



# Staff Report to Council

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**DATE: Monday, August 19, 2024**

**DEPARTMENT: Planning**

**SUBJECT: Bylaw No. 2186 – 980 Bray Avenue Housing Agreement**

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## **EXECUTIVE SUMMARY:**

In February 2023, Council directed staff to proceed with developing a rental stream option for the Attainable Home Ownership Program Policy. Since that time, several rezoning applications have committed to providing attainable rental units in their developments as a condition of rezoning.

As with the ownership stream, any terms and conditions applied to the occupancy of a rental unit must be secured through a housing agreement registered on title of the property, which in turn must be authorized through the adoption of a housing agreement bylaw. Staff have worked with City solicitors to draft the standard terms of the housing agreement, which include definitions on how the below-market rent is to be calculated, income limits, residency requirements, among others.

## **BACKGROUND:**

At the Regular Meeting held April 15, 2024, Council adopted Bylaw No. 2019, which rezoned the properties at 980 Bray Avenue (previously 982, 984, 986, 988 Bray Avenue) to allow for the development of a six-storey apartment.

The following was applied as a condition of rezoning:

*That, prior to the issuance of a Building Permit, the developer enters into a Housing Agreement with the City that requires a minimum 10% of units constructed be rented at a rate no higher than 30% of the median renter income as calculated by the Canadian Mortgage and Housing Corporation for Langford for a term not less than 10 years or that a minimum of 5% of the units constructed be directed to and sold in accordance with the terms of the Attainable Home Ownership Program Policy (POL-0166-PLAN). The developer shall identify the Attainable Units on the plans submitted for the required Development Permit application.*

**COMMENTARY:**

The owners of 980 Bray Avenue are preparing to apply for their building permit and wish to register the housing agreement on title. The housing agreement must be authorized by the housing agreement bylaw and registered before the building permit can be issued.

As drafted, the housing agreement attached to Bylaw No. 2186 includes a requirement that six of the units developed at 980 Bray Avenue shall be rented and used in accordance with the proposed terms of the agreement, as required by Council through the rezoning approval.

The terms of the housing agreement ensure that these six units shall be rented at thirty percent of the median renter income for a period of no less than 10 years. The rent will be determined by using a third-party source, the Canadian Mortgage and Housing Corporation’s (CMHC’s) Housing Market Information Portal.

To ensure that the affordable units are being rented to the households that need them, tenants must have a gross household income equal to or less than the most recent affordable housing program Housing Income Limits for the “Victoria Planning Area” published by BC Housing, which are summarized in the table below:

<b>Planning Area</b>	<b>1 Bedroom or Less</b>	<b>2 Bedroom</b>	<b>3 Bedroom</b>	<b>4+ Bedroom</b>
Victoria	\$50,000	\$65,000	\$82,000	\$95,000

Additionally, prospective tenants must already reside in Langford, must not own any land, and may not be an immediate family member of the owner as defined in the terms of the attached agreement. The 2021 Census completed by Statistics Canada states that 20.7% of renters in Langford are living in core housing need which is defined as households spending more than 30% or more of its before-tax income on rent and utilities. Due to this large percentage of renters in core housing need, staff recommend limiting the requirement for this program to current residents of Langford.

To confirm that the Owner and Tenant meet the requirements in the agreement, the City is permitted to inspect the units and confirm that the terms are being met by requesting the Owner provide written proof of compliance.

The housing agreement will expire following the 10<sup>th</sup> anniversary of the date the City of Langford grants an occupancy permit for the below-market units. Upon expiry, the Owner may provide to the City a discharge, which the City will execute and return to the Owner to file with the Land Title Office.

**FINANCIAL IMPLICATIONS:**

There are no known financial implications at this time.

**LEGAL IMPLICATIONS:**

Pursuant to Section 483 of the *Local Government Act*, a housing agreement specifying that certain terms and conditions apply to the occupancy of housing units must be authorized by a housing agreement bylaw.

Should Council wish to move forward with this proposal as described, they may wish to give the first three readings to Bylaw No. 2186 as drafted.

**STRATEGIC PLAN ALIGNMENT:**

**1m** – Pursue Programs and Partnerships for Affordable Housing

**OPTIONS:**

**Option 1**

THAT Council give 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings to Bylaw No. 2186.

**OR Option 2**

THAT Council take no action at this time with respect to Bylaw No. 2186.

**SUBMITTED BY: Matt Notley, Planner II, Community Planning and Climate Change**

**Concurrence:** Melisa Miles, Manager of Legislative Services

**Concurrence:** Yari Nielsen, Director of Parks, Recreation and Facilities

**Concurrence:** Matthew Baldwin, RPP, MCIP, Director of Development Services

**Concurrence:** Leah Stohmann, RPP, MCIP, Director of Community Planning and Climate Change

**Concurrence:** Katelyn Balzer, P.Eng., Director of Engineering and Public Works

**Concurrence:** Braden Hutchins, Deputy Chief Administrative Officer

**Concurrence:** Darren Kiedyk, Chief Administrative Officer

Attachment 1: Bylaw No. 2186 & Housing Agreement - 980 Bray Avenue