

DRAFT OF DENSITY TRANSFER POLICY AND GUIDELINES

This density transfer section drafted for the OCP is similar to “density shifting” options (6 and 7) in the Alternative Forms of Rural Development report. This section is consistent with RGS Policy 5.1.3

DENSITY TRANSFER

Density transfer is a way to encourage more sustainable forms of rural development and increase flexibility and development opportunities without increasing the overall residential density in the rural areas of the Plan Area.

Density transfer refers to two concurrent zoning amendments undertaken to increase development potential on one lot by removing or reducing the development potential on another lot. There is no net increase in density because the density that is transferred simply replaces that of the lot it is removed from. The residual lands are conserved in perpetuity for agricultural, forestry, environmental or ecological purposes or other public good purposes.

Density Transfer Policy

1. The RDN may consider applications for residential density transfer involving lands outside Village Centres where density is transferred to the Rural and Rural Residential land use designations, and the residual lands are conserved in perpetuity for agricultural, forestry, environmental or ecological purposes or other public good purposes.

Guidelines for Density Transfer

1. The parcel of land from which the density is being removed is referred to as the donor parcel.
2. The parcel of land to which the density is being transferred is referred to as the receiver parcel.
3. Donor parcels may be in the Resource, Rural or Rural Residential land use designations.
4. Receiver parcels may be in the Rural and Rural Residential land use designations.
5. Density transfer permitted under the policy of this appendix will not result in net overall increase in residential density outside Village Centres.
6. Density should not be increased within an area sensitive to development such as a sensitive ecosystem or groundwater recharge area.
7. The receiver parcel should be in a location where the increased density is suited to the character of the surrounding area.
8. If the donor parcel retains one or more residential densities, rezoning may be required to reflect the reduced number of parcels permitted.
9. All of the residential densities may be transferred from the donor parcel or a portion of the donor parcel if it, or the relevant portion, is rezoned for agricultural, forestry, environmental or ecological purposes or other public good purposes and conserved in perpetuity.
10. Calculation of the number of residential densities will be based on the area of the donor parcel divided by the minimum average lot size for the zone in which the donor parcel is located (in the absence of a minimum average lot size, the minimum lot size shall be used).

Note for discussion of the Draft:

Guideline 10 allows for calculation of “gross” densities as opposed to “net” densities for simplicity and as a way to incentivize alternative forms of rural development including conservation of significant lands in perpetuity.

A “gross” density calculation is the area of a parcel divided by the minimum lot size. For example, on a 20.0 ha lot with a minimum lot size of 2.0 ha, there is a gross potential for 10 lots.

A “net” density calculation removes lands required for roads, parks dedication, shared septic fields, etc. The actual number of lots possible is generally estimated to be 80% of gross. For example, on the same 20.0 ha lot, removing 20% leaves 16.0 ha, so there is a theoretical net potential for 8 lots.

To calculate the real net potential of a donor parcel, a theoretical subdivision plan would have to be developed for the rezoning application, and based on the net density potential of that theoretical plan, the number of densities to be transferred would be determined. It is felt this is overly complex and onerous and unlikely that a landowner would go through with a density transfer if that was required.

Another option would be to set a percentage of the donor lot on which to calculate a net density potential, perhaps 20% or less.

11. Where a portion of a donor parcel is rezoned for non-residential purposes and the density from that portion of the parcel is transferred to the receiver parcel, the sum of the densities transferred to the receiver parcel and those on the remaining residential portion of the donor parcel must not be greater than that calculated through guideline 11 above.
12. Where the donor parcel is intended to be transferred to a conservation organization, the density transfer is conditional on the conservation organization agreeing to accept the donor parcel and the RDN considering the protected parcel suitable for conservation purposes.
13. Where the donor parcel is intended as park, the density transfer is conditional on the RDN or other relevant government agency agreeing to accept the donor parcel for a park and the RDN considering the protected parcel suitable for park purposes.
14. Where the donor parcel is intended to be conserved in perpetuity for any other non-residential purpose listed in guideline 9 above, the density transfer is conditional on the RDN considering the parcel suitable for the proposed purpose and a mechanism to ensure that the land will be conserved for the intended use in perpetuity, in addition to the required zoning change to reflect that use.
15. Applications that affect land in the Agricultural Land Reserve will be subject to the approval of the Agricultural Land Commission.
16. Adequate potable water and sewage disposal capacity must be demonstrated for the density proposed on the receiver parcel.
17. Applicants for a density transfer zoning amendment may be required to provide Development Approval Information for the special conditions outlined in Section xx of this Plan.
18. The applicant is encouraged to hold a community information meeting prior to submitting a rezoning application in order to gauge community support, and to have the opportunity to incorporate changes suggested from the community before making a formal application. The RDN should be notified of the meeting, and a record of the meeting will be kept and submitted with the formal application.