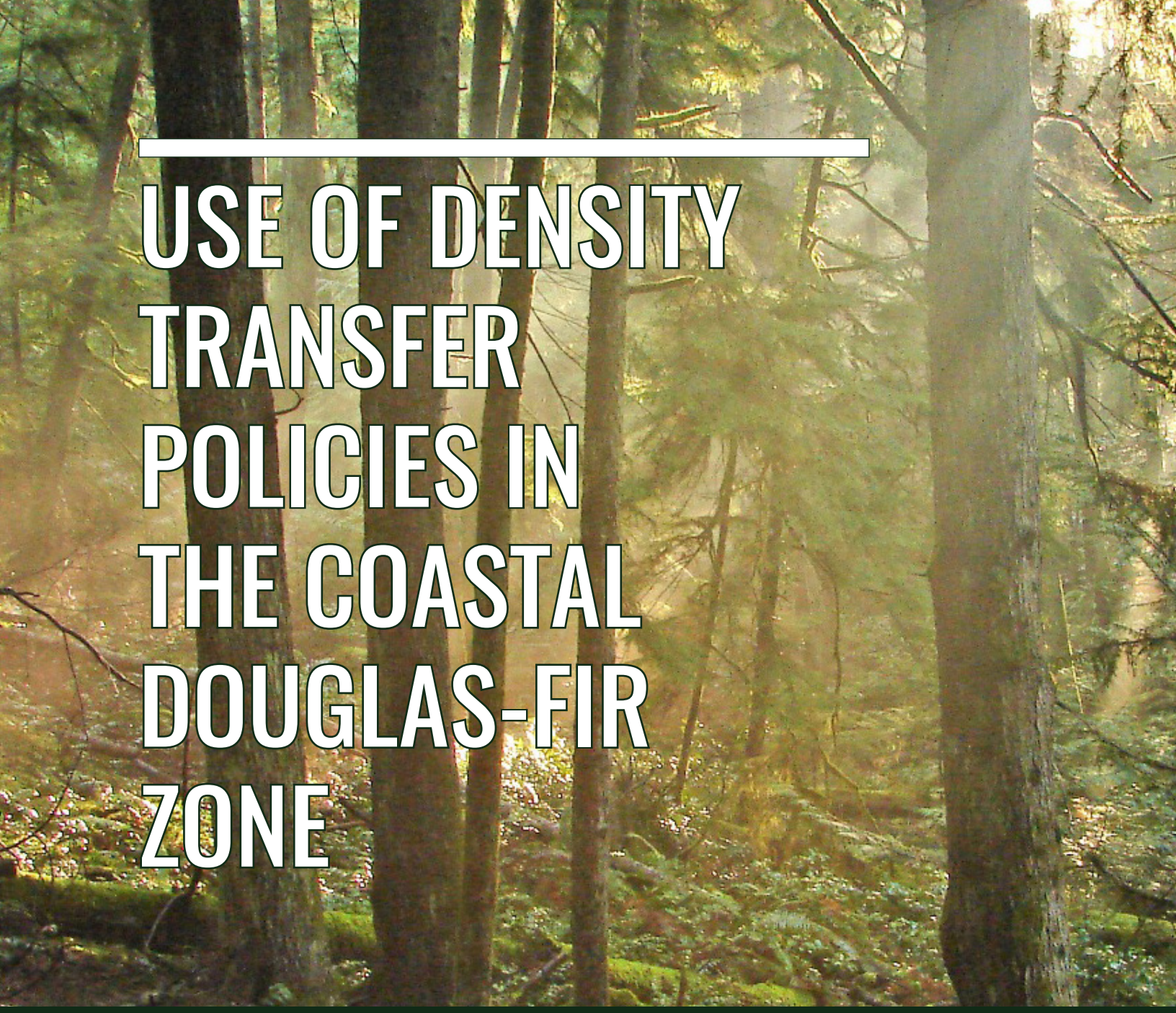

USE OF DENSITY TRANSFER POLICIES IN THE COASTAL DOUGLAS-FIR ZONE

Project Report

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March 2023

CDFCP Coastal Douglas-Fir & Associated Ecosystems Conservation Partnership

Forest Trust for Sustainable Forestry healthy forests for a healthy world

Disclaimer

This report was produced as part of the UBC Sustainability Scholars Program, a partnership between the University of British Columbia and various local governments and organisations in support of providing graduate students with opportunities to do applied research on projects that advance sustainability across the region.

This project was conducted under the mentorship of Coastal Douglas-Fir & Associated Ecosystems Conservation Partnership staff and in partnership with the Trust for Sustainable Forestry. The opinions and recommendations in this report and any errors are those of the author and do not necessarily reflect the views of the University of British Columbia.

Territory Acknowledgment

The work for this project was undertaken in Vancouver, which lies on the unceded, traditional and ancestral territories of the xʷməθkʷəy̓əm (Musqueam), Sḵwx̱wú7mesh (Squamish) and səlilwətaɬ (Tsleil-Waututh) Nations. In addition, the various lands and communities around the Salish Sea that are the focus of this project lie on unceded, traditional and ancestral territories of the various respective First Nations.

As we undertake this work to protect the Coastal Douglas-Fir habitats and meet the affordable housing challenge, we must also recognise both the historical (and continuing) struggles faced by Indigenous peoples to maintain their ways of life, but also their deep connection to the lands and ecosystems they have tended to since time immemorial, and the rights, wisdom and practices that are inextricably tied to it. As a settler on these lands, I keep these realities in mind and hope that the work in this project can contribute to solutions that reduce the impact of settler communities on these lands while meeting their needs, and lay some groundwork for a more equitable coexistence.

Acknowledgments

The author would like to thank the planners interviewed for Gabriola and Denman Island, Bowen Island, West Vancouver and Regional District of Nanaimo Area H, the councillor interviewed from Central Saanich, as well as Bill Buholzer, Adjunct Professor at the UBC School of Community and Regional Planning (SCARP), for their invaluable time, insight and generosity. The author would also like to thank Lyndsey, Dave and Doug for their help and guidance, and for fostering a supportive and collaborative work environment.

Cover page photo provided by the Heritage Forest.

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Executive Summary

Background and objective

The Coastal Douglas-fir (CDF) Biogeoclimatic Zone is one of the smallest ecological zones in British Columbia (BC), with rare vegetation species and globally unique ecosystems. In addition to being a rich store of biodiversity, CDF ecosystems help to mitigate and boost community resilience to climate change impacts that could otherwise have significant liveability, ecological and fiscal consequences for communities in the area. At the same time, these communities face increased development pressures from the need to quickly expand the supply of affordable housing for a rapidly growing population.

Planners thus need planning tools that can effectively address both concerns. Density transfer, which refers to the shifting of allowable development intensity from one site to another, is one such tool. However, it is less commonly used in the Canadian planning context. This project set out to better understand density transfer mechanisms within the BC planning context, its current use in the CDF zone, and how it can be better used as a tool to address the twin concerns of conserving valuable forests and supporting affordable housing provision.

Approach

The project adopted a two-phase process. First, the project reviewed Official Community Plans (OCPs) adopted by local governments in the study area to understand the current usage of density transfer policies; and second, the project identified case studies and conducted interviews with planners from selected jurisdictions to better understand issues around drawing up and implementing density transfer policies to address planning challenges.

Findings

The OCP review found that out of 57 OCPs for jurisdictions in the CDF Zone, 18 (around a third) included density transfer policies. The policies found used specific mechanisms that could be broadly categorised into four main groups, with mechanisms sometimes combined with each other:

- Density reallocation between specified areas;
- Density exchange between unspecified parcels sites/areas indicated;
- Density consolidation with land donation; and
- Density reserve.

Through the case studies and planner interviews, the project identified some key themes about the potential use of density transfer mechanisms, important considerations for implementing these policies, and obstacles to increased use of density transfer to support new development applications:

- **Applicability of density transfer at different planning stages.** Density transfer is a versatile tool that can be used both at high-level planning stages to carry out growth strategies, or at site level to enable parcel-to-parcel transfers.
- **Importance of matchmaking role.** Density transfers will often require connecting willing landowners and developers. However, matchmaking work requires time and resources that planning departments may not have. Mechanisms such as density reserves and active matchmaking support from local conservation non-profits can help to address this gap.
- **Fair valuation of development potential is important.** Because both landowners and developers will seek financially beneficial outcomes from density transfer, being able to establish a fair value of the density to be transferred is key to enable a mutually viable transaction, and facilitate uptake of density transfer policies.

- **Planning processing timeline can be an obstacle.** Long planning application processes add to uncertainty and financing costs, and can deter developers from using density transfer. Political support to allow prioritising processing these cases can alleviate such concerns.
- **Potential for interjurisdictional transfers.** There is potential to use density transfer to better manage growth and conservation strategies at a regional scale. However, this is currently limited by the lack of interjurisdictional policies for density transfer, and will potentially require arrangements for managing changes to property tax revenues to make it viable.
- **Density transfer and other mechanisms are not mutually exclusive.** Density transfer should be seen as a tool in a wider development toolkit. Combinations with mechanisms such as density bonusing and cluster development can help meet specific planning objectives.

Recommendations

To maximise the potential benefits from density transfer, this report recommended the following next steps:

- **Explore the possibility of pre-zoning for density transfer.** This is a potential approach to make the planning process for density transfer projects smoother, and to reduce the barriers to use for developers, if coupled with robust community engagement on the proposed transfer and resultant development.
- **Improve communications around density transfer.** To familiarise developers and landowners with the benefits of density transfer, local governments could look into providing simplified guides to the policy and process. These could provide users with more clarity on expected process timelines and the location of eligible transfer sites.
- **Strengthen regulations to support density transfer and limit alternatives.** Stronger regulations that require the use of density transfer to enable development proposals at higher intensity, or political support for the mechanism, could increase the uptake of density transfer especially in communities with limited capacity for additional development.
- **Look into addressing the fair valuation issue.** As both landowner and developer will seek financially beneficial transactions, being able to objectively establish the financial value of the development potential to be transferred would facilitate negotiations.
- **Explore the use of density reserve mechanisms.** Density transfer mechanisms could mitigate the difficulty of finding a landowner-developer match to enable conservation projects, and provide clarity to developers on the availability of transferred density for potential use.
- **Combine density transfer with other planning tools.** For instance, combining density transfer with density bonusing could make it more attractive to prospective developers, and adopting a clustering approach in tandem can support more sustainable urban growth patterns.
- **Explore ways to improve value propositions for landowners.** Existing conservation mechanisms such as covenants and land dedications could deter landowners with forested resource lands from transferring their development potential. Having policies that enable continued managed resource use on donor lands could address such concerns.
- **Address community concerns at receiver sites.** Increased-density developments enabled through transfers could lead to local concerns about impacts to the neighbourhood. Planners should work closely with developers on sensitively designing the project and actively and meaningfully engaging the community through the process.

1.0 | **Introduction**

The Coastal Douglas-fir (CDF) Biogeoclimatic Zone is one of the smallest ecological zones in British Columbia. Covering a small geographical extent around the Salish Sea and Strait of Georgia (Figure 1), the CDF Zone features mild climates and is characterised by some of the province's rarest vegetation and most interesting and diverse ecosystems (Province of British Columbia, 2015). A study of BC ecosystems published by the BC Ministry of Forests in 1991 describes how CDF zone forests have regenerated after logging activities in the region at the start of the 20th century, and cites research indicating about 50 rare species of vegetation that are restricted in extent to the CDF zone (Nuszdorfer, Klinka and Demarchi, 1991).

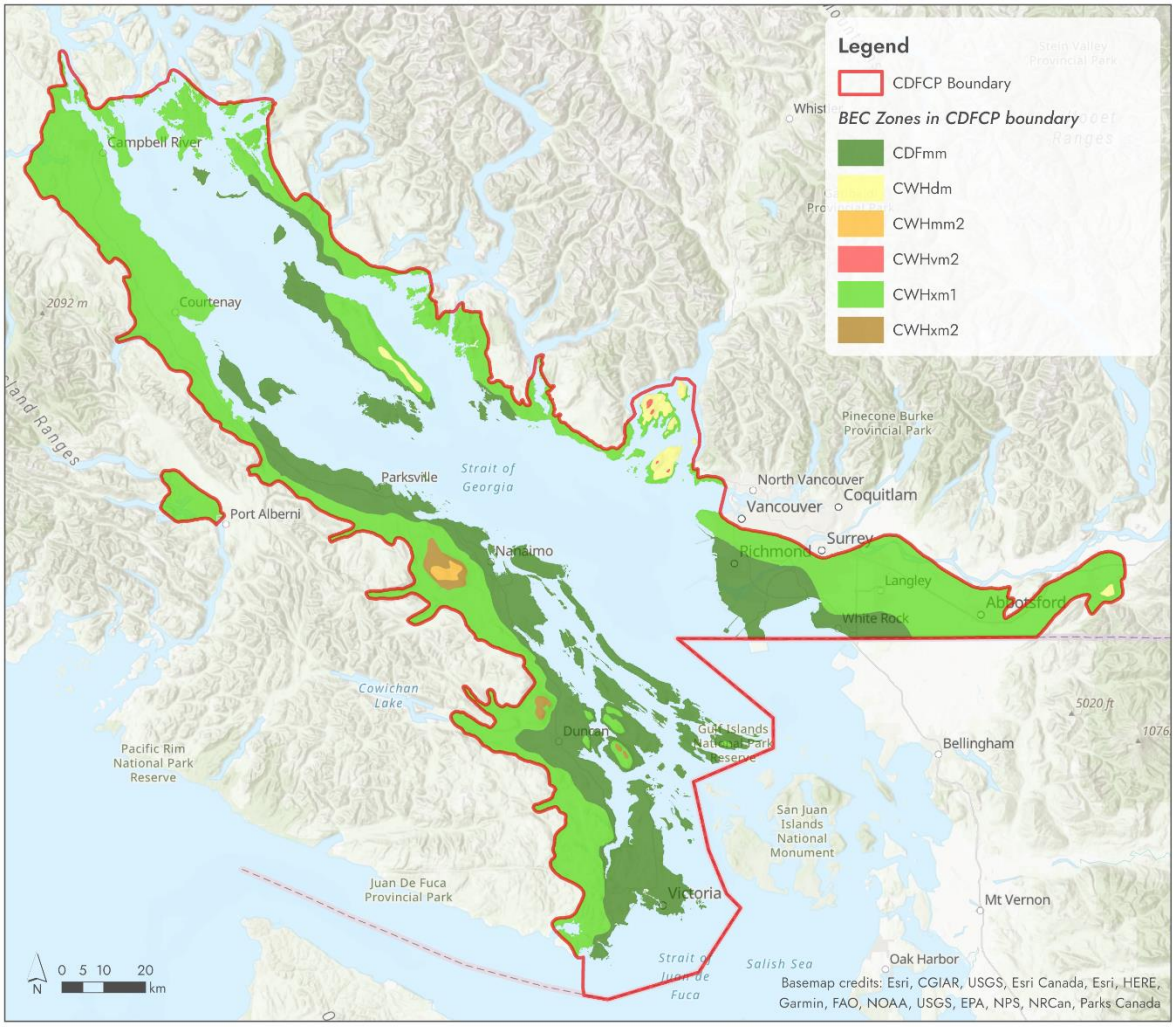


Figure 1. *Map of distribution of biogeoclimatic zones found in the CDFCP area. Zones named "CDF..." are coastal douglas-fir zones, and zones named "CWH..." are coastal western hemlock zones.*

The CDF zone, in addition to being a rich and globally unique area of biodiversity, provides ecosystem services that benefit the communities living within and around it, performs carbon sequestration, and helps mitigate and boost community resilience to climate change impacts that could otherwise have significant liveability, ecological and fiscal consequences for communities. Avoiding the permanent conversion of forests to other

land uses represents a significant avenue for improving the contribution of forest landscapes to carbon emission mitigation (Drever et al, 2021).

However, efforts to preserve CDF zone forests, have to reckon with development pressures stemming from other challenges faced by communities in the vicinity. Rapid population growth in Metro Vancouver and Vancouver Island, has driven real estate prices up. Assessed home values have seen steep increases in communities like Central Saanich (+17%), Metchosin (+34%) and Port Alberni (+47%) from 2021 to 2022 (Chan, 2022). There is a need to expand supply quickly in order to support the provision of affordable housing to as many segments of the population as possible, to ensure equitable outcomes to planning (MacPhail et al, 2021). At the same time, higher real estate prices also make it economically more attractive to expand residential development in general. At the same time, the provision of affordable housing to many segments of the population has been and remains a persistent and growing challenge to municipalities in the province in ensuring equitable outcomes to planning. These forces thus generate increased land pressure against other uses, such as conserving forested land.

Municipalities thus need to manage multiple and often competing interests in managing land uses, while operating within the regulatory frameworks and historical, land use, political and economic contexts in which they find themselves. For instance, the mandate letter issued to the British Columbia Minister of Emergency Management and Climate Readiness in December 2022 indicates that governments need to improve community resiliency, through key areas like developing "a sustainable, clean, secure, and fair economy" and providing "attainable and affordable housing" (Province of British Columbia, 2022). To do so, they require access to policy tools that can best address challenges such as those set out above – conservation of ecologically sensitive lands and provision of adequate and affordable housing – and also respond best to their respective contexts.

While there are many land use policy tools that municipalities have used to manage developments within their jurisdictions, density transfer mechanisms are less common within the suite of planning mechanisms, even though the concept of density transfers is not new and has been used for different purposes in North American planning. This project seeks to better understand the potential of density transfer mechanisms in helping municipalities address the twin challenges of protecting sensitive CDF zone areas (and other at-risk forest ecosystems) and providing adequate and affordable housing for their residents.

The project comprises two main stages:

- Stage 1: OCP review
  The first is an assessment of current planning policies to establish the prevalence of density transfer mechanisms in the planning toolkits of municipalities in the CDF zone, and understand the types of mechanisms in use, through a scan of Official Community Plans (OCPs) adopted by the local governments in the study area.
- Stage 2: Case studies and planner interviews
  The second builds on this work by highlighting jurisdictions that have density transfer policies in place, and conducting interviews with respective planners to better understand the context, considerations and experiences in using density transfer to meet their planning needs. The intent is for these findings to form a useful reference for other planning departments who are facing similar land use challenges, and increase awareness of density transfer mechanisms and how they may be useful in addressing their challenges.

In the subsequent sections, the report will cover the following:

- Definitions and descriptions of density transfer and connected planning tools;
- Discussion of the Canadian legal context for density transfer policies;
- An overview of how density transfer policies are used in the CDF Zone;
- Case studies of local governments with density transfer policies, with a discussion of key themes and insights; and
- A conclusion with recommended next steps to support the use of density transfer.

2.0 | **Definition of Density transfer and connected land use planning mechanisms**

Land use planning refers generally to the management of development in a given area. This often entails determining the types and intensity of land uses allowable in different localities, and encouraging or limiting development in different localities based on considerations such as transport accessibility, proximity to users, or potential impacts on the natural environment. The tools available to planners are shaped by governing legislation and official policies such as Official Community Plans (OCPs) and Regional Growth Statements (RGSs), as well as the contexts that they operate within.

The most direct of these tools is typically the management of zoning regulations as set out through zoning by-laws, which regulate various aspects of land use, including "the use of the land, buildings and other structures; the density of the use of land, buildings and other structures", and "the location of uses on the land and within buildings and other structures" (BC LGA, 479(1c)). Most municipalities, however, work with long-established patterns of land use and ownership, and zoning regulations that may reflect earlier planning priorities for that community. Planners thus seek policies and mechanisms that allow municipalities to manage the distribution of land uses and development within these operating conditions. While these policies are distinct, they are by no means mutually exclusive, and are indeed often used in conjunction with each other or for specific sites as applicable, as part of a suite of planning tools.

2.1 | Density transfer/Transfer of Development Potential

Density transfer refers to the shifting of allowable development intensity from one site to another. The allowable intensity is defined by existing zoning bylaws or OCPs that determine the amount of development allowed for each site or area. For residential developments, this density/intensity is usually measured in terms of dwelling units, where 1 density equals 1 dwelling unit per unit area – hence the transfer of "densities", though some municipalities prefer to term this mechanism "transfer of development potential" for clarity.

Density transfer policies are typically formulated as policy language that allows for self-initiated transfers between interested developers, rather than compulsory transfers imposed on existing landowners through regulations. As will be discussed in later sections of this report, there are a few different forms of density transfer policies, varying in terms of site specificity and transfer mechanisms that are typically market-based. Overall, however, in its fundamental form density transfer shifts planned development intensity rather than adding to the overall development quantum in the community, making it an attractive policy for municipalities that need to closely manage growth in the community and work within caps on development quantum that reflect tight overall population parameters, infrastructural limits or environmental carrying capacities.

2.2 | Density bonus

A density bonus is the provision of additional allowable development intensity, above the baseline as set out by the zoning bylaw, if the developer meets specified conditions. These conditions can include the provision of additional amenities (such as social facilities, affordable housing or parkland) along with the proposed development. In exchange, the developer is granted additional development intensity – in the form of additional floor area that exceeds the maximum under the site's zoning – for the proposed project. In BC, density bonus is enabled by section 482 of the Local Government Act ("Density benefits for amenities, affordable housing and special needs housing").

In essence, density bonus seeks to incentivise private developers to provide amenities that the community currently lacks, or those that would likely be needed to support the increased residential population or commercial activity brought about by the development. Density bonus is distinct from development cost charges (DCCs) and community amenity contributions (CACs): the former is limited to payment towards capital

costs attributable to growth (such as water and drainage lines), and the latter is agreed through negotiation between developer and government in exchange for a rezoning to increase the development intensity, rather than stipulated explicitly in bylaws.

2.3 | Downzoning

Downzoning refers to the amendment of zoning bylaws to reduce the allowable development density of a site or an area. As with all amendments to zoning bylaws, proposals to downzone are subject to the same rules and regulations governing the rezoning process, including requirements for the proposal to go through a public hearing or receive council approval – or be exempt from these requirements per conditions set out in the zoning bylaw. It can be argued that planners are well within their rights to propose and see through rezoning proposals that in their assessment can lead to better outcomes at the community level, downzoning proposals included.

Because real estate values are tied to how much development is allowed on a particular plot of land, downzoning can have negative impacts on the value of the property. Some local and provincial governments, including Vancouver, British Columbia and Nova Scotia, have legislation that explicitly states governments do not need to compensate landowners if downzoning (or the adoption of any zoning bylaw in general) results in any reduction of the value of that plot of land. This provides some room for manoeuvre for planners seeking to use downzoning to manage densities with broader community goals in mind, but because of its potential impact on landowners and their economic interest in their property, this can be a controversial approach.

2.4 | Clustering

Clustering, or cluster development, is a land use management approach that seeks to spatially concentrate development. In a way, it is an application of the broader planning principle of higher-density development to the scale of individual land lot or a small group of land lots. Where earlier zoning for these parcels may have only indicated an overall level of development potential (e.g. one dwelling unit per lot) to be distributed within the site per the developer's preference, a clustering approach may stipulate that developments can only take place on a limited part of the land, leaving the remainder of the lot untouched. When applied in service of environmental conservation, clustering should ideally also extend to site servicing and preparation activities, such as forest clearance and installation of water or energy infrastructure.

This approach is especially useful if the community is characterised by large privately-owned land lots that include ecologically-valuable features, such as a creek, marshland or old-growth forests. Clustering would allow the landowner to develop the land to the intensity allowed by existing zoning, but in a manner that allows for the preservation of sensitive habitats. When applied across multiple land lots in an area, the resultant density of development can also better support the provision of services such as transit, commercial facilities and utilities.

3.0 | Legal Context for Density Transfer Policies

Density transfer policies have been used elsewhere, especially in the American context. New York City, with one of the most established land use planning regimes, uses a suite of policies that it terms "Transferable Development Rights Mechanisms". These policies, namely Zoning Lot Mergers, Landmark Transfers, Special District transfers, and Large-Scape Development Plans, cover a range of scenarios and geographical extents. Landmark Transfers, for instance, are applicable specifically for the preservation of historic landmarks in New York City, and were crafted in response to a private developer's proposal to build an office tower over Penn Central Station, while Special District transfers have been applied specifically to preserve heritage structures in the Theatre and Grand Central Subdistricts. The mechanisms were refined over time, responding to changes in market and developer take up and shifting planning goals (New York City Department of City Planning, 2015).

The legal context in the United States differs from Canada's in that "unlike [in] the U.S., the Canadian Constitution does not protect property rights" (Stewardship Centre for British Columbia, 2021). This is reflected in the difference in terminology: where American mechanisms deal with the transfer of unused development *rights*, policies for Canadian contexts typically frame the mechanism as shifting "development potential" or "density". As such, in the American context, there is arguably a stronger incentive for local governments to avoid litigation from private landowners as a result of zoning policies that manage and limit development intensity in certain areas or even specific land parcels, and pursue market-based planning mechanisms instead as a means to the intended planning aims.

In the Canadian context, however, the balance of power and rights is weighted less heavily towards the private landowner. In his commentary on the prospects of transferable development rights policies in Canada, Kaplinsky (2018) points out that property rights in Canada "can be overridden by duly authorized regulations" and, per the judgment of the Supreme Court of Canada in the landmark case *Canadian Pacific Railway v. Vancouver (City)*, 2006, "even the most restrictive and oppressive land use regulations have been held not to constitute a taking of property requiring compensation". As such, at least with regard to legality and susceptibility to litigation, Canadian local governments have a broader remit to use planning mechanisms such as downzoning in order to manage development intensities.

While the Supreme Court ruling in the recent *Annapolis Group Inc. v. Halifax Regional Municipality*, 2022 case has potentially broadened the hitherto extremely stringent criteria for land use planning or zoning decisions to be considered as land expropriation or taking in Canadian contexts, it is still unlikely that it will have a significant impact on how private landowners' prospects of developing their land are considered in relation to prevailing land use plans. Bill Buholzer, associate counsel and former partner at Young Anderson and Adjunct Professor at the UBC School of Community and Regional Planning (SCARP), suggests that "at some point, the court is going to reckon with the fact that the whole purpose of land use management is to produce a public benefit in terms of a functional and optimal land use pattern in the community. It's not going to be enough to say that the [Halifax Regional Municipality] has to compensate the landowners just for being subject to a land use management regime."

That said, given that the CDF Zone is characterised by a large proportion of private ownership, planners have to reckon with not just the legal ramifications of chosen land use policies, but also the political environment within which these policies are being enacted. Kaplinsky (2018) caveats that the "legal power of Canadian planning authorities to strip away the development potential of land" is "subject to political acceptance". Arguably, that the *Annapolis Group Inc. v. Halifax Regional Municipality* appeal reached the Supreme Court of Canada reflects a perception among developers and landowners that they have a right to develop property that they own, even if those rights are not actually constitutionally protected. As such, a planning approach

that seeks to most effectively manage densities and pursue the twin goals of ecological conservation and affordable housing provision should consider policies that work with that context and bring as many key stakeholders to the discussion table as possible.

4.0 | The Use of Density Transfer Policies in the CDF Zone

Land use policies are at their most useful when they are tailored to local context, so that they can better address challenges unique to their location. In the CDF Zone, 80% of land is privately owned, compared to the overall BC context where 94% of land is public land (Floberg et al, 2004). To better understand the current prevalence of density transfer policies among local governments in the CDF Zone, this project scanned the prevailing Official Community Plans of 55 municipalities within the CDF Zone for policies related to density transfer.

Official Community Plans set out the direction for land use planning in their respective municipalities, and guide subsequent zoning bylaws enacted by that council or board. As such, OCPs represent a useful reference document to get a sense of the strategies and policies being considered to meet that community's planning challenges. While electoral areas can also draw up OCPs, this project focused mainly on municipalities to focus resources, although Electoral Area H of the Regional District of Nanaimo is included. Municipalities are also more likely to have the resources to implement and administer a density transfer policy. Nevertheless, the experiences and insights from the OCP scan should provide a comprehensive view on the density transfer mechanisms currently employed by local governments in the CDF zone. From this scan, this project then

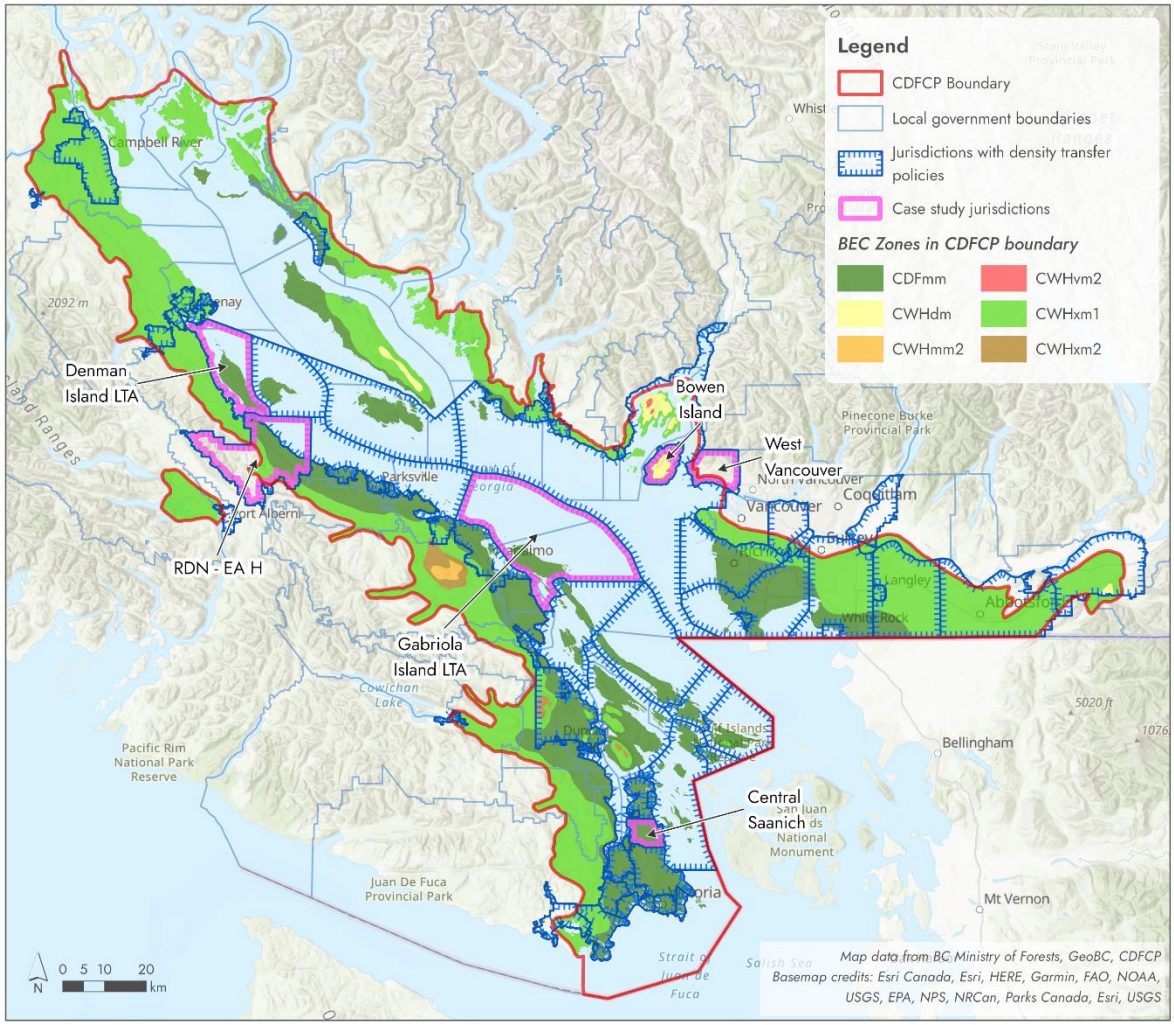


Figure 2. *Map of municipality boundaries in CDFCP area, with density transfer and case study jurisdictions highlighted.*

selected case studies for a deeper dive, through interviews with planners, into these local governments' experiences with implementing their respective density transfer mechanisms.

Figure 2 shows a map of municipality boundaries in the Strait of Georgia area overlaid on the geographical extent of the CDFCP boundary. In total, 57 OCPs were scanned for density transfer policies. Out of the 57, 18 included mention of density transfer mechanisms, as highlighted in Table 1. The full compiled scan results are included in Appendix A.

Table 1: List of scanned OCPs

Regional District	Scanned OCPs (municipalities with density transfer policies in bold)
Metro Vancouver	**Bowen Island**, **West Vancouver**, Burnaby, **New Westminster***, Richmond, Delta, **White Rock**, Surrey, Langley (City), Langley (Township), Pitt Meadows, Maple Ridge
Fraser Valley	Abbotsford, Chilliwack
Capital Region	Sooke, Metchosin, Colwood, Langford, Highlands, **View Royal**, Esquimalt, Victoria, **Oak Bay**, Saanich, Central Saanich, North Saanich, Sidney
Cowichan Valley	Duncan, North Cowichan, Lake Cowichan, Ladysmith
Nanaimo	Nanaimo, **Lantzville**, Parksville, Qualicum Beach; **Electoral Area H**
Alberni-Clayoquot	Port Alberni
Comox Valley	**Cumberland**, **Comox**, Courtenay
Strathcona	**Campbell River**
qathet	Powell River
Sunshine Coast	Sechelt, Gibsons
Islands Trust	**Denman Island**, **Hornby Island**, Ballenas-Winchelsea, **Gabriola Island**, Lasqueti Island, Gambier Island, **Thetis Island**, **Salt Spring Island**, **Galiano Island**, North Pender Island, **Mayne Island**, South Pender Island, **Saturna Island**

* *Specifically only for heritage conservation*

Among these 18 municipalities, density transfer policies are mostly set out along with some elaboration on the mechanisms to be used in implementation. Language referencing density transfer is most common among the OCPs of local trust committees in the Islands Trust, which mostly stems from the Islands Trust having drafted and issued a policy document in 1995 setting out guidelines for the "Transfer of Density" policies and procedures should local communities deem them useful (Islands Trust, 1995). Five municipalities – Cumberland, Comox, Campbell River, Hornby Island and Galiano Island – have language in their OCPs indicating density transfer as a policy to be used but without detail on specific use cases or conditions beyond broad ideas such as "density averaging".

The density transfer mechanisms found in the scanned OCPs can be broadly categorised into four main groups:

- density reallocation between specified areas;
- density exchange between unspecified parcels sites/areas indicated;
- density consolidation with land donation; and
- density reserve.

These mechanisms are not mutually exclusive; some municipalities adopt a combination of different mechanisms. Specific policy language (per the OCP versions in use for respective communities as of December 2022) can be found in Appendix A. Each of these main groups of density transfer mechanisms are described in the following sections.

4.1 | Density reallocation between specified areas

Bowen Island, West Vancouver, Lantzville, Gabriola Island, Salt Spring Island, Mayne Island, Regional District of Nanaimo Electoral Area H

Density transfer policies in this category identify specific areas in the community as donor and/or receiver areas. Donor areas or regions are usually areas identified with high ecological conservation potential or areas that the municipality has prioritised for protection. Receiver areas are typically tied to areas that the community has prioritised for development, usually either the community's existing downtown or areas that are already serviced and with assessed capacity for further development. These areas may be marked out on a map schedule of the OCP for clarity, or tied to specific zoning types as set out in the community's zoning bylaw. Transfers are then secured by rezoning both the donor and receiver parcels to their new allowable densities, so that any subsequent developments on the sites are in line with the prevailing zoning bylaw.

The specificity of this density transfer mechanism helps to clarify the intent behind these policies: they are planning attempts to shift development density away from ecologically sensitive areas and towards areas more suitable for development. This also ties it to broader strategies set out within the OCP for how the community will develop, and frames the policy as a mechanism that helps the community achieve this aim. Use of the transferred density on the receiver site, for example, can be conditioned on being used for the provision of affordable housing in the proposed development. It should be noted, however, that these policies do not compel existing landowners to transfer unused density on their parcels – transfers are initiated by landowners or developers and have to be considered by planners; none of the policies here structure density transfer as a by-right or compulsory policy.

4.2 | Density exchange between unspecified parcels

White Rock, View Royal, Oak Bay, Thetis Island, Denman Island

Policies in this category are drawn up in broader terms. The policy language used here works to enable the direct transfer of density between two sites, but do not mark out specific donor or receiver areas for the transfer to take place across. Among the policies identified in this category, the policy language in the Thetis Island and View Royal OCPs explicitly refer to density transfer as a mechanism for nature conservation or park creation/retention purposes. In these two instances, instead of specified areas for transfer, the policy is intended for broader ad hoc use – applications are to be considered by the respective Local Trust Committees for individual suitability. While policies in this category can also be tied to affordable housing provision for receiver sites, none of the examples found in this scan explicitly did so. The Oak Bay OCP, for instance, links density transfer to the provision of community amenities more broadly.

In smaller communities this approach can be useful in allowing planners more discretion to receive applications, while opening up potential donor sites to any landowner interested to participate, instead of potentially ruling out willing donors with land outside of specified donor areas. In the instances here without specific policy language, it could be that density transfer is being pitched more as a proposed concept that may be useful for the community's plans, rather than a specific policy ready for implementation. For these cases, as the communities firm up their chosen approaches, the policy language could become more defined, such as by specifying donor and receiver areas.

4.3 | Density consolidation with land donation

Denman Island, Saturna Island

The Denman Island OCP included a specific policy to guide subdivision applications. In particular, this policy allows for applicants to subdivide a parcel "for the sole purpose of giving or selling a portion of the parcel to a conservation organisation or agency". Effectively this policy can be read as a formal version of clustering, in that it limits the spatial extent of development on a site and commits the remnant for conservation or park use. In Denman Island's case, this policy is coupled with a guideline for the protected parcel to be secured in perpetuity for conservation or park use, either through dedication as public land or the registration of a covenant on the parcel.

The Saturna Island OCP also has policies to guide subdivision applications which involve lands designated as Rural, Watershed or Forest. As the allowable development intensity in the Saturna OCP is indicated in terms of area (rather than lot), these policies allow for the transfer of development intensity from the part of the lot to be protected to the remaining part where development can occur.

4.4 | Density reserve

Denman Island, Gabriola Island, Saturna Island

Policies in this category establish a procedure that is intended to facilitate density transfer implementation. Broadly, a density reserve is an accounting mechanism that enables centralised tracking of density transfers. With this centralised system, local governments aim to allow density transfer applications to be approved without having both donor and receiver in place at the point of application, as they are able to maintain clear sight of the densities being shifted across parcels and ensure that the overall intensity of development for the community proceeds as planned (for instance, as set out in the OCP, or in concordance with carrying capacity limits established earlier).

For landowners and developers, what this entails is that donors are able to donate unused density on their site to the density reserve, and future developers can "withdraw" these reserved densities for use in their own projects on receiving sites. The policy language for the Saturna Island OCP frames it more as a mechanism to support land conservation objectives, and ties withdrawal from the reserve to conditions requiring the receiving landowner or developer to provide community amenities. In the Denman and Gabriola Islands OCP, withdrawal from the density reserve is specifically tied to use in providing affordable housing.

While density reserves are sometimes described as "density banks", most often the administering government does not function as a bank, in that it does not buy or sell densities to manage it. Financial transactions to enable the density transfers are made directly between landowners who wish to sell their development potential and developers who seek to use it on their projects (as with transfers between two private entities in the other forms of density transfer described in this section). Governments would likely only engage in a financial transaction if, for instance, the local government is acting as the would-be developer in the transfer. In order to incentivise transfers, however, local governments can, for instance, combine this approach with density bonusing for the developer.

5.0 | **Case studies**

From the 18 examples of density transfer policies being used by local governments in the CDF Zone area, this project identified five cases for further investigation into the planning rationale, implementation experience and learning points of putting density transfer into practice. These case studies were picked to represent different contexts, and cover a range of policy mechanisms used.

The project undertook interviews with representatives from five different local governments within the CDFCP boundary: Gabriola Island, Denman Island, West Vancouver, Bowen Island and Electoral Area H of the Regional District of Nanaimo. The interviews were conducted over Zoom in the period of 5 January to 27 January, 2023. (Gabriola Island and Denman Island share planning staff, so the density transfer experiences of these two communities were discussed together).

Interviews covered the following topics:

- the local governments' intention behind using density transfer
- the particular concept and mechanism adopted by the community
- the process of implementing the policy
- any impacts or unforeseen circumstances stemming from the policy.

In addition, the project also conducted an interview with a councillor from Central Saanich to obtain insight from a political perspective on the planning challenges faced by that community, and the potential of density transfer as a useful tool to meet those challenges.

5.1 | Key themes

Applicability at different planning stages

Across these cases, density transfer was uses as a tool in different stages of the planning process. West Vancouver, for instance, used density transfer at a high-level upstream planning stage to transfer planned development potential from ecologically sensitive areas to identified growth areas. For the other jurisdictions, density transfer is intended to enable parcel-to-parcel transfers. This has implications on the level of detailed required in policy language – where the policy deals with specific sites, decisions need to be made regarding aspects such as eligible donor and receiver sites, the quantum of transfers allowed, ways to secure post-transfer conservation or preservation on the donor site, and ways to facilitate adequate development to meet planning needs on the receiver site.

Importance of matchmaking role

Where implementation is conceived at the parcel-to-parcel level and as developer-initiated (rather than required through regulation), potential transfers will most often be between private developers seeking to develop at higher intensities and landowners looking to realise the financial value of their land and/or contribute to ecological conservation. In these cases, matchmaking, to facilitate connections and transactions between prospective landowners and developers is a common concern. Matchmaking helps to keep developers aware of transfer opportunities and reduces time (and costs) spent in seeking out willing transaction partners. However, these local governments have relatively small planning departments, and face limitations in undertaking the manpower- and time-consuming matchmaking work. Where there are other actors available to do this work, such as the non-profits in Gabriola Island and Denman Island, connections for density transfers are more likely to succeed. Having a transparent density reserve mechanism, as with Gabriola and Denman Islands, can also help to cut out the reliance on ad hoc matchmaking.

Fair valuation of development potential is important

Because density transfers involve the exchange of development potential for money, each of the cases using these highlighted the importance of fairly valuing the density to be transferred, such that the transaction is financially viable for the developers, who ultimately decide based on the business case whether to enact the transaction and proceed with development. The cases where density transfers have not occurred, Bowen Island and Electoral Area H of the Regional District of Nanaimo, pointed out this issue as a key stumbling block. In the case of West Vancouver, the transfer is largely between a large landowner and the local government as developer, and more resources can be put in to work through the required financial details.

Planning processing timeline can be an obstacle

Another common concern was how the length of the planning application process could deter developers from opting to take up density transfer. Each of the cases studied require rezonings to formalise the changes to allowed development potential on both the donor and receiver sites, and approval is at the discretion of the local government. While due diligence in assessing planning applications is a fundamental part of planning work, long processing times add to uncertainty and financing costs for developers, and weakens the value proposition for developers to apply what is a relatively unfamiliar and untested planning mechanism. Political support to allow prioritising the processing of density transfer applications could provide more assurance and alleviate these concerns.

Potential for interjurisdictional transfers

As the challenges of ecological conservation and growth management are not limited by administrative boundaries and can be more effectively addressed at a regional level, there is potential for the use of density transfer across jurisdictions to address the needs of multiple communities. This is especially pertinent, for instance, across electoral areas in regional districts, where development pressure and the distribution of ecological resources can be spatially concentrated, but are nevertheless bound by individual OCPs and the policies therein. Any effort to enable interjurisdictional transfers, however, needs to work out how these transfers of development potential and be carried out without “unfair” losses to property tax revenues, which form the bulk of many local governments’ operating budgets.

Density transfer and other mechanisms are not mutually exclusive

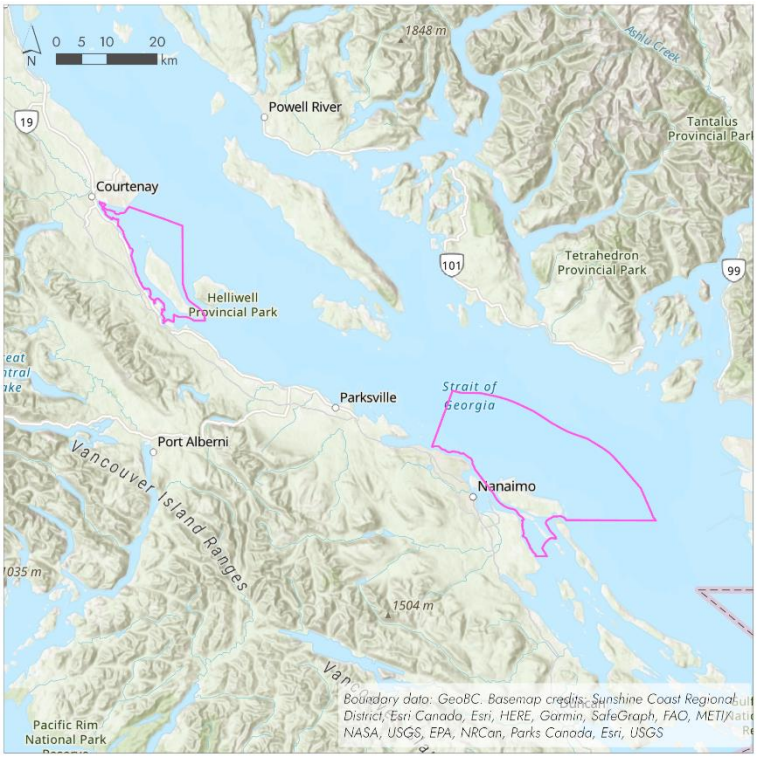
Finally, in each of these cases, density transfer is not seen as the only available approach, but as a tool in a wider development toolkit. Typically, a combination of the different mechanisms discussed in section 2.0 is employed where suitable for the case at hand. For instance, where additional incentives are needed to attract developers to use density transfer, bonusing can be factored in; where demand for additional growth is high, governments can leverage this by connecting density transfers to the provision of community amenities.

5.2 | Detailed case studies

5.2.1 | Gabriola Island/Denman Island

Mechanism

<u>Density reallocation between specified areas (Gabriola Is.)</u>



Gabriola Island is one of the first communities to have included density transfer as a policy tool in their OCP, which was last reviewed in 1997, two years after the Islands Trust policy document. The policy language is detailed on how the policy is to be applied for different land contexts, stipulating specific considerations and requirements for transfers from "resource lands" – significant environmental features, archaeological sites and forested areas – and from forestry lands, to be conserved for sustainable forest management, wilderness recreation or public recreational trail purposes. Donor and receiver sites are tied to specified bylaw zonings, ensuring that the policy builds on previous development strategies that had already been set out by OCP and enacted through zoning bylaw. The policy language also allows for the donor parcel to be dedicated for park or wilderness recreation use as part of the transfer process.

<u>Density exchange between unspecified parcels (Denman Is.)</u>

Denman Island has also adopted density transfer as a policy tool in the OCP since 2008. The policy formulation for density transfer in Denman Island's OCP is broad – it provides for transfers between two sites without stipulating specific donor or receiver areas and includes policy to support clustering through the subdivision process. The policy language also allows for density transfers where the donor land is donated to conservation agencies or organisations, or dedicated as park.

<u>Density reserve</u>

Both Gabriola Island and Denman Island have also implemented density reserve mechanisms directly tied to the planning outcome of providing affordable housing. These density reserve mechanisms allow for the "banking" of unused residential density for future affordable housing projects to draw down on for their developments, to support the increase of housing supply without exceeding earlier assessed overall caps to development intensity in the community. Planners felt that this approach would more clearly incentivise the intended planning outcomes.

Planning intent

Context-specific approach

The above approach was adopted by Gabriola Island in response to the existing context in the community. Given the presence of large-parcel forestry lots, the density transfer approach, with donor sites tied to forestry and resource parcels, was seen as a targeted way to manage the development potential in these sites, and use the density to further community planning objectives.

Helping landowners unlock value quickly

Further, given that much of the existing forested sites in the community were owned by private landowners or corporations in large lots, there was a need for a planning mechanism that could adequately meet landowner concerns to be viable. Density transfer was seen as an approach that would enable these landowners to turn a larger profit on their land than would be available to them, given the limited development potential on these parcels (e.g. one density).

Density reserve facilitates tracking opportunities for transfers

The density reserve mechanism was introduced as a means to keep track of density transfers in a centralised format. This allowed planners, elected officials and the community to remain aware of the development potential that could be utilised for higher-density developments where required. In addition, while the donor and receiver sites still require rezoning to reflect the transfer, the reserve itself was implemented as a standing resolution of the Local Trust Committees. This meant that changes to the density reserve (i.e. in the event of additions/withdrawals) could be done as updates during council meetings, as opposed to having to go through a full rezoning procedure if it was tracked as part of the OCP or zoning bylaw. This administrative streamlining allowed for quicker processing of density transfer cases.

Implementation and impact

Matchmaking work undertaken by not-for-profits

For both Gabriola Island and Denman Island, the work to match donor landowners with developers seeking to use the density, and to help these parties through the process, is undertaken by non-profits and community organisations that have demonstrated the motivation, resources and focus to find opportunities to facilitate habitat conservation and sustainable development through density transfer.

In comparison, planners are affected by resource constraints, with manpower concerns limiting the amount of work they can put into matchmaking and guidance efforts. In addition, there is concern that, in transfers not involving the local government, planners would not be able to hold a neutral position regarding the financial discussions that characterise these transfers.

Tangible planning outcomes from density transfer

The long-term implementation of the policy has seen some results for both conservation and the provision of affordable housing. Sites in North Denman (2010) and the 707 Community Park on Gabriola Island (2018) have been protected through density transfers, and more recently, in February 2023, the Denman Island Local Trust Committee has approved a planning application that would lead to the development of a 20-unit affordable housing project for families and individual near the village centre. This project in particular utilises both density transfer and draw-down from the density reserves to enable the resultant development. As a result of these transfers, for instance, there are now several thousand more acres on Gabriola Island protected under parks functions.

Unexpected negative impacts in community

Density transfer projects have also led to negative reactions in the local community. For instance, owners or residents next to the receiver site have been unhappy with an increase in density above what had been allowed under the existing zoning. The intensity of these negative reactions had even led to politicians quitting. While not a concern exclusive to density transfer policies, this does highlight the need for careful engagement with all concerned stakeholders to ensure adequate buy-in and understanding of plans, and that different communities' concerns – including those of owners of adjacent properties and the First Nations – are taken into account and addressed.

Insights and learning points

Long processing timeline as obstacle to successful density transfers

In administering the density transfer policy, planners for Gabriola and Denman Islands have had to balance their professional duty to conduct due diligence in assessing planning applications with the need to facilitate timely approvals to minimise time costs to developers. The long timeline for processing applications has led to property owners to drop out of discussions partway through, and the prospect of a long planning process can deter otherwise interested landowners and developers.

Need for political will and support to facilitate adoption and processing

Denman Island sought to address this issue through managing their own resources so that planners could devote more time and attention to process specific density transfer applications over other work. This decision was supported by the politicians, and allowed a small planning staff to focus on facilitating these projects. In this instance, there was clear alignment in priorities between politicians and the planning staff, which enabled planners to better support these density transfer projects without sacrificing planning standards.

Need to navigate governmental contexts to ensure outcomes met

As first movers in adopting density transfer, planners for Gabriola Island have had to navigate working with multiple levels of government involved in land use planning to facilitate density transfer in a rural context, as not all of the land is owned by the Local Trust Committee (for instance, land dedicated as park is managed by the regional district). Planners have had to work out better ways to manage lands that have been transferred, to ensure upkeep or that the initial objectives for conservation are met and maintained. There have been mixed results with the use of covenants to protect ecological values, as enforcement can be tricky, drawn-out and costly in the case of a breach.

Outcomes can take time to happen

In terms of conservation impact, the timeframes for the policies to bear fruit can be quite varied. In an early instance on the islands, a developer felled all the trees from the donor site right before the transfer was completed, and effectively double-profited from the transfer. While it had seemed that the transfer was unsuccessful in its conservation aims, the parcel has regrown after 20 years into a young forest.

5.2.2 | West Vancouver

Mechanism

Density reallocation between specified areas

West Vancouver has incorporated a density transfer policy that allows for the transfer of planned density between sites in identified areas. Primarily, density transfer is used as a means to divert residential development potential away from the Upper Lands, an area of around 6,000 acres (~2,400 ha) of undeveloped lands with significant environmental and recreational value, and towards Cypress Village, which is the planned primary residential and commercial growth site for the area. The policy language in the West Vancouver OCP clearly sets out the planning strategy for the Upper Lands area, and ties each aspect to desired planning outcomes. At a more downstream level, density transfer is also mentioned as a guiding policy for considering rezoning applications in the Marine Drive local area plan, to help meet urban design objectives.

For West Vancouver, the policy language for density transfer is still at the strategy level, rather than detailed mechanics about the actual process of transfer. The OCP sets out that "as the over-arching land use planning document, [the] OCP establishes policies to guide detailed master planning" through the subsequent preparation of comprehensive area development plans, where more specific policies and a rigorous procedural framework to manage new development would be worked out.

Planning Intent

Policy direction set through values-led participatory planning process

Density transfer is seen as the tool that would best support the policy direction set out through an extensive and values-led participatory planning process with a citizens working group, which is to reduce the extent of lands designated for future residential development from 25%, as set out in the existing OCP, to less than 10%. Through this process, the community decided to work to preserve parts of the Upper Lands seen as more environmentally significant than others, in exchange for more growth elsewhere. The process identified the transfer of development potential as a tool that would best enable this outcome, while also allowing for denser developments by focusing development potential, in turn enabling the provision of amenities such as rental housing, community facilities, shops and services.

Majority-owner property context in West Van facilitated density transfer approach

The land ownership context in West Vancouver and the Upper Lands facilitated the density transfer approach. As a result of historical development trajectories, much of the Upper Lands is owned by a single private entity, which meant that the donor-receiver equation is effectively a discussion between the local government and a private landowner. This made the process of balancing development potential and public interest a clearer one, and made it easier to establish fair valuation to incentivise the developer to forgo development at the donor site and to develop at another.

Implementation and impact

Area Development Plan and zoning to guide specific changes and implementation

While the policy direction and overall strategy are set out in the working group report and the OCP, specific plans for local developments in the Upper Lands and Cypress Village are set out at the detailed Area Development Plan for the study area. At this phase, the broader direction of transferring development potential is translated to detailed discussions about what is implementable and what presents an attractive business case for developers, all guided by the principles and parameters set out in the OCP.

The planning principles document for Cypress Village and Eagleridge, released in 2021 during the planning and engagement process, states that "the transfer of development potential [from Eagleridge and Inter Creek to Cypress West and Cypress Village] and the creation of a compact community in Cypress Village are broad policies already contained in the OCP. However, considerable work is needed to guide the form and character of Cypress Village and to create a detailed strategy for the protection of lands in Eagleridge." At this stage, however, there is already some clarity as to the overall extent of residential development planned for Cypress Village (around 3,700 units). The draft Area Development Plan is currently at the bylaw preparation stage following a three-year planning and engagement process, and if approved the plans and associated bylaws will be formally adopted by Council.

Insights and learning points

Clear conveyance of trade-offs helps to establish support and momentum

Throughout the planning process, being clear and upfront to the community about the benefits of the proposed density transfer has helped to establish support and maintain planning momentum for it. The extensive engagement process, and the reporting of the citizens working group, has allowed the West Vancouver planning team to emphasize the values and intended outcomes for the plan, and how using density transfer as a mechanism helps to achieve this. Presenting it in terms of trade-offs between development options helps to make potential impacts more tangible. This approach, and linking it back to values set out with the community early in the planning exercise, helps to clarify to the community what to expect (for instance, where additional growth as a result of the transfer is expected to happen), along with the reasons for that development and the decision framework that it sits within.

Need to work with developer community to find win-win outcomes

There is clear recognition of the need to work out a business case that is beneficial to the developer. Due to the financial realities that the developer faces, if the proposed transfer does not present an improved outcome for the developer, it will be difficult to land on an agreement.

At the same time, planners are also clear that the outcome needs to be one that is at least as good for the developers as a business as it is for the community and the councils elected to represent their communities, in terms of the public outcomes of the transfers and the benefits to the public interest writ large that it can

engender. This entails careful discussions with developers that takes into account the complicated financial nature of master planning projects, which are part and parcel of the planning process.

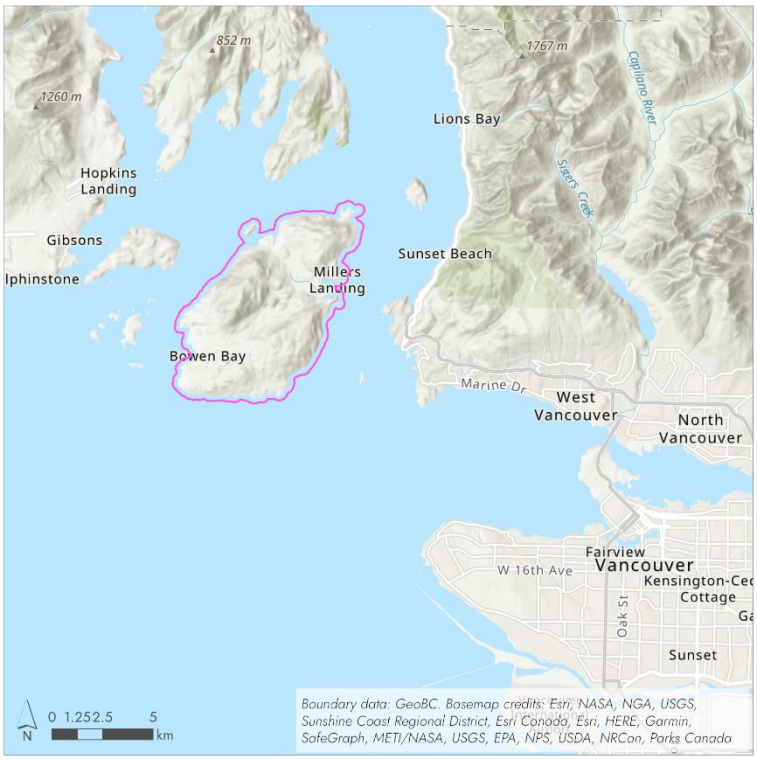
Density transfer as a tool within a larger planning toolkit

While density transfer is a useful tool for the planning objectives in Upper Lands and Cypress Village, it is seen as one of a suite of tools within the development toolkit in general, and development itself is seen as a means to achieve the values that have been agreed upon by the community. As development proceeds towards more granular levels, other tools and approaches like clustering, density bonusing and site-specific planning can come into play to support the overarching intent.

5.2.3 | Bowen Island

Mechanism

Density reallocation between specified areas



Bowen Island has had a density transfer policy in its OCP from 2010. Termed as "density re-allocation", the policy allows for shifting of residential density within or between properties. Donor areas include community watershed areas, areas designated as Development Permit Areas, as well as locations set out on a schedule of the OCP, but also allows planners discretion to consider other sites "worthy of preservation and protection". Receiver sites areas are also set out in the same schedule as the "Density Increase Eligibility Area", primarily around Snug Cove, the main community on the island and terminal for ferry service to the mainland. The amount of development potential eligible for transfer is calculated against the cap set by the OCP. In cases where the cap set by the land use bylaw for the site is lower than the OCP cap, that difference in development potential is also eligible for transfer.

The policy language also states that re-allocated density may be used to support affordable housing projects such that this can be enabled without breaking the total residential development cap established for the community in its 1996 OCP. At the same time, there is a provision in the policy wording that allows for other incentives, including increased floor space, reduced parking standards and reduced development fees, to be considered in assessing applications for developments using re-allocated density.

Planning Intent

Density transfer to redistribute growth with overall cap

Density transfer mechanisms were primarily considered in view of the need for further growth, but also the presence of an overall cap on residential development on Bowen Island, an idea which has been codified in OCPs since at least the 1990s. Given the limits to development intensity, planners viewed density transfer as a way to manage further development while respecting the overall cap. The plan was that outlying properties could reallocate their unused density into Snug Cove, in line with the overall planning objective to focus development there rather than in the rural areas of Bowen Island.

Implementation and impact

High overall development intensity cap limits incentive to use density transfer

To date, the density transfer policy has not had an implementation case on Bowen Island. One key reason is the density cap for the island, which is at a level high enough that developers do not see the need to seek out density transfer mechanisms as a way to enable denser developments. The limited extent of the Density

Increase Eligibility Area also means that much more land has been designated as donor areas than there are increase-eligible areas, leading to lower prospects for transfers.

Bowen Island market not viable for density transfer

In addition, the residential market on Bowen Island is not viable for density transfer, given that – despite a housing affordability issue – housing demand is still focused on single family homes. Further, the high real estate prices mean that the waterfront areas earmarked for more intensive development are often too expensive to justify building a higher-density residential development with limited demand on Bowen Island. Developers would likely have to spend more to acquire and build than they would recover from the sale of the residential unit.

Long planning approval process a further obstacle

Compounding the negative cost-benefit equation for the developers is the perception that the planning process to see through a density transfer, with the rezoning and Council approval required, is too long a process that could add to the project costs.

Density transfer not a priority tool for Council

While density transfer was one of multiple tools available to planners and the council, the council did not necessarily prioritise the use of density transfer to enable development applications. For instance, for one co-housing application that sought additional density, Council went ahead to approve a direct rezoning of the site to accommodate that increase, instead of directing the applicant to enable that intensification through density transfer.

Existing perception of property rights

There has not been strong public support for limiting development potential on sites through density transfer or other planning mechanisms. There is still a perception among landowners that doing so entails infringing on their rights to develop on land that they own, and this perception of property rights overrides concerns that these landowners may have about protecting ecologically valuable land. As such, even where planners suggest density transfer as a potential approach to landowners, there is limited interest.

Insights and learning points

Need for stronger approach and clearer Council backing

For Bowen Island, given the context and conditions, having density transfer as a developer-initiated mechanism has limited its uptake. The potential benefits of density transfer to support ecological conservation did not match up with the reality of the real estate market or perception of property rights in Bowen Island. There is a sense from the planner interviewed that stronger support from council to use mechanisms such as density transfer as a means to manage and control development, as well as a clearer sense of how density transfer can be practically implemented, is necessary to improve its utility as a planning tool in Bowen Island.

Clustering as a more effective policy approach for Bowen Island

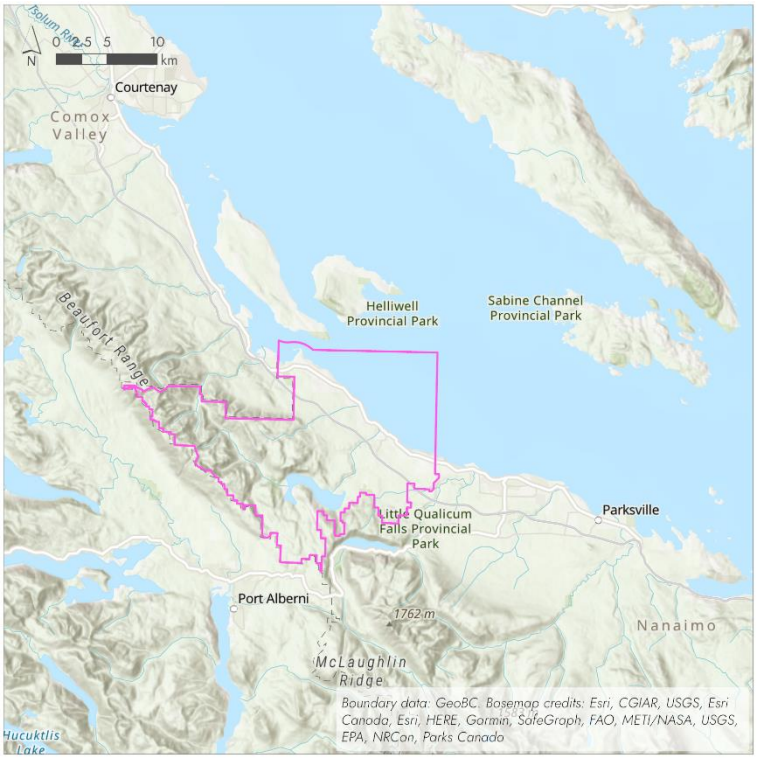
Instead, Bowen Island has sought to meet its conservation aims through the adoption of a conservation development policy that essentially seeks 50% of land in a rezoning application to be protected as parks or through covenants. For a larger lot, this effectively helps to cluster developments while enabling the conservation of sensitive lands, as well as limiting the loss of ecological lands upfront through development

creep over generations of subdivision and building. This was seen to be a more useful mechanism in meeting Bowen Island's planning objectives, given the operating circumstances.

5.2.4 | Electoral Area H, Regional District of Nanaimo

Mechanism

Density reallocation between specified areas



The density transfer policy in the OCP for Electoral Area H of the Regional District of Nanaimo (RDN) allows for the transfer of residential potential to receiver lands within the boundary that are more suitable for development. The policy is applicable to lands outside of the RDN Growth Containment Boundary. In addition, donor and receiver sites are tied to land use designations (Resource-Agricultural, Rural or Rural Residential for donor areas, and Rural, Rural Residential or Deep Bay Southwest for receiver parcels), along with a geographical limitation on receiver sites that limits density increases to the area east of Highway 19, the coastal, more developed part of the area.

The policy language is also fairly detailed. It sets out caps on maximum density increases from transfers by zoning type, guidelines for calculation of eligible density for transfer, and criteria for the consideration of applications for receiver sites – as well as a requirement for applications to show how the transferred density "will be arranged to reduce impacts on the surrounding neighbourhood". The resultant densities will be formalised through rezoning of both the donor and receiver parcels, and donor parcels must be protected through a covenant on the land as well as an additional mechanism – dedication to a public body, inclusion in the Agricultural Land Reserve (ALR), designation as a heritage site, or another mechanism as developed in consultation with First Nations where it involves sites of significance to the First Nations.

The policy also allows the proposed density transfer to "involve lands covered by other Official Community Plans of the Regional District of Nanaimo, subjective to supportive policies in the relevant plan", opening the policy up for the potential of RDN-wide management of densities through this mechanism.

Planning Intent

Redistribution of planned development from sensitive/important areas to growth areas

The density transfer policy is positioned as allowing for more sustainable forms of rural development outside of the Growth Containment Boundary, with the objective of protecting sensitive or important donor areas for purposes such as retention of agricultural and forestry land holdings, aquifer protection, ecological conservation, agriculture or public recreation. The density transferred from these areas can then be used to support growth in more suitable areas.

In addition, receiver sites in the Deep Bay area, envisioned in the OCP development strategy as a focal point for the marine, aquaculture and tourism industries, can receive a greater number of development units (up to 300, or roughly six times the existing planned number of units, compared to double for Rural Residential receiver

sites, and 1.5 times for Rural sites). This is in line with the overall growth direction as set out by the Regional Growth Strategy.

Little appetite for downzoning

While there is strong backing from the community for protection of sensitive areas, there is limited support for achieving this through downzoning. Methods such as using development permit areas to control the type of development have been more favoured, but decision makers have not been willing to take more direct measures such as limiting or reducing allowable density through rezoning. This context makes a developer-/owner-led approach like density transfer more viable for planners to manage density.

Limited direct authority over forested lands

Further, a significant amount of land with sensitive ecosystems are in areas under provincial control through provincial regulations, and the RDN has limited to no control. Much of the forested land in Electoral Area H is held by private landowners, while there are also areas that are part of the ALR. While development is not occurring on these lands, the RDN has limited ability to protect these areas from activities such as tree cutting. Hence, there is more impetus to find planning solutions for those areas that the RDN actually has control over, such as using density transfer.

Implementation and impact

No transfers despite developer interest

While the density transfer policy has been in place from the 2017 OCP, no transfers have actually taken place. RDN planners have undertaken some matchmaking efforts to facilitate transfers by identifying possible donors to interested developers, but there have been no successful transfers in the six years since this pathway became available.

Land valuation issues a stumbling block

Developers seeking to acquire additional density have not been able to reach arrangements that provided sufficient financial benefits for donor site owners to agree to sell their development potential, even if these owners are interested to protect their site. Without a set value given to the development potential to be transferred, the private negotiations between developers and landowners, and finding a valuation that satisfies the owner and is viable for the developer, become difficult to resolve. There is scope for using other avenues (such as exploring use of the Ecological Gifts Program) to incentivise private landowners to participate, but these have not been explored here.

Density transfer is not the only mechanism for increasing development potential

Developers with sites within areas designated in planning strategies for growth and urban development do not need to rely on density transfer to increase the allowable development potential for their proposed developments. For certain sites, developers have access to additional buildable area through bonusing, with the provision of amenities such as affordable housing or green spaces.

Insights and learning points

Density transfer would be most useful in contexts where allowable development is more restricted

As existing zoning bylaws and development guidelines already allow for much of what developers are seeking, there is limited incentive for developers to use density transfer as a means to their ends, as opposed to

contexts where growth is more tightly controlled and limited, and the transfer of development potential from donor sites is positioned as a way to unlock further development incentives for the site.

Clustering

Electoral Area H has seen more success in protecting sensitive areas and limiting the extent of development through promoting cluster development. Planning policies allow for subdivision and minimum parcel size relaxations provided developers to build in a clustered manner. While this is also a developer-led approach, there has been take up for this option, compared to density transfer.

Interjurisdiction transfers

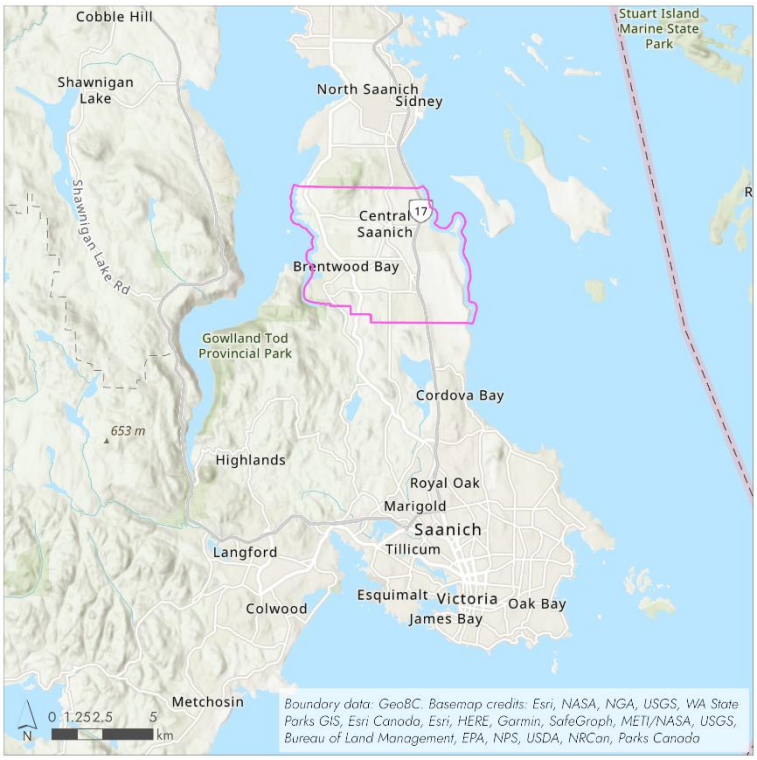
While the OCP allows for transfers of density from other RDN electoral areas, this has not occurred yet, as to date Area H is the only electoral area with density transfer language in its OCP. This is mainly due to other electoral areas not having reviewed their OCPs to include the policy, and with reviews proceeding according to each electoral area's schedule there has not been a concerted effort to apply this mechanism across RDN. Even so, there is potential in RDN for density transfer to be applied on a larger scale, to take advantage of differences in development potential and demand – and so the attractiveness of density transfer in enabling new developments – to manage growth across the RDN.

5.2.5 | Central Saanich

Mechanism

<u>No density transfer mechanism</u>

The District of Central Saanich does not employ density transfer mechanisms to address planning objectives relating to ecological conservation or the provision of affordable housing. Policies for the former include regulation, parks acquisition or conservation covenants, while the latter objective is supported through policies to allow increased density for residential developments in areas with housing gaps and to encourage provision of affordable housing units for new multi-family/mixed-use developments.



Insights and learning points

<u>Smoother, more permissive planning process could support developer uptake</u>

The perceived long processing timeframe for planning applications, such as for rezonings, is a deterrent to the uptake of new planning initiatives, particularly if these are seen to likely add to that processing timeframe. To increase developer interest in density transfer transactions, municipalities could consider expediting processing for specific planning applications involving density transfer, as well as having more permissive zoning bylaws for receiving sites that would allow the developer to build a more viable product (e.g. allowing for more density through a bonus). Having a matchmaker to link developers up with landowners would also smoothen the process of setting up potential transfers.

<u>Need to join up political direction and developer interest</u>

In identifying solutions to planning challenges, planners need to be aware of politicians' leanings and momentum, while considering the position of developers. This would help planners identify opportunities to advocate for solutions to issues that the politicians are targeting, and better work with developers to actually implement these development solutions. Planners can then direct developer interest towards identified issue areas and accordingly advocate and incentivise them to take on these projects.

<u>Potential for stronger linkages between municipalities and Regional Districts</u>

As planning challenges, such as demand for affordable housing and need for ecological conservation, often cross administrative boundaries, solutions that involve different governments and leverage the different jurisdictions and powers they have offer potential for wide-ranging impact. For instance, for adjoining municipalities with markedly different levels of development pressure and growth demand, the growth could be managed and redistributed on a regional level, and the transfer of development potential could be a tool to

enable this. This would also entail governments or planning departments with more capacity and resources to take the lead for functions such as marketing or matchmaking.

6.0 | **Conclusion**

6.1 | The case for density transfer

Density transfer is a planning tool with the potential to address two of the key challenges faced by local governments in the CDF Zone, conserving ecologically-rich forested areas while supporting increased provision of affordable housing, and in so doing contribute to community resilience. In particular, because it shifts development potential away from one site to another that is more suited for development, it allows for the management of growth and development away from ecologically sensitive areas and towards more built-up areas where higher densities can facilitate the provision of affordable housing and more sustainable development patterns. In a region where infrastructure and geographical limitations can require governments to implement overall caps to development potential, density transfer enables growth management while keeping to these planned caps. Further, where political contexts and the perception of private property rights to development mean that tools like downzoning could trigger significant backlash from landowners, density transfer offers a market-based approach to growth management that brings landowners and developers to the table.

6.2 | Recommended next steps

To maximise the potential benefits from density transfer, local governments can work to address some of the key issues highlighted in this report.

- **Explore the possibility of pre-zoning for density transfer.** In order to address concerns among developers that the process to action a density transfer could be overly onerous, local governments should look into making the planning process smoother. A possible approach is to pre-zone identified receiver sites for increased densities from transfers if they fulfil certain conditions, such as the provision of affordable housing or other required amenities. If these receiver sites are selectively identified to address clear planning gaps, and these potential changes are made clear to the local communities through a formal zoning policy, such an approach could maintain the transparency and stability of land use plans and bylaws, allow planners flexibility and authority to make planning interventions for community benefits, and cut down on the processing time needed for multiple rezonings.
- **Improve communications around density transfer.** Part of the reason that developers are reluctant to use density transfer could be the lack of understanding of the mechanisms used. Much of the policy language in the OCP can be technical and convoluted due to the need to be clear on implementation and address potential loopholes. To familiarise potential users with the benefits of density transfer, local governments could look into providing simplified guides to the policy and process. This could provide developers, for example, with more clarity regarding the expected planning process and timelines. Mapping out eligible donor and receiver areas at site level also helps to provide clarity.
- **Strengthen regulations to support density transfer and limit alternatives.** While local governments need not be overly prescriptive, having stronger regulations to require the use of density transfer could increase its uptake. This can be especially useful in contexts where the is limited room for additional development in the community, and the demand for increased density to support development projects is high. This can be done, for instance, through only allowing intensification using transferred density for selected sites. Political support in the form of pushing applications to consider density transfer, instead of directly approving upzoning applications, will also help.

- **Look into addressing the fair valuation issue.** For density transfer to be viable, both the landowner and the developer will require the transaction to be beneficial. The current lack of uptake is due in large part to parties not being able to agree on the right valuation for the transfer. Being able to objectively establish the financial value of the development potential to be transferred would provide more clarity and certainty, and help to facilitate negotiations between parties involved.
- **Explore the use of density reserve mechanisms.** To further facilitate the use of density transfer, local governments can explore implementing a density reserve mechanism. This would mitigate, on the donor end, concerns with the difficulty of being matchmade with a suitable receiver (especially if a system for fair valuation has already been established), and provide additional clarity for developers as to where available sources of development potential can be found. Local governments could also look into establishing density reserves as standing council resolutions or through other similar channels that would further reduce the procedural requirements to formalise a transfer.
- **Combine density transfer with other planning tools.** While density transfer is potentially useful for the reallocation of development potential, it can also be combined with other tools to ensure positive planning outcomes. For instance, combining it with density bonusing could make density transfers more attractive to prospective developers, and clustering development can support more sustainable growth patterns that enable the provision of community amenities like childcare and transit.
- **Explore ways to improve value propositions for landowners.** Existing density transfer policies typically use planning mechanisms such as covenants and land dedications for park use to ensure that conservation objectives at the donor site are achieved. While this may be appropriate for lands that are difficult to develop due to terrain, for example, this could deter landowners who hold forested resource lands but are willing to forego development potential, as it could suggest that they have to hand over ownership – literally or effectively – as part of the transfer. Having policy language that explicitly allows for continued resource rights to the landowner in this case would go some way to address these concerns and improve the value proposition for these landowners.
- **Address community concerns at receiver sites.** As with most planned developments that feature increased density, applications to transfer density to receiver sites could spur concerns among adjacent properties about issues like crowding, lack of parking, aesthetics or changes to the neighbourhood characteristic. Planners should work closely with potential developers to use the added density to provide a sensitively-designed project that engages the local community clearly and accommodates their concerns, to keep the community informed of what the potential change will be like, and provide a development that is attractive enough to the community and enable the density transfer to proceed.

References

Bibliography

Annapolis Group Inc. v. Halifax Regional Municipality, 36 SCC (2022). https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/16/index.do.

Canadian Pacific Railway Company v. City of Vancouver, 5 SCC (2006). https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/16/index.do.

Chan, A. (4 January, 2022). *Property assessments skyrocket on Vancouver Island in 2022*. CTV News. https://vancouverisland.ctvnews.ca/property-assessments-skyrocket-on-vancouver-island-in-2022-1.5727314.

Drever, R. C., Cook-Patton, S. C., Akhter, F., Badiou, P. H., Chmura, G. L., Davidson, S. J., Desjardins, R. L., Dyk, A., Fargione, J. E., Fellows, M., Filewod, B., Hessing-Lewis, M., Jayasundara, S., Keeton, W. S., Kroeger, T., Lark, T. J., Le, E., Leavitt, S. M., LeClerc, M-E., … and Kurz., W. A. (2021). Natural climate solutions for Canada. *Science Advances*, 7(23), Article eabd6034. https://doi.org/10.1126/sciadv.abd6034.

Floberg, J., Goering, M., Wilhere, G., MacDonald, C., Chappell, C., Rumsey, C., Ferdana, Z., Holt, A., Skidmore, P., Horsman, T., Alverson, E., Tanner, C., Bryer, M., Iachetti, P., Harcombe, A., McDonald, B., Cook, T., Summers, M. and Rolph, D. (2004). *Willamette Valley-Puget Trough-Georgia Basin Ecoregional Assessment, Volume One: Report*. The Nature Conservancy, with support from the Nature Conservancy of Canada, Washington Department of Fish and Wildlife, Washington Department of Natural Resources (Natural Heritage and Nearshore Habitat programs), Oregon State Natural Heritage Information Center and the British Columbia Conservation Data Centre. https://www.conservationgateway.org/ConservationPlanning/SettingPriorities/EcoregionalReports/Documents/WPG_Ecoregional_Assessment.pdf.

Islands Trust. (1995). *Transfer of Density* [Policy document]. https://islandstrust.bc.ca/wp-content/uploads/2020/05/tc_1995-12-09_532_transfer-of-density_pol_final.pdf.

Kaplinsky, E.S. (2018). A Canadian perspective on TDR: you call that a 'market'?. In Gerber, J.-D., Hartmann, T. and Hengstermann, A. (eds.), *Instruments of Land Policy: Dealing with Scarcity of Land* (pp. 243-247). Routledge. https://doi.org/10.4324/9781315511658.

MacPhail, J., Atkey, J., Finlayson, J., McCauley, B., Paish, S., and Pastrick, H. (2021). *Opening doors: unlocking housing supply for affordability. Final Report of the Canada-British Columbia Expert Panel on the Future of Housing Supply and Affordability.* https://engage.gov.bc.ca/app/uploads/sites/121/2021/06/Opening-Doors_BC-Expert-Panel_Final-Report_Jun16.pdf.

New York City Department of City Planning. (February 26, 2015). *A Survey of Transferable Development Rights Mechanisms in New York City*. https://www.nyc.gov/assets/planning/download/pdf/plans-studies/transferable-development-rights/research.pdf.

Nuszdorfer, F.C., Klinka, K., and Demarchi, D.A.. (1991). Chapter 5: Coastal Douglas-fir Zone. In Meidinger, D.V. and Pojar, J. (eds.), *Ecosystems of British Columbia* (pp. 81-93). British Columbia Ministry of Forests. https://www.for.gov.bc.ca/hfd/pubs/docs/Srs/Srs06/chap5.pdf.

Province of British Columbia. (2015). *Coastal Douglas-fir Zone*. https://www2.gov.bc.ca/gov/content/industry/forestry/managing-our-forest-resources/silviculture/tree-species-selection/tool-introduction/ecologically-suitable-species/cdf-zone.

Province of British Columbia. (December 7, 2022). *Ministerial mandate letter* [Mandate letter to Minister Bowinn Ma]. https://www2.gov.bc.ca/assets/gov/government/ministries-organizations/premier-cabinet-mlas/minister-letter/emcr_-_ma.pdf.

Stewardship Centre for British Columbia. (2021). *Green Bylaws Toolkit* (3rd ed.). https://stewardshipcentrebc.ca/PDF_docs/GreenBylaws/GreenBylawsToolkit_3rdEdition_2021.pdf

Datasets

BC Forest Analysis and Inventory Branch. (2021). *BEC Map* [ESRI File Geodatabase]. British Columbia Data Catalogue. https://catalogue.data.gov.bc.ca/dataset/bec-map.

GeoBC Branch. (2016). *Legally Defined Administrative Areas of BC* [ESRI File Geodatabase]. British Columbia Data Catalogue. https://catalogue.data.gov.bc.ca/dataset/legally-defined-administrative-areas-of-bc.

GeoBC Branch. (2020). *Province of British Columbia - Boundary Terrestrial* [ESRI File Geodatabase]. British Columbia Data Catalogue. https://catalogue.data.gov.bc.ca/dataset/province-of-british-columbia-boundary-terrestrial.

APPENDIX A: DENSITY TRANSFER OCP SCAN

Jurisdictions with density transfer mechanisms

Local government	Selected policy wording	OCP year[1]	Implementation cases
<u>Density reallocation between specified areas</u>			
Bowen Island	- 113: ***Density Re-allocation*** *In principle, the Municipality supports the re-allocation of residential development potential within a property or between properties to achieve the goals of this OCP. This may involve a re-allocation of some portion of the maximum permitted density established in the OCP plan area from one area, known as the Donor Area, to another area, known as the Density Increase Eligibility Area. The preservation of the Donor Area at a reduced density will be considered by the Municipality on a case by case basis as part of a land use application. On a re-zoning application involving a proposal to allow for increased density of development in the Density Increase Eligibility Area, the Municipality will look at various techniques, including covenants, to preserve and protect the Donor Area in a manner consistent with the policies and objectives of the OCP.* *Donor Areas include:* o *all areas within a community watershed;* o *a Development Permit Area designated in the OCP;* o *an area identified on Schedule C – 2; and* o *any other area that the Municipality, as part of its consideration of land use applications, considers to be worthy of preservation and protection.* - 114: *The OCP is intended to reflect a maximum density of development for the plan area of to be defined by the number of parcels. Where the permitted density under the Land Use Bylaw is less than that and an owner elects to develop lands at the density lower than potentially achievable under the OCP, the density units that represent the difference between the Land Use Bylaw density and OCP maximum density may be re-allocated to lands within the Density Increase Eligibility Area as part of a land use application, provided that such application shall be consistent with the OCP policies and objectives and may provide amenity contributions as may be proposed by an applicant to reflect the increase in density.* - 115: *The density available for re-allocation referred to in Policy 114 or as may be available pursuant to a density re-allocation as described in Policy 113 may be utilized as well to further the provision of affordable housing pursuant to an affordable housing project application that is determined to benefit the community and address the intent of the OCP.* - 129: *The provision of multi-dwelling units will be achieved through density re-allocation – there will be no overall increase in the total number of primary dwelling units than was anticipated in the 1996 OCP.* [for Snug Cove] - 144: *The Municipality supports in principle the concept of cohousing for the Belterra property adjacent to Carter Road by designating the site Belterra Cohousing (BCH) on Schedules C and C-1A, rezoning of which shall be subject to density re-allocation. Standard review and approvals related to the subdivision of land must be conducted and support the intent of this OCP.* [for Belterra] - 163: *Up to 12.5 units per net developable 0.4 hectare (1 acre) will be considered appropriate for townhouse residential development. Proposals up to 17.5 units per net developable 0.4 hectare (1 acre) will be considered only if:* o *density is transferred to a site in Snug Cove from elsewhere on the island; or* o *the proposal involves other than traditional market-based housing, such as non-market, rental, special needs, cooperative, co-housing or price controlled, thus providing alternative housing choices for island residents. [for Snug Cove]* - 166: *Re-allocating density from the donor areas identified on Schedule C – 2 to that portion of the density increase eligible Area in Snug Cove is strongly encouraged. Where this can be achieved, incentives such as increased floor space, reduced parking standards, and reduced development fees will be considered.*	2010	No relevant elaborations or rezonings found

[1] *Year of last major OCP adoption/revision indicated, unless date found for specific amendment for density transfer policy.*

Local government	Selected policy wording	OCP year[1]	Implementation cases
West Vancouver	- 2.1.9: *Protect buildings, structures and landscapes on the District's Heritage Register by [...] Encouraging protection through bonus density and considering density transfer* - 2.2.1: *Manage new development in the Upper Lands (see Map 8) by:* a. *Continuing to restrict residential development in the Limited Use and Recreation area above 1,200 feet;* b. *Maintaining an overall residential density of 2.5 units per gross acre for undeveloped public and private lands below 1,200 feet; and* c. *Varying density within areas and transferring development rights from one area to another to direct development to lands most suitable for development, protect and acquire environmental and recreational assets, and allocate density to achieve neighbourhood focus and identity.* - 2.2.5: *Ensure the community benefits from new development by [...] Maintaining the value of public lands below 1,200 feet as potential development sites or as sites to be protected as parkland whose development potential can be transferred to more suitable locations, where appropriate.* - 2.2.9: *Seek to transfer the residential development potential from all remaining lands below 1,200 feet west of Eagle Creek to:* a. *The Cypress Village planning area (between Cave and Cypress Creeks) as the primary focus for future neighbourhood development in the Upper Lands; and* b. *The Cypress West planning area (between Cypress and Eagle Creeks) as a secondary community supporting Cypress Village.* - 2.2.10: *Consider the transfer of residential development potential from lands west of Eagle Creek below 1,200 feet to lands above 1,200 feet that are generally contiguous with the Cypress Village planning area in limited locations if and only if:* a. *These lands are more suitable for development and lands of higher ecological or recreational value west of Eagle Creek can thereby be protected; and* b. *The residential development potential from lands west of Eagle Creek below 1,200 feet cannot be accommodated within the Cypress Village and Cypress West planning areas in a form of development acceptable to the community.* - 2.2.11: *Protect lands west of Eagle Creek below 1,200 feet whose development potential has been transferred, designate these lands as Limited Use and Recreation, and dedicate them as public parkland or non-profit conservancy or similar publicly-accessible open space in perpetuity.* - 2.2.12: *Prioritize the public acquisition and/or permanent protection through area density variation and development transfer of the most ecologically and recreationally significant private lands (including Cypress Falls, the Larson wetlands, and Arbutus Grove west of Nelson Creek) and maximize contiguous areas to be protected and connections between these areas.* - 2.7.9: *Protect environmental values below 1,200 feet in the Upper Lands area by:* a. *Seeking to protect permanently areas west of Eagle Creek, prioritizing areas of significant ecological values such as the Arbutus groves west of Nelson Creek, Larson Creek and wetlands, and other sensitive wetlands and habitats;* b. *Transferring development potential of lands west of Eagle Creek to future neighbourhoods east of Eagle Creek and dedicating public lands west of Eagle Creek as municipal parkland; and* c. *Establishing a 'soft edge' of development and appropriate urban-forest interface and buffer to sensitive features.*	2018	Planned for Cypress Village / Upper Lands: rezoning and reallocation of densities to conserve ecological assets. Receiving areas scoped out such that land values between donor and receiving areas (i.e. areas to be conserved) are similar. • https://www.westvancouverite.ca/upperlands • https://www.westvancouverite.ca/upperlands/widgets/59111/faqs#question19921 • Planning principles document Policies informed by Working Group: 2015 Final Report
Lantzville	- 11.1.8 Foothills Comprehensive Development Plan Area	2019	Rezoning for Foothills development approved on 28 Sept; density transferred from lands dedicated as

Local government	Selected policy wording	OCP year[1]	Implementation cases
	• *Density transfer will be permitted in this area at a ratio of 1.0 unit for each for each 1 hectare dedicated as Public Park. The 5% dedication required under the Local Government Act may be included as part of the parkland resulting from density transfer. The target area for parkland resulting from density transfer is 365 hectares or 50% of the site area.*		park to part of site within Urban Containment Area
Gabriola Island	- 5.1 Resource lands *c) The retention of lands in the Resource zone in large land holdings so as to protect significant environmental features (including marshlands), archeological sites and forested areas and maintain the area's rural character is supported. Provision is made for 8.0 hectare (19.76 acre) residential density being transferred from one parcel in the Resource zone to another parcel in the Resource zone.* *e) With respect to density transfer referred to in 5.1.c) above, the following criteria shall apply in considering whether or not a transfer shall be permitted:* *i. the "Donor Parcel" shall be limited to land within the Resource zone which will be rezoned Resource Conservation;* *ii. the "Receiver Parcel" shall be limited to land in the Resource zone which will be rezoned to Resource Residential.* *iii. in cases where land in the Resource zone is rezoned to Resource Conservation and the density of the Donor Parcel is concurrently transferred to a Receiver Parcel, adoption of the rezoning bylaw shall be conditional on compliance with the policies of this Plan (i.e. registration of required covenant(s), etc.).* *iv. in a case where a Donor Parcel in the Resource zone is dedicated for park or wilderness recreation or land in the Forestry zone is dedicated for wilderness recreation, the dedication, by means of a transfer of title for such purposes (to the Crown or other body, as specified by the Local Trust Committee at the time of rezoning), shall be made prior to or concurrent with the rezoning of a Receiver Parcel to Resource Residential.* *h) Permitted uses in the Resource Conservation zone shall be, park, wilderness recreation, forestry, ecological reserve, and environmental protection.* - 5.2 Forestry *1. The Plan supports the retention of lands in the Forestry zone in large land holdings for sustainable forest management and/or to encourage their dedication for wilderness recreation or public recreational trail purposes. The concept of residential density being transferred from a parcel in the Forestry zone to a parcel in the Resource zone is supported subject to compliance with the policies in this plan.* *2. For every 8 hectares (19.76 acres) of land in the Forestry zone which an owner dedicates for wilderness recreation, the owner shall be entitled to transfer one residential density to land in the Resource zone which would be rezoned to Resource Residential.* *3. With respect to density transfer referred to in 5.2.g) above, the following criteria shall apply in considering whether or not a transfer shall be permitted:* *i. the "Donor Parcel" shall be limited to land within the Forestry zone which will be rezoned Forestry/Wilderness Recreation;* *ii. the "Receiver Parcel" shall be limited to land in the Resource zone which will be rezoned to Resource Residential;* iii. *a Donor Parcel in the Forestry zone shall be dedicated for park or wilderness recreation, by means of a transfer of title for such purposes (to the Crown or other body, as specified by the Local Trust Committee at the time of rezoning) which shall be made prior to or concurrent with the rezoning of a Receiver Parcel to Resource Residential.* 4. *Permitted uses in the Forestry/Wilderness Recreation zone shall be wilderness recreation, forestry, ecological reserve, and environmental protection.*	1997	Density transfer in 2017. Same owner, two different sites. Led to expansion of 707 community park, land transferred to RDN.

Local government	Selected policy wording	OCP year[1]	Implementation cases
Salt Spring Island	Application sites: - Potential donor and receiving areas set out in Map 26 of OCP Initiatives: - Mechanism a) *Transfer of Development Potential, sometimes referred to as "Density Transfer", is the ability to rezone land such that it results in a reduction in development potential in one location and an increase in development potential in another, with no overall, or net, increase in density. The development potential usually takes the form of lots or units and the transfer is achieved by simultaneously changing the zoning on the "donor" and "receiver" parcels, or areas, to reflect the changed subdivision potential or permitted number of units on each. Transfer of development potential may be considered on a case-by-case basis, upon application for rezoning. The approval of a transfer of density through rezoning should be conditional on compliance with the following policy guidelines. These guidelines do not pre-determine a favourable outcome for any particular application.* b) H.4.1.4 – *Property where the development potential is being decreased should be protected by one or more of the following tools:* a. *Rezoning that allows a reduced level of development or only a public use, combined with a conservation covenant on the land to be protected where there are environmentally sensitive areas.* b. *dedication to a public body or non-governmental conservation group.* c. *heritage designation as outlined in Section 967 of the Local Government Act.* d. *inclusion in the Agricultural Land Reserve.* e. *protection mechanisms developed in consultation with First Nations where there are sites of significance to First Nations.* c) H.4.1.8 – *Preference will be given to applications that locate transferred density in such a way as to reduce reliance on the private automobile, and address climate change mitigation and adaption.* d) H.4.2.2 – *Applications could involve either a single or separate owners of property in the Development Potential Receiving Area and the Development Potential Donor Area. While the settlement of compensation, if any, between the owners is a private matter, the Local Trust Committee may give consideration to the imputed value of the development potential.* Policies: - Island Environment policies a) A.5.2.2 – *The Local Trust Committee should consider rezoning applications from property owners who wish to transfer their development potential from areas identified as Environmentally Sensitive Areas or High Biodiversity Areas on Maps 9 through 12. Additional Environmentally Sensitive Areas or High Biodiversity Areas could be identified by further study. Such specific areas should be considered "Development Potential Donor Areas", even if they are in a Designation that is identified as a Development Potential Receiving Area. Applications should meet the guidelines in Appendix 4.* b) A.5.2.3 – *The protection of Environmentally Sensitive Areas or High Biodiversity Areas is an eligible community amenity, which could be exchanged for a higher density of development as outlined in Appendix 3.* c) A.5.2.4 – *Maps 9 through 12 are intended to encourage environmental stewardship. These maps show general areas that could be considered Environmentally Sensitive and High Biodiversity Areas. If the Local Trust Committee receives a rezoning application to transfer development or to protect an Environmentally Sensitive Area or a High Biodiversity Area in exchange for additional density, further study could more clearly identify boundaries.* - Residential land use – settlement pattern policies	2008	Possible example in 2007

Local government	Selected policy wording	OCP year[1]	Implementation cases
	a) B.2.3.2.1 – *The Local Trust Committee should consider rezoning applications from property owners who wish to effectively transfer their existing development potential from one property to another in a way that would achieve one or more of the above objectives. Rezoning applications that would transfer development potential should be consistent with the guidelines in Appendix 4. Land Use Designations that are designated in this Plan as Development Potential Donor Areas and Development Potential Receiving Areas are shown on Map 26.* [Objectives include encouraging future development away from environmentally sensitive areas and redirecting future settlements to clustered patterns] - Conservation Land Use policies a) B.8.1.2.6 – The *Local Trust Committee should consider rezoning applications that would allow owners of undeveloped property within the Designation to transfer their development potential to more suitable locations. Such applications should follow the guidelines in Appendix 4. The Watershed and Islet Residential Designation is a Development Potential Donor Area.*		
Mayne Island	- [across multiple residential use designations] *Consideration may be given to applications where the transfer of density would result in land containing sensitive ecosystems being protected. Consideration of any such application shall comply with the policies in Section 2.11 (Density Transfer Provisions) of this Plan.* - [for Rural/Upland designations] 2.1.4.10 – *Consideration may be given to applications where the transfer of density would result in land containing sensitive ecosystems being protected or where development potential on lands designated Upland would be transferred to contiguous land in the Rural designation. Consideration of any such application shall comply with the policies in Section 2.11 (Density Transfer Provisions) of this Plan.* - Density transfer provisions (tied to specific zoning designations) a) 2.11.1 *In considering an application that would result in the transfer of density from an area containing sensitive ecosystems the LTC should address the following criteria:* *a) applications should demonstrate that a transfer of development potential would result in preservation of sensitive ecosystems as identified and classified on Schedule F.* *b) applications should demonstrate the overall unsuitability of the sending area for the zoned development potential and the overall suitability of the proposed receiving area for an increase in development potential.* *c) development potential may be decreased on land in any of the following designations:* *i) Settlement Residential* *ii) Rural Residential* *iii) Rural* *iv) Upland* *d) increased development potential may be considered on adjacent or nearby lands in the same designation or on adjacent or nearby lands in the Rural designation.* *e) In the case where an application is approved, the following should be considered where appropriate:* *i) amending the zoning on all or part of the land to reflect the reduced density; and,* *ii) re-designating and rezoning the land containing the sensitive ecosystem to Resource Conservation; and* *iii) placing a s. 219 covenant on the land, stipulating that the subject land may not be subdivided and may only be used for public purposes, environmental protection, or park.* - Further provisions governing transfer of density from Upland to Rural sites, and from Agricultural to Rural sites (2.11.2, 2.11.3)	2007	No rezonings found

Local government	Selected policy wording	OCP year[1]	Implementation cases
Electoral Area H, Regional District of Nanaimo	- 5.10.2 – *Rezoning to permit transfer of dwelling unit potential involving lands outside the Growth Containment Boundary is supported by this Plan provided the proposal does not result in more dwellings than what is permitted by this Plan or the zoning bylaw at the time the application is made and where the proposal is consistent with the following. The parcel of land from which the dwelling unit potential is removed is referred to as the "donor parcel", and the parcel of land to which the dwelling unit potential is transferred is referred to as the "receiver parcel".* *a) Donor parcels shall be in the Resource – Agricultural, Rural or Rural Residential land use designations.* *c) Receiver parcels shall be in the Rural and Rural Residential land use designations and only in the area eastward of Highway 19* *g) The transfer is achieved by simultaneously amending the zoning on the donor and receiver parcels to reflect the changed subdivision potential or permitted number of units on each.* *h) The donor parcel or the portion of the donor parcel with no residential development potential must be conserved in perpetuity for agricultural, ecological protection, archaeological site protection, aquifer protection, or other public good purpose.* *i) If all of the potential dwelling units are transferred from the donor parcel or a portion of the donor parcel that is intended to become a separate lot, ownership of that lot must be transferred to a public body.* - 5.10.4 – *The future use of a protected parcel or donor parcel in Policy 1 or 2 must be ensured through zoning that allows a reduced level of development or only a public use, registration of covenant to ensure the land will be conserved for the intended use in perpetuity, and one of the following:* *a) Dedication to a public body or non-governmental conservation organization* *b) inclusion in the Agricultural Land Reserve* *c) Heritage designation as outlined in Section 611 of the Local Government Act* *d) Protection mechanisms developed in consultation with First Nations where there are sites of significance to First Nations.* - 5.10.8 – *Transfer of dwelling potential may involve lands covered by other Official Community Plans of the Regional District of Nanaimo, subject to supportive policies in the relevant plan.*	2017	No rezonings found
Exchange between parcels (no specified sites)			
White Rock	- 9.4.3: *Density Transfer - Allow the transfer of density from small lots to adjacent lots or lots located across City streets and laneways.* [for Town Centre]	2017	Unclear – transfer (apparently in 2009) mentioned in 2018 council minutes, but no explanation of mechanism (can't find what the rezoning was)
View Royal	- ***Density Transfer*** *means the concept of transferring the right to create new parcels through subdivision of land from one location to another either within one property or between two properties, with the transfer registered on titles. The process involves the affected property owners' negotiating an agreement to transfer the right of development in principle and then applying for a rezoning to implement the transfer.* - NE1.1: Environmental Conservation – *Ensure the long-term health and sustainability of important terrestrial, aquatic and riparian ecosystems, species of concern, and Environmentally Sensitive Areas (ESAs). Protection and conservation strategies may include:* • *Development Permit designations.* • *Negotiations at the time of rezoning for park land dedication.* • *Public land acquisition at the time of subdivision.*	2022 (draft)	No relevant elaborations or rezonings found

Local government	Selected policy wording	OCP year[1]	Implementation cases
	• *Permissive tax exemptions.* • *Transfer of development rights (TDRs.)*		
Oak Bay	[as proposed concept rather than specific policy] - ***Density transfer*** *means the concept of transferring the right to create new parcels through subdivision of land, or floor area, from one location to another either within one property or between two properties, with the transfer registered on titles. The process involves the affected property owners negotiating an agreement to transfer the right of development in principle and then applying for a rezoning to implement the transfer.* - CF8. *Prepare a community amenities policy to guide community amenity contributions to permit and enable density bonus and/or density transfer.*	2014	Oak Bay seems to be considering density bonus approach through CACs instead
Thetis Island	- Density transfer – *Density transfer refers to two consecutive zoning amendments undertaken to protect a specified property by removing some or all of the development potential from one property and transferring that density to another property or to another portion of the same property. On Thetis Island, the Local Trust Committee is willing to consider using density transfer to permit a land owner to give or sell land to a conservation organization, or dedicate land for park, without losing the subdivision potential of the property. There is no net increase in residential density because the residential density that is transferred simply replaces that of the lot given to the conservation agency or dedicated as park.* - Density transfer policies 1. *The Local Trust Committee may consider applications for density transfer for conservation and park purposes only. Eligible situations are listed below:* • *dedication of land for a park* • *donation of land for conservation purposes* • *sale of land for conservation purposes* *j)* Guideline 5 – *Density transfer to permit the provision of land under Policy 1 of this appendix should result in no net overall increase in residential density.* k) Guideline 9 – *Where the protected parcel is intended for conservation, the density transfer is conditional on the conservation organization agreeing to accept the protected parcel and the Local Trust Committee considering the protected parcel suitable for conservation purposes.* l) Guideline 14 – *The protected parcel must be secured in perpetuity for conservation or park either by dedication or the registration of a covenant that restricts the use of the protected parcel to conservation or park.*	2011	No relevant elaborations or rezonings found
Denman Island	- Appendix C: Density Transfer - *Density transfer refers to two consecutive zoning amendments undertaken to protect a specified property by removing some or all of the development potential from one property and transferring that density to another property or to another portion of the same property. On Denman Island, the Local Trust Committee is willing to consider using density transfer to permit a land owner to give or sell land to a conservation organization, or dedicate land for park, without losing the subdivision potential of the property. There is no net increase in residential density because the residential density that is transferred simply replaces that of the lot given to the conservation agency or dedicated as park.* - Policy 1: The Local Trust Committee may consider applications for density transfer for conservation and park purposes only. Eligible situations are listed below: • dedication of land for a park • donation of land for conservation purposes	2008	Denman Green project: rezoning application DE-RZ-2021.1 (pp 77-151 of pdf; bylaw amendments adopted)

Local government	Selected policy wording	OCP year[1]	Implementation cases
	• sale of land for conservation purposes - Selected guidelines: • 5: *Density transfer to permit the provision of land under Policy 1 of this appendix should result in no net overall increase in residential density.* • 9: *Where the protected parcel is intended for conservation, the density transfer is conditional on the conservation organization agreeing to accept the protected parcel and the Local Trust Committee considering the protected parcel suitable for conservation purposes.* • 10: *Where the protected parcel is intended as park, the density transfer is conditional on the relevant government agency agreeing to accept the protected parcel for a park and the Local Trust Committee considering the protected parcel suitable for park purposes.* • 13: *The areas shown on Schedule D and the development permit area for the protection of the natural environment shown on Schedule E are environmentally sensitive areas in which development is not encouraged. Development Approval Information may be required to help the Local Trust Committee determine appropriate uses, density and siting of development resulting from a density transfer zoning application.* • 14: *The protected parcel must be secured in perpetuity for conservation or park either by dedication or the registration of a covenant that restricts the use of the protected parcel to conservation or park.*		
<u>Density consolidation with land donation (no specified areas)</u>			
Denman Island	- Lands and Forest 4: *In all land use designations, provisions should be made by regulation to permit the subdivision of a parcel for the sole purpose of giving or selling a portion of the parcel to a conservation organization or agency. The parcel thus created to be donated or sold should be designated for conservation purposes only. The giving or selling of a parcel of land for conservation purposes may be considered a community amenity and the provisions for density transfer in Appendix C would apply.* - Conservation/Recreation 3: *The Local Trust Committee should encourage the use of land for conservation purposes. The provision for density transfer in Appendix C of this Plan may apply to the donation or sale of land for the creation of a nature reserve or nature sanctuary.* • *The Local Trust Committee may consider applications for density transfer for conservation and park purposes only. Eligible situations are listed below:* • *dedication of land for a park* • *donation of land for conservation purposes* • *sale of land for conservation purposes* • Guideline 9 – *Where the protected parcel is intended for conservation, the density transfer is conditional on the conservation organization agreeing to accept the protected parcel and the Local Trust Committee considering the protected parcel suitable for conservation purposes.* • Guideline 14 – *The protected parcel must be secured in perpetuity for conservation or park either by dedication or the registration of a covenant that restricts the use of the protected parcel to conservation or park.*	2008	Implemented through consecutive rezonings and secured in perpetuity via covenant/dedication 2011 transfer with land donation: North Denman Lands
Saturna Island	- Land Use Designation Policies • Rural	2001 (amendment to D.14 in 2018)	

Local government	Selected policy wording	OCP year[1]	Implementation cases
	• D.1.4 - *Rural Subdivision Capacity:* *The maximum number of lots that can be created shall equal the acreage of the lot designated rural divided by five (5) except where:* *a) a transfer of subdivision density occurs and the transfer from the donor lot to the receiver lot occurs simultaneously;* *b) a restrictive covenant limits further subdivision then it shall be the amount specified in the covenant;* *c) the lot has split designations then section D.7 applies; or* *d) density from the Community Amenity Density Reserve is granted in exchange for an amenity.* • Forest Residential • D.4.16 Forest Residential: *Every rezoning for Forest Residential use is to entail a simultaneous rezoning of the residual forest lands for Forest Reserve use only. All Forest Subdivision Capacity attributable to the forestlands is to be transferred to the area zoned Forest Residential, and result in the subdivision capacity of the area zoned Forest Reserve to be nil.* • Properties with More than One Land Use Designation • D.7.3 *Heritage Forest together with Rural or Forest: Where a lot contains both the Heritage Forest designation and the Rural or Forest designations, transfer of the residential building density to the Rural or Forest designation should be encouraged and may be required. Implementation of this policy may require the placing of a covenant prohibiting residential use on the Heritage Forest designated portion of the lot.* • D.7.4 *Wilderness Reserve together with Rural or Forest: Where a lot contains areas within the Wilderness Reserve designation and the Rural or Forest designations, transfer of the residential building density to the Rural or Forest designation should be encouraged and may be required. Implementation of this policy may require the placing of a covenant prohibiting residential use on the Wilderness Reserve designated portion of the lot.* • D.7.5 *Rural together with Farmland, Forest or Watershed: Where a lot contains areas of Rural together with any Heritage Forest, Farmland, Forest or Watershed designated land, the subdivision capacity from these designations, if any, may be transferred to the Rural portion of the lot. The Saturna Island Local Trust Committee will require the placing of a restrictive covenant reflecting the reduction in subdivision capacity and residential building density on the contributing areas.* • D.7.6 *Forest together with Farmland or Watershed: Where a lot contains areas of Forest together with any Heritage Forest, Farmland, or Watershed designated land, the subdivision capacity from these designations, if any, may be transferred to the Forest designated portion of the lot. The Saturna Island Local Trust Committee will require the placing of a restrictive covenant reflecting the reduction in subdivision capacity and residential building density on the contributing areas.*		
<u>Density reserve</u>			
Denman Island	1. *The Local Trust Committee may add unused residential densities to the Density Bank:* • *from a rezoning application that removes residential density from lots that have subdivision potential, provided the lot retains at least one residential density;* • *from an application to donate land to a conservation agency or organisation for conservation purposes or dedicated as park; and* • *from a Local Trust Committee initiated zoning amendment that results in unused residential densities.* 2. *The Local Trust Committee may consider applications for transfer of banked densities providing the land receiving the densities will be used for affordable housing and a suitable mechanism is in place ensuring this use is maintained over time. For the purpose of*	2008	Density bank in place – densities as zoned in 2009 used to calculate total affordable housing units that can be added; 14 units added to bank between 2011 and 2017. A seniors' affordable housing project in 2016 looked to draw down from density bank (see p6, 3rd para from

Local government	Selected policy wording	OCP year[1]	Implementation cases
	the density bank, affordable housing means adequate, suitable housing that is available to meet a continuum of needs including housing for the homeless and/or special needs; housing for those at risk of homelessness; housing with rental assistance; and entry level ownership opportunities. • Guideline 7 - *Where the protected parcel is intended for conservation, the transfer of residential densities to the Residential Density Bank is conditional on the conservation organization agreeing to accept the protected parcel and the Local Trust Committee considering the protected parcel suitable for conservation purposes.*		bottom); unclear what the resolution was (went to public hearing in 2021).
Gabriola Island	- Density banking: *In this Plan, density banking refers to a process wherein unused residential densities are held by the Local Trust Committee for an unlimited time and for the purpose of enabling affordable multi-dwelling housing for low-income families and without any net increase to the allowed density on Gabriola Island. The deposit of one or more densities to the density bank takes place through bylaw amendments resulting from the rezoning of the property from which the density was removed for deposit into the density bank. Withdrawal of one or more densities from the density bank requires a similar amending bylaw and rezoning process.* 1. *To identify and deposit unused residential densities into the Density Bank based upon the following eligibility criteria:* i. *from the lands that are rezoned as parks; and* ii. *from the voluntary donation of residential densities.* 2. *To consider applications for the withdrawal of banked densities in accordance with the rezoning requirements in Section 2.4 provided that a Housing Agreement is in place to ensure affordability is maintained over time.* - Tied to provision of multi-dwelling affordable housing • *Densities for the creation of Multi-dwelling Affordable Housing for low-income families shall come only from banked densities as noted in Appendix 2 (Density Bank) of this Plan.* • *The Density Bank in this Plan shall be amended from time to time such that any unused residential densities that result from rezoning for parks are added to the Density Bank for use as Multi-dwelling Affordable Housing for low-income families.* - 2.5 Density bank *a) Residential densities resulting from a rezoning pursuant to Objective 1 will be deposited to the Density Bank as an amendment to the Official Community Plan.* *b) Residential densities from the Residential Density Bank in Appendix 2 that are withdrawn pursuant to Objective 2 will be deleted from the Residential Density Bank in Appendix 2 by an amendment to the Official Community Plan.* *c) Residential densities listed in the Residential Density Bank in Appendix 2 are principal dwelling units and do not include accessory cottages until related policies are developed by the Local Trust Committee.* *d) All land that receives density from the density bank shall be rezoned to permit the added density and that density shall not exceed the density of the parent parcel plus the density granted from the density bank.* e) *Parcels that have density allocated to or from the density bank shall be noted in both text and maps.*	1997 (amendment for density bank in 2011)	Currently one density pending deposit into bank, from RDN park acquisition. LTC staff has conducted mapping analysis to identify unused residential densities; conducting outreach to encourage donations into bank.
Saturna Island	(from 2016 staff report – page 39) - *The Community Amenity Density Reserve is a policy in the OCP that is intended to direct development to appropriate areas, subject to provision of a community amenity, while not allowing an increase in the overall subdivision capacity or total residential density of the island. This option combines the principles of both transfer of density, density banking, and amenity zoning. It works much like a bank, if a property (other than parkland) has had its subdivision and/or residential building capacity removed from it through rezoning it is*	2001	Rezoning application SA-RZ-2022.1 using CADR policy to enable density transfer Broader-level density transfer policy also discussed in 2015 development application:

Local government	Selected policy wording	OCP year[1]	Implementation cases
	considered to be in a pool of unallocated density. The banked density can be drawn from and granted to a lot in exchange for community amenities. (from OCP) - C.1.4 Community Density Reserve • Community Density Reserve - *To facilitate keeping development in appropriate areas, including changes in density, while maintaining the policy requirements of C.1.3, the Trust Committee will maintain an accounting system for tracking and controlling changes in density that it may approve from time to time in the future. The Reserve may be used to increase density in areas deemed appropriate by the community through the zoning process and to secure "amenities" of value to the community. Each transfer should accomplish some environmental or heritage policy objective of the Plan. Details are described further in Appendix A.* • *This provision will be used to accomplish land conservation objectives. Protection of agricultural land, lands with streams, forest ecosystems, water supply areas, wetlands, heritage sites, shore-lands, bluffs and areas of scenic or recreational significance may be enhanced by removing any existing development potential and transferring it to a more suitable location. This transferability provides property owners with an opportunity to achieve some private objectives while securing the protection of significant lands as "amenities" valued by the community.* • Appendix A: *The Community Amenity Density Reserve (CADR) represents and is to account for subdivision and residential building capacity removed from lots through rezoning. When subdivision or residential density is removed, that density is to be placed in a pool of unallocated density, which in the future may be drawn from and granted to a lot in exchange for community amenities.* *c) No density can be transferred off Park land or Crown Land;* *e) Community amenities should include land dedication for public purposes, environmental protection, heritage site protection, community forests, parks, or heritage areas;* *f) Density increases shall not be permitted in the Wilderness, Heritage Forest, or Watershed land use designations;* *h) Private land that donates density must be down-zoned and covenanted to reduce its maximum subdivision and residential building capacity by the amount of density transferred to the CADR;* *i) All land that receives density from the CADR shall be rezoned to permit the added density as determined by the Trust Committee and that density shall not exceed the density of the parent lot plus the density granted from the CADR; and* *k) The Local Trust Committee should ensure that any additional density minimizes greenhouse gas emissions, considers requirements for energy efficient building standards, and should be in locations near existing services and transportation infrastructure.* - Development of properties with more than one land use designation • D.7.3 – Heritage Forest together with Rural or Forest – *Where a lot contains both the Heritage Forest designation and the Rural or Forest designations, transfer of the residential building density to the Rural or Forest designation should be encouraged and may be required. Implementation of this policy may require the placing of a covenant prohibiting residential use on the Heritage Forest designated portion of the lot.* • D.7.4 – Wilderness Reserve together with Rural or Forest – *Where a lot contains areas within the Wilderness Reserve designation and the Rural or Forest designations, transfer of the residential building density to the Rural or Forest designation should be encouraged and may be required. Implementation of this policy may require the placing of a covenant prohibiting residential use on the Wilderness Reserve designated portion of the lot.*		- trust committee discussion - Discussion info package (with case background)

Local government	Selected policy wording	OCP year[1]	Implementation cases
	- Heritage E.2.4 - *The Saturna Island Local Trust Committee may apply the provisions of the Community Amenity Density Reserve when considering:* *a) rezoning applications from property owners who wish to transfer their development potential from land that contains heritage buildings or other heritage features;* *b) securing the protection and restoration of heritage buildings;* c) *creating a community heritage museum; and* d) *protecting or dedicating heritage sites, areas or features.*		
<u>No elaboration</u>			
Cumberland	- 10.1.6.2 Terrestrial Ecosystem Areas *3) When development is considered in terrestrial ecosystem areas, the Village may use the following methods to prevent or minimize encroachment:* [...] *b. Bonus density transfer, or density averaging, to the developable portion of the site*	2014	No relevant elaborations or rezonings found
Comox	Mention of density transfer as potential mechanism affecting parcel size (2.1.1.4 Residential: Detached Policies), but no elaboration or subsequent mention of mechanism in OCP	2011	No relevant elaborations or rezonings found
Campbell River	Mentioned density averaging (2.1.2 – Rural Residential policies), but no elaboration of mechanism	2012	Density transfer floated during consultation in 2016, but no relevant elaborations or rezonings found
Hornby Island	Included as a potential mechanism for consideration by the LTC on a "*site specific basis and upon application*" (3.3.4: Parks and Protected Areas policies); no specific policy or mechanism mentioned	2014	No relevant elaborations or rezonings found
Galiano Island	Policy language ties proposed density transfer to areas with sensitive ecosystems (as identified in OCP schedule), but no further elaboration on mechanism	1995 (amendment for density transfer in 2011)	No relevant elaborations or rezonings found. Mechanism considered (without detail) for rezoning proposal in 2016. Past use of density bonus for conservation of large site in 2013

Jurisdictions with no density transfer mechanisms found

Local Government Name	Other mechanisms
Metro Vancouver	
Burnaby	Density bonusing for preservation of heritage structures, provision of community benefits etc.
Richmond	Dedicated development cost charges
Delta	
Surrey	Density bonusing for community amenities (including greenways); dedicated development cost charges
Langley (City)	Density bonusing for community amenity contributions (includes “parks and open spaces beyond other requirements”)
Langley (Township)	Provision for density bonusing
Pitt Meadows	
Maple Ridge	
Fraser Valley	
Abbotsford	Parkland dedication
Chilliwack	Parkland dedication; dedicated development cost charges
Capital Region	
Sooke	
Metchosin	Parkland dedication (“amenity development”; specific mention of nature preserves and land for protecting biodiversity/preserving ecosystems; ≥25% of lands to be developed)
Colwood	
Langford	Dedicated development cost charges; density bonusing
Highlands	Density bonusing (paired with “protection of sensitive ‘high value’ environmental areas by covenant” as option)
Esquimalt	
Victoria	Provision for dedicated development cost charges, amenity contributions or parkland dedication
Saanich	Parkland dedication
Central Saanich	Parkland dedication; amenity zoning
North Saanich	Amenity zoning
Sidney	

Local Government Name	Other mechanisms
Cowichan Valley	
Duncan	
North Cowichan	CACs; parkland dedication
Lake Cowichan	
Ladysmith	Parkland dedication
Nanaimo Region	
Nanaimo	Density bonusing; parkland dedication (encouraged)
Parksville	Dedicated development cost charges
Qualicum Beach	
Alberni-Clayquot Region	
Port Alberni	
Comox Valley	
Courtenay	Density bonusing; parkland dedication; CACs
qathet	
Powell River	Parkland dedication
Sunshine Coast	
Sechelt	
Gibsons	Parkland dedication
Islands Trust	
Executive Islands (Ballenas-Winchelsea)	Parkland dedication
Lasqueti Island	
Gambier Island	
North Pender Island	
South Pender Island	