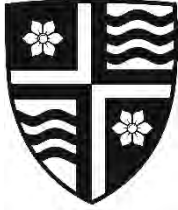


Township of
Langley



Est. 1873

REPORT TO MAYOR AND COUNCIL

PRESENTED:	OCTOBER 7, 2019 - REGULAR AFTERNOON MEETING	REPORT:	19-153
FROM:	COMMUNITY DEVELOPMENT DIVISION	FILE:	10-31-0156
SUBJECT:	COMMUNITY AMENITY CONTRIBUTIONS EXEMPTION (RENO INVESTMENTS 2011 LTD. / 22310, 22322, 22383 AND 22390 – 48 AVENUE)		

RECOMMENDATION:

That Council consider an exemption to Official Community Plan Amendment and Rezoning Application No. 100097 from the requirements of the Community Amenity Contributions program, pursuant to Section 5.4 (f) of Community Amenity Contributions Policy No. 07-166.

EXECUTIVE SUMMARY:

Reno Investments 2011 Ltd. has requested an exemption from the Community Amenity Contributions program. As the application meets the criteria for consideration of an exemption from the program pursuant to Section 5.4. (f) of the Community Amenity Contributions Policy No. 07-166, it is being presented to Council for consideration.

PURPOSE:

The purpose of this report is to provide information and a recommendation regarding a request for an exemption from the Community Amenity Contributions program submitted by Reno Investments Ltd.

COMMUNITY AMENITY CONTRIBUTIONS EXEMPTION
RENO INVESTMENTS 2011 LTD. /
22310, 22322, 22383 AND 22390 – 48 AVENUE
Page 2 . . .

DISCUSSION/ANALYSIS:

The Community Amenity Contributions Policy No. 07-166 (Attachment A) includes provisions for “in-stream” rezoning applications submitted prior to initial adoption of the Policy to request consideration by Council of an exemption from the Community Amenity Contributions program.

Section 5.4 of the Policy states:

Where development meets the following conditions Council may consider an exemption from the CAC program:

(f) Residential rezoning applications received prior to initial adoption of this Policy on July 31, 2018, and that have received Third Reading from Council prior to adoption of the amended Policy on April 15, 2019.

Reno Investments 2011 Ltd. has requested an exemption from the CAC program (see Attachment B). The subject application meets the requirements for consideration of an exemption as it was received on July 22, 2012 and granted third reading on July 10, 2017.

Staff note that the 40 townhouse units contained within the development will generate a target CAC contribution of \$192,560 if the exemption is not granted. Staff also note that the applicant has completed all conditions of final reading and that if the exemption is not granted, final reading of the bylaw may not be achieved until staff has the opportunity to negotiate a CAC with the applicant and present a phased development agreement bylaw to Council for consideration.

Respectfully submitted,

Colin Moore
DEVELOPMENT PLANNER
for
COMMUNITY DEVELOPMENT DIVISION

ATTACHMENT A Community Amenity Contributions Policy No. 07-166

ATTACHMENT B Applicant's exemption request

COUNCIL POLICY

Subject: Community Amenity Contributions

Policy No:

07-166

Approved by Council:

2018-07-23

Revised by Council:

2019-04-15

1. Purpose

- 1.1 To provide administrative guidelines for a Community Amenity Contribution (CAC) Program.

2. Background

- 2.1 Municipalities are required to balance their budgets, which means the demand for new capital infrastructure and improvements must be kept within current fiscal and economic limits. Development Cost Charges (DCC), which are a primary source of funding especially for roads, water, sewer, stormwater systems, and park land acquisition and improvement, do not sufficiently assist in providing all facilities required for new communities.
- 2.2 CACs are amenity contributions by the developer as part of a rezoning process.
- 2.3 CACs are intended to offset the cost of providing community amenities associated with new residential development, thereby having a benefit to the community. In the event that CACs are not made to help provide the amenities, it is not necessarily in the public interest for the local government to support a rezoning. It has become common practice for many municipalities in B.C. for developers to propose, or municipalities to seek, amenities from projects that are applying for changes in use or density, in order to help address the needs or impacts of new development. In this policy, the amenities are intended to be collected through a fixed rate contribution, based on a set of predetermined amenities.

3. Related Policies

- 3.1 The Official Community Plan (OCP) provides objectives and policies for the establishment of a community amenity contribution program. Objectives related to CACs aim to:
 - (a) Ensure that new development pays for the capital costs of providing new infrastructure and facilities to serve that development.
 - (b) Diversify revenue sources to fund new community infrastructure.
 - (c) Provide tools and incentives to encourage affordable housing options.

3.2 Specific policies include:

- (a) Investigate potential for community amenity charges to cover the costs of facilities and amenities required for development that are not funded by DCCs.
- (b) Create incentives to encourage developers to include affordable market rental housing and/or non-market housing in new developments, using community amenity contributions that include affordable housing as a community benefit (new units or cash).

4. Principles

- 4.1 As residential growth occurs, new development should make a fair contribution to new community amenities, affordable housing, and other community needs, in order to meet the needs of a growing community and to contribute to managing growth pressures.
- 4.2 The Township of Langley will set its targets for CACs such that the cost implications for new development will be reasonable. The level of CACs will be such that there is minimal impact on new development. More specifically, the expectations for CACs are not likely to affect the financial viability of new development projects. The costs will be such that developers and land owners will still see incentives to seek higher density for residential developments.

5. Policy

- 5.1 The provision of community amenities will be subject to community input, Council prioritization and available revenue. Where one developer is not expected to provide an entire amenity, the developer may pay the Township cash in lieu, referred to as CACs. The amenities are as follows:
 - (a) 15% will be Affordable Housing, and therefore 15% of CACs will go into the Affordable Housing Reserve Fund; and
 - (b) 74% of community amenities will be Township-wide enhancements, and therefore 74% of CACs will go into a Community Amenity Contribution Fund to assist in funding of the following amenities:
 - Township-wide Greenway
 - Satellite RCMP Detachment
 - Conference and Entertainment Centre
 - Recreation Centre in Willowbrook-Willoughby
 - Recreation Centre in Brookwood-Fernridge
 - (c) 11% of community amenities will be enhancements to areas within the Aldergrove Core Area Plan, and therefore 11% of CACs will go into an Aldergrove Community Amenity Fund to assist in funding amenities.

- 5.2 The Township intends to obtain contributions to civic infrastructure and amenities from new development that involves rezoning. In doing so, the Township will apply the following principles:
- (a) New development should make a fair contribution to new community amenities, affordable housing, and other community needs, to meet the needs of a growing community and to address some of the impacts of growth.
 - (b) The Township's community amenities are set out in section 5.1.
 - (c) The Township will set its targets for amenities (and for cash in lieu of amenities, referred to herein as CACs, where one developer is not expected to provide an entire amenity) such that the cost implications for new development will be reasonable. The extent of Community Amenity Contributions will be such that there is little risk that there will be any impact on the pace of new development in the Township.
 - (d) The Township will set targets for cash in lieu Community Amenity Contributions it hopes to obtain from new development. Effective January 1, 2021, the targets are set out in Table 1 and may be reviewed by Council from time to time, based on changing community needs, changing priorities, and changing market conditions.
 - (e) The Township will use phased development agreements as the mechanism to obtain cash in lieu Community Amenity Contributions. In site by site negotiations, the Township will seek to obtain a target contribution that makes a meaningful contribution to community amenities while ensuring that land owners still have enough incentive to make land available in the redevelopment market.

Table 1

Residential Type	Target Amenity Contribution	Required Amenity (or) Allocation of the Amenity Contribution
New single family lot	\$6,808 per lot	See section 5.1
Townhouse/rowhouse/duplex or other ground-oriented dwelling unit	\$5,776 per unit	See section 5.1
Low rise apartment (6 storeys or less)	\$4,539 per unit	See section 5.1
Mid-high rise apartment (7 storeys or more)	\$3,507 per unit	See section 5.1

5.3 (This section was deleted on April 15, 2019.)

5.4 EXEMPTIONS

Where development meets the following conditions Council may consider an exemption from the CAC program:

- (a) Any not-for-profit development as defined in the Development Cost Charge Waiver For Affordable and Supportive Housing Bylaw 2019 NO. 5462
- (b) Where single family residential subdivisions propose fewer than 3 lots, the original lot is exempt, after which the CAC program applies to each new lot;
- (c) Accessory dwelling units, such as a secondary suite or coach house;
- (d) Duplex, triplex and fourplex dwelling units, where only one building is being constructed – only the first dwelling unit is exempt, after which the CAC program applies to each additional dwelling unit.
- (e) The development of residential dwellings within the area identified in the Aldergrove Core Area Plan, including mixed-use development, that have received Third Reading from Council prior to July 31, 2024.
- (f) Residential rezoning applications received prior to initial adoption of this Policy on July 31, 2018, and that have received Third Reading from Council prior to adoption of the amended Policy on April 15, 2019.

5.5 COLLECTION OF CACs

- (a) Payment of the CAC shall be made to the Township prior to Council consideration of adoption of the Zoning Bylaw amendment bylaw, pursuant to a Phased Development Agreement. If adoption is not given by Council to the Zoning Bylaw amendment bylaw, the CAC (without interest) shall be returned to the applicant by the Township.
- (b) Alternatively, payment of the CAC may be made to the Township at the time of issuance of a development permit, or where one is not required, at the time of issuance of a building permit. Where this option is selected by the applicant, an irrevocable letter of credit must be provided to the Township for the full amount of the CAC prior to Council consideration of adoption of the Zoning Bylaw amendment.

5.6 Any rezoning application, submitted prior to the final adoption of this policy, shall be granted a twelve (12) month grace period from the date of final adoption of this policy, in order to receive fourth and final reading by Council of the Zoning Amendment Bylaw. If the process is not completed within the one-year period, payment of the CAC shall apply.

5.7 Council may amend the CAC target contribution amounts and any other aspect of this Policy as it deems appropriate in response to changing needs.

5.8 The Township's community amenity contribution targets shall be based on Table 2 below, increasing at 3-month intervals, applicable as per Section 5.5 above.

Table 2

	New single family lot – per lot	Townhouse / rowhouse / duplex or other ground-oriented dwelling unit – per unit	Low rise apartment (6 storeys or less) – per unit	Mid-high rise apartment (7 storeys or more) – per unit	Required Amenity (or) Allocation of the Amenity Contribution
Prior to January 01, 2020	\$ 5,673	\$4,814	\$3,782	\$2,923	See section 5.1
January 01, to March 31, 2020	\$5,673	\$4,814	\$3,782	\$2,923	See section 5.1
April 01, to June 30, 2020	\$5,957	\$5,055	\$3,971	\$3,069	See section 5.1
July 01, to September 30, 2020	\$6,241	\$5,295	\$4,161	\$3,215	See section 5.1
October 01 to December 31, 2020	\$6,524	\$5,536	\$4,350	\$3,361	See section 5.1
After January 01, 2021	\$6,808	\$5,776	\$4,539	\$3,507	See section 5.1

5.9 This Policy is to be administered and monitored by the Community Development Division and the Finance Division.

5.10 This Policy will be reviewed periodically to assess amenities and associated capital costs as required. Timing of the CAC Policy review will be offset so as not to overlap with the periodic review of the Development Cost Charges Bylaw to the extent possible.

Colin Moore

From: joel@elevationrealestate.ca on behalf of Joel Schacter <joel@elevationrealestate.ca>
Sent: Tuesday, September 24, 2019 4:46 PM
To: Colin Moore
Subject: Re: 10-31-0156 outstanding items

Dear Colin,

Thank you for your prompt response to my email earlier today. As per my discussion with Stephen Richardson a few minutes ago, could I please request you prepare the appropriate report to council asking them to waive the CAC fees for my project as I believe this project qualifies under the provisions of the CAC bylaw and later amendments to said bylaw.

It is also my hope that we can now be confirmed for 4th reading being presented for consideration to Council on their October 7th meeting.

Thanks and best regards,

Joel Schacter

Personal Real Estate Consultant

T 604-533-3491 C 604-290-2939
[101-6337 198th Street, Langley, BC V2Y 2E3](tel:6046337198)

elevation
elevationrealestate.ca



"Oh, by the way, if you know of someone who would appreciate the level of service we provide, please call me with their name and business number. I'd be happy to follow up and take great care of them!"