

**TOWN OF OSOYOOS  
BYLAW NO. 1235.01, 2008**

A Bylaw to amend Land Use Procedures (LUP) Bylaw No. 1235, 2007

**WHEREAS** Council deems it desirable to amend Land Use Procedures (LUP) Bylaw No. 1235, 2007.

**NOW THEREFORE** the Council of the Town of Osoyoos in open Meeting assembled enacts as follows:

1. This Bylaw may be cited as “**Land Use Procedures (LUP) Bylaw Amendment No. 1235.01, 2008**”.
2. That PART 8. RESIDENTIAL TENANT PROTECTION FROM REDEVELOPMENT, as attached, shall be **inserted** in the Bylaw.
3. And That existing Part 8. OTHER CONSIDERATIONS be **renumbered** as Part 9.

Read a First time this 18<sup>th</sup> day of February, 2008.

Notice given in accordance with the Local Government Act and the Community Charter by way of posting on the Notice Board on the 20<sup>th</sup> day of February, 2008, and by publication in the Osoyoos Times on the 20<sup>th</sup> day of February, 2008 and the 27<sup>th</sup> day of February, 2008.

Public Hearing was held this 3<sup>rd</sup> day of March, 2008.

Read a Second time this 17<sup>th</sup> day of March, 2008.

Read a Third time this 17<sup>th</sup> day of March, 2008.

Adopted this 7<sup>th</sup> day of April, 2008.

Original signed by Mayor John Slater

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Mayor

Original signed by Janette Van Vianen

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Corporate Administration Officer

**Part 8. RESIDENTIAL TENANT PROTECTION FROM REDEVELOPMENT**

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14. The following policy requires applicants for redeveloping a mobile home park or multiple family residential building to satisfactorily address the re-housing needs of vulnerable tenants, who could face serious problems obtaining alternative shelter on their own if they were displaced.
- (1) This policy applies to development applications for a zoning amendment and/or development permit for purposes of redeveloping all or part of a non-strata, mobile home park or multiple family residential building.
  - (2) The provisions of this policy apply over and above statutory requirements of the *Mobile Home Park Tenancy Act* or *Residential Tenancy Act* as applicable, and all costs for re-housing tenants must be borne by the applicant.
  - (3) At least thirty (30) days prior to submitting their first development application (zoning amendment or development permit, as applicable), the applicant will circulate an *initial notice* to each and every affected tenant of the subject property, with the following information:
    - (a) A list of all tenants being contacted with their names, unit numbers, and telephone numbers;
    - (b) An overview of the applicant's proposed redevelopment plans and timelines;
    - (c) The applicant's intent to develop a *tenant relocation plan* with all tenants interested in participating;
    - (d) The name of the applicant's contact person and directions how they can be easily contacted by tenants; and
    - (e) An attached copy of this policy document.
  - (4) The applicant will include a copy of their *initial notice* as part of their development application to Development Services.
  - (5) The applicant will prepare a *tenant relocation plan* in collaboration with interested tenants, including:
    - (a) A tenant profile of their demographic characteristics, general income levels, housing relocation options, and preferences;
    - (b) Confirmation of whether any mobile homes can be moved and re-used as homes by tenants;

- (c) The applicant's compensation package offered to individual tenants, as applicable:
  - i. Payment for relocating a mobile home to another park if it can be moved, or arranging for disposal of a mobile home if it cannot be relocated;
  - ii. Opportunities for first right of refusal to purchase dwelling units at discount prices in the redevelopment project, or in another development of the same applicant;
  - iii. Any other monetary compensation for assisting tenants to relocate to a new home; and
  - iv. Any other forms of assistance.
  
- (6) The applicant will submit their *tenant relocation plan* to Development Services, who will invite written comments on the plan from any interested tenants and will prepare a staff review of how well the plan meets tenants needs.
  
- (7) Staff will submit to Council the *tenant relocation plan*, and any comments received from tenants and the staff review, which all will be available for:

Application for Zoning Amendment

- (a) Comment by the public at a public hearing for a zoning amendment application;
  
- (b) Council consideration when deliberating second and subsequent readings for a zoning amendment application;

And / Or:

Application for Development Permit

- (c) Council consideration when deliberating approval of a development permit, including any requirements for the applicant to post securities guaranteeing complete and timely implementation of a *tenant relocation plan* that is agreeable to both the Town and the applicant.