



Development Cost Charges Bylaw

5233

Consolidated for Convenience

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5233

AMENDMENTS

BYLAW NO.	ADOPTION	AMENDMENT
5402	February 12, 2013	<ul style="list-style-type: none"><li data-bbox="764 680 1437 1045">▪ Remove and replace definition for "dwelling unit" to revise the definition to clarify that Development Cost Charges are not to be levied for residential dwelling units with a gross floor area of 29m² or less, and that such a levy exemption would apply whether or not all dwelling units in a building have a gross floor area of 29m² or greater, as permitted by S.933 (4.01) (1) (a) of the <u>Local Government Act</u><li data-bbox="764 1083 1437 1335">▪ Remove and replace Section 6, "Manner of Calculation" to revise the manner of calculating development cost charges to clarify that charges are only levied against the additional dwelling units when an existing residential building or property is redeveloped

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 5233

A Bylaw to Impose Development Cost Charges

WHEREAS under the *Local Government Act*, the City may impose development cost charges for the purpose of providing funds to assist the City to pay capital costs of providing, constructing, altering or expanding sewage, drainage and highway facilities to service, directly or indirectly, the development for which the charge is being imposed;

AND WHEREAS in setting the development cost charges under this bylaw, the City has considered the matters referred to in section 934 of the *Local Government Act* and has determined that the development cost charges:

- (a) are not excessive in relation to the prevailing standards of service in the City;
- (b) will not deter development in the City;
- (c) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the City; and
- (d) will not discourage development designed to result in a low environmental impact;

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

Citation:

1. This bylaw may be cited for all purposes as “City of Vernon Development Cost Charges Bylaw No. 5233, 2009”.

Repeal:

2. City of Vernon Development Cost Charges Bylaw Number 3769, 1991, and all amendments therefore, be hereby repealed.

Definitions:

3. In this bylaw;

“**City**” means The Corporation of the City of Vernon;

“**Congregate Care Facility**” means a facility providing and operating a common central kitchen and dining room capable of seating all congregate care unit residents at one sitting, and the facility must contain care service (medical assistance) areas, recreation areas and amenity areas typical of a congregate care facility. Each congregate unit must be equipped with an apparatus

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designed to alert facility staff of emergency situations (i.e. resident activated medical alarms);

“Core Area” means lands in the City of Vernon designated as Development District 1 or 2 in the Official Community Plan;

“Dwelling Unit” means one or more habitable rooms used or intended to be used for living and sleeping purposes for no more than one family, have a separate entrance and containing a kitchen and bathroom, including tourist accommodation units whose occupancy by any tourist or tourist party is required by any City bylaw to be for seven (7) or more days in duration, and includes, in the case of units that are not tourist accommodation units, only those units having a floor area greater than 29m² measured to the inner surface of the walls forming the outer perimeter of the unit; (Bylaw 5402)

“Gross Floor Area” means the sum of the floor areas of each storey in a building measured between the exterior walls of the building, including unfinished areas such as basements but excluding residential parking garages;

“Highway/Large Format Commercial” means a single-format retail or warehouse sales outlet with a gross floor area exceeding 5,000 square metres, or a combination of retail units in a shopping mall format where the primary means of access is by automobile traffic;

“Industrial” means a development of an industrial nature;

“Institutional” means any of the following:

- (a) public or private schools;
- (b) public colleges and universities and non-profit colleges;
- (c) public and private hospitals;
- (d) congregate care facilities;
- (e) private recreation facilities;

“Low Income Housing” means property owned, developed or operated by a non-profit society, Government of Canada, Province of British Columbia or the local government as rental units for persons living in the North Okanagan, where the income of such persons falls beneath the low income cut-off amounts published by Statistics Canada from time to time, or as otherwise determined or agreed to by the local government, and where a Housing Agreement and restrictive covenant are registered on title;

“Multiple Unit Housing” means a building containing more than one dwelling unit;

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“Office/Commercial” means a building used for commercial or business purposes other than highway/large format commercial purposes;

“Official Community Plan” means City of Vernon currently adopted Official Community Plan as amended from time to time;

“Outer Area” means lands in the City of Vernon designated as Development District 3 in the Official Community Plan;

“Parcel” means any lot, block or other area in which land is held, or into which land is subdivided, including a bare land strata parcel, but does not include a highway;

“Secondary Suite” means a secondary suite permitted under the current Zoning Bylaw in, or in connection with, a single detached housing building;

“Single Detached Housing” means a detached building containing only one dwelling unit or containing one dwelling unit and a permitted secondary suite;

“Unit Floor Area” means the sum of the floor areas of each individual multiple unit housing unit, and includes the interior stairs and hallways within each unit, but does not include common stairs or hallways, elevators, and other common areas within an apartment complex;

“Used” means used or intended to be used; and

“Zoning Bylaw” means the currently adopted City of Vernon Zoning Bylaw, as amended from time to time.

Imposition of Charges (Core Area)

4. Subject to the exceptions set out in the *Local Government Act*, every person who obtains
 - (a) approval of a subdivision of land under the *Land Title Act* or the *Strata Property Act* in the Core Area, or
 - (b) a building permit authorizing the construction, alteration or extension of a building or structure in the Core Area

shall pay to the City development cost charges calculated in accordance with Schedule “A”.

Imposition of Charges (Outer Area)

5. Subject to the exceptions set out in the *Local Government Act*, every person who obtains
 - (a) approval of a subdivision of land under the *Land Title Act* or *Strata Property Act* in the Outer Area, or

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- (b) a building permit authorizing the construction, alteration or extension of a building or structure in the Outer Area

shall pay to the City development cost charges calculated in accordance with Schedule "B".

Manner of Calculation

- 6. The amount of development cost charges payable depends upon:
 - (a) the number of additional parcels being created by the application for a single detached housing subdivision or a mobile home lot subdivision;
 - (b) the unit floor area of each individual dwelling unit proposed when applying for a building permit for a multiple unit housing building, provided that where the permit is authorizing the alteration of a building that previously contained dwelling units, development cost charges are payable only in respect of the additional number of dwelling units being created in the building; (Bylaw 5402)
 - (c) the gross floor area (in square metres) that will be constructed when applying for a building permit for commercial or institutional development; and
 - (d) the gross site area (in hectares) that will be developed when applying for a building permit for industrial development.

For mixed use developments, the development cost charge payable shall be calculated separately for each portion of the development in accordance with the zones and land uses which are contained in the building permit or subdivision application. The total payable will be the sum of the development cost charges for each portion of the development.

Timing of Payment

- 7. Development cost charges payable under this bylaw shall be paid to the City at the time of approval of the subdivision or issuance of the building permit in respect of which the charges are imposed.

Application to Buildings Containing Two or Three Dwelling Units

- 8. Despite section 933(4)(b) of the *Local Government Act*, development cost charges are payable under this bylaw in relation to a building permit authorizing the construction of a building containing two or three dwelling units, other than a single detached housing building containing a permitted secondary suite.

Waiver of DCC's for Low Income Housing

- 9. Pursuant to the *Local Government Act*, development cost charges for low income housing are waived in their entirety.

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READ A FIRST TIME THIS 14th day of December, 2009

READ A SECOND TIME THIS 14th day of December, 2009

READ A THIRD TIME THIS 14th day of December, 2009

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 26th day of February, 2010.

ADOPTED THIS 8th day of March, 2010.

 'W. Lippert'
Mayor:

 'P. Bridal'
Corporate Officer:

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**Schedule A, attached hereto
and forming part of Bylaw 5233**

Development Cost Charges – Core Area (Development Districts 1 and 2)							
Land use	Units	Transportation DCC	Sanitary Collection DCC	Sanitary Treatment DCC	Sanitary Disposal DCC	Stormwater DCC	Total DCC
Single Detached Housing	Per parcel	\$12,099	\$1,148	\$803	\$1,618	\$761	\$16,430
Single Detached - Small lot (less than 400m ²) or Mobile Home Lot	Per parcel	\$8,066	\$956	\$670	\$1,349	\$540	\$11,581
Semi-Detached / Duplex / Three-Plex / Four-Plex	Per m ² of unit floor area (maximum charge per unit)	\$46.17 (\$7,710)	\$5.04 (\$842)	\$3.53 (\$589)	\$7.11 (\$1,187)	\$3.60 (\$600)	\$65.44 (\$10,928)
Row Housing / Stacked Row Housing	Per m ² of unit floor area (maximum charge per unit)	\$59.31 (\$7,710)	\$6.47 (\$842)	\$4.53 (\$589)	\$9.13 (\$1,187)	\$2.14 (\$278)	\$81.59 (\$10,606)
Apartment Housing	Per m ² of unit floor area (maximum charge per unit)	\$63.77 (\$5,931)	\$6.17 (\$574)	\$4.32 (\$402)	\$8.70 (\$809)	\$2.45 (\$228)	\$85.42 (\$7,944)
Apartment – Small unit (less than 56m ²)	Per m ² of unit floor area (maximum charge per unit)	\$52.96 (\$2,965)	\$6.83 (\$383)	\$4.78 (\$268)	\$9.63 (\$539)	\$3.47 (\$195)	\$77.68 (\$4,350)
Office/ Commercial	Per m ² of gross floor area	\$23.72	\$3.83	\$2.68	\$5.39	\$1.43	\$37.05
Highway/Large Format Commercial	Per m ² of gross floor area	\$35.59	\$2.68	\$1.87	\$3.78	\$5.03	\$48.95
Industrial	Per hectare of site area	\$99,640	\$8,993	\$6,297	\$12,683	\$25,156	\$152,768
Institutional	Per m ² of gross floor area	\$35.59	\$4.21	\$2.95	\$5.93	\$2.35	\$51.02

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**Schedule B, attached hereto
And forming part of Bylaw 5233**

Development Cost Charges – Outer Area (Development District 3)							
Land use	Units	Transportation DCC	Sanitary Collection DCC	Sanitary Treatment DCC	Sanitary Disposal DCC	Stormwater DCC	Total DCC
Single Detached Housing	Per lot	\$16,852	\$1,148	\$803	\$1,618	\$761	\$21,183
Single Detached - Small lot (less than 400m ²) or Mobile Home Lot	Per lot	\$11,235	\$956	\$670	\$1,349	\$540	\$14,749
Semi-Detached / Duplex / Three-Plex / Four-Plex	Per m ² of unit floor area (maximum charge per unit)	\$64.31 (\$12,861)	\$5.04 (\$842)	\$3.53 (\$589)	\$7.11 (\$1,187)	\$3.60 (\$600)	\$83.58 (\$16,715)
Row Housing / Stacked Row Housing	Per m ² of unit floor area (maximum charge per unit)	\$82.61 (\$10,739)	\$6.47 (\$842)	\$4.53 (\$589)	\$9.13 (\$1,187)	\$2.14 (\$278)	\$104.89 (\$13,635)
Apartment Housing	Per m ² of unit floor area (maximum charge per unit)	\$88.83 (\$8,261)	\$6.17 (\$574)	\$4.32 (\$402)	\$8.70 (\$809)	\$2.45 (\$228)	\$110.47 (\$10,274)
Apartment – Small unit (less than 56m ²)	Per m ² of unit floor area (maximum charge per unit)	\$73.76 (\$4,130)	\$6.83 (\$383)	\$4.78 (\$268)	\$9.63 (\$539)	\$3.47 (\$195)	\$98.48 (\$5,515)
Office/Commercial	Per m ² of gross floor area	\$33.04	\$3.83	\$2.68	\$5.39	\$1.43	\$46.37
Highway/Large Format Commercial	Per m ² of gross floor area	\$49.57	\$2.68	\$1.87	\$3.78	\$5.03	\$62.93
Industrial	Per hectare of site area	\$138,783	\$8,993	\$6,297	\$12,683	\$25,156	\$191,911
Institutional	Per m ² of gross floor area	\$49.57	\$4.21	\$2.95	\$5.93	\$2.35	\$65.00