

REPORT

DEVELOPMENT SERVICES DEPARTMENT

To: Mayor W. Wright and Members of Council in Committee of the Whole Date: May 17, 2010

From: Lisa Spitale, Director of Development Services File: 13.2680.20

Subject: Zoning Amendments to Include Bonus Density in Eligible Low Rise and Townhouse Zones

RECOMMENDATION

THAT Zoning Amendment Bylaw No.7392, 2010 to include density bonuses in all eligible townhouse and low rise residential apartment zones be forwarded to Council for consideration of First and Second Reading.

PURPOSE

The purpose of this report is to seek Council's consideration of amendments to the Zoning Bylaw (see Appendix 1) to include provisions for bonus density in all eligible low rise and townhouse zones (RT-2, RT-2A, RT-2B, RT-2C, RM-1, RM-1A, RM-1B, RM-2, RM-2A, RMW-2, RMW-2A and RM-5A). A map of these zones is included as Appendix 2.

SUMMARY

For over two years, staff has been working on creating a density bonusing system for the City, as per Council direction. This work has included technical analysis, public engagement, industry consultation, and Council endorsement. Staff has insituted the policy and administrative framework for the new density bonusing system, where 30% of all density bonusing revenues will go towards affordable housing, 10% will go towards child care, and 60% will go towards general amenities.

This report introduces the new zoning amendments that will allow for bonus density in all Phase 1 eligible townhouse and low rise residential apartment zones. These zones are: RT-2, RT-2A, RT-2B, RT-2C, RM-1, RM-1A, RM-1B, RM-2, RM-2A, RMW-2, RMW-2A and RM-5A.

BACKGROUND

Density Bonusing Initiative

On October 27, 2008, Council approved the Density Bonusing System with a recommended two phased approach. Phase 1 included creating new zoning regulations for all eligible townhouse and low rise residential apartment zones and creating an administrative framework for allocating and managing the density bonusing revenues.

On October 5, 2009, Council approved an allocation approach for managing the density bonusing revenues: 30% of all density bonusing revenues will go towards affordable housing; 10% will go towards child care; and 60% will go towards general amenities. At that meeting, Council also reviewed the proposed zoning bylaw amendments and directed staff to circulate the new density bonus zoning schedules for public consultation at a community Open House, which was held November 5, 2009.

On March 22, 2010, Council gave Fourth Reading and final adoption to the three reserve bylaws (affordable housing, child care, and general amenities) in which all density bonusing revenues will be deposited.

Consultation

Since fall 2007, when the density bonusing review started, there has been a series of consultation events; these included:

- Four public consultation sessions with residents and community groups;
- Two workshops with development industry representatives; and
- a public open house in November 2009.

For each of the consultation sessions held, advertisements were placed in the local newspaper. In addition, written notification was sent to the City's Residents' Associations, Urban Development Institute, and private developers. For the public open house in November 2009, advertisements were placed in the local newspaper and written notification was sent to all households affected by Phase 1 zoning changes (approximately 4,400 households). At that meeting, staff provided on-the-ground examples of what to expect with the proposed densities in the new zoning schedules in terms of actual form, massing and scale. Examples from New Westminster and neighbouring municipalities were shown to help the community's understanding of how the proposed densities might look and "feel."

A summary of *Frequently Asked Questions* that arose during the public consultation sessions is included as Appendix 3.

EXISTING POLICY/PRACTICE

Since 1993, the *Local Government Act* has authorized local governments in British Columbia to permit zoning for density bonuses in exchange for the provision of amenities or affordable or special needs housing.

Currently, the City's *Official Community Plan* includes provisions for allowing increased density in exchange for amenities. The OCP is currently in the process of including an amendment to explicitly allow for the provision of density bonusing as a zoning tool for increasing density in exchange for amenities.

ANALYSIS

Rationale for New Density Bonus Zones

The new density bonus zones that are the subject of this report are the result of integrating several City objectives:

1. Meeting Council's desire to secure amenities from new developments;
2. Meeting growth needs in a way that is sensitive to the established character of existing neighbourhoods, while recognizing that multifamily housing forms (townhouse, low rise and high rise apartments) will accommodate almost 100% of all future housing growth in the City; and
3. Updating existing multifamily zones so their development regulations (density calculations, height, setbacks) align with the urban form that is typical and preferred for the newer developments in the City, and where replacement of the existing housing stock would be permitted under redevelopment scenarios. Over the years, a number of Zoning Bylaw changes have resulted in a situation where some of the City's current multiple family housing stock is "overbuilt," meaning replacement of the existing housing stock would not be permitted under the existing zoning regulations due to existing density restrictions.

History of Calculating Density and Zoning Changes in Multi-family Low Rise Zones

1. Density Changes

Prior to 1975, density in the City's multiple family districts was calculated on a floor space ratio (FSR) basis. This led to much variation in the number of units contained in any one building, allowing developers to respond to market conditions of the time. In 1975, the Provincial Government launched a Municipal Incentive Grant (MIG) program

for municipalities with low rise buildings that have a maximum density of 60 units per acre (UPA). In order to qualify for the grant, the City amended the Zoning Bylaw to establish a density cap of 60 units per acre in all low rise zoning districts. When the MIG program was removed, the UPA density restriction on low rise developments remained.

2. Zoning Changes

In 1989, the City changed the zoning of all low rise apartment buildings in the Multiple Dwelling Districts (High Rise) (RM-3) zone to Multiple Dwelling Districts (Low Rise) (RM-2) through Zoning Bylaw Amendment No. 5862, 1989. The RM-3 zoning district is no longer in use, but did include a higher allowable density than the RM-2 zoning district. It allowed a base density of 1.6 FSR, with bonus density provisions for off-street parking and reduced site coverage.

This zoning change resulted in non-conformance for many low-rise apartment buildings. The impact of this is discussed below.

Impacts of Current Multiple Family Low Rise Zoning

Currently, 148 of the low rise multifamily properties in New Westminster do not meet current density requirements prescribed in the Zoning Bylaw. This non-compliance is a result of a series of amendments that have been made over the years, as described above. The most significant issue of non-compliance is that these buildings cannot be rebuilt to their present density under a redevelopment scenario (i.e., due to fire, or reaching the end of its useful life). In this case, the owners could erect new multiple dwelling buildings, but they would contain fewer housing units, representing a net loss of 1,011 housing units.

All of the affected properties have RM-2 zoning; the average construction date of these affected properties is 1965.

The average density of the existing RM-2 stock is 1.2 FSR. Under the new density bonus zones, the outright development entitlements will be returned to these properties to align with what is currently built. Under a redevelopment scenario, these properties will be given an outright density entitlement of 1.2 FSR, with an option to build to a maximum density of 1.8 FSR if an amenity contribution is made as prescribed in the Zoning Bylaw.

Phase 1 Density Bonusing Principles

In addition to the City's broader Financing Growth Principles, the Density Bonusing System was also based on the following set of principles:

- All bonus density will fit with the land use concept in the City’s *Official Community Plan* in order to ensure that the bonus density is appropriate in community planning terms and acceptable to residents.
- All opportunities for bonus density will be in addition to the density that can actually be achieved under current zoning: there will be no downzoning of properties to create more ‘room’ for bonus density.
- The bonus density available will be achievable without changing the form of housing (i.e., townhouse projects will remain townhouse projects, low rise projects will remain low rise projects).

Technical Work

In keeping with the above principles, Phase 1 of the Density Bonusing System has involved the creation of new density bonus zoning regulations. These new regulations will provide an alternative development opportunity, giving developers the option of developing in accordance with the original zoning regulations, or the new density bonus zoning regulations (note: an applicant must choose either the original regulations or the bonus density regulations, they will not be permitted to pick and choose amongst the regulations). This approach ensures each site retains its existing development entitlements, while offering a voluntary bonus density opportunity. The bonus density provisions are included in the Zoning Amendment Bylaw No. 7392, 2010 that is attached as Appendix 1.

Table 1 illustrates which existing zones will be eligible for bonus density. A map of these zones is included as Appendix 2.

Table 1. Zones eligible for new density bonus zoning schedules.

	Queensborough		Mainland	
	Townhouse	Low Rise Residential	Stacked Townhouse	Low Rise Residential
RT-2				
RT-2A				
RT-2B				
RT-2C				
RM-1				
RM-1A				
RM-1B				
RM-2				
RM-2A				
RMW-2				
RMW-2A				
RM-5A				

Zoning Analysis

Table 2 shows a comparison of the density bonus zoning regulations and the regulations in the original zones.

Table 2. Comparison of existing zone and new density bonus zone

Zone	Existing Height (ft.)	Maximum New Height (ft.)		Existing Density	Maximum New Density	
		Queensborough	Mainland		Mainland	Queensborough
RT-2	25	n/a	40	18 upa	1.2 FSR	n/a
RT-2A	25	35	40	14 upa	1.2 FSR	0.9 FSR
RT-2B	25	35	40	13 upa	1.2 FSR	0.9 FSR
RT-2C	25	35	40	11 upa	1.2 FSR	0.9 FSR
RM-1	25	45	45	35 upa	1.8 FSR	1.8 FSR
RM-1A	25	45	45	30 upa	1.8 FSR	1.8 FSR
RM-1B	25	45	45	25 upa	1.8 FSR	1.8 FSR
RM-2	35	45	45	60 upa	1.8 FSR	1.8 FSR
RM-2A	35	45	45	40 upa	1.8 FSR	1.8 FSR
RMW-2	45	45	n/a	45 upa	1.8 FSR	1.8 FSR
RMW-2A	45	45	n/a	50 upa	1.8 FSR	1.8 FSR
RM-5A	n/a	n/a	45	70 upa	1.8 FSR	1.8 FSR

In keeping with more recent townhouse and low rise apartment developments, and reflecting the City’s urban character and community values around ground-oriented housing having a strong connection to the street front, amendments to the bulk regulations of buildings have been made under the bonus density regulations. One of the universal changes included in all of the density bonusing regulations is the calculation of density on a floor space ratio basis versus a units per acre basis.

These new regulations were a part of the public review at the City’s Density Bonusing Open House held on November 5, 2009.

Number of New Units Created

The City has seen substantial housing growth in recent years, mostly in multifamily form. When estimating the new units that could be created through density bonusing in the coming years, it is assumed that dwelling units built after 1980 will not be redeveloped for some time and density bonusing potential will not be realized on these properties. It

is also assumed that not all redevelopment projects will take advantage of 100% of the bonus density (i.e., due to financial considerations, development trends, site constraints, market conditions). For this reason, it is assumed that 75% of density bonus potential will be used.

Table 3 shows an analysis of the net new units that could be created, taking into account the assumptions discussed above, if all density bonusing eligible sites were redeveloped. The table compares housing units under several scenarios: the existing building stock; what is achievable under existing zoning regulations, if redeveloped; and what is achievable under density bonusing regulations, if redeveloped.

Table 3. Potential new units created through Phase 1 density bonus zoning

	Based on Properties Eligible for Bonus Density – Phase 1 (built prior to 1980)
Total # of properties ¹	225
Existing built units (pre-1980)	6,465
Achievable units under existing zoning ²	5,910
Net loss of units from existing zoning	(555)
Achievable units under density bonus zoning	8,040
Net new bonus density units (from existing stock)	1,575
Average # of additional units per property ³	7

Density Bonusing and Master Planned Communities

The Victoria Hill and Port Royal developments include parcels that will have density bonus zoning. However, these master planned communities have total unit caps for each of their respective developments, limiting their ability to make use of the bonus density. Rezoning applications in these master planned communities would be processed on a case by case basis and undergo an application-specific amenity contribution analysis.

Impact on Residential Livability

The City uses a number of tools to address major issues of residential livability – size of units, light, air and ventilation, building structure, provision of services, appearance and location. For example:

- All dwelling units must meet or exceed the minimum size requirements of 500 sq.ft. for a dwelling unit and 350 sq.ft. for a bachelor unit.

¹ This figure includes all Phase 1 properties that contain an existing structure built prior to 1980.

² Total number of units that could be built under the existing zoning regulations, if the site were redeveloped.

³ Shows the average number of additional units per site that could result from the new density bonusing system.

- All units must have adequate light, air and ventilation. The multifamily properties have front, rear and side yards requirements. The properties have a sizeable portion of the site landscaped.
- The projects must meet the building, fire and electrical bylaws of the City.
- Properties will have sanitary, storm, water, electrical, gas and telephone services. The surrounding streets are paved and the boulevards will have sidewalks, landscaped areas and street trees.
- Multifamily buildings are designed by a professional architect and the exterior appearance is reviewed by the New Westminster Design Panel.
- Multifamily properties are in close proximity to places of work, leisure and transit.

Next Steps

Should Council proceed with First and Second Reading of the proposed Zoning Bylaw amendment, staff will then forward the zoning changes to the Residents' Association for information and notice of Public Hearing.

SUSTAINABILITY IMPLICATIONS

Although amenities are key to the economic, social, and environmental well-being of a community, municipalities have limited financial means of acquiring them. Density bonusing is a way to secure amenities from new development without burdening the existing community with the financial provision of those amenities.

OPTIONS

Two options are presented for Council consideration; they are:

1. Zoning Amendment Bylaw No.7392, 2010 to include density bonuses in all eligible townhouse and low rise residential apartment zones be forwarded to Council for consideration of First and Second Reading; or
2. Provide alternate direction.

Option 1 is recommended.

INTERDEPARTMENTAL LIAISON

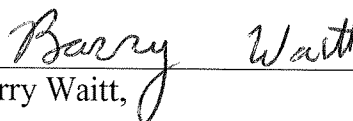
The density bonusing system has been developed in consultation with the Engineering and Finance and Information Technology Departments, as well as the City Solicitor.

CONCLUSION

In 2007, Council directed staff to create a density bonusing system for the City. Since that time, staff has been working with Council, the community and the development industry to create a successful density bonusing system. Density bonusing is a zoning tool that will allow the City to secure contributions toward the provision of amenities for the community, and will entail amendments to the Zoning Bylaw. As per Council direction, staff has prepared the zoning amendments for all eligible townhouse and low rise zones and is presenting these amendments for Council consideration of First and Second Reading.



Lil Ronalds,
Planner



Barry Waitt,
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Bev Grive,
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Approved for Presentation to Council



Paul Daminato,
City Administrator



Lisa Spitale,
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Appendix 1

Zoning Amendment Bylaw No. 7392, 2010

CITY OF NEW WESTMINSTER
ZONING AMENDMENT BYLAW NO. 7392, 2010
A bylaw to provide for density bonuses

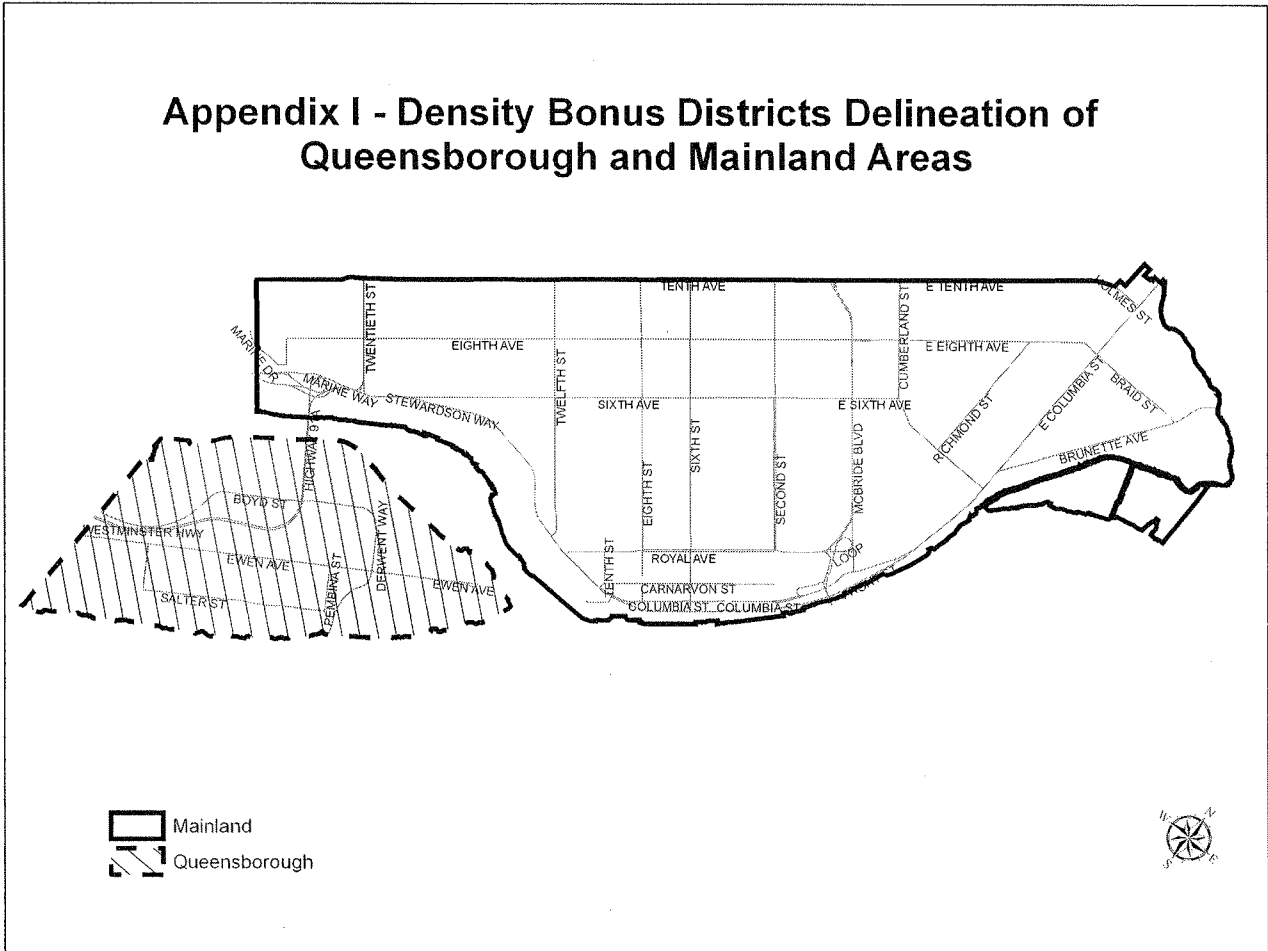
WHEREAS:

- A. The City may pursuant to Section 904 of the *Local Government Act*, provide zones in which density regulations may be different if applicable conditions are met;
- B. Conditions that may be imposed in respect of different density regulations including conditions relating to the provision of amenities;
- C. The City considers it desirable to establish zones with different density regulations, and to provide for conditions relating to the payment of monies to be deposited into special reserve funds established to fund the provision of amenities.

NOW THEREFORE the Council of the City in open meeting assembled hereby enacts as follows:

- 1. City of New Westminster Zoning Bylaw No. 6680, 2001 (the "Zoning Bylaw") is hereby amended as follows:
 - (a) S. 120 DEFINITIONS is amended by adding the following definition of "General Amenity" as S. 120.85.1 immediately after S. 120.85:

"120.85.1 GENERAL AMENITY includes civic lands and buildings; recreation buildings; park and park improvements; libraries; public art; transportation infrastructure, none of which have been included in the calculation of development cost charges pursuant to the Local Government Act."
 - (b) The Map annexed hereto and marked "Density Bonus Districts Delineation of Queensborough and Mainland Areas" is hereby added as Appendix I to the Zoning Bylaw. References to Queensborough and to Mainland in zoning district schedules on which increased density beyond base density is permitted, are references to those areas as designated on Appendix I.



2. S. 410.1 is deleted and the following substituted therefore:

"S. 410.1 The intent of this District is to allow townhouse development, with an opportunity to increase density upon amenity provision conditions being met."

3. S. 410.17 is deleted and the following substituted therefore:

"S. 410.17 The maximum permitted base density must not exceed either:

- (a) *Housing units: 18 per net acre (44.48 per net hectare); or*

(b) *Floor space ratio: 0.6 provided that on land in the Mainland Area as delineated on Appendix I, the permitted density may be increased to a maximum floor space ratio of 1.2 pursuant to the satisfaction of the amenity conditions set out in S. 190.49."*

4. S. 411.1 is deleted and the following substituted therefore:

"S. 411.1 The intent of this district is to allow townhouse development, with an opportunity to increase density upon amenity provision conditions being met."

5. S. 411.17 is deleted and the following substituted therefore:

"S. 411.17 The maximum permitted base density must not exceed either:

(a) *Housing units: 14 per net acre (34.59 per net hectare); or*

(b) *A floor space ratio of 0.60 provided that:*

(i) in the Queensborough Area as delineated on Appendix I the permitted density may be increased to a maximum floor space ratio of 0.9 pursuant to the satisfaction of amenity conditions set out in S.190.49; and

(ii) in the Mainland Area as delineated on Appendix I the permitted density may be increased to a maximum floor space ratio of 1.2 pursuant to the satisfaction of the amenity conditions set out in S. 190.49."

6. S. 412.1 is deleted and the following substituted therefore:

"S.412.1 The intent of this district is to allow townhouse development, with an opportunity to increase density upon amenity provision conditions being met."

7. S. 412.17 is deleted and the following substituted therefore:

"S.412.17 The maximum permitted base density must not exceed either:

a) *Housing units: 13 per net acre (32.12 per net hectare); or*

b) *A floor space ratio of 0.60 provided that:*

(i) in the Queensborough Area as delineated on Appendix I the permitted density may be increased to a maximum floor space

ratio of 0.9 pursuant to the satisfaction of amenity conditions set out in S.190.49; and

(ii) in the Mainland Area as delineated on Appendix I the permitted density may be increased to a maximum floor space ratio of 1.2 pursuant to the satisfaction of the amenity conditions set out in S. 190.49."

8. S. 413.1 is deleted, and the following substituted therefore:

"S. 413.1 The intent of this district is to allow townhouse development, with an opportunity to increase density upon amenity provision conditions being met."

9. S. 413.17 is deleted, and the following text substituted with the current numbering:

"S. 413.17 The maximum permitted base density must not exceed either:

a) Housing units: 11 per net acre (27.18 per net hectare); or

b) A floor space ratio of 0.60 provided that:

(i) in the Queensborough Area as delineated on Appendix I the permitted density may be increased to a maximum floor space ratio of 0.9 pursuant to the satisfaction of amenity conditions set out in S.190.49; and

(ii) in the Mainland Area as delineated on Appendix I the permitted density may be increased to a maximum floor space ratio of 1.2 pursuant to the satisfaction of the amenity conditions set out in S. 190.49."

10. S. 420.1, S. 421.1, S. 422.1, S. 430.1, S. 431.1, S. 471.1 and S. 472.1 are deleted, and the following substituted therefore:

"The intent of this district is to allow low-rise apartment development with an opportunity for increased density upon amenity provision conditions being met."

11. The text of S. 420.17 is deleted and the following text is substituted therefore:

"S. 420.17 The maximum permitted base density must not exceed either:

(a) Housing units: 35 per net acre (86.49 per net hectare); or

(b) *A floor space ratio of 1.2 provided that the density may be increased to a maximum floor space ratio of 1.8 pursuant to the satisfaction of the amenity conditions set out in S. 190.49."*

12. The text of S. 421.17 is deleted and the following text is substituted therefore:

"S. 421.17 The maximum permitted base density must not exceed either:

(a) *Housing units: 30 per net acre (74.13 per net hectare); or*

(b) *A floor space ratio of 1.2 provided that the density may be increased to a maximum floor space ratio of 1.8 pursuant to the satisfaction of the amenity conditions set out in S. 190.49."*

13. The text of S. 422.17 is deleted and the following text is substituted therefore:

"S. 422.17 The maximum permitted base density must not exceed either:

(a) *Housing units: 25 per net acre (61.78 per net hectare); or*

(b) *A floor space ratio of 1.2 provided that the density may be increased to a maximum floor space ratio of 1.8 pursuant to the satisfaction of the amenity conditions set out in S. 190.49."*

14. The text of S. 430.18 is deleted and the following text is substituted therefore:

"S. 430.18 The maximum permitted base density must not exceed either:

(a) *Housing units: 60 per net acre (148.26 per net hectare); or*

(b) *A floor space ratio of 1.2 provided that the density may be increased to a maximum floor space ratio of 1.8 pursuant to the satisfaction of the amenity conditions set out in S. 190.49."*

15. The text of S. 431.18 is deleted and the following text is substituted therefore:

"S. 431.18 The maximum permitted base density must not exceed either:

(a) *Housing units: 40 per net acre (98.84 per net hectare); or*

(b) *A floor space ratio of 1.2 provided that the density may be increased to a maximum floor space ratio of 1.8 pursuant to the satisfaction of the amenity conditions set out in S. 190.49."*

16. The text of S. 471.18 is deleted and the following text is substituted therefore:

"S. 471.18 The maximum permitted base density must not exceed either:

(a) *Housing units: 45 per net acre (111.20 per net hectare); or*

(b) *A floor space ratio of 1.2 provided that the density may be increased to a maximum floor space ratio of 1.8 pursuant to the satisfaction of the amenity conditions set out in S. 190.49."*

17. The text of S. 472.18 is deleted and the following text is substituted therefore:

"S. 472.18 The maximum permitted base density must not exceed either:

(a) *Housing units: 50 per net acre (123.55 per net hectare); or*

(b) *A floor space ratio of 1.2 provided that the density may be increased to a maximum floor space ratio of 1.8 pursuant to the satisfaction of the amenity conditions set out in S. 190.49."*

18. S. 451.1 is deleted and the following substituted therefore:

"S. 451.1 The intent of this district is to allow apartment development with an opportunity for increased density upon amenity provision conditions being met."

19. S. 451.15 is deleted and the following substituted therefore:

"S. 451.15 The maximum permitted base density must not exceed either:

(a) *Housing units: 70 per net acre (172.97 per net hectare); or*

(b) *A floor space ratio of 1.6 provided that the density may be increased to a maximum floor space ratio of 1.8 pursuant to the satisfaction of the amenity conditions set out in S. 190.49."*

20. The following provision is added as S. 190.49:

"Amenity Density Bonus

S. 190.49

Wherever in this Zoning Bylaw a District Schedule on the Amenity Table provides for both a base density and for increased density pursuant to meeting the conditions of this S. 190.49, density may be increased up to but not beyond the maximum permitted floor space ratio in accordance with payments related to the provision of any or all of general amenities, child care facilities amenity or affordable housing as set out in the Amenity Table below, and deposited in Reserve Funds established for each purpose by the Council. Payments made pursuant to this S.190.49 must be made prior to issuance of a building permit."

AMENITY TABLE

ZONING DISTRICT	ZONE LOCATION	CONTRIBUTION PER AREA ABOVE BASE DENSITY
<i>RT-2A, RT-2B, RT-2C</i>	<i>Queensborough</i>	<i>\$70 per sq. ft</i>
<i>RT-2, RT-2A, RT-2B, RT-2C</i>	<i>Mainland</i>	<i>\$80 per sq. ft</i>
<i>RM-1, RM-1A, RM-1B, RM-2, R-2A, RMW-2, RMW-2A</i>	<i>Mainland</i>	<i>\$55 per sq. ft</i>
	<i>Queensborough</i>	<i>\$40 per sq. ft</i>
<i>RM-5A</i>	<i>Mainland</i>	<i>\$55 per sq. ft</i>
	<i>Queensborough</i>	<i>\$40 per sq. ft.</i>

21. The following sections are added to the Zoning Bylaw:

(a) immediately following S. 410.19:

“Bonus Density Regulations

S.410.20 Despite S. 410.12, S.410.13, S.410.14, S.410.15 and S.410.16, where density on the Mainland is increased beyond the permitted base density pursuant to S.410.17, the following provisions shall apply:

- (i) the height of a building shall not exceed 40 feet (12.19 metres);*
- (ii) a front yard shall be provided of not less than 15 feet (4.57 metres);*
- (iii) a rear yard shall be provided of not less than 20 feet (6.10 metres);*

- (iv) *side yards shall be provided which, in total, equal not less than the height of the building, but need not exceed 35 feet (10.67 metres) in total; however, a side yard shall be provided of not less than 20 feet (6.10 metres) if the site is adjoining a street;*
 - (v) *there shall be no limit on site coverage;*
 - (vi) *usable open space shall be provided of not less than 10 percent (10%) of the gross residential floor area."*
- (b) immediately following S. 411.19:

"Bonus Density Regulations

S.411.20 Despite S. 411.12, S.411.13, S.411.14, S.411.15 and S.411.16, where density on the Mainland is increased beyond the permitted base density pursuant to S.411.17, the following provisions shall apply:

- (i) *the height of a building shall not exceed 40 feet (12.19 metres);*
- (ii) *a front yard shall be provided of not less than 15 feet (4.57 metres);*
- (iii) *a rear yard shall be provided of not less than 20 feet (6.10 metres);*
- (iv) *side yards shall be provided which, in total, equal not less than the height of the building, but need not exceed 35 feet (10.67 metres) in total; however, a side yard shall be provided of not less than 20 feet (6.10 metres) if the site is adjoining a street;*
- (v) *there shall be no limit on site coverage;*
- (vi) *usable open space shall be provided of not less than 10 percent (10%) of the gross residential floor area.*

Despite S. 411.12, S. 411.13, S. 411.14, S. 411.15 and S. 411.16, where in Queensborough the density is increased

beyond the permitted base density pursuant to S. 411.17, the following provisions shall apply:

- (i) the height of a building shall not exceed 35 feet (10.67 metres);*
 - (ii) a front yard shall be provided of not less than 10 feet (3.05 metres);*
 - (iii) a rear yard shall be provided of not less than 20 feet (6.10 metres);*
 - (iv) a side yard shall be provided on each side of the site of 5 feet (1.52 metres); however, a side yard shall be provided of not less than 20 feet (6.10 metres) if the site is adjoining a street;*
 - (v) there shall be no limit on site coverage;*
 - (vi) usable open space shall be provided of not less than 10 percent (10%) of the gross residential floor area."*
- (c) immediately following S. 412.19:

"Bonus Density Regulations

S.412.20 Despite S. 412.12, S.412.13, S.412.14, S.412.15 and S.412.16, where density on the Mainland is increased beyond the permitted base density pursuant to S.412.17, the following provisions shall apply:

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- (iii) a rear yard shall be provided of not less than 20 feet (6.10 metres);*
- (iv) side yards shall be provided which, in total, equal not less than the height of the building, but need not exceed 35 feet (10.67 metres) in total; however, a side yard shall*

be provided of not less than 20 feet (6.10 metres) if the site is adjoining a street;

- (v) *there shall be no limit on site coverage;*
- (vi) *usable open space shall be provided of not less than 10 percent (10%) of the gross residential floor area.*

Despite S. 412.12, S. 412.13, S. 412.14, S. 412.15 and S. 412.16, where in Queensborough the density is increased beyond the permitted base density pursuant to S. 412.17, the following provisions shall apply:

- (i) *the height of a building shall not exceed 35 feet (10.67 metres);*
- (ii) *a front yard shall be provided of not less than 10 feet (3.05 metres);*
- (iii) *a rear yard shall be provided of not less than 20 feet (6.10 metres);*
- (iv) *a side yard shall be provided on each side of the site of 5 feet (1.52 metres); however, a side yard shall be provided of not less than 20 feet (6.10 metres) if the site is adjoining a street;*
- (v) *there shall be no limit on site coverage;*
- (vi) *usable open space shall be provided of not less than 10 percent (10%) of the gross residential floor area."*

- (d) immediately following S. 413.19:

"S.413.20 Despite S. 413.12, S.413.13, S.413.14, S.413.15 and S.413.16, where density on the Mainland is increased beyond the permitted base density pursuant to S.413.17, the following provisions shall apply:

- (i) *the height of a building shall not exceed 40 feet (12.19 metres);*
- (ii) *a front yard shall be provided of not less than 15 feet (4.57 metres);*

- (iii) *a rear yard shall be provided of not less than 20 feet (6.10 metres);*
- (iv) *side yards shall be provided which, in total, equal not less than the height of the building, but need not exceed 35 feet (10.67 metres) in total; however, a side yard shall be provided of not less than 20 feet (6.10 metres) if the site is adjoining a street;*
- (v) *there shall be no limit on site coverage;*
- (vi) *usable open space shall be provided of not less than 10 percent (10%) of the gross residential floor area.*

Despite S. 413.12, S. 413.13, S. 413.14, S. 413.15 and S. 413.16, where density in Queensborough is increased beyond the permitted base density pursuant to S. 413.17, the following provisions shall apply:

- (i) *the height of a building shall not exceed 35 feet (10.67 metres);*
- (ii) *a front yard shall be provided of not less than 10 feet (3.05 metres);*
- (iii) *a rear yard shall be provided of not less than 20 feet (6.10 metres);*
- (iv) *a side yard shall be provided on each side of the site of 5 feet (1.52 metres); however, a side yard shall be provided of not less than 20 feet (6.10 metres) if the site is adjoining a street;*
- (v) *there shall be no limit on site coverage;*
- (vi) *usable open space shall be provided of not less than 10 percent (10%) of the gross residential floor area."*

- (e) immediately following S. 451.20

"S. 451.21. *Despite S. 451.10, S. 451.11, S. 451.12, S. 451.14, S. 451.16, where density is increased beyond the permitted base density pursuant to S. 451.15, the following shall apply:*

- (i) *the height of a building shall not exceed 45 feet (13.72 metres);*
- (ii) *a front yard shall be provided of not less than 20 feet (6.10 metres) in depth;*
- (iii) *a rear yard shall be provided of not less than 20 feet (6.10 metres) in depth;*
- (iv) *side yards shall be provided which, in total, equal not less than the height of the building, but need not exceed 40 feet (12.19 metres) in total; however, a side yard adjoining a street must not be less than 20 feet (6.10 metres);*
- (v) *there shall be no limit on site coverage."*

(f) immediately following S. 420.19:

"S. 420.20 *Despite S. 420.11, S. 420.12, S. 420.13, S. 420.14 and S. 420.16, where density is increased beyond the base density permitted pursuant to S. 420.17, the following provisions shall apply:*

- (i) *the height of a building shall not exceed 45 feet (13.72 metres);*
- (ii) *a front yard shall be provided of not less than 20 feet (6.10 metres) in depth;*
- (iii) *a rear yard shall be provided of not less than 20 feet (6.10 metres) in depth;*
- (iv) *side yards shall be provided which, in total, must equal not less than the height of the building but need not exceed 40 feet (12.19 metres) in total; however, a side yard adjoining a street must not be less than 20 feet (6.10 metres);*
- (v) *there shall be no limit on site coverage."*

(g) immediately following S. 421.19:

"S. 421.20. Despite S. 421.11, S. 421.12, S. 421.13, S. 421.14 and S. 421.16, where density is increased beyond the base density permitted pursuant to S. 421.17, the following provisions shall apply:

- (i) the height of a building shall not exceed 45 feet (13.72 metres);*
- (ii) a front yard shall be provided of not less than 20 feet (6.10 metres) in depth;*
- (iii) a rear yard shall be provided of not less than 20 feet (6.10 metres) in depth;*
- (iv) side yards shall be provided which, in total, must equal not less than the height of the building but need not exceed 40 feet (12.19 metres) in total; however, a side yard adjoining a street must not be less than 20 feet (6.10 metres);*
- (v) there shall be no limit on site coverage."*

(h) immediately following S. 422.19:

"S. 422.20. Despite S. 422.11, S. 422.12, S. 422.13, S. 422.14 and S. 422.16, where density is increased beyond the permitted base density pursuant to S. 422.17, the following provisions shall apply:

- (i) the height of a building shall not exceed 45 feet (13.72 metres);*
- (ii) a front yard shall be provided of not less than 20 feet (6.10 metres) in depth;*
- (iii) a rear yard shall be provided of not less than 20 feet (6.10 metres) in depth;*
- (iv) side yards shall be provided which, in total, must equal not less than the height of the building but need not exceed 40 feet (12.19 metres) in total; however, a side yard adjoining a street must not be less than 20 feet (6.10 metres);*
- (v) there shall be no limit on site coverage."*

- (i) immediately following S. 430.21:

"S. 430.22. Despite S. 430.12, S. 430.13, S. 430.14, S. 430.15 and S. 430.17, where density is increased beyond the permitted base density pursuant to S. 430.18, the following provisions apply:

- (i) the height of a building shall not exceed 45 feet (13.72 metres);*
- (ii) a front yard shall be provided of not less than 20 feet (6.10 metres) in depth;*
- (iii) a rear yard shall be provided of not less than 20 feet (6.10 metres) in depth;*
- (iv) side yards shall be provided which, in total, must equal not less than the height of the building but need not exceed 40 feet (12.19 metres) in total; however, a side yard adjoining a street must not be less than 20 feet (6.10 metres);*
- (v) there shall be no limit on site coverage."*

- (j) immediately following S. 431.20:

"S. 431.21. Despite S. 431.12, S. 431.13, S. 431.14, S. 431.15 and S. 431.17, where density is increased beyond the permitted base density pursuant to S. 431.18, the following provisions apply:

- (i) the height of a building shall not exceed 45 feet (13.72 metres);*
- (ii) a front yard shall be provided of not less than 20 feet (6.10 metres) in depth;*
- (iii) a rear yard shall be provided of not less than 20 feet (6.10 metres) in depth;*
- (iv) side yards shall be provided which, in total, must equal not less than the height of the building but need not exceed 40 feet (12.19 metres) in total; however, a side yard adjoining a street must not be less than 20 feet (6.10 metres);*
- (v) there shall be no limit on site coverage."*

(k) immediately following S. 471.20:

"S. 471.21. Despite S. 471.11, S. 471.12, S. 471.13, S. 471.14 and S. 471.17, where density is increased beyond the permitted base density pursuant to S. 471.18, the following provisions shall apply:

- (i) the height of a building shall not exceed 45 feet (13.72 metres);*
- (ii) a front yard shall be provided of not less than 20 feet (6.10 metres) in depth;*
- (iii) a rear yard shall be provided of not less than 20 feet (6.10 metres) in depth;*
- (iv) side yards shall be provided which, in total, must equal not less than the height of the building but need not exceed 40 feet (12.19 metres) in total; however, a side yard adjoining a street must not be less than 20 feet (6.10 metres);*
- (v) there shall be no limit on site coverage."*

(l) immediately following S. 472.20:

"S. 472.21. Despite S. 472.11, S. 472.12, S. 472.13, S. 472.14 and S. 472.17, where density is increased beyond the permitted base density pursuant to S. 472.18, the following provisions shall apply:

- (i) the height of a building shall not exceed 45 feet (13.72 metres);*
- (ii) a front yard shall be provided of not less than 20 feet (6.10 metres) in depth;*
- (iii) a rear yard shall be provided of not less than 20 feet (6.10 metres) in depth;*
- (iv) side yards shall be provided which, in total, must equal not less than the height of the building but need not exceed 40 feet (12.19 metres) in total; however, a side yard adjoining a street must not be less than 20 feet (6.10 metres);*

(v) *there shall be no limit on site coverage."*

READ A FIRST TIME on an affirmative vote of a majority of all members of Council on this _____ day of _____, 2010.

READ A SECOND TIME on an affirmative vote of a majority of all members of Council this _____ day of _____, 2010.

PUBLIC HEARING held this _____ day of _____, 2010.

READ A THIRD TIME on an affirmative vote of a majority of all members of Council this _____ day of _____, 2010.

ADOPTED on an affirmative vote of a majority of members of Council on this _____ day of _____, 2010.

Mayor

City Clerk

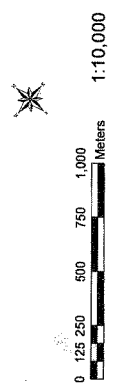
Appendix 2

Map of Phase 1 Density Bonus Zones

Phase 1 Zoning for Bonus Density (Low Rise & Townhouse Residential)

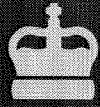


- Townhouse**
- RT-2C
 - RT-2B
 - RT-2A_RM-1B
 - RT-2
- Low-Rise (Residential)**
- RM-1
 - RM-1A
 - RM-1B
 - RM-2
 - RM-2A
 - RM-2_RS-2
 - RM-5A
 - RMW-2
 - RMW-2A
 - RMW-2A_P-1
 - RMW-2A_RMW
 - RS-2_RM-2



Appendix 3

Density Bonusing Phase 1 – Townhouse and Low Rise: *Frequently Asked Questions*



During the density bonusing review, several of the same questions arose. This section discusses those frequently asked questions.

Q. Is a developer required to use the new bonus density?

- A. No, the density bonusing system is entirely voluntary. The new density bonus zoning provisions will be added into the original zones as optional development entitlements. The developer can choose from three main options:
1. Develop according to the original zone and its regulations.
 2. Develop according to the new density bonus zoning regulations to the base density and not pay for any extra density.
 3. Develop according to the new density bonus zoning regulations to the maximum allowable density and pay for the bonus density.

Q. Will this mean more high rises in my neighbourhood?

- A. No. All existing townhouse zones will stay townhouse zones, and all existing low rise zones will stay low rise zones. For typical sites in New Westminster, density bonusing means a developer can build several more units, but the form will stay the same.

Q. What will the impacts be in terms of views and shading?

- A. The density bonusing system has been structured in a way that respects the existing form of neighbourhoods. Low rise zones will remain low rise zones, with a maximum height of 45 ft., or 4 storeys. Similarly, townhouse zones will remain townhouse zones, with a maximum height of 35 ft. in Queensborough and 40 ft. on the Mainland. These restrictions minimize the impacts on views and shading of neighbouring properties.

Q. There are some single family houses in my neighbourhood. Could they be redeveloped as part of this initiative?

- A. The density bonusing initiative only affects properties that are already zoned for townhouse or low rise apartment use. It does not entail rezoning single family sites for multifamily use. There are a few sites containing single family houses that will be eligible for bonus density because these sites already have multifamily zoning. Only one of these single family houses is still a single family use, all others have been converted to multifamily use. Even without bonus density provisions, these properties could become multifamily developments since they already have multifamily zoning.

Q. Are any heritage properties affected?

- A. Phase 1 of the density bonusing system does not include any sites with heritage designation. Phase 1 does include properties with pre-1950s buildings; however, all heritage related policies and regulations would apply to any proposed redevelopment of these properties.

Q. How will this affect purpose-built rental apartment buildings? Will there be any incentive for redevelopment?

- A. Because developers are required to pay 100% of the value of all bonus density (based on land value), there is little to no additional incentive for a developer to redevelop unless the building has reached the end of its useful life, in which case redevelopment is likely under status quo conditions. However, many of these buildings are "overbuilt," meaning that the existing zoning does not align with what is actually built. As discussed above, under existing zoning 148 of the low rise apartment buildings cannot be rebuilt to their present density. A number of zoning changes throughout the years have created this situation and the City has been seeking to remedy this for a number of years now.