

AGENDA

SPECIAL MEETING OF COUNCIL

Monday, September 26, 2022

5:00 p.m.

Council Chamber, Municipal Hall

355 West Queens Road

North Vancouver, BC

Watch at <https://dnvorg.zoom.us/j/67910218298>

Council Members:

Mayor Mike Little

Councillor Jordan Back

Councillor Mathew Bond

Councillor Megan Curren

Councillor Betty Forbes

Councillor Jim Hanson

Councillor Lisa Muri



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355 West Queens Road, North Vancouver
Watch at <https://dnv.org.zoom.us/j/67910218298>

AGENDA

1. ADOPTION OF THE AGENDA

1.1. September 26, 2022 Special Meeting Agenda

Recommendation:

THAT the agenda for the September 26, 2022 Special Meeting is adopted as circulated, including the addition of any items listed in the agenda addendum.

2. REPORTS FROM COUNCIL OR STAFF

2.1. Bylaws 8592 and 8593: Zoning and Housing Agreement Amendments - p.7-52 2551 & 2555 Whiteley Court (Kiwanis)

File No. 09.3900.20/000.000

Report: Municipal Clerk, September 12, 2022

Attachment 1: Bylaw 8592

Attachment 2: Bylaw 8593

Attachment 3: Staff Report dated August 29, 2022

Recommendation:

THAT "Housing Agreement Amendment Bylaw 8592, 2022 (2551 & 2555 Whiteley Court)" is ADOPTED;

AND THAT "District of North Vancouver Rezoning Bylaw 1420 (Bylaw 8593) is ADOPTED.

3. ADJOURNMENT

Recommendation:


THAT the September 26, 2022 Special Meeting is adjourned.

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REPORTS

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<i>special</i>		AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>September 26, 2022</u>		
<input type="checkbox"/> Other:	Date: _____		

2.1		
		
Dept. Manager	GM/ Director	CAO

The District of North Vancouver REPORT TO COUNCIL

September 12, 2022
File: 09.3900.20/000.000

AUTHOR: James Gordon, Municipal Clerk

SUBJECT: Bylaws 8592 and 8593: Zoning and Housing Agreement Amendments -
2551 & 2555 Whiteley Court (Kiwanis)

RECOMMENDATION:

THAT "Housing Agreement Amendment Bylaw 8592, 2022 (2551 & 2555 Whiteley Court)" is ADOPTED;

AND THAT "District of North Vancouver Rezoning Bylaw 1420 (Bylaw 8593) is ADOPTED.

BACKGROUND:


Bylaws 8592 and 8593 received First, Second and Third Readings on September 19th, 2022.

The bylaws are now ready to be considered for Adoption by Council.

OPTIONS:

1. Adopt the bylaws;
2. Give no further Readings to the bylaws and abandon the bylaws at Third Reading; or,
3. Rescind Third Reading and debate possible amendments to the bylaws.

Respectfully submitted,


James Gordon
Municipal Clerk

Attachments:

1. Bylaw 8592
2. Bylaw 8593
3. Staff Report dated August 29, 2022

**SUBJECT: Bylaws 8592 and 8593: Zoning and Housing Agreement Amendments -
2551 & 2555 Whiteley Court (Kiwanis)**

September 12, 2022

Page 2

REVIEWED WITH:					
<input type="checkbox"/> Community Planning	_____	<input type="checkbox"/> Clerk's Office	_____	External Agencies:	
<input type="checkbox"/> Development Planning	_____	<input type="checkbox"/> Communications	_____	<input type="checkbox"/> Library Board	_____
<input type="checkbox"/> Development Engineering	_____	<input type="checkbox"/> Finance	_____	<input type="checkbox"/> NS Health	_____
<input type="checkbox"/> Utilities	_____	<input type="checkbox"/> Fire Services	_____	<input type="checkbox"/> RCMP	_____
<input type="checkbox"/> Engineering Operations	_____	<input type="checkbox"/> ITS	_____	<input type="checkbox"/> NVRC	_____
<input type="checkbox"/> Parks	_____	<input type="checkbox"/> Solicitor	_____	<input type="checkbox"/> Museum & Arch.	_____
<input type="checkbox"/> Environment	_____	<input type="checkbox"/> GIS	_____	<input type="checkbox"/> Other:	_____
<input type="checkbox"/> Facilities	_____	<input type="checkbox"/> Real Estate	_____		
<input type="checkbox"/> Human Resources	_____	<input type="checkbox"/> Bylaw Services	_____		

The Corporation of the District of North Vancouver**Bylaw 8592**

A bylaw to amend Housing Agreement Bylaw 8329, 2018 (2555 Whiteley Court)

The Council for The Corporation of the District of North Vancouver enacts as follows:

Citation

1. This bylaw may be cited as "Housing Agreement Amendment Bylaw 8592, 2022 (2551 & 2555 Whiteley Court)".

Authorization to Enter into Agreement

2. The Council hereby authorizes an agreement substantially in the form attached to this Bylaw as Schedule "A" to amend the Housing Agreement dated for reference the 15th day of March, 2019 entered into between The Corporation of the District of North Vancouver and Kiwanis North Shore Housing Society and authorized by Housing Agreement Bylaw 8329, 2018 (2555 Whiteley Court).

Execution of Documents

3. The Mayor and Municipal Clerk are authorized to execute any documents required to give effect to the Housing Agreement.

READ a first time September 19th, 2022

READ a second time September 19th, 2022

READ a third time September 19th, 2022

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Schedule A to Bylaw 8592

Section 219 Modification of Housing Agreement (Rental Housing) Covenant

THIS AGREEMENT dated for reference _____, 2022

BETWEEN:

KIWANIS NORTH SHORE HOUSING SOCIETY
(Incorporation No. S0004376) a corporation incorporated under the
laws of the Province of British Columbia with an office at 100 –
1975 21st Street, West Vancouver, BC V7T 1A2

("Kiwanis")

AND:

**THE CORPORATION OF THE DISTRICT OF NORTH
VANCOUVER**, 355 West Queens Road, North Vancouver, BC
V7N 4N5

(the "District")

WHEREAS:

- A. Kiwanis is the registered owner in fee simple of lands in the District of North Vancouver, British Columbia legally described in Item 2 of the Form C General Instrument Part 1 to which this Agreement is attached and which forms part of this Agreement (the "Land");
- B. On the 15th day of March, 2019 Kiwanis and the District entered into a section 219 housing agreement covenant (the "Housing Agreement"), which Housing Agreement is registered in the Lower Mainland Land Title Office under instrument number CA7681450 against title to the Land; and
- C. The parties wish to modify the Housing Agreement as set out herein,

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the covenants contained in this instrument and for other valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the parties covenant and agree with each other as follows:

- 1. The Housing Agreement is hereby modified as follows:
 - (a) Subsection 1(g) is deleted in its entirety and replaced with the following new subsection 1(g):
 - (i) "1(g) *"Eligible Person"* means:
 - A. with respect to all of the Dwelling Units in Building A (other than the Guest Suites), a person of the age of at least 65 years; and

B. with respect to the 21 Dwelling Units in Building B on the Land identified on the sketch plan attached hereto as Schedule "C", a person of the age of at least 60 years, and, with respect to the balance of the Dwelling Units in Building B, a person of the age of at least 55 years,"

(b) Schedule "A" attached hereto is attached to the Housing Agreement as new Schedule "C".

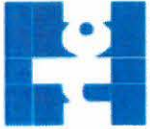
2. All other terms and conditions of the Right of Way remain valid and binding upon the parties to this Agreement as if such terms and conditions had been reproduced in their entirety in this Agreement.

As evidence of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement under seal by executing Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.

Schedule "A"

New Schedule C to the Housing Agreement

Sketch Plan showing Location of Dwelling Units subject to seniors (60 year +) Age Restriction (shown in yellow shading with black outline)



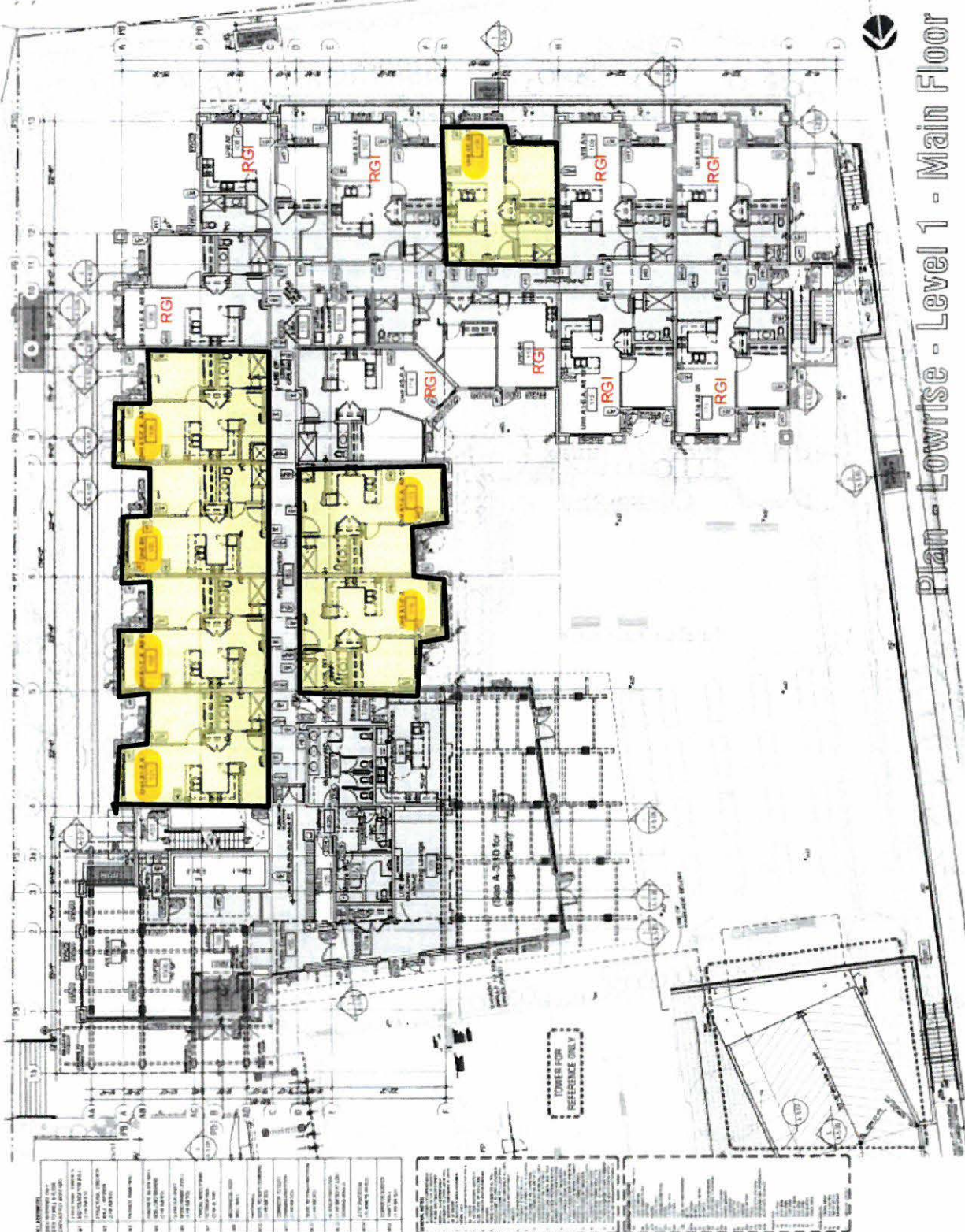
ARCHITECTS INCORPORATED
1000 North Shore Road
Suite 100
North Shore, NC 28580
Phone: 919.486.1234
Fax: 919.486.1235
www.architectsinc.com

Project: 1000 North Shore Road
Drawing: 1000 North Shore Road
Scale: 1/8" = 1'-0"
Date: 10/1/2011
By: J. Smith
Check: J. Smith

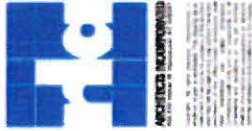


Kenneth Lynn
Woods
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Suite 100
North Shore, NC 28580
Phone: 919.486.1234
Fax: 919.486.1235
www.kennethlynnwoods.com

Plan - Lowrise
Level 1 - Main Floor
Scale: 1/8" = 1'-0"
Date: 10/1/2011
By: J. Smith
Check: J. Smith



Plan - Lowrise - Level 1 - Main Floor A-3.02



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 1000 West 10th Avenue, Suite 100
 Anchorage, Alaska 99501
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 Fax: (907) 562-1235
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 Website: www.architectsinc.com

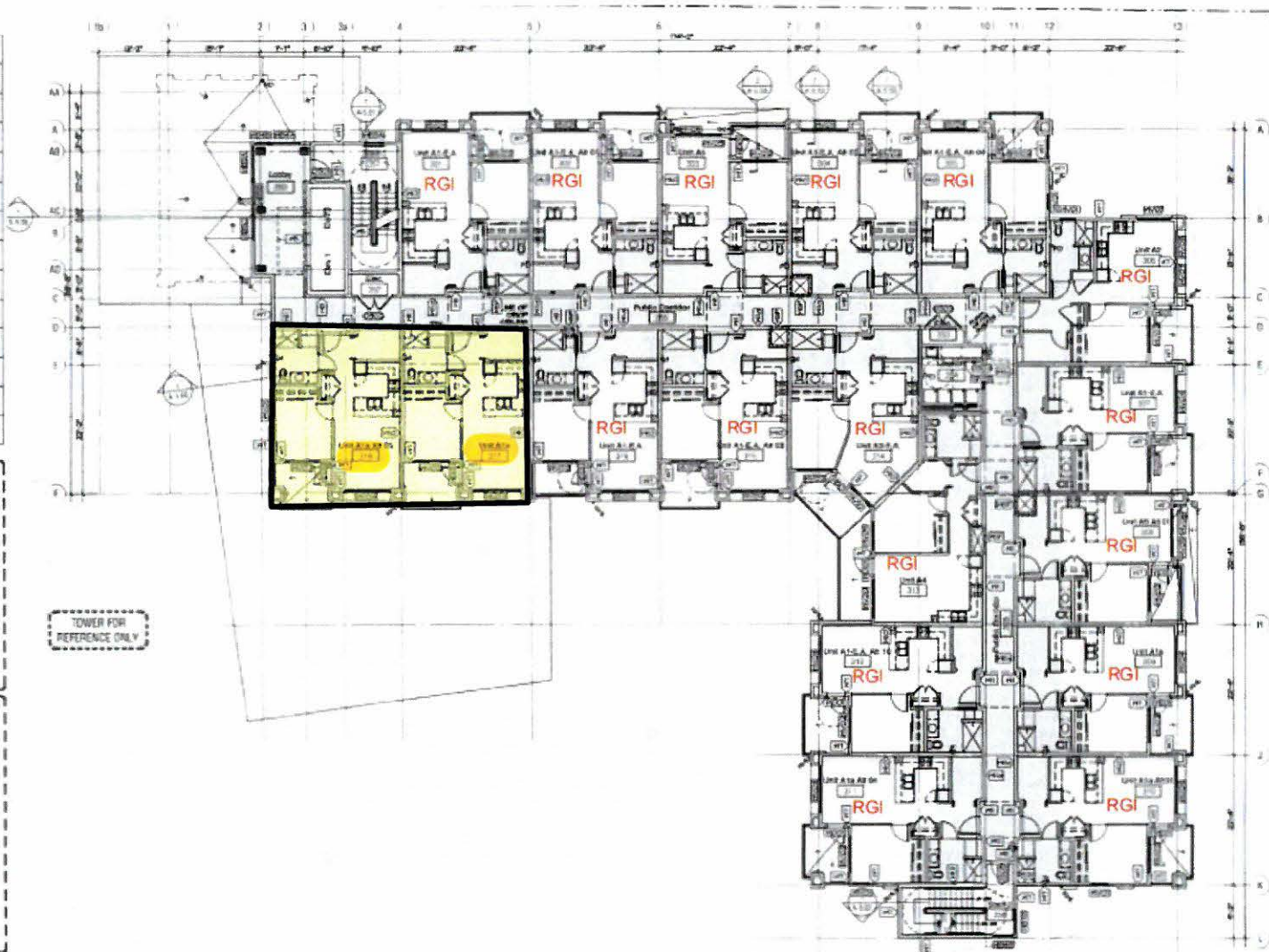


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 Anchorage, Alaska 99501
 Phone: (907) 562-1234
 Fax: (907) 562-1235
 E-mail: info@kiwanislynnwoods.com
 Website: www.kiwanislynnwoods.com

Plan - Lowrise
 Level 2
 Scale: 1/8" = 1'-0"



Plan - Lowrise - Level 2 A-3.03

[illegible]

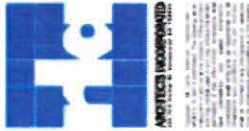
October 25, 2010
 Society for Construction
 September 10, 2010
 Residential Construction
 July 1, 2010
 Midwest No City Stop
 June 17, 2010
 GreenWave Construction
 Oct 1, 2010
 Southern Cross, the US & Europe



Kwanis Lynn Woods
2021 Whitley Court
North Potomac, DC
Lut & Steven W
Dorsey Law Firm
Baltimore, MD

Plan - Lowrise
Level 3

Plan - Lowrise - Level 3 **A-3.04**

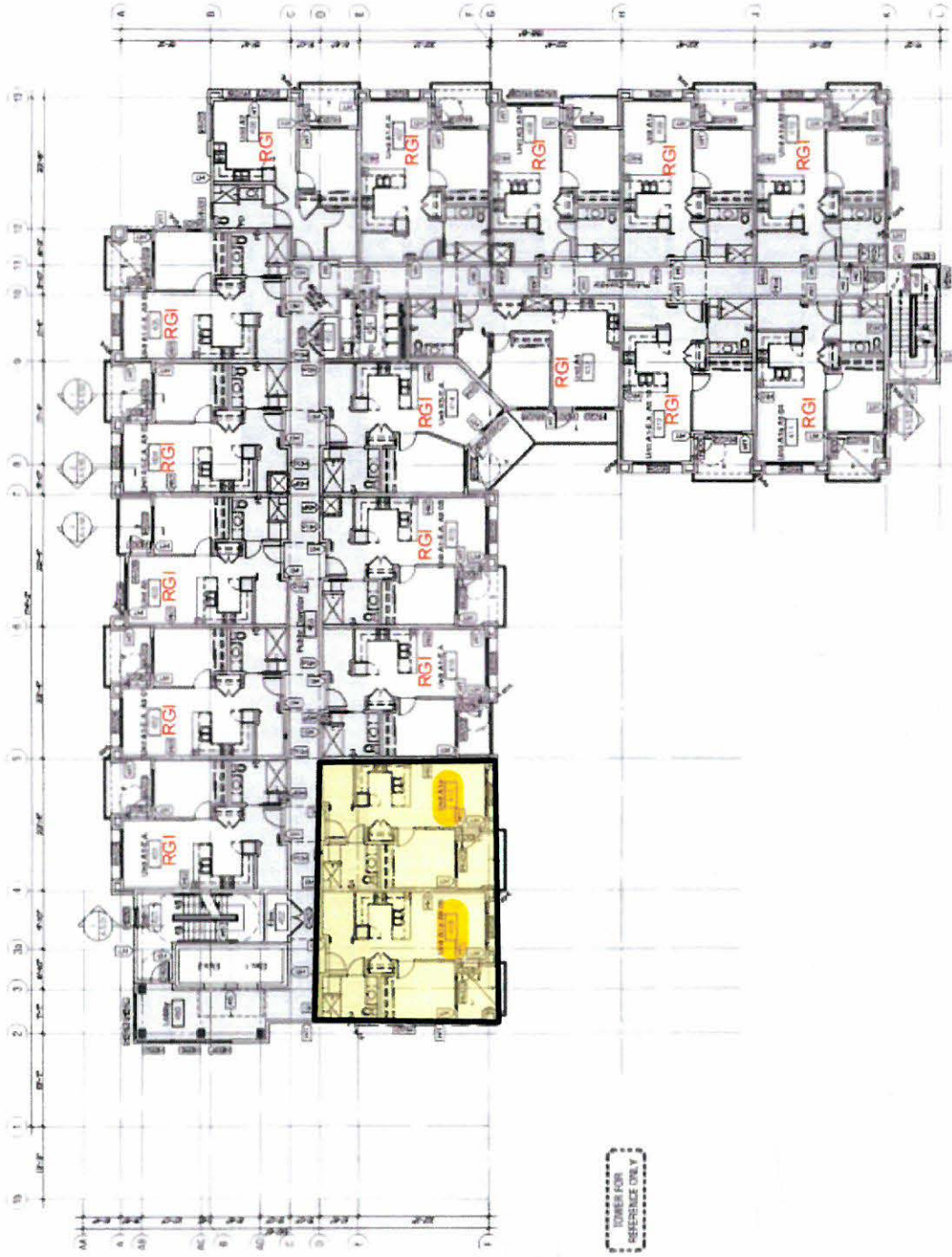


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 CHECKED BY: [Name]
 SCALE: 1/8" = 1'-0"
 SHEET NO. 100-100



Kilgus North Shore
 Housing Society
 100-100
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Plan - Lowrise
 Level 4
 Scale: 1/8" = 1'-0"
 SHEET NO. 100-100



DIMENSIONS FOR
 REFERENCE ONLY

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Plan - Lowrise - Level 4 A-3.05



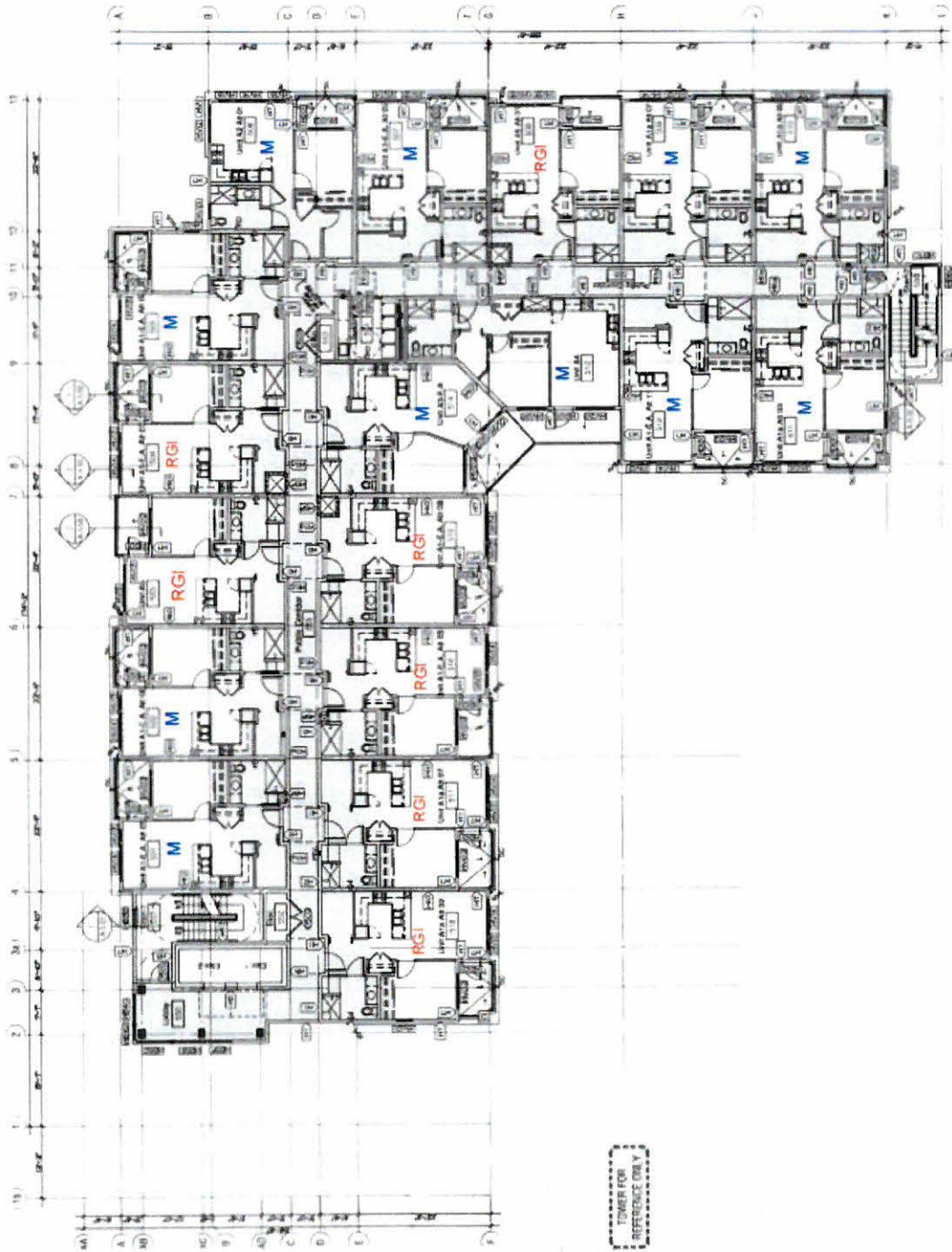


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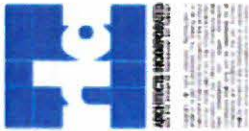


Kowalski North Shore
 Planning Services
 2001 Williams Court
 North Charleston, SC 29505
 Phone: (843) 881-1000
 Fax: (843) 881-1001
 E-mail: info@kps.com

Plan - Lowrise
 Level 5
 Scale: 1/8" = 1'-0"
 10.1.2005



1.01.01.01	1.01.01.02	1.01.01.03	1.01.01.04	1.01.01.05	1.01.01.06	1.01.01.07	1.01.01.08	1.01.01.09	1.01.01.10	1.01.01.11	1.01.01.12	1.01.01.13	1.01.01.14	1.01.01.15	1.01.01.16	1.01.01.17	1.01.01.18	1.01.01.19	1.01.01.20	1.01.01.21	1.01.01.22	1.01.01.23	1.01.01.24	1.01.01.25	1.01.01.26	1.01.01.27	1.01.01.28	1.01.01.29	1.01.01.30	1.01.01.31	1.01.01.32	1.01.01.33	1.01.01.34	1.01.01.35	1.01.01.36	1.01.01.37	1.01.01.38	1.01.01.39	1.01.01.40	1.01.01.41	1.01.01.42	1.01.01.43	1.01.01.44	1.01.01.45	1.01.01.46	1.01.01.47	1.01.01.48	1.01.01.49	1.01.01.50	1.01.01.51	1.01.01.52	1.01.01.53	1.01.01.54	1.01.01.55	1.01.01.56	1.01.01.57	1.01.01.58	1.01.01.59	1.01.01.60	1.01.01.61	1.01.01.62	1.01.01.63	1.01.01.64	1.01.01.65	1.01.01.66	1.01.01.67	1.01.01.68	1.01.01.69	1.01.01.70	1.01.01.71	1.01.01.72	1.01.01.73	1.01.01.74	1.01.01.75	1.01.01.76	1.01.01.77	1.01.01.78	1.01.01.79	1.01.01.80	1.01.01.81	1.01.01.82	1.01.01.83	1.01.01.84	1.01.01.85	1.01.01.86	1.01.01.87	1.01.01.88	1.01.01.89	1.01.01.90	1.01.01.91	1.01.01.92	1.01.01.93	1.01.01.94	1.01.01.95	1.01.01.96	1.01.01.97	1.01.01.98	1.01.01.99	1.01.02.01	1.01.02.02	1.01.02.03	1.01.02.04	1.01.02.05	1.01.02.06	1.01.02.07	1.01.02.08	1.01.02.09	1.01.02.10	1.01.02.11	1.01.02.12	1.01.02.13	1.01.02.14	1.01.02.15	1.01.02.16	1.01.02.17	1.01.02.18	1.01.02.19	1.01.02.20	1.01.02.21	1.01.02.22	1.01.02.23	1.01.02.24	1.01.02.25	1.01.02.26	1.01.02.27	1.01.02.28	1.01.02.29	1.01.02.30	1.01.02.31	1.01.02.32	1.01.02.33	1.01.02.34	1.01.02.35	1.01.02.36	1.01.02.37	1.01.02.38	1.01.02.39	1.01.02.40	1.01.02.41	1.01.02.42	1.01.02.43	1.01.02.44	1.01.02.45	1.01.02.46	1.01.02.47	1.01.02.48	1.01.02.49	1.01.02.50	1.01.02.51	1.01.02.52	1.01.02.53	1.01.02.54	1.01.02.55	1.01.02.56	1.01.02.57	1.01.02.58	1.01.02.59	1.01.02.60	1.01.02.61	1.01.02.62	1.01.02.63	1.01.02.64	1.01.02.65	1.01.02.66	1.01.02.67	1.01.02.68	1.01.02.69	1.01.02.70	1.01.02.71	1.01.02.72	1.01.02.73	1.01.02.74	1.01.02.75	1.01.02.76	1.01.02.77	1.01.02.78	1.01.02.79	1.01.02.80	1.01.02.81	1.01.02.82	1.01.02.83	1.01.02.84	1.01.02.85	1.01.02.86	1.01.02.87	1.01.02.88	1.01.02.89	1.01.02.90	1.01.02.91	1.01.02.92	1.01.02.93	1.01.02.94	1.01.02.95	1.01.02.96	1.01.02.97	1.01.02.98	1.01.02.99	1.01.03.01	1.01.03.02	1.01.03.03	1.01.03.04	1.01.03.05	1.01.03.06	1.01.03.07	1.01.03.08	1.01.03.09	1.01.03.10	1.01.03.11	1.01.03.12	1.01.03.13	1.01.03.14	1.01.03.15	1.01.03.16	1.01.03.17	1.01.03.18	1.01.03.19	1.01.03.20	1.01.03.21	1.01.03.22	1.01.03.23	1.01.03.24	1.01.03.25	1.01.03.26	1.01.03.27	1.01.03.28	1.01.03.29	1.01.03.30	1.01.03.31	1.01.03.32	1.01.03.33	1.01.03.34	1.01.03.35	1.01.03.36	1.01.03.37	1.01.03.38	1.01.03.39	1.01.03.40	1.01.03.41	1.01.03.42	1.01.03.43	1.01.03.44	1.01.03.45	1.01.03.46	1.01.03.47	1.01.03.48	1.01.03.49	1.01.03.50	1.01.03.51	1.01.03.52	1.01.03.53	1.01.03.54	1.01.03.55	1.01.03.56	1.01.03.57	1.01.03.58	1.01.03.59	1.01.03.60	1.01.03.61	1.01.03.62	1.01.03.63	1.01.03.64	1.01.03.65	1.01.03.66	1.01.03.67	1.01.03.68	1.01.03.69	1.01.03.70	1.01.03.71	1.01.03.72	1.01.03.73	1.01.03.74	1.01.03.75	1.01.03.76	1.01.03.77	1.01.03.78	1.01.03.79	1.01.03.80	1.01.03.81	1.01.03.82	1.01.03.83	1.01.03.84	1.01.03.85	1.01.03.86	1.01.03.87	1.01.03.88	1.01.03.89	1.01.03.90	1.01.03.91	1.01.03.92	1.01.03.93	1.01.03.94	1.01.03.95	1.01.03.96	1.01.03.97	1.01.03.98	1.01.03.99	1.01.04.01	1.01.04.02	1.01.04.03	1.01.04.04	1.01.04.05	1.01.04.06	1.01.04.07	1.01.04.08	1.01.04.09	1.01.04.10	1.01.04.11	1.01.04.12	1.01.04.13	1.01.04.14	1.01.04.15	1.01.04.16	1.01.04.17	1.01.04.18	1.01.04.19	1.01.04.20	1.01.04.21	1.01.04.22	1.01.04.23	1.01.04.24	1.01.04.25	1.01.04.26	1.01.04.27	1.01.04.28	1.01.04.29	1.01.04.30	1.01.04.31	1.01.04.32	1.01.04.33	1.01.04.34	1.01.04.35	1.01.04.36	1.01.04.37	1.01.04.38	1.01.04.39	1.01.04.40	1.01.04.41	1.01.04.42	1.01.04.43	1.01.04.44	1.01.04.45	1.01.04.46	1.01.04.47	1.01.04.48	1.01.04.49	1.01.04.50	1.01.04.51	1.01.04.52	1.01.04.53	1.01.04.54	1.01.04.55	1.01.04.56	1.01.04.57	1.01.04.58	1.01.04.59	1.01.04.60	1.01.04.61	1.01.04.62	1.01.04.63	1.01.04.64	1.01.04.65	1.01.04.66	1.01.04.67	1.01.04.68	1.01.04.69	1.01.04.70	1.01.04.71	1.01.04.72	1.01.04.73	1.01.04.74	1.01.04.75	1.01.04.76	1.01.04.77	1.01.04.78	1.01.04.79	1.01.04.80	1.01.04.81	1.01.04.82	1.01.04.83	1.01.04.84	1.01.04.85	1.01.04.86	1.01.04.87	1.01.04.88	1.01.04.89	1.01.04.90	1.01.04.91	1.01.04.92	1.01.04.93	1.01.04.94	1.01.04.95	1.01.04.96	1.01.04.97	1.01.04.98	1.01.04.99	1.01.05.01	1.01.05.02	1.01.05.03	1.01.05.04	1.01.05.05	1.01.05.06	1.01.05.07	1.01.05.08	1.01.05.09	1.01.05.10	1.01.05.11	1.01.05.12	1.01.05.13	1.01.05.14	1.01.05.15	1.01.05.16	1.01.05.17	1.01.05.18	1.01.05.19	1.01.05.20	1.01.05.21	1.01.05.22	1.01.05.23	1.01.05.24	1.01.05.25	1.01.05.26	1.01.05.27	1.01.05.28	1.01.05.29	1.01.05.30	1.01.05.31	1.01.05.32	1.01.05.33	1.01.05.34	1.01.05.35	1.01.05.36	1.01.05.37	1.01.05.38	1.01.05.39	1.01.05.40	1.01.05.41	1.01.05.42	1.01.05.43	1.01.05.44	1.01.05.45	1.01.05.46	1.01.05.47	1.01.05.48	1.01.05.49	1.01.05.50	1.01.05.51	1.01.05.52	1.01.05.53	1.01.05.54	1.01.05.55	1.01.05.56	1.01.05.57	1.01.05.58	1.01.05.59	1.01.05.60	1.01.05.61	1.01.05.62	1.01.05.63	1.01.05.64	1.01.05.65	1.01.05.66	1.01.05.67	1.01.05.68	1.01.05.69	1.01.05.70	1.01.05.71	1.01.05.72	1.01.05.73	1.01.05.74	1.01.05.75	1.01.05.76	1.01.05.77	1.01.05.78	1.01.05.79	1.01.05.80	1.01.05.81	1.01.05.82	1.01.05.83	1.01.05.84	1.01.05.85	1.01.05.86	1.01.05.87	1.01.05.88	1.01.05.89	1.01.05.90	1.01.05.91	1.01.05.92	1.01.05.93	1.01.05.94	1.01.05.95	1.01.05.96	1.01.05.97	1.01.05.98	1.01.05.99	1.01.06.01	1.01.06.02	1.01.06.03	1.01.06.04	1.01.06.05	1.01.06.06	1.01.06.07	1.01.06.08	1.01.06.09	1.01.06.10	1.01.06.11	1.01.06.12	1.01.06.13	1.01.06.14	1.01.06.15	1.01.06.16	1.01.06.17	1.01.06.18	1.01.06.19	1.01.06.20	1.01.06.21	1.01.06.22	1.01.06.23	1.01.06.24	1.01.06.25	1.01.06.26	1.01.06.27	1.01.06.28	1.01.06.29	1.01.06.30	1.01.06.31	1.01.06.32	1.01.06.33	1.01.06.34	1.01.06.35	1.01.06.36	1.01.06.37	1.01.06.38	1.01.06.39	1.01.06.40	1.01.06.41	1.01.06.42	1.01.06.43	1.01.06.44	1.01.06.45	1.01.06.46	1.01.06.47	1.01.06.48	1.01.06.49	1.01.06.50	1.01.06.51	1.01.06.52	1.01.06.53	1.01.06.54	1.01.06.55	1.01.06.56	1.01.06.57	1.01.06.58	1.01.06.59	1.01.06.60	1.01.06.61	1.01.06.62	1.01.06.63	1.01.06.64	1.01.06.65	1.01.06.66	1.01.06.67	1.01.06.68	1.01.06.69	1.01.06.70	1.01.06.71	1.01.06.72	1.01.06.73	1.01.06.74	1.01.06.75	1.01.06.76	1.01.06.77	1.01.06.78	1.01.06.79	1.01.06.80	1.01.06.81	1.01.06.82	1.01.06.83	1.01.06.84	1.01.06.85	1.01.06.86	1.01.06.87	1.01.06.88	1.01.06.89	1.01.06.90	1.01.06.91	1.01.06.92	1.01.06.93	1.01.06.94	1.01.06.95	1.01.06.96	1.01.06.97	1.01.06.98	1.01.06.99	1.01.07.01	1.01.07.02	1.01.07.03	1.01.07.04	1.01.07.05	1.01.07.06	1.01.07.07	1.01.07.08	1.01.07.09	1.01.07.10	1.01.07.11	1.01.07.12	1.01.07.13	1.01.07.14	1.01.07.15	1.01.07.16	1.01.07.17	1.01.07.18	1.01.07.19	1.01.07.20	1.01.07.21	1.01.07.22	1.01.07.23	1.01.07.24	1.01.07.25	1.01.07.26	1.01.07.27	1.01.07.28	1.01.07.29	1.01.07.30	1.01.07.31	1.01.07.32	1.01.07.33	1.01.07.34	1.01.07.35	1.01.07.36	1.01.07.37	1.01.07.38	1.01.07.39	1.01.07.40	1.01.07.41	1.01.07.42	1.01.07.43	1.01.07.44	1.01.07.45	1.01.07.46	1.01.07.47	1.01.07.48	1.01.07.49	1.01.07.50	1.01.07.51	1.01.07.52	1.01.07.53	1.01.07.54	1.01.07.55	1.01.07.56	1.01.07.57	1.01.07.58	1.01.07.59	1.01.07.60	1.01.07.61	1.01.07.62	1.01.07.63	1.01.07.64	1.01.07.65	1.01.07.66	1.01.07.67	1.01.07.68	1.01.07.69	1.01.07.70	1.01.07.71	1.01.07.72	1.01.07.73	1.01.07.74	1.01.07.75	1.01.07.76	1.01.07.77	1.01.07.78	1.01.07.79	1.01.07.80	1.01.07.81	1.01.07.82	1.01.07.83	1.01.07.84	1.01.07.85	1.01.07.86	1.01.07.87	1.01.07.88	1.01.07.89	1.01.07.90	1.01.07.91	1.01.07.92	1.01.07.93	1.01.07.94	1.01.07.95	1.01.07.96	1.01.07.97	1.01.07.98	1.01.07.99	1.01.08.01	1.01.08.02	1.01.08.03	1.01.08.04	1.01.08.05	1.01.08.06	1.01.08.07	1.01.08.08	1.01.08.09	1.01.08.10	1.01.08.11	1.01.08.12	1.01.08.13	1.01.08.14	1.01.08.15	1.01.08.16	1.01.08.17	1.01.08.18	1.01.08.19	1.01.08.20	1.01.08.21	1.01.08.22	1.01.08.23	1.01.08.24	1.01.08.25	1.01.08.26	1.01.08.27	1.01.08.28	1.01.08.29	1.01.08.30	1.01.08.31	1.01.08.32	1.01.08.33	1.01.08.34	1.01.08.35	1.01.08.36	1.01.08.37	1.01.08.38	1.01.08.39	1.01.08.40	1.01.08.41	1.01.08.42	1.01.08.43	1.01.08.44	1.01.08.45	1.01.08.46	1.01.08.47	1.01.08.48	1.01.08.49	1.01.08.50	1.01.08.51	1.01.08.52	1.01.08.53	1.01.08.54	1.01.08.55	1.01.08.56	1.01.08.57	1.01.08.58	1.01.08.59	1.01.08.60	1.01.08.61	1.01.08.62	1.01.08.63	1.01.08.64	1.01.08.65	1.01.08.66	1.01.08.67	1.01.08.68	1.01.08.69	1.01.08.70	1.01.08.71	1.01.08.72	1.01.08.73	1.01.08.74	1.01.08.75	1.01.08.76	1.01.08.77	1.01.08.78	1.01.08.79	1.01.08.80	1.01.08.81	1.01.08.82	1.01.08.83	1.01.08.84	1.01.08.85	1.01.08.86	1.01.08.87	1.01.08.88	1.01.08.89	1.01.08.90	1.01.08.91	1.01.08.92	1.01.08.93	1.01.08.94	1.01.08.95	1.01.08.96	1.01.08.97	1.01.08.98	1.01.08.99	1.01.09.01	1.01.09.02	1.01.09.03	1.01.09.04	1.01.09.05	1.01.09.06	1.01.09.07	1.01.09.08	1.01.09.09	1.01.09.10	1.01.09.11	1.01.09.12	1.01.09.13	1.01.09.14	1.01.09.15	1.01.09.16	1.01.09.17	1.01.09.18	1.01.09.19	1.01.09.20	1.01.09.21	1.01.09.22	1.01.09.23	1.01.09.24	1.01.09.25	1.01.09.26	1.01.09.27	1.01.09.28	1.01.09.29	1.01.09.30	1.01.09.31	1.01.09.32	1.01.09.33	1.0
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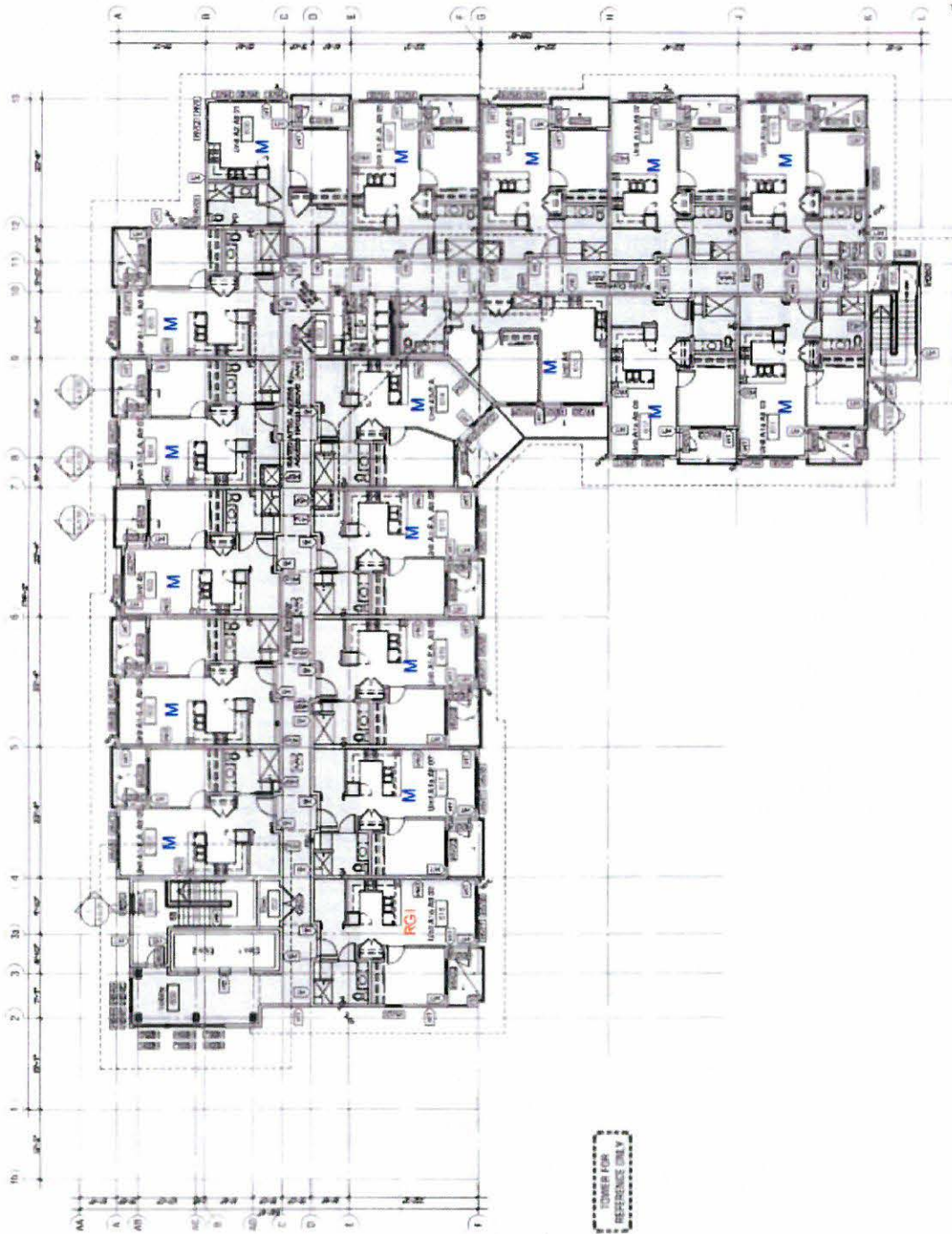


PROJECT NO. 1001
 SHEET NO. 1001
 DATE: 10/1/2001
 PROJECT: 1001
 SHEET: 1001



KOWANIS LYN
 WOODS
 2001 WOODS COURT
 NORTH CHARLOTTE, NC
 28205-1001
 704.381.1001

Plan - Lowrise
 Level 6
 10/1/2001



NO.	DESCRIPTION	DATE
1	REVISION	10/1/2001
2	REVISION	10/1/2001
3	REVISION	10/1/2001
4	REVISION	10/1/2001
5	REVISION	10/1/2001
6	REVISION	10/1/2001
7	REVISION	10/1/2001
8	REVISION	10/1/2001
9	REVISION	10/1/2001
10	REVISION	10/1/2001

NO.	DESCRIPTION	DATE
1	REVISION	10/1/2001
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6	REVISION	10/1/2001
7	REVISION	10/1/2001
8	REVISION	10/1/2001
9	REVISION	10/1/2001
10	REVISION	10/1/2001



Plan - Lowrise - Level 6 A-3.07

The Corporation of the District of North Vancouver**Bylaw 8593**

A bylaw to amend District of North Vancouver Bylaw 3210, 1965

The Council for The Corporation of the District of North Vancouver enacts as follows:

Citation

1. This bylaw may be cited as "District of North Vancouver Rezoning Bylaw 1420 (Bylaw 8593)".

Amendments

2. District of North Vancouver Zoning Bylaw 3210, 1965 is amended as follows:
 - a) 4B 120 – 6 "Amenities" of the Comprehensive Development Zone 120 is deleted in its entirety and replaced with the following new:

"4B 120 – 6 Amenities"

- i. Despite subsection 4B 120-5, density in the CD120 Zone is increased to a maximum floor space of 17,328m² (186,517 sq ft), and a maximum of 315 units (inclusive of three guest suites), if the owner:
 1. Enters into a Housing Agreement securing:
 - All the units as rentals;
 - All the units (except for the three guest suites) offered to seniors at least 55 years of age; and,
 - All the units in Building B (see "Figure 1" below) offered at below-market rates."
- b) 4B 120 – 11 "Parking, Loading and Servicing Regulations" of the Comprehensive Development Zone 120 is deleted in its entirety and replaced with the following new:

"4B 120 – 11 Parking, Loading and Servicing Regulations"

- i. A minimum of 0.45 parking spaces per dwelling unit are required, inclusive of designated parking for persons with disabilities, and these spaces must have direct drive aisle access;
- ii. Tandem parking spaces are permitted for spaces provided in excess of the requirements in 4B 120 – 11 a);

- iii. A maximum of 35% of provided parking spaces may be small car spaces;
- iv. All parking spaces shall meet the minimum width and length standards established in Part 10 of the Zoning Bylaw, exclusive of building support columns;
- v. A minimum of 12 bicycle parking spaces must be provided."

NOTICE GIVEN in accordance with Section 467 of the *Local Government Act* on the 7th and 14th of September 2022.

READ a first time September 19th, 2022

READ a second time September 19th, 2022

READ a third time September 19th, 2022

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

AGENDA INFORMATION

☒ Regular Meeting
☐ Other:

Date: Sept. 19, 2022
 Date: _____

[Signature]
 Dept.
 Manager

[Signature]
 GM/
 Director

[Signature]
 CAO

The District of North Vancouver REPORT TO COUNCIL

August 29, 2022

Case: 08.3060.20/039.22

File: 08.3060.20/039.22

AUTHOR: Robyn Hay, Development Planner

SUBJECT: Bylaw 8592 and Bylaw 8593: Zoning and Housing Agreement Amendments – 2551 & 2555 Whiteley Court (Kiwanis)

RECOMMENDATION

THAT the "District of North Vancouver Rezoning Bylaw 1420 (Bylaw 8593) (2551 & 2555 Whiteley Court)" is given FIRST, SECOND, and THIRD Readings;

AND THAT the associated "Housing Agreement Amendment Bylaw 8592, 2022 (2551 & 2555 Whiteley Court)" is given FIRST, SECOND, and THIRD Readings.

REASON FOR REPORT

Implementation of the proposal requires the following amendments:

- Bylaw 8593 to amend the text of the Comprehensive Development Zone 120 (CD120) to reduce the age limit requirements from 65 years and older to 55 years and older and to increase the minimum parking requirement from 0.33 to 0.45 spaces per dwelling unit (**Attachment 1**); and,
- Bylaw 8592 to amend the Housing Agreement to reduce the age limit requirements in the "Lynn Woods" building for 21 low-income units from 65 years and older to 60 years and older, and for 85 low-to-moderate income units from 65 years and older to 55 years and older (**Attachment 2**).



The above Rezoning Bylaw and Housing Agreement Amendment Bylaw are recommended for three readings by Council.

BACKGROUND

At the Council meeting held on July 28, 2022, Council considered the proposed zoning and housing agreement amendments for the new Kiwanis senior building and, in accordance with *Local Government Act*, directed staff to provide statutory public notices including intention of not holding a public hearing and to bring the bylaws back for all three readings. Council gave this direction based on the proposed amendments' consistency with the OCP, and supportive community feedback received during the rezoning phase in 2018.

A copy of the associated Staff Report is provided as **Attachment 4** for reference.

At the time of that meeting, there were some questions from the Council. This report will address these questions.

Questions/Answers

1) Vacant units

A question was asked in regard to why Kiwanis is having challenges leasing the units.

Kiwanis is experiencing challenges leasing units in the new Lynn Woods building due to the combination of BC Housing's *Community Housing Fund* income requirements and the District's CD120 Zoning and Housing Agreement age requirements (i.e. 65 years and older). Kiwanis indicated that additional marketing and education has assisted in filling some of the vacancies but at the time of writing this report, 31 units (or 29%) are vacant as follows:

Unit type	Number of units	Number of units rented	Number of units vacant
Low- income (20% of the units)	21 units	14 units	7 units
RGI (low-income) (50% of the units)	53 units	53 units	0 units
Moderate- income (30% of the units)	32 units	8 units	24 units
Total	106 units	75 units (71%)	31 units (29%)

BC Housing requires Kiwanis to rent units in accordance with the following income requirements*:

- **Low-income units** - will be rented to people on social assistance of less than \$21,945 annually, who will pay rent at “shelter rates”. These tenants will pay \$375 per month.
- **RGI (rent geared-to-income) units** - will be rented to people whose annual household income is between \$18,000 and the Housing Income Limits (HILs) which is \$57,500 for a 1-bedroom unit. Rents in this category will be geared-to-income, so that tenants pay 30% of gross annual income on rent.
- **Moderate-income units** - will be rented to people with annual household incomes between \$57,500 and \$77,430. These tenants will pay \$1,570 per month for a 1-bedroom unit.

**Annual income includes salary, pension, OAS, GIS, as applicable.*

Tenants for the low-income units and RGI units must be selected from BC Housing's Housing Registry while tenants for the moderate-income units are sourced by Kiwanis.

Low-income and RGI units – Since the Council Meeting on July 28, 2022, Kiwanis has reported that a significant number of units in these two lower-income categories have been leased. This is mainly due to changes agreed by BC Housing*:

1. BC Housing approved Kiwanis's request to amend their agreement to allow Kiwanis to rent the RGI units to any tenant with a qualifying income and eliminates the need to have an even distribution of RGI tenant incomes. This amended agreement also allows Kiwanis to have an operating deficit that would be financed by BC Housing.
2. BC Housing allowed Kiwanis to market the RGI units independently, but the individuals must apply through the BC Housing Registry before Kiwanis can approve their rental agreements.

**As leasing effort is ongoing and it takes time to lease an individual unit, some of the RGI units have been leased to renters who are between the ages of 65 and 60, in anticipation of Council decision of relaxation of the age limit.*

Moderate-income units - The majority of the moderate-income units are still vacant as Kiwanis has not found enough people looking for this type of housing who meet all the eligibility criteria. Kiwanis has indicated that their housing is often perceived as low-income housing and it is difficult to educate potential tenants on the opportunity that Lynn Woods offers.

To assist with the situation, Kiwanis indicated that they have ramped up advertising/education by:

1. Placing posters around the community including all North Shore libraries, recreation centres, and seniors' centres.
2. Hiring a rental agent for the moderate-income units. The agent has posted ads on multiple platforms including MLS rental listings, ABC's rental listings, Craigslist, Facebook Marketplace, and Vansky/Vanpeople.
3. Placing weekly ads in the North Shore News.
4. Publishing articles in the North Shore News.
5. Placing Ads on Google and Instagram.
6. Furnishing one of the moderate-income units as a display unit.
7. Offering the first month rent free for the moderate-income units.
8. Providing Bowinn Ma, MLA with regular rental updates to post on her social media.

Kiwanis is hopeful that the additional marketing measures will assist in filling some of the vacancies but noting the age limit relaxation is critical so as to allow them reach a wider demographic: Kiwanis is targeting younger seniors for the moderate-income units who may still be working, have higher incomes and could afford the higher rents. Once the individual retires and collects a pension their income will likely be reduced. If a tenant then becomes eligible for a lower rent unit, they will be placed on a waiting list for the next available unit type in accordance with their income. It is noted that tenants are required to provide their CRA Notice of Assessment each year so Kiwanis can confirm compliance with the allowable income for the specific unit.

2) Kiwanis's asset limit

A question was asked about Kiwanis's eligibility requirements in term of asset limit which is as follows:

- Household assets (for single and double occupancy) must not exceed \$400,000. Assets include real estate (assessed value less mortgage owing), bank account balances, stocks, bond mutual funds etc. but does not include Registered Retirement Savings Plans (RRSPs), Retirement Income Funds (RIFs) and annuities.

Kiwanis also has the follow key eligibility requirements:

- Resided in British Columbia for at least 12 months at the time of application and preference is given to North Shore residents.
- Capable of living independently and be a non-smoker and no pets.

3) BC Housing's Housing Registry

A question was asked regarding who is on the BC Housing waitlist. BC Housing maintains "The Housing Registry", which is a province-wide waitlist for subsidized housing across BC. For 2021, there were 768 applicants on the Registry from the District and City of North Vancouver (BC Housing does not provide District-specific data).

Of the 768 applicants on the waitlist, the single largest group is senior households (353 applicants or 46%), followed by families (215 applicants or 28%), and people with disabilities (130 applicants or 17%). The Housing Registry does not provide data about family size (# of bedrooms needed) or income levels.

4) Housing need in the District

A question was asked regarding the housing need in the District.

"Core Housing Need" is a measure of housing need and indicates the number of households in a community who are unable to find housing that is suitable in size, in good repair, and affordable without spending 30% of total before-tax household income.

In 2021, the District's Housing Needs Report identified that over a quarter of all renter households (27%, or 1,610 households) were in core housing need with senior-led renter households representing the largest age group in the District experiencing core housing need.

Nearly half (47%) of all renting senior households aged 65 and over were in core housing need, compared to 32% of senior renters aged 55-64 which was the second largest age group experiencing core housing need. A copy of the District's 2021 Housing Needs Report is available on the December 13, 2021 Council Meeting Agenda (<https://app.dnv.org/OpenDocument/Default.aspx?docNum=5117723>)

There is a clear need in the District for additional rental and affordable housing, and more housing for seniors, families, and people with disabilities.

5) Kiwanis programming

A question was asked whether the proposal would result in changes to Kiwanis's programming. In response, Kiwanis has indicated that they provide housing for independent living residents with low to moderate incomes. This applies to all their buildings on the North Shore including Lynn Woods. There have never been discussions about changing the programming.

6) Unbundled parking costs

A question was asked in regard to the cost of a parking space. Kiwanis indicated that new tenants moving into Lynn Woods would pay a rate of \$90 per month and existing tenants who had parking at Lynn Manor before the expansion are grandfathered at a rate \$30 per month.

Statutory Public Notice

In accordance with section 467 of the *Local Government Act*, public notice will be provided in two consecutive editions (September 7 and 14, 2022) of the North Shore News.

Any public input as a result of the notice will be forwarded to Council. Individuals will also be able to provide public input in-person and virtually at the September 19, 2022 Council Meeting. If people want to sign up to speak at the item or during public input, they need to email signup@dnv.org prior to 3:00pm on Monday, September 19. Written submission may also be made to council@dnv.org.

To date, one piece of written comments was received. It sought clarification regarding eligibility requirements (age, income and asset limit) and once the clarification questions were answered, the comment writer provided support for the proposal.

OPTIONS

The following options are available at Council's discretion:

1. Give First, Second, and Third Readings to Rezoning Bylaw 8593 and Housing Agreement Amendment Bylaw 8592 (staff recommendation);
2. Provide possible changes to the bylaws; or
3. Defeat the bylaws at First Reading.

Respectfully submitted,



Robyn Hay
Development Planner

SUBJECT: Bylaw 8592 and Bylaw 8593: Zoning and Housing Agreement Amendments –
2551 & 2555 Whiteley Court (Kiwanis)

August 29, 2022

Page 7

Attachments:

1. Bylaw 8593 – District of North Vancouver Rezoning Bylaw 1420 (Bylaw 8593)
2. CD120 Zone – Redline version
3. Bylaw 8592 – Housing Agreement bylaw 8329, 2018, Amendment Bylaw 8592, 2022 (2555 Whiteley Court)
4. Report to Council titled *Zoning and Housing Agreement Amendments - 2555 Whiteley Court (Kiwanis)* and dated July 19, 2022

SUBJECT: Bylaw 8592 and Bylaw 8593: Zoning and Housing Agreement Amendments –
2551 & 2555 Whiteley Court (Kiwanis)

August 29, 2022

Page 8

REVIEWED WITH:		
<input type="checkbox"/> Community Planning _____	<input type="checkbox"/> Clerk's Office _____	External Agencies:
<input type="checkbox"/> Development Planning _____	<input type="checkbox"/> Communications _____	<input type="checkbox"/> Library Board _____
<input type="checkbox"/> Development Engineering _____	<input type="checkbox"/> Finance _____	<input type="checkbox"/> NS Health _____
<input type="checkbox"/> Utilities _____	<input type="checkbox"/> Fire Services _____	<input type="checkbox"/> RCMP _____
<input type="checkbox"/> Engineering Operations _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> NVRC _____
<input type="checkbox"/> Parks _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Environment _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Facilities _____	<input type="checkbox"/> Real Estate _____	
<input type="checkbox"/> Human Resources _____	<input type="checkbox"/> Bylaw Services _____	
<input type="checkbox"/> Review and Compliance _____	<input type="checkbox"/> Planning _____	

The Corporation of the District of North Vancouver**Bylaw 8593**

A bylaw to amend District of North Vancouver Bylaw 3210, 1965

The Council for The Corporation of the District of North Vancouver enacts as follows:

Citation

1. This bylaw may be cited as "District of North Vancouver Rezoning Bylaw 1420 (Bylaw 8593)".

Amendments

2. District of North Vancouver Zoning Bylaw 3210, 1965 is amended as follows:
 - a) 4B 120 – 6 "Amenities" of the Comprehensive Development Zone 120 is deleted in its entirety and replaced with the following new:

"4B 120 – 6 Amenities"

- a) Despite subsection 4B 120-5, density in the CD120 Zone is increased to a maximum floor space of 17,328m² (186,517 sq ft), and a maximum of 315 units (inclusive of three guest suites), if the owner:
 - (i) Enters into a Housing Agreement securing:
 - All the units as rentals;
 - All the units (except for the three guest suites) offered to seniors at least 55 years of age; and,
 - All the units in Building B (see "Figure 1" below) offered at below-market rates."
- b) 4B 120 – 11 "Parking, Loading and Servicing Regulations" of the Comprehensive Development Zone 120 is deleted in its entirety and replaced with the following new:

"4B 120 – 11 Parking, Loading and Servicing Regulations"

- a) A minimum of 0.45 parking spaces per dwelling unit are required, inclusive of designated parking for persons with disabilities, and these spaces must have direct drive aisle access;
- b) Tandem parking spaces are permitted for spaces provided in excess of the requirements in 4B 120 – 11 a);

- c) A maximum of 35% of provided parking spaces may be small car spaces;
- d) All parking spaces shall meet the minimum width and length standards established in Part 10 of the Zoning Bylaw, exclusive of building support columns;
- e) A minimum of 12 bicycle parking spaces must be provided."

READ a first time

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

4B 120 Comprehensive Development Zone 120 CD120

Intent

The purpose of the CD120 Zone is to establish specific land use and development regulations for a seniors rental residential project.

4B 120 – 2 Permitted Uses

The following *principal* uses shall be permitted in the CD120 Zone:

- a) Uses Permitted Without Conditions: Not applicable
- b) Conditional Uses: Residential use

4B 120 – 3 Conditions of Use

- a) Balcony enclosures not permitted

4B 120 – 4 Accessory Use

- a) *Accessory uses* customarily ancillary to the principal uses are permitted and include, but not necessarily limited to:
 - Kitchen;
 - Dining;
 - Storage;
 - Laundry;
 - Library;
 - Administration office;
 - Hair salon, spa, and other personal services; and
 - Amenity rooms.

4B 120 – 5 Density

- a) The maximum permitted density is limited to a floor space ratio (FSR) of 1.9 and 205 units.
- b) For the purposes of calculating floor space ratio, the following areas are excluded:
 - i. All spaces below natural and finished grade in the basement and parkade;
 - ii. Amenity space up to 1,410 m² (15,177 sq. ft.) including above grade bike storage, laundry rooms, recreation rooms, storage lockers, office, great hall and reading lounge, top floor amenity space and ground floor amenity space; and
 - iii. Balconies, decks, canopies, overhangs, architectural elements and awnings.

4B 120 – 6 Amenities

- a) Despite subsection 4B 120-5, density in the CD120 Zone is increased to a maximum floor space of 17,328m² (186,517 sq ft), and a maximum of 315 units (inclusive of three guest suites), if the owner:
- (i) Enters into a Housing Agreement securing:
- All the units as rentals;
 - All the units (except for the three guest suites) offered to seniors at least 55 years of age; ~~(i.e. 65 years or older)~~; and,
 - All the units in Building B (see "Figure 1" below) offered at below-market rates.

4B 120 – 7 Height

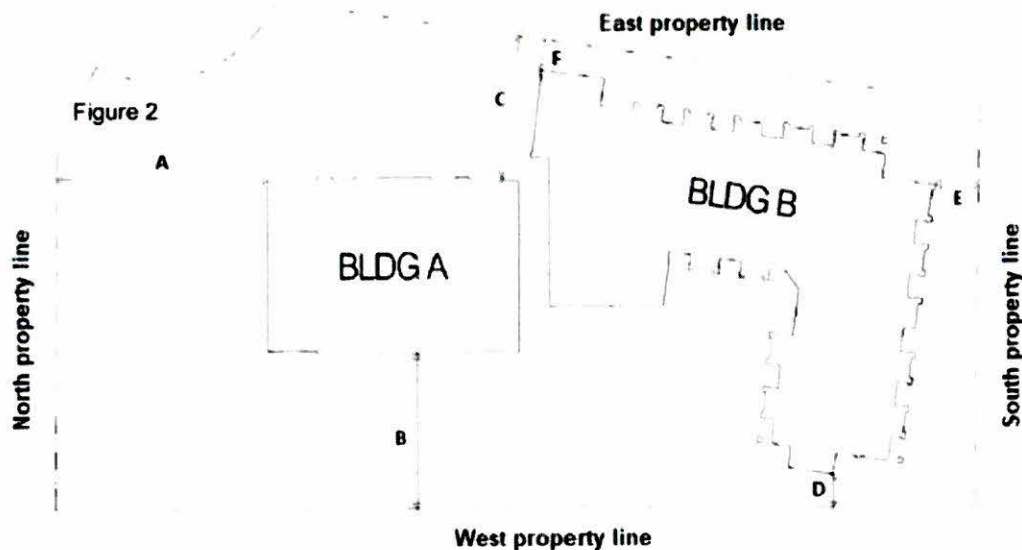
- a) The maximum permitted height for any building in the CD120 Zone, shall be regulated as follows, with specific building height provisions based on "Table 1" and "Figure 1":

Table 1		
Building	Storeys	Height
A	16	51.8m (170 ft)
B	6	23m (75.5 ft)

4B 120 - 8 Setbacks

- a) Buildings shall be set back from property lines to the closest building face in accordance with "Table 2" and "Figure 2":

Table 2		
Building	Setback Identifier	Minimum setback
A	A	27.5m (90.2 ft)
	B	19.0m (62.3 ft)
	C	17.5m (57.4 ft)
B	D	3.75m (12.3 ft)
	E	5.5m (18.0 ft)
	F	3.5m (11.5 ft)



For the purpose of measuring setbacks, measurements exclude partially exposed underground parking, balconies, canopies, overhangs, architectural elements and awnings.

4B 120 - 9 Coverage

- a) Building Coverage: The maximum building coverage is 60%.
- b) Site Coverage: The maximum site coverage is 80%.

4B 120 - 10 Landscaping and Storm Water Management

- a) All land areas not occupied by buildings, and patios shall be landscaped in accordance with a landscape plan approved by the District of North Vancouver.
- b) All electrical kiosks and garbage and recycling container facilities not located underground or within a building must be screened.

4B 120 – 11 Parking, Loading and Servicing Regulations

- a) A minimum of 0.45 ~~0.33~~ parking spaces per dwelling unit are required, inclusive of designated parking for persons with disabilities, and these spaces must have direct drive aisle access;
- b) Tandem parking spaces are permitted for spaces provided in excess of the requirements in 4B 120 – 11 a);
- c) A maximum of 35% of provided parking spaces may be small car spaces;
- d) All parking spaces shall meet the minimum width and length standards established in Part 10 of the Zoning Bylaw, exclusive of building support columns;
- e) A minimum of 12 bicycle parking spaces must be provided."

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The Corporation of the District of North Vancouver

Bylaw 8592

A bylaw to amend Housing Agreement Bylaw 8329, 2018 (2555 Whiteley Court)

The Council for The Corporation of the District of North Vancouver enacts as follows:

Citation

1. This bylaw may be cited as "Housing Agreement Amendment Bylaw 8592, 2022 (2551 & 2555 Whiteley Court)".

Authorization to Enter into Agreement

1. The Council hereby authorizes an agreement substantially in the form attached to this Bylaw as Schedule "A" to amend the Housing Agreement dated for reference the 15th day of March, 2019 entered into between The Corporation of the District of North Vancouver and Kiwanis North Shore Housing Society and authorized by Housing Agreement Bylaw 8329, 2018 (2555 Whiteley Court).

Execution of Documents

2. The Mayor and Municipal Clerk are authorized to execute any documents required to give effect to the Housing Agreement.

READ a first time

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Schedule A to Bylaw 8592

Section 219 Modification of Housing Agreement (Rental Housing) Covenant

THIS AGREEMENT dated for reference _____, 2022

BETWEEN:

KIWANIS NORTH SHORE HOUSING SOCIETY
(Incorporation No. S0004376) a corporation incorporated under the laws of the Province of British Columbia with an office at 100 – 1975 21st Street, West Vancouver, BC V7T 1A2

("Kiwanis")

AND:

THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER, 355 West Queens Road, North Vancouver, BC V7N 4N5

(the "District")

WHEREAS:

- A. Kiwanis is the registered owner in fee simple of lands in the District of North Vancouver, British Columbia legally described in Item 2 of the Form C General Instrument Part 1 to which this Agreement is attached and which forms part of this Agreement (the "Land");
- B. On the 15th day of March, 2019 Kiwanis and the District entered into a section 219 housing agreement covenant (the "Housing Agreement"), which Housing Agreement is registered in the Lower Mainland Land Title Office under instrument number CA7681450 against title to the Land; and
- C. The parties wish to modify the Housing Agreement as set out herein,

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the covenants contained in this instrument and for other valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the parties covenant and agree with each other as follows:

- 1. The Housing Agreement is hereby modified as follows:
 - (a) Subsection 1(g) is deleted in its entirety and replaced with the following new subsection 1(g):
 - (i) "1(g) *"Eligible Person"* means:
 - A. with respect to all of the Dwelling Units in Building A (other than the Guest Suites), a person of the age of at least 65 years; and

- B. with respect to the 21 Dwelling Units in Building B on the Land identified on the sketch plan attached hereto as Schedule "C", a person of the age of at least 60 years, and, with respect to the balance of the Dwelling Units in Building B, a person of the age of at least 55 years,"
- (b) Schedule "A" attached hereto is attached to the Housing Agreement as new Schedule "C".
- 2. All other terms and conditions of the Right of Way remain valid and binding upon the parties to this Agreement as if such terms and conditions had been reproduced in their entirety in this Agreement.

As evidence of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement under seal by executing Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.

Schedule "A"

New Schedule C to the Housing Agreement

**Sketch Plan showing Location of Dwelling Units subject to seniors (60 year +) Age Restriction (shown
in yellow shading with black outline)**



Journal: *PL*, 2007
 Title: *PL*, 2007
 Author: *PL*, 2007
 Editor: *PL*, 2007
 Publisher: *PL*, 2007
 Date: *PL*, 2007
 Volume: *PL*, 2007
 Issue: *PL*, 2007
 Pages: *PL*, 2007
 DOI: *PL*, 2007
 URL: *PL*, 2007
 Abstract: *PL*, 2007



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Plan - Lowrise
Level 1 - Main Floor



Plan - Lowrise - Level 1 - Main Floor A-3.02



NOTES REQUIRED

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CANADIAN NATIONAL STANDARDS FOR BUILDING MATERIALS AND METHODS OF CONSTRUCTION.

2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CANADIAN NATIONAL STANDARDS FOR BUILDING MATERIALS AND METHODS OF CONSTRUCTION.

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KINGSTON

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CANADIAN NATIONAL STANDARDS FOR BUILDING MATERIALS AND METHODS OF CONSTRUCTION.

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Plan - Lowrise - Level 2 A-3.03



ARCHITECT ASSOCIATES, INC.
10000 15th Avenue, Suite 100
Denver, CO 80202
Tel: 303.733.1100
Fax: 303.733.1101
www.aarchitect.com

PROJECT: 15th & W. 1st
SHEET: 15-01
DATE: 10/1/01
BY: J. H. H.

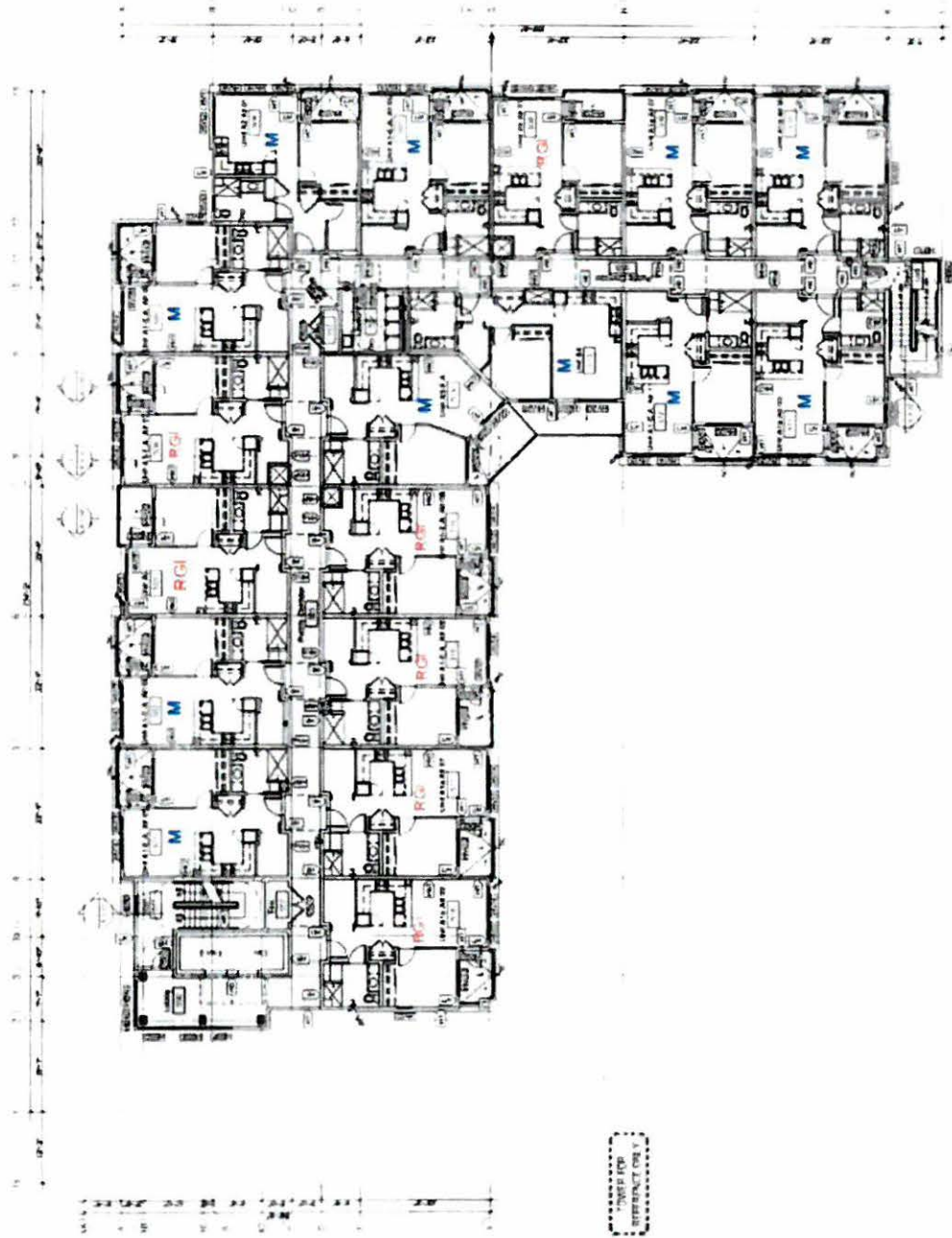


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Tel: 303.733.1100
Fax: 303.733.1101
www.aarchitect.com

Plan - Lowrise
Level 5
Scale: 1/8" = 1'-0"

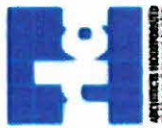


Plan - Lowrise - Level 5 A-3.06



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THIS IS FOR
REFERENCE ONLY

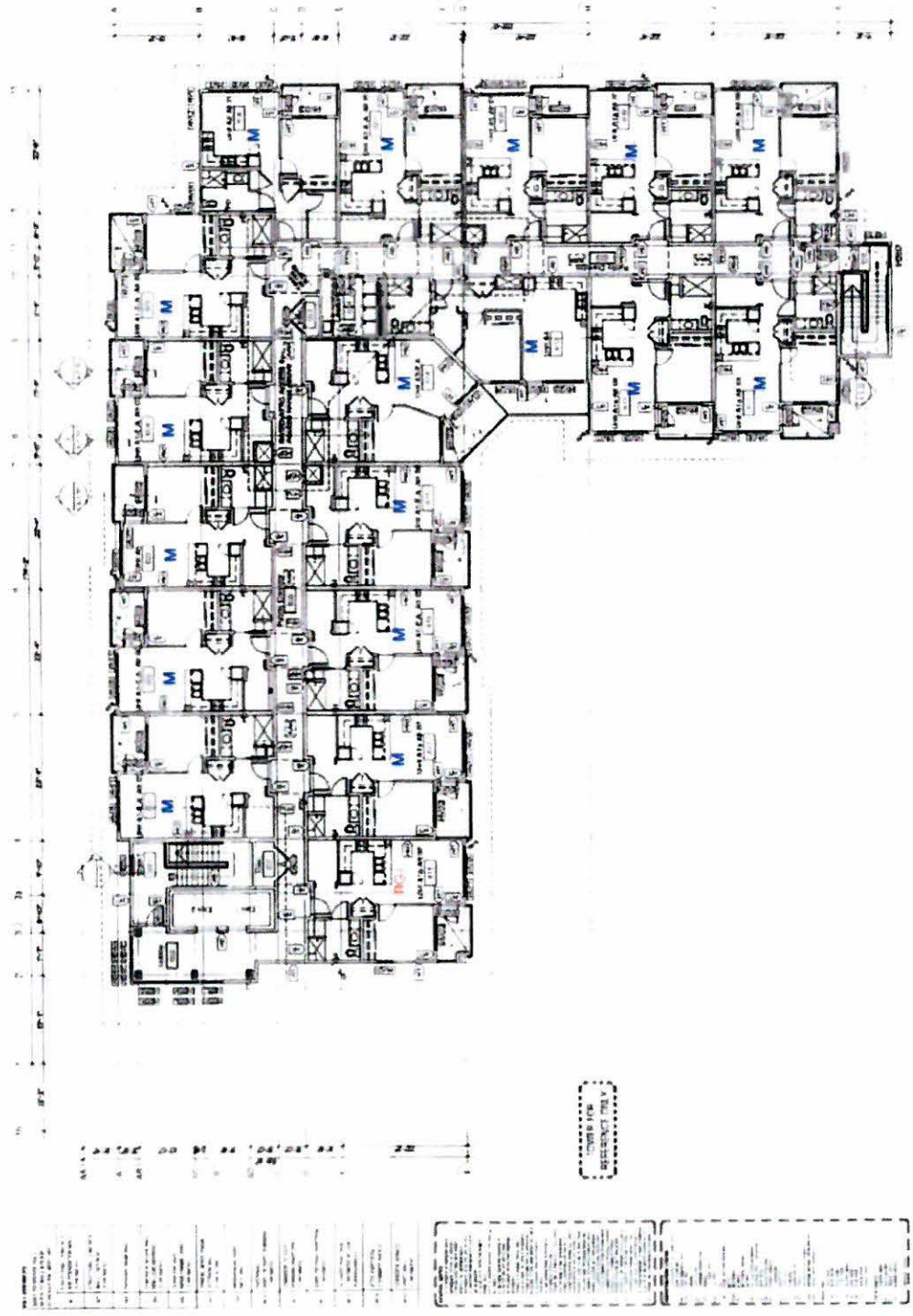


DEPARTMENT OF BUILDING AND FIRE SERVICES
GOVERNMENT OF HONG KONG



NOTES
1. All dimensions are in feet and inches.
2. All areas are in square feet.
3. All measurements are to the centerline of the wall.

Plan - Lowrise
Level 5



Plan - Lowrise - Level 5 A-3.07

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Special Meeting	Date: <u>July 28, 2022</u>
<input type="checkbox"/> Other:	Date: _____

[Signature]
Dept.
Manager

[Signature]
GM/
Director

[Signature]
CAO

The District of North Vancouver REPORT TO COUNCIL

July 19, 2022
Case: PLN2022-00039
File: 08.3060.20/039.22

AUTHOR: Robyn Hay, Development Planner

SUBJECT: Zoning and Housing Agreement Amendments - 2555 Whiteley Court
(Kiwanis)

RECOMMENDATION

THAT "District of North Vancouver Rezoning Bylaw 1420 (Bylaw 8593)" to amend the text of the Comprehensive Development Zone 120 (CD120) and Housing Agreement Amendment Bylaw 8592 be considered;

AND THAT a public hearing not be held in respect of Bylaw 8593;

AND THAT staff are directed to undertake the required public notice.

REASON FOR REPORT

To seek Council's direction to amend Bylaw 8593 (Attachment 1) to amend the text of the Comprehensive Development Zone 120 (CD120), to amend the age limit restrictions associated with the newly constructed affordable rental building at 2555 Whiteley Court (Kiwanis).



SUMMARY

There are two buildings on the property: a newly constructed six storey rental building and a 1970s 16 storey rental building (see image on page 2).

Kiwanis North Shore Housing Society ("Kiwanis") has applied to amend the age limit requirement in the newly constructed 6-storey rental building known as "Lynn Woods" as shown on the adjacent site plan.

The project was awarded capital funding with an ongoing operating subsidy from BC Housing's Community Housing Fund, which was established to help communities with the supply of much-needed non-market rental housing.

Kiwanis is proposing to amend the age limit requirements as follows:

- From 65 years and older to 60 years and older for 21 low-income units; and
- From 65 years and older to 55 years and older for 85 low-to-moderate income units.

This added flexibility will allow for a wider range of tenants and assist with the project lease-up, while ensuring the building remains a senior's residence.

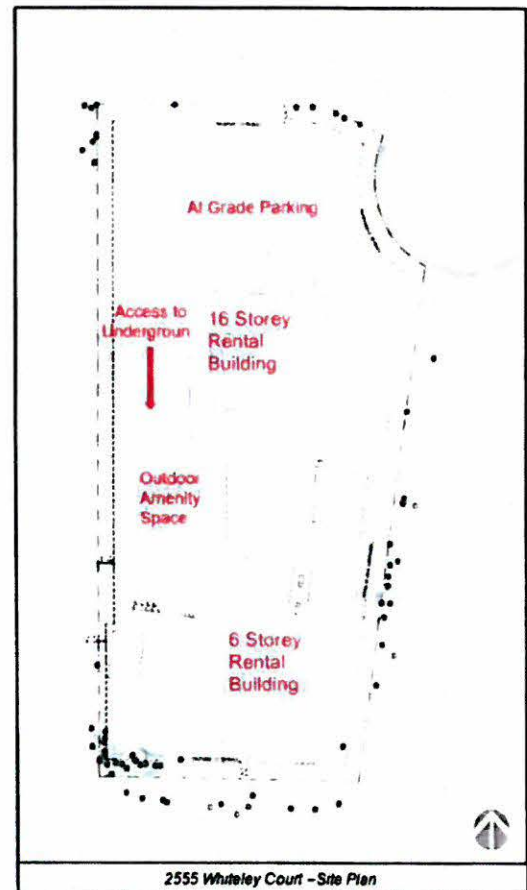
The existing 1970's 16-storey building (known as "Lynn Manor") will continue to rent to seniors 65 years and older.

Staff support this amendment as:

- Aligns with BC housing's definition of a senior;
- Traffic impacts not anticipated to be created;
- No changes to other criteria (including use, density, and services); and
- Ensures a viable project.

Further, as the project has been through public hearing and in accordance with the *Local Government Act*, staff recommend that no public hearing be held for this OCP compliant amendment.

SITE AND PROJECT BACKGROUND



The site is approximately 6,848m² (73,711 sq. ft.) in area and located at the south end of Whiteley Court adjacent to the Lynn Valley Town Centre boundary.

The site is occupied by a 16-storey rental apartment building (Lynn Manor) on the north portion, which provides 206 affordable rental housing to seniors and 3 guest suites. On September 17, 2018, Council adopted a Rezoning Bylaw, Development Cost Charge Waiver Bylaw, and Housing Agreement Bylaw for a six-storey apartment building for seniors with 106 affordable rental units on the south portion of the site.



On June 23, 2022, the Occupancy Permit was issued for the new building and this long-awaited "Lynn Woods" development is officially open to welcome tenants.

POLICY ALIGNMENT

The application to amend the age restriction is consistent with housing policies in the OCP, Targeted OCP, Rental and Affordable Housing Strategy (RAHS) and Council priority actions.

The completed Lynn Woods building is built in accordance with the CD120 zone, for density, height, and setback requirement. However, CD120 also prescribes age restrictions and parking requirements. A text amendment is required to amend the age restriction for Lynn Woods.

ANALYSIS

Age Limit Amendment

BC Housing's *Community Housing Fund* intends to boost affordable rental housing supply – it does not restrict the age range of tenants. As long as the percentage and income range shown below are met, Kiwanis would have met its obligations to the funder.

- **Low-income Units** - 20% of units will be rented to people on social assistance, who will pay rent at "shelter rates". These tenants will pay \$375 per month.
- **HILs Rates Units** - 50% of units will be rented to people whose annual household income is below the Housing Income Limits (HILs) for the applicable unit size. In 2022, the HILs were \$57,500 for a 1-bedroom unit. Rents in this category will be geared-to-income, so that tenants pay 30% of gross annual income on rent.
- **Moderate-income Units** - 30% of units will be rented to people with annual household incomes up to \$77,430. These tenants will pay \$1,570 per month for a 1-bedroom unit (all this units are 1-bedroom).

Significant challenges to lease the moderate-income units as well as some of the HILs units have risen despite Kiwanis' efforts to widely advertise and work in partnership with other non-profit housing agencies, and BC Housing.

Aside from the overall housing affordability issue, the number of signed leases is extremely low because of the 65+ eligibility requirement and has resulted in a revenue shortfall during the lease up period. This is problematic for the non-profit housing provider. By amending the age requirements to 55 years and older, and 60 years and older, there will be more individuals eligible for affordable housing.

Type	Number of units	Existing age	Proposed age
Low income	20% of the units (i.e. 21 units)	65 years and older	60 years and older
Low income and pay rent geared to 30% of income	50% of the units (i.e. 53 units)	65 years and older	55 years and older
Moderate income	30% of the units (i.e. 32 units)	65 years and older	55 years and older

As noted, the *Community Housing Fund* was not designed to serve seniors exclusively and no other projects funded under this program have age requirements. BC Housing's definition of "senior" is 55+ as it relates to eligibility for subsidized housing. The affordable rental tenure for all the units will continue to be secured in the Housing Agreement. There are no changes proposed to density or land use.

Parking

Kiwanis has a total of 156 parking spaces, including 70 parking spaces for the Lynn Manor building, 79 parking spaces for the Lynn Woods building, and seven parking spaces for visitors. This is in compliance with the District's Alternative Vehicle Parking Rates Policy which requires a minimum of 139 parking spaces. This policy provides an opportunity to consider parking rates lower than Part 10 requirements when appropriate Transportation Demand Management (TDM) measures are provided.

Kiwanis has committed to providing the following TDM measures:

- Improved access to Class 1 (resident) bicycle parking, including 60% fully automated bicycle parking spaces with no user fees;
- Enhanced Class 2 (visitor) bicycle parking near the building entrance;
- Bicycle maintenance facilities in the Lynn Woods building;
- Walking improvements including pedestrian connections to the Kirkstone Park pathway, and upgraded Kirkstone Park pathway lighting and benches; and
- Access to a shuttle bus service, with parking available for the North Shore Community Hub Bus and for HandyDart services for all residents.

Staff are supportive of the proposed parking rate and TDM measures, with sufficient parking included to accommodate different housing tenure needs, and a range of pedestrian connections and transportation options provided to support resident mobility.

Provincial Ministry of Transportation and Infrastructure

As the site is not within 800m of a controlled access intersection approval by the Provincial Ministry of Transportation and Infrastructure (MOTI) will not be required prior to bylaw adoption.

IMPLEMENTATION

The change to the age limit will require an amendment to the text of CD120 (Attachment 1) and a Housing Agreement amendment bylaw (Attachment 3), as well as registration of the amended Housing Agreement.

In November 2021, Bill 26 - Municipal Affairs Statutes Amendment Act (No. 2), 2021 came into effect. As a result, a change is now included in the *Local Government Act* to provide that a local government is not required to hold a public hearing on a proposed zoning bylaw if the bylaw is consistent with the OCP. This replaced the former provision that allowed local governments to waive a public hearing. Local governments now have to make a positive decision to have a public hearing as opposed to deciding to waive a public hearing.

Given this application's consistency with the OCP, and supportive feedback received during the rezoning phase in 2018, staff recommend that no public hearing be held for this application.

The no public hearing process involves:

- *1st meeting: staff introduce the project and the bylaws. Council considers the project and makes the determination that no public hearing is to be held;*
- *The District does statutory notification for the first reading of the bylaw and the intent to not hold a public hearing;*
- *2nd meeting: first, second and third readings of the bylaw; and*
- *3rd meeting: final reading, or adoption of the bylaw.*

Should Council pass the recommended motion, then a public notice of the first reading of the bylaw and intent not to hold public hearing will be advertised in two consecutive editions of the North Shore News. The notice will include the purpose of the zoning bylaw, date of bylaw introduction, location and the times/dates when copies of the bylaw may be inspected.

Public input in response to the notification will be collected and forwarded to Mayor and Council for consideration at the readings of the bylaw. Should Council decide to hold a public hearing on the zoning bylaw, then option 2 is provided.

CONCLUSION

This application to amend the age limit restriction in the CD120 zone will not change density, height, setback or any other aspects of the building design. However, it will help the on-going leasing of this non-profit housing project while still serving a predominantly senior population. Parking rates as a result of the age limit amendment has been reviewed and is compliant with the District's Alternative Vehicle Rates Policy.

Options:

The following options are available for Council's consideration:

1. That Council proceed to not hold a public hearing for Bylaw 8593 and provide the required public notice (staff recommendation); or,
2. That Council give first and second readings to Bylaw 8593 and give first, second, third readings to Bylaw 8592 and refer Bylaw 8593 to a public hearing; or,
3. That Council refer the application back to staff.

Respectfully submitted,



Robyn Hay
Development Planner

Attachments:

1. Bylaw 8593 – District of North Vancouver Rezoning Bylaw 1420 (Bylaw 8593)
2. CD120 Zone – Redline version
3. Bylaw 8592 – Housing Agreement bylaw 8329, 2018, Amendment Bylaw 8592, 2022 (2555 Whiteley Court)

REVIEWED WITH:		
<div style="display: flex; align-items: flex-start;"><div style="flex: 1;"><input checked="" type="checkbox"/> Sustainable Community Dev. <input checked="" type="checkbox"/> Development Services <input type="checkbox"/> Utilities <input type="checkbox"/> Engineering Operations <input type="checkbox"/> Parks <input type="checkbox"/> Environment <input type="checkbox"/> Facilities <input type="checkbox"/> Human Resources</div><div style="flex: 1; border-left: 1px solid black; padding-left: 5px; margin-left: 5px;"><div style="text-align: center; font-size: 2em; margin-bottom: 10px;">/</div><div style="text-align: center; font-size: 2em;">/</div></div></div>	<div style="display: flex; align-items: flex-start;"><div style="flex: 1;"><input type="checkbox"/> Clerk's Office <input type="checkbox"/> Communications <input type="checkbox"/> Finance <input type="checkbox"/> Fire Services <input type="checkbox"/> ITS <input type="checkbox"/> Solicitor <input type="checkbox"/> GIS <input type="checkbox"/> Real Estate</div><div style="flex: 1; border-left: 1px solid black; padding-left: 5px; margin-left: 5px;"><div style="text-align: center; font-size: 2em; margin-bottom: 10px;">/</div><div style="text-align: center; font-size: 2em;">/</div></div></div>	<div style="display: flex; align-items: flex-start;"><div style="flex: 1;">External Agencies: <input type="checkbox"/> Library Board <input type="checkbox"/> NS Health <input type="checkbox"/> RCMP <input type="checkbox"/> NVRC <input type="checkbox"/> Museum & Arch. <input type="checkbox"/> Other:</div><div style="flex: 1; border-left: 1px solid black; padding-left: 5px; margin-left: 5px;"><div style="text-align: center; font-size: 2em; margin-bottom: 10px;">/</div><div style="text-align: center; font-size: 2em;">/</div></div></div>

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