type: none"> (1) Applicant arranges an insured moving company (2) Flat rate payout based on unit type <ul style="list-style-type: none"> ○ \$750 (studio or 1 BR) ○ \$1,000 (2 BR+) 	Applicant provides 3 housing options that meet the following: <ul style="list-style-type: none"> • Comparable in unit type, unless otherwise agreed • Located in Port Moody where possible • Similar rent to current rent • Tailored to the tenant's needs 	<ul style="list-style-type: none"> • Right of first refusal to move into the new building with a 20% discount below starting market rents. • Right of first refusal to move into a new social housing unit if tenant meets eligibility requirements 	n/a
City of Burnaby Tenant Assistance Policy	4 months as per RTA	Two financial compensation options for tenants: <ol style="list-style-type: none"> (1) <u>Rent top-up in Applicant Secured Interim Housing</u> <ul style="list-style-type: none"> ○ Applicant finds 3 interim housing options in Burnaby, with priority for the same area as current residence, and that meet tenant's needs ○ Applicant pays rent top-up (2) <u>Rent top-up in Tenant Secured Interim Housing</u> <ul style="list-style-type: none"> ○ Tenant finds their own housing ○ Applicant pays rent top-up, with maximum rent top-up calculated based on CMHC median rent and/or current rent <p><u>Exceptions:</u> Tenants may receive a lump sum payment equivalent to the value of the rent top-up for 36 months if:</p> <ul style="list-style-type: none"> • Purchasing a home • Moving into assisted living or long-term care facility • Entering military service • Relocating outside BC • Relocating to a living arrangement that does not require ongoing rental payments 	Two options paid by the applicant: <ol style="list-style-type: none"> (1) Applicant arranges an insured moving company (2) Flat rate payout (based on bedroom type) <ul style="list-style-type: none"> ○ \$900 (studio or 1 BR) ○ \$1,200 (2 BR) ○ \$1,400 (3 BR+) 	<ul style="list-style-type: none"> • Tenant Relocation Coordinator • Two options for tenants: <ol style="list-style-type: none"> (1) Applicant finds 3 interim housing options in Burnaby, with priority for the same area, and meet tenant's needs with rent top-up (2) Tenant finds their own housing with rent top-up 	<ul style="list-style-type: none"> • Right of first refusal to move into a new replacement unit with the same number of bedrooms, at minimum, and at same rent as current rent 	<ul style="list-style-type: none"> • Number of vacant units • Start date of tenancies • Number of bedrooms • Rental rates • Other pertinent information

Municipality	Length of Notice	Compensation	Moving Expenses	Relocation Assistance	Right of First Refusal	Current Occupancy Assessment
City of Surrey Rental Replacement and Tenant Relocation Assistance	4 months as per RTA	3 months' rent	n/a	<ul style="list-style-type: none"> Tenant Relocation Coordinator Tenant provided with at least 3 housing options that meet the following: <ul style="list-style-type: none"> Located in Surrey with at least one option in the same neighbourhood Rent at no more than 10% above CMHC average rents for applicable unit size in Surrey If tenant's current rent is greater than 10% above CMHC average, rent should not exceed current rent 	Displaced tenants have right of first refusal to move into a new replacement unit at 10% below the CMHC average rent for the applicable unit size in Surrey.	<ul style="list-style-type: none"> Number of existing rental units Unit size and bedroom type Rent Vacancy and occupancy rates Demographic profiles Term of tenancy
City of Victoria Tenant Assistance Policy	4 months as per RTA and after all permits have been issued	Based on length of tenure at either CMHC average rent for Victoria or tenant's current rent (whichever is greater) or free rent in a different building: <ul style="list-style-type: none"> 3 months' rent (up to 5 years) 4 months' rent (5-9 years) 5 months' rent (10-19 years) 6 months' rent (20+ years) 	Two options paid by the applicant: <ol style="list-style-type: none"> (1) Applicant arranges an insured moving company (2) Flat rate compensation (based on bedroom type) <ul style="list-style-type: none"> \$500 (studio or 1 BR) \$750 (2 BR) \$1,000 (3 BR+) When a tenant is exercising the right of first refusal, applicant pays the moving expenses for both the move out and return to the building	<ul style="list-style-type: none"> Tenant Relocation Coordinator Applicant provides at least 3 housing options that meet the following: <ul style="list-style-type: none"> Comparable size, location, and rent Located in the Capital Regional District Rent at no more than CMHC average rents for Victoria, or at a rate comparable to the tenant's current rent Tailored to the tenant wherever possible 	Displaced tenants should be offered the right of first refusal to move into the new development at rents described in the policy. Tenants moving into a new social housing unit must meet any eligibility requirements.	<ul style="list-style-type: none"> Number of existing rental units Bedroom mix Rent Whether tenant assistance is required Term of tenancy

Stakeholder Feedback on Draft Residential Tenant Relocation Assistance Policy

April 2021

Summary

Detailed responses received are provided after the below summary.

Rental, Social, and Affordable Housing Task Force Feedback

- The Policy should be mandatory and the language should reflect this change;
- Consider collecting additional occupancy information such as size of bedrooms and age of tenants, to further inform suitability of alternate accommodation;
- Consider rent top-ups paid by the developer to cover the rent gap for the time period people are displaced;
- Recommend that the Tenant Relocation Coordinator be a third-party, qualified consultant; and
- Concern that allowing the rent level of the replacement units found by the Tenant Coordinator to be higher than a tenant's current rent could lead to the tenant being displaced again in the future.

Tenant Resource and Advisory Centre Feedback

- Note that other municipalities have implemented mandatory policies and recommend that the District should follow; and
- Recommend that the Policy should apply to redevelopment that is permitted outright under existing zoning.

LandlordBC Feedback

- Proposed residency bonus is too high;
- Providing tenants with discretion on the method of delivery of financial compensation (i.e., lump sum, free rent, or combination of both) provides uncertainty regarding project financing;
- Concern regarding the increase in notice period to end tenancy above the *Residential Tenancy Act* as it may result in project delay and escalation of costs; and
- Concern regarding right of first refusal provisions creating uncertainty as to how many new units will be rented or purchased at discounted rates, thereby impacting viability and project financing, particularly for new rental developments.

Urban Development Institute Feedback

- Recommend that the Policy apply to tenancies lasting a minimum of one year;
- Recommend allowing the applicant to decide how the financial compensation offered to tenants will be delivered (i.e., lump sum, free rent, or combination of both) to provide greater certainty regarding timing of payments and project financing;

- Proposed moving expenses are too high, especially since they would be doubled if tenants choose to return to the new building;
- Encourage the District to adopt notice requirements in-line with the *Residential Tenancy Act* (i.e., 4 months' notice, instead of proposed 6 months' notice);
- Concern regarding right of first refusal discount provisions creating uncertainty as to how many new units will be rented or purchased at discounted rates, thereby impacting viability and project financing, particularly for new rental developments; and
- Consider clarifying the type of unit the existing tenant would be able to rent or purchase in the new building, such as a similar unit type to their current unit.



RENTAL, SOCIAL AND AFFORDABLE HOUSING TASK FORCE
Review of Residential Tenant Relocation Assistance Policy
Virtual Thursday, April 29, 2021 - 4:00 pm – MS TEAMS
MINUTES

Members: Kelly Bond at 4:25pm
Keith Collyer
Bruce Crowe (Chair) by phone
Hesam Deihimi
Phil Dupasquier (Vice-Chair)
Katherine Fagerlund at 4.30pm
Heather Fowler
Ellison Mallin

Regrets: Ian Cullis, Michael Sadler, Derek Holloway

Staff: Arielle Dalley, Community Planner
Josh Cairns, Community Planner
Tina Atva, Manager, Community Planning
Mary Jukich, Committee Clerk

1. Welcome

The meeting was called to order at 4:07 pm.

2. Review of the Residential Tenant Relocation Assistance Policy (RTRAP)

Arielle Dalley, Community Planner, reviewed the proposed revisions to the Residential Tenant Relocation Assistance Policy. It was noted that feedback was also requested from industry groups, and the draft was forwarded to the Urban Development Institute, Landlord BC and the Tenant Resource and Advisory Centre.

The following comments and feedback were provided by the Task Force members present at the meeting:

- A question was raised whether the responses from the industry organizations will be made public. Staff indicated that the feedback will be summarized in the Report to Council.
- With regards to the voluntary nature of the policy, clarification was requested on what would happen if the developer agrees to provide certain provisions but subsequently does not comply. Information was provided by staff that if the rezoning application is approved, then the tenant assistance package will be secured by way of a covenant, which is enforceable by the municipality.
- A question was raised whether other municipalities, i.e. Burnaby, are facing the same issue with making the policy mandatory. Information was provided by staff that some municipalities do use stronger language indicating that assistance must be provided, but that the District has followed the advice received from the Municipal Solicitor that the policy must remain voluntary.

- Comment from some Task Force members that staff have come to a good balance with the policy, considering the suggestions as previously provided and taking into account other considerations. Staff indicated that the Task Force's suggestions were reviewed line by line, and that some suggestions were more appropriate to be addressed outside of the scope of revising the policy.
- Several members voiced a preference for investigating means to improve the enforceability of the policy.
- Comment that in cases where tenants are not eligible for compensation, the notification should be made in writing.
- Comment that the size of the existing bedrooms would be helpful to request as part of the Current Occupancy Assessment Summary, as some large bedrooms could accommodate two children and others would only fit one child.
- Comment that the age of the tenants should be collected, as tenants who are older may need more support and may find navigating this process challenging.
- Concern was raised around the statement that if an appropriate unit cannot be found at the recommended maximum rent level, then a unit at the closest comparable price will be provided. Task Force members expressed that they did not feel like this provided enough support, and that they prefer rent top-ups like what is provided in Burnaby's policy, as that would support tenants better. A Task Force member noted that requesting a rent top up be provided by developers may encourage developers to build units quicker.
- Concern was expressed that the Tenant Relocation Coordinator assigned by the developer might act in the best interests of the developer rather than the tenant. A suggestion was made to have the Tenant Relocation Coordinator be a third-party.
- Comment that it would be helpful to have an accounting of where purpose-built rental exists so that we are aware of where people may be displaced.
- Comment that the rates included in the policy should be reconsidered on a yearly or other regular basis to ensure they are adjusted with cost of living changes.
- Comment that living on a temporary housing site, i.e., a construction site, may be undesirable.
- Concern was raised with respect to the higher rent level allowed for the replacement units found by the Tenant Relocation Coordinator, and that this could lead to further displacement in the future.
- Comment that tenants should be notified of the agreed upon tenant assistance package in a manner that is not second-hand from the developer.

- A question was raised whether it would be appropriate to include a provision in this policy that allows for density bonusing if the developer replaces older rental housing with similar housing at a subsidized level. Staff advised that this would not be the appropriate policy for a provision such as the one suggested.
- A member of the Task Force felt that relatively few of the changes recommended by the RSAHTF in September 2020 had been made to this new RTRAP.

3. Adjournment

The meeting was adjourned at 5:09 pm.

April 29, 2021

Tina Atva,
Manager, Community Planning
District of North Vancouver
355 West Queens Road
North Vancouver BC, V7N 4N5

RE: Revised Residential Tenant Relocation Assistance Policy

Dear Ms. Atva,

TRAC writes in response to your request for feedback on the District of North Vancouver's draft revisions to the Residential Tenant Relocation Assistance Policy (the "Policy").

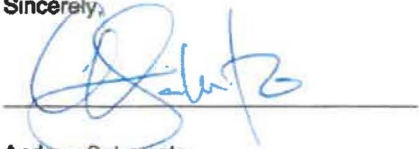
First, we note that municipalities that have implemented effective tenant protection policies aimed at preserving affordable rental housing, have all implemented mandatory regimes with specific consequences for landlords/developers who do not comply.

From the text of the draft policy provided to us, it appears that compliance with the Policy is optional. The use of language like "...the Developer should notify all tenants in writing..." and "The Developer should submit a completed Residential Tenant Relocation Assistance Plan..." throughout the Policy, indicates that while these are the provisions that developers should follow, it is not mandatory. This is further confirmed by the lack of any provisions for consequences for developers who do not follow the Policy. In its current state, it is our view that the Policy document is simply an aspirational statement that the majority of landlords and developers will not follow. Given the severity of the housing crisis in the province and particularly in the Lower Mainland, aspirational programs such as the Policy do not sufficiently address the housing needs of tenants.

Second, even if the Policy was mandatory and had some mechanism of enforcement, limiting its application to rezoning applications that result in demolitions, and explicitly exempting redevelopment that is permitted outright under existing zoning, unnecessarily narrows the Policy's application. In order for the Policy to be effective in accomplishing its stated goals, it would need to have a much broader scope of application.

We would suggest looking to similar policies in other municipalities, such as New Westminster and Burnaby for examples both of how to increase the breadth of the Policy's application, as well as possible methods of enforcement. In its current state, we at TRAC do not believe this draft Residential Tenant Relocation Assistance Policy will be effective in preventing mass displacement of tenants or preserving any affordable rental housing stock in the District.

Sincerely,



Andrew Sakamoto
Executive Director
Tenant Resource & Advisory Centre

Zuzana Modrovic
Lawyer
Tenant Resource & Advisory Centre

April 8, 2021

Mr. Andrew Sakamoto
Tenant Resource & Advisory Centre

Draft Revised Residential Tenant Relocation Assistance Policy

Dear Mr. Sakamoto,

The District of North Vancouver is revising the District's Residential Tenant Relocation Assistance Policy that aims to minimize the impacts faced by renters who are displaced through the rezoning and redevelopment process. Tenant displacement as a result of redevelopment has remained important both in the region and locally.

Proposed revisions to the policy

The District's original policy was approved in 2016 and some small revisions were made in 2018. The District's Rental, Social, and Affordable Housing Task Force, struck in 2019 to explore solutions to local housing issues, has recently provided suggestions on how to strengthen the policy. You can find their suggestions attached to [this Council Report](#). The draft revised policy included with this letter represents a balance between the Task Force's feedback, local best practices, and approaches considered well-suited to the District.

The key changes proposed can be summarized as follows:

- Clarifying the applicability of the policy and exemptions;
- Clarifying expectations for communication with tenants;
- Increasing the base financial assistance from 3 months' rent to 4 months' rent and specifying compensation amounts for moving expenses and the length of tenancy bonus;
- Modifying the recommended maximum rent level for new units found by the Tenant Relocation Coordinator for tenants;
- Encouraging the provision of additional supports to vulnerable tenants;
- Clarifying first right to rent and right of first refusal expectations and discounts for tenants;
- Lengthening the notice to vacate period for tenants to 6 months; and
- Improving the structure and formatting of the policy.

Next Steps

If you would like to provide comments on the draft revised policy, or would like further information, please contact the District via email at planning@dnv.org with the subject line 'Revised Residential Tenant Relocation Assistance Policy'. We would appreciate receiving your feedback by 4 pm on April 29th, 2021.

All feedback received will be considered in the refinement of the policy and summarized for Council. Staff are intending to bring a revised Residential Tenant Relocation Assistance Policy to Council for consideration this spring.

Thank you for taking the time to provide input.

Regards,



Tina Atva, Manager, Community Planning
(604) 990-2357
District of North Vancouver
355 West Queens Road,
North Vancouver, BC
V7N 4N5

Attachment 1: Draft Revised Residential Tenant Relocation Assistance Policy
Attachment 2: Current Residential Tenant Relocation Assistance Policy

Draft - April 2021



The Corporation of the District of North Vancouver

CORPORATE POLICY

Title	Residential Tenant Relocation Assistance Policy
Section	Development and Community Planning

POLICY

This policy provides guidelines for residential tenant relocation assistance.

This policy is supported by the District's Official Community Plan through the following goals:

- Encourage and enable a diverse mix of housing type, tenure and affordability to accommodate the lifestyles and needs of people at all stages of life; and
- Foster a safe, socially inclusive and supportive community that enhances the health and well-being of all residents.

Council recognizes that housing is essential to the well-being of all District residents. Existing residential buildings, particularly older purpose-built rental buildings, form an important source of housing in the District that tends to be more affordable for residents. Low rental vacancy rates mean that tenants being displaced by redevelopment can find it challenging to obtain alternate comparable and affordable accommodations in a timely manner.

Policy approved on: November 28, 2016

Policy amended on: March 19, 2018 and _____

Applicability:

This policy is applicable to rezoning applications that result in the demolition of any building or combination of buildings containing more than four dwelling units occupied by renters as their primary place of residence at the time of submission of a Detailed Planning Application, including rental units in single family homes, strata units operating as rental units, and purpose-built rental units. This policy and the provisions outlined within represent the preferred suggestions for a voluntary commitment by the developer applicant (the "**Developer**") to support renters who may be evicted as part of a redevelopment.

Supports should generally be provided on a dwelling unit basis and should be provided to tenant households regardless of whether the tenancy agreement in place is periodic (month to month) or fixed term (lease). Any compensation provided to tenants by the Developer should not be used in Community Amenity Contribution negotiations. The Residential Tenant Relocation Assistance Policy does not replace or affect in any way the requirements set out in the *Residential Tenancy Act*.

Exemptions:

This policy does not apply to redevelopment that is permitted outright under existing zoning. Furthermore, tenants who move into an existing vacant rental dwelling unit after submission of a Detailed Planning Application are not expected to receive the supports offered to pre-existing tenants and should be notified as such prior to signing their rental agreement.

Provisions:

A. Provisions at the Preliminary Planning Application Stage

At the Preliminary Rezoning Application stage, the Developer should notify all tenants in writing that plans for redevelopment are being made and that a relocation assistance package is part of these plans. Tenants should be informed that this is not a notice to vacate, but rather an early effort to inform tenants of possible upcoming changes. Early in the process, the Developer should provide tenants with information concerning the District's Residential Tenant Relocation Assistance Policy. Copies of these communication materials should be submitted to municipal planning staff.

B. Provisions at the Detailed Planning Application Stage

The Developer should submit a completed Residential Tenant Relocation Assistance Plan application form at the time of submission of Detailed Planning Application, which should include the following components:

1. Current Occupancy Assessment Summary:

Should contain the following information:

- a. Number of occupied and vacant units;
- b. Number of people living in each unit; if the tenant agrees to provide this information
- c. Type of tenancy for each tenant household (e.g. periodic or fixed term);
- d. Start and, if relevant, end date of tenancy for each tenant household;
- e. Rent for each unit;
- f. Number of bedrooms of each unit;
- g. Specific tenant household characteristics from the tenant household needs assessment form, should the tenant wish to provide this information, which may include mobility or accessibility features, the need for a pet-friendly unit, proximity to particular amenities such as schools, or number of parking spaces needed.

2. Tenant Assistance Package:

At minimum, the Tenant Assistance Package should include:

- a. Financial Assistance;
 - i. The equivalent of four months' rent (either by cash or free rent or a combination of both as the tenant prefers) to each tenant household.
 - ii. A residency bonus in the form of an additional \$35 per month for each month the tenant has resided in the building.

- iii. Assistance with moving expenses in the form of a flat rate payout of \$1,000 for studio and 1-bedroom units, \$1,250 for 2-bedroom units, and \$1,500 for 3-bedroom or larger units (Developers should adjust these amounts upwards annually based on an appropriate consumer index).

b. Relocation Assistance;

- i. The Developer should retain or appoint a person to act as a tenant relocation coordinator to assist those tenants who wish assistance in finding new rental accommodation (the "Tenant Relocation Coordinator").
- ii. The Tenant Relocation Coordinator should provide a list of at least three available, comparably priced rental dwelling units to each tenant household that have the same number of bedrooms as the current unit, are located within the District unless otherwise specified by the tenant household, and/or meet other needs or preferences specified by the tenant if possible. The Tenant Relocation Coordinator is also expected to help tenants to secure units, including by providing references and by setting up viewing times for potential units, where desired.

The recommended maximum rent for the available replacement rental units found by the Tenant Relocation Coordinator should be no more than the greater of 10% above the tenant's current rent or 10% above the most recently published CHMC median rent level, by number of bedrooms, for Metro Vancouver, unless the tenant has requested that the Tenant Relocation Coordinator provide a list of more expensive available rental units. When no comparably priced rental units are available, then available units closest to the comparable price should be provided.

- iii. In cases where temporary housing is a possibility, then the Developer should provide interim housing options, if feasible, during the construction of the new building(s) for tenants who wish to return to the new units.
- iv. In cases involving vulnerable tenants (e.g. seniors, persons with disabilities, tenants with low income, mental health issues, etc.), Developers are encouraged to connect the tenant to, or provide the tenant with information on, or otherwise facilitate, additional support to tenants, such as help accessing BC Housing rent supplement assistance (e.g. Shelter Aid for Elderly Residents (SAFER)), where appropriate, and partnering with health organizations and other non-profit services.

c. Timing of Compensation

If the tenant moves out prior to approval of the rezoning application, financial compensation is to be provided to the tenant by the Developer immediately following final adoption of the rezoning bylaws. For all other tenants, financial compensation is to be provided to the tenant no later than the date they move out whether or not a demolition permit has been obtained or an eviction notice has been served.

d. Notice to Vacate

The Developer should offer to provide to all remaining tenants in possession of rental units after a Demolition Permit is issued by the District with a minimum of six months' notice to vacate.

e. First Right to Rent

The Developer should offer evicted tenants the first right to rent the new purpose-built rental units, if any, at the development at either the same rent as their current unit, adjusted for permitted allowable rent increases as per the *Residential Tenancy Act*, or 20% below the market rent set for the units, whichever is higher. In cases where rental units are replaced with below-market rental units, returning tenants must meet any applicable eligibility requirements. For tenants exercising the right to rent new purpose-built rental units at the development, compensation for moving expenses should be provided at both the move out stage and when the tenant returns to the building.

- f. Evicted tenants who wish to purchase a strata unit in the new development should be offered a right of first refusal with a 5% purchase price discount.

3. Tenant Communications Plan:

The Developer should provide to the District an outline of how tenants will be involved and notified of input opportunities throughout the rezoning process. This communications plan will be included in the staff report for Council review and consideration. Developers should provide updates to residents as the rezoning process progresses, including when the application for rezoning is considered at Council meetings, Council workshops, Public information meetings, and Public Hearings. These notifications should be provided directly to tenants and where possible, posted in conspicuous places within the building(s). Information on tenant resources, including the Residential Tenancy Branch webpage, this Residential Tenant Relocation Assistance Policy, and resources available through the Tenant Resource and Advisory Centre, should also be made available to tenants. The Developer should provide copies of all written correspondence and notifications to municipal planning staff.

4. Tenant Relocation Coordinator:

The Developer should direct the Tenant Relocation Coordinator to aid tenants in finding alternative rental units, as specified in this policy, and to implement any Tenants Assistance Package offered to the tenants. The Tenant Relocation Coordinator should have regular hours during which they are available to the tenants by phone and email, and those hours should be convenient to the tenants and where possible, posted in conspicuous places on-site. Reasonable measures should be taken to ensure that any tenants with language barriers are provided pertinent information in their preferred language.

C. Provisions After Rezoning Approval

If the rezoning bylaw is adopted by Council, the Tenant Assistance Package that the Developer has voluntarily committed to the District to offer to the tenants will be secured by the District by way of a section 219 covenant granted by the Developer, or by such other means as may be required by the Municipal Solicitor.

Authority to Act:

Administration of this policy is delegated to the Community Planning Department.

From: [David Hutniak](#)
To: [Arielle Dalley](#)
Cc: [David Hutniak](#)
Subject: RE: Letter inviting comments on the District of North Vancouver's Draft Revised Residential Tenant Relocation Assistance Policy
Date: April 23, 2021 1:34:43 PM
Attachments: [image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)

Arielle,

Thank you for the opportunity to comment on this proposed TRP policy. LandlordBC is supportive of tenant relocation policies and has collaborated with other municipalities to ensure that we balance the interests of both tenants and rental housing providers when developing these policies. We have become increasingly concerned that the scope of TRP policies being proposed by municipalities, and in particular the proposed compensation levels, are escalating at a level that will create yet another barrier to the creation of more rental homes for British Columbians. We urge the District of North Vancouver to approach tenant relocation policies with caution to avoid unintended consequences.

The compensation level that the DNV is proposing, and in particular the additional \$35/month for each month of tenure, is in our view excessive. Furthermore, the ability for the tenant to select whether they receive a lump sum in cash or free rent poses a cash flow problem for the rental developer if there's a need to compensate a large number of tenants at once due to the high dollar value and inherent unpredictability of such an option (how many tenants will ultimately take advantage of it).

The 6-month notice period is another area where we have concerns, as in our view it unnecessarily exceeds the current requirement under the Residential Tenancy Act. We see no justification for this additional notification period, particularly in light of the proposed changes the Province will be implementing under recently passed Bill 7. We strongly encourage you to liaise with the Minister of Housing or the Residential Tenancy Branch to fully understand and appreciate the planned changes under Bill 7. The only outcome we see of the DNV proposal is unnecessary delays to projects and unnecessary cost escalation.

We acknowledge that the right of first refusal for the new build as a desirable scenario for existing tenants. However, the notion that tenants can do so at discounted rental rates is problematic in that it creates another barrier to the financial viability and therefore creation of more rental homes. The unpredictability of this option (how many tenants will elect it) in combination with the proposed discounts will cause lenders to assume the most conservative position - namely that 100% of tenants will return at the discounted rate - and underwrite their financing accordingly. The "penalty" to the rental developer of this conservative underwriting could be significant and as a result require a considerably larger cash infusion thereby challenging the projects viability. This provision needs to be approached with considerable caution and must include in-depth consultation with both rental developers and lenders.

Finally, we would like to reiterate that a significant portion of the existing purpose-built rental stock

in the District of North Vancouver, as is the case across Metro and really the province, is old and at or near the end of its functional life. These buildings are challenged in terms of energy efficiency and, more critically, they are deficient in terms of the number of units of rental we actually need for both current and future renters in our communities. We encourage the District of North Vancouver to take the longer term view when considering policy specific to the redevelopment of existing purpose-built rental. The notion that municipalities can maintain the status quo in terms of land use and zoning by prohibiting the building of purpose-built rental “everywhere”, while at the same time essentially prohibiting the redevelopment of end of functional life PBR to create the additional units of rental housing needed in the community, is incongruous. You simply can’t have it both ways and, at the end of the day, it is renters who are harmed the most.

Again, we thank you for the opportunity to provide input on the development of your TRP policy. Please do not hesitate to contact me with any questions.

David Hutniak
Chief Executive Officer
LandlordBC
Phone: 604.733.9440 Ext. 202 | Mobile: 604.644.6838
Email: davidh@landlordbc.ca | Website: www.landlordbc.ca

LANDLORDBC



Learn how to Rent It Right™ with the free online [Rent it Right™](#) course.

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From: Arielle Dalley <DalleyA@dnv.org>
Sent: April 8, 2021 2:52 PM
To: David Hutniak <davidh@landlordbc.ca>
Cc: Tina Atva <AtvaT@dnv.org>
Subject: Letter inviting comments on the District of North Vancouver's Draft Revised Residential Tenant Relocation Assistance Policy

Hello David,

Further to my previous correspondence on this matter, please find attached a letter from Tina Atva, Manager of Community Planning at the District of North Vancouver, regarding the draft of our revised Residential Tenant Relocation Assistance Policy. Attached to the letter is the draft revised policy and the policy we currently have in place. We invite you provide comments on our draft revised policy and request that we receive any feedback you would like to provide by **April 29th**,

2021.

Please feel free to reach out with any questions you may have. We look forward to hearing from you.

Kind regards,
Arielle

Arielle Dalley, MCRP
Community Planner



355 West Queens Road
North Vancouver, BC V7N 4N5

dalleya@dnv.org
604-990-2261



April 8, 2021

Mr. David Hutniak
LandlordBC
Suite #1210, 1095 West Pender Street
Vancouver, BC Canada
V6E 2M6

Draft Revised Residential Tenant Relocation Assistance Policy

Dear Mr. Hutniak,

The District of North Vancouver is revising the District's Residential Tenant Relocation Assistance Policy that aims to minimize the impacts faced by renters who are displaced through the rezoning and redevelopment process. Tenant displacement as a result of redevelopment has remained important both in the region and locally.

Proposed revisions to the policy

The District's original policy was approved in 2016 and some small revisions were made in 2018. The District's Rental, Social, and Affordable Housing Task Force, struck in 2019 to explore solutions to local housing issues, has recently provided suggestions on how to strengthen the policy. You can find their suggestions attached to [this Council Report](#). The draft revised policy included with this letter represents a balance between the Task Force's feedback, local best practices, and approaches considered well-suited to the District.

The key changes proposed can be summarized as follows:

- Clarifying the applicability of the policy and exemptions;
- Clarifying expectations for communication with tenants;
- Increasing the base financial assistance from 3 months' rent to 4 months' rent and specifying compensation amounts for moving expenses and the length of tenancy bonus;
- Modifying the recommended maximum rent level for new units found by the Tenant Relocation Co-ordinator for tenants;
- Encouraging the provision of additional supports to vulnerable tenants;
- Clarifying first right to rent and right of first refusal expectations and discounts for tenants;
- Lengthening the notice to vacate period for tenants to 6 months; and
- Improving the structure and formatting of the policy.

Next Steps

If you would like to provide comments on the draft revised policy, or would like further information, please contact the District via email at planning@dnv.org with the subject line 'Revised Residential Tenant Relocation Assistance Policy'. We would appreciate receiving your feedback by 4 pm on April 29th, 2021.

Revised Residential Tenant Relocation Assistance Policy

April 8, 2021

Page 2

All feedback received will be considered in the refinement of the policy and summarized for Council. Staff are intending to bring a revised Residential Tenant Relocation Assistance Policy to Council for consideration this spring.

Thank you for taking the time to provide input.

Regards,



Tina Atva, Manager, Community Planning
(604) 990-2357
District of North Vancouver
355 West Queens Road,
North Vancouver, BC
V7N 4N5

Attachment 1: Draft Revised Residential Tenant Relocation Assistance Policy
Attachment 2: Current Residential Tenant Relocation Assistance Policy

From: [Cassandra McColman](#)
To: [Arielle Dalley](#)
Cc: [Jeff Fisher](#); [Tina Atva](#)
Subject: RE: Letter inviting comments on the District of North Vancouver's Draft Revised Residential Tenant Relocation Assistance Policy
Date: April 29, 2021 3:45:39 PM

Hi Arielle,

Thanks for sharing the draft RTRAP policy with us and for your clarifications below. We appreciate the opportunity to work collaboratively on the development of balanced policies to support tenants and ensure that renewal of existing rental housing can proceed.

Based on the draft policy we have several comments outlined below. In general, we are concerned that the policy as proposed may create unintended barriers to the creation of new rental homes in the District, and hope that you will consider these comments in the development of this important policy.

Applicability

Lastly, the draft policy notes that, *"Any compensation provided to tenants by the Developer should not be used in Community Amenity Contribution negotiations,"* however it is important to clarify whether the financial implications of the policy for builders will be considered when calculating the uplift on land value for the purposes of CACs. Builders will need to underwrite these costs as a part of their financing agreements, as such we hope that the District will take this into account in the negotiations.

Tenant Assistance Package

The compensation proposed by the draft RTRAP is higher than policies that have been proposed and implemented across the region, both in terms of the residency bonus and moving expenses. This is notably the case for short duration tenancies. If the District proceeds with this proposed assistance package, we recommend that it apply to tenancies lasting a minimum of one year.

We note that the proposed assistance model becomes even harder to implement, when there is no certainty regarding the timing of these payments. By providing the option to tenants to take the payment as a lump sum or free rent, rental providers cannot predict when they will need to make these payments. In a building with a large number of existing rental units, it can create an issue with cash flow and adds unnecessary complications. We recommend that the rental provider be allowed to make that decision based on financing determinations.

In addition, the allowances for moving expenses are quite high, notably they are doubled when tenants choose to return to the new building.

Notice to Vacate

The proposed minimum six-month notice to vacate exceeds the requirements under the Residential Tenancy Act, and will further delay the development of new homes. To prevent unintended delays, we would encourage the District to adopt requirements in-line with the RTA. In general, rental providers aim to assist tenants in the moving process as efficiently as possible to minimize the

disruption to tenants and the redevelopment process.

First Right to Rent

We understand that the District is seeking to ensure tenants remain in their neighbourhoods and have options to return to a new building following the redevelopment process. Unfortunately as proposed, the requirement can create challenges in securing project financing. Builders would not be able to estimate the ultimate number of discounted units in either a rental or strata redevelopment until late in the development process. To manage this increased risk, financial institutions lending to builders will assume much lower revenues for new projects, which will make projects, especially rental, considerably less viable. Additional density or incentives could be utilized to offset this change or it will become much more difficult to renew existing rental buildings and provide new homes.

Furthermore, the policy does not specify the type of unit that the existing tenant would be able to rent or buy in the new building. As such, we recommend that the policy provide clarification that tenants would be able to return to an similar unit type to their previous unit.

As buildings age and come to the end of their useful life, the renewal and redevelopment of the District's rental stock will become even more important. We hope that staff will consider our comments in the development of this policy and work with builders to prevent unintended consequences. Thank you again for the opportunity to review the draft and if you have any questions regarding our comments, please don't hesitate to let us know.

Thanks,
Cassandra

Cassandra McColman | Manager, Policy and Research

Urban Development Institute

cmccolman@udi.org Direct: 604.661.3032

udi.bc.ca



From: Arielle Dalley <DalleyA@dnv.org>

Sent: April 28, 2021 4:04 PM

To: Cassandra McColman <cmccolman@udi.org>

Cc: Jeff Fisher <jfisher@udi.org>; Tina Atva <AtvaT@dnv.org>

Subject: RE: Letter inviting comments on the District of North Vancouver's Draft Revised Residential Tenant Relocation Assistance Policy

Hi Cassandra,

Apologies for the delayed nature of our response. Here are our comments on your questions:

- Would the policy apply to projects already in-stream? And if there are exemptions, at what stage would they be effective?

- The current Residential Tenant Relocation Assistance Policy we have in place would continue to apply for projects where the detailed application has already been submitted or will be submitted prior to the endorsement of a revised policy. For projects that submit their detailed applications after the revised policy is endorsed, the revised policy would apply. Once the revised policy has been endorsed, staff will advise in-stream applications that there is a revised policy and if they wish to follow the revised policy, we would certainly support that. Otherwise, we will report to Council that the application is following the policy that was in place at the date of the detailed application and Council can deliberate on the project in its entirety.
- How would the policy apply if there are no new rental units in the development?
 - The revised policy would still apply in cases where none of the new units proposed are rental. In this example, since there is no opportunity to offer tenants first right to rent in the new building(s), displaced tenants should be provided right of first refusal to purchase a new unit, if they so choose, at a 5% purchase discount, as written in section 2.f. of the draft revised policy. However, the District does have other policies, such as the Rental and Affordable Housing Strategy, that encourage the provision of replacement rental units in instances where existing rental is being redeveloped.
- How would this policy impact any existing rental incentives/density bonuses available?
 - This policy would not impact other incentives or density bonuses.

Please let me know if you have any further questions.

Kind regards,
Arielle

Arielle Dalley, MCRP
Community Planner



355 West Queens Road
North Vancouver, BC V7N 4N5

dalleya@dnv.org
604-990-2261



From: Cassandra McColman <cmccolman@udi.org>

Sent: April 20, 2021 5:05 PM

To: Arielle Dalley <DalleyA@dnv.org>

Cc: Jeff Fisher <jfisher@udi.org>; Tina Atva (<tina.atva@aecom.com> <tina.atva@aecom.com>)

Subject: RE: Letter inviting comments on the District of North Vancouver's Draft Revised Residential Tenant Relocation Assistance Policy

Hi Arielle,

Thanks for sharing this with us, and we have circulated it to some of our members as well for feedback. I just wanted to clarify a few of parts of the proposed policy:

- Would the policy apply to projects already in-stream? And if there are exemptions, at what stage would they be effective?
- How would the policy apply if there are no new rental units in the development?
- How would this policy impact any existing rental incentives/density bonuses available?

Thanks in advance for any answers that you can provide on the above.

Regards,
Cassandra

From: Arielle Dalley <DalleyA@dnv.org>

Sent: April 8, 2021 2:52 PM

To: Jeff Fisher <jfisher@udi.org>

Cc: Tina Atva <AtvaT@dnv.org>

Subject: Letter inviting comments on the District of North Vancouver's Draft Revised Residential Tenant Relocation Assistance Policy

Hello Jeff,

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Please feel free to reach out with any questions you may have. We look forward to hearing from you.

Kind regards,
Arielle

Arielle Dalley, MCRP
Community Planner



355 West Queens Road
North Vancouver, BC V7N 4N5

April 8, 2021

Mr. Jeff Fisher
Urban Development Institute
Suite #1100, 1050 West Pender Street
Vancouver, BC Canada
V6E 3S7

Draft Revised Residential Tenant Relocation Assistance Policy

Dear Mr. Fisher,

The District of North Vancouver is revising the District's Residential Tenant Relocation Assistance Policy that aims to minimize the impacts faced by renters who are displaced through the rezoning and redevelopment process. Tenant displacement as a result of redevelopment has remained important both in the region and locally.

Proposed revisions to the policy

The District's original policy was approved in 2016 and some small revisions were made in 2018. The District's Rental, Social, and Affordable Housing Task Force, struck in 2019 to explore solutions to local housing issues, has recently provided suggestions on how to strengthen the policy. You can find their suggestions attached to [this Council Report](#). The draft revised policy included with this letter represents a balance between the Task Force's feedback, local best practices, and approaches considered well-suited to the District.

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- Improving the structure and formatting of the policy.

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Revised Residential Tenant Relocation Assistance Policy

April 8, 2021

Page 2

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Thank you for taking the time to provide input.

Regards,



Tina Atva, Manager, Community Planning
(604) 990-2357
District of North Vancouver
355 West Queens Road,
North Vancouver, BC
V7N 4N5

Attachment 1: Draft Revised Residential Tenant Relocation Assistance Policy

Attachment 2: Current Residential Tenant Relocation Assistance Policy



The Corporation of the District of North Vancouver

CORPORATE POLICY

Title	Residential Tenant Relocation Assistance Policy
Section	Development and Community Social Planning

POLICY

This policy provides guidelines for residential tenant relocation assistance.

This policy is supported by the District's Official Community Plan through the following goals:

- Encourage and enable a diverse mix of housing type, tenure and affordability to accommodate the lifestyles and needs of people at all stages of life, and
- Foster a safe, socially inclusive and supportive community that enhances the health and well-being of all residents.

Council recognizes that ~~housing is essential to the well-being of all District residents. Existing existing~~ residential buildings, particularly ~~older~~ purpose-built rental buildings, form an important source of ~~housing in the District that tends to be more affordable to residents affordable rental housing for many District residents. Low Ongoing low rental~~ vacancy rates ~~mean that create challenges for~~ tenants being displaced by redevelopment ~~can find it challenging to obtain alternate comparable and to find alternate~~ affordable accommodations in a timely manner.

Policy approved on: November 28, 2016

Policy amended on: March 19, 2018 and _____

PROCEDURE

~~The following procedure used to implement this policy does not form part of the policy. This procedure may be amended from time to time at the discretion of the Chief Administrative Officer. Adherence to this policy does not guarantee development approval from Council.~~

Applicability:

This policy is applicable to all rezoning applications that require the demolition of any building or combination of buildings containing ~~five or more more than four~~ rental dwelling units ~~occupied by renters as their primary place of residence at the time of submission of a Detailed Planning Application, including rental units in single family homes, strata units operating as rental units, and purpose-built rental units at the time of~~

~~the detailed application.~~ This policy and the measures outlined represent the preferred suggestions for a voluntary commitment by the developer applicant (the “Developer”) to support renters who may be evicted as part of a redevelopment ~~provide additional measures to support renters’ efforts to find suitable alternative accommodations.~~

~~Supports should generally be provided on a dwelling unit basis and should be provided to tenant households regardless of whether the tenancy agreement in place is periodic (month to month) or fixed term (lease). Any compensation provided to tenants by the Developer should not be used in Community Amenity Contribution negotiations. The Residential Tenant Relocation Assistance Policy does not replace or affect in any way the requirements set out in the *Residential Tenancy Act*.~~

Exemptions:

This policy does not apply to redevelopment that is permitted as an outright use under existing zoning. ~~Furthermore, tenants who move into an existing rental dwelling unit after submission of a Detailed Planning Application are not expected to receive the supports offered to pre-existing tenants and should be notified as such prior to signing their rental agreement.~~

Provisions:

~~Consideration of the following provisions are requested of development applicants as a voluntary commitment to implement the Residential Tenant Relocation Assistance policy:~~

A. Provisions at the Preliminary Planning Application Stage

~~At the Preliminary Planning Application stage, the Developer should notify all tenants in writing that plans for redevelopment are being made and that a relocation assistance package is part of these plans. Tenants should be informed that this is not a notice to vacate, but rather an early effort to inform tenants of possible upcoming changes. Early in the process, the Developer should provide tenants with information concerning the District’s Residential Tenant Relocation Assistance Policy. Copies of these communication materials should be submitted to municipal planning staff.~~

B.-A. Provisions at the ~~Detailed Planning Development~~ Application Stage

~~At the time of submission of a Detailed Planning Application, the Developer should submit a completed Residential Tenant Relocation Assistance Plan application form, which should include the following components: The applicant should submit the following documents at the time of Development Application:~~

1. Current Occupancy Summary: ~~With the following information:~~

~~Should contain the following information:~~

- ~~a. Number of occupied and vacant units;~~
- ~~b. Number of people living in each unit, if the tenant agrees to provide this information;~~

- c. ~~b.~~ Type of tenancy for each tenant household (e.g. periodic or fixed term);
- d. ~~c.~~ Start and, if relevant, end of tenancy for each tenant household;
- e. ~~d.~~ Rent for each unit;
- f. ~~e.~~ Number of bedrooms of each unit; and
- g. ~~f.~~ Specific tenant household characteristics from the tenant household needs assessment form, should the tenant wish to provide this information, which may include mobility ~~Mobility~~ or accessibility features, the need for a pet-friendly unit, proximity to particular amenities such as schools, or number of parking spaces needed and/or other housing supports required by the tenant.

2. Tenants Assistance Package: ~~An outline of the proposed assistance the applicant intends to offer tenants. In consideration of the scale of the redevelopment project this package may contain any or all of the following considerations:~~

At minimum, the Tenant Assistance Package should include:

- a. Financial Assistance;
 - i. The equivalent of fourth months' rent (either by cash, free rent up to the maximum length of the notice period, or a combination of both as the tenant prefers) to each tenant household.
 - ii. A residency bonus in the form of an additional \$35 per month for each month the tenant has resided in the rental unit or complex.
 - iii. Assistance with moving expenses in the form of a flat rate payout of \$1,000 for studio and 1-bedroom units, \$1,250 for 2-bedroom units, and \$1,500 for 3-bedroom or larger units (Developers should adjust these amounts upwards annually based on an appropriate consumer index).
- b. Relocation Assistance;
 - i. An experienced Tenant Relocation Coordinator should be hired or appointed by the Developer to assist those tenants who wish assistance in finding new rental accommodation (the "Tenant Relocation Coordinator").
 - ii. The Tenant Relocation Coordinator should provide a list of at least three available, comparably priced rental dwelling units to each tenant household that have the same number of bedrooms as the current unit, are located within the District unless otherwise specified by the tenant household, and/or meet other needs or preferences specified by the tenant if possible. The Tenant Relocation Coordinator is also expected to help tenants secure units, including by providing references and by setting up viewing times for potential units, where desired. In the event of a dispute between the tenant and the Tenant Relocation Coordinator, the Developer should make available and pay for a mediator.
 - iii. The recommended maximum rent for the available replacement rental units found by the Tenant Relocation Coordinator should be no more than the greater of:
 - 10% above the tenant's current rent; or

- 10% above the most recently published CMHC median rent level, by number of bedrooms, for Metro Vancouver

except in cases where the tenant has requested that the Tenant Relocation Coordinator provide a list of more expensive available rental units. When no comparably priced rental units are available, then available units closest to the comparable price should be provided.

- iv. In cases where temporary housing is a possibility, then the Developer should provide interim housing options, if feasible, during the construction of the new building(s) for tenants who wish to return to the new units.
- v. In cases involving vulnerable tenants (e.g. seniors, persons with disabilities, tenants with low income, mental health issues, etc.), Developers are encouraged to connect the tenant to, or provide the tenant with information on, or otherwise facilitate, additional support to tenants, such as help accessing BC Housing rent supplement assistance (e.g. Shelter Aid for Elderly Residents (SAFER)), where appropriate, and partnering with health organizations and other non-profit services.

c. Timing of Compensation

If the tenant moves out prior to approval of the rezoning application, financial compensation is to be provided to the tenant by the Developer immediately following final adoption of the rezoning bylaw(s). For all other tenants, financial compensation is to be provided to the tenant no later than the date they move out whether or not a demolition permit has been obtained or an eviction notice has been served.

d. Notice to Vacate

The Developer should offer to provide to all remaining tenants in possession of rental units a minimum of six months' notice to vacate, after a Demolition Permit is issued by the District.

e. First of Right to Rent

The Developer should offer evicted tenants the first right to rent in any new purpose-built rental units. In cases where rental units are replaced with below-market rental units, returning tenants must meet any applicable eligibility requirements. For tenants exercising the right to rent new purpose-built rental units at the development, compensation for moving expenses to reflect Section 2.a.iii should be provided at both the move out stage and when the tenant returns to the building.

- f. Evicted tenants who wish to purchase a strata unit or a "rent to own" unit in the new development should be offered a right of first refusal with a 5% purchase price discount.

~~a. Extension of the notice period;~~

~~b. Additional months of free rent;~~

~~c. Assistance with moving expenses;~~

- ~~d. Residency bonus for long time tenants;~~
- ~~e. First right to rent in new building;~~
- ~~f. Any rental discount for returning tenants; and~~
- ~~g. Any purchase discount for returning tenants wishing to become owners.~~

3. Tenant Communications Plan:

~~The Developer should provide to the District an An outline of how tenants will be involved and notified of input opportunities throughout the rezoning and development process. This communications plan will be included in the staff report for Council. Developers should provide updates to residents as the rezoning process progresses, including when the application for rezoning is considered at Council meetings, Council workshops, public information meetings, and Public Hearings. These notifications should be provided directly to tenants and where possible, posted in conspicuous places within the building(s). Information on tenant resources, including the Residential Tenancy Branch webpage, this Residential Tenant Relocation Assistance Policy, and resources such as that available through from the Tenant Resource and Advisory Centre, should also be made available to tenants and notifications posted in conspicuous places within the building(s). The Developer should provide copies of all written correspondence and notifications to municipal planning staff. The applicant is responsible for providing copies of all written correspondence and notifications to tenants and to municipal planning staff. This material will be included in the staff report for Council review and consideration.~~

4. Tenant Relocation Coordinator:

~~The Developer should direct the Tenant Relocation Coordinator to aid tenants in finding alternative rental units, as specified in this policy, and to implement any Tenant Assistance Package offered to the tenants. The applicant should designate a Tenant Relocation Co-ordinator to aid tenants in finding up to three comparable rental units in the municipality, or on the North Shore. The Tenant Relocation Co-ordinator should have regular hours during which they are available to the tenants by phone and email, and those hours should be convenient to the tenants and where possible, -These hours should be posted in conspicuous places on-site. Reasonable measures should be taken to ensure that any tenants with language barriers are provided pertinent information in their preferred language.~~

~~The recommended maximum rent for the new units found by the Tenant Relocation Coordinator should be no more than 10% above current rent unless agreed to by tenant.~~

~~The Tenant Relocation Coordinator is responsible for tracking the units found for each tenant and submitting a status report to Planning staff prior to the issuance of a Demolition Permit. Tenants may opt out of this service by providing the Co-ordinator written notice.~~

~~Prior to the issuance of an Occupancy Permit the District must be presented with documentation on the status of all tenants including those who wish to relocate to the new building.~~

C.-B. Provisions After Rezoning Development Approval

If the rezoning bylaw is adopted by Council, the Tenant Assistance Package that the Developer has voluntarily committed to the District to offer the tenants will be secured by the District by way of a section 219 covenant granted by the Developer, or by such other means as may be required by the Municipal Solicitor. The agreed upon Tenant Relocation Package should be delivered in writing to each tenant's residential address by the Tenant Relocation Coordinator.

~~If the rezoning is approved by Council, the following provisions are applicable:~~

- ~~1. After a Demolition Permit is issued by the municipality the applicant will provide all tenants with a minimum of two months' notice as required by the *Residential Tenancy Act*,~~
- ~~2. The applicant will provide all tenants with the compensations agreed to in the Tenants Assistance Package. The applicant should compensate all tenants, whether on periodic (month to month) or fixed term (lease) tenures, with three months' rent to assist in finding alternative accommodation. The applicant should also allow tenants who elect to vacate their units up to three months prior to the end of the "Notice to End Tenancy" period to leave without paying the outstanding rent and to qualify for any other provisions included in the Tenants Assistance Package,~~
- ~~3. The applicant is required to provide to Planning staff proof of delivery of the approved Tenant Assistance Package prior to the issuance of any Occupancy Permit.~~

Authority to Act:

Administration of this policy is delegated to the Community Planning Department.