

DATE OF MEETING | October 3, 2022 |

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING |

SUBJECT | HOUSING AGREEMENT APPLICATION NO. HA9 – 3059 GLEN EAGLE CRESCENT |

OVERVIEW

Purpose of Report

To present Council with a Housing Agreement Bylaw to secure the terms and conditions of occupancy for a residential shelter at 3059 Glen Eagle Crescent. |

Recommendation

That:

1. "Housing Agreement Bylaw 2022 No. 7357" (to secure the terms and conditions of occupancy for a residential shelter at 3059 Glen Eagle Crescent) pass first reading;
2. "Housing Agreement Bylaw 2022 No. 7357" pass second reading;
3. "Housing Agreement Bylaw 2022 No. 7357" pass third reading; and,
4. Council direct Staff to register a covenant to reinforce the terms of the Housing Agreement. |

BACKGROUND

The property owner at 3059 Glen Eagle Crescent has applied for a business license to operate a not-for-profit recovery house defined as a 'residential shelter' in the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw"). The subject property contains a single residential dwelling that was built in 1969. The Zoning Bylaw permits residential shelters in a single residential dwelling in any zone; however, where a residential shelter is occupied by more than five unrelated persons (defined as a 'Family' in the Zoning Bylaw), Section 6.21 of the Zoning Bylaw requires the operator of the shelter to enter into a Housing Agreement with the City to secure the terms and conditions for occupancy. Under Section 483 of the *Local Government Act*, a local government may enter into a Housing Agreement enacted by bylaw. |

DISCUSSION

Proposed "Housing Agreement Bylaw 2022 No. 7357" is attached to this report, and the terms of the agreement are consistent with terms used for all residential shelters in Nanaimo that are operating with occupancy for more than five unrelated persons. The terms of the agreement will stipulate operational requirements for the residential shelter operator. While the Zoning Bylaw allows up to 10 unrelated persons in a shelter with a Housing Agreement, the proposed agreement will restrict occupancy to a maximum of eight unrelated persons in order to comply with the maximum occupancy permitted by the BC Building Code for the existing building. |

SUMMARY POINTS

- The City of Nanaimo Zoning Bylaw permits residential shelters in a single residential dwelling in any zone.
- Where a residential shelter is occupied by more than five unrelated persons, Section 6.21 of the Zoning Bylaw requires the operator of the shelter to enter into a Housing Agreement with the City of Nanaimo.
- The terms of the Housing Agreement will stipulate operational requirements for the residential shelter operator.

ATTACHMENTS

“Housing Agreement Bylaw 2022 No. 7357”

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services
/ Deputy CAO