



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall
1229 Esquimalt Road
Esquimalt, B.C. V9A 3P1

Legislation Text

File #: 19-040, Version: 1

REQUEST FOR DECISION

DATE: January 30, 2019

Report No. DEV-19-011

TO: Laurie Hurst, Chief Administrative Officer

FROM: Alex Tang, Planner and Bill Brown, Director of Development Services

SUBJECT:

Housing Agreement Bylaw - 638 Constance Avenue, 640 Constance Avenue and 637 Nelson Street

RECOMMENDATION:

That Council resolves that Housing Agreement Bylaw, 2019, No. 2954, attached as Appendix A of Staff Report DEV-19-011, for 638 Constance Avenue, 640 Constance Avenue and 637 Nelson Street be given first, second, and third reading.

RELEVANT POLICY:

Zoning Bylaw, 1992, No 2050
Local Government Act

STRATEGIC RELEVANCE:

This Request for Decision does not directly relate to a specific strategic objective.

BACKGROUND:

Appendix A: Housing Agreement Bylaw, 2019, No. 2954

Purpose of the Application

The applicant is requesting a change in zoning from the current RM-1 [Multiple Family Residential] zone to Comprehensive Development District No.110. This change is required to accommodate the proposed 6 storey, 71 unit, purpose-built rental, multiple family residential building including a 61 space parking garage.

The property owner and the Township wish to enter into a Housing Agreement that would include provisions that:

- Other than restricting short-term rentals of less than 30 days, all of the dwelling units are available as rental housing rented under the terms of a residential tenancy agreement that complies with the provisions of a *Residential Tenancy Act* with the exception of one Caretaker Unit.

- As the proposed development is a purpose built rental, the owner cannot stratify the building to ensure that the units remain as rental units.
- For a duration of 15 years, a minimum of 7 affordable dwelling units consisting of
 - 3 Bachelor (Studio) units
 - 2 One-bedroom units, and
 - 2 Two-bedroom units
- Affordable dwelling units must have an occupancy standard of at least one person per bedroom, and at least one person per bachelor unit.
- Affordable dwelling units must be occupied by households with a gross annual income at or below the BC Housing Income Limits for the Victoria region.
- Affordable rent is defined as no more than 30% of the gross household annual income.

Should this Housing Agreement Bylaw be adopted, the Township representatives would then sign it and a Notice of this Housing Agreement shall be placed on the title of the subject property.

ISSUES:

1. Rationale for Selected Option

Registration of this Housing Agreement would ensure that this building remains as a purpose built rental building as proposed. In addition, it would also ensure that a minimum of 7 units would be rented as affordable units for a duration of 15 years.

2. Organizational Implications

This Request for Decision has no organizational implications.

3. Financial Implications

This Request for Decision has no financial implications.

4. Sustainability & Environmental Implications

This Request for Decision has no sustainability or environmental implications.

5. Communication & Engagement

A housing agreement to secure the rental and affordable housing units is required as part of this rezoning application. The Local Government Act does not require that notification be provided when a municipality is considering approval of a Housing Agreement Bylaw.

ALTERNATIVES:

1. That Council give first, second and third readings to Housing Agreement Bylaw, 2019, No. 2954.
2. That Council defeat Housing Agreement Bylaw, 2019, No. 2954.