

CITY OF KELOWNA

BYLAW NO. 12785

Official Community Plan Amendment No. OCP25-0004 Tenant Protection Implementation

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that “*Kelowna 2040* – Official Community Plan Bylaw No. 12300” be amended as follows:

1. THAT **Chapter 4 – Urban Centres**, Policy 4.13.3. Tenant Assistance be **deleted** in its entirety and **replaced** with the following Policy 4.13.3.:

“**Policy 4.13.3. Tenant Assistance.** Ensure that tenants displaced by redevelopment receive fair relocation assistance from the developer. Such relocation assistance is intended to help assist tenants retain their access to services and amenities, such as employment, transportation and schools.”
2. AND THAT **Chapter 5 – The Core Area**, Policy 5.12.3. Tenant Assistance be **deleted** in its entirety and **replaced** with the following Policy 5.12.3.:

“**Policy 5.12.3. Tenant Assistance.** Ensure that tenants displaced by redevelopment receive fair relocation assistance from the developer. Such relocation assistance is intended to help assist tenants retain their access to services and amenities, such as employment, transportation and schools.”
3. AND THAT **Chapter 7 – Suburban Neighbourhoods** be amended by **adding** the following new policy in its appropriate location:

“**Policy 7.7.3. Tenant Assistance.** Ensure that tenants displaced by redevelopment are protected through relocation assistance from Ensure that tenants displaced by redevelopment are protected through relocation assistance from the developer.”
4. AND THAT **Chapter 8 – Rural Lands** be amended by **adding** the following new policy in its appropriate location:

“**Policy 8.4.8. Tenant Assistance.** Ensure that tenants displaced by redevelopment are protected through relocation assistance from the developer.”
5. AND THAT **Chapter 16 – Making the Plan Work**, Policy 16.1.4. Development Approval Information be amended by **adding** “tenant protection,” before “and impacts on the transportation and utility network and infrastructure.”
6. AND FURTHER THAT **Chapter 24 – Tenant Protection Development Permit Area**, as shown on **Schedule “A”** attached to and forming part of this bylaw, be **added** in its appropriate location.
7. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule “A”



CATEGORY

Section 488(1)(k) of the *Local Government Act* allows for the 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 a proposed redevelopment, as those terms are defined under Section 63.1 of the *Community Charter*.

PROPERTIES AFFECTED

Unless exempted (See Exemptions section below) a development permit addressing the tenant protection guidelines must be approved for any approved for all properties that contain residential uses, before:

- Construction of, addition to, or alteration of a building or structure.

JUSTIFICATION

As one of the fastest growing cities in Canada, Kelowna is rapidly evolving. The City of Kelowna's Official Community Plan outlines key pillars that guide the City's growth, which includes accommodating growth in existing developed neighbourhoods, with access to services, employment, housing, transportation options, parks and other amenities, and limiting urban sprawl.

An inevitable result of growth within existing neighbourhoods is the incremental redevelopment of older housing stock and mobile home parks. Redevelopment of these properties can lead to displacement of long-term residents. Displacement can challenge residents in finding new housing that is affordable, especially in a difficult housing market.

OBJECTIVES

To balance protections for tenants while ensuring development can proceed in accordance with the Official Community Plan.

EXEMPTIONS

A Tenant Protection Development Permit will not be required for:

- Construction of, addition to, or alteration of a building or structure that does not result in the complete or partial demolition of a residential property to the extent that one or more rental units within the residential property is completely and irreversibly damaged.
- Construction of, addition to, or alteration of a building or structure on a residential property, if the property contains four (4) or less residential dwelling units.

GUIDELINES

1. Compliance with Tenant Protection Bylaw
 - 1.1 Redevelopment to be in accordance with City of Kelowna Tenant Protection Bylaw No. 12785, including requirements for:
 - Financial compensation;
 - Financial Assistance;
 - Submission of a Tenant Protection Plan.
 - 1.2 A Compliance Report must be submitted detailing compliance with the Tenant Protection Bylaw.