



APPLICATION FOR RENTAL REPLACEMENT PERMIT

Development & Housing Approvals
200 King Street West, 6th Floor
Kitchener ON N2G 4V6
General Inquiries: 519-741-2426; planning@kitchener.ca

USING THE APPLICATION FORM

This application form is to be used by *Applicants* seeking to redevelop *Residential Rental Property* or properties containing six or more rental *Dwelling Units* or *Dwelling Rooms*. The *Rental Replacement Permit* application is reviewed in conjunction with related applications made under the *Planning Act*. *Applicants* are required to obtain a *Rental Replacement Permit* when a *Planning Act* application will result in the *Demolition* or *Conversion* of six or more *Rental Units*. All properties subject to the *Planning Act* application and the *Dwelling Units* or *Dwelling Rooms* contained therein are considered subject to the *Rental Replacement Permit* application.

The *Applicant* has the responsibility to advise the City of Kitchener of any changes in ownership, agents, their names, addresses and telephone numbers etc. to ensure that they are advised of all matters pertaining to their application.

COMPLETENESS OF THIS APPLICATION

The information requested by this application form must be provided by the *Applicant* and will be used to process the request under the Rental Replacement By-law, which is drafted under Section 99.1 of the *Municipal Act*. Receipt of this application by the Development and Housing Approvals Division of the City of Kitchener initiates a process whereby the Director of Development and Housing Approvals or a member of their staff works with the *Applicant* and affected *Tenants* to determine the form of *Tenant* compensation, and to review the *Applicant's* proposal for replacing affected *Rental Units*.

Where a record of pre-submission consultation was provided as part of the related planning application, any material specified in the Record of pre-submission consultation related to an application of a rental replacement permit will be required as part of this application.

RELATED APPLICATIONS

Rental Replacement Permit applications can only be submitted in conjunction with a *Planning Act* application that provides for the *Demolition* of *Residential Rental Property* or the *Conversion* of *Residential Rental Property* to a purpose other than a *Residential Rental Property*, expressly or by necessary implication. The full list of *Related Planning Applications* can be found in the Definitions section of the City of Kitchener Rental Replacement By-law.

SUBMISSION REQUIREMENTS AND PERMIT FEES

Complete applications must be submitted by email to planning.applications@kitchener.ca (maximum 10 MB); for larger files please upload directly to the City's ShareFile account (contact us if you require access) with a corresponding email to advise that the application has been uploaded. Payment is due immediately following the digital submission. Send a cover letter (be sure to include the address of the subject property) along with the cheque (payable to the City of Kitchener) to Kitchener City Hall, Development & Housing Approvals Division, 200 King Street West, 6th Floor, Kitchener ON N2G 4V6.

NOTE: If the Rental Replacement By-Law involves requirements or agreements on the part of the applicant, a fee in the amount of \$1,000.00 (cash or cheque payable to the City of Kitchener) will apply.

An application will only be considered complete when all the following items have been provided:

- ☐ Application form (completed and signed)
- ☐ All supporting information and materials required to be provided with the initial submission pursuant to the Record of Pre-Submission Consultation (where applicable)
- ☐ Where applicable, a preliminary proposal for the replacement or retention of the *Rental Units* proposed for *Demolition* or *Conversion*.
- ☐ Copies of any site plan and/or floors plans submitted as part of the related planning application that also identify the location and size of the units in the replacement building to be provided as rental replacement units.

NOTICE SIGNS

Please note that all properties subject to an application for a *Rental Replacement Permit* are required to post notice signs in common areas (e.g., lobby, elevator, stairwell, amenity areas, amenity rooms) of all affected properties or other locations regularly accessed by *Tenants*. An example notice sign is provided in the guidelines.

RENTAL REPLACEMENT PERMIT PROCEDURE

Staff will process *Rental Replacement Permits* concurrently with *Related Planning Applications*. The procedure will generally encompass the following steps:

1. The application is reviewed by planning staff to ensure all prescribed information and the required fee has been provided. Within thirty (30) days of the receipt of an application the *Applicant* will be notified in writing of outstanding information required to process the application.
2. Staff will prepare a *Tenant* Information Package to be distributed both directly in hard copy to *Tenants* by the *Applicant* to their physical dwelling unit and sent by mail to *Tenants* by City staff. The *Tenant* Information Package will contain a description of all the *Tenant's* options for compensation as outlined in the Rental Replacement By-law.
3. Staff will work with the *Applicant* and *Tenants* to execute *Tenant Compensation Agreements*, which will detail the form of compensation to be provided to the *Tenant*. Where applicable, copies of all executed and registered agreements demonstrating all existing obligations to maintain the applicable units at affordable rates will be required. *Tenant Compensation Agreements* outline mutually agreeable compensation terms, and shall include the following:
 - a. In the case of Rent Waiver compensation:
 - i. A signed *Tenant Compensation Agreement* signed by the *Tenant* and *Applicant* showing the selected form of compensation and acknowledging that the *Tenant* will not pay the *Applicant* any rent for a twelve-month period starting the first day of the month after the agreement is signed, and that the *Tenant* will vacate the property at the end of that 12-month period. The agreement will also outline the *Applicants* obligation to provide a lump-sum financial payment as compensation for costs related to the *Tenant's* relocation.
 - ii. An *N11 Agreement to End the Tenancy* form signed by the *Tenant* and the *Applicant* indicating a mutually agreed upon end of tenancy date equal to that contained in the *Tenant Compensation Agreement*.
 - iii. Documentation of the transfer of the compensation for moving costs to the *Tenant*.
 - b. In the case of Rent Payout compensation:

- i. A signed *Tenant Compensation Agreement*, signed by the *Tenant* and the *Applicant*, showing the selected form of compensation and acknowledging that the *Tenant* will be financially compensated with a sum equal to ten times the amount of rent indicated on the rent roll submitted by the *Applicant*. The agreement will also state that the *Tenant* agrees to vacate the property before the last day of the second complete month following the signing of the agreement. The agreement will also outline the *Applicants* obligation to provide a lump-sum payment as compensation for costs related to the *Tenant's* relocation.
 - ii. An *N11 Agreement to End the Tenancy* form signed by the *Tenant* and the *Applicant* indicating a mutually agreed upon end of tenancy date equal to that contained in the *Tenant Compensation Agreement*.
 - iii. Documentation of the transfer of the financial compensation, or 'rent payout, described above to the affected *Tenant*.
 - iv. Documentation of the transfer of the lump-sum compensation for moving costs to the *Tenant*.
- c. In the case of a Temporary Replacement Unit compensation:
- i. *Tenant Compensation Agreement*, signed by the *Tenant* and the *Applicant*, showing the selected form of compensation, and acknowledging that the *Applicant* will secure and sublease a comparable *Rental Unit* for the *Tenant* for a period of either 10 years or until the permanent rental replacement unit is completed. The agreement will indicate that the unit will be rented at the same rate as listed in the rent roll provided as part of this application, and that in all other respects, the rental agreement will be subject to the terms and conditions of the *Residential Tenancies Act*. The agreement will also outline the *Applicant's* obligation to provide a lump-sum payment as compensation for costs related to the *Tenant's* relocation.
 - ii. An *N11 Agreement to End the Tenancy* form signed by the *Tenant* and the *Applicant* indicating a mutually agreed upon end of tenancy date consistent with that contained in the *Tenant Compensation Agreement*.
 - iii. Copies of the lease agreement between the *Applicant* and a third party securing the lease of a comparable *Rental Unit*, and a copy of the sublease agreement for that unit between the *Tenant* and the *Applicant* indicating a rent equal that the *Tenant* is paying in their existing *Rental Unit*.
 - iv. Documentation of the transfer of the lump-sum compensation for moving costs to the *Tenant*.
4. Upon receipt and review of the documentation listed above, Staff will prepare report containing a recommendation and any conditions of approval, if required.
5. If recommended for approval, the Director will approve a *Rental Replacement Permit*. The Director may refer an application to City Council for a decision if, in the Director's opinion, the application should be considered by Council with a Related Planning Application, or if in the opinion of the Director, the application requires Council consideration. If a decision regarding an application has been referred to Council by the Director under section 25 of this By-law, the Director shall submit a report respecting the application to Council.



APPLICATION FOR RENTAL REPLACEMENT PERMIT

Development & Housing Approvals

200 King Street West, 6th Floor

Kitchener ON N2G 4V6

General Inquiries: 519-741-2426; planning@kitchener.ca

1. REGISTERED OWNER (list on additional page if required)

Name(s): _____	Phone: _____
Company (if applicable): _____	Extension: _____
Street Address: _____	Email: _____
City/Province: _____	Postal Code: _____

2. **APPLICANT** (if other than registered owner)

Name: _____	Phone: _____
Company (if applicable): _____	Extension: _____
Street Address: _____	Email: _____
City/Province: _____	Postal Code: _____

3. ALL PERSONS OR INSTITUTIONS WHO HAVE ANY MORTGAGE CHARGE OR ENCUMBRANCE ON THE PROPERTY

Name: _____	Phone: _____
Company (if applicable): _____	Extension: _____
Street Address: _____	Email: _____
City/Province: _____	Postal Code: _____

4. PRE-SUBMISSION CONSULTATION

a) Has the *Planning Act* application related to the *Rental Replacement Permit* application been the subject of a pre-submission consultation meeting with Planning Division staff? Yes ☐ No ☐ Waived ☐

b) If yes, what was the date of pre-submission consultation? _____

Has a copy of the Record of Pre-submission Consultation been included? Yes ☐ No ☐

NOTE: The Record of Pre-submission Consultation documents the required information and materials that must be submitted in conjunction with the application form and fees. The Record is used by staff to determine whether the application is complete and acts as a receipt for any pre-submission consultation fees that you may have paid.

5. DETAILS OF SUBJECT LAND

- a) Municipal address of property subject to application: _____
- b) Legal description of subject property (include lot & registered plan number and parts on reference plan):

- c) Date subject land was acquired by current owner: _____

6. DESCRIPTION OF THE PROPOSED *DEMOLITION* OR *CONVERSION*

What is the purpose of the proposed *Demolition* or *Conversion* of Rental Units?

Number of Units Being Demolished: _____

Number of Units Being Converted _____

7. PROPOSED *TENANT* ENGAGEMENT PLAN (See Guidelines for more detail)

How do you propose to inform *Tenants* about the *Conversion* or *Demolition* of their *Dwelling Units* and their compensation options under the Rental Replacement By-law?

8. PROPOSED REPLACEMENT UNITS

Please provide the information about the proposed rental replacement units in Appendix A.

Please describe the location of the proposed replacement units in the replacement building(s) as they relate to the remainder of the residential component (if applicable) proposed in the new development.

9. PROJECT SCHEDULE

Milestone	Date (DD/MM/YYYY)
Building Vacancy	
<i>Demolition</i> Begins	
Construction Begins	
Construction Complete	
Building Occupancy	

10. RENT ROLL

Refer to the end of this document (Appendix B) for the rent roll.

11. RELATED PLANNING APPLICATIONS

a) List any *Planning Act* applications related to the municipal address subject to this application.

Application Type: _____

Application Number (if known): _____

Status: Submitted ☐ Complete ☐ Approved ☐

Application Type: _____

Application Number (if known): _____

Status: Submitted ☐ Complete ☐ Approved ☐

Application Type: _____

Application Number (if known): _____

Status: Submitted ☐ Complete ☐ Approved ☐

Application Type: _____

Application Number (if known): _____

Status: Submitted ☐ Complete ☐ Approved ☐

Application Type: _____

Application Number (if known): _____

Status: Submitted ☐ Complete ☐ Approved ☐

ACKNOWLEDGEMENT

- ☐ I acknowledge that submission of this application constitutes consent for authorized municipal staff to enter upon the subject property for the purpose of conducting site visits, including photographs, which are necessary for the evaluation of this application.
- ☐ I acknowledge that the information requested on this form, and submitted with this application, is collected under the authority of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, and the provisions of the Municipal Freedom of Information and Protection of Privacy Act. The information is required in order to process this application and forms part of the public record. I understand and agree that the information provided within this application may be published on the City of Kitchener website and therefore be publicly accessible. Questions about this collection can be made to City of Kitchener Planning Division at 519-741-2426.
- ☐ I acknowledge that, to facilitate the City's compliance with O. Reg. 191/11 *Integrated Accessibility Standards* under the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11., the Consultant/Contractor shall provide any final report and any other document identified by the Project Manager/City Representative as intended City/Client website content in an accessible format that complies with the World Wide Web Consortium Web Content Accessibility Guidelines 2.0 AA [other than success criteria 1.2.4. Captions (Live) and success criteria 1.2.5 Audio Descriptions (Pre-Recorded)]. However, this requirement shall not apply to drawings, photos, maps, site plans, or other documents that the Project Manager/City Representative agrees cannot practicably be converted to an accessible format. For detailed information about AODA requirements and to find training resources, visit <https://aoda.ca/>.

Signature of Owner/Applicant: _____ Date: _____

AFFIDAVIT (to be completed *in person* in the presence of a Commissioner of Oaths)

I, _____, of the City/Town/Township of _____,
in the County/Region of _____, solemnly declare that the information contained in
this application is true, the information contained in the documents that accompany this application is true and
that the owner as of the day on which this application is made has unconditional ownership of the subject lands
and has disclosed any agreements or encumbrances that apply to the subject lands.

Signature of Owner/Applicant: _____

Declared before me at the

City/Town/Township of _____ in the County/Region of _____

this _____ day of _____, 20 _____.

Commissioner of Oaths: _____

The personal information contained on this form is collected pursuant to the Planning Act and will be used for the purpose of responding to your application. If you have any questions on the gathering of personal information, please contact the Manager of Corporate Records & Archive Services at 519-741-2200 ext. 7766.

A city for everyone

Working together • Growing thoughtfully • Building community

Appendix A: Proposed Rental Replacement Building

Unit	# of bedrooms	# of bathrooms	Laundry	Storage	Parking	Rent (\$)	Utilities (\$)
	_____ Bedroom(s)	_____ Full	<input type="checkbox"/> In Unit	_____ Size			Water: _____
	_____ Den(s)	_____ Half	<input type="checkbox"/> Shared	_____ Cost	\$ _____	\$ _____/m	Gas: _____
	_____ Dwelling Room(s)	_____ Shared	<input type="checkbox"/> None				Electricity: _____
	_____ Bedroom(s)	_____ Full	<input type="checkbox"/> In Unit	_____ Size			Water: _____
	_____ Den(s)	_____ Half	<input type="checkbox"/> Shared	_____ Cost	\$ _____	\$ _____/m	Gas: _____
	_____ Dwelling Room(s)	_____ Shared	<input type="checkbox"/> None				Electricity: _____
	_____ Bedroom(s)	_____ Full	<input type="checkbox"/> In Unit	_____ Size			Water: _____
	_____ Den(s)	_____ Half	<input type="checkbox"/> Shared	_____ Cost	\$ _____	\$ _____/m	Gas: _____
	_____ Dwelling Room(s)	_____ Shared	<input type="checkbox"/> None				Electricity: _____
	_____ Bedroom(s)	_____ Full	<input type="checkbox"/> In Unit	_____ Size			Water: _____
	_____ Den(s)	_____ Half	<input type="checkbox"/> Shared	_____ Cost	\$ _____	\$ _____/m	Gas: _____
	_____ Dwelling Room(s)	_____ Shared	<input type="checkbox"/> None				Electricity: _____
	_____ Bedroom(s)	_____ Full	<input type="checkbox"/> In Unit	_____ Size			Water: _____
	_____ Den(s)	_____ Half	<input type="checkbox"/> Shared	_____ Cost	\$ _____	\$ _____/m	Gas: _____
	_____ Dwelling Room(s)	_____ Shared	<input type="checkbox"/> None				Electricity: _____
	_____ Bedroom(s)	_____ Full	<input type="checkbox"/> In Unit	_____ Size			Water: _____
	_____ Den(s)	_____ Half	<input type="checkbox"/> Shared	_____ Cost	\$ _____	\$ _____/m	Gas: _____
	_____ Dwelling Room(s)	_____ Shared	<input type="checkbox"/> None				Electricity: _____
	_____ Bedroom(s)	_____ Full	<input type="checkbox"/> In Unit	_____ Size			Water: _____
	_____ Den(s)	_____ Half	<input type="checkbox"/> Shared	_____ Cost	\$ _____	\$ _____/m	Gas: _____
	_____ Dwelling Room(s)	_____ Shared	<input type="checkbox"/> None				Electricity: _____
	_____ Bedroom(s)	_____ Full	<input type="checkbox"/> In Unit	_____ Size			Water: _____
	_____ Den(s)	_____ Half	<input type="checkbox"/> Shared	_____ Cost	\$ _____	\$ _____/m	Gas: _____
	_____ Dwelling Room(s)	_____ Shared	<input type="checkbox"/> None				Electricity: _____

Appendix B: Rent Roll of Existing Building

Unit #	# of Bedrooms	# of Bathrooms	Laundry	Storage	Parking	Rent (\$)	Utilities (\$)	Last Name	First Name	End of Tenancy (if Vacant)	Phone / Email
_____	_____ Bedroom(s) _____ Den(s) _____ Dwelling Room(s)	_____ Full _____ Half _____ Shared	<input type="checkbox"/> In Unit <input type="checkbox"/> Shared <input type="checkbox"/> None	Est. Size: _____ Cost: _____	Cost: _____	\$_____ / month	Water_____ Gas_____ Electricity_____	_____	_____	_____	_____ _____ _____
_____	_____ Bedroom(s) _____ Den(s) _____ Dwelling Room(s)	_____ Full _____ Half _____ Shared	<input type="checkbox"/> In Unit <input type="checkbox"/> Shared <input type="checkbox"/> None	Est. Size: _____ Cost: _____	Cost: _____	\$_____ / month	Water_____ Gas_____ Electricity_____	_____	_____	_____	_____ _____ _____
_____	_____ Bedroom(s) _____ Den(s) _____ Dwelling Room(s)	_____ Full _____ Half _____ Shared	<input type="checkbox"/> In Unit <input type="checkbox"/> Shared <input type="checkbox"/> None	Est. Size: _____ Cost: _____	Cost: _____	\$_____ / month	Water_____ Gas_____ Electricity_____	_____	_____	_____	_____ _____ _____
_____	_____ Bedroom(s) _____ Den(s) _____ Dwelling Room(s)	_____ Full _____ Half _____ Shared	<input type="checkbox"/> In Unit <input type="checkbox"/> Shared <input type="checkbox"/> None	Est. Size: _____ Cost: _____	Cost: _____	\$_____ / month	Water_____ Gas_____ Electricity_____	_____	_____	_____	_____ _____ _____
_____	_____ Bedroom(s) _____ Den(s) _____ Dwelling Room(s)	_____ Full _____ Half _____ Shared	<input type="checkbox"/> In Unit <input type="checkbox"/> Shared <input type="checkbox"/> None	Est. Size: _____ Cost: _____	Cost: _____	\$_____ / month	Water_____ Gas_____ Electricity_____	_____	_____	_____	_____ _____ _____
_____	_____ Bedroom(s) _____ Den(s) _____ Dwelling Room(s)	_____ Full _____ Half _____ Shared	<input type="checkbox"/> In Unit <input type="checkbox"/> Shared <input type="checkbox"/> None	Est. Size: _____ Cost: _____	Cost: _____	\$_____ / month	Water_____ Gas_____ Electricity_____	_____	_____	_____	_____ _____ _____
_____	_____ Bedroom(s) _____ Den(s) _____ Dwelling Room(s)	_____ Full _____ Half _____ Shared	<input type="checkbox"/> In Unit <input type="checkbox"/> Shared <input type="checkbox"/> None	Est. Size: _____ Cost: _____	Cost: _____	\$_____ / month	Water_____ Gas_____ Electricity_____	_____	_____	_____	_____ _____ _____
_____	_____ Bedroom(s) _____ Den(s) _____ Dwelling Room(s)	_____ Full _____ Half _____ Shared	<input type="checkbox"/> In Unit <input type="checkbox"/> Shared <input type="checkbox"/> None	Est. Size: _____ Cost: _____	Cost: _____	\$_____ / month	Water_____ Gas_____ Electricity_____	_____	_____	_____	_____ _____ _____
_____	_____ Bedroom(s) _____ Den(s) _____ Dwelling Room(s)	_____ Full _____ Half _____ Shared	<input type="checkbox"/> In Unit <input type="checkbox"/> Shared <input type="checkbox"/> None	Est. Size: _____ Cost: _____	Cost: _____	\$_____ / month	Water_____ Gas_____ Electricity_____	_____	_____	_____	_____ _____ _____
_____	_____ Bedroom(s) _____ Den(s) _____ Dwelling Room(s)	_____ Full _____ Half _____ Shared	<input type="checkbox"/> In Unit <input type="checkbox"/> Shared <input type="checkbox"/> None	Est. Size: _____ Cost: _____	Cost: _____	\$_____ / month	Water_____ Gas_____ Electricity_____	_____	_____	_____	_____ _____ _____
_____	_____ Bedroom(s) _____ Den(s) _____ Dwelling Room(s)	_____ Full _____ Half _____ Shared	<input type="checkbox"/> In Unit <input type="checkbox"/> Shared <input type="checkbox"/> None	Est. Size: _____ Cost: _____	Cost: _____	\$_____ / month	Water_____ Gas_____ Electricity_____	_____	_____	_____	_____ _____ _____
_____	_____ Bedroom(s) _____ Den(s) _____ Dwelling Room(s)	_____ Full _____ Half _____ Shared	<input type="checkbox"/> In Unit <input type="checkbox"/> Shared <input type="checkbox"/> None	Est. Size: _____ Cost: _____	Cost: _____	\$_____ / month	Water_____ Gas_____ Electricity_____	_____	_____	_____	_____ _____ _____