REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1936

A BYLAW TO REDUCE DEVELOPMENT COST CHARGES IN ELECTORAL AREA 'B' FOR NOT-FOR-PROFIT RENTAL HOUSING

WHEREAS pursuant to the *Local Government Act*, the Board of the Regional District may, by Bylaw, provide for a reduction of development costs charges for not-for-profit rental housing;

AND WHEREAS the Board of the Regional District of Nanaimo established, by "Electoral Area B Community Parks Development Cost Charge Bylaw No. 1840, 2021", development cost charges for improving community park land in Electoral Area 'B';

AND WHEREAS the Board of the Regional District of Nanaimo wishes to offer reductions in community parks development cost charges in Electoral Area 'B';

AND WHEREAS the Board of the Regional District of Nanaimo wishes to establish the criteria for an eligible development for the purposes of this bylaw;

NOW THEREFORE, the Board of the Regional District of Nanaimo in open meeting assembled enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as "Electoral Area 'B' Not-for-Profit Rental Housing Community Parks Development Cost Charge Reduction Bylaw No. 1936, 2025".

2. DEFINITIONS

In this bylaw, unless the context requires otherwise:

"Eligible development" means not-for-profit rental housing that meets all of the following:

(a) The real property on which the development is situated is owned, leased and/or operated by an eligible owner.

(b) The applicant has demonstrated to the reasonable satisfaction of the Regional District of Nanaimo 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) The applicant has demonstrated to the reasonable satisfaction of the Regional District of Nanaimo that the development will be governed by the terms of a legal agreement and/or covenant with the Government of Canada, the Province of British Columbia, the British Columbia Housing Management Commission, Canada Mortgage and Housing Corporation, Islands Trust, or any authorized designate of any of the foregoing entities, regarding the operation of the housing and stipulating that the eligible portion of the development providing Non-Profit Rental Housing will be operated as rental housing in accordance with subsections (a) and (b) of "Eligible Development".

"Eligible owner" means the Government of British Columbia, the Government of Canada, a local government, a Public Housing Authority or a not-for-profit corporation incorporated under the *Societies Act* (British Columbia) or Part II of the *Canada Corporations Act*.

"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. AMOUNT OF REDUCTION

Despite a Regional District of Nanaimo bylaw that imposes community parks development cost charges of any type, where the proposed development is an eligible development, the development cost charges shall be reduced by 50 percent for that portion of a development which provides Non-Profit Rental Housing provided that the Non-Profit Rental Housing:

(a) May be secured through a zoning restriction; and

(b) Is secured through a covenant on title which restricts the use of that portion of the applicable development class for the life of that portion of the building.

4. SEVERABILITY

If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction the section, subsection or clause may be severed from the bylaw and the decision will not affect the validity of the remaining portions of this bylaw.

Introduced and read three times this 14th day of October, 2025.

Third reading rescinded this 23rd day of June, 2026.

Read a third time, as amended, this 22nd day of September, 2026.

Adopted this 22nd day of September, 2026.

CHAIR

CORPORATE OFFICER