

**FARRIS**

Reply Attention of: Kristil Hammer  
Direct Dial Number: 250 405 1986  
Email Address: khammer@farris.com

File No: 47863-5

January 17, 2023

District of North Saanich  
1620 Mills Rd.  
North Saanich, B.C. V8L 5S9

Attention: Mayor and Council  
Director of Planning

**Re: Housing Agreement & Section 219 Covenant  
Strata Plan – Conversion – Previously Occupied Buildings  
PID: 031-036-406 Lot 1 Section 6 Range 3 East North Saanich District Plan EPP98888  
(the “Property”)**

We are lawyers for Habitat for Humanity Victoria, owners of the Property. As you know, our client has developed the Property as part of the community development previously approved by Council for use in their Homeownership Program, through which our client and their partners provide the opportunity for families with low to moderate incomes to become homeowners.

Enclosed is the Form C – Housing Agreement for execution by the District, the form of which will allow our client to fulfill the specific goals of its Homeownership Program as well as the District's goal of addressing affordable housing needs in the District.

Our client's program participants are currently residing in the Property, with the transfer of title to occur upon registration of the Housing Agreement and Section 219 Covenant and the filing of a strata plan.

As more than one year has gone by since the occupancy permit for the Property was issued, please accept our letter as our client's application seeking the approval of the enclosed strata plan including previously occupied buildings under section 242 of the Strata Property Act. We enclose a copy of the Strata Plan for your review.

Section 242(6) of the Strata Property Act obligates the council to consider the following:

1. The priority of rental accommodation over privately owned housing in the area;
2. Proposals for relocation of persons occupying a residential building,
3. Life expectancy of the building
4. Projected major increases in maintenance costs due to the condition of the building; and
5. Other matters, that, in its opinion are relevant.

**FARRIS LLP**

3rd Floor - 1005 Langley Street Victoria, BC Canada V8W 1V7  
Tel 250 382 1100 farris.com

January 17, 2023

- 2 -

**Local Rental Housing Stock**

As set out above, the Property was built in accordance with development and building permits issued by Council for the purposes of my client's Homeownership Program and the program participants are currently living in the portions of the Property that they intend to purchase and reside in thereafter. No individuals will lose their residential accommodation by virtue of filing the enclosed strata plan for the Property and the registration of the strata plan will be neutral in terms of its effect on local rental housing stock.

**Proposals for relocation of persons occupying residential building**

The current occupants of the buildings will continue in occupation.

**Life Expectancy of the Building**

The life expectancy of the building is more than 50 years.

**Projected Maintenance Costs**

The anticipated maintenance costs for the next 10 years are \$10,000 a year, including reserves.

We look forward to receiving return of the signed Form C Housing Agreement & S. 219 Covenant in accordance with section 483 of the Local Government Act. Should Council, or its designated approving officer, approve the strata plan, we will prepare and send to you a copy of the Application for Deposit of the Strata Plan for execution by the District as evidence of such approval.

Finally, our client asks the District to consider waiving all or a portion of its fees for the conversion application.

We look forward to hearing from you and working with you to complete this exciting project,

Yours truly,

FARRIS LLP

Per:



Kristil Hammer

KH/mlc  
Enclosure

Reply Attention of: Kristil Hammer  
Direct Dial Number: 250 405 1986  
Email Address: khammer@farris.com

**FARRIS**

File No: 47863-5

January 17, 2023

District of North Saanich  
1620 Mills Rd.  
North Saanich, B.C. V8L 5S9

Attention: Mayor and Council  
Director of Planning

**Re: Housing Agreement & Section 219 Covenant  
Strata Plan – Conversion – Previously Occupied Buildings  
PID: 031-036-406 Lot 1 Section 6 Range 3 East North Saanich District Plan EPP98888  
(the “Property”)**

We are lawyers for Habitat for Humanity Victoria, owners of the Property. As you know, our client has developed the Property as part of the community development previously approved by Council for use in their Homeownership Program, through which our client and their partners provide the opportunity for families with low to moderate incomes to become homeowners.

Enclosed is the Form C – Housing Agreement for execution by the District, the form of which will allow our client to fulfill the specific goals of its Homeownership Program as well as the District’s goal of addressing affordable housing needs in the District.

Our client’s program participants are currently residing in the Property, with the transfer of title to occur upon registration of the Housing Agreement and Section 219 Covenant and the filing of a strata plan.

As more than one year has gone by since the occupancy permit for the Property was issued, please accept our letter as our client’s application seeking the approval of the enclosed strata plan including previously occupied buildings under section 242 of the Strata Property Act. We enclose a copy of the Strata Plan for your review.

Section 242(6) of the Strata Property Act obligates the council to consider the following:

1. The priority of rental accommodation over privately owned housing in the area;
2. Proposals for relocation of persons occupying a residential building,
3. Life expectancy of the building
4. Projected major increases in maintenance costs due to the condition of the building; and
5. Other matters, that, in its opinion are relevant.

**FARRIS LLP**

3rd Floor - 1005 Langley Street Victoria, BC Canada V8W 1V7  
Tel 250 382 1100 farris.com

47863|7760360\_1