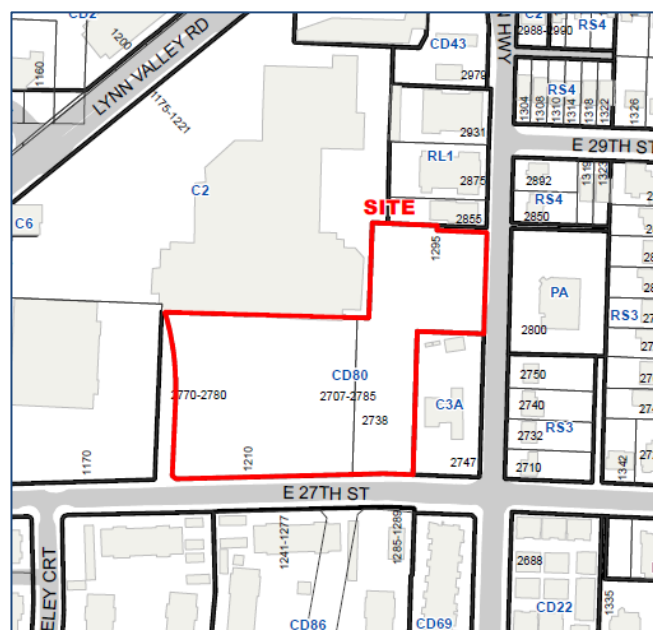


Bosa CACs Via Rezoning Application Circa 2013-2014 (File Number 08.3060.20/063.13)

This document summarizes key aspects of the Bosa Community Amenity Contribution (CAC) specifically developer promises, what was secured and reported at bylaw introduction, and what has been delivered.

It should be noted that the previous zoning of the Bosa development site was a combination of Commercial C1 (the former library property with no specific density limit) and Commercial C2 (Lynn Valley Centre property with a maximum FSR of 1.75). Final density of the development is approximately 2.34 FSR.

The rezoning for the Bosa proposal provided for a maximum of 399 dwelling units. Total number of units approved at the Building Permit stage is 359 (115 in Phase 1 and 244 in Phase 2).



1. CACs Promised by Developer During the Application Process:

In early discussions, including at the Public Information Meeting, the applicant promised:

- Lynn Valley Road underpass improvements to improve access for Lynn Valley
- 6, one-bedroom affordable rental units for persons with disabilities at a reduced purchase price
- \$1.5 million cash which could be directed to a variety of things such as:
 1. Hastings Creek environmental improvements
 2. trail improvements
 3. child and adult daycare in Lynn Valley
 4. accessibility improvements for persons with disabilities

2. CAC's Secured and Reported:

The Phased Development Agreement authorized by Bylaw 8052 secures the following amenities:

- \$1.5 million cash to be used in the District's sole discretion but with targets mentioned as, for example: Hastings Creek improvements, trail improvements, a fitness/recreation facility, and child or adult daycare)
- \$1.6 million to build the additional vehicle lane, cycle facilities, and sidewalk at the Lynn Valley Road Underpass beneath Hwy. 1.
- \$900,000 for affordable housing via a \$150,000 per unit purchase discount for 6 units
- \$500,000 for public art

A CAC of \$4.5m was reported to Council at time of consideration of the rezoning (see "Background" section below for excerpts from Report to Council at time of zoning bylaw introduction.)

3. Amenities Delivered To Date:

- Lynn Valley Road underpass widening is complete. Actual cost is estimated at approximately \$3 million. The developer paid the additional \$1.4 million per the requirements of the Phased Development Agreement and Servicing Agreements.
- \$1.5 million CAC cash has been paid in two instalments
- Public Art in the amount of \$500,000 has been designed and reviewed by Public Art Advisory Committee for installation once project is constructed
- 3, three-bedroom units to be owned by NSDRC are under construction in Phase 2 of the project. (In May of 2018, the project's affordable housing units were re-formatted from 6, one-bedroom units to 3, three-bedroom units – * see note below for the deemed value of these units.)

With the increased cost of the Lynn Valley Road underpass widening (covered by the developer) actual CAC value is approximately \$1.4 million more than the \$4.5 million reported to Council at the time of rezoning or a total of approximately \$5.9 million

*** Note Regarding Value of Affordable Housing Units:**

While the initial commitment was 6 one bedroom affordable rental units, North Shore Disability Resource Centre (NSDRC) and Bosa approached the District to request the conversion of the 6, one-bedroom rental units, to 3, three-bedroom units in Phase 2 of the development. This change required an amendment to the Housing Agreement for the project which was undertaken via Bylaw 8299.

The community amenity contribution (CAC) value of the 6, one-bedroom units was reported to Council as \$900,000 at the time of rezoning. This amount comprised a \$150,000 reduction in purchase price for each of the six units. At the time of consideration of reformatting the units, an analysis was undertaken to confirm that the value of the revised proposal would exceed the \$900,000 deemed benefit.

Bosa provided documentation outlining the value of each package of units. The “contract price” (the agreed-upon amount to be paid by the NSDRC) has remained the same but the “discount” to NSDRC has increased to \$1.77 million in the re-formatting, exceeding the \$900,000 deemed value of the CAC.

Development Application Timing:

Application Date: December 4, 2013

PIM Date: February 19, 2014 at the former Zellers Store at the shopping centre

Rezoning Bylaw Introduction Date: March 24, 2014

Public Hearing Date: April 15 and April 16, 2014

Bylaw Adoption: July 7, 2014

Amendment to Housing Agreement to reformat affordable housing units (Bylaw 8299):

Bylaw introduction: May 7, 2018

Bylaw Adoption: May 14, 2018

Background Information:

Below is information in Section 15 of the Development Covenant regarding timing for payment of the cash components of the CAC:

15. Community Amenity Charge

- (a) *The Owner acknowledges and agrees that one of the amenities to be provided by the Owner pursuant to the Phased Development Agreement is the contribution of \$1.5 million to be used for amenity projects determined by Council in its sole discretion, which may include but are not limited to environmental enhancements to Hastings Creek, a recreation facility located in “CRU 5” as labelled and shown in the Development Concept Plan, enhancements to public trails and a child/adult care centre in Lynn Valley (the “Cash Amenity Contribution”).*
- (b) *The Owner and the District each acknowledge to the other that \$700,000 of the Cash Amenity Contribution was paid to the District by the Owner concurrently with the execution and delivery of this Agreement.*
- (c) *The Owner covenants and agrees to pay the \$800,000.00 balance of the Cash Amenity Contribution prior to issuance of a building permit for the building on the Lands containing the 200th Dwelling Unit.*

The initial \$700,000 CAC Payment was paid on July 8, 2014 with final adoption of the rezoning bylaw.

As Phase 1 of the project included 115 units, Phase 2 of the project triggered the “200th unit” and the payment of the second cash CAC payment.

Payment of the second CAC payment of \$800,000 was paid on February 9, 2018.

Following are excerpts from the Council Report for Bylaw Introduction:

The Introduction Report Included the following sections on Affordable Rental Housing and Community Amenity Contributions:

Affordable Rental Housing:

As part of the Community Amenity Contribution for this project, the applicant has offered six apartment units including “Level 3” adaptable design features to be sold at a discounted price per unit of approximately \$150,000 below market value.

These units are intended to provide affordable rental housing for persons with disabilities and to be owned and operated by a non-profit society.

Housing Agreement Bylaw 8055 requires that a non-profit society will operate the units at a rental target such that housing expenditures would equal not more than 30% of gross income for households earning not more than 75% of the District’s median household income.

COMMUNITY AMENITY CONTRIBUTION:

The District’s Community Amenity Contribution (CAC) Policy requires an amenity contribution for projects including an increase in residential density. The CAC proposal for this project includes six housing units to be offered for purchase by a non-profit society at approximately \$150,000 below market value. These units would be operated by a non-profit society as affordable rental units for persons with disabilities. The total value of this amenity is approximately \$900,000.

An amount of \$1.6 million is being offered to fund transportation improvements in Lynn Valley, including the proposal for road widening of Lynn Valley Road beneath the existing Highway 1 overpass. Additional amenity targets within the CAC package include Hastings Creek watershed improvements, enhancements to trails in the area, and a contribution toward future childcare and adult day-care in Lynn Valley Town Centre.

An amount of \$500,000 is being offered by the developer to fund public art at the site. The public art proposal will be subject to review by the District’s Public Art Advisory Committee, but the general intent would be to locate art in multiple areas of the site, with a focus on the public plaza areas.

The community amenity contribution obligations in the form of cash, which the District may use at its discretion, transportation improvements, six units of affordable rental housing, and the public art commitment, have been included in the Phased Development Agreement authorized by Bylaw 8052.

A summary of the CAC components and other identified benefits proposed for this project is provided in the table below.

<i>Estimated Value of Community Benefits</i>	<i>Value</i>
Community Amenity Contribution	Package Value of \$4,500,000
• Lynn Valley Transportation Improvements , including upgrade at Hwy. 1 and Lynn Valley Road	
• Affordable Rental Housing for Residents with Disabilities	
• Hastings Creek Watershed Improvements	
• Enhancements to trails	
• Public Art	
• Future Childcare / Adult-care	
Other Community Benefits	Value
Development Cost Charges	\$ 3,910,000 (estimated)
Offsite Upgrades, including transit hub on E. 27 th Street	Up to 15% of construction costs
Net purchase of Library Parcel (excluding allocated CAC’s)	\$ 8,200,000
Annual Estimated Increase to Tax Base	\$ 400,000.00 (estimated)
Adaptable Housing	
Road Dedications and ROW	
TOTAL:	\$17,010,000 Plus value of offsite upgrades, adaptable housing, and road dedications/rights of way

Input from North Shore Disability Resource Centre (NSDRC) on the Rezoning Application:

Comments from NSDRC to the Feb. 19, 2014 Public Information Meeting were made regarding the need for affordable rental units with accessible design features:

C24: I am with North Shore Disabilities Resource Centre, which is across the street on Mountain Highway. I am very pleased to hear you talk about people with disabilities in terms of the CAC allocations. I want to reiterate the need for affordable accessible housing for people with disabilities, not just individuals, but also for families with a member with disabilities. People with disabilities have a shelter portion of \$375 per month. We would like to see a lot of the CAC's that are available go to affordable housing.

A24: Mark Sager: Your organization is dear to my heart. I am taking this opportunity to invite everyone here on May 24th to the benefit concert we are hosting for the North Shore Disabilities Association in this building. 100% of the proceeds are going to your organization.

NSDRC input to April 15, 2014 – Public Hearing:

- 5.1 Mr. John Neumann, 1100 Block East 29th Street: IN FAVOUR**
- Spoke on behalf of the North Vancouver Disability Resource Centre;
 - Advocated for disability housing;
 - Spoke in support of the proposed development;
 - Commented that the architecture of the proposed building fits well with the Lynn Valley Community Centre; and,
 - Urged Council to support the proposed development.

Input from Liz Barnett of NSDRC to May 7, 2018 consideration of reformat to affordable housing units:

9.7. Bylaw 8299: Amendment to Housing Agreement Bylaw to allow for Reformatting of Affordable Housing Units (Bosa)
File No. 08.3060.20/056.17

Public Input:

Ms. Liz Barnett, 3100 Block Mountain Highway:

- Spoke as a representative of the North Shore Disability Resource Centre;
- Spoke in favour of the proposed bylaw; and,
- Commented on the challenges for accessible housing.

Councillor MURI left the meeting at 8:54 p.m. and returned at 8:55 p.m.

MOVED by Councillor MURI
SECONDED by Councillor MACKAY-DUNN
THAT "Housing Agreement Bylaw 8299, 2018 (2785 Library Lane)" is given FIRST, SECOND and THIRD Readings.

CARRIED