

SCHEDULE NUMBER XII – COMMUNITY BENEFIT BONUS

1200 PERMITTED COMMUNITY BENEFIT BONUS

Subject to the regulations for conditional height increases in Section 6.4.1.2 and as authorized by section 482 of the *Local Government Act*, an increase in the maximum storeys set out in the regulations applicable to the R6, R7, or R8 District, or in a CD District based on the R6, R7, or R8 District, is permitted as follows:

- (a) in the R6 and R7 Districts, up to 10 additional storeys of residential development;
- (b) in the R8 District, no specific limit on the increase in storeys of residential development,

provided that the owner provides the minimum **community benefit bonus housing** and one or more **community benefit bonus amenity** and/or additional **community benefit bonus housing** approved by **Council**, or makes a payment-in-lieu, in accordance with this Schedule. The same requirements should also be applied where additional storeys are approved as **community benefit bonus** within the R3 to R5 Zoning Districts as part a rezoning application.

1200.1 Eligible Housing and Amenity Types

- (1) **Community Benefit Bonus Housing**
- (2) **Civic Amenity Types**
 - (a) **Child care facility**
 - (b) **Social service centre**
 - (c) **Civic facility** excluding facilities eligible for development cost charges under Section 559 of the *Local Government Act*
- (3) **Alternative Amenity Types**
 - (a) Extraordinary improvement of public open space, plaza and/or park, where the open space, plaza and/or park is identified in the Burnaby Official Community Plan (OCP), a Community Plan, a Master Plan or a **Council** approved policy
 - (b) Heritage retention/preservation
 - (c) Extraordinary environmental improvements
- (4) For certainty, an amenity for which the **City** has imposed an amenity cost charge by bylaw under section 570.2(1) of the *Local Government Act* is not an eligible **community benefit bonus amenity**.

1200.2 Community Benefit Bonus Housing and Amenity Provision Requirements

- (1) **Community benefit bonus housing** shall:
 - (a) be of a unit mix, size and location approved by the **City** in its discretion;
 - (b) be completed, at the owner's sole cost and expense, to a turnkey standard satisfactory to the **City**;
 - (c) upon completion and at the owner's sole cost and expense, be transferred in fee simple for nominal value to the **City** or if approved by the **City**, to another government entity, not-for-profit organization, public authority, or housing authority/corporation;

- (d) be operated by the **City** or if approved by the **City**, another government entity, not-for-profit organization, public authority, or housing authority/ corporation;
- (e) not be subdivided by strata plan under the *Strata Property Act*;
- (f) be restricted to rental tenure, or in the case of other non-market housing types, other tenure provided the tenure and affordability level is secured by a **housing agreement** or other agreement with the **City**;
- (g) be restricted to rent, or equivalent housing cost, at or below the **inclusionary rental rate**; and
- (h) be subject to the requirements in subsections (d) to (g) above for the later of 99 years from the issuance of an occupancy certificate for the development or when the **community benefit bonus housing** is fully demolished or destroyed.

(2) A **community benefit bonus amenity**, that is a civic amenity, as listed in Section 1200.1(2), shall:

- (a) be of a type and in a location approved by the **City** in its sole discretion;
- (b) be completed, at the owner's sole cost and expense, to a turnkey standard satisfactory to the **City**; and
- (c) upon completion, be transferred in fee simple for nominal value to the **City** or if approved by the **City**, to another government entity, non-for-profit organization, or public authority.

(3) A **community benefit bonus amenity** that is an alternative amenity, as listed in Section 1200.1(3), shall:

- (a) be of a type and, if applicable, in a location approved by the **City** in its sole discretion;
- (b) be completed, at the owner's sole cost and expense, to the industry or other standard applicable to the alternative amenity to the City's satisfaction; and
- (c) be subject to a Section 219 Covenant, Statutory Right of Way and/or other legal instrument in favour of the **City** to secure continued provision, conservation, maintenance, repair and/or replacement of the alternative amenity.

(4) Prior to the issuance of a building permit for a development that includes a **community benefit bonus**, the owner shall enter to a Section 219 Covenant in favour of the **City** and provide to the **City** security, in an amount satisfactory to the **City**, to secure completion of the required **community benefit bonus housing** and **community benefit bonus amenity**. In the case of a **community benefit bonus amenity** that is an alternative amenity, the **City** may require the owner to provide security for a fixed period to ensure the continued conservation, maintenance, repair and/or replacement of the alternative amenity.

1200.3 Method for Calculating Minimum Community Benefit Bonus Housing and Amenity Requirements

(1) The **community benefit rates** for each **City of Burnaby Quadrant** for the R6 to R8 Districts are as follows, by tenure of the additional floor area within the **community benefit bonus**:

Zoning District	NW Quadrant	NE Quadrant	SW Quadrant	SE Quadrant
R6 Market Strata	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)
R6 Market Rental	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)
R7 Market Strata	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)
R7 Market Rental	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)
R8 Market Strata	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)
R8 Market Rental	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)	\$XX / sq.m. (\$XX / sq.ft)

- (2) The **community benefit rates** shall be reviewed and adjusted at least once per calendar year, with each adjustment taking into consideration prevailing construction costs, inflationary trends, and market conditions for land values, which may include the application of recognized land value appraisal methodologies such as the direct comparison approach and land residual approach.

- (3) The **community benefit capital cost rates** are as follows:

Category	Civic Amenity Type	Community Benefit Capital Cost Rate
Category 1	Civic facilities	\$XX per sq.m. (\$XX per sq.ft.)
Category 2	Social service centres and child care facilities	\$XX per sq.m. (\$XX per sq.ft.)
Category 3	Community benefit bonus housing	\$XX per sq.m. (\$XX per sq.ft.)

- (4) The **community benefit capital cost rates** will be reviewed and adjusted at least once per calendar year, with each adjustment taking into consideration construction costs (that account for **City** construction standards and requirements, including quality, environmental standards, bonding, fair wages, etc.), soft costs (including design, planning, engineering, legal, project management, etc.), contingency and other capital costs typically included in **City** civic building projects. **Community benefit capital cost rates** are established on a **City**-wide basis, without consideration for the **City of Burnaby Quadrant** or zoning district of the development site.

- (5) The following calculations apply for determining the area and/or value of the **community benefit bonus housing** and **community benefit bonus amenity**, or payment in-lieu amount, to be provided in respect to a development:

Step 1: Calculate Community Benefit Value (CBV)

- a. Applicable Community Benefit Rate x floor area of **Community Benefit Bonus** = CBV (\$)

Step 2: Calculate minimum Community Benefit Bonus (CBB) Housing units and area or payment-in-lieu amount

- a. Total dwelling units in CBB storeys x 10% = minimum required **CBB Housing units**
b. CBB Housing units x 55.74 m² (598 sq. ft.) = minimum required **CBB Housing area**
c. CBB Housing area x Capital Cost Rate (Category 3 Housing) = minimum **CBB Housing payment-in-lieu amount (\$)** (if payment-in-lieu elected by owner)

Step 3: Calculate required CBB Amenity, additional CBB Housing or remainder payment-in-lieu amount

Applicant elects to provide a Council approved amenity or payment-in-lieu (see Section 1200.5) or may be requested to provide CBB Housing beyond the minimum requirement.

- a. CBV (Step 1) – minimum CBB Housing payment-in-lieu value (Step 2c) = Remainder **CBB Amenity value, additional CBB Housing value or remainder payment-in-lieu amount (\$)** (Remainder Value)
b. Remainder Value / Capital Cost Rate based on CCR Category type = **CBB Amenity area or additional CBB Housing area**

1200.4 Provision of Community Benefit Bonus Amenity or Housing Off-Site

- (1) The **City** may enter into an agreement with an applicant for the provision of **community benefit bonus housing** or **community benefit bonus amenity** on one or more lots other than the development site, provided that the **lot** or **lots** are located within the same **City of Burnaby Quadrant** as the development site.
- (2) In respect to off-site **community benefit bonus housing**, the agreement shall be approved by bylaw and shall specify, amongst other matters, the following:
- (a) the **lot** or **lots** on which the **community benefit bonus housing** will be located;
 - (b) who is to provide the **community benefit bonus housing** on each **lot**;
 - (c) when the **community benefit bonus housing** are to be provided on each **lot**;
 - (d) how the provision of **community benefit bonus housing** under the agreement will meet or exceed the requirements under this Schedule XII; and

(e) any other information prescribed by regulation for the purposes of section 482.4 of the *Local Government Act*.

1200.5 Provision of Payment-in-Lieu of Community Benefit Bonus Housing or Amenity

- (1) As an alternative to providing **community benefit bonus housing** or one or more **community benefit bonus amenity**, an owner may pay to the **City** the payment-in-lieu amount for the housing or amenity calculated under Section 1200.3(5).
- (2) The payment-in-lieu amount must be paid to the **City** at or prior to the time the first building permit is issued for the development that includes the requirement for the **community benefit bonus housing** or **community benefit bonus amenity**.
- (3) The payment-in-lieu amount for **community benefit bonus housing** shall be deposited in the **Community Benefit Bonus Housing Reserve Fund**.
- (4) The payment-in-lieu for a **community benefit bonus amenity** shall be deposited in the **Community Benefit Bonus Amenities Reserve Fund**.

1200.6 Effective Date

- (1) The effective date of this Schedule XII is the date on which the bylaw to amend the Zoning Bylaw to add **community benefit rates** under Section 1200.3(1) and **community benefit capital cost rates** under Section 1200.3(3) are adopted.
- (2) This Schedule XII applies to any development application that has not yet received First Reading on the effective date set out in Section 1200.6(1).
- (3) For certainty, this Schedule XII does not apply to a development application proposing to rezone a **lot** to a RM District or a CD District based on a RM District.

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