

THE CORPORATION OF THE
CITY OF WHITE ROCK
 15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6



POLICY TITLE: DENSITY BONUS / AMENITY CONTRIBUTION

POLICY NUMBER: COUNCIL - 511

Date of Council Adoption: April 15, 2013	Date of Last Amendment: October 19, 2020
Council Resolution Number: 2017-309; 2020-511	
Originating Department: Planning and Development Services	Date last reviewed by the Land Use and Planning Committee: October 19, 2020

Policy:

Purpose

The purpose of density bonus/amenity contribution requirements is to permit an increase in allowable densities in exchange for providing community amenities, consistent with section 482 of the *Local Government Act* which allows Council to establish, within a zoning bylaw, conditions relating to the conservation or provision of amenities, affordable housing and special needs housing. It allows the City to participate in a share of the increase in property values resulting from increases to the allowable densities and provide for amenities that help with the impact of increased development. Variables such as location, land value, lot size, building costs and market conditions affect the feasibility of value increases to the land when greater density is permitted. If these variables provide worthwhile economic gains to a property owner proposing redevelopment of their site, over and above the costs of providing the amenity contribution, then density bonus is a realistic way of acquiring benefit for the community.

Amenities

Section 8.12.1 of the 2017 Official Community Plan (OCP) identifies the need to utilize land use in a manner that provides social, economic and ecological benefits across the City. The City's Community Amenity Reserve Fund Bylaw, 2017, No. 2190, as amended, identifies a list of eligible amenity contributions, which includes, but is not limited to:

- A building or space within a building for civic uses, including meeting or convention space
- The provision and improvement of new publicly accessible open space, including a public square and/or pedestrian routes, either through dedication, easement, statutory right-of-way or covenant
- The improvement of existing publicly accessible open space and/or pedestrian routes
- Underground publicly accessible parking

- Publicly accessible parking
- Outdoor public art
- A transit station, “bus loop” and/or transit shelters
- Special needs or non-market affordable housing
- Transportation and transit services, including people movement infrastructure (e.g. outdoor escalators, funiculars, or gondola) to link Uptown to the Waterfront
- Other land
- A park or other public place
- Park improvements, including playgrounds
- Landscaping of City land
- A library, a museum or archive
- An arts and cultural centre
- A child care facility
- A community centre
- A recreation facility
- Heritage conservation
- City meeting and administration facilities
- A greenhouse gas reduction measure
- A community energy facility
- Similar things that benefit the City and the well being of its community

Process

In the Town Centre, Town Centre Transition, Waterfront Village and Lower Town Centre land use designations of the Official Community Plan, where the City has established the zoning that includes the maximum allowable densities both with and without the amenity contribution requirements, or where a new Amenity Zoning Bylaw or Phased Development Agreement is proposed, proponents for redevelopment will be required to deliver an amenity agreement and related section 219 covenant prior to the issuance of building permits. Densities are expressed in terms of “Floor Area Ratio” (FAR) which is determined by dividing the gross floor area by the total site area.

For all other areas outside the land use designations named above where higher densities are permitted in the OCP, redevelopment projects consisting of multi-unit residential units and/or commercial space greater than 3 storeys in height 1.5 FAR, will require rezoning to an Amenity Zoning Bylaw, and will be required to enter into agreement to establish the requirements for density bonus / amenity contribution prior to final approval of rezoning. Further, market research will be required to determine the appropriate amount of density bonus / amenity contribution required, on a project by project basis.

Unless otherwise decided by Council, all amenity contributions will be in the form of payment-in-lieu. A reserve account will be created for deposit of these funds. Funds within this account will only be expended for those types of amenities identified in the Community Amenity Reserve Fund Bylaw for the benefit of the overall community. Where Council has agreed to accept the amenity contribution to be developed on-site in conjunction with the redevelopment proposal, the specific amenities to be provided will be determined through discussion and negotiation between the City and the proponent. When it is agreed that the amenities are to be provided on-site, public access to the amenity will be secured through written agreement or covenant registered prior to issuance of a building permit.

Determination of Amenity to be Provided

Amenity contributions are required for every development:

- a) In the Town Centre, Waterfront Village and Lower Town Centre land use designations for developments exceeding ~~three (3) storeys in height and/or~~ 1.75 FAR;
- b) In the Town Centre Transition land use designation for developments exceeding ~~four (4) storeys in height and/or~~ 1.5 FAR; and
- c) For every rezoning outside of the land use designations named above for proposed multi-unit residential and/or commercial developments exceeding ~~three (3) storeys in height~~ 1.5 FAR.

Exemption of Above Ground Parkade Floorspace

Above ground parking floorspace areas, when contained within an above ground enclosed building, and not utilized for pay parking purposes or other revenue generating purpose, are exempt from providing amenity contributions. These above ground parking floorspace areas shall be deducted from the FAR calculation for the purpose of determining the targeted amenity contribution (though still included in the calculation of FAR for the purpose of determining maximum floor area density).

Amenity Contribution Approach

1. Within the Town Centre land use designation, amenity contributions will be determined by using the following target rate as a guide in identifying the equal share of the increase in property value resulting from an increase in allowable density:
 - \$0 for the 1st 1.75 FAR;
 - \$430 per m² for FAR of 1.75 to ~~5.44.0~~.
2. Within the Lower Town Centre land use designation, amenity contributions will be determined by using the following target rate as a guide in identifying the equal share of the increase in property value resulting from an increase in allowable density:
 - \$0 for the 1st 1.75 FAR;
 - \$323 per m² for FAR of 1.75 to 3.5.
3. Within the Town Centre Transition land use designation, amenity contributions will be determined by using the following target rate as a guide in identifying the equal share of the increase in property value resulting from an increase in allowable density:
 - a) For properties containing three or more units of existing purpose-built rental housing:

- \$0 for the 1st 1.5 FAR;
 - \$430 per m² for FAR of 1.5 to ~~3.5~~2.8.
- b) For properties without existing purpose-built rental housing:
- \$0 for the 1st 1.5 FAR;
 - \$215 per m² for FAR of 1.5 to ~~3~~2.5.
4. Within the Waterfront Village land use designation, amenity contributions will be determined by using the following target rate as a guide in identifying the equal share of the increase in property value resulting from an increase in allowable density:
- \$0 for the 1st 1.75 FAR;
 - \$646 per m² for FAR of 1.75 to 2.0.
5. For every rezoning outside of the land use designations named above, the amenity contribution required will be determined for the entire project, on a project by project basis, based on the advice and recommendations of a qualified market research consultant specific to that project. Proponents will be required to submit the market research report at the time of application submission, and the City reserves the right to commission a 2nd report from an alternate consultant to determine the amenity contribution for that project.

In establishing the value of a proposed amenity, hard costs, soft costs and land costs will be considered. Eligible costs for on-site amenities, when approved by Council, therefore include:

- i) Hard Costs – all material and labour costs for the construction of the amenity;
- ii) Soft Costs – all fees and costs for the construction of the amenity; and
- iii) Land Costs – eligible only where the ownership of the land containing the amenity is transferred or dedicated to the City.

To determine the value of the on-site amenity, a 3rd party appraisal will be required.

Affordable Housing

Secured non market and market rental housing, as well as other forms of affordable housing, are considered community amenities as they provide for a more diverse range of housing types, tenures and rent or price levels that are available to White Rock residents. On this basis, and ~~on~~ upon the recommendations of the City's 2016 Rental Housing Task Force consistent with the policies under Objective 11.2 of the OCP (To support rental housing and a range of non-market housing options and needs along the housing spectrum), the City will consider waiving or reducing community amenity contributions for these types of development applications, on a project-by-project basis, through using the following approaches as a guide in determining appropriate amenity contribution reductions.

Consideration of Amenity Contribution Reductions

1. Affordable ~~Rental Floorspace~~ Housing:

- Affordable ~~rental~~ housing developments are those in which ~~at least 30% of the units are owned or managed by non-profit groups and designed to be affordable for~~meet the affordable housing criteria in Policies 11.2.1(c) and 11.2.4 of the OCP, intended expand the supply of housing for very low and ~~moderate-low~~ income households.
- Consider waiver of up to 100 percent of applicable community amenity contribution for affordable ~~rental floorspace~~housing, subject to this floorspace being secured by relevant legal agreements, and a review of the relevant development application and its merits in providing an affordable rental housing amenity that benefits the community. Projects will also be evaluated in way that considers how the proposed non or below market rental unit rates relate to what is currently available on the housing market, as determined by local and sub-regional housing market and household income indicators.

2. Displaced Tenant Housing:

- Displaced Tenant Housing consists of residential units within a new development which are intended to provide housing at below market costs for existing tenants who are displaced through the redevelopment of purpose-built rental housing.
- Consider waiving up to a maximum of 50 percent of applicable amenity contribution for displaced tenant housing where the owner has:
 - i. provided compensation to displaced tenants in accordance with Council Policy 514: Tenant Relocation Policy;
 - ii. has committed, through a Housing Agreement Bylaw, to offering displaced tenants with the first right of refusal to return in accordance with Council Policy 514: Tenant Relocation Policy; and
 - iii. has committed, through a Housing Agreement Bylaw, that where a displaced tenants does not return to the building, that the initial maximum rent for that unit in the new development be no less than 10% below starting market rent for a similar unit for a period of one (1) year, after which rents may increase in accordance with the *Residential Tenancy Act*.

3. Secured Market Rental Floorspace:

- Secured market rental housing developments are those designated for rental purposes only and protected with a covenant, lease agreement, or housing agreement registered against title for the life of the building.
- For properties not zoned as CR-1 Town Centre Area Commercial/Residential, ~~C~~consider waiving up to a maximum of 50 percent of applicable amenity contribution for secured market rental floorspace, subject to this floorspace being secured by relevant legal agreements, and a review of the relevant development application and its merits in providing a secured market rental housing amenity that benefits the community.
- In combination with the waiver of amenity contributions for Displaced Tenant Housing, up to 100 percent of the applicable community amenity contribution may be waived where a redevelopment of a purpose-built rental building consists entirely of secured market rental housing and displaced tenants are provided with compensation and first right of refusal in accordance with Council Policy 514: Tenant Relocation Policy.

4. Amenity contribution reductions may also be considered for other types of affordable housing applications, on the condition that the proposals demonstrate the ability to provide rental, home ownership and/or other tenure models and dwelling units that are rented or purchased at rates below what is currently available on the housing market, as determined by local and sub-regional housing market and household income indicators, and continue to be offered at below market rates for a time period specified by the City of White Rock and secured by relevant legal agreements. A market research/housing consultant may be utilized in determining potential amenity contribution reductions, on a project by project basis, and consistent with the approach described above regarding the determination of amenity contribution value.