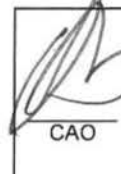
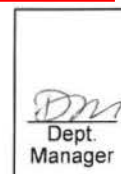


AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>Jan 18, 2016</u>
<input type="checkbox"/> Committee of the Whole	Date: _____



## The District of North Vancouver REPORT TO COUNCIL

January 7, 2016  
File: 3060/20.00.0

**AUTHOR:** Dan Milburn

**SUBJECT:** Community Amenity Contribution Policy Update

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### RECOMMENDATION:

- 1) THAT the Community Amenity Contribution Policy (Attachment 1) is endorsed for approval by the Chief Administrative Officer.

### REASON FOR REPORT:

The current Community Amenity Policy (Attachment 2) has not been comprehensively reviewed since it was approved in 2010. Staff anticipate the need to amend the policy to keep pace with changing market conditions and pricing of land for residential developments. In addition, the Province published a guideline for Community Amenity Contributions in 2014 titled *Community Amenity Contributions: Balancing Community Planning, Public Benefits and Housing Affordability*, which is intended to "help local governments understand the risks, challenges and recommended practices related to obtaining community amenity contributions (CACs)." Finally, members of the real estate and development community have encouraged the District to review how CACs are collected with a mind to increasing certainty prior to land assembly. For these reasons staff sought advice from Coriolis Consulting Group Corp. to complete the necessary market and financial analysis. A summary of the analysis results are contained in the Analysis section of this report.

This report includes the proposed Community Amenity Contribution Policy (Attachment 1), the current Community Amenity Policy (Attachment 2) and a red-lined version of the current Community Amenity Policy (Attachment 3) to assist in the comparison between the two policies.

### SUMMARY:

The Community Amenity Policy was adopted in 2010 and requires updating. Based on a comprehensive review by staff and Coriolis Consulting Corp. staff recommend increasing the rates for CACs outside of centres, and establishing new fixed rate areas within centres. Other areas within the centres would continue to be negotiated on a case-by-case basis. In addition, the draft updated policy clarifies that fixed rates are "targets" only. The option for the developer to negotiate these rates as applicable to the site and project remains in the policy.

This report includes a summary of the proposed changes to the policy, and a summary of the stakeholder input received from members of the development community.

**BACKGROUND:**

The District of North Vancouver's current Community Amenity Policy was approved in December 2010 to provide direction on obtaining amenity contributions from privately initiated rezonings.

The following Table 2.0 summarizes the amount of CACs collected and spent from the adoption of the Community Amenity Policy in December 2010 until December 2015. In addition to the amount of CACs collected below an additional \$36.3 million in CACs committed by developers.

Table 2.0

← The CAC's "committed" by developers is about 9 times the amount "collected" ! -cjk

Collected	CAC \$	CACs Spent	Interest	Balance
Total	4,885,196	(761,800)	85,322	4,208,718

CACs Spent	Community	Park	Public Art	Total
Lynn Valley	(18,033)			(18,033)
Lynn timer Inter River	(10,686)	(85,000)	(30,000)	(125,686)
Seymour	(429,303)	(9,531)		(438,834)
Lower Lynn		(135,000)		(135,000)
Community Art			(44,246)	(44,246)
Total	(458,022)	(229,531)	(74,246)	(761,800)

CACs may be provided by developers when Council approves applications for increased density at rezoning to address increased demand on community facilities and services due to growth and redevelopment. CACs can be used towards the development of site specific community amenities or provided as a cash-in-lieu contribution to deliver off-site amenities. CACs help deliver amenities that would otherwise have to be provided through increased property taxes.



**EXISTING POLICY:**

The District of North Vancouver's existing CAC policy includes two different approaches to determine the appropriate value of a CAC, depending on the location of the rezoning:

- **In the designated Town and Village Centres** (growth centres), the value of the CAC is determined through a negotiated approach, equivalent to **75% of the estimated increase in the market value of the property due to the rezoning**. The reference to 75% of the increase in property value is to ensure that the CAC does not exceed the amount that is financially viable for the development project.
- **Outside the Centres**, the CAC value **is based on a target fixed rate per square foot of additional residential floorspace approved by the rezoning**. Outside of centres, the CAC can be negotiated if the developer thinks the fixed rate is not appropriate or the rezoning exceeds the density identified in the OCP.

It has been over four years since existing CAC policy was last examined. Over this time period, market conditions have changed, development regulations (such as DCCs) have changed and more detailed planning work has been completed on the District's growth centres. Therefore, staff determined that it was timely to review the existing CAC policy and retained Coriolis Consulting Corp. to review the existing policy and recommend any changes that should be considered.

**ANALYSIS:**

**Recommended CAC Approach Outside Centres:**

Staff's recommended approach to CACs outside of the Centres is:

1. Establish three separate fixed rate CAC categories outside the Centres with fixed rate targets as follows:
  - (a) \$6 per square foot (current rate \$5) of increased permitted residential gross floor area for any project with an FSR less than or equal to 0.8 FSR;
  - (b) \$13 per square foot (current rate \$5) of increased permitted residential gross floor area for any project with an FSR greater than 0.8 but less than or equal to 1.0 FSR
  - (c) \$20 per square foot (current rate \$15) of increased permitted residential gross floor area for any project with an FSR greater than 1.0
2. Negotiate the CAC for the rezoning of any properties that are currently improved with rental housing to take into account the specific details of any rental replacement requirement. The target for negotiations should be at most 75% of the increased value due to the rezoning.
3. Continue to allow negotiated CACs in the specific circumstances currently identified in the District's policy, but **change the target negotiated CAC to be a maximum of 75% of the increased value due to the rezoning, rather than "50% to 75%" of the increased**

Required data  
must include  
average cost/  
sq-ft in 2010  
and 2015! - cjk

value due to the rezoning as currently written. This will make it consistent with the negotiated approach inside the Centres.

**Recommended CAC Approach Inside Centres:**

Staff's recommended approach to CACs in the Centres is:

1. Negotiate CACs for major, complex rezonings where it is difficult to determine an appropriate CAC rate in advance of a development application, including:
  - Large sites that have significant land dedications and on-site infrastructure requirements.
  - Sites which include existing rental housing that the District would like to see replaced as part of any redevelopment.
  - Higher density mixed-use sites, such sites in the CRMU 2 and CRMU 3 OCP designations (i.e., mixed-use projects over 1.75 FSR).
  - Highrise residential projects (over 6-storeys in the RES Level 6 designation).
  - Sites identified for a significant on-site amenity.
  - Sites currently zoned for industrial use.
  - Applications that require an OCP amendment.

The target for negotiations should be a maximum of 75% of the increased property value due to the rezoning.

2. Establish new fixed rate area inside the five Centres with a fixed rate target of \$20 per square foot (presently negotiated) of additional permitted residential floorspace. The fixed rate areas for inside centres may be found in Schedule 2 of the Draft CAC Policy attached to this report.

**Timing/Approval Process:**

The draft CAC policy includes transitional provisions to assist in the orderly implementation of the policy. The transitional provisions are intended to avoid a surge of applications to the District by providing a reasonable amount of time for developers, in the midst of land negotiations, to finalize those negotiations and prepare complete preliminary application submissions.

**Concurrence:**

Financial Planning has reviewed this report.

**Financial Impacts:**

Staff acknowledges that market conditions, site specific conditions, and other factors will affect the ability of specific projects to contribute towards infrastructure and amenities.

However, the rates should be adjusted annually based on a publicly available indicator of construction cost inflation, such as the Statistics Canada non-residential construction cost



index. Periodically (e.g., every three years), the fixed rates should be reviewed to account for changes in the market value of developments sites and the market value of additional density.

In addition, staff will be completing an analysis of the anticipated increased CAC revenue as a result of these increased CAC rates and any updated amenity needs identified in the OCP and subsequent town and village centre plans, and will report back to Council.

**Liability/Risk:**

The proposed policy is not anticipated to create liability for the District.

**Social Policy Implications:**

No significant social impacts are anticipated as a result of the Draft CAC Policy Update

**Environmental Impact:**

No significant environmental impacts are anticipated as a result of the Draft CAC Policy Update.

**Stakeholder Input:**

Staff presented a draft of the Community Amenity Contribution Policy to members of the real estate and development community from the North Vancouver Chamber of Commerce (Meeting November 25<sup>th</sup>, 2015, with 4 participants) and the Urban Development Institute (Meeting December 2, 2015 with 13 participants).

The following Table 2.0 summarizes the comments raised by the meeting attendees related to the Draft CAC changes and how these comments were addressed (or not) the revised draft attached to this report as Attachment 2 (not in priority order):

Table 2.0: Stakeholder Input

**Input Received**

Flat-rate CACs are easier to work with.

Development costs might increase after CAC negotiations are finalized (i.e. costs for off-site services) which unfairly penalizes developers.

**Proposed Response**

Flat rates continue to be used for outside of centres and are expanded to include certain areas within key town and village centres.

Minimum information submission standards are provided by the District to assist in the District's evaluation of the application, but the amount of costing due diligence beyond these minimum requirements is determined by the developer.

A developer should be able to initiate negotiations where a flat rate exists, but the District should not be able to negotiate beyond in established flat rate areas (except under limited and pre-defined circumstances).

The revised policy now includes an indication of when District initiated negotiation may be appropriate.

Calculations for FSR should be consistent.

FSR calculations are consistently applied. Staff will continue to work with developers to communicate the calculation methodology. A definition for Gross Floor Area has been added to the definitions to improve interpretation.

Some other jurisdictions are very difficult to negotiate with, while others are easy to negotiate with.

Alternative CAC calculation methods were evaluated and were not found to be consistent with the District's OCP vision.

Amenities should be clearly defined for the developer's certainty.

Amenities are described in the OCP and area implementation plans. Where the amenity is to be located on the development site, its scope and costing is clearly defined in the negotiation and final CAC rate.

Contributions other than cash should be acknowledged as equivalent contributions (i.e. on-site amenities or rental replacement)

Staff reports indicate the form of amenity contribution which is ultimately determined to be in the best interest of the community.

The reference to amenity strategies in Sec. 3.4 is no longer relevant.

The reference has been removed from the revised policy

The term "equivalent" should be replaced with "maximum" in Sec. 3.5.

The language of the policy has been amended to reflect this intent

The list of potential amenities in Sec. 3.8 should not include "amenity maintenance"

"amenity maintenance" has been removed from the amenity list

The draft policy language regarding exemptions for non-profits (e.g. affordable

The draft exemption language has been removed and deferred to the ongoing

housing) should be amended to be similar to the Metro Vancouver Development Cost Charge Policy exemptions.

affordable housing discussion

The current flat rates should apply during the proposed transitional period before the new rates are implemented. The 6 month implementation notice is sufficient.

The transitional provisions have been amended so they are consistent with this request. The transitional period is intended to provide developers with a reasonable time period to complete land negotiations and prepare a preliminary application.

**Conclusion:**

The Community Amenity Contribution (CAC) Policy has not been comprehensively reviewed since it was approved in 2010. Staff have sought the advice of Coriolis Consulting Corp. to analyse market conditions and recommend updated CAC rates. Staff have also consulted with the development community through meetings with the Chamber of Commerce and Urban Development Institute. Staff have prepared a revised Community Amenity Contribution Policy for Council's consideration.

**Options:**

- 1) THAT the Community Amenity Contribution Policy (Attachment 1) is endorsed for approval by the Chief Administrative Officer.
- 2) That Council endorse the retention of the current Community Amenity Policy.
- 3) That Council direct staff to complete additional CAC analysis, or consultation and report those findings to Council.

Respectfully submitted,



Dan Milburn  
Deputy General Manager Planning & Permits

**Attachments:**

- Attachment 1: Community Amenity Contribution Policy (Draft 2016)
- Attachment 2: Community Amenity Policy (2010)
- Attachment 3: Red-lined version of Community Amenity Policy (2010)



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





## The Corporation of the District of North Vancouver

**ADMINISTRATIVE POLICY MANUAL**

Section:	Land Administration	8
Sub-Section:	Development	3060
Title:	Community Amenity Contribution Policy	2

**1. OBJECTIVE:**

**To create policy guidance for the provision of community benefits and community amenities achieved through new development.**

**2. INTERPRETATION:**

**“Community Benefit”** means the overall contribution or improvement that a new development could make to the community.

**“Community Amenity”** means any public amenity or benefit that improves the quality of life of a community, over and above the new development itself and over and above the Community Benefits listed in Section 3.1 (a) to (e) of this Policy, and may include any of the amenities listed in 3.8 of this Policy.

**“Community Amenity Contribution”** or **“CAC”** means a community amenity contribution as set out in Sections 3.4 through 3.7 of this policy.

**“Gross Floor Area”** is the total floor area permissible on a site inclusive of areas exempted from the FSR calculation for zoning purposes, but excluding underground parking.

**“OCP”** means the District Official Community Plan.

**“OCP Designated Centres”** means areas as shown in Schedule 2 to this policy.

**3. POLICY:****PROVISION OF COMMUNITY BENEFITS:**

3.1 New development must meet the goals set out in the District of North Vancouver’s Official Community Plan and provide the following community benefits:

- a) Works and services required to accommodate the development and works and services to the centreline of abutting streets;
- b) Development Cost Charges as specified in the District of North Vancouver Development Cost Charge Bylaw;
- c) Mitigation actions, works and measures to address negative impacts on the community;
- d) Subdivision requirements as applicable;
- e) Any required road dedications;
- f) In certain circumstances, as outlined in Section 3.3 below, new development should provide community amenities or a financial contribution to cover the cost of a specified Community Amenity or a portion thereof sufficient that the District can make provision toward the specified Community Amenity.

- 3.2 The requirements for basic works and services, development cost charges and mitigation measures will be determined through the development review process and in accordance with any applicable statutory requirements and District bylaws and policies. The provision of Community Amenity Contributions should be determined as specified in the balance of this policy. Council supports the view that residents expect new development to pay its own way and make a positive contribution to the community.

#### **PROVISION OF COMMUNITY AMENITY CONTRIBUTIONS:**

- 3.3 Community Amenity Contributions should be provided for rezonings that involve an increase in density in accordance with:
- (a) Section 3.4 for sites within the OCP Designated Centres (as defined in Part 2);
  - (b) Section 3.5 for residential development sites outside a designated town centre or village centre for which the OCP contemplates an increase in density;
  - (c) Section 3.6 for sites where the increase in density is not contemplated in the OCP.
- 3.4 The OCP or other adopted town or village centre policy will guide decisions related to Community Amenity Contributions for sites within an OCP designated town centre or village centre. Where a developer is seeking an increase in density for a site within a town centre or village centre, the CACs should be negotiated on a case specific basis, except for the areas specified within the OCP Designated Centres (as defined in Part 2) where the recommended CAC target is \$20 per square foot of increased residential gross floor area calculated on the basis of the proposed gross floor area for the subject site requested by the developer minus the gross floor area under the "base density", where "base density" means the floor space ratio for the site calculated in accordance with "Schedule 1"
- 3.5 For sites within an area contemplated for increased density in the OCP but outside of a town centre or village centre, the recommended CAC target should be calculated as follows:
- (a) \$6 per square foot of increased residential gross floor area for any project with an FSR less than or equal to 0.8 FSR;
  - (b) \$13 per square foot of increased residential gross floor area for any project with an FSR greater than 0.8 but less than or equal to 1.0 FSR
  - (c) \$20 per square foot of increased residential gross floor area for any project with an FSR greater than 1.0

For the purpose of this section 3.5, the increase in gross floor area should be calculated on the basis of the proposed gross floor area for the subject site requested by the developer minus the gross floor area on the site under the "base density", where "base density" means the floor space ratio for the site calculated in accordance with "Schedule 1".

While the above formula is intended to be applicable in the majority of circumstances, there may be rezoning applications where the District or the developer identifies the formula to be inappropriate and in those cases, the CACs should be negotiated outside the above formula. Where the CACs are negotiated outside the above formula, the total value of the CAC should be a maximum of 75% of the estimated increase in the market value of the land attributable to the density increase.

- 3.6 For sites that are being rezoned to permit an increase in gross floor area over and above that which is contemplated in the OCP, CACs should be negotiated on a case by case basis and the value of the CACs should be a maximum of 75% of the estimated increase in the market value of the land attributable to the density increase.
- 3.7 For the purpose of estimating the increase in the market value of land attributable to a proposed density increase, the base market value of the subject land (not necessarily equal to acquisition cost) should be calculated on the basis of the applicable zoning as at the date of the complete preliminary application for the increased density.
- 3.8 When considering the inclusion of a specific amenity rather than cash-in-lieu, the District's OCP or other Council direction or policy may provide guidance as to the type of Community Amenity Contributions that may be provided and if there are no such policies applicable to a proposed new



development, then the following list should be used as a guide for determining the type of Community Amenity Contribution(s) (in no particular order of priority):

- Land for, or provision of, affordable, rental or special needs housing;
- Community, cultural, school, library or recreation facility or facility improvements;
- Seniors care, seniors day care or seniors wellness facility or facility improvements;
- Child care facility or facility improvements;
- Youth, children or family facility or facility improvements;
- Heritage conservation;
- Public Art in accordance with established policy;
- Provision of park land or park improvements;
- Extraordinary pedestrian, cycling, streetscape, public plaza or other public-realm linkages and improvements beyond those required by District bylaws and design guidelines;
- Environmental, or sustainability measures beyond the normal environmental development permit requirements;
- Other Community Amenities as identified by the District of North Vancouver to meet established community goals, policies or needs.

- 3.9 Negotiation of CAC's, as above, will be directed by senior staff and reported to Council.
- 3.10 CAC's should be a cash payment in-lieu of specific Community Amenities unless the District requires the inclusion of a specific Community Amenity. If specific Community Amenities are required, they should be valued in accordance with Section 3.4, 3.5 or 3.6 as applicable.
- 3.11 Where CAC's are being negotiated, the developer should be required to pay the District's costs of the negotiation including the District's cost to engage a qualified consultant for the purposes of such negotiation.
- 3.12 In the case where policy objectives in the OCP or other established policies are inconsistent with this policy, the CAC should be negotiated with the aim of achieving Council's priority objectives in relation to the particular rezoning proposal being applied for.

#### **4.0 SECURING COMMUNITY AMENITY CONTRIBUTIONS:**

- 4.1 The provision of CACs may be secured through one or more of the following methods:
- A phased development agreement, under Section 905.1 of the *Local Government Act*, as may be amended from time to time;
  - Zoning for amenities and affordable housing, under Section 904 of the *Local Government Act* as may be amended from time to time;
  - A housing agreement for affordable and special needs housing, under Section 904 and/or 905 of the *Local Government Act* as may be amended from time to time;
  - As articulated in the terms of a sale agreement for projects involving the disposition of an interest in land owned by the District; or
  - Other methods as recommended by the Municipal Solicitor.

#### **5.0 REASON FOR POLICY**

To ensure that the community obtains benefits from new development through a fair and equitable approach and to provide opportunities to achieve community improvements and innovation through development.

#### **6.0 PROCEDURE**

Planning staff are directed to implement the community amenity policy as part of development application processing and to include a summary of the community benefits when new development requires a report to Council.

This policy should be reviewed at the staff level every two years.



## 7.0 AUTHORITY TO ACT

Senior staff will negotiate appropriate amenities which will then be referred to Council for final approval.

## 8.0 TRANSITIONAL PROVISIONS

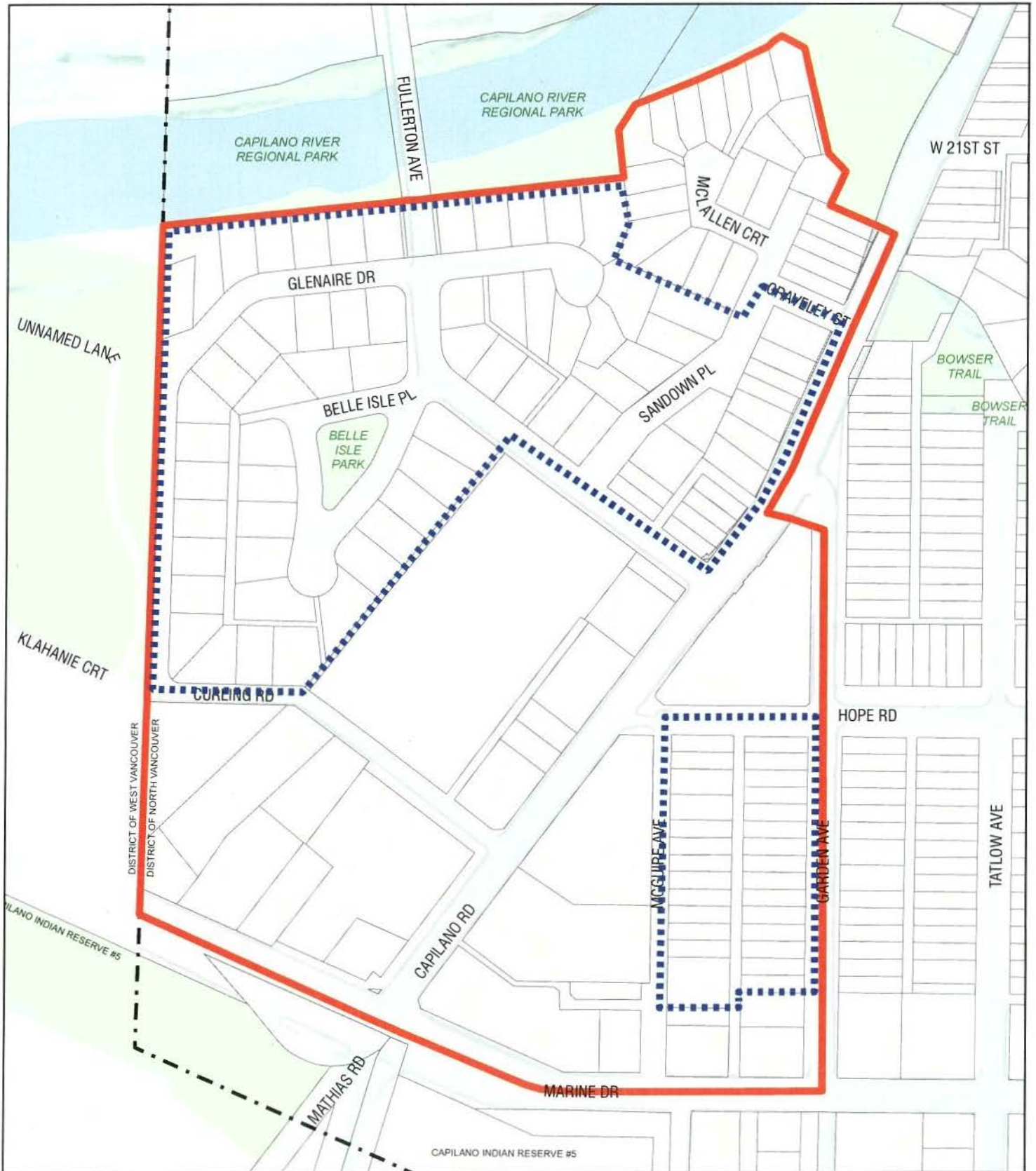
8.1 The Community Amenity Charges in this policy do not apply until August 1, 2016, unless the applicant agrees in writing that this policy should have effect. During this transitional period all CACs should continue to be determined through the Community Amenity Policy adopted in December 2010.

<i>Approval Date:</i>	December 13, 2010	<i>Approved by:</i>	Chief Administrative Officer
<i>1. Amendment Date:</i>		<i>Approved by:</i>	
<i>2. Amendment Date:</i>		<i>Approved by:</i>	
<i>3. Amendment Date:</i>		<i>Approved by:</i>	

## SCHEDULE 1: DEEMED DENSITIES IN DNV ZONING DISTRICTS

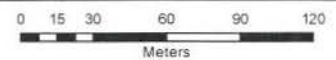
ZONING CATEGORY			
RESIDENTIAL	ZONE	Building Form	Deemed Density
<b>Single Family Residential (RS)</b>			
	RS1	Single Family	0.45
	RS2	Single Family	0.45
	RS3	Single Family	0.45
	RS4	Single Family	0.45
	RS5	Single Family	0.45
	Neighbourhood Zones		0.45 – 0.55 As specified in zone
<b>Multi-Family Residential (RM)</b>			
	RM1	Single Family	0.45
	RM1	Townhouse	0.45
	RM2	Single Family	0.45
	RM2	Townhouse	0.6
	RM2	Low-rise Apartment	0.6
	RM3	Townhouse	0.75
	RM3	Low-rise Apartment	0.75
	RM5	Townhouse	0.45
	RM6	Townhouse or Low-rise Apt.	0.80
	RM7	Townhouse or Low-rise Apartment	0.80
<b>Low-rise Residential (RL)</b>			
	RL1	Townhouse	1.0
	RL1	Low-rise Apartment	1.0
	RL2	Low-rise Apartment	1.2
	RL3	Low-rise Apartment	1.25
	RL4	Low-rise Apartment	1.3 FSR
<b>High-rise Residential (RH)</b>			
	RH2	High-rise Apartment	1.75
<b>COMMERCIAL</b>	<b>ZONE</b>	<b>Building Form</b>	<b>Deemed Density</b>
General Commercial Zone 1	C 1		1.75
Local Commercial Zone 1A	C 1A		0.55
Corner Store Commercial Zone 1B	C 1B		0.55

General Commercial Zone 1L	C 1L		1.75
General Commercial Zone 2	C 2		1.75 except 1.0 in Edgemont Village
General Commercial Zone 3	C 3		1.75 except 1.0 in Edgemont Village
General Commercial Zone 3A	C 3A		1.75 except 1.0 in Edgemont Village
Tourist Commercial Zone	C 4	Tourist Accommodation	1.2 for commercial use (Change in use would trigger negotiated process)
Entertainment Commercial Zone	C 5		2.4 for commercial use (Change in use would trigger negotiated process)
Entertainment/Outdoor Tourist Attraction	C 5A	Suspension Bridge	0.35 for commercial use (Change in use would trigger negotiated process)
Public House Commercial Zone 6	C 6	Neighbourhood Pub	1.75 for commercial use (Change in use would trigger negotiated process)
General Commercial Zone 7	C 7	Garden Centre	0.5 (Change in use would trigger negotiated process)
Commercial Business Zone 8	C 8		1.0 (Change in use would trigger negotiated process)
Marine Drive Commercial Zone	C 9		1.0 for lots less than 1,100 m <sup>2</sup> 1.75 for lots = to or greater than 1,100 m <sup>2</sup>
Commercial Business Zone 10	C 10		1.75 (Change in use would trigger negotiated process)
<b>COMPREHENSIVE DEVELOPMENT ZONES (CD)</b>	<b>ZONE</b>	<b>Building Form</b>	<b>Deemed Density</b>
	CD-1 through CD-61+	Varies by zone	Refer to Zone



**Planning  
Department**

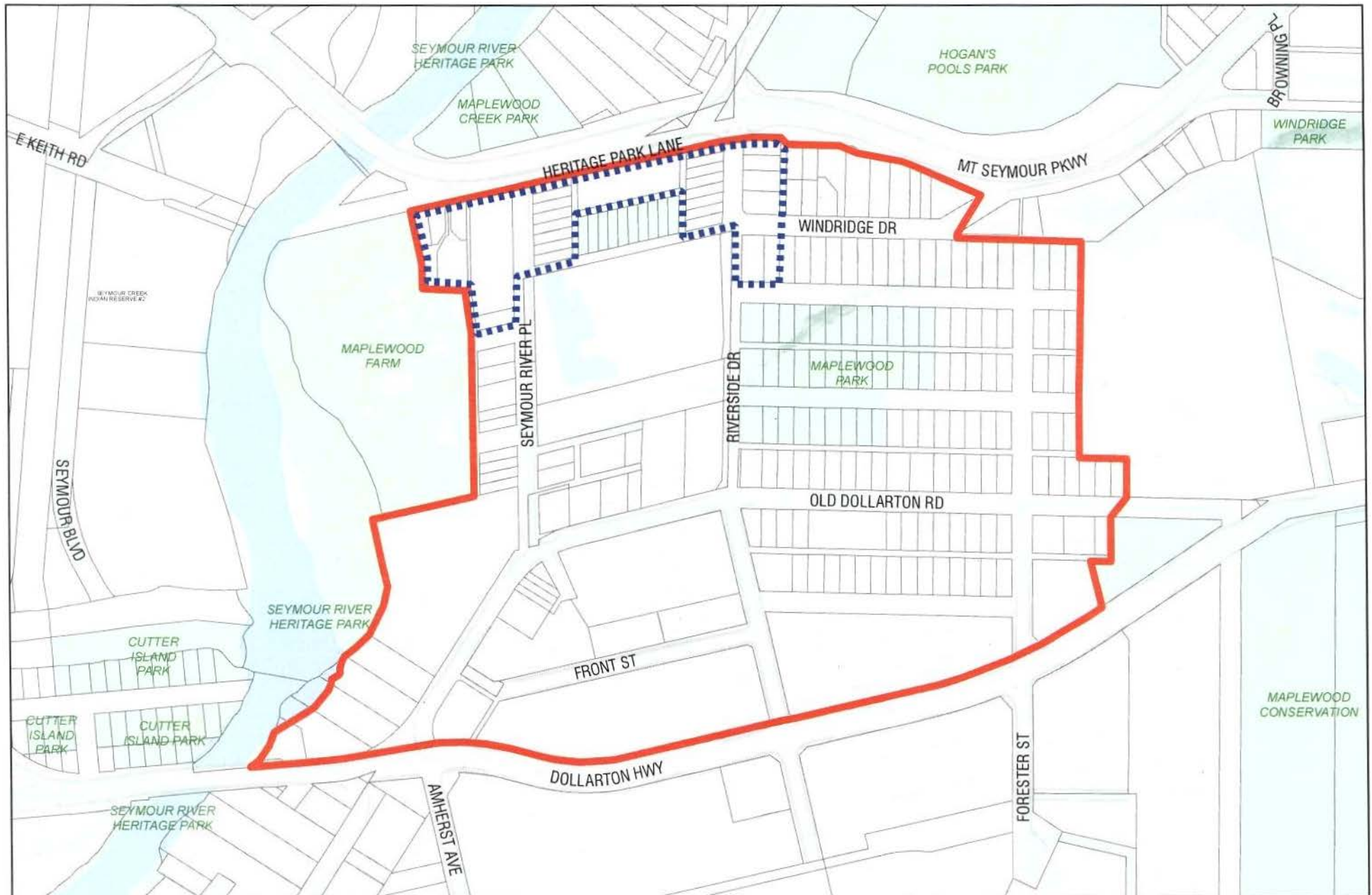
## LIONS GATE VILLAGE



Scale: 1:3,000

- OCP Designated Centre
- - - - Fixed Rate Boundary





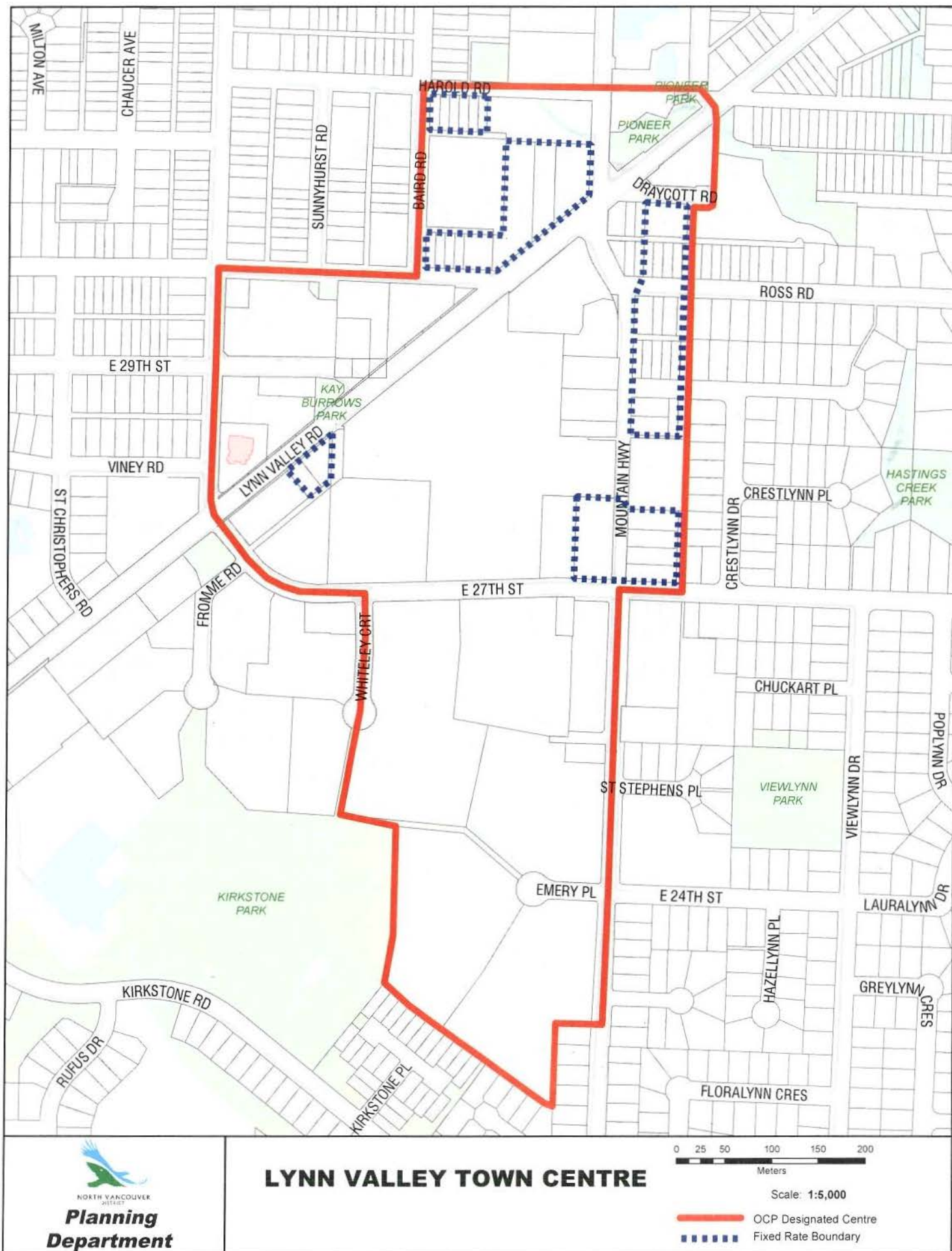
**Planning  
Department**

## MAPLEWOOD VILLAGE CENTRE

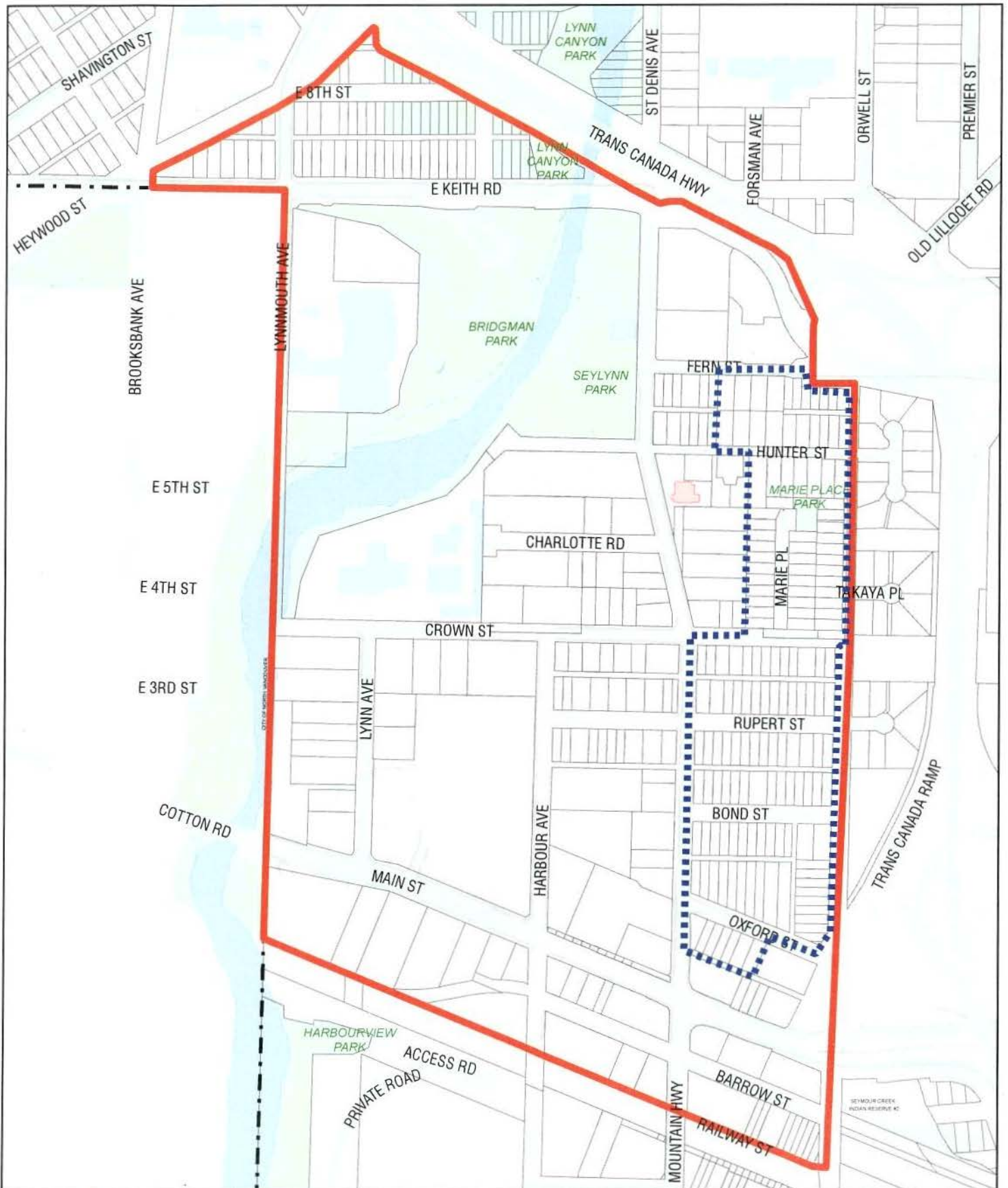
0 25 50 100  
Meters

Scale: 1:5,000

— OCP Designated Centre  
- - - Fixed Rate Boundary







**Planning  
Department**

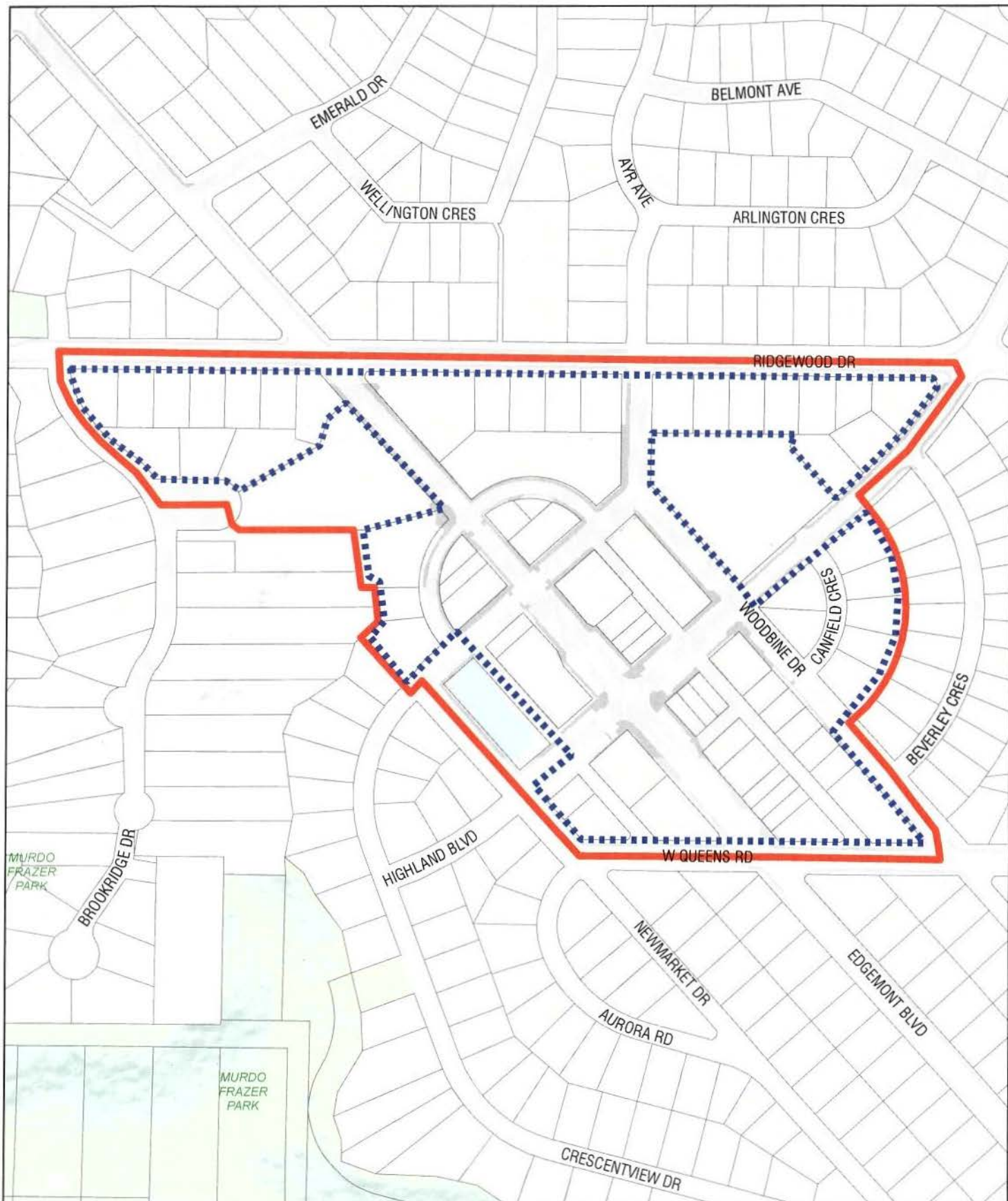
## LYNN CREEK TOWN CENTRE

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Meters

Scale: 1:5,500

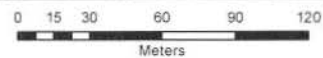
— OCP Designated Centre  
- - - - - Fixed Rate Boundary





**Planning  
Department**

## EDGEMONT VILLAGE CENTRE



Scale: 1:3,000

- OCP Designated Centre
- ..... Fixed Rate Boundary



## The Corporation of the District of North Vancouver

**ADMINISTRATIVE POLICY MANUAL**

Section:	Land Administration	8
Sub-Section:	Development	3060
Title:	Community Amenity Policy	2

**1. OBJECTIVE:**

To create policy guidance for the provision of community benefits and community amenities achieved through new development.

**2. INTERPRETATION:**

**"Community Benefit"** means the overall contribution or improvement that a new development could make to the community.

**"Community Amenity"** means any public amenity or benefit that improves the quality of life of a community, over and above the new development itself and over and above the Community Benefits listed in Section 3.1 (a) to (e) of this Policy, and may include any of the amenities listed in 3.8 of this Policy.

**"Community Amenity Contribution"** or **"CAC"** means a community amenity contribution as set out in Sections 3.4 through 3.7 of this policy.

**"OCP"** means the District Official Community Plan.

**3. POLICY:****PROVISION OF COMMUNITY BENEFITS:**

- 3.1 New development must meet the goals set out in the District of North Vancouver's Official Community Plan and provide the following community benefits:
- a) Works and services required to accommodate the development and works and services to the centreline of abutting streets;
  - b) Development Cost Charges as specified in the District of North Vancouver Development Cost Charge Bylaw;
  - c) Mitigation actions, works and measures to address negative impacts on the community;
  - d) Subdivision requirements as applicable;
  - e) Any required road dedications;
  - f) In certain circumstances, as outlined in Section 3.3 below, new development should provide community amenities or a financial contribution to cover the cost of a specified Community Amenity or a portion thereof sufficient that the District can make provision toward the specified Community Amenity.
- 3.2 The requirements for basic works and services, development cost charges and mitigation measures will be determined through the development review process and in accordance with any applicable statutory requirements and District bylaws and policies. The requirement for Community Amenity Contributions should be determined as specified in the balance of this policy.

## PROVISION OF COMMUNITY AMENITY CONTRIBUTIONS:

- 3.3 Community Amenity Contributions should be required for rezonings that involve an increase in density in accordance with:
- (a) Section 3.4 for sites within the Lower Lynn, Lynn Valley, Lower Capilano or Maplewood OCP designated town centres or village centres;
  - (b) Section 3.5 for residential development sites outside a designated town centre or village centre for which the OCP contemplates an increase in density;
  - (c) Section 3.6 for sites where the increase in density is not contemplated in the OCP.

- 3.4 The OCP or other adopted town or village centre policy will guide decisions related to Community Amenity Contributions for sites within an OCP designated town centre or village centre. Where a developer is seeking an increase in density for a site within an existing or a proposed town centre or village centre prior to adoption of an amenity strategy for the town centre or village centre, the CACs should be negotiated on a case specific basis.

- 3.5 For sites within an area contemplated for increased density in the OCP but outside of a town centre or village centre, CACs should be required and should be calculated as follows: \$5 per square foot of increased residential gross floor area for townhouse, duplex, triplex or similar development; and \$15 per square foot of increased residential gross floor area for apartment development. For the purpose of this section 3.5, the increase in gross floor area should be calculated on the basis of the proposed gross floor area for the subject site requested by the developer minus the total gross floor area permitted on the site under the "base density", where "base density" means the floor area ratio for the site calculated in accordance with "Schedule 1".

While the above formula is intended to be applicable in the majority of circumstances, there may be rezoning applications where the District or the Developer identifies the formula to be inappropriate and in those cases, the CACs should be negotiated outside the above formula. Where the CACs are negotiated outside the above formula, the total value of the CAC should be equivalent to 50% of the estimated increase in the market value of the land attributable to the density increase.

- 3.6 For sites that are being rezoned to permit an increase in gross floor area over and above that which is contemplated in the OCP, CACs should be negotiated on a case by case basis and the value of the CACs should be equivalent to 50% to 75% of the estimated increase in the market value of the land attributable to the density increase.
- 3.7 For the purpose of estimating the increase in the market value of land attributable to a proposed density increase, the base market value of the subject land (not necessarily equal to acquisition cost) should be calculated on the basis of the applicable zoning as at the date of the formal application for the increased density.
- 3.8 When considering the inclusion of a specific amenity rather than cash-in-lieu, the District's OCP or other Council direction or policy may provide guidance as to the type of Community Amenity Contributions that may be provided and if there are no such policies applicable to a proposed new development, then the following list should be used as a guide for determining the type of Community Amenity Contribution(s) (in no particular order of priority):
- Land for, or provision of, affordable, rental or special needs housing;
  - Community, cultural, school, library or recreation facility or facility improvements;
  - Seniors care, seniors day care or seniors wellness facility or facility improvements;
  - Child care facility or facility improvements;
  - Youth, children or family facility or facility improvements;
  - Heritage conservation;
  - Public Art in accordance with established policy;
  - Provision of park land or park improvements;
  - Extraordinary pedestrian, cycling, streetscape, public plaza or other public-realm linkages and improvements beyond those required by District bylaws and design guidelines;



- Environmental, or sustainability measures beyond the normal environmental development permit requirements;
- Contribution toward amenity maintenance, for example contribution into a long term maintenance fund to offset future maintenance costs of community amenities;
- Other Community Amenities as identified by the District of North Vancouver to meet established community goals, policies or needs.

- 3.9 Negotiation of CAC's, as above, will be directed by senior staff and reported to Council.
- 3.10 CAC's should be a cash payment in-lieu of specific Community Amenities unless the District requires the inclusion of a specific Community Amenity. If specific Community Amenities are required, they should be valued in accordance with Section 3.4, 3.5 or 3.6 as applicable.
- 3.11 Where CAC's are being negotiated, the developer should be required to pay the District's costs of the negotiation including the District's cost to engage a qualified consultant for the purposes of such negotiation.
- 3.12 In the case where policy objectives in the OCP or other established policies are inconsistent with this policy, the CAC should be negotiated with the aim of achieving Council's priority objectives in relation to the particular rezoning proposal being applied for.

#### **4.0 SECURING COMMUNITY AMENITY CONTRIBUTIONS:**

- 4.1 The provision of Community Amenities Contributions may be secured through one or more of the following methods:
- A phased development agreement, under Section 905.1 of the *Local Government Act*, as may be amended from time to time;
  - Zoning for amenities and affordable housing, under Section 904 of the *Local Government Act* as may be amended from time to time;
  - A housing agreement for affordable and special needs housing, under Section 904 and/or 905 of the *Local Government Act* as may be amended from time to time;
  - As articulated in the terms of a sale agreement for projects involving the disposition of an interest in land owned by the District; or
  - Other methods as recommended by the Municipal Solicitor.

#### **5.0 REASON FOR POLICY**

To ensure that the community obtains benefits from new development through a fair and equitable approach and to provide opportunities to achieve community improvements and innovation through development.

#### **6.0 PROCEDURE**

Planning staff are directed to implement the community amenity policy as part of development application processing and to include a summary of the community benefits when new development requires a report to Council.

This policy should be reviewed at the staff level every two years.

#### **7.0 AUTHORITY TO ACT**

Senior staff will negotiate appropriate amenities which will then be referred to Council for final approval.

Approval Date:	<u>December 13, 2010</u>	Approved by:	<u>Chief Administrative Officer</u>
1. Amendment Date:		Approved by:	
2. Amendment Date:		Approved by:	
3. Amendment Date:		Approved by:	

**SCHEDULE 1: DEEMED DENSITIES IN DNV ZONING DISTRICTS**

ZONING CATEGORY			
RESIDENTIAL	ZONE	Building Form	Deemed Density
Single Family Residential (RS)			
	RS1	Single Family	0.45
	RS2	Single Family	0.45
	RS3	Single Family	0.45
	RS4	Single Family	0.45
	RS5	Single Family	0.45
	Neighbourhood Zones		0.45 – 0.55 As specified in zone
Multi-Family Residential (RM)			
	RM1	Single Family	0.45
	RM1	Townhouse	0.45
	RM2	Single Family	0.45
	RM2	Townhouse	0.6
	RM2	Low-rise Apartment	0.6
	RM3	Townhouse	0.75
	RM3	Low-rise Apartment	0.75
	RM5	Townhouse	0.45
	RM6	Townhouse or Low-rise Apt.	0.80
	RM7	Townhouse or Low-rise Apartment	0.80
Low-rise Residential (RL)			
	RL1	Townhouse	1.0
	RL1	Low-rise Apartment	1.0
	RL2	Low-rise Apartment	1.2
	RL3	Low-rise Apartment	1.25
	RL4	Low-rise Apartment	1.3 FSR
High-rise Residential (RH)			
	RH2	High-rise Apartment	1.75
COMMERCIAL	ZONE	Building Form	Deemed Density
General Commercial Zone 1	C 1		1.75
Local Commercial Zone 1A	C 1A		0.55
Corner Store Commercial Zone 1B	C 1B		0.55
General Commercial Zone 1L	C 1L		1.75
General Commercial Zone 2	C 2		1.75 except 1.0 in Edgemont Village
General Commercial Zone 3	C 3		1.75 except 1.0 in Edgemont Village
General Commercial Zone 3A	C 3A		1.75 except 1.0 in Edgemont Village
Tourist Commercial Zone	C 4	Tourist Accommodation	1.2 for commercial use (Change in use would trigger negotiated process)
Entertainment Commercial Zone	C 5		2.4 for commercial use (Change in use would trigger negotiated process)
Entertainment/Outdoor Tourist Attraction	C 5A	Suspension Bridge	0.35 for commercial use (Change in use would trigger negotiated process)
Public House Commercial Zone 6	C 6	Neighbourhood Pub	1.75 for commercial use (Change in use would trigger negotiated process)
General Commercial Zone 7	C 7	Garden Centre	0.5 (Change in use would trigger negotiated process)
Commercial Business Zone 8	C 8		1.0 (Change in use would

			trigger negotiated process)
Marine Drive Commercial Zone	C 9		1.0 for lots less than 1,100 m <sup>2</sup> 1.75 for lots = to or greater than 1,100 m <sup>2</sup>
Commercial Business Zone 10	C 10		1.75 (Change in use would trigger negotiated process)
<b>COMPREHENSIVE DEVELOPMENT ZONES (CD)</b>	<b>ZONE</b>	<b>Building Form</b>	<b>Deemed Density</b>
	CD-1 through CD-61+	Varies by zone	Refer to Zone





## The Corporation of the District of North Vancouver

## ADMINISTRATIVE POLICY MANUAL

Section:	Land Administration	8
Sub-Section:	Development	3060
Title:	(DRAFT) Community Amenity Contribution Policy	2

**1. OBJECTIVE:**

To create policy guidance for the provision of community benefits and community amenities achieved through new development.

**2. INTERPRETATION:**

**"Community Benefit"** means the overall contribution or improvement that a new development could make to the community.

**"Community Amenity"** means any public amenity or benefit that improves the quality of life of a community, over and above the new development itself and over and above the Community Benefits listed in Section 3.1 (a) to (e) of this Policy, and may include any of the amenities listed in 3.8 of this Policy.

**"Community Amenity Contribution"** or **"CAC"** means a community amenity contribution as set out in Sections 3.4 through 3.7 of this policy.

"Gross Floor Area" is the total floor area permissible on a site inclusive of areas exempted from the FSR calculation for zoning purposes, but excluding underground parking.

**"OCP"** means the District Official Community Plan.

"OCP Designated Centres" means areas as shown in Schedule 2 to this policy.

**3. POLICY:****PROVISION OF COMMUNITY BENEFITS:**

3.1 New development must meet the goals set out in the District of North Vancouver's Official Community Plan and provide the following community benefits:

- a) Works and services required to accommodate the development and works and services to the centreline of abutting streets;
- b) Development Cost Charges as specified in the District of North Vancouver Development Cost Charge Bylaw;
- c) Mitigation actions, works and measures to address negative impacts on the community;
- d) Subdivision requirements as applicable;
- e) Any required road dedications;
- f) In certain circumstances, as outlined in Section 3.3 below, new development should provide community amenities or a financial contribution to cover the cost of a specified Community Amenity or a portion thereof sufficient that the District can make provision toward the specified Community Amenity.

Note that Schedule 2 is basically the outlined town centres diagrams above Pages 364-368 - cjk

- 3.2 The requirements for basic works and services, development cost charges and mitigation measures will be determined through the development review process and in accordance with any applicable statutory requirements and District bylaws and policies. The ~~requirement provision for of~~ Community Amenity Contributions should be determined as specified in the balance of this policy. Council supports the view that residents expect new development to pay its own way and make a positive contribution to the community.

#### PROVISION OF COMMUNITY AMENITY CONTRIBUTIONS:

- 3.3 Community Amenity Contributions should be ~~required~~ provided for rezonings that involve an increase in density in accordance with:
- (a) Section 3.4 for sites within the OCP Designated Centres (as defined in Part 2) ~~Lower Lynn, Lynn Valley, Lower Capilano or Maplewood OCP designated town centres or village centres;~~
  - (b) Section 3.5 for residential development sites outside a designated town centre or village centre for which the OCP contemplates an increase in density;
  - (c) Section 3.6 for sites where the increase in density is not contemplated in the OCP.
- 3.4 The OCP or other adopted town or village centre policy will guide decisions related to Community Amenity Contributions for sites within an OCP designated town centre or village centre. Where a developer is seeking an increase in density for a site within an ~~existing or a proposed town centre or village centre prior to adoption of an amenity strategy for the~~ town centre or village centre, the CACs should be negotiated on a case specific basis, ~~except for the areas specified within the OCP Designated Centres (as defined in Part 2) where the recommended CAC target is \$20 per square foot of increased residential gross floor area calculated on the basis of the proposed gross floor area for the subject site requested by the developer minus the gross floor area under the "base density", where "base density" means the floor space ratio for the site calculated in accordance with "Schedule 1".~~
- 3.5 For sites within an area contemplated for increased density in the OCP but outside of a town centre or village centre, ~~the recommended CAC targets should be required and~~ should be calculated as follows:
- (a) ~~\$5-6~~ per square foot of increased residential gross floor area for any project with an FSR less than or equal to 0.8 FSR;
  - (b) \$13 per square foot of increased residential gross floor area for any project with an FSR greater than 0.8 but less than or equal to 1.0 FSR
  - ~~(b)(c) \$20 per square foot of increased residential gross floor area for any project with an FSR greater than 1.0 for townhouse, duplex, triplex or similar development, and \$15 per square foot of increased residential gross floor area for apartment development.~~

For the purpose of this section 3.5, the increase in gross floor area should be calculated on the basis of the proposed gross floor area for the subject site requested by the developer minus the ~~total~~ gross floor area ~~permitted~~ on the site under the "base density", where "base density" means the floor ~~area~~ space ratio for the site calculated in accordance with "Schedule 1".

While the above formula is intended to be applicable in the majority of circumstances, there may be rezoning applications where the District or the ~~d~~Developer identifies the formula to be inappropriate and in those cases, the CACs should be negotiated outside the above formula. Where the CACs are negotiated outside the above formula, the total value of the CAC should be ~~equivalent to a maximum of 50~~ equivalent to a maximum of 75% of the estimated increase in the market value of the land attributable to the density increase.

- 3.6 For sites that are being rezoned to permit an increase in gross floor area over and above that which is contemplated in the OCP, CACs should be negotiated on a case by case basis and the value of the CACs should be ~~equivalent to a maximum of 50% to~~ equivalent to a maximum of 75% of the estimated increase in the market value of the land attributable to the density increase.
- 3.7 For the purpose of estimating the increase in the market value of land attributable to a proposed density increase, the base market value of the subject land (not necessarily equal to acquisition cost) should be calculated on the basis of the applicable zoning as at the date of the ~~formal complete~~ preliminary application for the increased density.



3.8 When considering the inclusion of a specific amenity rather than cash-in-lieu, the District's OCP or other Council direction or policy may provide guidance as to the type of Community Amenity Contributions that may be provided and if there are no such policies applicable to a proposed new development, then the following list should be used as a guide for determining the type of Community Amenity Contribution(s) (in no particular order of priority):

- Land for, or provision of, affordable, rental or special needs housing;
- Community, cultural, school, library or recreation facility or facility improvements;
- Seniors care, seniors day care or seniors wellness facility or facility improvements;
- Child care facility or facility improvements;
- Youth, children or family facility or facility improvements;
- Heritage conservation;
- Public Art in accordance with established policy;
- Provision of park land or park improvements;
- Extraordinary pedestrian, cycling, streetscape, public plaza or other public-realm linkages and improvements beyond those required by District bylaws and design guidelines;
- Environmental, or sustainability measures beyond the normal environmental development permit requirements;
- ~~Contribution toward amenity maintenance, for example contribution into a long term maintenance fund to offset future maintenance costs of community amenities;~~
- Other Community Amenities as identified by the District of North Vancouver to meet established community goals, policies or needs.

3.9 Negotiation of CAC's, as above, will be directed by senior staff and reported to Council.

3.10 CAC's should be a cash payment in-lieu of specific Community Amenities unless the District requires the inclusion of a specific Community Amenity. If specific Community Amenities are required, they should be valued in accordance with Section 3.4, 3.5 or 3.6 as applicable.

3.11 Where CAC's are being negotiated, the developer should be required to pay the District's costs of the negotiation including the District's cost to engage a qualified consultant for the purposes of such negotiation.

3.12 In the case where policy objectives in the OCP or other established policies are inconsistent with this policy, the CAC should be negotiated with the aim of achieving Council's priority objectives in relation to the particular rezoning proposal being applied for.

#### 4.0 SECURING COMMUNITY AMENITY CONTRIBUTIONS:

4.1 The provision of ~~Community Amenities Contributions~~CACs may be secured through one or more of the following methods:

- A phased development agreement, under Section 905.1 of the *Local Government Act*, as may be amended from time to time;
- Zoning for amenities and affordable housing, under Section 904 of the *Local Government Act* as may be amended from time to time;
- A housing agreement for affordable and special needs housing, under Section 904 and/or 905 of the *Local Government Act* as may be amended from time to time;
- As articulated in the terms of a sale agreement for projects involving the disposition of an interest in land owned by the District; or
- Other methods as recommended by the Municipal Solicitor.

#### 5.0 REASON FOR POLICY

To ensure that the community obtains benefits from new development through a fair and equitable approach and to provide opportunities to achieve community improvements and innovation through development.

#### 6.0 PROCEDURE



Planning staff are directed to implement the community amenity policy as part of development application processing and to include a summary of the community benefits when new development requires a report to Council.

This policy should be reviewed at the staff level every two years.

## 7.0 AUTHORITY TO ACT

Senior staff will negotiate appropriate amenities which will then be referred to Council for final approval.

## 8.0 TRANSITIONAL PROVISIONS

8.1 The Community Amenity Charges in this policy do not apply until August 1, 2016, unless the applicant agrees in writing that this policy should have effect. During this transitional period all CACs should continue to be determined through the Community Amenity Policy adopted in December 2010.

Approval Date:	<del>December 13, 2010</del> <u>January 18, 2016</u>	Approved by:	Chief Administrative Officer
1. Amendment Date:		Approved by:	
2. Amendment Date:		Approved by:	
3. Amendment Date:		Approved by:	

## SCHEDULE 1: DEEMED DENSITIES IN DNV ZONING DISTRICTS

ZONING CATEGORY			
RESIDENTIAL	ZONE	Building Form	Deemed Density
<b>Single Family Residential (RS)</b>			
	RS1	Single Family	0.45
	RS2	Single Family	0.45
	RS3	Single Family	0.45
	RS4	Single Family	0.45
	RS5	Single Family	0.45
	Neighbourhood Zones		0.45 – 0.55 As specified in zone
<b>Multi-Family Residential (RM)</b>			
	RM1	Single Family	0.45
	RM1	Townhouse	0.45
	RM2	Single Family	0.45
	RM2	Townhouse	0.6
	RM2	Low-rise Apartment	0.6
	RM3	Townhouse	0.75
	RM3	Low-rise Apartment	0.75
	RM5	Townhouse	0.45
	RM6	Townhouse or Low-rise Apt.	0.80
	RM7	Townhouse or Low-rise Apartment	0.80
<b>Low-rise Residential (RL)</b>			
	RL1	Townhouse	1.0
	RL1	Low-rise Apartment	1.0
	RL2	Low-rise Apartment	1.2
	RL3	Low-rise Apartment	1.25
	RL4	Low-rise Apartment	1.3 FSR

<b>High-rise Residential (RH)</b>			
	RH2	High-rise Apartment	1.75
<b>COMMERCIAL</b>	<b>ZONE</b>	<b>Building Form</b>	<b>Deemed Density</b>
General Commercial Zone 1	C 1		1.75
Local Commercial Zone 1A	C 1A		0.55
Corner Store Commercial Zone 1B	C 1B		0.55
General Commercial Zone 1L	C 1L		1.75
General Commercial Zone 2	C 2		1.75 except 1.0 in Edgemont Village
General Commercial Zone 3	C 3		1.75 except 1.0 in Edgemont Village
General Commercial Zone 3A	C 3A		1.75 except 1.0 in Edgemont Village
Tourist Commercial Zone	C 4	Tourist Accommodation	1.2 for commercial use (Change in use would trigger negotiated process)
Entertainment Commercial Zone	C 5		2.4 for commercial use (Change in use would trigger negotiated process)
Entertainment/Outdoor Tourist Attraction	C 5A	Suspension Bridge	0.35 for commercial use (Change in use would trigger negotiated process)
Public House Commercial Zone 6	C 6	Neighbourhood Pub	1.75 for commercial use (Change in use would trigger negotiated process)
General Commercial Zone 7	C 7	Garden Centre	0.5 (Change in use would trigger negotiated process)
Commercial Business Zone 8	C 8		1.0 (Change in use would trigger negotiated process)
Marine Drive Commercial Zone	C 9		1.0 for lots less than 1,100 m <sup>2</sup> 1.75 for lots = to or greater than 1,100 m <sup>2</sup>
Commercial Business Zone 10	C 10		1.75 (Change in use would trigger negotiated process)
<b>COMPREHENSIVE DEVELOPMENT ZONES (CD)</b>	<b>ZONE</b>	<b>Building Form</b>	<b>Deemed Density</b>
	CD-1 through CD-61+	Varies by zone	Refer to Zone