CITY OF NANAIMO

BYLAW NO. 7459

A BYLAW TO ESTABLISH ASSISTANCE MEASURES FOR RESIDENTIAL TENANTS DURING PROPERTY REDEVELOPMENT

The municipal Council of the City of Nanaimo in open meeting assembled; hereby ENACTS AS FOLLOWS:

1. Title

1.1 This Bylaw may be cited as the "Residential Tenant Assistance Bylaw 2026 No. 7459"

2. Definitions

In this Bylaw:

"BYLAW NOTICE ENFORCEMENT BYLAW"	means the City of Nanaimo "Bylaw Notice Enforcement Bylaw 2012 No. 7159" or any subsequent bylaw or bylaws which may be enacted in the substitution thereof.
"CITY"	means the City of Nanaimo.
"DEVELOPMENT APPLICATION"	means an application submitted to the City for a property that includes one or more of the following: (a) an amendment to the Zoning Bylaw; (b) a Development Permit; (c) a Demolition Permit; or (d) a Building Permit.
"DEVELOPMENT PERMIT"	means a permit authorized by Section 490 of the *Local Government Act*.
"DIRECTOR OF PLANNING & DEVELOPMENT"	means the Director of Planning & Development for the City and includes any employee authorized to act on their behalf.
"NON-MARKET HOUSING"	means a range of housing options, where the cost of housing is lower than the average cost of market housing due to some level of subsidization. Non-market housing includes shelters, supportive housing and social housing but excludes Community Care Facilities providing licensed care services, warming centres and rooming houses.
"OWNER"	means 'owner' as defined in Section 63.1 of the *Community Charter*, or their agent.
"REDEVELOPMENT"	means 'redevelopment' as defined in Section 63.1 of the *Community Charter*.
"RENTAL RATE"	means 'rent' as defined in the *Residential Tenancy Act*.
"RENTAL UNIT"	means 'rental unit' as defined in Section 63.1 of the *Community Charter*.
"TENANCY AGREEMENT"	means 'tenancy agreement' as defined in the *Residential Tenancy Act*.

"TENANT"	means a person or persons residing in a rental unit on whose tenancy agreement is terminated in relation to a proposed redevelopment.
"ZONING BYLAW"	means the "City of Nanaimo Zoning Bylaw 2011 No. 4500" or any subsequent bylaw or bylaws which may be enacted in the substitution thereof.

3. Bylaw Applicability

3.1 This Bylaw applies to development applications in the City that involve the redevelopment (demolition or partial demolition) of a building containing four (4) or more rental units that will result in the displacement of tenants.

3.2 This Bylaw does not apply to redevelopment for the purpose of constructing 100% non-market housing on a property where the owner has:

(a) Has demonstrated that comparable tenant assistance measures are in place for tenants facing displacement; and

(b) Entered into a Housing Agreement with the City, pursuant to Section 483 of *the Local Government Act*, to secure the non-market housing.

4. Development Application Submission Requirements

4.1 The owner must provide a tenant assistance plan report to the City with a development application submission.

4.2 The tenant assistance plan report must include the following information:

(a) The number of existing rental units that will be demolished or partially demolished as a result of the proposed redevelopment, and the following information for each of those rental units:

i. the number of bedrooms;

ii. the number of tenants;

iii. the occupancy date; and

iv. the monthly rental rate.

(b) A tenant communications plan that includes information about the communications with tenants completed prior to submission of the development application, and the proposed communications to be provided to tenants throughout the redevelopment process in accordance with the requirements established by this Bylaw.

(c) The anticipated compensation that will be provided for each rental unit in accordance with the requirements established by this Bylaw.

5. Communication Requirements

5.1 Within one (1) month of submitting a development application, or prior to sending a compensation letter to tenants pursuant to Section 5.4, the owner must provide a notification letter to tenants in each rental unit and provide a copy to the City.

(a) Notification letters must be provided in person, by mail, or otherwise delivered to tenants in each rental unit.

(b) The notification letter must include the following information:

i. That a development application has been made to the City;

ii. A statement that the notification letter is not a landlord's notice to end tenancy;

iii. An overview and timeline of the development application and proposed redevelopment;

iv. The anticipated tenant assistance compensation to be provided to each tenant;

v. A copy of this Bylaw;

vi. The date, time, and location of the information meeting, as required in Section 5.2;

vii. Information about tenant resources, including, but not limited to, the Residential Tenancy Branch, Tenant Resource and Advisory Centre, and the City; and

viii. The owner's contact information where tenants may direct inquiries regarding the proposed development application and proposed redevelopment process.

5.2 Within two (2) months of the City receiving a development application the owner must hold an in-person information meeting for tenants and provide a meeting summary to the City.

5.3 During the development application process the owner must provide tenants with communication updates about the status of any development application, a minimum of once every three (3) months.

(a) Communication updates must be provided in person, by mail, by email, posted on rental unit doors, or otherwise delivered to tenants in each rental unit and posted in a central and commonly accessed location in the building subject to redevelopment.

5.4 The owner must provide a compensation letter to tenants in each rental unit to accompany the landlord's notice to end tenancy under the *Residential Tenancy Act*.

(a) The compensation letter must include the details of the compensation to be provided to tenants in accordance with this Bylaw.

(b) The compensation letter must be provided in a method consistent with the approved form in accordance with the *Residential Tenancy Act* for a notice to end tenancy.

5.5 At the request of the tenant, communication requirements pursuant to Section 5.1, 5.3, and 5.4 must be provided in the tenants' preferred language.

6. Financial Compensation Requirements

6.1 The owner must provide four (4) months' compensation per rental unit to the tenant, calculated at a rate that is the greater of:

(a) The tenant's rental rate on the date the notice pursuant to Section 5.4 is issued; or

(b) The Canada Mortgage and Housing Corporation's most recent average rent level for a comparable rental unit for the City on the date the notice pursuant to Section 5.4 is issued.

6.2 In addition to the compensation provided under Section 6.1, the owner must provide the following compensation for moving expenses to the tenant for each rental unit:

(a) $1,000 for studio and 1-bedroom units;

(b) $1,250 for 2-bedroom units; or

(c) $1,400 for 3-bedroom or larger units.

6.3 On or before the date a tenant moves out of the rental unit, the compensation provided by the owner to the tenant pursuant to Sections 6.1 and 6.2, may be either of the following, or a combination of both, at the discretion of the tenant:

(a) A lump sum payment; or

(b) Free rent applied to the tenant's existing rental unit or for a replacement unit in the same or different property.

6.4 Section 6.1 shall not apply where a tenant enters into a new tenancy agreement with the owner, at a rental rate not exceeding 10% of the tenant's current rent.

7. Compliance Reports

7.1 Pursuant to Section 5, the owner must provide a communication summary report to the City prior to final approval or permit issuance of a development application.

7.2 Within two (2) months of issuing a notice pursuant to Section 5.4, the owner must provide an interim compliance report to the City demonstrating compliance with this Bylaw

7.3 No later than one (1) month after the tenancy termination date for all rental units subject to redevelopment, the owner must provide a final compliance report to the City demonstrating compliance with this Bylaw.

8. Violation and Penalty

8.1 Every person who contravenes or violates any of the provisions of this Bylaw; causes, suffers or allows any act of thing to be done in contravention or in violation of any of the provisions of this Bylaw; or neglects or refrains from doing anything required to be done under this Bylaw commits an offence, and each day that the offence continues constitutes a separate offence.

8.2 On being found guilty of an offence, a person is liable to pay:

(a) If a proceeding is brought under the *Offence Act*, a fine of not less than $5,000 and up to $50,000, in addition to the costs incurred by the City in investigating and prosecuting and compensation for any damage or loss sustained by the Municipality or other person because of the commission of the offence, as may be ordered by the Provincial Court.

(b) If issued a bylaw notice under the Bylaw Notice Enforcement Bylaw, the person is liable to pay the maximum penalty set out in that bylaw and an applicable administration fee as authorized under the *Local Government Bylaw Notice Enforcement Act*

8.3 The City may withhold the issuance of a Development Permit, Demolition Permit, Building Permit, or other approvals until the owner has complied with the requirements of this Bylaw to the satisfaction of the Director of Planning & Development.

9. Severability

9.1 If any section, subsection, sentence, clause, or phrase of this Bylaw is for any reason held to be invalid by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Bylaw.

PASSED FIRST READING: 2026-JUL-20
PASSED SECOND READING: 2026-JUL-20
PASSED THIRD READING: 2026-JUL-20
ADOPTED: 2026-JUL-27

L.E. KROG
MAYOR

S. GURRIE
CORPORATE OFFICER