



The Corporation of the City of Courtenay

Staff Report

To: Council

File No.: 3360-20-2307/RZ000079

From: Director of Development Services

Date: August 28, 2024

Subject: Housing Agreement Bylaw No. 3152, 2024 – 120 11th Street

PURPOSE:

For Council to consider giving first, second and third reading to Housing Agreement Bylaw No. 3152, 2024 – 120 11th street to authorize the City to enter into a Housing Agreement pursuant to Section 482 of the *Local Government Act* for the properties assigned the civic address of 120 and 125th 11th Street and 1128 Beckensell Avenue and an unaddressed City owned parcel, which is more particularly described herein.

1. LOT A, SECTION 69, COMOX DISTRICT, PLAN 32204
2. THAT PART OF LOT 10, SECTION 69, COMOX DISTRICT, PLAN 3030, TAKEN FOR ROAD PURPOSES AND CONTAINING 0.27 OF AN ACRE MORE OR LESS, SHOWN IN RED ON PLAN 284BL
3. LOT 1, SECTION 69, COMOX DISTRICT, PLAN 6674
4. LOT 2, SECTION 69, COMOX DISTRICT, PLAN 6674

BACKGROUND:

Council considered first, second and third readings of *Zoning Amendment Bylaw No. 3059* to allow for lot consolidation and the development of a 104-unit purpose-built rental apartment at 120 and 125th 11 street and 1128 Beckensell Avenue and an unaddressed City parcel of land as illustrated in figure 1 below.

Figure 1: Legal descriptions of lots proposed for Housing Agreement. City owned parcel shown in red.



The Housing Agreement requires that rent for 6 of the 104 proposed units be 30% below the Market Rate for the Courtenay (CY) Census Subdivision (CSD) for rental units in the primary rental market constructed after 2000, in perpetuity, as determined by Canadian Mortgage and Housing Corporation (CMHC) from time to time. The 6 rent secure units will consist of:

- One (1), studio apartment
- Two (2), executive studio apartments (larger square footage studios)
- Two (2), 1-bedroom apartments
- One (1), 2-bedroom apartment

DISCUSSION:

For multi-unit rental apartments, the OCP’s Community Amenity Contribution (CAC) policies look for 15% of the density increase granted through a rezoning to be secured as housing offered in perpetuity at 30% below the market rate. The CAC policy also looks for these units to be representative of a mix of unit sizes, with the goal of providing some affordable family-oriented housing.

The proposed rezoning allows a net increase of approximately 21,368 ft². 15% of this increase in development rights equates to approximately 3,205 ft². The 3,205 ft² as a floor area, when accounting for the differences in unit sizes across the mix of units, amounts to 6 units.

As a result, the rezoning application meets the OCPs expectation for Community Amenity Contribution and Staff are able to recommend this Housing Agreement.

POLICY ANALYSIS:

The subject Housing Agreement and associated development meet the housing objectives and goals in the following bylaws:

- Comox Valley Regional Growth Strategy Bylaw No. 120, 2010
- Official Community Plan Bylaw No. 3070, 2022

FINANCIAL IMPLICATIONS:

No financial implications are associated with this bylaw adoption as it is the applicant’s responsibility to reimburse the City for all legal costs reasonably incurred by the City for preparation, execution and registration of this Agreement and Section 219 Covenant

ADMINISTRATIVE IMPLICATIONS:

Processing zoning bylaw amendments is a statutory component of the corporate work plan and a core duty of the Development Services Department.

STRATEGIC PRIORITIES REFERENCE:

This initiative addresses the following strategic priority:

Affordable Housing - Explore approaches to develop affordable housing: Clarify municipal role in housing affordability

OPTIONS:

1. THAT Council give first, second and third readings of Housing Agreement Bylaw No. 3152, 2024 – 120 11th Street on the properties legally described as (1) LOT A, SECTION 69, COMOX DISTRICT, PLAN 32204; (2) THAT PART OF LOT 10, SECTION 69, COMOX DISTRICT, PLAN 3030, TAKEN FOR ROAD PURPOSES AND CONTAINING 0.27 OF AN ACRE MORE OR LESS, SHOWN IN RED ON PLAN 284BL (“Unaddressed Municipal Property”); (3) LOT 1, SECTION 69, COMOX DISTRICT, PLAN 6674; and (4) LOT 2, SECTION 69, COMOX DISTRICT, PLAN 6674 ; and THAT the owner execute the Housing Agreement prior to adoption.
2. THAT Council defeat the propopsed bylaw.
3. THAT Council provide alternative direction to staff.

ATTACHMENTS:

1. Housing Agreement Bylaw No. 3152, 2024 – 120 11th Street
2. Draft Housing Agreement – 120 11th Street

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Reviewed by: Marianne Wade, RPP, MCIP, Director of Development Services
Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)