



## POLICY REPORT

Report Date: March 2, 2018  
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Meeting Date: March 13, 2018

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: False Creek South Provisional Resident Protection and Retention Plan

### **RECOMMENDATION**

THAT Council approve in principle the False Creek South Provisional Resident Protection and Retention Plan as outlined in Appendix A.

FURTHER THAT Council instruct the General Manager of Planning, Urban Design and Sustainability to report back to Council with a final recommended Resident Protection and Retention Plan for adoption.

### **REPORT SUMMARY**

This report presents for approval a provisional False Creek South *Resident Protection and Retention Plan* (RPRP), as the first step in meeting Council's direction to develop affordable housing options for all residents on City-owned leased land to remain in the neighbourhood. The intent of the RPRP is to create a safety net that can support resident and community retention in the event of resident displacement triggered by development, redevelopment or end of lease terms. The RPRP builds on the City's existing *Tenant Relocation and Protection Policy*, and proposes a set of principles and required supports for existing residents based on their current tenure, with increased supports for vulnerable residents. The report includes a summary of resident and community feedback as Appendix B. Staff recommend the RPRP remain provisional until greater clarity is reached on the neighbourhood planning program, and lease negotiations with strata lot leaseholders and co-op and non-market housing leaseholders. Finally, the report sets out next steps to advance a FCS RPRP that can be recommended for Council adoption.

## **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

There is a substantial body of Council policy and decisions made concerning the False Creek South neighbourhood, since its inception in the early 1970s. Of particular relevance to this report is the January 25, 2017, approved Engagement Principles for CoV in FCS, particularly Principle A5 which states,

*"False Creek South is a vibrant and successful community, and therefore the City will explore affordable housing options for False Creek South residents to remain in the neighbourhood, in line with the City's affordable housing policies and programs."*

As well as the May 30, 2017 Council resolutions instructing staff to;

*"engage with neighbourhood, community and city-wide stakeholders to develop a resident protection and retention plan for city-owned land in False Creek South, as described in the terms of reference for the planning process."*

Applicable Council policies include:

- False Creek Official Development Plan (ODP) (1974)
- Tenant Relocation and Protection Policy (2015)
- Housing Vancouver 2017-2027 (2017)

## **CITY MANAGER'S COMMENTS**

The City Manager recommends approval of the foregoing.

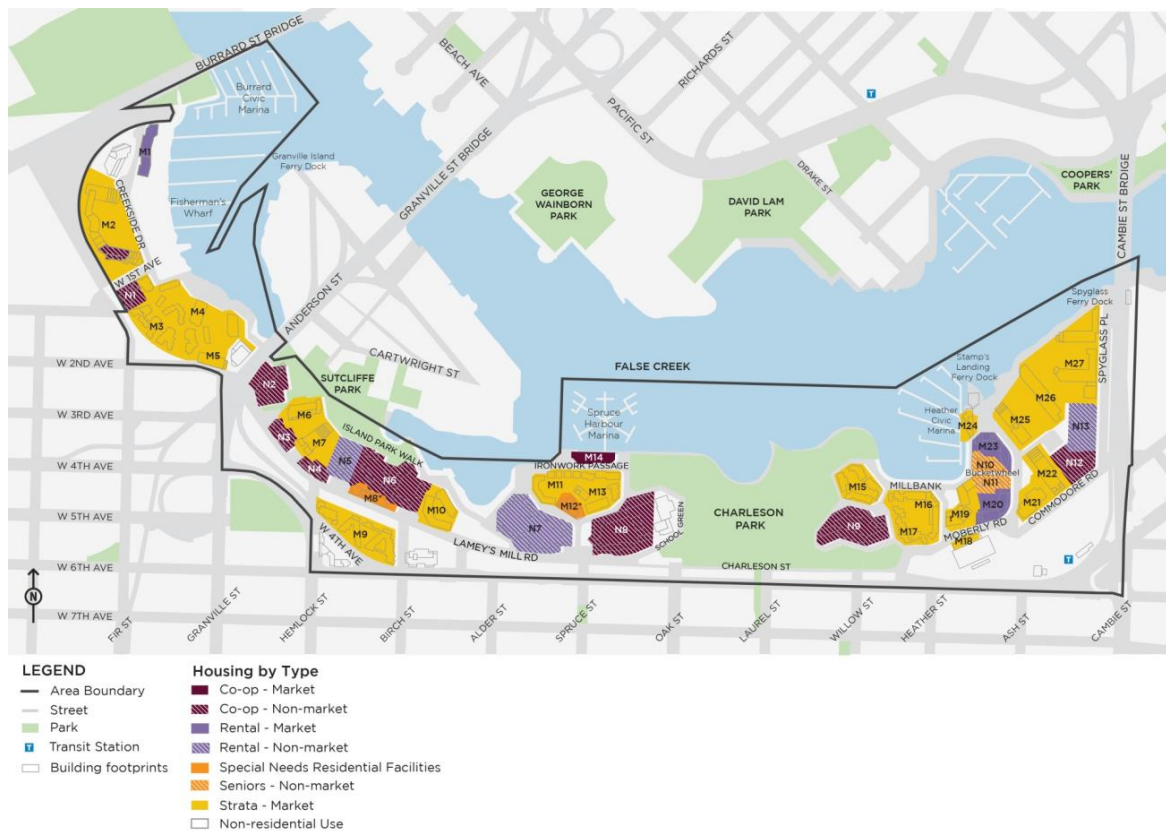
## **REPORT**

### ***Background/Context***

False Creek South (FCS) is situated in the City Core between Burrard Bridge, the Fairview Slopes neighbourhood, Cambie Bridge and False Creek in the Fairview Local Area. In total the area represents approximately 55 hectares of land (136 acres) and currently has a resident population of approximately 5400 people (2011).

FCS is a vibrant and successful community that includes commercial properties and a large and diverse stock of social housing, non-market co-operative housing, live-aboard co-op housing, leasehold strata units, community care facilities, special needs housing, market rental buildings, and private strata units. Eighty percent of the land in FCS is owned by the City of Vancouver, through its Property Endowment Fund (PEF) with the remainder owned by other levels of government or privately owned. Approximately 60% of the residential units in FCS are on land held by the PEF and leased either to non-profit, co-operative or for-profit housing operators, or directly to individual strata lot lessees. The majority of the 1,172 non-market housing units in this neighbourhood are on City land.

Figure 1. Housing Tenure Diversity in False Creek South



The City of Vancouver's PEF is managed for the benefit of current and future generations of Vancouverites in such a way as to preserve its long-term viability and, where possible, support the City's broad public objectives in a financially sustainable way. Between 1976 and 1986, much of the land in FCS was leased to tenants via long-term (typically 60 year) ground leases. The majority of these leases are due to expire between 2036 and 2046, with two Co-op leases due to expire sooner.

False Creek South residents place high value on the vibrancy of their neighbourhood and aspire to maintain a strong community beyond the end of their current lease terms. There is concern about potential resident displacement coming with different end of lease or future development scenarios, a concern that is exacerbated by the current housing affordability crisis in Vancouver. \*RePlan, a committee of the False Creek South Neighbourhood Association, has sought greater clarity from the City of Vancouver on its future intentions as the landowner and lessor to address this uncertainty.

In the Terms of Reference approved in January 2017, Council committed to undertaking a neighbourhood planning program coordinated with a lease negotiation process and to:

*"explore affordable housing options for False Creek South residents to remain in the neighbourhood, in line with the City's affordable housing policies and programs."*

The City and \*RePlan agreed that when residents are uncertain about whether they will be able to remain in their community, it is difficult for them to participate fully in planning for the future of their neighbourhood. As a first step to addressing this concern and meeting the above principle, Council directed staff to develop and consult on a False Creek South Resident Protection and Retention Plan (RPRP), aligned with current City policies. The purpose of the RPRP is to create a “safety net” of baseline protections and supports available to residents should they ever be displaced from their homes as a result of development activity or the end of an existing lease. The provisional RPRP is intended to apply to residents in False Creek South on City-owned leased land.

**Table 1 - FCS Housing Types, Households and Buildings**

False Creek South Housing Types, Households and Buildings (On City Land)		
Housing/Tenure Type	Units/Households	Buildings and marinas
Social Housing (non-market)	319	4
Co-op Housing (non-market)	517	7
Market rental	150	2
Strata leasehold condo	668	12
Live aboard co-op (market)	55	1
Community Care units	140	2
<b>Total</b>	<b>1,849</b>	<b>28</b>

### Existing Tenant Relocation and Protection Policy

The City of Vancouver’s existing *Tenant Relocation and Protection Policy* (TRPP) helps protect tenants in the primary rental stock by reducing the negative impacts of being displaced from their current housing as a result of redevelopment activity, while recognizing that some renewal is necessary to maintain the health of the rental building stock. The TRPP was developed to respond primarily to market renting situations and intended to work in conjunction with the first level of support provided to renters under the Province of BC’s Residential Tenancy Act.

The City's existing TRPP requires developers to ensure existing renters:

- Receive compensation for moving expenses and free rent to assist with the hardship associated with a move; additional compensation can be required for tenants who have lived in the building for a longer term;
- Are eligible for a Right to First Refusal to return to the new rental property at a discounted rent, unless the replacement building is social housing and they do not meet income requirements;
- Receive assistance to identify affordable alternate accommodations in their neighbourhood and/or elsewhere in Vancouver; and
- Receive additional support and compensation if they are vulnerable or have special circumstances.

The TRPP applies to non-market housing; however, the City has found the mission and redevelopment objectives of the non-market housing sector, and the needs and vulnerabilities of residents in these buildings and communities, to be different from those of private market developers and renters. For residents living in social housing, co-operative housing, and special needs or community care facilities, the supports provided in their buildings and communities are hard to replace. The City has identified the need to review and refine the existing TRPP for the non-market housing sector and expects to undertake a city-wide review in 2018-2019.

### **Displacement and Resident Vulnerability in False Creek South**

All residents on City-owned land in False Creek South by the nature of their lease agreements have time limited access to their units or buildings. If a lease renewal is deemed not appropriate or viable for economic or other reasons by the City and/or lessee, some residents could be at risk of displacement from their existing homes.

The Provisional RPRP (Appendix A), is triggered when a resident in one of the tenure types listed above, is faced with involuntary displacement from their unit or building as a result of redevelopment of their building or expiry of a lease. Staff anticipate that the proposed policy trigger will be examined in more detail once greater clarity is reached on the neighbourhood planning program, end-of-lease negotiations with strata lot leaseholders, co-op and non-market housing leaseholders.

Resident anxiety and concerns about possible displacement scenarios are exacerbated by Vancouver's housing affordability crisis. Vancouver residents face among the highest housing prices and rents and lowest median incomes of Canada's large cities. With a historically low vacancy rate and rapidly escalating market rents, displaced renters face a significant challenge to find adequate and affordable replacement housing in the market.

The TRPP defines vulnerable residents as "seniors, persons with disabilities, or those living on very low incomes". Experience has shown these residents are the most impacted by redevelopment or renovation. Often these individuals tend to be longer-term residents, and as such the process of moving may be more challenging for them. Under the existing TRPP the City can require a developer to provide additional assistance for "vulnerable" tenants to ensure they have affordable and viable re-housing options and the ability to return to a unit once a site is redeveloped.

Staff have explored the resident profile and existing housing stock in False Creek South and find several key vulnerability risks that the provisional RPRP attempts to address. These include:

- **Affordable Housing stock:** Approximately half of all the households on City-owned land in False Creek South live in social housing, co-operative housing and community care facilities/special needs housing. The affordability and supports included in this housing would be difficult to replace in the event of displacement.
- **Long-term residents:** FCS is a stable community with Census data showing its population has remained largely stable since 1991. There is also less movement into and out of the community in FCS compared to the City as a whole. In the 2011 to 2016 Census, approx. 37% of FCS residents had moved (into their home in FCS) during that period compared to 53% of residents city-wide. Within this population of long term residents some may have a challenge paying current market rates.
- **Family-sized housing stock:** The neighbourhood is also home to a high proportion of family-oriented 2, 3 and 4+ bedroom homes with affordable rents and housing charges. The City's existing stock of family-sized market rental units (2 or more bedrooms) is low in both the existing and new stock making sourcing an adequate and affordable family rental unit challenging.
- **Large seniors population:** The community's demographic profile has also changed substantially since its inception, with over 32% of the population now seniors (age 65+) compared to 9% in 1981. A larger seniors population raises the overall resident vulnerability profile.
- **Situational vulnerability of strata leasehold residents:** While the City is required to purchase the strata leaseholders' interest in their strata lot when the lease expires, depending on the individual situations of the leaseholder (e.g. seniors on modest pensions, single-income households, modest incomes households with outstanding mortgages and residents on disability or with health issues) some of these households may find sourcing affordable replacement housing difficult.

### *Strategic Analysis*

As the landowner covered by the proposed RPRP, the City of Vancouver has the opportunity to ensure an approach to redevelopment or management of end of lease terms that prioritizes resident protection and retention, while supporting vital future renewal and growth in the False Creek South housing stock. The City has learned from the TRPP and previous projects that involved the redevelopment of non-market housing (e.g. Roddan Lodge, Little Mountain) the importance of early planning, clear policy requirements, alignment of partners, and early and transparent communication with residents.

Consistent with the existing TRPP, the FCS RPRP proposes a baseline set of supports for all residents, with higher levels of assistance for households that are expected to experience the greatest challenges in securing affordable replacement housing. Feedback from residents and community members in False Creek South, and the original staff direction from Council, emphasizes the importance of resident protection and retention by creating affordable options for FCS residents to remain in their neighbourhood. The Provisional RPRP meets the existing requirements in the TRPP and, at the direction of Council, aims to demonstrate exemplary community, housing and land stewardship by prioritizing the creation of affordable retention options for residents.

The provisional RPRP prioritizes retention of residents in existing social, co-operative and market rental housing through a right to return to a replacement unit in False Creek South. This unit for unit, tenure for tenure, replacement is consistent with the City's goals and policies of protecting, replacing and securing affordable and rental housing. In light of this requirement, staff recommend the additional financial compensation of free rent scaled to length of tenancy only be required where residents forgo the right of refusal to a replacement unit and elect to relocate permanently outside of the neighbourhood. As in the existing TRPP, the RPRP may require more support be provided for vulnerable residents. Staff recommend assessing vulnerability by reviewing a resident's current tenure, housing costs and subsidies, unit-type, income and assets.

#### **Recommendation A. Approval in principle of a False Creek South Provisional Resident Protection and Retention Plan**

The *False Creek South Provisional Resident Protection and Retention Plan* (detailed in Appendix A), affirms and aligns with the City's existing *Tenant Relocation and Protection Policies* (approved in 2017) and proposes similar supports for all residents on City-owned leased land. As previously approved by Council, the FCS RPRP's purpose is to:

- Balance the long-term need for growth and renewal of housing stock while protecting existing residents and communities from displacement;
- Prioritize resident choice and security by identifying affordable relocation options both within and outside the neighbourhood;
- Explore appropriate rehousing options and supports, informed by the resident's level of housing need, vulnerability, and existing tenure;
- Provide guidance to other City work streams to support residents and retain community members; and
- Demonstrate exemplary stewardship of community, housing, and land on City-owned lands.

A FCS Resident Protection and Retention Plan (RPRP) creates a 'safety net' that is available directly to residents who are displaced from their existing homes. The RPRP must also work in co-ordination with the existing legal arrangements in place between the City, leaseholders (residents and housing operators) and other levels of government. The RPRP aims to cover all residents in all tenures and unit types on City-owned land in False Creek South including those in:

- Purpose-built market rental housing;
- Social housing;
- Community care facilities / special needs housing
- Co-operative housing, including live aboard co-operative housing
- Strata leasehold housing

The provisional RPRP does not apply to commercial tenants, residents on privately owned lands, or sub-tenants.

The provisions in the RPRP are triggered when a resident in one of the tenure types listed above, is faced with displacement from their home. The RPRP requires the City, any agency, community entity, or developer, to provide and execute a Resident Protection and Retention Plan if they are:

- seeking a rezoning or a development permit that will displace residents from existing residential housing units; OR
- overseeing the end of an existing lease that will result in residents being displaced from their current unit.

The RPRP is organized around six principles that align with the existing *Tenant Relocation and Protection Policy* (TRPP) and the *False Creek South Engagement Principles*. Specific supports provided to residents may differ based on their existing tenure, level of vulnerability and ability to meet eligibility criteria. The principles are:

1. **Minimizing Displacement:** Any applicant undertaking development on City-owned land will minimize the displacement of residents from False Creek South by minimizing the number of relocations and disruptions for residents, and providing affordable interim housing when required.
2. **Right to Return:** A resident who is displaced from their unit will have the right to return to a replacement non-market rental unit, non-market co-op unit, or market rental unit in False Creek South once it is completed.
3. **Affordability:** A resident who is displaced from their unit will be offered a housing option that is affordable to them in False Creek South. Residents of all tenure types with special circumstances or who are vulnerable may be offered additional support.
4. **Right to Relocate:** A resident who is displaced from their unit and does not wish to return to False Creek South will be provided assistance to find alternate affordable housing options outside False Creek South but within Vancouver.
5. **Mitigation of Hardship:** Assistance and/or compensation will be provided for residents who are displaced from their existing units in False Creek South, to address the stress, challenge, and financial strain that can occur in searching for a new home.
6. **Advance Notice and Transparency:** Residents on City-owned leased land will be provided with advance notice of the need to relocate and of any additional moves.



**Table 2 - Protection and Retention Supports for False Creek South Residents under the *Residential Tenancy Act*, *Tenant Relocation and Protection Policy*, and the proposed *False Creek South Provisional Resident Protection and Retention Plan***

FCS Residents by Tenure	RTA (BC Gov't)	EXISTING TRPP	PROPOSED FCS Provisional RPRP
Social Housing (non-market)	<ul style="list-style-type: none"> <li>• 2 months' notice to end tenancies</li> <li>• 1 month free rent</li> </ul>	<ul style="list-style-type: none"> <li>• Compensation scaled to length of tenancy</li> <li>• Moving expenses or assistance moving</li> <li>• Assistance sourcing new housing</li> <li>• Possible additional supports for vulnerable renters</li> <li>• Right of return to replacement unit at 20% discount to market</li> </ul>	<ul style="list-style-type: none"> <li>• Possible compensation scaled to length of tenancy</li> <li>• Moving expenses or assistance moving</li> <li>• Assistance sourcing new housing</li> <li>• Possible additional supports for vulnerable renters</li> <li>• <i>Right of return to replacement unit priced at no higher than existing rents for RGI renters or no more than 30% of income for others.</i></li> <li>• <i>Minimized displacement</i></li> <li>• <i>Advance notice beyond RTA requirement and on-going communication</i></li> </ul>
Co-op Housing (non-market)	N/A	<p data-bbox="678 1136 1052 1346"><i>NOTE: Since the adoption of the TRPP, the CoV has not yet worked with a Co-op undertaking redevelopment but would expect that an applicant's proposal may include:</i></p> <ul style="list-style-type: none"> <li>• Assistance sourcing new housing</li> <li>• Possible additional supports for vulnerable members</li> <li>• Right of return to replacement unit</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Possible compensation scaled to length of tenancy</i></li> <li>• <i>Moving expenses or assistance moving</i></li> <li>• <i>Assistance sourcing new housing</i></li> <li>• <i>Possible additional supports for vulnerable members</i></li> <li>• <i>Right of return to replacement unit priced at no higher than existing housing charges for RGI members or no more than 30% of income for others.</i></li> <li>• <i>Minimized displacement</i></li> <li>• <i>Advance notice beyond RTA requirement and on-going communication</i></li> </ul>
Market rental	<ul style="list-style-type: none"> <li>• 2 months' notice to end tenancies</li> <li>• 1 month</li> </ul>	<ul style="list-style-type: none"> <li>• Compensation scaled to length of tenancy</li> <li>• Moving expenses</li> <li>• Assistance sourcing new housing</li> </ul>	<ul style="list-style-type: none"> <li>• Possible compensation scaled to length of tenancy</li> <li>• Moving expenses or assistance moving</li> </ul>

	free rent	<ul style="list-style-type: none"> <li>• Possible additional supports for vulnerable renters</li> <li>• Right of return to replacement unit at 20% discount to market</li> </ul>	<ul style="list-style-type: none"> <li>• Assistance sourcing new housing</li> <li>• Possible additional supports for vulnerable renters</li> <li>• <i>Right of return to replacement unit within 10% of existing rents</i></li> <li>• <i>Minimized displacement</i></li> <li>• <i>Advance notice and on-going communication</i></li> </ul>
Strata leasehold condo	N/A	N/A	<ul style="list-style-type: none"> <li>• Assistance sourcing new housing</li> <li>• Possible additional supports for vulnerable residents</li> <li>• Right of return to market rental unit at market rate for area</li> <li>• Minimized displacement</li> <li>• Advance notice and on-going communication</li> </ul>
Live aboard co-op (market)	N/A	N/A	<ul style="list-style-type: none"> <li>• <i>Intention to support retention of these residents, specific assistance to be determined prior to finalizing RPRP</i></li> </ul>
Community Care units	N/A	N/A	<ul style="list-style-type: none"> <li>• <i>Commitment to work with other levels of government to support residents and maintain services in community</i></li> </ul>

Detailed requirements of the proposed Provisional RPRP can be found in Appendix A.

### Engagement & Consultation

Staff developed a DRAFT RPRP Discussion Booklet (made available in print and online) to assist residents in learning about and commenting on the intent of the FCS RPRP. A paper and online questionnaire was distributed that allowed the public to provide feedback on the principles, criteria and draft requirements for each tenure group. The online document and survey were available for approximately one month (November 22 to December 20, 2017) and Community Office hours were held over two weeks (November 21 to December 1) with presentation materials and staff available to answer specific questions.

Staff met with local stakeholder groups (residents, community care providers, social housing operators), \*RePlan members, the Co-op Authorized Working Group of \*RePlan and the Strata leasehold Sub-committee of \*RePlan for small group interviews and discussions, presentations and Q&A sessions. Through the consultation and engagement process staff refined the RPRP to improve the clarity for residents,

including explaining what retention and protection tools are within the scope of the RPRP and what are the responsibilities of other FCS workstreams. Refer to the Engagement and Consultation summary in Appendix B for detailed information.

Overall, community feedback was supportive of the intent to create a ‘safety net’ for the residents of FCS through the RPRP. There was acknowledgement by community members that due to the current crisis of affordability and low vacancy in Vancouver, displacement could result in a situation where it is extremely challenging for residents to find adequate or affordable replacement housing. The six principles of the RPRP received strong support from those who provided feedback.

While residents recognized the value of having a ‘safety net’ at the outset of the planning and negotiation processes, many respondents remain focused on the opportunities to retain and protect tenants through the neighbourhood planning and lease negotiation work streams. Respondents expressed a desire for the RPRP to include additional tools and goals that are beyond the scope of a ‘safety net’ and the previous Council direction in the Terms of Reference for False Creek South.

These additional issues raised and options proposed will be explored in the neighbourhood planning process, strata leasehold negotiations, and co-op and non-market lease renewal negotiations. Staff recommend these resident concerns be considered in those work streams prior to final report back on the FCS RPRP. These respondent concerns and proposals are outlined below:

1. *Request for immediate long-term Lease Renewal: The most consistent feedback received by staff from residents across all tenures was that early, affordable and long-term lease extension options would be the most effective means of creating security for residents to remain in the community. Lease renewal is also seen as critical to enable residents and building operators to make decisions around the type of building reinvestment and maintenance as they approach end of lease.*

*Proposed options include: 99-year lease terms, affordable lease rates, and strata leasehold lease end values “high enough” to support resident retention.*

2. *Insufficient Support for Strata Leaseholders: The Strata Leasehold Subcommittee of \*RePlan and individual strata leaseholders, while appreciating the need for scaling supports in relation to resident vulnerability and existing tenure, were concerned that the provisional RPRP does not provide protection for residents in strata leasehold housing. In their view, market rental replacement units were not an adequate or affordable support.*

*Proposed options include: a City commitment to one-to-one replacement of strata leasehold units in line with replacement expectations for other tenures in the draft RPRP, financing mechanisms for lease renewals or extensions (shared equity, reverse mortgages or lease payment deferral), options to port leases or end of lease payments to different units in the neighbourhood, and the inclusion of affordable home ownership opportunities for current and new residents.*

- 3. Operational and Mandate Differences of Co-op Housing: The Approved Working Group of \*RePlan, co-op residents and board members, expressed concern during consultation that the market-oriented TRPP policy and hardship mitigation approach are a “poor fit” for the sector and might create a significant barrier for affordable redevelopment given the focus on hardship mitigations.*

*Proposed options include: the ability for co-ops (and potentially social housing operators) to minimize upfront TRPP costs by allowing them to work with existing members to find affordable interim or replacement housing options, subject to the members’ agreement to the alternate arrangement.*

- 4. Recognition and Allocation of the RPRP Responsibilities: \*RePlan, the Strata Leasehold Sub-committee of \*RePlan and the Co-op Authorized Working Group of \*RePlan believe that the City as the landowner should be responsible for the RPRP requirements, and is concerned about the costs being passed on to non-market housing operators such that it erodes affordability by increasing the cost associated with redevelopment.*

- 5. Partnership between City of Vancouver and False Creek South for Development: \*RePlan, the Strata Leasehold Sub-committee and the Co-op Authorized Working Group of \*RePlan would like more commitment from the City of Vancouver to engage with residents, individual co-ops and housing operators, to plan for housing renewal that is sequenced to support retention of the existing community.*

*Proposed options include: a clear, defined role for residents and lessees in determining the scale and timing of future development or redevelopment.*

### Next Steps

The principles and requirements in this provisional RPRP, if approved by Council, will provide guidance to other work streams in False Creek South, by clarifying the types of supports and protections the City should create for residents, and ideally support participation in the neighbourhood planning process. The provisional RPRP has been developed to address a breadth of future possibilities. Options and supports have been designed to address scenarios that include relocation due to development or redevelopment, as well as displacement due to end of lease.

Staff recommend the RPRP remain provisional until greater clarity is reached on the neighbourhood planning program, end-of-lease negotiations with strata lot leaseholders and co-op and non-market housing leaseholders. Once these work streams have progressed sufficiently, coordinated policy, financial and legal review will be required, along with a second round of consultation before a final RPRP is recommended to Council.

## *Implications/Related Issues/Risk*

### *Financial*

The Provisional RPRP meets the existing requirements in the TRPP and, at the direction of Council, aims to demonstrate exemplary community, housing and land stewardship by prioritizing the creation of affordable retention options for residents. Relative to the existing TRPP requirements applicable to developers citywide, the additional cost associated with the proposed affordable retention options is largely limited to the following:

- a) For market rental buildings, existing TRPP requires that displaced residents be offered a replacement unit with rent at 20% below market; whereas the provisional RPRP offers existing residents a replacement unit with rent that is within 10% their current rent. (Note: TRP practice is evolving as staff work with project applicants and residents on individual sites. The TRPP is expected to be reviewed in 2019, and staff note returning rent rates is an area for review).
- b) For social housing and co-op housing, the provisional RPRP offers interim housing solutions for residents if they are unable to move directly into the new units due to development phasing considerations.

The estimated annual cost per unit of (a) ranges from \$100 to \$4,000, depending on the unit size, based on current market rent levels. The estimated annual cost per unit of (b) could be largely mitigated by providing interim housing solutions for returning residents within or in close proximity to FCS where rents would be within 10% of their current rents.

The City expects to work closely with its non-profit and co-op housing partners as well as the Provincial and Federal Governments on renewal and redevelopment of non-market housing to protect affordability and minimize potential hardship in False Creek South and across the city. Currently, all levels of Government are working to address the current housing crisis through preserving existing affordable housing and creating new affordable housing. The Federal Government unveiled the country's first national housing strategy last November, calling for \$40 billion investment in housing over the next 10 years and signaling a re-engagement in affordable housing. The 2018 BC Budget includes a 30 point plan for housing affordability, including strengthening protection for renters, and extending the life, quality and affordability of existing affordable housing. The budget introduced a number of new tax measures aimed at dampening speculative demand while generating substantial funding to invest in new and existing affordable housing.

## **CONCLUSION**

This report presents for approval a provisional *False Creek South Resident Protection and Retention Plan* (RPRP), as the first step in meeting Council's direction to develop affordable housing options for all residents on City-owned leased land in False Creek South to remain in the neighbourhood. The RPRP creates a safety net that can support

resident and community retention. The RPRP aligns with the City's existing *Tenant Relocation and Protection Policy*, and proposes a set of principles and required supports for existing residents based on their current tenure, with increased supports for vulnerable residents. As the Neighbourhood Planning and Lease Negotiation processes advance the City will refine the Provisional RPRP to address remaining concerns and recommendations to ensure an effective 'safety net' for all residents.

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# False Creek South PROVISIONAL Resident Protection and Retention Plan

March 2018



**HOUSING  
VANCOUVER**

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## 1.0 INTRODUCTION

The coming end of lease terms on City-owned land in False Creek South and current lack of clarity on lease renewal options are creating concerns and challenges for current residents. The City of Vancouver elected to undertake a neighbourhood planning program starting in 2017, coordinated with a process to negotiate end-of-lease issues between the City and housing operators and individual leaseholders. The neighbourhood planning program aims to renew the area and guide growth over the long term to meet the needs of the False Creek South community and the City. To protect and retain residents, help resolve end-of-lease concerns, and inform neighbourhood planning, the City has developed a provisional Resident Protection and Retention Plan for False Creek South.

The RPRP is the first step in meeting Council's direction to develop affordable options for all residents on City owned land to remain in the community. The RPRP aligns with the City's existing *Tenant Relocation and Protection Policy*, and proposes a set of principles and required supports for existing residents based on their current tenure, with increased supports for vulnerable residents. As the Neighbourhood Planning and Lease Negotiation processes advance, the City will refine the Provisional RPRP to address remaining concerns and recommendations to ensure an effective 'safety net' for all residents.

### 1.1 Supporting Resident Protection and Retention in False Creek South

False Creek South residents place high value on the vibrancy of their community, and aspire to maintain a strong community beyond the end of their current lease terms. There is anxiety about potential resident displacement coming with different end of lease or future development scenarios, a concern that is exacerbated by the current housing affordability crisis in Vancouver. As of 2017, Vancouver residents face among the highest housing prices and rents and lowest median incomes of Canada's large cities, and there is also a very limited stock of affordable rental, social, and co-op housing for residents who could be displaced from their existing homes.

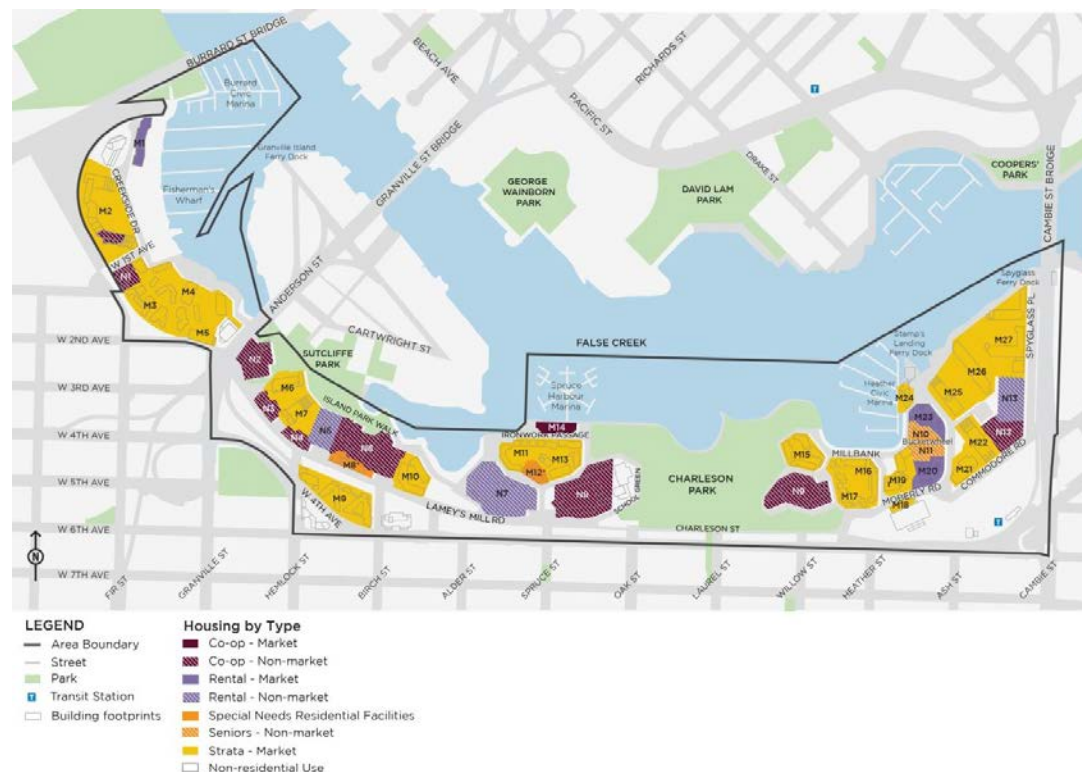
In January 2017, Council adopted a set of guiding principles for working in False Creek South. Principle A5 states, "False Creek South is a vibrant and successful community, and therefore the City will explore affordable housing options for False Creek South residents to remain in the neighbourhood, in line with the City's affordable housing policies and programs."

The City and \*RePlan agreed that when residents are uncertain about whether they will be able to remain in their community, it is difficult for them to participate fully in planning for the future of the neighbourhood. As a first step to addressing this concern and meeting the above principle, Council directed staff to develop and consult on a False Creek South Resident Protection and Retention Plan (RPRP). The purpose of the RPRP is to create a 'safety net' of baseline protections and supports available to residents should they ever be displaced from their homes as a result of development or the end of an existing lease. The RPRP is intended to apply to residents on leased land that is owned by the City.

## 1.2 Housing in False Creek South

Eighty percent of the land in FCS is owned by the City's Property Endowment Fund with the remainder owned by other levels of government or privately owned. The FCS land is a unique City asset in an exceptional location and the community built upon it since the 1970s has come to support a vibrant population of residents through a diverse stock of affordable housing. Approximately 60% of the residential units in FCS are on land held by the Property Endowment Fund and leased either to non-profit, co-operative or for-profit housing operators, or directly to individual strata lot lessees. The majority of the 1,172 non-market/social housing units in this neighbourhood are on City land.

Figure 1. Housing Stock Diversity in False Creek South



## 1.3 Displacement & Vulnerability

The RPRP proposes a baseline set of supports for all residents and higher levels of assistance for households that may face the greatest challenges in securing affordable replacement housing. A resident's tenure, outcomes of lease negotiations, and income and assets will be considered in a vulnerability assessment for providing additional support.

As leaseholders, all residents on City-owned land have time limited access to their current homes. End of lease issues, such as the inability to pay for lease extensions, or to finance building maintenance in the proceeding time period, leave residents

and housing operators vulnerable to displacement from their existing homes. For residents in rental, social housing and co-operative housing the affordability of the existing housing is challenging to replace in the event of displacement. While the City is required to purchase the strata leaseholders' interest in their strata lot when the lease expires, depending on the individual situations of the leaseholder (e.g. seniors on modest pensions, single-income households, modest incomes households with outstanding mortgages and residents on disability or with health issues) some of these households may find sourcing affordable replacement housing difficult.

The TRPP defines "vulnerable tenants" as "seniors, persons with disabilities, or those living on very low incomes". Experience has shown these residents are the most affected by redevelopment or renovation of existing affordable rental buildings. Often these individuals tend to be longer-term residents, and the process of moving may be more challenging for them. To ensure vulnerable tenants have affordable and viable re-housing options and the ability to return to a unit once a site is redeveloped, the City can require a developer to provide more assistance in their tenant relocation process for vulnerable tenants.

#### 1.4 Policy Context

*Housing Vancouver* (2018 - 2027) is the City's 10-year housing strategy. The City's vision is to ensure that Vancouver can be a home for people of all incomes and backgrounds, by prioritizing affordable housing and making housing markets work for all people who live and work in the City. It focuses on:

- Building more affordable housing
- Addressing and limiting the over-inflated cost of land that is driving up housing prices
- Ensuring the right types of homes are built - homes our residents need and can afford
- Protecting and renewing existing affordable rental housing across Vancouver
- Providing housing and support for our most vulnerable residents
- Renewing our commitment to partnerships for affordable housing
- Streamlining City processes for faster housing development

The City of Vancouver's existing *Tenant Relocation and Protection Policy* (TRPP) helps protect rental tenants by reducing the negative impacts of being displaced as a result of redevelopment activity while recognizing that some renewal is necessary to maintain the health of the rental building stock. The TRPP targets the "primary" rental stock, where the purpose of the building is to operate rental housing in the long-term. This includes:

- Purpose-built market rental housing;
- Non-market or social housing;
- Buildings with rental units above commercial spaces; and
- Large multiple conversion dwellings with six or more units.

British Columbia's *Residential Tenancy Act* (RTA) regulates all tenancy agreements in residential rental units across the province. The TRPP intends to supplement the Province of BC's Residential Tenancy Act and address challenges unique to Vancouver.

British Columbia's *Strata Property Act*, along with the strata corporation's bylaws and rules provide the legal framework under which all strata corporations and strata owners must operate in British Columbia. It provides the democratic system of corporate governance the owners use to manage the property together.

Co-operatives are regulated under British Columbia's *Cooperative Association Act*. They also have their own separate rules and policies as well as housing and operating agreements with CMHC (Canada Mortgage and Housing Corporation) or BC Housing Management Commission (BC Housing). Each of these documents is separate and necessary for a co-op to carry on its business.

## 2.0 PROVISIONAL RESIDENT PROTECTION AND RETENTION PLAN

The provisional *Resident Protection and Retention Plan* outlined in this document affirm and align with the City's existing *Tenant Relocation and Protection Policies* (approved in 2017) and propose similar supports for all tenures in False Creek South, as directed by Council. As the landowner and lessor of all the land covered by this policy, the City of Vancouver has the opportunity to require of itself and its partners an approach to redevelopment or development that prioritizes resident protection and retention.

The FCS Resident Protection and Retention Plan (RPRP) is intended to create a safety net that is available directly to residents living on land leased from the City who are displaced. The RPRP must also work in co-ordination with the existing legal arrangements in place between the City, non-market and co-op housing operators, and other levels of government and key stakeholders.

### 2.1 Intent

The plan intends to cover all residents in all tenures and unit types on City-owned land in False Creek South including those in:

- Purpose-built market rental housing;
- Non-market or social housing;
- Community care facilities / special needs housing;
- Co-operative housing, including live aboard co-operative housing; and,
- Strata leasehold housing.

The plan does not apply to commercial tenants, residents on privately owned lands, or sub-tenants, consistent with existing city policies.

The provisions in the RPRP are triggered when a resident in one of the tenure types listed above, is faced with displacement from their home. The RPRP requires the City, any agency, community entity, or developer, to provide and execute a Resident Protection and Retention Plan if:

- They are seeking a rezoning or a development permit that will displace residents from existing residential housing units; OR
- They are overseeing the end of an existing lease that will result in residents being displaced from their current unit.

Other causes of displacement are still being considered and may be included in the final RPRP (e.g. changes to an existing lease).

### 2.2 Principles

The provisional *Resident Protection and Retention Plan* (RPRP) intends to meet the following six principles that align with existing *Tenant Relocation and Protection Policy* (TRPP) and the *False Creek South Engagement Principles*. The plan aims to meet the principles and objectives for all residents on City-owned land; however,

the specific supports provided to residents may differ based on their existing tenure and level of vulnerability.

The principles are:

#### **1. MINIMIZING DISPLACEMENT**

Any applicant undertaking development on City-owned land will minimize the displacement of residents from False Creek South by minimizing the number of relocations and disruptions for residents, and providing affordable interim housing when required.

#### **2. RIGHT TO RETURN**

A resident who is displaced from their unit will have the right to return to a replacement market rental unit, non-market rental unit, or non-market co-op unit in False Creek South once it is completed.

#### **3. AFFORDABILITY**

A resident who is displaced from their unit will be offered a housing option that is affordable to them in False Creek South. Residents of all tenure types with special circumstances or who are vulnerable may be offered additional support.

#### **4. RIGHT TO RELOCATE**

A resident who is displaced from their unit and does not wish to return to False Creek South will be provided assistance to find alternate affordable housing options outside False Creek South but within Vancouver.

#### **5. MITIGATION OF HARDSHIP**

Assistance and compensation will be provided for residents who are displaced from their existing units in False Creek South, to address the stress, challenge, and financial strain that can occur in searching for a new home.

#### **6. ADVANCE NOTICE**

Residents on City-owned leased land will be provided with advance notice of the need to relocate and of any additional moves.

### **2.3 Plan Requirements**

The City, any agency, community entity, developer, will provide a Resident Protection and Retention Plan if they are:

- seeking a rezoning or development permit that will displace residents from existing residential housing units, or
- overseeing the end of an existing lease that will result in residents being displaced from their current unit.

At a minimum, an RPRP for an individual site or group of sites will include:

### Minimizing Displacement

- (a) Minimizing resident displacement and prioritizing retention by requiring applicants to:
- undertake a phasing process whereby vacancies in other properties will be held and/or replacement units generally will be constructed before existing units are demolished.
  - ensure that residents wishing to remain on site and/or in the neighbourhood during the redevelopment process are permitted to do so where possible.
  - ensure any interim housing, if required, is adequate, affordable, and used for as short a duration as possible.

### Right to Return<sup>1</sup>

- (b) For residents of a **social housing** unit, the right of return to an interim and/or replacement unit of their current tenure type upon completion of replacement units in the neighbourhood, which is:
- Of a unit type in accordance with CMHC National Occupancy Standards, with discretion to accommodate other family arrangements.
  - For existing residents paying rent-geared-to-income or subsidized rents, priced at rents that are no higher than what they are currently paying, subject to income testing and/or the residents ability to maintain any existing subsidy.
  - For all other existing social housing residents, priced at rents of no more than 30% of their incomes.
- (c) For residents in **co-operative housing**, the right of return to an interim and/or replacement unit of their current tenure type upon completion of replacement units in the neighbourhood, which is:
- Of a unit type in accordance with CMHC National Occupancy Standards, with discretion to accommodate other family arrangements.
  - for existing members paying rent-geared-to-income housing charges, priced at housing charges that are not higher than what they are currently paying, subject to income testing.
  - for all other existing co-operative members, priced at housing charges of no more than 30% of their incomes.
- (d) For residents in **market rental housing**, the right of return to a similar unit of their current tenure type upon completion of replacement units in the neighbourhood, which is:
- Of a unit type in accordance with CMHC National Occupancy Standards, with discretion to accommodate other family arrangements.

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<sup>1</sup> The right to return will match the legal obligations of a Right of First Offer.

- Priced at returning rents that are within 10% of their existing rents.
- (e) For resident owners in **strata leasehold housing**, the right of return to rent a market rental unit in the neighbourhood upon completion of replacement units in the neighbourhood, which is priced at market rent for the local area.
- (f) For residents in **community care facilities and special needs housing**, prioritize working with housing operators and other levels of government, to secure replacement units in the community, subject to funding and partnership potential.

### Assistance with Relocating Outside False Creek South

- (g) For all residents requesting assistance finding new accommodations outside of False Creek South:
- Two relocation rental options should be offered that are comparable in unit type, unless otherwise agreed.
  - For residents in **social housing**, provide assistance to find a minimum of one comparable external relocation rental option at rents that are within 10% of existing rents.
  - For **co-operative members**, provide assistance to find a minimum of one comparable external relocation option at rents or housing charges that are within 10% of existing costs.
  - For residents in **market rental housing**, provide assistance to find comparable external relocation options at no more than Canada Mortgage and Housing Corporation average rents for the local area.
  - For **strata leaseholders**, provide assistance to find external relocation options at average rents for the local area.
  - Where possible, options should be tailored to the tenant (e.g. pet friendly, mobility considerations, smoke-free, etc.); and
  - In cases involving vulnerable tenants, applicants are encouraged to provide additional assistance and supports as per section (k) below.

### Mitigating Hardship

- (h) Financial compensation should be provided for residents in social housing, co-operative housing, and market rental housing who choose to relocate outside of False Creek South (forgoing interim or replacement housing options in the neighbourhood) based on length of tenancy:
- 2 months' rent for tenancies up to 4 years;
  - 3 months' rent for tenancies between 5 to 9 years;
  - 4 months' rent for tenancies over 10 years; and
  - 6 months' rent for tenancies over 20 years.

This can take the form of free rent or housing charges, a lump sum payment or a combination of both.



- (i) In light of the inclusion of affordable replacement housing options in False Creek South, the right to return to a replacement unit will apply only to residents who choose to remain in the community.
- (j) Arrangement and paying for an insured moving company for all displaced residents including moves to and from interim accommodation. Alternatively, displaced residents in social housing, co-operative housing, and market rental housing can arrange and pay for their own moving and select the following flat rate payout for moving expenses, including moves to and from interim accommodation:
  - \$750 for bachelor and 1-bedroom households; and
  - \$1,000 for two or more bedroom households.

### Supporting Vulnerable Residents

- (k) In special circumstances additional financial compensation or support, such as partnering with health organizations and other non-profit services, may be requested for vulnerable residents (e.g. seniors, persons with disabilities, those with low income, mental health issues, etc.).

### Advanced Notice

- (l) All residents will be provided with advance notice of the need to relocate and of any additional moves, including:
  - Notice periods that are longer than the Residential Tenancy Act's requirement of 60 days;
  - Opportunity to compare the interim, replacement or external relocation options available to them in False Creek South before indicating their preference; and
  - Applicant efforts to time relocations to minimize disruption during the school year.
- (m) Residents on City-owned leased land will be kept informed of key decisions, dates, and development plans via the applicant, including:
  - Creating and implementing a detailed RPRP with information about timelines and processes in the development or end of lease process;
  - A relocation specialist being hired to provide ongoing support, communication, and assistance to displaced residents; and
  - Information being publicly accessible via a project website.
- (n) Prior to the issuance of the occupancy permit, a Final RPRP Report must be submitted and include at minimum:
  - Names of the residents;
  - Details of the replacement, interim and/or relocation housing offered to them;
  - Outcome or choice of resident for alternate accommodation; and
  - A summary of the monetary value given to each resident (e.g. moving costs, rent, etc.).

## 2.4 Implementation

It is anticipated that implementation process will be similar to the current Tenant Relocation and Protection Policy: Any agency, community entity, or developer whose actions result in displacement will be required to submit an Application as part of the rezoning, and/or development permit application process, or lease negotiations.

City Staff will evaluate each plan based on the policies set out in this document. As much as possible, the Plan should be tailored to the needs of the residents in each project. City staff will track and monitor Plans to ensure compliance. More details on implementation and process will be provided and consulted upon in the next phase of the development of the policy.

## 2.5 Resident and Community Impact Statement

In cases where residents will not be permanently displaced as a result of rezoning or development, or end of lease, applicants will be requested to provide a Resident and Community Impact Statement.

A Resident and Community Impact Statement will be notarized and include a declaration that residents will not be impacted as a result of the proposed work. If the scope of work changes at any time and permanent displacement of residents becomes necessary, applicants will be requested to provide a RPRP as described in Section 2.3.

## 3.0 NEXT STEPS

The City developed this provisional RPRP through community engagement in November and December 2017. The principles and requirements in this Provisional RPRP will provide guidance to other City work streams and other stakeholders in False Creek South. The intent is to allow residents' to participate more freely in the planning of their future neighbourhood. Staff recommend the RPRP remain provisional until greater clarity and progress has been made on the neighbourhood planning program, end-of-lease negotiations with strata lot leaseholders, and co-op and non-market housing leaseholders.

Once these work streams have progressed sufficiently, coordinated policy, financial and legal review will be required, along with a second round of consultation before a final RPRP is recommended to Council.

## Appendix B. Summary of Engagement and Consultation

This is a summary of the engagement process relating to the Provisional Resident Protection and Retention Plan for False Creek South. The City's RPRP consultation approach was refined in consultation with: \*RePlan at weekly meetings, the \*RePlan Co-op Sub-committee (November 7, 2017) and the \*RePlan Strata Leasehold sub-committee meeting (November, 12, 2017). Prior to consultation taking place the community were informed of the intent to prepare the RPRP and the broad purpose of the Plan at the Planning Program Launch event in June 22, 2017 and at the False Creek South Conversation event on November 7, 2017.

The consultation was advertised through:

- Emails notifications sent to approximately 450 people before the start of the consultation and a reminder was sent during the process.
- Posters were erected at local businesses in the area highlighting the Community Office Hours and two sandwich boards were placed outside the venue when it was open.
- A postcard notification was sent to 16,634 households in the area to inform them of consultation.
- Staff highlighting the consultation at two planning workshops and on the walking tours on 25 November and 2 December.
- \*RePlan also notified local residents about the consultation via their mailing list.

There were three parts to the engagement:

1. Community Office Hours: similar to an open house, a team of at least two members of staff were available to provide information and answer question on the Draft RPRP, there were physical copies of the discussion guide with questionnaire and background information boards. A comment wall was also available for those that did not have time to fill out the questionnaire. The office was located at the False Creek Housing Co-op Enclave 5, 711 Millyard and open for 26 ½ hours in 2017 over the following dates and times:
  - Tuesday, November 21, 3:00pm to 7:00pm
  - Wednesday, November 22, 2:00pm to 6:00pm
  - Thursday, November 23, 8:00am to 12:00pm
  - Saturday, November 25, 10:00am to 12:00pm
  - Sunday, November 26, 12:00pm to 4:00pm
  - Tuesday, November 28, 3:00pm to 6:30pm
  - Friday, December 1, 9:00am to 1:00pm
2. Online Survey: An electronic version of the discussion guide and survey was available on the CoV False Creek South webpage between November 22 and December 20 (4 weeks).
3. Individual meetings with interested groups.

## RESPONDENTS

The provisional RPRP consultation drew input from the community and wider population of Vancouver. There was significant input from \*RePlan. \*RePlan is a sub-committee of the False Creek South Neighbourhood Association (FCSNA). The FCSNA was established when FCS was being developed to represent the interests of the neighbourhood. It is a unique stakeholder in the City's make-up. It has representatives from all of the strata and co-operative housing enclaves on the land leased from the City, as well as participants from freehold properties, and buildings operated by non-profit housing societies.

The following are highlights of the residents and groups consulted during the engagement process:

### Online Survey

- 52 respondents
- 88.5% of respondents lived in False Creek South
- 67% of respondents lived in Strata leasehold housing and 23% resided in Co-op housing.
- 80% of participants were 50 years old or older.
- 25% of participants had children under the age of 18.

### Key Stakeholders

- \*RePlan
- Co-op Authorized Working Group of \*RePlan
- Strata leasehold Sub-committee of \*RePlan
- Meetings with available community care and social housing operators
- Meetings with concerned residents in the community office hours or at City Hall

### Community Office Hours

- 75 attendees
- Mix of residents from community and Fairview slopes
- 1 completed form received other attendees opted to complete it online.

## RESPONSES AND FEEDBACK

### 1. General support for applying the RPRP to residents on City-owned land.

- 58% of survey respondents stated they agreed with the stated scope and the Co-op Authorized Working Group also support the intent of the plan.
- Other respondents (16) recommended extending the RPRP to:
  - all residents in Vancouver
  - all in the neighbourhood
  - commercial properties or other services in the area (e.g. schools)
  - sub-tenants
  - those in private ownership

- A minority of (3) participants sought to reduce the scope:
  - recommended removing coops
  - stated no protection beyond existing legislation was necessary
- Other respondents expressed a general concern about the plan and if it meant that they were likely to lose their homes.

**2. General agreement that the reasons for displacement have been covered but concern over the future of lease negotiations. Other factors are summarised below:**

61% of responses agreed with the situations and risks outlined in the document.

- It was identified through the survey and in the Co-op Authorized Working Group that lease renewal is the key to addressing insecurity and potential displacement.
- It is also noted that Co-op negotiations should happen at co-op level rather than with individuals.
- The RPRP should not work at cross purposes to co-op membership frameworks.
- The Co-op Authorized Working Group and survey respondents note that a win-win situation would be to phase development to create spaces for elderly in area and free up room for families.
- Respondents also identified that affordability should be noted as a reason for displacement; some residents (particularly elderly) may not be able to afford new lease rates or the price of new units.
- Availability of suitable replacement units was also cited as a cause of displacement.

Other possible reasons for displacement that respondents felt should be included:

- Fire or natural disasters (e.g. sea-level rise, earthquakes)
- Reduction in Transit
- Health and age status

**3. Diverse range of opinions on how to scale supports and how to measure vulnerability.**

- 33% of respondents agreed that it was appropriate to scale supports based on tenure and income and residents in the same type of tenure should be given different supports based on vulnerability.
- Two respondents disagreed with any type of support being given and a third disagreed with scaling because a flat approach would be fairer and less open to manipulation.
- Differing opinions on whether or not it is fair to scale support based on the length of time in the neighbourhood, those in FCS a short time feel penalised while those there a long time feel they are more vulnerable.
- Opposing views on whether tenure or assets should be considered in assessing vulnerability.

- Some support for including the following measures:
    - Addressing additional specific resident needs (e.g. accessibility, pet owners, etc.)
    - Income assessment should also take account of current housing market and household size to ensure residents can remain in neighbourhood
    - Recommended taking account of disability, health (physical and mental) and age.
  - Any assessment of needs - financial and practical - should be in alignment with Co-op methods of housing charge assistance eligibility. It could otherwise be against co-op principles.
  - Other
    - The City needs to share RPRP responsibility with non-profits to protect residents and affordability.
    - Current drug policies are failing and treatments to stop drug use should be used.
    - Support should be available to all residents - displacement will have health impacts. Families and those that work within the city (wages out of sync with housing costs) are particularly vulnerable.
4. A number of points with regards to the characterization of coops and strata's and their vulnerabilities. Some of these clarifications have been captured in the proposed Provisional RPRP. Key points are included below:

#### Co-op

- The operation of non-profit housing co-ops should be better captured. The basis is 'group solutions to individual problems' - the mission is to work together to provide members affordable housing via good stewardship and no profit taking.
- Addressing vulnerabilities should happen through the Co-op as an entity, rather than with individual members.
- Co-ops support members for ethical and legal reasons. If a co-op undertook a redevelopment they would continue to support their members, so the RPRP seems unnecessary and restrictively expensive.
- The prospect of a great increase in cost of land lease threatens to destabilize our community.
- The last paragraph should be tweaked as wording appears negative, Coops create a mixed income communities which work both financially and socially.

#### Strata Leasehold

- Strata leaseholders were most concerned about the description relating to what happens when the lease expires: "When these leases expire, the City must purchase the strata leaseholder's interest in the strata lot (the building unit or condominium), for a purchase price that is to be determined at the time the lease expires. Upon expiry of the current lease, the strata leaseholder is required to vacate"
- They recommended the inclusion of the following language for balance: The City is to purchase the leaseholder's interest "at fair market value as if the lease did not end."

- Strata Leaseholders are concerned their classification as less vulnerable, and note that:
    - Leaseholders do not necessarily have a significant income or equity.
    - Fixed income seniors and single parent families are vulnerable and may not be able to renew their lease or find alternative accommodation.
    - The cost of housing and rents in both nearby neighbourhoods and the City is out of reach for many residents
5. **Strong support for using “% of residents retained” as a measure for success. Other ideas included:**
- It should be based on a survey of who wants to stay and success based on whether all resident who wished to remain were given an opportunity at an affordable rate.
  - Monitor the balance of the community (e.g. tenure, income, abilities etc) and tracking how it changes.
  - Collaboration with the City is key and any measure of success should be based on resident’s needs (e.g. opportunities to up or down size and move between tenures) and these should be monitored because life is complicated.
  - Satisfaction was noted by a number of respondents as a key metric for success - and whether new accommodation has met their needs.
  - Financial criteria - % of residents paying a similar amount for housing - within 10% of current rent/mortgage or no higher targeted.
  - For non-profits - the financial impact on non-profit housing an important consideration and whether it prevents expansion or renewal (or bankruptcy in a worst case).
6. **81.9% of respondents to the survey agreed or strongly agreed with the principle of minimizing displacement. Other ideas included:**
- Renewing leases at an affordable rate for existing residents and non-profits. Only apply increased rates to new purchasers, members and renters.
  - Provide options for strata’s to purchase the land.
  - Retaining existing viable buildings.
  - Phasing of development will be key and should be planned in such a way as to ensure that no residents are displaced from the community. The phasing should also allow for changes in unit size and tenure as required.
  - Any temporary displacement should be for as short duration as possible with a duration properly defined and the interim accommodation should be within 0.5km of FCS.
  - For Co-ops that self-manage, planning around displacement needs to be addressed at the level of the whole co-op. The City should work with Co-ops around planning, prioritization and timing of expansion so disruption to members is minimized.
  - Proper financial analysis to ensure that the intentions of the RPRP are viable. Subsidies are also recommended to enable residents to remain in their homes.

**7. 82% of respondents agreed or strongly agreed with the principle of a right to return. Other ideas included:**

- For strata leaseholders there was a strong indication that Market Rental only was too limited and they did not want to become a renter. Many residents are also unlikely to be able to pay current market rental costs. They would prefer to have the option to move to either non-market rental or coop housing or be able to return to a strata leasehold units that is comparable in cost, size etc.
- Strata leaseholders also urge the inclusion of innovative options to retain Strata Leasehold in the future mix in FCS such as affordable ownership programs (e.g. the Whistler Housing Authority and the Langford Affordable Ownership Program).
- "Luxury" tiny (non-family friendly) expensive condos should not be built (e.g. Olympic Village or Yale Town).
- There is support for residents in FCS before lease end having a guaranteed return. There is suggestion by some that this may be earned in some way (e.g. 20 years or more).
- For Coop's they disagree with the CMHC National Occupancy Standards and want a similar space. The right to return should be based at the level of whole development. Income should not be a factor as Coop's have a diversity of members.
- For vulnerable residents (e.g. seniors, those with disabilities) having to temporarily relocate will be very disrupting, difficult and confusing and any relocation should be avoided.
- Those that disagree with the principle state that all Vancouverites should be able to opt in at any stage of redevelopment and an equal living space in a different area of the city should be adequate.

**8. 86% of respondents agree or strongly agree with the principle of affordability. Other ideas included:**

- For strata leaseholders, they comment that affordable new or renewed leases are key to achieving affordability. Proposals that payment options should be included in the new or renewed lease terms so pre-payment are not the only option. It is also requested that if buildings are replaced, the strata owners should be offered a buyout that would allow them to buy back into the new building with additional compensation to find affordable accommodation until the new structure is completed



- Strata leaseholders - the provision identified doesn't meet their needs; request replacement strata leasehold units. Market rental units are not considered sufficient as many will not be able to afford market rental rates.
- Families, low income residents and seniors are particularly vulnerable. Units should be developed in a way that the market rental rate is affordable to middle income earners in FCS. They should be similar in size to existing units. Similar to market renters, displaced leasehold strata owners should have rent within 10% of the LISL payment to offset the difference between monthly obligations as strata residents compared with market rent rates.
- Co-ops are worried about their existing models being destroyed. They request that members are able to return to their units, paying the same amount of rent/housing charge that they did when they left. If they break up they are concerned that more vulnerable and needy residents would be left to manage themselves and self-sufficient residents may have to move elsewhere.
- Coops are also concerned about 30% of a members income being used as a test for affordability. Currently members are not required to disclose their incomes. A snapshot of people's income at an evaluation date does not suit the co-op model, which is based on ongoing "thick and thin" housing security. They make the following alternative recommendations:
  - It should be a single amount that is 30% of the average Vancouver income.
  - Non-subsidized members shouldn't be expected to pay 30% of their income. There should be an upper ceiling, e.g., 30% up to \$60,000.
- Concerned that current market is unaffordable. Propose to retain the existing buildings or provide low cost housing in other parts of the City.
- The Co-op Authorized Working Group made the following suggestions:
  - Change Bullet 2 - *'for existing co-op members in rent-gearred-to-income units or paying RGI rates.'*
  - Bullet 3: *'for all other co-op members, offering interim or replacement units at a housing charge based on the Co-op cost sharing model, and in any case of no more than 30% of their incomes'*

**9. 72.9% of respondents support the principle of the right to relocate.**

- 9 x respondents believed that residents should still have the option to return because it fair and it would be punitive to restrict them. It was noted that income and assets might determine whether this is a realistic option.
- 10 x respondents believed that they should not be provided with this option, as it would be too complicated to manage. If resident choose they choose to permanently relocate (using RPRP services) without clarifying that they want to return. The RPRP should not be required to support them to return. It would be unfair to others in the City.

- Strata leaseholders - concern that the option that they are being offered is a rental option which is not sufficient. The City need to work with \*RePlan to develop innovative ideas.
- Coops - concerned it will be very difficult to re-locate co-op members because there are relatively few co-ops in Vancouver and all of them have long waiting lists. The burden of finding relocation places for members should not only be the responsibility of the co-op itself. We want to stay here in False Creek, and have the changes co-ordinated in a way that we can stay in the neighbourhood.
- The idea of relocation is concerning for many as they find it difficult to imagine how a 50 unit building could be relocated in Vancouver at present and believe relocation to another city may be required. The plan appears to enable "renoviction" on a mass scale, as it was with Riley Park.
- Respondents identified that replacement rental option should be similar in size, brightness, outdoor space etc. Assistance officers should be in place to help find relocation opportunities.

**10.86% of respondents agreed or strongly agreed with the principle of mitigating hardship in the discussion document. With further comments summarised below:**

- Similar themes were expressed by respondents including, calls for no displacement, affordable leases and options for the payment of new leases. It was also noted that this principle suggests there is an expectation of hardship versus an expectation to improve the quality of life.
- Participants in the survey also recommended giving particular attention to:
  - Elderly strata leaseholders
  - Handicapped people
  - Displaced families with children may require help with finding education solutions
  - Young adults living at home in their mid-twenties, these are still families as well, not just those with young children.
- For strata leaseholders, they are concerned that there is not enough consideration of them in the mitigation options. Respondents identify that many are not well off and could be worse off depending on the outcome of lease negotiations and will need assistance. One participant identified that compensation should not be scaled based on the length of time in the neighbourhood. Leaseholders have been paying full market value taxes to the city as opposed to a reduced rate due to uncertainty.
- For co-ops, respondents requested that each resident be moved at the City's or developer's expense, including safe and secure storage of items that cannot fit

into a temporary accommodation. They request that they are reimbursed for improvements made to their unit or provided with compensation to make similar improvements to their new unit.

- The Co-op Authorized Working Group identifies that the RPRP does not acknowledge the tools co-ops have to protect residents during the process of renewal. Survey respondents identified that coops are concerned the RPRP is asking more financially of co-ops as a whole than they can afford. The examples are expensive instead a coop might, for example, help each other move, rather than paying moving costs out of pocket. Co-ops are constructed around the core principals of support and protection of members, so mitigation of hardship is part of our values.
- When there is City-initiated hardship, then mitigation that is a result of this planning and lease-renewal process, it should be the City, as owner of the land, pays the cost. It concerns some that the City is both the "landlord" and the "rule-maker" in this process -- since this could lead to the costs of mitigation getting pushed down onto the co-ops. Nobody would win if the costs of making this transition overburden our finances so that the co-ops go broke.

**11.96% of respondents agreed or strongly agreed with the principle of advance notice and transparency.**

- With regards to notification, there is a strong support for greater than 60 days notice. The recommendations vary from 3 months to 18 months with most recommending 1 year at least. Families will find it particularly difficult if they need to move as some schools (including public schools) require applications to be submitted 10 months ahead of the start of the school year.
- Transparency is also noted as being important, respondents wanted to know about decisions as soon as they have been made, continue communicating with \*RePlan, make the community area of all avenues being explored and the preferred approach RE leases.
- With regards to communication methods, the following recommendations were made:
  - option for e-updates, similar to FCS seawall work and the FCS planning process.
  - Information provided at AGM or for strata council meeting minutes.
  - Informative newsletters and mail to people's residence.
  - Public meetings and perhaps votes to determine the best outcome for all affected.
  - No in-camera meetings
  - Plans and timelines in a co-op setting would be proposed and discussed, revised and voted on in a context of information meetings, notices and newsletters to members throughout.
  - Continue authentic consultation with \*RePlan and the committees and resources

- The employment of a relocation specialist with good interpersonal skills is a great idea.
- A housing office within walking distance of False Creek (West annex or City Hall) would help.
- Residents also want to have continued input into the RPRP, the right to appeal RPRP decisions and be engaged in the design of new buildings.
- The phrasing "could include" needs to be made more definitive.

**12. 94% of respondents support the creation and the aim of the document.**

- Some respondents noted it is a great idea that includes some 'heart' from the City. A strong RPRP is noting as an essential element in continuing and building upon that success as the community as it evolves in the future. The key stipulations for support are:
  - Leases will be renewed at an affordable level;
  - Need to see equal representation for strata leaseholders in the final version.
  - Attention to all tenure types is a significant factor in garnering public support for growth, new development, and redevelopment.
  - The City (as landlord as well as the one making the rules) does not push the burden of retention costs down to the co-op level; and that the City works with the co-ops so that people are not displaced from current units before there is appropriate neighbourhood replacement housing.
- For those that do not support the Plan, they cite that FCS residents have lived on the most valuable piece of property in Vancouver for 40 years and others should have the opportunity. Another reason for not supporting the RPRP is that there should be no need for such a plan as people should not be displaced. Or that their property is not included in the Plan.
- Participants are also concerned that the RPRP raises the idea that relocation/redevelopment will occur and what this will mean for the neighbourhood. Uncontrolled and uncontrollable change could result in a loss of security of tenure and this could damage people's health. This is particularly concerning for vulnerable residents.
- Participants are also concerned about the housing crisis, the extraordinary challenges of finding adequate, affordable housing if displacement occurs and loss of community. Many participants identify that FCS is a unique urban community with a unique tenure mix. It would be very sad if the City of Vancouver destroyed the most successful inner city residential community in the middle of an extreme housing crisis.

**13. There was space at the end of the online survey to provide comment and raise other concerns. Below is a summary of those comments:**

- The RPRP needs to address the matter of lease renewals, the cost of leases, and retention of current buildings. There should be no displacement or

forcible relocation. The HCWH should note that lease renewal should not be based solely on building age and condition but more holistically on a plan to keep coops alive.

- Through the implementation of the RPRP there needs to be an ombudsperson type role to help resolve conflicts, issues.
- The existing community is special and should be preserved. Participants are worried about the RPRP concept and what it means. This neighborhood is living; it is not an exhibit. The residents define the community, and their character exemplifies the City of Vancouver. Failure to retain in the face of inevitable change reduces them to the status of zoo animals. Only dedication, vision, and vigilance will prevent FCS from deteriorating into another failed project.
- The protection and retention of strata leasehold buildings is important to the mix in FCS and will help foster a sense of community in a way that simple rental housing could not. I fear that the Plan focuses on those most at need and, as with most other housing plans, do not properly advocate for workforce, middle income, retired residents and others. Many people who were not able to get into social housing managed otherwise; perhaps waterfront housing in the heart of the city is not appropriate for non market housing. Double or triple the amount of non market homes could be provided elsewhere in exchange for the value of market housing on these lands.
- For strata leaseholders, they are concerned that the RPRP is not relevant to them and focuses on renters. They want clarity on which buildings are likely to be redevelopment and who will have an option to renew. The financial means of strata leaseholders to handle displacement needs to be properly assessed as it is considered that the RPRP these underestimates the adverse effect.
- The HCWG are also concerned about the conflicted role of the City as landowner and regulator and the passing of RPRP responsibility to non-market housing providers. The City should also be subject to RPRP requirements. It should ensure enable redevelopment in the event of natural disaster, pay the costs of remediation, and provide a fair lease price that reflects the financial encumbrance of the RPRP.
- If the lease costs and RPRP requirements force co-ops into bankruptcy in the event of necessary resident displacement as a result of building renewal requirements, this is a 'lose-lose-lose' situation for the co-ops as well as their members, and the City which loses affordable housing as well as good long-term, affordable housing providers. The HCWG and survey respondents identify that the RPRP seems to be a poor effort to adapt a regulatory from the for profit housing sector to the non-profit / co-operative sector. By not seeing non-profit and co-ops as partners in providing security of tenure, it misses an opportunity. The City should take responsibility for the retention and relocation issues that could be caused

too, not by redevelopment per se, but by lease terms that are unfavorable to the maintenance of affordable housing in the Creek.

- There are concerns it is not possible to make new units affordable to residents in the current market. Market rental rates in the neighbourhood, locality and City are unaffordable to many residents. The City as landowner is the disruptive force creating insecurity, if it seeks land rents in line with the broken market in Vancouver. The City recognises that action needs to be taken on the housing market but City property staff make it clear that they intend to get 'current market price' for lease renewals, based on land prices. These views should be reconciled.
- As landowner the City must uphold the very highest standard for its citizens. The City should bear prime responsibility for the Retention and Relocation Plan. It has a unique opportunity in as both landlord and the regulator to pilot many innovative ideas and practices that do not exist in the free market. The needs to the communities and neighbourhood need to be respected when the City is in this conflicted role.
- FCS is a fantastic location and more Vancourites would also like to live on downtown waterfront property. It should be redeveloped to provide for 30 to 100 thousand people. Many buildings in False Creek have big footprints, but provide very little housing. They are also architecturally unattractive and do not enhance the South Shore. The area should be redeveloped by creative people who have proven their skills in designing and building quality structures.
- Drugs users should be redirected to rehab / detox programs, teach them to love themselves instead of destroying themselves. The developer should be included in the process and given control over new tenants. They should have more power to evict tenants based on health and safety concerns. The process of eviction should be streamlined.
- The rules on mortgages need to be amended to make mortgages on lease land easier to obtain. It is not possible to get mortgages and loans when retired. Residents want assurance that the banks would give buyers a 25 year mortgage, without the problem of prepaying beyond 2046.
- The timeline for the RPRP is vital due to the possibility of a political party change in the next civic election which could delay the process.
- There is support for the "land trust" idea being proposed.
- The survey was long and challenging. There should have been questions asking residents if they'd prefer to stay in existing buildings. It design of the survey assumed that the answer to question 1 was affirmative - that's false. It was released in the lead up to Christmas so there may be a low response rate. Please do not use only the responses given here as your sole guidance and "community engagement". Since this is a "provisional" plan, it

has been filled out in good faith that there will be further opportunities for input. This is a very important issue, which requires thought and digestion. But the implications will only become clear further down the line.

**Which of the following describes you? I...**

Response	Chart	Percentage	Count
Live in False Creek South		88.5%	46
Live close to False Creek South		9.6%	5
Live elsewhere in Vancouver		1.9%	1
Own property in False Creek South but live somewhere else		0.0%	0
Other, please specify...		1.9%	1
		<b>Total Responses</b>	<b>52</b>

**Which of the following describes you? I... (Other, please specify...)**

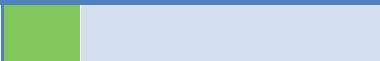

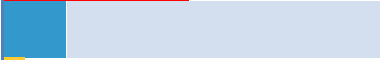

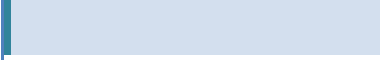
#	Response
1.	We are a social housing provider

**What type of housing do you live in?**

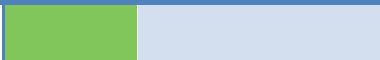
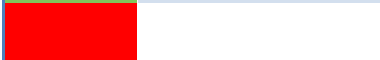

Response	Chart	Percentage	Count
Co-operative Housing		23.9%	11
Non-market/Social Housing		4.3%	2
Live Aboard Boat Co-op		0.0%	0
Community Care Facility		0.0%	0
Market Rental Housing		4.3%	2
Strata Leasehold		67.4%	31
Other, please specify...		0.0%	0
		<b>Total Responses</b>	<b>46</b>






**Including yourself, how many people live in your household?**

Response	Chart	Percentage	Count
1		21.6%	11
2		52.9%	27
3		17.6%	9
4		5.9%	3
5		2.0%	1
6		0.0%	0
7 or more		0.0%	0
		<b>Total Responses</b>	<b>51</b>

**If applicable, do you have children of these ages living at your house?**

Response	Chart	Percentage	Count
0-5		38.5%	5
6-12		38.5%	5
13-17		46.2%	6
		<b>Total Responses</b>	<b>13</b>

**Do you primarily identify as....?**

Response	Chart	Percentage	Count
Female		60.8%	31
Male		37.3%	19
Transgender		0.0%	0
None of the above, I identify as		0.0%	0
Prefer not to say		2.0%	1
		<b>Total Responses</b>	<b>51</b>









**Which age category do you fall in?**

Response	Chart	Percentage	Count
Under 15 years		0.0%	0
15-19 yrs		0.0%	0
20-29 yrs		0.0%	0
30-39 yrs		3.9%	2
40-49 yrs		11.8%	6
50-59 yrs		17.6%	9
60-69 yrs		39.2%	20
70-79 yrs		23.5%	12
80 yrs or over		3.9%	2
		<b>Total Responses</b>	<b>51</b>

**Which of the following categories best describes your total household income before taxes?**

Response	Chart	Percentage	Count
Under \$40,000		17.6%	9
\$40,000 to under \$60,000		15.7%	8
\$60,000 to under \$80,000		11.8%	6
\$80,000 to under \$100,000		17.6%	9
\$100,000 to under \$150,000		11.8%	6
\$150,000 and above		9.8%	5
Prefer not to say		15.7%	8
		<b>Total Responses</b>	<b>51</b>

**How did you hear about this opportunity to comment on the Resident Protection and Retention Plan?**

Response	Chart	Percentage	Count
Direct mail / Notification card		45.1%	23
Newspaper ad		0.0%	0
Vancouver.ca		13.7%	7
Facebook		0.0%	0
Twitter		2.0%	1
Family/Friends (word of mouth)		17.6%	9
Poster or site sign		5.9%	3
Other, please specify...		45.1%	23
<b>Total Responses</b>			<b>51</b>

**How did you hear about this opportunity to comment on the Resident Protection and Retention Plan? (Other, please specify...)**

#	Response
1.	Committee involvement in the FCSNA
2.	*RePlan
3.	From the local organizations here in FCS
4.	Email
5.	Through FCSNA
6.	False creek South Neighbourhood Association
7.	Part of *RePlan since 2014
8.	email
9.	Attended on-site open house
10.	meetings at coop
11.	Information given by the Strata Association
12.	Strata Leaseholders Subcommittee of *RePlan
13.	Co-op False Creek South Association
14.	Email
15.	*RePlan
16.	Have attended some of the City workshops held in the last few months
17.	email
18.	*RePlan, Housing Co-op Communications committee, and discussions with neighbours.
19.	Co-op Board; South False Creek Neighbourhood Assoc.
20.	FCSA newsletter email
21.	*RePlan
22.	through my co-op
23.	email notification / embedded in an official communication