

**Refers to Referral Report Item #3
Public Hearing of July 6, 2021**

MEMORANDUM

July 6, 2021

TO: Mayor and Council

CC: Paul Mochrie, City Manager
Karen Levitt, Deputy City Manager
Katrina Leckovic, City Clerk
Lynda Graves, Administration Services Manager, City Manager's Office
Maria Pontikis, Director, Civic Engagement and Communications
Anita Zaenker, Chief of Staff, Mayor's Office
Neil Monckton, Chief of Staff, Mayor's Office
Alvin Singh, Communications Director, Mayor's Office
Dan Garrison, Assistant Director, Housing Policy and Regulation, Planning,
Urban Design and Sustainability
Yardley McNeill, Assistant Director, Rezoning Centre, Planning, Urban Design
and Sustainability

FROM: Theresa O'Donnell
General Manager, Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 5107-5119 Main Street and 196 East 35th Avenue – Additional
Condition of Rezoning Approval for Tenant Relocation and Protection Policy

RTS #: 14511

This memorandum recommends an additional condition of enactment which requires the applicant to comply with the *Tenant Relocation and Protection Policy* (the "TRP Policy"). The TRP Policy applies to this application and the conditions of rezoning for the existing tenants were not previously included in the Referral Report dated May 25, 2021, titled "CD-1 Rezoning: 5107-5119 Main Street and 196 East 35th Avenue".

RECOMMENDATION

THAT the following additional condition of enactment be included with Part 2: Conditions of By-law Enactment of Appendix B:

“Housing

2.12 *Enter into a Section 219 Covenant and/or such other agreements as the General Manager of Planning, Urban Design and Sustainability and the Director of Legal Services determine are necessary to require the applicant to:*

- (a) *Provide a Tenant Relocation Plan to the satisfaction of the General Manager of Planning, Urban Design, and Sustainability as per the Tenant Relocation and Protection Policy that is effective at the time of submission of the Development Permit Application.*
- (b) *Provide a notarized declaration that demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.*
- (c) *Provide an Interim Tenant Relocation Report prior to issuance of the Demolition Permit. The Report must outline the names of any tenants who have ended their tenancy; the reason for its end (e.g. tenant decision or mutual agreement to end tenancy); the outcomes of their search for alternate accommodation (if assistance was requested by the tenant); the names of tenants still remaining in the building; the status of the applicant’s search for relocation options (if assistance was requested by the tenant) and/or additional assistance rendered, as required through their Tenant Relocation Plan.*

Note to Applicant: If a long period of time elapses between Public Hearing and before issuance of Demolition Permit, the City may request an additional Interim Tenant Relocation Report be submitted.

Provide a Final Tenant Relocation Report prior to issuance of the Occupancy Permit. The Report must outline the names of tenants; indicate the outcome of their search for alternate accommodations; summarize the total monetary value given to each tenant (moving costs, rents, any other compensation); and include a summary of all communication provided to the tenants.”

DISCUSSION

The TRP Policy extends policy coverage to projects involving consolidation of two or more lots that contain existing secondary rental. This includes single-family homes, basement suites, duplexes, or individually-rented condos where the new development is proposing five or more dwelling units.

The current application involves consolidation of three lots containing three secondary rental units. The three tenancies began in February, April, and May of 2018, and are eligible for provisions under the TRP Policy. The Conditions of By-law enactment associated with enforcing the TRP Policy were omitted in error. The conditions include securing a Tenant Relocation Plan effective at the time of the submission of the development permit application.

This additional recommendation requires approval of Council to ensure compensation is provided to the eligible tenant through the permitting process and prior to occupancy of the proposed rental building.

Regards,

A handwritten signature in black ink that reads "Theresa O'Donnell". The signature is written in a cursive, flowing style.

Theresa O'Donnell
General Manager
Planning, Urban Design and Sustainability
604.673.8434 | theresa.o'donnell@vancouver.ca