



MTG DATE: AUG 14/23
ITEM: HOUSING PROJECT
FILE: LAND DISPOSITION

The Corporation of the Village of Slokan Memo

DATE: August 14, 2023
TO: Mayor and Village Council
FROM: M.Gordon, CAO
SUBJECT: Slokan Affordable Housing Project – Land Disposition

ANALYSIS SUMMARY:

At the September 2022 regular meeting, Slokan Council announced its intention to re-locate the Affordable Housing Project from the proposed site on the corner of Slokan St and Giffin Ave, to the former Curling Club Lands. The new location would provide better access, and is directly adjacent to family amenities such as the school, outdoor recreation (courts, skate park, pump track), community services (youth center, daycare, computer lab, food bank), and the downtown core.

"Since the formation of the Slokan Affordable Housing Advisory Commission of Council in 2017, the Village has been actively researching options for affordable housing in Slokan. The Village was successful with grant funding, and procured M'akola Development Services to complete a feasibility analysis, and to provide consulting support throughout the duration of the project. The analysis included information on the overall vision, need, cost breakdown, project detail, and potential funding programs, and showcased several funding scenarios available to build capacity for this project to move forward. The Village issued an RFP and procured COVER Architecture to complete a schematic design for the 8-unit project, with a mix of one-, two-, and three-bedroom units. At a special meeting in March 2020, Council directed staff to begin preparations for the rezoning of Lots 1-5 and 18-20 of Block 43 to Multi-Family Residential. Due to some concerns coming forward from the community on the location, Council passed a motion to table the rezoning until more information could be provided. The Village published a survey in April 2021 to gather additional feedback from the community on the need for affordable housing, and developing a project in Slokan, and the results demonstrated that the majority of Slokan residents were in favour. An application to BC Housing was submitted in January 2021 for pre-development costs and the capital works, and was successful. Due to the concerns of the proposed project location, Council went back to the table to investigate alternate locations. After lengthy discussion, it was decided that the Village would pursue a new location, the former Curling Club site. The Village has been working closely with M'akola and BC Housing, and both are very optimistic about the location change. The new location would provide better access, and is directly adjacent to family amenities such as the school, outdoor recreation, and the downtown core."

Discussions with the Slokan Valley Housing Society regarding potential partnership had begun in 2021, and at the regular meeting of April 18, 2023 Council announced their intention to enter into an operating partnership with the Slokan Valley Housing Society, and execute a Memorandum of Understanding (MOU) outlining the relationship between the Village and the Society with regards to the Slokan Affordable Housing Project.

The MOU simply defines:

- **The Purpose:** "to outline the understanding between the Village and the Society regarding the intention to dispose of municipal land to support an affordable housing development for families, seniors, persons with disabilities, and individuals" (as defined and required by BC Housing);
- **The Land:** "The Village of Slokan is the registered owner of the lands legally described as Lots 1-20, Block 34, DL 292, Plan 496; the "Property";
- **Procedure:** "Subject to proper procedure, the Village intends to transfer a portion of the north end of the Property, formerly known as the 'Curling Club Lands', to the SVHS on condition that the Society develop and maintain affordable housing targeted at families, seniors, persons with disabilities, and

individuals on the Property in accordance with an operating agreement, Section 219 Covenant, and/or other related agreements between the Society and BC Housing.”

- **Responsibilities:**
 - the Society will be responsible for the maintenance, operations and property management of the units following building occupancy;
 - the Society and the Village agree to promote to the residents of Slocan and surrounding area their intention to develop, construct, and manage affordable residential housing in the Village;
 - the Village agrees to initiate rezoning of the Property to accommodate the housing project;
 - the Village agrees to complete demolition of existing structures on the Property (Curling Club) prior to the transfer of property;
 - the Village of Slocan agrees to provide additional letters of support for ongoing funding applications associated with project costs on an as-needed basis;
 - the MOU shall be contingent on BC Housing funding approval.

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

- Section 26 of the *Community Charter* regulates disposal of municipal property:

Notice of proposed property disposition

26 (1) Before a council disposes of land or improvements, it must publish notice of the proposed disposition in accordance with section 94 [public notice].

(2) In the case of property that is available to the public for acquisition, notice under this section must include the following:

- (a) a description of the land or improvements;
- (b) the nature and, if applicable, the term of the proposed disposition;
- (c) the process by which the land or improvements may be acquired.

(3) In the case of property that is not available to the public for acquisition, notice under this section must include the following:

- (a) a description of the land or improvements;
- (b) the person or public authority who is to acquire the property under the proposed disposition;
- (c) the nature and, if applicable, the term of the proposed disposition;
- (d) the consideration to be received by the municipality for the disposition.

- Section 29 of the *Interpretation Act* defines disposal:

"dispose" means to transfer by any method and includes assign, give, sell, grant, charge, convey, bequeath, devise, lease, divest, release and agree to do any of those things;

- Slocan Council worked closely with the Housing Society on seeing a 12-Unit Seniors Housing development constructed in Slocan. The Village provided contributions to the project, including use of 8 Village-owned lots behind the Wellness Center (via long-term lease). Council completed the same land disposal process for this project. The Slocan City Suites opened its doors for tenancy in 2018.

Zoning Review:

The proposed development site is currently zoned as “P1: Parks, Open Space & Institutional” and must be rezoned to “R3: Multi-Family Residential”, to comply with the Village of Slocan Zoning Bylaw No. 633.

The rezoning of land is subject to a Public Hearing, unless the proposal is consistent with the OCP, in which case, the Public Hearing requirement may be waived by Council.

CURRENT ZONING: P-1: Parks, Open Space & Institutional Zone

PERMITTED USES: Accessory Buildings & Structures, Accessory Residence, Assembly Hall, Campground, Community/Social Care Facility, Dock/Boat Launching Ramp, Health/Fitness/Rec Facility, Hospital, Marina, Park/Playground, Public Administration, School.

*The proposed development does not meet the parameters of the R1 or C-1 Zones.

PROPOSED ZONING: R-3 Multi Family Residential Zone

PERMITTED USES: Multi-Family Residential building, Accessory Buildings and Structures, Community/Social Care Facility, Home Based Business.

The proposed development meets the following parameters of the R-3 zone:

- Permitted uses: there can be more than one multi-family residential building per site;
- Minimum Site Area: Build Site is greater than the required 1100 square meters (11,840 sqft).
- Setbacks: Buildings setbacks will meet the requirements as listed in the R3 Zone: 4.5m from front, rear and exterior side lot lines, and 1.5m from the interior, *unless a Development Variance Permit is requested.*
- Height: multifamily buildings cannot exceed 12m in height (39.37ft).
- Site Coverage: Buildings and Structures shall not cover more than 45% of the site in total.
- Maximum Density: 49 dwelling units/ha allowable.
- Amenity requirements: 20 square meters (215.25 sqft) of amenity area must be provided per dwelling unit. A minimum of 25% of required amenity area shall be at grade. Amenity areas shall include landscaping with natural or introduced vegetation. ("Amenity Area" means a part of a multi-family building, development, or lot, intended for the recreational use of its occupants, including but not limited to a private balcony, patio, garden area, roof-top garden, common area rec room, or open space with natural or introduced vegetation with a grade of not more than 25%, but does not include any area occupied by an entrance hallway, driveway, or parking area).
- Parking: Section 4.21: Off Street Parking for MFR is 1.5 stalls per dwelling unit.

OCP ANALYSIS:

The proposed development complies with the Village of Slocan Official Community Plan Bylaw No. 700, which emphasizes the *"importance of preserving and enhancing the residential land uses in Slocan by facilitating a choice of housing types"*. The project will take advantage of opportunities identified in the OCP by encouraging multi-family housing that caters to low income residents in areas where conflicts with other uses will be minimized. It will also directly address challenges identified in the OCP, including the need for affordable housing for families and the decline of rental housing availability and vacancy rates within the Village.

5.16 AFFORDABLE HOUSING

INTRODUCTION & OBJECTIVES

Housing affordability is key to maintaining a healthy inclusive community. A diverse range of citizens, including those of various ages and economic levels, creates a dynamic and resilient community. As housing prices rise, including more second-home ownership in the Slocan Valley, it is more important than ever to provide a community that everyone can afford to live in. For the Village of Slocan, housing affordability can also assist with ensuring a strong permanent population. Housing affordability can be addressed in many ways, including providing a diversity of housing types, government sponsored housing projects, creating tax incentives to ensure adequate supply, adopting policies and zoning that encourages affordable housing, and reducing fees and charges for affordable housing projects. The Village will consider all potential ways to ensure housing remains affordable within the Village.

POLICIES

- 5.16.1 The Village should consider incentives for creating and maintaining affordable housing, using available means such as:
- Waiving, reducing or deferring applicable charges fees, or taxes where appropriate;
 - Creating supportive policies and Zoning regulations.
- 5.16.2 The Village supports reducing barriers to affordable housing, including:
- Prioritizing affordable housing applications for subdivision and development;
 - Reviewing policy and Zoning regulations to better enable affordable housing projects;
 - Tracking and monitoring housing affordability in the Village.
- 5.16.3 The Village should review its Zoning Bylaw for opportunities to enable and encourage construction of affordable housing and a diversity of housing types, including:
- Permitting a greater diversity of housing types within most zones;
 - Allowing more than one dwelling unit on most residential parcels of land;
 - Encouraging more home-based business opportunities so that citizens can afford to stay in their homes; and
 - Supporting accessory dwelling units.
- 5.16.4 The Village will support government and non-government agencies and organizations in the creation of affordable housing in the Village and within the greater Slokan Valley.
- 5.16.5 The Village and/or developers shall work with local agencies to provide amenities and services that complement supportive, age in place and seniors housing.
- 5.16.6 The Village supports partnerships within the community that facilitate residential infill development for affordable, rental, supportive and/or seniors housing needs.
- 5.16.7 The Village should explore the development of a set of pre-approved Accessory Dwelling Unit designs with commitment to same-day approvals for conforming proposals.
- 5.16.8 Ensure that future Building Bylaw updates do not identify a minimum dwelling unit size to ensure smaller affordable units are permitted.

Development Permit Policies:

- The proposed site is not within the Riparian DPA.
- The proposed site is not within the Flood Hazard DPA.
- The proposed site is not within the Steep Slopes DPA.
- A portion of the proposed site is within the Form & Character DPA.



Form and character will need to be addressed, via submission of Development Permit, at a future date. This includes siting and location, building form and shape, materials, lighting, signage, landscaping, and consideration to public space.

Master Plans:

- A master plan is a comprehensive plan for a subdivision or large development (eg: multi-unit residential building or commercial development) that may include supporting studies and reports. A master plan should be a single document that combines all relevant maps, drawings, studies, and reports into one comprehensive package for review by the municipality as part of a development application.
- The OCP recommends that the Village *should* require a master plan for major developments that include any rezoning or OCP land use redesignation for lands that are greater than 1 hectare, or any residential development with greater than 8 dwelling units.

LANE CLOSURE, SURVEY & CONSOLIDATION:

The proposed development will require lane closure, legal survey, and lot consolidation, to proceed. The legal and topographic surveys have been completed.

Under the provisions of the *Community Charter*, **lanes**, streets, roads, bridges and viaducts are all referred to as "highways", and fall under the definition of "highway". Councils are granted the authority to consider permanent highway closures for roadways that are not dedicated or required for municipal or utility purposes. Council is required to close a highway and remove its highway dedication by bylaw. The highway closure and dedication removal may be done in a joint bylaw or separately. The portion of laneway to be closed are surveyed and filed with the closure documents.

Prior to adopting a highway closure bylaw under these provisions, a municipality must:

- Provide public notice in accordance to Section 94 of the *Community Charter*;
- Provide an opportunity for persons who are affected by the bylaw to make representations to Council;
- Deliver notice of its intention to close a highway to operators of a utility affected by the closure;
- Ensure that a proposed closure does not completely deprive an owner of access to their property, unless the municipality receives consent from the property owner or compensates the owner and provides alternate access;
- Refer any highway closure bylaws to the Minister of Transportation & Infrastructure (MOTI) for approval where the proposed highway closure is within 800m of an arterial highway. Specified MOTI regional and district staff may grant such approval on behalf of the MOTI.

Prior to adopting a highway dedication removal bylaw under these provisions, a municipality must:

- Provide public notice in accordance to Section 94 of the *Community Charter*;
- Provide an opportunity for persons who are affected by the bylaw to make representations to Council;
- Obtain consent of the owner of property in the rare circumstance in which the highway in question is part of a subdivision, where the highway has not been developed and the owner of the land who created the subdivision continues to own all the parcels.

Once the highway closure bylaw and removal of highway dedication bylaw are adopted by Council, and the highway dedication bylaw is filed with the Land Title Office, the property ceases to be a highway. The

highway dedication is then cancelled and title to the property will be registered in the name of the municipality, in accordance with the *Land Title Act*. The portion of laneway will then be consolidated with the adjacent proposed development lots to form one parcel. This is completed by filing a Lot Consolidation Request with the Land Title Office.

NEXT STEPS:

- Resolve to post notice of Intention to Dispose of Municipal Land under CC Sec.26 (resolution below). Begin 1-month comment period – public may submit written comment to cao@villageofslocan.ca prior to September 6th.
- At the September 11th meeting, Council will recognize by resolution that the public were invited to comment, and will review the written submissions.
- After the disposition of land has been approved to proceed Council may move forward, *when ready*, on the rezoning application, bylaws for laneway closure, and application to the Land Title Office for lot consolidation.

RECOMMENDATIONS:

1. WHEREAS the Village of Slocan intends to dispose of municipal land by means of a long-term lease, to the Slocan Valley Housing Society, to support an affordable housing development for families, seniors, persons with disabilities, and individuals;

AND WHEREAS Council deems the former Curling Club Lands, the north end of Block 34, Lots 1-4 and 17-20, to be the most appropriate location for the Slocan Affordable Housing Project;

NOW THEREFORE BE IT RESOLVED that subject to Section 26 of the *Community Charter*, that the Village of Slocan publish a notice of proposed property disposition for the property legally described as Lots 1-4 and 17-20, Block 34, DL 292, Plan 496, and a portion of Village laneway between Lots 1-4 and 17-20 within Block 43, by means of long-term lease to the Slocan Valley Housing Society, for the purpose of constructing affordable housing; and further, that the consideration to be received by the Village of Slocan for the disposition be \$5.00.

2. That Council supports, in principle, the future required zoning re-designation from *P1:Parks, Open Space & Institutional*, to *R3:Multi-Family Residential*, subject to public consultation and process, and that the applicable service and application fees, as listed in the Slocan Fees & Charges Bylaw, be waived:

<i>Joint OCP and Zoning Bylaw Amendment</i>	<i>\$500</i>
<i>Development Permit</i>	<i>\$200</i>
<i>TOTAL Fees Waived:</i>	<i>\$700</i>

3. That Council supports, in principle, the future required laneway closure and lot consolidation, subject to public consultation and process.



Michelle Gordon
Chief Administrative Officer

LOTS 1-4 AND 17-20, BLOCK 34:
LANDS PROPOSED FOR HOUSING PROJECT



