

ATTACHMENT A

Agreement Re: Housing Agreement

To: The British Columbia Conference Property Development Council of The United Church of Canada (the "Owner")

From: City of Nanaimo (the "City")

Date: _____, 2018

Re: Housing Agreement (the "Housing Agreement") for 2020 Estevan Road, Nanaimo, BC (the "Lands")

WHEREAS:

- A. The Lands are currently used as a Church by a local congregation of The United Church of Canada.
- B. The Owner wishes to redevelop the Lands into a mixed-use residential building that will consist of 74 units of affordable housing plus a new purpose built church (the "Project").
- C. The intention is to subdivide the Lands to create two separate legal titles where one title will be for the residential housing (the "Housing Title") and the second title will be for the new purpose built church (the "Church Title").
- D. As a condition of granting approval for the Project, the City requires that the Owner and the City enter into a housing agreement regarding the occupancy of the housing units, as authorized under the terms of City of Nanaimo Housing Agreement Bylaw No. XXXX.
- E. Notice of the Housing Agreement shall be registered in the Land Title Office by the City against title to the Lands, at the cost of the Owner, in accordance with section 483 of the *Local Government Act*, and shall be binding on all persons who acquire an interest in the Lands after registration of this notice.

In consideration of the Owner entering into the Housing Agreement with the City and of the sum of \$10.00 now paid by the Owner to the City (the receipt and sufficiency of which is hereby acknowledged), the City agrees as follows:

- 1. If and when the Lands are subdivided to create the "Church Title", the City shall release the Housing Agreement from the Church Title, provided that all affordable rental units have been constructed on the Housing Title in accordance with the requirements of the Housing Agreement.
- 2. This Agreement shall enure to the benefit of the Owner and The United Church of Canada.

City of Nanaimo

per: authorized signatory