

# **REPORT**

## ***Climate Action, Planning and Development***

**To:** Mayor Johnstone and Members of Council  
**Date:** November 6, 2023

**From:** Jackie Teed, Director, Climate Action Planning and Development  
**File:** REZ00155  
HA000035  
SDP00216

**Item #:** 2023-725

**Subject:** **Housing Agreement Bylaw No. 8389, 2023 (810 Agnes St) – Bylaw for Three Readings**

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### **RECOMMENDATION**

**THAT** Council consider Housing Agreement Bylaw No. 8389, 2023 for First, Second and Third Readings; and

**THAT** Council, should the Housing Agreement Bylaw No. 8389, 2023 be adopted, direct the Mayor and Corporate Officer to execute the Housing Agreement and No-Stratification Covenant.

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### **PURPOSE**

To request that Council consider Housing Agreement Bylaw No. 8389, 2023 to authorize the City to enter into a Housing Agreement with the property owner requiring all 352 residential units at 810 Agnes St be secured as rental housing for 60 years or the life of the building, whichever is longer.

### **EXECUTIVE SUMMARY**

Rezoning and Special Development Permit applications have been received for development of a residential high-rise tower with 352 secured market rental housing units. Council has considered the rezoning application for this proposal on April 24, 2023 and provided three readings of Zoning Amendment Bylaw 8390, 2023 on May 29, 2023. One of the conditions of adoption of the Zoning Amendment Bylaw is securing the market rental units through a Housing Agreement Bylaw and No-Stratification Covenant.

This report seeks Council consideration of the Housing Agreement Bylaw and authorization for the Mayor and corporate officer to execute the agreement and covenant.

## **BACKGROUND**

The proposal at 810 Agnes Street is for a secured market rental building with 352 units, with a height of 33 storeys (114 metres / 374.02 feet), an overall floor space ratio (FSR) of 9.40 and a tower floorplate of 706 square metres (7,600 sq. ft.). It includes 104 studio (29.5%), 114 one-bedroom (32.4%), 115 two bedroom (32.7%) and 19 three-bedroom (5.4%) units and is compliant with family friendly housing requirements. It includes a request for relaxation of vehicle parking spaces from 262 to 169 overall vehicles parking space (35.5% and 93 space reduction). It also exceeds required bicycle parking requirements from 528 required to 550 provided spaces.

Exceeding the requirements of the Secured Market Rental Housing Policy, the application includes the following key amenity contributions: fully funding the design and construction of the commemorative park at 824 Agnes Street including public art; universal public washroom; street improvements along Victoria Street; barrier-free access to the park and interior amenity space via elevator and sloped walkway; and provision of a 325.16 square metres (3,500 sq. ft.) interior amenity space to be provided to the City for future programming.

A report was presented to Council on April 24, 2023 with information on the proposal, including Housing Principles and a draft Housing Agreement Bylaw, and Council directed that the Zoning Amendment Bylaw be forwarded to for consideration of three readings, which occurred on May 29, 2023. Council also directed that a Housing Agreement be forwarded to Council for consideration, which is the subject of this report.

## **DISCUSSION**

A Housing Agreement Bylaw (Attachment 1) and a no-stratification covenant (Attachment 3) are required to secure the proposed rental units for 60-years or the life of the building, whichever is longer.

The applicant agreed to standard City housing agreement principles for secured market rental housing projects and provided a letter of agreement which was included in the April 24, 2023 report to Council and which is included for reference in Attachment 2. These principles have been reflected in Housing Agreement Bylaw No. 8389, 2023 (Attachment 1) for Council consideration.

Should Council adopt the Housing Agreement Bylaw, the Housing Agreement and no-strata covenant would then be signed by the applicant, the Mayor Corporate Officer and filed at the Land Title Office prior to adoption of the Zoning Amendment Bylaw.

**FINANCIAL IMPLICATIONS**

There are no financial implications anticipated for the City associated with consideration of the Housing Agreement Bylaw.

**INTERDEPARTMENTAL LIAISON**

This rezoning application has been reviewed by a project team consisting of staff from the Engineering Services and Parks and Recreation Departments, and the Building and Planning Divisions of Climate Action, Planning and Development.

**APPLICATION REVIEW PROCESS AND NEXT STEPS**

Should Council adopt the Housing Agreement Bylaw, the applicant will continue to address subsequent rezoning adoption requirements before the Zoning Amendment is brought back to Council for consideration of adoption.

**OPTIONS**

- 1. That Council consider Housing Agreement Bylaw No. 8389, 2023 for First, Second and Third Readings; and,
- 2. That Council, should the Housing Agreement Bylaw No. 8389, 2023 be adopted, direct the Mayor and Corporate Officer to execute the Housing Agreement and No-Stratification Covenant.
- 3. That Council provide staff with alternate direction

Staff recommends Options 1 and 2.

**ATTACHMENTS**

- Attachment 1 – Housing Agreement Bylaw 8389, 2023
- Attachment 2 – Housing Agreement Principles Letter of Agreement
- Attachment 3 – No-Strata Title Covenant

**APPROVALS**

This report was prepared by:  
Tristan Johnson, Senior Planning Analyst  
Michael Watson, Acting Manager of Development Planning

This report was reviewed by:  
Demian Rueter, Acting Senior Manager of Planning

This report was approved by:  
Jackie Teed, Director of Climate Action, Planning and Development  
Lisa Spitale, Chief Administrative Officer