

DATE OF MEETING February 28, 2022

AUTHORED BY CALEB HORN, PLANNER, CURRENT PLANNING

**SUBJECT HOUSING AGREEMENT APPLICATION NO. HA8 – 6030 LINLEY VALLEY DRIVE**

## **OVERVIEW**

### **Purpose of Report**

To present Council with a Housing Agreement to secure rental housing for a portion of a multi-family residential development at 6030 Linley Valley Drive.

### **Recommendation**

That:

1. "Housing Agreement Bylaw 2022 No. 7342" (To authorize a Housing Agreement securing no independent sales for 50% of the dwelling units at 6030 Linley Valley Drive) pass first reading;
2. "Housing Agreement Bylaw 2022 No. 7342" pass second reading;
3. "Housing Agreement Bylaw 2022 No. 7342" pass third reading; and
4. Council direct Staff to register a covenant to reinforce the terms of the Housing Agreement.

## **BACKGROUND**

On 2021-JUL-26, Development Permit No. DP1210 was approved by Council to allow a multi-family residential development at 6030 Linley Valley Drive. The development will consist of two 5-storey buildings and one 4-storey building with a combined total of 152 dwelling units. The approved DP secured additional density by meeting Tier 2 of 'Schedule D – Amenity Requirements for Additional Density' in the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw"). One of the amenity items required through approved DP1210 is to ensure that at least 50% of all residential units not be sold independently for at least ten years after the buildings receive occupancy. There is an active Building Permit (BP127522) for the property and the Housing Agreement is required to be registered on title prior to building occupancy.

## **DISCUSSION**

Section 482 of the *Local Government Act* (LGA) allows local governments the opportunity to obtain various amenities in exchange for additional density through zoning. 'Schedule D' of the Zoning Bylaw uses this section of the LGA by awarding density where a development provides amenities with a social, cultural, or environmental benefit. Each amenity is assigned a point value, and additional density is available in two tiers.

Development Permit No. DP1210 includes an additional 0.5 Floor Area Ratio by achieving Tier 2. At the time of DP1210's approval, a development required 60 or more points from a possible 125 points in order to achieve Tier 2. One of the amenities for DP1210 required a

housing agreement to secure at least 50% of the units for market rentals for ten years by restricting independent sales. Other amenities to be provided through DP1210 include:

- exceeding the minimum BC Energy Step Code requirement by two steps;
- a minimum of 10% of the dwelling units to meet BC Building Code accessibility requirements;
- wood as the primary building materials;
- public art;
- a children’s play area; and,
- a dedicated garden space.

The attached “Housing Agreement Bylaw 2022 No. 7342” would authorize the City of Nanaimo to enter into a housing agreement with the property owner. The agreement will restrict the independent sale of at least 50% of the residential dwelling units for ten years from the time of building occupancy, effectively securing 50% of units within the rental pool. A *Land Title Act* Section 219 covenant is proposed to reinforce the terms of the housing agreement. Securing 50% of the units as rental units will assist the City in increasing the supply of rental housing, which is identified as the first objective in the City’s Affordable Housing Strategy.

### **SUMMARY POINTS**

- On 2021-JUL-26, Development Permit No. DP1210 was approved by Council to allow a multi-family residential development at 6030 Linley Valley Drive.
- One of the amenity requirements proposed by the applicant is to ensure that at least 50% of all residential units not be sold independently for at least ten years after the buildings receive occupancy.
- “Housing Agreement Bylaw 2022 No. 7342” would authorize the City of Nanaimo to enter into a housing agreement with the property owner and effectively secure 50% of the units within the rental pool.

### **ATTACHMENTS**

“Housing Agreement Bylaw 2022 No. 7342”

**Submitted by:**

Lainya Rowett  
Manager, Current Planning

**Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
Deputy CAO / General Manager,  
Development Services