

CITY OF NANAIMO

BYLAW NO. 7082

A BYLAW TO REDUCE DEVELOPMENT COST CHARGES FOR
NOT-FOR-PROFIT RENTAL HOUSING

WHEREAS the municipality may by Bylaw provide for a waiver or reduction of Development Cost Charges under Section 933.1 of the *Local Government Act* for not-for-profit rental housing, including supportive living housing;

AND WHEREAS the City of Nanaimo wishes to establish the criteria for an eligible development for the purposes of this bylaw.

THEREFORE BE IT RESOLVED that the Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the City of Nanaimo "BYLAW TO REDUCE DEVELOPMENT COST CHARGES (NOT-FOR-PROFIT RENTAL HOUSING) BYLAW 2008 NO. 7082".
2. In this Bylaw the following words and expressions have the following meanings:
 - (a) "City" means City of Nanaimo;
 - (b) "Eligible development" means not-for-profit rental housing, including supportive housing, that meets all of the following:
 - (i) at least 50 percent of the fair market value of the real property on which the development is situated is owned by an eligible owner;
 - (ii) the cost to rent a unit in the development to at least 30 percent of the tenants does not exceed the Core Needs Income Threshold established for the City of Nanaimo by the BC Housing Management Commission;
 - (iii) the land on which the development is to be built is owned by the City and held by the applicant under a lease or the owner has entered into Housing Agreement with the City under Section 905 of the *Local Government Act* which has been registered against the title to the land on which the development is located; and,
 - (iv) the applicant has demonstrated to the reasonable satisfaction of the City that the development is eligible for a housing subsidy (either rent or capital) from the government of British Columbia, the government of Canada or a Public Housing Authority.

- (c) “Eligible owner” means the government of British Columbia, the government of Canada, a local government, a Public Housing Authority of a not-for-profit corporation incorporated under the *Society Act* (British Columbia) or Part II of the *Canada Corporations Act*.
 - (d) “Public Housing Authority” means the BC Housing Management Commission or another public authority established by the government of British Columbia or the government of Canada.
3. Despite a Bylaw of the City of Nanaimo imposing Development Cost Charges of any type, where the proposed development in respect of which Development Cost Charges are payable is an eligible development, the Development Cost Charges imposed by the City and otherwise payable by the developer in respect of the development shall be reduced by 50 percent.

PASSED FIRST READING 2008-SEP-29.
PASSED SECOND READING 2008-SEP-29.
PASSED THIRD READING 2008-SEP-29.
ADOPTED 2008-OCT-20.

G. R. KORPAN
M A Y O R

I. HOWAT
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