

# Report to Council



**Date:** January 25, 2021  
**To:** Council  
**From:** City Manager  
**Subject:** Rescind Housing Agreement – 151 Taylor Road  
**Department:** Policy & Planning

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## **Recommendation:**

THAT Council, receives for information, the report from the Planner Specialist dated January 25, 2021 recommending that Council repeal the Housing Agreement Bylaw No. 10182 for 151 Taylor Road;

AND THAT Council consider Bylaw No. 12149 which would authorize the City of Kelowna to repeal Bylaw No. 10182 being Housing Agreement Authorization Bylaw Rohit Communities Kelowna Ltd. Inc. No. BC0763831– 151 Taylor Road and all amendments thereto, for the lands known as: Strata Lots 12,13,30,31,48 and 49 Section 22, Township 26, ODYD, Strata Plan KAS3631;

AND THAT Bylaw No. 12149. being Repeal Housing Agreement Authorization Bylaw No. 10182 be forwarded for reading consideration.

## **Purpose:**

To repeal the Housing Agreement Authorization Bylaw No. 10182 for the subject property.

## **Background:**

In 2013, Staff received direction from Council to rescind housing agreements related to affordable ownership housing. The affordable ownership component of housing agreements was determined to be impractical given the significant staff resources required to monitor and maintain them with limited benefit to the community.

## **Discussion:**

In 2013, approximately ten active “affordable ownership” housing agreements were identified and brought forward for rescindment. However, the “affordable ownership” housing agreements for 151 Taylor Road were not captured during this process. As a result, “affordable ownership” housing agreements are still on title for six strata apartments at 151 Taylor Road (Bylaw No. 10182), limiting the ability of the owners to sell their units. Bylaw No. 12149 that is for consideration of Council would rescind the housing agreement for these six strata units clearing the way for any future sales and following through on the Council direction identified in 2013.

**Conclusion:**

The rescinding of the “affordable ownership” agreement will ensure that the owners of the strata units are not unfairly burdened by an outdated agreement and will clear the path for all owners to be able to sell their units without restrictions.

**Internal Circulation:**

Office of the City Clerk  
Development Planning

***Legal/Statutory Authority:***

Local Government Act Section 483: A housing agreement under section 483 of the Local Government Act (LGA) is a tool available to the City to ensure that purpose-built rental housing terms and conditions are kept. Under Section 483 of the LGA: “A housing agreement may include terms and conditions agreed to by the local government and the owner regarding the occupancy of the housing units identified in the agreement...”

***Existing Policy:***

Official Community Plan 2030: Objective 5.9 - Support the creation of affordable and safe rental, non-market and/or special needs housing. Note that the existing policy does not suggest that the City will be involved in ownership housing agreements.

***Financial/Budgetary Considerations:***

Affordable housing conditions in housing agreements were previously determined impractical given the significant staff time required to monitor them. Also, they are very problematic in terms of administration when a property owner wants changes to the housing agreement, requiring legal consultation and the involvement of various City departments.

Submitted by:

R. Soward, Planner Specialist

Approved for inclusion:



J. Moore, Manager Long Range Policy Planning