PROVINCIAL POLICY MANUAL:

Tenant Protection Bylaws

Supporting Local Governments with Guidance on the new Tenant Protection Bylaws authority

BC Ministry of Housing and Municipal Affairs
March 2025



Land Acknowledgement

The Province of British Columbia acknowledges the territories of First Nations around B.C. and is grateful to carry out our work on these lands. We acknowledge the rights, interests, priorities, and concerns of all Indigenous Peoples - First Nations, Métis, and Inuit - respecting and acknowledging their distinct cultures, histories, rights, laws, and governments.

Preface

This policy manual was developed through collaboration among the Province, local governments, tenant advocates, and representatives from the development community.

We would like to thank all the participants involved in the development of this manual, including staff from various provincial government departments, local governments through British Columbia, non-profit organizations supporting tenants, and developers who provided important feedback.

Disclaimer

This Policy Manual is designed to assist local governments in understanding the amendments that enable tenant protections and highlight important considerations for muncipalities when designing Tenant Protection Bylaws. This Policy Manual should not be referenced as legal advice, nor does it supercede legislation. This Policy Manual does not take into account individual circumstances and situations. It is advised to seek legal counsel as needed.

Table of Contents

INTRODUCTION 1

Purpose of the Policy Manual 1

What are Tenant Protection Bylaws (TPBs)? 4

PART 1 – LEGISLATIVE OVERVIEW 6

Community Charter 7

Local Government Act 7

Exclusions 8

PART 2 – RELATIONSHIP TO THE *RESIDENTIAL TENANCY ACT* 9

PART 3 – IMPLEMENTING TENANT PROTECTION BYLAWS 12

Overview of Authority 12

Monitoring 13

Amending the Official Community Plan to Support Tenant Protections 16

Step-by-Step Guidance on Implementing Tenant Protections 22

Considerations in Developing a Tenant Protection Bylaw 28

Resources 29

PART 4 – RELATIONSHIP TO OTHER HOUSING INITIATIVES 30

Transit Oriented Areas 30

Inclusionary Zoning and Density Bonusing 30

Development Cost Changes + Amenity Cost Changes 32

PART 5 – IMPLICATIONS ON RESIDENTIAL RENTAL DEVELOPMENT 34

Development Permit Areas 34

Scale of Development and Right of First Refusal (ROFR) 34

Interacting with Other Housing Initiatives and Overall Feasibility 35

Housing Market Context *35*

PART 6 – COMPLIANCE + ENFORCEMENT 37

Compliance via the Development Permitting Process *37*

Compliance via Bylaw Enforcement *38*

APPENDIX A – LEGISLATIVE AUTHORITY 40

APPENDIX B – TENANT PROTECTION BYLAW MEASURES 48

APPENDIX C – ENGAGEMENT SESSIONS 60

LIST OF FIGURES

Figure 1: Legislative Amendments 6
Figure 2: Tenant Protection Bylaw and *Residential Tenancy Act* Infographic 10
Figure 3: Steps to Amend the Official Community Plan for Tenant Protections..... 19
Figure 4: Step-by-Step Guidance on Implementing Tenant Protections 23
Figure 5: Example Development Process with Compliance to Tenant Protection Bylaw 27

LIST OF TABLES

Table 1: Bylaw Enforcement Options 38
Table 2: Measures Available for Municipalities to include within a Tenant Protection Bylaw 49
Table 3: Engagement Participant List..... 61

Introduction

Purpose of the Policy Manual

In Fall 2023, the Province of British Columbia passed a series of legislative amendments collectively referred to as the Local Government Housing Initiatives (LGHI), to encourage a more pro-active approach to planning and zoning, enabling local governments to deliver more housing in the right locations and at a faster pace. This shift towards pro-active planning will enable local governments to better monitor the impacts of redevelopment and enable municipalities to support tenants facing eviction from redevelopment.

TENANT DISPLACEMENT CONTEXT

Impacts of Eviction

Eviction often has significant negative effects on renters. In research done by First United through their BC Eviction Mapping project[1], evicted tenants reported many adverse impacts, including:

- Homelessness, including people who ended up couch surfing, living in vehicles, shelters, and on the street.
- For those who did find a new home, significantly increased housing costs and lower quality housing (e.g., smaller, inadequate for families, less secure, poorly maintained).
- Family separation, including relocation of children away from parents due to lack of appropriate housing.

[1] First United: BC Eviction Mapping. 2025. https://firstunited.ca/how-we-help/bc-eviction-mapping/

- Negative mental health impacts, including stress, anxiety, depression, and suicidality, and negative mental health impacts on children.
- Negative job and family impacts, including increased commuting time and costs.
- Forced relocation to new neighbourhoods and cities, with associated disruption to children's schooling, social life, and relationships.
- Involuntary co-living situations, such as taking on roommates, sleeping in living rooms, and moving in with parents.
- Losing a sense of community belonging, after having lived in the same neighbourhood for years or even decades[2].

Large Rent Increases

Evicted tenants in both urban and rural areas face large rent increases. 17.5% of surveyed evicted tenants faced a rent increase of between $500-$1000 per month. While Indigenous tenants only make up 6.5% of tenant households in B.C., they made up 14% of the evicted tenants in the study. Indigenous tenants faced disproportionately large rent increases. Among surveyed Indigenous tenants, 6% of respondents faced a $1000 or more monthly rent increase, 19% faced $500-$1000 more per month, and 16% faced up to $500 per month.

Community Displacement

Tenants who face eviction often experience community displacement (80% of respondents), meaning they are forced to leave the neighbourhood where they live. Displacement due to eviction was found across all household income levels (from under $10,000 to over $100,000). The proportion of community displacement was highest for the lowest income group, in which

[2] First United. BC Eviction Mapping: Interim Report. May 2023. https://admin.firstunited.ca/app/uploads/2023/04/FirstUnited_BCEvictionMap_InterimReport.pdf

92% of people were forced to leave their neighborhoods after eviction. While the levels of displacement declined with increasing income, even 62% of tenants in the highest income group ($100,000 and over) were displaced from their neighbourhoods after eviction.

Risk of Homelessness

More than a quarter of the survey respondents reported that after being evicted, they had not found a new place to live at the time they completed the survey. 45% of Indigenous survey respondents did not find a new place to rent (compared with 27% of respondents overall). First United quote Metis-Cree scholar Jessie Thistle in noting that an understanding of Indigenous homelessness also considers displacement from relationships to land, water, place, family, kin, animals, cultures, languages and identities[3].

NEW TENANT PROTECTION AUTHORITIES

In Spring 2024, the Legislative Assembly of British Columbia made amendments to various legislation, including the *Community Charter (CC)* and the *Local Government Act (LGA).* The changes enable local governments to create a new type of Development Permit Area (DPA) for tenant protections, as well as require Development Approval Information (DAI) on tenant impacts due to redevelopment. Select amendments (identified in Appendix A) provide municipalities the authority to create Tenant Protection Bylaws (TPBs) and require compliance to the TPB via the development permitting process. This is an enabling authority, meaning that municipalities have the option to develop TPBs, but are not required. The advantage of TPBs is to enhance municipality's ability to build more affordable, livable and complete communities. This includes reducing the negative impact on, and providing more supports for, tenants displaced due to redevelopment.

[3] First United. BC's Eviction Crisis: Evidence, Impacts and Solutions for Justice. November 2023. https://admin.firstunited.ca/app/uploads/2023/11/First-United_BCs-Eviction-Crisis_Evidence-Impacts-and-Solutions-for-Justice.pdf Ibid.

Regional Districts are included in the amendments under the *LGA*, specifically enabling them to require DAI on tenant impacts due to redevelopment. Regional Districts not impacted by the amended legislation under the *Community Charter,* meaning they do not have the same authority to develop TPBs.

It is important to note that, for the purposes of the amended legislation that enable TPBs, redevelopment specifically refers to tenant displacement caused by demolition, not renovation and repairs. Additionally, the legislation enables municipalities to impose obligations on owners of redeveloped properties in relation to residential tenants whose tenancies are terminated with respect to that redevelopment. It does not empower municipalities to impose owner-obligations relating to commercial tenants displaced by redevelopment. See Appendix A for specific definitions under these amendments.

This Policy Manual is designed to assist municipalities in British Columbia interested in implementing Tenant Protection Bylaws, as well as local governments interested in collecting development approval information on tenants who may be displaced by a redevelopment.

The manual includes:

- An overview of the legislative authority for TPBs and DPAs;
- A detailed outline of the steps municipalities can take to implement and enforce TPBs; and
- Key considerations along with examples for practical reference.

Local governments, the development community, and tenant advocate groups were engaged in the development of this manual, with four engagement sessions held virtually in December 2024. See Appendix C for a full list of participants.

What are Tenant Protection Bylaws (TPBs)?

The amended *Community Charter* grants municipalities the authority to create TPBs. TPBs can require owners of residential properties that are the subject of a proposed redevelopment to

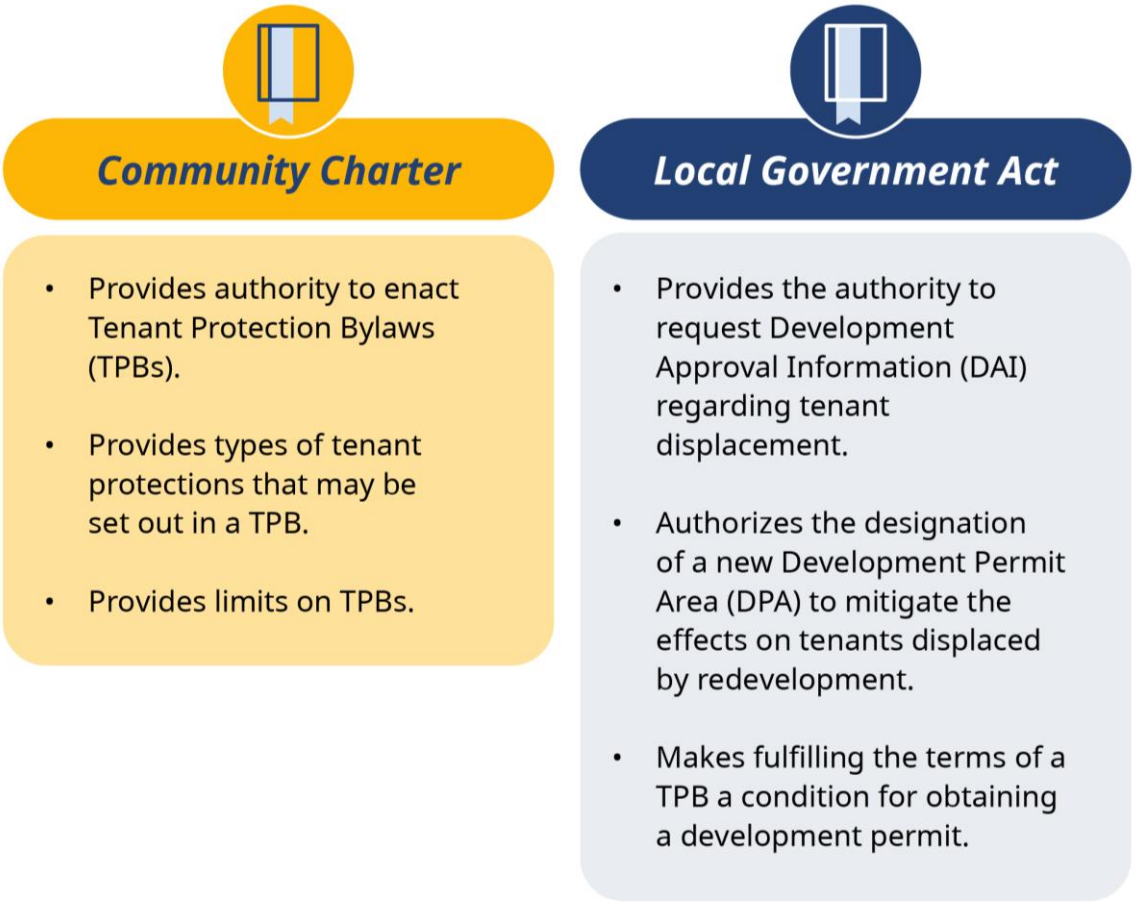
offer support to tenants of rental units whose tenancy agreement is terminated in relation to that proposed redevelopment. Support may include financial assistance, moving assistance, help with finding new housing, or the right to enter into a new tenancy agreement with the owner in relation to a rental unit in a property in which the owner has an interest.

By providing municipalities with this new authority, the amended legislation helps ensure densification efforts can continue while addressing the negative impacts on displaced tenants. A detailed overview of TPBs is provided in Part 3 – Implementing Tenant Protection Bylaws.

Part 1 – Legislative Overview

The authority for municipalities to create TPBs is provided by the *Community Charter,* which outlines the powers of municipalities regarding adopting TPBs. The amendments to the *Local Government Act* offer tools that assist municipalities to better manage compliance with TPBs and may allow regional districts to gather information about and more effectively address the potential impacts of redevelopment in their communities. For a detailed list of these legislative amendments, refer to Appendix A.

Figure 1: Legislative Amendments



Community Charter

Sections 63 of the *Community Charter* expands the authority of municipalities to enact TPBs. With this authority, a Council may regulate, prohibit, and impose requirements to ensure the health, safety, or protection of people or property. This includes protection of tenants.

- Section 63.1 provides definitions in relation to tenant protection.
- Section 63.2 provides authority to include one or more of a list of tenant protections.
- Section 63.3 sets out limits on TPBs.

Local Government Act

Under the *Local Government Act*, the following sections apply to all local governments:

- Section 484 (f) allows local governments to request Development Approval Information (DAI) on tenant displacement.
- Section 485 outlines what an OCP may include in relation to DAI. Including to specify circumstances and areas in which DAI may be required. This section also states that an OCP must describe the special conditions or objectives that justify the specification or designation.
- Section 488 (1) (k) provides authority to designate DPAs for the purpose of mitigating the effects of displacement on tenants who will be or have been displaced from their rental units in relation to a redevelopment or proposed redevelopment.

Under the *Local Government Act*, the following section applies only to municipalities:

- Section 491 (11) enables municipalities to require that an owner comply with TPBs as part of issuing a development permit.

Regional districts do not have the authority to enact TPBs, but they can require DAI on impacts to displaced tenants (in electoral areas). In requiring DAI on displacement, regional districts can monitor development and displacement trends.

Exclusions

The authority to create TPBs is granted through the *Community Charter* and applies to municipalities governed by this *Act*. As such, this authority does not extend to the City of Vancouver, which is governed by the *Vancouver Charter*, or local trust committees, which operate under the *Islands Trust Act*. The *Islands Trust Act* section 29 (1) (b) establishes that local trust committees do not have powers with respect to tenant protection matters. Note that Bowen Island Municipality will be able to use TPB authorities because they are incorporated as an island municipality and so have all the same powers and duties as a local government.

TPBs do not cover manufactured home parks; tenants in these parks are protected under the *Manufactured Home Park Tenancy Act (MHPTA),* including situations in which a park owner ends a tenancy to close or redevelop the park.

Part 2 – Relationship to the *Residential Tenancy Act*

TPBs do not replace or override the rights and responsibilities of landlords and tenants under the *RTA*. The Residential Tenancy Branch (RTB) is responsible for resolving tenancy disputes under the *RTA*.

Whether to use TPBs is a voluntary choice, enabled under legislation for municipalities to establish requirements for owners of redeveloped buildings where tenancies are terminated related to that redevelopment. A TPB may have obligations for owners to assist tenants facing eviction due to that redevelopment. If an owner does not comply with the requirement of a TPB, the municipality is responsible for taking any necessary enforcement actions. The Residential Tenancy Branch does not have a role in enforcing TPBs.

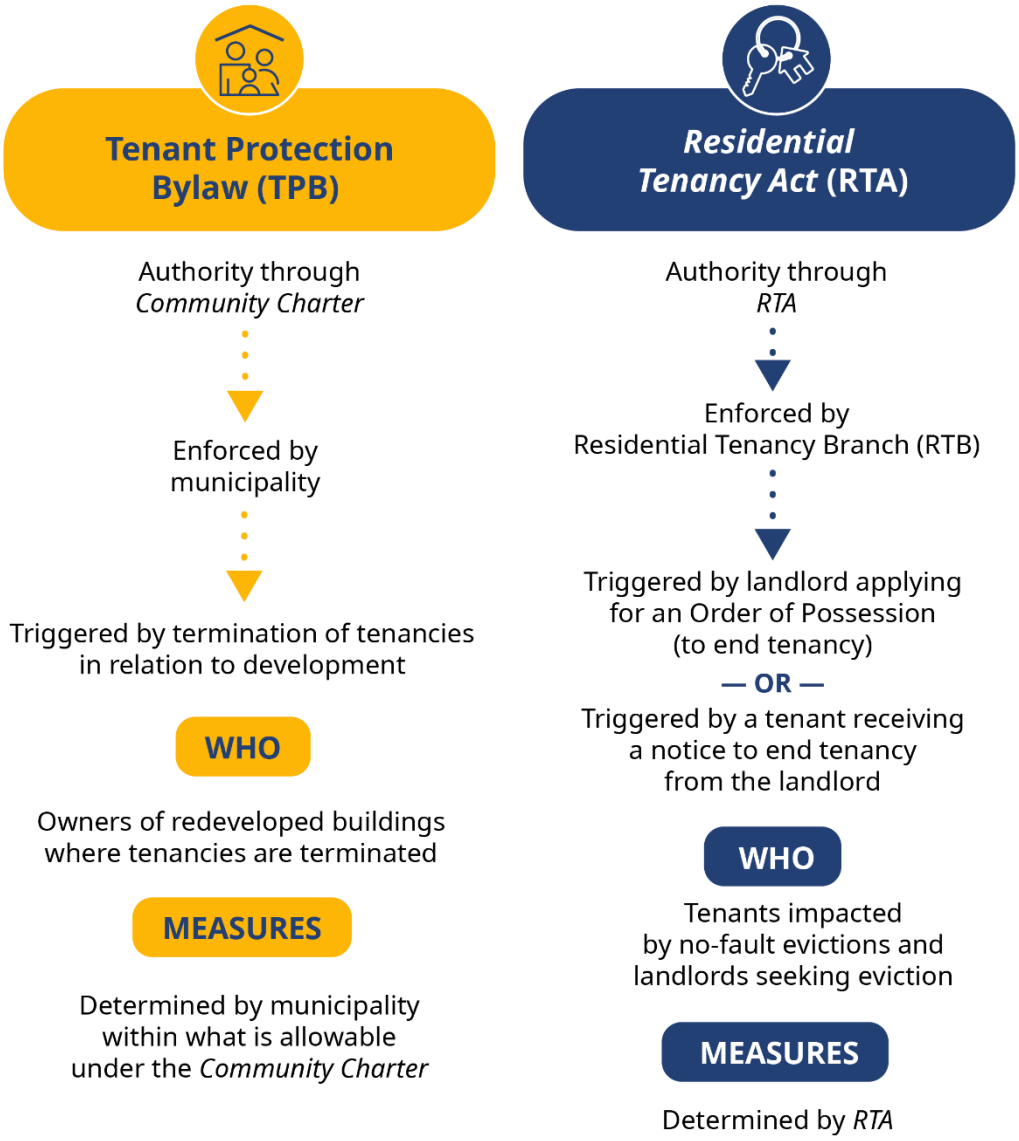
TPBs may only apply to owners of buildings where tenancies ended in relation to 'redevelopment' as defined in the *Community Charter,* s.63.1:

(a) to **demolish** residential property for the purpose of constructing a new structure on the parcel on which the property was located;

(b) to **partially demolish** residential property to the extent that one or more rental units within the residential property are completely and irreversibly destroyed.

The *RTA* applies to a broader range of no-fault evictions. For more information, please see the *Residential Tenancy Act* website on types of evictions.

Figure 2: Tenant Protection Bylaw and *Residential Tenancy Act* Infographic



Section 63.3 (2) of the *Community Charter* provides for situations where compensation may be payable under both schemes. Compensation under the *RTA* is triggered by the tenant receiving a notice to end tenancy from the landlord, under section 49. If an owner applies to the RTB for an Order of Possession to evict a tenant, they are obligated to pay one month's rent to the affected tenant. If the TPB also requires the owners to pay three months' rent in the event of a tenancy terminated in relation to redevelopment, the compensation payable under the *RTA* is deducted

from the amount payable under the TPB, meaning the owner would only be required to pay a total of three months' rent as compensation.

Tenant Protection Bylaw Coverage Considerations

- Definitions may differ across the *RTA* and *Community Charter* – be sure to review the definition within the legislation with which you are working.
    - A solicitor can assist municipalities with understanding how municipal bylaw-making powers and related definitions of rental unit and residential property relate to bylaw-making objectives.
- Encourage community members to enter into written tenancy agreements to protect themselves and qualify for support measures.
    - TPBs will cover a tenant of a rental unit whose tenancy agreement is terminated in relation to a proposed redevelopment. Whether a TPB covers subletters or roommates may be affected by the terms of a written tenancy agreement.
    - A solicitor can assist a municipality to understand how to best achieve the policy intent.

Part 3 – Implementing Tenant Protection Bylaws

Overview of Authority

The *Community Charter* provides explicit authority for municipalities to adopt TPBs as a tool to require owners of residential property that is the subject of a proposed redevelopment to address the impacts on existing tenants facing displacement. TPBs can require the owners of a residential property to provide one or more of the following:

- Advance notice or information with respect to a redevelopment, a proposed redevelopment or other matters outlined in the TPBs;
- Financial compensation for the termination of tenancy agreements;
- Financial and/or other assistance to find and relocate to comparable replacement units; and
- The opportunity to exercise rights to enter into a new tenancy agreement in another building owned by them at a particular rent level in comparable replacement units ('right of first refusal').
    - Sections 63.2 (b) and 63.2 (2) (c) (ii) of the *Community Charter* give municipalities the authority to define what a comparable unit is and the flexibility to stipulate that rental rates be less than those required by an applicable (inclusionary) zoning bylaw or housing agreement in the circumstance where one of those exists and would otherwise limit the bylaw's effect. However, the authority does not give municipalities the authority to set rental rates outright.

Under the *Community Charter*, TPBs may include one or more of the following provisions:

- The nature and extent of compensation and assistance, including how it is determined, how it is provided to tenants, and the timeline for its delivery;

- Whether notices or information provided to tenants should include details about other available assistance (e.g., financial compensation, relocation support, or a Right of First Refusal (ROFR)); and
- The types of buildings captured under the TPB (purpose-built rental, 3-5+ units, etc.);
- The definition of 'comparable replacement units' and how they align between relocation assistance and the ROFR;
- The characteristics of a comparable replacement unit, the circumstances in which assistance is to be provided to a tenant and the nature of the assistance to be provided in each situation.
    - For example, it may take an extended period (e.g., multiple years) before a tenant has access to a new unit under ROFR.
- Requirements for property owners who have, or will have after redevelopment, new rental units available to offer these units to displaced tenants in priority, at a rental rate lower than the market rate or the rate stipulated in applicable zoning bylaws or housing agreements (e.g., an affordable rate defined by inclusionary zoning or an existing housing agreement).
- A detailed description of TPB measures and examples are included in Appendix A.

In addition, under the *Local Government Act* :

- Municipalities may require adherence to TPBs as a condition of receiving a development permit; and
- Local governments may require information about the anticipated impacts of a proposed redevelopment to better understand the effect on displaced tenants ("development approval information").

Monitoring

The Province has enabled the ability for regulations to be created and will be monitoring the implementation of TPBs to ensure that these tools are achieving the intended outcome.

More information on local government housing initiatives is available on the Ministry of Housing website.

Please direct any questions to:

Ministry of Housing, Housing Policy Branch

Telephone: 250-387-6467

Email: housing.policy@gov.bc.ca

Right of First Refusal Considerations*

- Right of First Refusal (ROFR) has a higher uptake from eligible tenants when rental rates remain affordable, such as when rents stay the same or are near the same rental price that a tenant had before they became displaced.
- ROFR may have less uptake by displaced tenants when linked to market rents or a reduced portion of market rent (e.g., 20% below market rates).
- ROFR creates uncertainty and risk for owners, as it is difficult to predict how many tenants will choose to exercise it, as well as the potential costs, which can affect financial planning and project viability. When securing financing, owners may need to budget for 100% of potential ROFR uptake, although this rarely happens. These estimates may impact forecasting revenues, and the level of financing required.
- If municipalities choose to include ROFR in their TPBs, it will likely be most effective in larger-scale developments, where the owners will have a larger pool of units at market-rate rents that can offset ROFR rent, and where there will be a greater number of units available for tenants to access.
- Smaller development projects with lower density are less likely to be able to accommodate ROFR requirements effectively, which could create risk for the project.
- Examples outlined in Appendix B provide examples of ways to utilize ROFR, such as monitoring the effectiveness of ROFR by requiring owners to submit post-occupancy reports as part of the municipal permitting process.

*Considerations are based on feedback from local governments, developers, and tenant advocacy groups and do not represent requirements of legislation.

Amending the Official Community Plan to Support Tenant Protections

The *Local Government Act* grants the authority for local governments to amend the Official Community Plan (OCP) to support tenant protections. Both municipalities and regional districts have the authority to **designate Development Permit Areas (DPAs)** for the purpose of mitigating the effects on tenants who will be displaced from their rental units in relation to a redevelopment or proposed redevelopment. Both municipalities and regional districts also have the authority to **require Development Approval Information (DAI)** from owners on tenants who are or may be displaced by a redevelopment. To implement these requirements, local governments must amend their OCP.

DESIGNATING TENANT PROTECTION DEVELOPMENT PERMIT AREAS

For the purposes of this guide, DPAs for tenant protections will be called '**Tenant Protection DPAs**'. The spirit of the Tenant Protection DPA is to identify areas with development pressures and set expectations for owners to mitigate the effects of displacement on tenants in relation to redevelopment. By designating a Tenant Protection DPA, local governments can identify areas of their jurisdiction where special considerations or objectives may apply and specify guidelines respecting how those effects of displacement will be addressed. For more information on DPAs more generally, please see Development permit areas.

The Tenant Protection DPA(s) must include a description of the conditions or objectives that justify the need for these specifications and designations and specify the guidelines respecting the manner by which they will be addressed.

REQUIRING DEVELOPMENT APPROVAL INFORMATION

Local governments may also specify when **DAI** is required and/or designate specific areas where this requirement applies. To implement this requirement, local governments must create accompanying procedures and policies through a bylaw. These procedures should clearly define the types and extent of information required, as well as the format and method of submission.

STEPS TO AMEND THE OFFICIAL COMMUNITY PLAN TO SUPPORT TENANT PROTECTIONS

Designating a Tenant Protection DPA and requiring DAI both require OCP amendments and can be done simultaneously. These amendments are stand-alone changes and do not rely on one another. For example, requiring DAI can be done without designating a Tenant Protection DPA. Steps to designate a Tenant Protection DPA and require DAI are listed below.

Amend the OCP to:

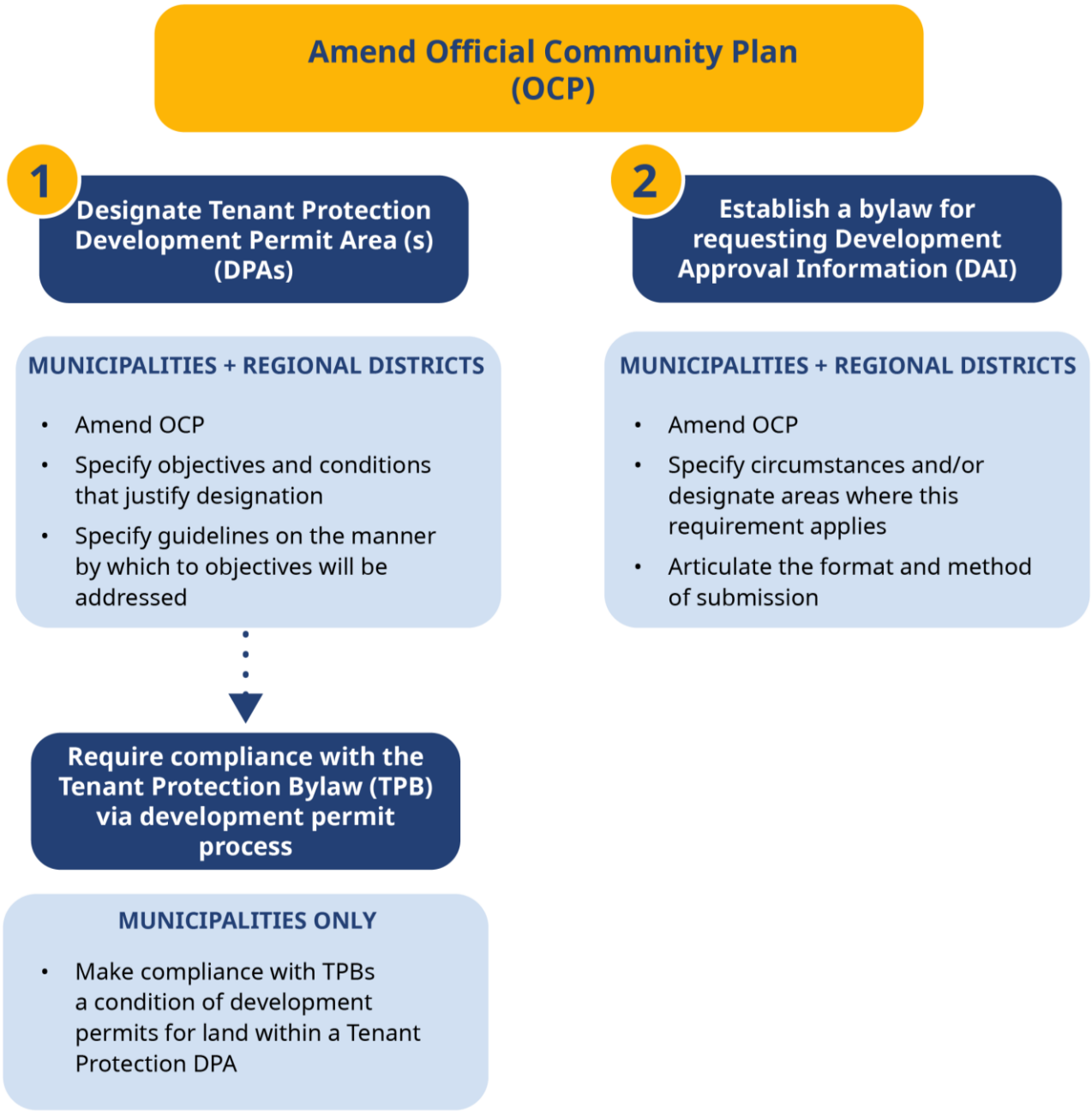
1. Designate one or more Tenant Protection DPAs within the OCP, specifying the objectives and conditions to justify the designation; and/or
2. Establish policies and procedures through a bylaw that outlines the process for requesting DAI (e.g., Development Procedures Bylaw), including the method and format of submission.

When determining the structure of Tenant Protection DPAs, local governments should consider the complexity of the framework, application process, and ability to implement requirements, particularly when developing a more complex DPA framework.

Tenant Protection Development Permit Area (DPA) Location Considerations

- **Areas with development pressure.** This could include an area that has been designated for high growth in an OCP or neighbourhood master plan, experiencing land assembly and consolidation, or in close proximity to desirable amenities, etc.
- **Areas with older residential housing stock and high growth potential.** This could include areas that have older rental buildings which have reached or are near the end of their life and are ready for redevelopment.
- **Areas experiencing both pressure and high growth.** A combination where the existing housing stock being old and on land anticipated for development intensification magnifies the case for a TPB. For example, sites where the land use density has increased since the building was initially developed, and/or the sites are now located within a designated Transit Oriented Area, etc.
- **The benefits of tenant protections in a given area**. Consider equity of offering tenants in different neighbourhoods different levels of support.
    - A single Tenant Protection DPA can be established and applied city-wide (a 'blanket approach'); or
    - Multiple Tenant Protection DPAs can be created for defined areas, each tailored to the specific context of those locations.

Figure 3: Steps to Amend the Official Community Plan for Tenant Protections



SPECIFIC AUTHORITY FOR MUNICIPALITIES

Section 491 of the *LGA* allows municipalities to make compliance with TPBs a condition of development permits for land within a Tenant Protection DPA. A development permit issued by the municipality may include requirements to comply with some or all aspects of a TPB. This authority to require compliance with development permits is **not** extended to regional districts as they do not have authority to develop a TPB.

If a municipality does not establish a Tenant Protection DPA, any TPBs will not be integrated into the development permit process, meaning they cannot require compliance to the TPB via a development permit. Instead, they will apply solely to rezoning applications and be enforced through standard bylaw enforcement mechanisms.

SPECIFIC CONSIDERATIONS FOR REGIONAL DISTRICTS

TPBs are expected to be most effective in high-growth, urban municipalities where there is significant demand for higher-density redevelopment of existing rental properties. While regional districts do **not** have the authority to create TPBs, they do have the authority to designate Tenant Protection DPAs and require property owners to provide DAI on the impacts of redevelopment on displaced tenants. Tenant Protection DPAs are primarily intended for municipalities yet can be used by regional districts to focus on specific areas of concern rather than monitoring the entire jurisdiction.

Collecting DAI on impacts of tenant displacement can help regional districts strengthen rental housing frameworks in their communities.

Examples of information that regional districts may consider requiring include:

- Total number of tenants who will be displaced as a result of the redevelopment;
- Current rates at which tenants are renting their units;
- Suitability of alternative units in the available housing inventory, such as number of accessible units and number of bedrooms;
- Rental rates in the new development.

This information can provide regional districts with an enhanced understanding of local rental market contexts in the electoral areas they are responsible for administering. This information can support the refinement and/or development of regional district housing and land use policies that aim to address local rental housing challenges.

Regional districts can also help coordinate the collection and dissemination of DAI collected by member municipalities. Such work could improve regional understandings of the rental market and tenant displacement concerns.

CONSIDERATIONS

Local governments may consider undertaking a local feasibility study before implementing specific Tenant Protection DPA requirements, assessing factors such as:

- The capital and ongoing costs for owners to provide specific tenant protection measures (e.g., cost of comparable units in the municipality or specific neighbourhoods);
- The timing and stages of the development process with tenant protection measures;
- Whether tenant protection measures would deter development or discourage construction of reasonably priced market housing (e.g., charging higher market process to compensate for ROFR rents);
- Potential new sites that may become available as a result of other provincial housing initiatives, such as small-scale muti-unit housing;
- Consider the financial intersection of TPBs with other bylaws affecting development viability (e.g., inclusionary zoning, density bonusing, amenity cost charges, etc.)
- The local government capacity to implement and monitor Tenant Protection DPAs via the development approval processes; and
- Tenant protections in neighbouring municipalities, for alignment opportunities.

The success of a TPB is informed by the cooperation of the property owners in implementing the requirements set out in the TPB, which are shaped by the guidelines a municipality sets out in its

Tenant Protection DPA(s). This highlights the important value of local governments to conduct feasibility analyses to assess the impact of tenant protection measures on development viability, and to design Tenant Protection DPAs with such information.

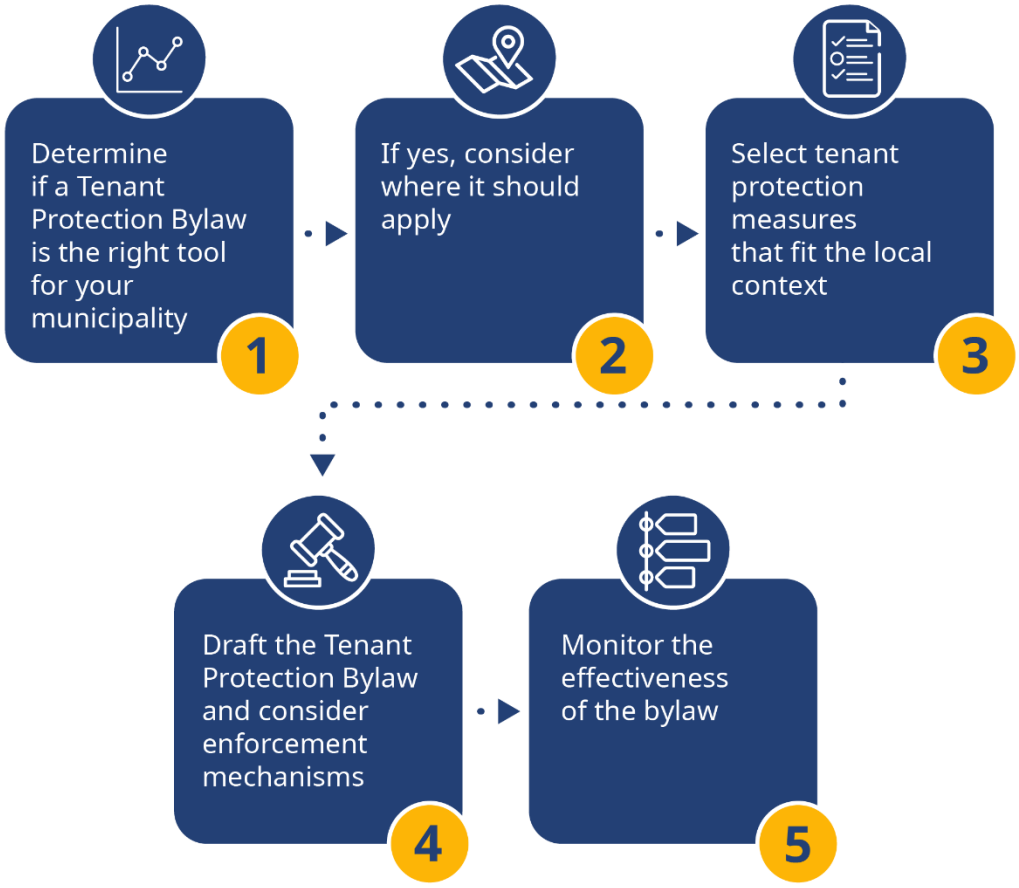
Local governments are encouraged to refer to the most recent Housing Needs Report and apply the principles and best practices outlined in the DCC Best Practices Guide when evaluating the impact of TPBs on development viability. Additionally, local governments can consult the financial feasibility analysis section of the Interim Guidance on Inclusionary Zoning and Density Bonuses, which includes the following key considerations:

- Evaluate the combined impact of all development-related costs (e.g., construction materials, financing, charges, and sales prices);
- How various development types and factors influence a project's ability to provide affordable housing units;
- The amount of increased density required to offset the costs incurred by the owner in providing affordable units, ensuring the project's overall viability. A project is considered viable if it can generate enough revenue to exceed costs (e.g., construction, land, and financing) and provide a baseline profit for the owner.

Step-by-Step Guidance on Implementing Tenant Protections

Below is a step-by-step guide for local governments to designate new Tenant Protection DPAs, require DAI, create a TPB, and implement tenant protections through the development permit process.

Figure 4: Step-by-Step Guidance on Implementing Tenant Protections



1 Determine if a Tenant Protection Bylaw is the Right Tool for your Municipality

TPBs are a voluntary tool for municipalities and should be tailored to local contexts. The intent of a TPB is to establish requirements for owners of residential properties that are the subject of a proposed redevelopment to mitigate impacts to tenants who are or may be displaced due to redevelopment through offering supports.

Key Questions	• What does the rental housing landscape look like (age of housing stock, supply and demand for rental housing, core housing need rates, vacancy rates, recent development activity, etc.)? • Are there development pressures on known demographics of renters? What is the extent of those pressures?
Action	• Evaluate background information and key indicators to determine if a TPB is appropriate for the municipality.

2 If Yes, Consider Where It Should Apply

Tenant Protection DPAs can be designated within an OCP. This gives your local government the option to tie TPBs to specific locations facing development pressure. The TPB is flexible for municipalities to define the building types and eligibility for protection measures.

Key Questions	• What are the characteristics of vulnerable buildings? Where are they located? • Which building owners should not be captured under TPBs? Consider primary and secondary rental markets, and size of buildings or consolidations. • How might development of new rental units be impacted if TPBs are in place (e.g., overall project viability considering broad market conditions such as interest rates, labour availability and materials/labour costs)?

2 If Yes, Consider Where It Should Apply

Action	• Identify and define the building type and eligibility for the TPB (e.g., owners of purpose-built rentals with 5+ units, etc.). • Determine the location for the Tenant Protection DPA(s) and amend the OCP, including location-based maps attached as a Schedule, objectives and conditions for the DPA. • Specify the format owners need to follow when submitting DAI.

3 Select Tenant Protection Measures that Fit the Local Context

Once Tenant Protection DPAs are in place, determine the tenant protection measures that are right for your community. Review the authority and allowable measures specified in the *Community Charter*. Consider undertaking stakeholder consultation and financial analysis when deciding on tenant protection measures.

Key Questions	• What are best practices in tenant protections at the local level? • What tenant protection measures may be most effective for a municipality of your size and makeup? • What measures have the potential to impact development viability? What can be done to mitigate unintended consequences? • Are there other tools in place, such as inclusionary zoning or density bonusing? How might a TPB interact with these tools? See Part 4 – Relationship to Other Housing Initiatives.
Action	• Identify and determine the desired tenant protection measures for the TPB that address specific local challenges of redevelopment and displacement.

4 Draft the Bylaw and Consider Enforcement Mechanisms

Draft the TPB utilizing the preferred tenant protection measures that protect tenants from displacement while not discouraging rental development.

Key Questions	• What procedures are required for approving new bylaws? • Can the TPB be enforced by current bylaw enforcement mechanisms?
Action	• Draft the TPB and follow the protocol for approving bylaws. Consider a legal review against other related local bylaws, and provincial legislation. • Update relevant enforcement bylaws, such as the Municipal Ticketing Bylaw.

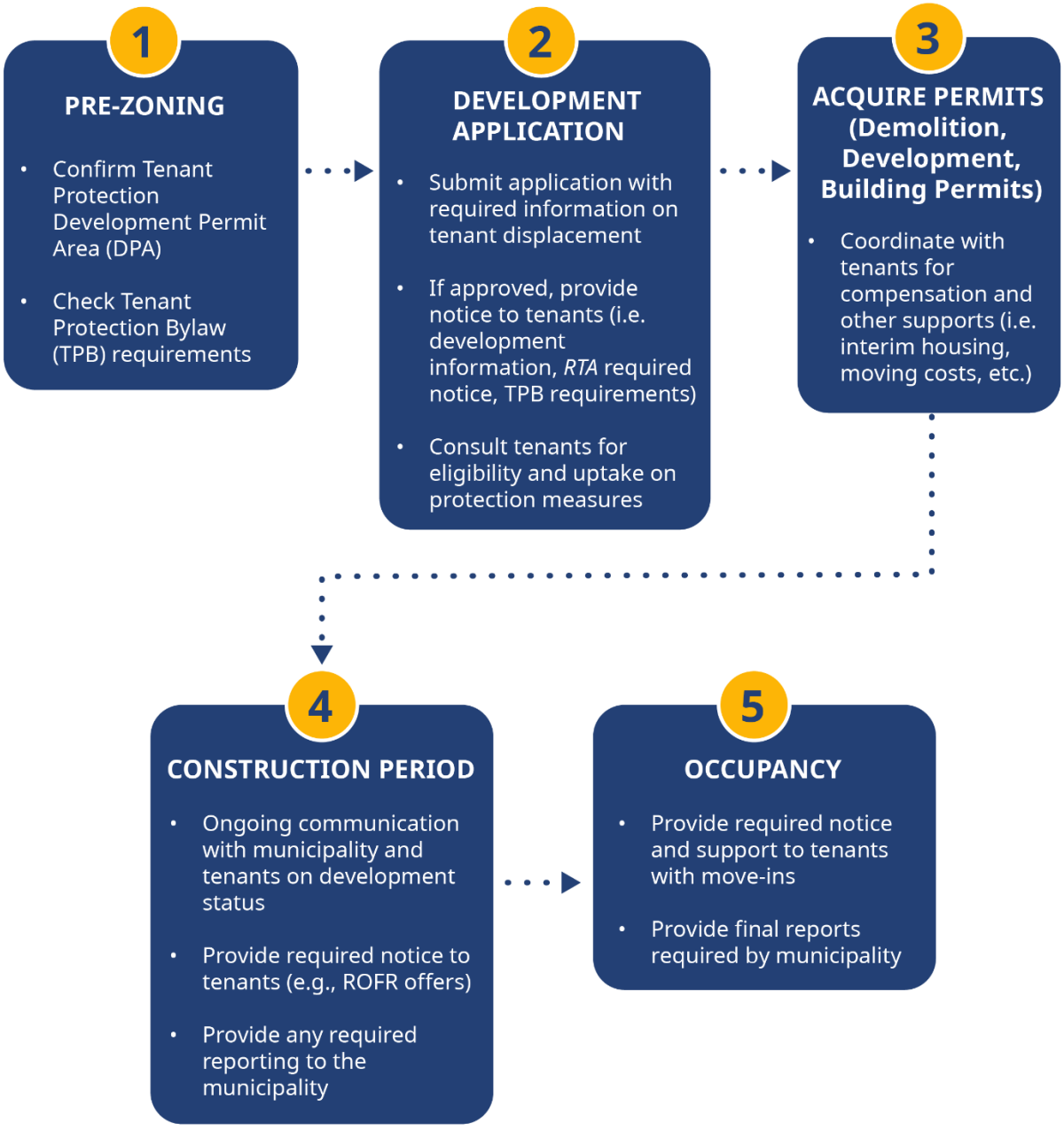
5 Monitor the Effectiveness of the Bylaw

Action	• Carefully monitor the impacts of the new bylaw. Seek feedback from property owners and tenant advocate groups. • Review early projects and monitor any impact on rental housing starts. Other monitoring indicators may include uptake of ROFR, owner compliance, enforcement issues, etc. • Consider preparing plain language communications material to educate property owners and tenants, complimenting the TPB in an accessible format. • Using the new DAI, consider how data will be monitored and reviewed to inform future TPB amendments.

Figure 5 (following page) depicts an example of the development process including compliance with a TPB, from pre-zoning through to occupancy. Each municipality may have a unique process with varying requirements. Also, each TPB will have its own set of requirements to accommodate

at different stages in the development process. This infographic is intended to provide an example to provide clarity for owners on their potential obligations.

Figure 5: Example Development Process with Compliance to Tenant Protection Bylaw



Considerations in Developing a Tenant Protection Bylaw

FINANCIAL FEASIBILITY

Tenant protection measures that involve financial compensation can be offered upfront, ongoing, at key milestones or a combination of these, each presenting different levels of uncertainty and risk to property owners. For example, some measures, such as Right of First Refusal (ROFR), depend on tenant participation and are influenced by various factors. A tenant's decision to uptake on tenant measures, such as ROFR, may change throughout the development process. An owner may account for all eligible tenants accepting ROFR to avoid financial risk, or a percentage of likely uptake. These estimates may impact forecasting revenues, and the level of financing required. It is important to establish costs upfront whenever possible to minimize this uncertainty and limit risk to the property owners.

Other tenant measures that impact the financial feasibility include compensation for termination of tenancy agreements, and financial assistance to find and relocate to comparable replacement units. Authority under the *Community Charter* allows municipalities to determine the nature and extent of financial compensation and assistance, the manner in which it is determined, the manner in which it is given to tenants, and the period in which it must be given. For example, providing interim housing could be significant over the construction period. Decisions to set compensation rates at discounted market rate or to match current tenant rents levels will impact affordability for tenants and financial viability of the development itself. TPB measures should seek to find the balance of effectively mitigating the impacts of tenant displacement, while not discouraging development.

TENANT RELOCATION COORDINATORS

Tenant Relocation Coordinators (TRCs) are responsible for managing the relocation process for tenants facing displacement. Their services may include acting as a liaison between tenants and owners, providing lists of comparable units available for rent, assisting with budgeting,

coordinating moving logistics, scheduling, addressing concerns, and more. TRCs can be provided by the property owner, a third-party organization, or the municipality.

Third-party TRCs can help prevent conflicts of interest and ensure a level of impartially. When provided directly by the municipality, TRCs can offer greater consistency and oversight. Owner-provided coordinators may be limited to third-party providers, depending on the capacity of the TRC sector. Municipalities should assess the best approach, taking into account the sector's capacity, the ability of the development community to engage, and the importance of maintaining neutrality.

Resources

Navigating the various authorities and parties involved can be difficult for tenants as they navigate a potential displacement. Local governments may want to consider creating a local guide to help residents understand the resources available to them and identify the appropriate contacts for different situations.

Part 4 – Relationship to Other Housing Initiatives

Transit Oriented Areas

Legislation requires some municipalities to designate land within specified distances of designated stations as Transit-Oriented Areas (TOAs) through bylaw. Within these areas, local governments must:

- Allow minimum levels of density, size, and dimensions set by the Province, which may vary by municipality or within different parts of the TOA. Local governments can only apply density bonuses above the minimum allowable densities in these areas;
- Eliminate restrictive off-street residential parking minimums; and
- Consider the guidance provided in the provincial policy manual when planning or amending zoning bylaws.

TPBs can support residents living in TOAs where redevelopment may be anticipated. Each TOA will be unique, some may benefit from a TPB while others may not. Municipalities should consider their TOAs in the creation of their tenant protection DPA. they may also want to proactively review the age and number of purpose-built rental units in their TOAs as a way to anticipate and plan for future tenant displacement.

Inclusionary Zoning and Density Bonusing

In 2024, the Province introduced a new Inclusionary Zoning (IZ) Bylaw tool and an updated Density Bonusing tool.

An **Inclusionary Zoning Bylaw** is a new land use planning tool that allows local governments to require affordable housing in new residential developments. This bylaw must specify the

See the Provincial Webpage for other available guides.

proportion of affordable units, including their tenure, price, bedroom configuration, and the duration for which the units must remain affordable. Typically, local governments apply IZ bylaws with an accompanying increase in as-of-right building densities in order to offset the costs to the developer of providing the affordable units. Once an IZ bylaw is in place, there is no further requirement to rezone. Establishing density permissions and affordability requirements up-front through an IZ bylaw, increases certainty and transparency for new residential developments.

Density bonus or density bonusing is an existing land use planning tool available to all local governments that provides the developer with the option to build to a higher density in exchange for providing amenities or affordable housing. This tool has been updated through Bill 16, to enhance clarity in its use, and consistency with inclusionary zoning. When using density bonus to secure affordable housing contributions, local governments must set out specific criteria in a density bonus bylaw (DB bylaw). The new approach now requires a financial feasibility analysis, creates new annual reporting requirements, and stipulates new parameters for implementation such as a density bonus can only be used above the minimum allowable densities in TOAs (if within a TOA area).

TENANT PROTECTION BYLAW RELATIONSHIP TO INCLUSIONARY ZONING

Inclusionary zoning is most effective in creating new affordable housing in high density, urban areas, where the higher land costs support its use and there is often the greatest need for more affordable housing. Local governments are encouraged to explore how TPBs can complement inclusionary zoning to protect tenants and, maintain affordable housing, when existing rental housing is redeveloped. For example:

- Local governments could introduce bylaws that grant displaced tenants priority access to affordable units created through inclusionary zoning in a new development on the same site or another development by the same owner (e.g. Right of First Refusal). In cases where affordable units are provided off-site, developers may offer to relocate displaced tenants to these units prior to demolition, subject to an agreement (the 'Off-site Units Option').

- Local governments should consider aligning the definition of “affordable and special needs housing” in an IZ bylaw with the definition of a "comparable replacement unit" in TPBs.
- Local governments can tailor IZ bylaw requirements by area, site, and development type, allowing flexibility in integrating TPBs effective.

Local governments can use IZ and DB bylaws alongside TPBs, but they need to consider the combined cost impacts of these requirements when assessing financial feasibility.

When both TPBs and IZ apply to a development site, their requirements should not be ‘cumulative.’ this means that developers should not be required to fulfill the same obligations under both TPBs and IZ for the same units. For example, If an IZ bylaw requires 20 affordable housing units, and TPB required 40 replacement units on the same development, then there should only be 40 replacement affordable housing units required, not 60 total.

Combining TPBs and inclusionary zoning could complicate the development process for developers, making it more difficult to navigate. Additionally, overlapping requirements could negatively affect the financial feasibility of a project and may discourage development altogether.

Please refer to TPB Guidance for more information. The Province intends on monitoring the impacts of both TPBs and inclusionary zoning implementation.

Development Cost Changes + Amenity Cost Changes

In 2024, the Province provided new and expanded development finance tools for municipalities and regional districts. These changes update the types of infrastructure eligible for funding through Development Cost Charges (DCCs)[4] and establish the new Amenity Cost Charges (ACCs), allowing local governments to create bylaws to collect funds for community amenities. ACCs apply to any new development that increases the local population.

4. Known as Development Cost Levies (DCLs) in City of Vancouver.

Guidance on DCCs and ACCs can be found on the Provincial Webpage. The primary aim of these tools is to promote sustainable residential development and community infrastructure, while avoiding unintended disincentives to the creation or retention of affordable housing. To support affordable rental housing projects, local governments may consider waivers or exemptions for ACCs/DCCs. Similar to inclusionary zoning and density bonus bylaws, the legislation prohibits "double charging" for amenities. ACCs may also be reduced or waived for market-rate units where inclusionary zoning is in place. Unlike the IZ units, ACCs may not be waived for units set aside for a TPB's ROFR, as they are not considered affordable units for the purposes of ACCs.

- Local governments should carefully consider how ACCs/DCCs and TPBs will interact. For example, they may want to assess how funding for community amenities could be connected with the resources needed to support displaced tenants as outlined in TPBs.

Part 5 – Implications on Residential Rental Development

Development Permit Areas

TPBs are designed to work alongside DPAs. By creating a Tenant Protection DPA(s), municipalities can require owners to comply with a TPB in specific areas, such as areas with high concentrations of aging rental properties. The size and scope of these Tenant Protection DPA will depend on the specific context of each municipality. A broader DPA may provide local governments with more flexibility, reducing the need for frequent updates through the OCP amendment process.

Scale of Development and Right of First Refusal (ROFR)

Rental buildings proposed for demolition and redevelopment may be transitioning from small (e.g., three or four storey) to large (e.g., ten, twenty stories or more) buildings. This significant density intensification typically aligns with proactive land use changes to the OCP and zoning (e.g., pre-zoning). If municipalities choose to include a Right of First Refusal (ROFR) in their TPBs, it could be more effective in larger-scale developments, where there may be a greater number of units available and where the costs can be offset by more market-rate units. Smaller developments with fewer units will face challenges in offering below-market units and may negatively impact the overall feasibility of the project. Similarly, inclusionary zoning is more applicable to larger developments and is more likely to involve housing agreements. Municipalities should take care to avoid conflicts between TPB requirements and the terms of these housing agreements. See Part 4 – Relationship to Other Housing Initiatives for more details.

Interacting with Other Housing Initiatives and Overall Feasibility

Municipalities are encouraged to assess the impact of TPBs on the overall feasibility of development, particularly how they interact with other tools such as Amenity Cost Charges (ACCs) and Inclusionary Zoning (IZ) bylaws. The purpose of TPBs is to create a framework that ensures redevelopment is carried out thoughtfully while mitigating the impacts on tenants.

The legislative authority to implement TPBs is not intended to discourage development. However, the costs associated with certain tenant protection measures may prompt owners to consider sites where displacement is not required, potentially redirecting development away from sites with older rental properties.

Housing Market Context

In municipalities with particularly low vacancy rates and/or limited availability of comparable rental units, interim housing may be challenging to access. As local governments shift to a land-use planning framework supported by pro-active planning, changes in development finance and transit-oriented development areas, it remains sensible to consider local rental market realities when designing TPBs. When drafting bylaws, municipalities should carefully evaluate their potential impact on property owners and the overall viability of projects. While it is crucial to ensure that tenant compensation and assistance are adequate, municipalities should also ensure these requirements do not become prohibitive to development. This balance will help ensure the community's housing needs are met while protecting vulnerable tenants.

CONSIDERATIONS

The more clearly the financial implications are outlined and the more balanced the requirements are for property owners, the lower the risk to project timelines and feasibility.

- Ensure TPB requirements align with the time constraints and financial realities of development.

- Consider the financial and social impacts of tenant relocation (e.g., no-fault eviction, community displacement, etc.) into new builds, the current rental market context for people experiencing displacement, as well as the capacity in your community to accommodate ROFR.
- Strive for certainty by ensuring up-front costs are clearly defined for owners and can be factored into the overall project budget (e.g., included in the pro forma).
- Factor in the timing of tenant displacement within the development process, including coordination with demolition and building permits. Note, a TPB is triggered by their termination of tenancy agreements and is not tied to the redevelopment itself.
- Clarify who is responsible for tenant relocation and specify the steps required (e.g., the owner's responsibility to find comparable rental units).

Striking a balance between effective tenant protections and ensuring viable development is the key factor in designing a TPBs. The flexibility inherent in this authority is essential to achieving that balance in your community. Each municipality may want to consider its unique local factors, such as the economic context, existing housing stock, development pressures, specific tenant needs, and key stakeholders to consult.

Part 6 – Compliance + Enforcement

The introduction of TPB authority will see specific requirements around tenant protections introduced to owners. Depending on the municipality's specific TPB, owners, in practice, will have obligations towards supporting tenants displaced by redevelopment to fulfill throughout the development cycle.

Municipalities are encouraged to engage with both property owners and tenant advocates when crafting TPBs. This proactive engagement increases the likelihood of garnering support during the process from owners, advocates and tenants resulting in more successful outcomes when implemented. Proactive engagement also increases the ability to create a bylaw that effectively balances tenant protection measures (e.g., financial compensation for displaced tenants) with the need to support new housing development. It also creates greater certainty for owners regarding tenant protection requirements.

Compliance via the Development Permitting Process

Section 491 of the *Local Government Act* grants municipalities the authority to require compliance with all or part of a TPB through the development permit process of the property is located within a Tenant Protection DPA. This provides leverage for a municipality to list compliance with a TPB as a condition of the development permit.

Development permits: specific authorities

(11) For land within a development permit area designated under section 488 (1) (k), a development permit issued by a municipality may include requirements to comply with all or part of a bylaw made for the purposes of section 63.2 of the Community Charter [protection of tenants on redevelopment].

Utilizing the development permit process to ensure compliance with the terms of a TPB offers the best leverage for ensuring that owners follow through. The goal of the TPB is to ensure owners issue tenant protections at the time of displacement, whether the redevelopment occurs.

Including the terms of a TPB as a condition of receiving a demolition and/or development permit ensures support at the time of displacement.

Further, including TPBs as a development permit condition can help facilitate communication between the municipality, owners, and impacted tenants throughout the development process.

Compliance via Bylaw Enforcement

If a municipality has adopted a TPB, it has several mechanisms to enforce compliance with its provisions. The bylaw enforcement powers of municipalities are outlined in Part 8 of the *Community Charter*, and include options such as civil proceedings, prosecution under the *Offence Act*, ticketing for bylaw violations, and, depending on regulations, enforcement via bylaw notice under the *Local Government Bylaw Notice Enforcement Act*.

Note, the *Community Charter* amendments for TPBs do not grant the authority to require owners to pay compensation for failing to implement measures outlined in TPBs. As such, a TPB itself cannot include a provision mandating compensation for non-compliance. Municipalities are advised to seek legal counsel when establishing bylaw enforcement frameworks.

Table 1 provides a summary of the available enforcement options for municipalities.

Table 1: Bylaw Enforcement Options

Enforcement Measure	Enabling Legislation	Mechanisms	Steps / Resources Required
Bylaw Notice	*Local Government Bylaw Notice Act*	Fines via Local Government adjudication system	• Establish the bylaw notice system with a neutral adjudicator
Municipal Ticketing	*Community Charter*	Fines disputed via Courts	• Adopt a municipal ticketing bylaw • Staff for enforcement of tickets • Submit the tickets to the provincial court

Enforcement Measure	Enabling Legislation	Mechanisms	Steps / Resources Required
Prosecution	*Community Charter*	Fines or imprisonment (not more than 6-months) Prosecuted under the *Offense Act*, sentenced by Courts	• Commenced by a long form information in front of judge • Provincial court for hearing

APPENDIX A
LEGISLATIVE AUTHORITY

Community Charter

COMMUNITY CHARTER – SECTION 63

Protection of persons and property

63 The authority of a council under section **8 (3) (g)** [spheres of authority — protection of persons and property] may be exercised in relation to the following:

(a) emergency exits in places to which the public is invited;

(b) smoke alarms;

(c) any matter within the scope of the *Fire Safety Act*;

(d) the enclosure of swimming pools and other pools;

(e) trailer courts, manufactured home parks and camping grounds;

(f) rental units and residential property, as those are defined in the *Residential Tenancy Act*, that are subject to a tenancy agreement, as defined in that Act;

(g) **without limiting paragraph (f), the protection of tenants as described in section 63.2.**

COMMUNITY CHARTER – SECTION 63.1

Definitions in relation to tenant protection

63.1 In this section and sections 63.2 and 63.3:

(c) **"owner"** means an owner of residential property that is the subject of a proposed redevelopment;

(d) **"redevelopment"** means the following:

(a) to demolish residential property for the purpose of constructing a new structure on the parcel on which the property was located;

(b) to partially demolish residential property to the extent that one or more rental units within the residential property are completely and irreversibly destroyed;

(e) **"rental unit"** includes

(a) living accommodation rented or intended to be rented to a tenant, and

(b) associated common areas, services, facilities and other amenities to which a tenant of the rental unit has access;

(f) **"residential property"** means a building or part of a building that is or contains a rental unit;

(g) **"tenancy agreement"** means a written agreement between a landlord and tenant respecting possession of a rental unit;

(h) **"tenant"** means a tenant of a rental unit whose tenancy agreement is terminated in relation to a proposed redevelopment.

COMMUNITY CHARTER – SECTION 63.2

Protection of tenants on redevelopment

63.2 (1) The authority of a council under section 63 (g) includes the authority to require owners to give to tenants one or more of the following:

(a) notices or information with respect to a redevelopment, a proposed redevelopment or a matter referred to in this section;

(b) financial compensation for the termination of tenancy agreements;

(c) financial or other assistance to find and relocate to comparable replacement units;

(d) the opportunity to exercise rights to enter new agreements for the rental of comparable units in property in which owners have an interest.

(2) Bylaws made for the purposes of subsection (1) may do one or more of the following:

(a) provide for the nature and extent of compensation and assistance, the manner in which it is determined, the manner in which it is given to tenants and the period in which it must be given;

(b) define the characteristics of comparable replacement units;

(c) require owners who have, or will have after redevelopment, new units available for rent to offer to rent those units to tenants

(i) in priority to other persons, and

(ii) at a rental rate that is less than the rate provided for under an applicable zoning bylaw or housing agreement.

COMMUNITY CHARTER – SECTION 63.3

Limits on Tenant Protection Bylaws

63.3 (1) A bylaw made for the purposes of section 63.2 does not apply to the redevelopment of prescribed classes of property.

(2) Despite a bylaw made for the purposes of section 63.2 of this *Act*, if

(a) a tenant is entitled to receive financial compensation under the *Residential Tenancy Act* in relation to a redevelopment, and

(b) an owner is required to pay to the tenant an amount of financial compensation or financial assistance as described in section 63.2 (1) (b) or (c) of this *Act*,

the amount of financial compensation referred to in paragraph (a) of this subsection must be deducted from the amount of financial compensation or financial assistance referred to in paragraph (b).

(3) The Lieutenant Governor in Council may make regulations limiting the authority under section 63.2 to make bylaws, including imposing requirements and setting prohibitions, conditions and limitations in relation to the matters referred to in that section.

Local Government Act

LOCAL GOVERNMENT ACT – SECTION 484

Development approval information

484 For the purposes of this Division, **"development approval information"** means information on the anticipated impact of a proposed activity or development on the community, including, without limiting this, information regarding impact on such matters as the following:

(a) transportation patterns including traffic flow;

(b) local infrastructure;

(c) public facilities including schools and parks;

(d) community services;

(e) the natural environment of the area affected;

(f) tenants who are or may be displaced by a redevelopment, as those terms are defined in section 63.1 of the *Community Charter* [definitions in relation to tenant protection].

LOCAL GOVERNMENT ACT – SECTION 488

Designation of development permit areas

488 (1) An official community plan may designate development permit areas for one or more of the following purposes:

(a) protection of the natural environment, its ecosystems and biological diversity;

(b) protection of development from hazardous conditions;

(c) protection of farming;

(d) revitalization of an area in which a commercial use is permitted;

(e) establishment of objectives for the form and character of intensive residential development;

(f) establishment of objectives for the form and character of commercial, industrial or multi-family residential development;

(g) in relation to an area in a resort region, establishment of objectives for the form and character of development in the resort region;

(h) establishment of objectives to promote energy conservation;

(i) establishment of objectives to promote water conservation;

(j) establishment of objectives to promote the reduction of greenhouse gas emissions;

(k) mitigation of the effects of displacement on tenants who will be or have been displaced from their rental units in relation to a redevelopment or proposed redevelopment, as those terms are defined under section 63.1 of the *Community Charter* [definitions in relation to tenant protection].

LOCAL GOVERNMENT ACT – SECTION 491

Development permits: specific authorities

(11) For land within a development permit area designated under section 488 (1) (k), a development permit issued by a municipality may include requirements to comply with all or part of a bylaw made for the purposes of section 63.2 of the *Community Charter* [protection of tenants on redevelopment].

Islands Trust Act

ISLANDS TRUST ACT – SECTION 29

Land use and subdivision regulation

Section 29 (1) Each local trust committee has, in respect of its local trust area, all the power and authority of a regional district board under the following enactments:

(a) the following provisions of Part 9 [Regional Districts: Specific Service Powers] of the *Local Government Act*:

(i) section 298 (1) (j) [regulation of construction and layout of trailer courts, manufactured home parks and camping grounds];

(ii) section 327 [removal and deposit of sand, gravel and other soil];

(b) Part 14 [Planning and Land Use Management] of the *Local Government Act*, other than the following:

(i) section 481.3 [zoning bylaws and small-scale multi-family housing];

(i.01) section 482.7 [zoning bylaws and affordable and special needs housing];

(i.02) sections 484 (f), 488 (1) (k) and 491 (11) [development approval information and development permit areas for tenant protection purposes];

(i.1) sections 507 [requirements for excess or extended services] and 508 [latecomer charges and cost recovery for excess or extended services];

(i.2) sections 513.2 and 513.3 [requirements to provide land for transportation purposes];

(ii) Division 19 [Development Costs Recovery];

(ii.1) Division 19.1 [Amenity Costs Recovery];

(iii) Division 20 [School Site Acquisition Charges], except for section 574 [determination of eligible school site requirements];

(iv)Division 23 [Transit-Oriented Areas];

(c) section 242 [approval for conversion of previously occupied buildings] of the Strata Property Act

(d) the Real Estate Development Marketing Act;

(e) the Agricultural Land Commission Act.

APPENDIX B

TENANT PROTECTION BYLAW MEASURES

Tenant Protection Bylaw Measures

Table 2 includes a list of tenant protection measures available for municipalities to include within a Tenant Protection Bylaw. Examples are provided for small, medium, and large communities.

Table 2: Measures Available for Municipalities to include within a Tenant Protection Bylaw

Component of Bylaw	Description	Specific Measures	Examples
Scope	Municipalities may dictate what type of obligations are placed on owners under a TPB.	TPBs may set a threshold for TPB eligibility, such as owners of 5+ unit buildings.	**Large municipalities** may benefit from a higher unit threshold, such as 5+ units to narrow the scope of TPBs to larger redevelopments. In cases of lot consolidation, consider buildings with less than 5 units which are being considered as part of the larger redevelopment (e.g. 5 or more units involving consolidation of two or more lots). **Small to medium sized municipalities** may consider smaller unit thresholds depending on their existing housing stock. For example, setting a threshold of 3+ units or all rental units will capture smaller scale developments, which may be more common in small to medium sized municipalities. **Municipality of all sizes,** consider: - The type of housing to target, such as purpose-built market rentals, and

Component of Bylaw	Description	Specific Measures	Examples
			strata units secured as rental tenure (covenant/agreement). - Secondary rental stock may be more challenging to monitor, such as rented houses, secondary suites, laneway houses, rented strata units, etc. - The capacity of owners to provide TPB supports based on project type and financial viability.
Notices or information of redevelopment	Municipalities may enact TPBs that require property owners to give tenants notice or information with respect to a redevelopment, a proposed redevelopment or other matters outlined in TPBs.	TPBs may require property owners to: - provide written notification to tenants or to provide information about a proposed redevelopment early in the process (e.g., pre-approval stage); - provide a certain number of notices at specified intervals and/or - provide information to	**Municipality of all sizes,** consider: - Aligning the TPB notice with the 4-month notice under the *RTA.* This standard was set by the province and can be used as a best practice. Further, it could reduce complexity of managing multiple notice deadlines. - Multiple notices throughout the redevelopment process to support effective communication and help mitigate impacts on tenants as the navigate displacement (e.g. help plan for move out dates, provide clarity on move in dates for ROFR tenants, share updates on project timelines, support owner/tenant relationships).

Component of Bylaw	Description	Specific Measures	Examples
		tenants about their rights, including rights under the *RTA* or TPBs.	When providing notice, consider setting specific requirements: - Require owners to host a tenant information meeting. - Require owners to send a letter to all tenants outlining the proposed project and expected timeline, including any relevant municipal policies (pre-approved by City). - Require owners to provide information on tenant rights under the RTA and/or TPB. - Require formal notice to residents upon issuance of demolition permit. - Require a minimum notice period (e.g. 4-months) and specify follow up requirements. Or encourage owners to engage with tenants as early as possible and provide ongoing updates on project status.
Financial compensation for termination of a tenancy	Municipalities may enact TPBs that require property owners to provide financial compensation for the termination of a tenancy.	TPBs may provide for the nature and extent of compensation property owners are required to give, such as: - compensation equivalent	**Municipality of all sizes,** consider: - Direction on compensation for tenants based on length of tenancy (e.g., more compensation for tenants that have lived in their rental units for a longer period of time). - Minimum period (e.g., 3-6 months) of financial assistance based on length of tenancy.

Component of Bylaw	Description	Specific Measures	Examples
	TPBs may provide for the nature and extent of compensation and assistance, the manner in which it is determined, the manner in which it is given to tenants and the period under which it must be given. Note: Compensation owed to tenants under the *Residential Tenancy Act* is netted out from the total compensation owed to tenants under TPBs.	to a minimum amount of rent - compensation based on the length of the tenancy TPBs may require property owners to: - provide compensation within a specified time period and/or - provide compensation in a specific manner.	- Set a specified time period for compensation (e.g., 3 months before expected displacement); and/or provide compensation in a specific manner (e.g., cash or cheque depending on tenant preference in payments or lump sum, or free rent). - Households characteristics, such as unit type and existing household monthly rent.

Component of Bylaw	Description	Specific Measures	Examples
Financial or other assistance to find a replacement rental unit	Municipalities may enact TPBs that require property owners to provide financial or other assistance to find and relocate to comparable replacement units. (Comparable units may share traits around bedroom size, square footage, location etc., in a way that is reasonable) TPBs may provide for the nature and extent of compensation and assistance, the manner in which it is determined,	TPBs may require property owners to provide: - compensation for moving costs and the manner in which that assistance is determined - access to a relocation coordinator; and/or - additional financial supports for vulnerable tenants in accordance with human rights legislation (e.g., persons with disabilities, seniors, etc.).	**Large municipalities** with larger developments and more housing options, may consider: - A Tenant Relocation Coordinator (TRC) be designated to assist tenants in finding interim housing options (e.g., minimum 3 viable options), unless tenant opts to secure their own interim housing. There may be more options to hire a third party TRC in a larger urban center. - Opportunities for owners to relocate ROFR tenants into comparable units in which the owner has an interest in (e.g. phase new construction in a manner that provides immediate or earlier relocation, or existing buildings with comparable units). Property owners in larger centers may have multiple developments within the same municipality. **Small to medium sized municipalities** with limited housing stock and/or lower vacancy rates, may consider: - Assistance to find one or two options for interim housing (via a Tenant Relocation Coordinator, property owner, or municipal staff). There may not be a third party TRC available in smaller centers, meaning relocation

Component of Bylaw	Description	Specific Measures	Examples
	the manner in which it is given to tenants and the period under which it must be given. TPBs may define the characteristics of a "comparable replacement unit" (which differs from right of first refusal, see examples below).	TPBs may require property owners to: - provide compensation within a specified time period; - provide financial compensation in a specific manner; - provide other assistance, such as relocation assistance, within a specified time period); and/or - provide relocation assistance in a specific manner. TPBs may define the	may be limited to the property owner or municipality to manage. **Municipality of all sizes,** consider: - Specifying the time period for providing assistance for relocation and compensation (e.g., 3-4 months before expected displacement); and the manner to give it (e.g., lump sum cash or cheque depending on tenant preference or free rent). - Specify how relocation assistance will be provided (e.g., access to an on-site relocation coordinator). - Specify replacement rental unit characteristics, which may include a consideration of location, number of bedrooms, square footage, rent costs, etc. - Moving assistance be arranged or a flat rate based on unit size (e.g., a range such as $800-$1200 based on unit bedroom count, or other financial model as appropriate); - Additional compensation and/or support for vulnerable tenants who request support (e.g., transportation, translation, packing assistance).

Component of Bylaw	Description	Specific Measures	Examples
		characteristics of a "comparable replacement unit".	Consider partnership with a non-profit or other service provider.
Right of first refusal	Municipalities may enact TPBs that require property owners to give tenants the opportunity to exercise rights to enter into a new tenancy agreement for the rental of a comparable replacement unit in a property in which the owners have an interest ("right of first refusal"). TPBs may require that those units be made	TPBs may require property owners to: - give displaced tenant(s) the opportunity to enter into a tenancy agreement if the property owner has (or will have) comparable replacement units available in priority to other persons; and - provide the unit to the displaced tenant at a lower rental price than what the municipality	**Large municipalities** may consider: - A threshold of 5+ units to require the property owner offer ROFR. In cases of lot consolidation, consider buildings with less than 5 units which are being considered as part of the larger redevelopment. (Note, under Section 49 of the *RTA*, tenants evicted due to renovations or repairs must be offered ROFR if the building has 5+ units. A similar standard can be applied for TPB ROFR). - Replacement units in the redeveloped building to be the same number of bedrooms as the original unit. Larger municipalities may have more housing stock to accommodate specific criteria for replacement units. - Rental amount set under an applicable (inclusionary zoning) bylaw or housing agreement to follow specific indicators of comparable units (e.g., the final monthly rent paid at the application site plus any allowable rent increases that have accrued since leaving the application site or at 20% discount on city-wide average rents or CMHC median rents).

Component of Bylaw	Description	Specific Measures	Examples
	available to displaced tenants: - in priority to other persons, and - at a rental rate that is less than the rate provided for under an applicable zoning bylaw or housing agreement. TPBs may define the characteristics of a "comparable replacement unit" for the purpose of this requirement.	has imposed through an applicable bylaw (e.g. inclusionary zoning) or a housing agreement. TPBs may also consider the practical application of the right of first refusal, including: - the general information that owners must provide to tenants, and the manner and time period under which that information must be provided; - a requirement that, if there is a change in the	- The municipality to help offset the costs of ROFR with a form of density bonusing or revitalization tax exemptions. Larger municipalities may have the benefit of a larger tax base to utilize tax exemptions without significant impact to the municipal budget. - Alignment with TPB and IZ bylaws to encourage property owners to offer priority to displaced tenants for any inclusionary zoning units. **Small to medium sized municipalities** may consider: - Capacity in your community to accommodate ROFR, based on vacancy rates and current housing stock. - Threshold of 3 to 5+ units to require the property owner offer ROFR, depending on the existing form of housing stock and vulnerable buildings in the community. **Municipality of all sizes,** consider: - Requirements for providing information to tenants (e.g., a requirement that the owner provides written notice explaining rights of first refusal, the proposed development plan, expected new unit availability, the

Component of Bylaw	Description	Specific Measures	Examples
		expected date when the unit(s) will be ready for occupation, tenants are notified of this change; - the manner and time period for the tenant to respond to an opportunity to exercise their right of first refusal; and - a requirement that, if the right of first refusal is not feasible for all displaced tenants, the owner must provide it in accordance with priority criteria established by bylaw.	proposed date regarding when the unit will be ready for occupancy). - Requirements for ongoing tenant communication (e.g., date when the unit(s) will be ready for occupation, tenants are notified of any change). - Set building unit thresholds with consideration for the effectiveness of ROFR in larger-scale developments (where the costs can be offset by more market-rate units) versus smaller development projects (less likely to be able to accommodate ROFR requirements) which could put risk on the project. - Replacement units in the redeveloped building to be comparable to the original unit (e.g., number of bedrooms or square footage). - Displaced tenants utilizing ROFR should have moving expenses covered to move into a new building the owner has interest in. - When setting rental amounts, consider any allowable rent increases that have accrued since leaving the application site. - Carefully consider timelines for tenants to uptake on ROFR as it creates uncertainty and risk for owners who must forecast revenues, and secure financing required (e.g., a written response required within 60 days of receipt of notice from the owner, and if no response is received by a

Component of Bylaw	Description	Specific Measures	Examples
			certain date, the unit(s) may be made available to other persons at market rent); - A requirement that if ROFR is not feasible for all tenants, there is a priority system (e.g., priority for longer-term tenants or tenants who qualify based on income). - Monitor ROFR uptake and impact to development projects.
Enforcement frameworks	If a municipality has adopted a TPB, they may: - leverage the development permitting process to require compliance with a TPB as a condition of the development permit; and/or, - enforce TPBs	Leveraging the development permitting process may include designating a Tenant Protection DPA and requiring compliance with a TPB as a condition of DP issuance. This can provide increased certainty that requirements will be met. Municipalities can utilize	**Municipality of all sizes,** consider the following when leveraging the development permitting process: - Alignment with the DAI required under the OCP (e.g. require this information as part of the Development Permit (DP) application). - Set out DP conditions that ensure compliance with all or part of the TPB (e.g. review applicable TPB measures on a case-by-case basis, considering project viability). - Reporting requirements through the development construction period, such as: An initial report with information on termination of tenancy agreements

Component of Bylaw	Description	Specific Measures	Examples
	through existing enforcement frameworks.	existing enforcement frameworks, which could include: - civil proceedings; - prosecution in accordance with the *Offence Act;* - ticketing for bylaw offences; and/or - proceeding by bylaw notice under the *Local Government Bylaw Notice Enforcement Act* (subject to the regulations).	and applicable compensation, options for interim housing, moving costs, eligibility for ROFR, etc. (prior to issuing demolition/development/building permit). - An interim report with information on ongoing compensation provided and support made to tenants (during construction period). - A final report with information on all required TPB measures including details on all eligible tenants, value of compensation, and ROFR units if applicable (prior to issuance of occupancy). Note, follow privacy protocols for collecting personal information or omit person information (e.g. number code for tenants or list of compensation amounts). **Municipality of all sizes,** consider the following when utilizing existing enforcement frameworks: - Obtain legal advice in applying the existing enforcement frameworks.

APPENDIX C
ENGAGEMENT SESSIONS

The Ministry of Housing and Municipal Affairs hired CitySpaces Consulting to develop a comprehensive Tenant Protection Bylaw Policy Guidance Manual, including the facilitation of **virtual engagement sessions** with industry experts to gather feedback.

Targeting **landlords and developers, tenant advocacy groups, and local governments,** the sessions were held online via Zoom**.** One session was dedicated to each group, with local governments divided into two sessions to accommodate larger numbers. **In total, 79-people registered for the sessions,** the organizations who attended are listed in the table below.

Participants were encouraged to ask questions and engage in discussions, providing valuable input to shape the manual. The sessions were well received, with many appreciating the opportunity to share insights and learn from peers.

Table 3 includes the names of organizations represented in engagement sessions. Note: some organizations sent multiple staff members.

Table 3: Engagement Participant List

Landlords + Developers	Tenant Advocacy Groups
Concert Properties	Burnaby Family Life
Cressey Development Group	Community Legal Assistance Society (CLAS)
LandLordBC	First United Church
Urban Development Institute (UDI)	North Shore Community Housing Action Committee
Strand Development	Seniors First BC
Wesgroup	SOURCES Community Law Clinic
	Together Against Poverty Society (TAPS)
	Tenant Resource and Advisory Centre (TRAC)

Staff from Local Governments	
Capital Region Housing Corporation	City of Kelowna
City of Burnaby	City of Kimberley
City of Castlegar	City of Langford
City of Chilliwack	City of Langley
City of Colwood	City of Maple Ridge
City of Coquitlam	City of Merritt
City of Cranbrook	City of New Westminster
City of Penticton	Islands Trust
City of Pitt Meadows	Metro Vancouver
City of Port Moody	Peace River Regional District
City of Powell River	Regional District of Bulkley Nechako
City of Terrace	Regional District of Central Kootenay
City of Vancouver	Regional District of Fraser Fort-George
City of Victoria	Regional District of Mount Waddington
City of White Rock	Regional District of Nanaimo
City of North Vancouver	Squamish-Lilloet Regional District
Columbia Shuswap Regional District	Strathcona Regional District
Cover The Coast (Affordable Housing Society)	Town of Creston
District of West Vancouver	Town of Gibsons
District of Houston	Town of Ladysmith
District of Saanich	Town of Sidney
District of North Vancouver	Town of View Royal
Douglas College	Township of Esquimalt

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