

DATE OF MEETING August 31, 2020

AUTHORED BY CALEB HORN, PLANNER, CURRENT PLANNING

**SUBJECT HOUSING AGREEMENT NO. HA2 – 326 WAKESIAH AVENUE**

## **OVERVIEW**

### **Purpose of Report**

To present Council with a Housing Agreement to secure student housing at 326 Wakesiah Avenue.

### **Recommendation**

That:

1. "Housing Agreement Bylaw 2020 No. 7313" (To authorize a housing agreement for student housing at 326 Wakesiah Avenue) pass first reading;
2. "Housing Agreement Bylaw 2020 No. 7313" pass second reading;
3. "Housing Agreement Bylaw 2020 No. 7313" pass third reading; and
4. Council direct Staff to register a covenant to reinforce the terms of the Housing Agreement.

## **BACKGROUND**

On 2019-DEC-05, Council passed third reading of "Zoning Amendment Bylaw No. 4500.164" (the "Amendment Bylaw"), associated with rezoning application No. RA398, to rezone the subject property from Single Dwelling Residential (R1) and Residential Corridor (COR1) to Mixed Use Corridor (COR2) with site-specific student housing use. A subsequent Development Permit application, DP1191, was received on 2020-APR-08. The application was submitted by Island West Coast Developments Ltd.

As a condition of rezoning, Council directed Staff to secure a housing agreement prior to final adoption of the Amendment Bylaw. The housing agreement must be adopted by bylaw prior to being registered on the property title. Another condition of rezoning, the consolidation of properties, has occurred since third reading of the Amendment Bylaw.

## **DISCUSSION**

The applicant is proposing to develop a four-story mixed-use building with 165 student housing beds and three commercial retail units. Student housing is not a specified permitted use in any zone in the city of Nanaimo and therefore requires an amendment to the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") to allow student housing as a site-specific use. Where student housing is secured through a rezoning, Section 9.2 of the Zoning Bylaw stipulates a housing agreement is required as a condition of use.

The housing agreement is intended to restrict occupancy of the residential component of the development for student housing. The terms of the Housing Agreement are summarized as follows:

- The student housing component of the development will consist of no more than 165 beds;
- The development will include a resident manager to manage occupancy and maintenance of the complex; and
- With the exception of the resident manager, the beds will be rented to students only.

The attached “Housing Agreement Bylaw 2020 No. 7313” would authorize the City of Nanaimo to enter into a housing agreement with the property owner. Once registered on the property title, the Housing Agreement will be bound to the property in perpetuity in order to ensure the condition of rezoning is met.

### **SUMMARY POINTS**

- On 2019-DEC-05, Council passed third reading of “Zoning Amendment Bylaw No. 4500.164” in order to rezone the 326 Wakesiah Avenue and allow student housing.
- As a condition of rezoning, Council directed Staff to secure a housing agreement prior to final adoption of the Amendment Bylaw.
- The Housing Agreement will restrict occupancy for student housing to a maximum of 165 beds.

### **ATTACHMENTS**

“Housing Agreement Bylaw 2020 No. 7313”

**Submitted by:**

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**Concurrence by:**

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Director, Development Approvals

Dale Lindsay  
General Manager, Development Services