

	Title: Amenity Contributions and Density Bonusing Policy	Number: CO-80
	Authority: Council	Section: Development Services
	Date Adopted: December 13, 2021	
	Historical Changes ()	

Purpose:

The purpose of this policy is to guide 1.) the provision of community amenity contributions to the City from development applications that involve an increase in density, 2.) Council’s consideration of waiving amenity contributions for affordable housing units, and 3.) the introduction of density bonusing in the Zoning Bylaw.

Scope:

This policy applies to all development applications that include multi-family units and an increase in density on the subject property, including specific zones in the Zoning Bylaw once the applicable Zoning Bylaw regulations are adopted by Council.

Recognizing that increased density creates an increased demand for community amenities, the key principle behind amenity contributions and density bonusing is that the City obtains a reasonable share or contribution of the increased property value or ‘land lift’ that a developer receives from increased density on their development site. The City then uses this contribution to help fund community amenities that keep pace with growth and enhance quality of life for City residents, such as park, plaza and trail improvements, public art, recreational and cultural facilities, and affordable housing, among others.

These contributions are to be provided as ‘cash-in-lieu’, unless otherwise specified in this Policy or in the Zoning Bylaw, and utilized to help fund amenities identified in the City’s Master Plans, Capital Plans, and as directed by Council.

This Policy also enables Council to consider waiving amenity and density bonus contributions for affordable housing units, specifically those renting at below-local-rental-market rates or at deeply subsidized non-market rates, as ‘on-site’ community amenities, given that these units immediately meet housing affordability needs in the community. In these cases a Housing Agreement is required to ensure that affordable housing units remain affordable for the life of the building these units are located within. This approach will assist senior governments, non-profits and developers in creating more affordable housing and act as a City contribution to affordable housing partnerships.

Policy Statement:

In 2008 the City initiated the collection of community amenity contributions ('CACs') from new multifamily developments, as a part of increasing multi-family residential densities in the Zoning Bylaw. The initial contribution rate was \$500 per multi-family dwelling unit, and this was increased to \$1,000 per unit in 2013 and then to \$2,000 per unit in 2017.

The City adopted a new Official Community Plan (OCP) in November 2021, with a land use plan and policies that focus future growth around SkyTrain and increase densities, among other goals. Given that amenities are needed to accommodate higher densities, the new OCP includes Policies 1.6, 3.29 and 3.30 that suggest that development applications involving an increase in density are to continue to provide amenity contributions as means to fund amenities, and that density bonusing also be implemented to permit additional or 'bonus' development density in new developments, in exchange for new amenities.

Density Bonusing is enabled through Section 482 of the *Local Government Act*, (LGA) which permits local governments to implement density bonusing through their Zoning Bylaws. Consistent with the LGA, the Zoning Bylaw is proposed to be updated to enable property developers to add density above a 2.5 Floor Area Ratio (FAR) base density, in exchange for additional amenity contributions that apply to the units created from the additional bonus floorspace.

Implementation:

Based on the above context, the Amenity Contribution and Density Bonusing Policy is to be implemented according to these components:

1. The City will seek an amenity contribution of \$4,000 per multi-family dwelling unit for development applications involving an increase in density, and for units that comprise floorspace under or equal to 2.5 FAR.
 - a. Prior to the implementation of density bonusing in the Zoning Bylaw as described in component 2 below, the City will seek an amenity contribution of \$5,000 per unit for units comprising floorspace above 2.5 FAR and up to 3.0 FAR, and \$6,000 per unit for units comprising floorspace above 3.0 FAR. Once density bonusing regulations are included in the Zoning Bylaw for specific zones, this clause (1a) will no longer apply to developments within those specific zones.
2. For applications that include multi-family dwelling units that comprise floorspace above 2.5 FAR, and as enabled by Section 482 in the LGA, density bonusing contributions shall be provided to the City according to the specific zones, regulations and bonusing tiers that are to be included in the Zoning Bylaw through a future update.

3. As enabled by Sections 515-522 in the LGA, Phased Development Agreements (PDAs) may be utilized to seek up-front amenity and density bonusing contributions for large and/or multi-phase development applications. These up-front contributions, which are to be provided to the City with the first redevelopment phase, are to equal or exceed the total amenity and bonusing contributions for the entire development application.
4. Council may consider the waiver of amenity contributions for affordable housing units that comprise floorspace under or equal to 2.5 FAR, according to these waiver categories and requirements:
 - a. Maximum 75 percent waiver for applications with below market units
 - rents are at least 10 percent below market rents in the City of Langley; and
 - a Housing Agreement is required to be registered on property title to secure these units as affordable for the life of the building.
 - b. Maximum 100 percent waiver for applications with a majority of non-market units
 - rents are geared to income and/or are deeply subsidized for individuals on fixed government income; and
 - a Housing Agreement is required to be registered on property title to secure these units as affordable for the life of the building.
5. For applications that include affordable dwelling units that comprise floorspace above 2.5 FAR, the waivers categories and applicable requirements described in component 4 above are to be included in the Zoning Bylaw as a part of applicable density bonusing regulations and through a future Zoning Bylaw update.
 - a. Prior to the implementation of these density bonusing and waiver categories in the Zoning Bylaw, Council may consider the waiver of amenity contributions for all affordable housing units in an application according to component 4 described above.

References:

Policy Number:	CO-80
Policy Owner:	Development Services
Endorsed by:	Senior Management Team
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Amendments:	
Related Policies:	
Related Publications:	Official Community Plan Bylaw; Zoning Bylaw