

DATE OF MEETING | October 18, 2021 |

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING |

**SUBJECT | COVENANT AMENDMENT APPLICATION NO. CA15  
– 416 WAKESIAH AVENUE |**

## **OVERVIEW**

### **Purpose of Report**

To present Council with an application to discharge and replace a Section 219 covenant and Housing Agreement registered on the property title of 416 Wakesiah Avenue in order to increase the allowable number of beds in a proposed student housing development. |

### **Recommendation**

That:

1. "Housing Agreement Bylaw 2021 No. 7334" (To authorize a housing agreement for a student housing development at 416 Wakesiah Avenue) pass first reading;
2. "Housing Agreement Bylaw 2021 No. 7334" pass second reading;
3. "Housing Agreement Bylaw 2021 No. 7334" pass third reading; and
4. Council direct Staff to proceed with a Public Hearing to consider the proposed covenant amendment.

## **BACKGROUND**

A covenant amendment application, CA15, was received from Island West Coast Developments, on behalf of 1249818 BC Ltd., to discharge and replace a Section 219 covenant and Housing Agreement registered on the property title of 416 Wakesiah Avenue in order to allow an increase to the number of beds in a proposed student housing development.

The subject property was rezoned from Single Dwelling Residential (R1) to Mixed Use Corridor (COR2) with student housing permitted as a site-specific use in 2016 (RA358). A Section 219 covenant (CA5052723) was registered on the property title as a condition of rezoning to secure several items including the terms of a Housing Agreement.

### **Subject Property and Site Context**

<i>Location</i>	The subject property is located on the east side of Wakesiah Avenue between Fourth Street and Queen Street.
<i>Lot Area</i>	1,800m <sup>2</sup>
<i>Zoning</i>	COR2 – Mixed Use Corridor
<i>Official Community Plan (OCP) Future Land Use Designation</i>	Corridor
<i>Neighbourhood Plan Land Use Designation</i>	Harewood Neighbourhood Plan – Mixed Use Corridor

The subject property is located in the Harewood Neighbourhood directly across Wakesiah Avenue from Vancouver Island University (VIU). The lot is relatively flat and is currently vacant. There were previously two single residential dwellings located on the lot that were demolished in 2017.

Surrounding land uses include single residential dwellings to the north and across a lane to the east, an existing 37-bed student housing development to the south at 438 Wakesiah Avenue, and the VIU Trades Discovery Centre across Wakesiah Avenue to the west. Other nearby amenities include the Nanaimo Ice and Aquatic Centres, approximately 600m to the north, and the University Village and Village Centre Shopping Centres, approximately 800m to the east.

## **DISCUSSION**

### **Proposed Development**

The applicant is proposing to increase the maximum permitted number of student housing beds from 44 beds to 117 beds. The conceptual site plans are for a mixed-use four-storey building with 117 beds within 44 units, plus 3 commercial retail units, with a total gross floor area of 3,781m<sup>2</sup>. The existing Mixed Use Corridor zone (COR2) with site-specific use allows for the intended use. No variances are anticipated and the applicant has demonstrated that all required student housing and commercial parking can be accommodated on site in an underground parking level. The applicant has proposed the increase in beds in order to develop a feasible student housing project in response to current student housing demand.

To facilitate the proposed development, the following steps are required:

1. Consideration of first, second, and third readings of “Housing Agreement Bylaw 2021 No. 7334” (the “HA Bylaw”) to authorize a new Housing Agreement.
2. A public hearing to consider the discharge and replacement of the covenant from title in accordance with the City of Nanaimo Covenant Amendment Process Council Policy.
3. Consideration of final adoption of the HA Bylaw.
4. Discharge of the existing Housing Agreement and associated Section 219 covenant (CA5052723) and discharge of the existing notice on title (CA5214792).
5. Registration of a new Section 219 covenant and notice on title to secure the terms of the proposed Housing Agreement.

In addition to securing the terms of the Housing Agreement, the existing covenant (CA5052723) requires bicycle parking, a community amenity contribution, and road dedication. These additional items no longer need to be secured as the bicycle parking is now required by the City’s “Off-Street Parking Regulations Bylaw 2018 No. 7266”, and the payment of the amenity contribution and registration of road dedication have occurred. Therefore, the new covenant is proposed to include the Housing Agreement as presented in the HA Bylaw. An additional covenant to secure a new amenity contribution will be required should Council support the proposed covenant amendment following Public Hearing (see Community Amenity Contribution section following).

## **Policy Context**

### *Official Community Plan*

The Official Community Plan (OCP) identifies the subject property as within the Corridor future land use designation. Development in Corridors is characterized by a mix of residential, commercial, professional, and service uses, with residential developed at medium- to high-level densities. The proposed covenant amendment meets the intent of the OCP future land use designation.

### *Harewood Neighbourhood Plan*

The Harewood Neighbourhood Plan identifies the subject property as within the Mixed Use Corridor land use designation. This land use designation supports the same types of development as the OCP's Corridor designation, with building heights between two- to six-stories. Commercial services within mixed-use developments are supported along Wakesiah Avenue, particularly between Fourth Street and Fifth Street. The proposed covenant amendment will allow for a mixed-use development that meets the objectives of the Harewood Neighbourhood Plan.

### *Affordable Housing Strategy*

The City of Nanaimo Affordable Housing Strategy, adopted in 2018, contains a number of objectives related to diversifying housing. Specifically, Objective 5.3 supports rental housing and related programs for university students. The proposed covenant amendment will support this objective by allowing for more purpose-built rental student housing in close proximity to VIU.

### *Transportation Master Plan*

The subject property is located within the core of the VIU mobility hub, as identified by the Nanaimo Transportation Master Plan (NTMP). The VIU mobility hub is recognized as a city-wide and regional centre for educational services. The area's unique demographics, access to transit, and neighbourhood layout support levels of alternative forms of transportation, with the neighbourhood already achieving the second highest proportion of sustainable transportation trips in the city. A future land use vision includes higher density housing within the mobility hub that supports a mix of demographic needs and income levels. Overall, the NTMP recognizes the importance of strengthening Urban Nodes and Corridors and creating opportunities for residents to meet their daily needs with travel over shorter distances and reducing private vehicle dependency.

The subject property is in close proximity to commercial services, recreational amenities, educational facilities, transit stops, and multi-use trails, providing a range of opportunities and options within a short distance to support the proposed higher density.

## **Community Amenity Contribution**

In exchange for the increase in permitted density (number of beds), the applicant is encouraged to provide a Community Amenity Contribution (CAC). The previous rezoning application secured a CAC at a rate of \$300 per student housing bed and \$34 per m<sup>2</sup> of commercial floor

area to be used towards local trail and lane improvements, and was collected in 2016 through rezoning application RA358.

As part of this covenant amendment application, the applicant is offering an additional CAC at the same rate. With a proposed increase of 73 student housing beds, a CAC with a value of at least \$21,900 would be expected. The applicant has proposed the following CAC:

- A monetary contribution of \$22,000 towards parks, recreation, and culture improvements in the Vancouver Island University / Harewood neighbourhood.

Staff support the proposed CAC.

### **SUMMARY POINTS**

- Covenant Amendment application No. CA000015 proposes to discharge and replace a Section 219 covenant and Housing Agreement registered on the property title of 416 Wakesiah Avenue in order to increase the allowable number of beds in a proposed student housing development from 44 beds to 117 beds.
- To facilitate the development, “Housing Agreement Bylaw 2021 No. 7334” is proposed to authorize the new Housing Agreement.
- The proposed covenant amendment meets the objectives of the Official Community Plan, Harewood Neighbourhood Plan, Affordable Housing Strategy, and Transportation Master Plan.
- A monetary contribution of \$22,000 towards parks, recreation, and culture improvements in the Vancouver Island University / Harewood neighbourhood is proposed for the Community Amenity Contribution.

### **ATTACHMENTS**

ATTACHMENT A: Context Map  
ATTACHMENT B: Location Plan  
ATTACHMENT C: Conceptual Site Plan  
ATTACHMENT D: Conceptual Perspective Views  
ATTACHMENT E: Aerial Photo  
“Housing Agreement Bylaw 2021 No. 7334”

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