TENANT PROTECTION DURING REDEVELOPMENT BYLAW NO. 25-044

This consolidation is a copy of a bylaw consolidated under the authority of section 139 of the *Community Charter*. (Consolidated on October 8, 2026 up to Bylaw No. 26-068)

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NO. 25-044

TENANT PROTECTION DURING REDEVELOPMENT BYLAW

A BYLAW OF THE CITY OF VICTORIA
(Consolidated to include Bylaw No. 26-068)

The purpose of this Bylaw is to protect the health and safety of tenants by establishing minimum requirements for owners of residential property during redevelopment in order to mitigate the impact of displacement on tenants.

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Under its statutory powers, including section 8(3)(g), 63 and 63.2 of the *Community Charter* and section 491(11) of the *Local Government Act*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

PART 1 – INTERPRETATION AND APPLICATION

Title

1. This Bylaw may be cited as the "Tenant Protection During Redevelopment Bylaw".

Definitions

2. In this Bylaw:

(a) "**affected tenant**" means a tenant of a rental unit that resides in the residential property at the time that the land use application for redevelopment is submitted to the City, and whose tenancy agreement is, or will be, terminated in relation to a proposed redevelopment;

(b) "**CMHC**" means the Canada Mortgage and Housing Corporation;

(c) "**CMHC's average rent**" means CMHC's most recent average market rent for affordable rental units of the same unit size, as defined in the Affordable Housing Standards Bylaw (No. 22-056);

(d) "**comparable replacement unit**" means a rental unit with the same number of bedrooms and a reasonably similar size to the tenant's existing rental unit;

(e) "**Director**" means the City's Director of Planning and Development or that person's designated representative;

(f) "**land use application**" means an application for a development permit, heritage alteration permit, temporary use permit, development variance permit, or a building permit, including a building permit associated with demolition;

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

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

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

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

(i) "**rental unit**" includes

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

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

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

(k) "**ROFR**" means a right of first refusal;

(l) "**TAP**" means a tenant assistance plan;

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

(n) "**tenant document**" includes

(i) a TAP,

(ii) a TAP Compensation Report, and

(iii) a TAP ROFR Report;

(o) "**tenant relocation coordinator**" means a person who has experience and expertise in performing TRC work; and

(p) "**TRC Work**" includes:

(i) acting as the single point of contact for communication with tenants and the City on behalf of the owner,

(ii) assisting owners and tenants with preparing and implementing TAPs,

(iii) providing early, regular and transparent communication with tenants to explain the tenant relocation process and available benefits,

(iv) assisting affected tenants with locating and applying for alternate housing, which may include providing lists of comparable units available for rent, assisting with budgeting, coordinating moving logistics, and scheduling, and

(v) liaising with service providers or other relevant authorities as required for the above purposes.

Application

3. This Bylaw applies to all land use applications that entail redevelopment and will result in loss of any rental units.

PART 2 – REDEVELOPMENT COMMUNICATION AND SUBMISSIONS

Tenant Assistance Plan (TAP)

4. (1) Any applicant for a land use application that will result in loss of any rental units through redevelopment must have a TAP approved by the Director prior to seeking issuance of that land use application permit.

(2) Any applicant that is subject to subsection (1) must provide to the Director a complete TAP – Part A in accordance with subsection (3) concurrently with making the land use application.

(3) The TAP – Part A submitted pursuant to subsection (2) must be in the form prescribed by the Director and include the following information:

(a) the size, type, and rent status (market or non-market) of the residential property undergoing redevelopment and the number of each type of rental unit within the residential property,

(b) a rent roll of affected tenants, including their length of tenure and the owner's proposed assistance to them for the redevelopment in accordance with Part 3 of this Bylaw,

(c) if applicable, options for interim housing in property owned by the owner, including details of rental unit size, rent, and availability timeline, and

(d) a summary of communication and engagement to date with affected tenants regarding redevelopment and tenant assistance.

(4) After the Director has reviewed the following information and consulted the applicant, if the tenant assistance proposed to be provided by the owner meets the standards established by this Bylaw, the applicant may complete the TAP – Part B for final approval of the Director:

(a) the completed TAP – Part A,

(b) any requests for additional assistance received by the City or the applicant from affected tenants,

(c) any other tenant communications received by the applicant, and

(d) any additional relevant information.

(5) The completed TAP – Part B pursuant to subsection (4) should contain a list of affected tenants that require additional assistance from the owner, and summarize the assistance to be provided to them by the owner in accordance with Part 3.

(6) If the Director is satisfied that the requirements of this Bylaw are being satisfied in Part A and Part B of a TAP, the Director may approve the TAP.

(7) The Director may refuse to issue a land use application permit if an owner subject to subsection (1) has not obtained the Director's approval of their TAP in accordance with this section.

(8) The Director may waive the requirement to provide the TAP pursuant to subsection (1) if the land use application is for a subsequent phase of a project that is unchanged, meaning that:

(a) within the previous two years, all the information was provided pursuant to this section at an earlier stage of the redevelopment,

(b) the impact of the redevelopment on the affected tenants is unchanged, as evidenced by a new rent roll of affected tenants pursuant to subsection (3),

(c) the information provided pursuant to this section is unchanged, and

(d) the ownership of the residential property is unchanged.

(9) For the purposes of subsection (1), if the applicant or the owner for the redevelopment is a public housing body as prescribed in the *Residential Tenancy Act*, the Director may approve a TAP that is not in compliance with this section, provided that the Director is satisfied that the TAP provided meets the intent of this Bylaw.

TAP Compensation Report

5. (1) Prior to seeking issuance of any building permit, any person required to submit a TAP pursuant to section 4 must provide to the Director for approval a complete TAP Compensation Report in accordance with subsection (2).

(2) The TAP Compensation Report submitted pursuant to subsection (1) must be in the form prescribed by the Director and include the following information:

(a) a summary of communication and engagement with affected tenants since that detailed in the TAP,

(b) a summary of assistance offered and provided to affected tenants pursuant to Part 3 of this Bylaw,

(c) a summary of the relocation housing options pursuant to section 11 chosen by each affected tenant, and

(d) a summary of tenant assistance yet to be provided to affected tenants.

(3) If the Director is satisfied that the requirements of this Bylaw and the applicant's approved TAP are being satisfied, the Director may approve the TAP Compensation Report.

(4) The Director may refuse to issue a building permit if an owner subject to subsection (1) has not obtained the Director's approval of their TAP Compensation Report in accordance with this section.

(5) Notwithstanding subsection (1), an applicant or owner that had their alternative TAP approved by the Director pursuant to section 4(9) is not required to provide a TAP Compensation Report.

TAP ROFR Report

6. (1) At least forty-five (45) days prior to seeking issuance of any occupancy permit, any person required to submit a TAP pursuant to section 4 must provide to the Director for approval a complete TAP ROFR Report in accordance with subsection (2).

(2) The TAP ROFR Report submitted pursuant to subsection (1) must be in the form prescribed by the Director and include the following information:

(a) a summary of communication and engagement with affected tenants since that detailed in the TAP Compensation Report,

(b) a summary of assistance provided to affected tenants pursuant to Part 3 of this Bylaw,

(c) a list of affected tenants that have exercised a ROFR to a rental unit in the new or renovated residential property, and

(d) the rent amounts being charged to returning tenants that exercised a ROFR.

(3) If the Director is satisfied that the requirements of this Bylaw and the applicant's approved tenant documents are being satisfied, the Director may approve the TAP ROFR Report.

(4) The Director may refuse to issue an occupancy permit if an owner subject to subsection (1) has not obtained the Director's approval of their TAP ROFR Report in accordance with this section.

(5) Notwithstanding subsection (1), anyone that meets either of the following conditions is not required to provide a TAP ROFR Report:

(a) An applicant or owner that had their alternative TAP approved by the Director pursuant to section 4(9); or

(b) An owner that is not constructing any rental units pursuant to the redevelopment.

Tenant Documents – Approval and Effect

7. (1) In considering any tenant document for approval or any request to waive a requirement in accordance with this Bylaw, the Director may require:

(a) any further information that is reasonably required in order to confirm compliance with the provisions of this Bylaw, and

(b) that additional assistance is provided to affected tenants who are especially vulnerable, have disabilities, or are otherwise in need of additional assistance.

(2) No owner shall fail to comply with the terms or conditions of any City-approved tenant document.

(3) An owner must not provide an affected tenant with a notice of termination of their tenancy agreement pursuant to a redevelopment unless the owner has strictly complied with the terms and conditions of all City-approved tenant documents.

Communication with Tenants

26-068 8. (1) Prior to submitting any land use application to the City for a redevelopment, an owner must communicate to all tenants their intention to effect redevelopment, its anticipated impact on such tenants, and the tenant protection measures available pursuant to this Bylaw.

(2) Throughout the redevelopment process, an owner must:

(a) regularly communicate to affected tenants about the redevelopment, its anticipated impact on affected tenants, and the tenant protection measures available pursuant to this Bylaw; and

(b) maintain complete records of communication with tenants, including offers of assistance and housing options pursuant to Part 3 of this Bylaw and acceptances of alternate housing.

(3) Prior to submitting a TAP to the City pursuant to this Bylaw, the applicant must:

(a) communicate to all tenants key information about the proposed redevelopment,

(b) share with all tenants the City's tenant assistance information documents, including forms for requesting additional assistance,

(c) obtain input from all affected tenants on the contents of the proposed TAP, and

(d) for redevelopments that impact five (5) or more rental units, hold at least one all-tenant (in-person or virtual) information meeting at which tenants receive information about the proposed redevelopment and the proposed tenant assistance and have the opportunity to ask questions.

(4) After submitting the first land use application for the redevelopment, an owner must provide affected tenants with a written update at least once every four (4) months on the redevelopment's progress and expected timelines.

(5) Within one month after City approval of both the TAP and the first land use application for the redevelopment, owners must notify affected tenants of those approvals and share with each of them that portion of the approved TAP pertaining to their individual tenant assistance package.

(6) All communications to tenants pursuant to this section must:

(a) be posted in a central location in the residential property that is commonly accessed by all tenants,

(b) be provided by email or letter to each rental unit, and

(c) include contact information for a primary point of contact on behalf of the owner that tenants may direct any inquiries to.

(7) Notwithstanding subsection (6), communications with personal information about any individual tenants must not be posted in the residential property or shared with anyone besides the affected tenant.

(8) An owner must make reasonable efforts to ensure that any tenants requesting support in a language other than English are provided with information in their preferred language.

PART 3 – TENANT ASSISTANCE

Financial Compensation

9. (1) An owner must provide all affected tenants with financial compensation in accordance with subsection (2) and the City-approved TAP prior to seeking issuance of any building permit for a redevelopment.

(2) The financial compensation to be provided pursuant to subsection (1) may be either of the following, or a combination of both, at the affected tenant's discretion:

(a) a lump sum that is established in accordance with the formula detailed in

subsection (3); or

(b) free rent in their rental unit or for a comparable replacement unit in the same or a different residential property for the period of time for which the tenant is entitled to compensation pursuant to Table 1.

(3) For the purposes of subsection (2)(a), the financial compensation that the affected tenant is entitled to is the greater of the following for the compensation period they are entitled to pursuant to Table 1:

(a) the tenant's existing rent as per the land use application date, and

(b) CMHC's average rent.

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Table 1

Row	Length of Tenancy	Compensation
1	1 year or less	2 months' rent
2	Over 1 year to 5 years	3 months' rent
3	Over 5 years to 9 years	5 months' rent
4	Over 9 years to 14 years	6 months' rent
5	Over 14 years to 19 years	9 months' rent
6	Over 19 years to 30 years	12 months' rent
7	Over 30 years to 40 years	18 months' rent
8	Over 40 years	24 months' rent

Tenant Relocation Coordinator

10. (1) Prior to seeking issuance of any building permit for a redevelopment, an owner must engage a tenant relocation coordinator to perform the TRC work for the redevelopment.

(2) If a redevelopment will result in the loss of twenty (20) or more rental units, the owner must engage a tenant relocation coordinator that is an independent third party, and not otherwise associated with the owner or applicant.

(3) The Director may waive the requirement to comply with subsection (2) if there is a lack of tenant relocation coordinator availability, and the owner demonstrates to the satisfaction of the Director that the tenant relocation coordinator engaged is dedicated and capable of performing the TRC work competently such that affected tenants are adequately supported throughout the redevelopment and tenant assistance process.

Relocation Housing Options

11. (1) Prior to seeking issuance of any building permit for a redevelopment, an owner must offer each affected tenant with at least three (3) alternate rental unit options for

their consideration.

(2) The alternate rental unit options pursuant to subsection (1) must:

(a) be comparable replacement units;

(b) be located within Greater Victoria, with at least one option within the same general area of the City as their current rental unit;

(c) subject to subsection (3), be offered at rent that is:

(i) no more than the CMHC's average rent, if the affected tenant's current rent is less than such average, or

(ii) at a rate reasonably comparable to the affected tenant's current rent, if their current rent is more than CMHC's average rent; and

(d) be tailored to the affected tenant's needs as much as possible, which may include being pet-friendly, accessible, smoke-free, or other requirements.

(3) If the rent rate for any of the three (3) alternate rental unit options does not comply with subsection (2)(c), then the financial compensation that the affected tenant is entitled to pursuant to section 9(3) shall be increased by one (1) month's rent in order to compensate the affected tenant for their loss of affordable rental options.

Moving Expenses and Assistance

12. (1) For the purposes of moving out of the rental unit for the redevelopment, one of the following two options must be provided to affected tenants, at the discretion of the owner:

(a) The owner will pay all costs and make all arrangements associated with hiring an insured moving company and moving the affected tenant to another housing unit within the Capital Regional District; or

(b) The owner will provide flat-rate compensation to the affected tenant for the costs of moving, which is based on the size of the rental unit they are leaving as follows:

26-068 (i) $1,000 for bachelor and one bedroom rental units,

26-068 (ii) $1,250 for two-bedroom rental units, or

(iii) $1,500 for three-bedroom or larger rental units.

(2) When an affected tenant is exercising their ROFR pursuant to section 13:

(a) moving expenses in accordance with subsection (1) must be provided for both the move out of the rental unit and the move to return to the residential property,

(b) the owner has discretion as to whether to comply with subsection (1)(a) or subsection (1)(b) for the return move, and

(c) the flat-rate compensation amounts detailed in subsection (1)(b) that the tenant was entitled to for the cost of leaving are unchanged for the return move, regardless of the size of the unit they were occupying in the interim period.

(3) When an affected tenant has additional needs or disabilities, the Director may require the owner to provide extra moving assistance in addition to the assistance detailed in this section, which may include partnering with health organizations or such other supports as the Director deems necessary.

Right of First Refusal (ROFR)

13. (1) The owner must inform all affected tenants of their ROFR in priority to other persons to rent a comparable replacement unit in the new or renovated residential property that underwent redevelopment in accordance with this section prior to seeking issuance of any building permit for a redevelopment.

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(2) For the purposes of subsection (1), where the new or renovated residential property is market rental housing, the owner must offer affected tenants comparable replacement rental units in the new or renovated residential property at the following rent, whichever is higher:

(a) rent that is at least 20% less than the rental rates specified in the applicable zoning bylaw for the corresponding type of dwelling unit; or

(b) rent that is equivalent to the tenant's rent at the time the tenancy ends."

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(3) For the purposes of subsection (2)(a), the applicable zoning bylaw sections referencing the rental rates are

(a) section 56 in Zoning Regulation Bylaw (No. 80-159), and

(b) section 36 in Zoning Bylaw 2018 (No. 18-072).

(4) At least six (6) months prior to applying for any occupancy permit for the redevelopment, but no more than nine (9) months, the owner must provide written notice to all affected tenants to collect expressions of interest in their ROFR, as captured in the approved TAP, and advise them of the owner's anticipated date of applying for an occupancy permit.

(5) At least ninety (90) days prior to applying for an occupancy permit, the owner must

contact in writing each of the affected tenants who expressed interest in the ROFR with the following information:

(a) a tenancy agreement for a rental unit in the redevelopment,

(b) the details of their rental unit type, location within the residential property, rent, and availability date, and

(c) notification that they have no less than forty-five (45) days from receipt of the notice pursuant to this subsection to provide the signed tenancy agreement to the owner, if they wish to accept the rental unit.

(6) Where the new or renovated residential property is non-market rental housing, subsection (2) does not apply because the owner must comply with the eligibility requirements and legal agreements associated with the redevelopment, as applicable.

(7) If offers are made to all affected tenants in accordance with subsection (1) but all affected tenants who are interested in exercising the ROFR cannot be accommodated in the new or renovated residential property, tenants will be ranked in priority based on their length of tenure in the residential property prior to redevelopment, with longest tenure being granted rental units first.

PART 4 – MISCELLANEOUS

Offences

14. (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw, the Bylaw Notice Adjudication Bylaw, and the *Offence Act* if that person:

(a) contravenes a provision of this Bylaw,

(b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw,

(c) neglects or refrains from doing anything required by a provision of this Bylaw,

(d) alters, falsifies, or otherwise misrepresents any information required to be provided pursuant to this Bylaw, including a tenant document.

(2) Each day that a contravention of a provision of this Bylaw continues is a separate offence.

Penalties

15. A person found guilty of an offence under this Bylaw is subject to a fine of not less than $100.00 and not more than $50,000.00 for every instance that an offence occurs or each day that it continues.

Severability

16. If any provision or part of this Bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, it shall be severed from the Bylaw and the balance of the Bylaw, or its application in the circumstances, shall not be affected and shall continue to be in full force and effect.

PART 5 – TRANSITION, REPEAL, COMMENCEMENT

Transition Provision

17. (1) This Bylaw does not apply to any complete building permit application received by the City prior to the date of adoption of this Bylaw.

(2) Notwithstanding subsection (1), an applicant may elect to have this Bylaw apply to their building permit application by notifying the Director in writing, in which case, this Bylaw applies to that application.

(3) The election under subsection (2) is final and irrevocable.

Repeal of Transition Provision

18. Section 17 of this Bylaw is repealed.

Commencement

19. This Bylaw comes into force on adoption, except section 18, which comes into force on the day that is one year after the date of adoption of this Bylaw.

READ A FIRST TIME the	**4th**	day of	**September**	2025
READ A SECOND TIME the	**4th**	day of	**September**	2025
READ A THIRD TIME the	**4th**	day of	**September**	2025
ADOPTED on the	**2nd**	day of	**October**	2025

"CURT KINGSLEY"
CITY CLERK

"MARIANNE ALTO"
MAYOR