

THE CORPORATION OF THE CITY
BYLAW NUMBER 5680
A Bylaw to Impose Parks 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 in paying the capital costs of acquiring and improving park land in order to serve, directly or indirectly, the development in respect of which the charges are imposed;

AND WHEREAS in setting the development cost charges under this bylaw, the City has considered the matters referred to in section 564 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 Parks Development Cost Charges Bylaw Number 5680, 2018**”.

Definitions:

2. In this bylaw:

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

“**Commercial**” means a building or portion thereof used for commercial or business purposes;

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

BYLAW 5680

" 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;

" 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;

" 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;

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

" 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;

" 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.

BYLAW 5680

Imposition of Charges

3. 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*, or
- (b) a building permit authorizing the construction, alteration or extension of a building or structure;

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

Manner of Calculation

4. 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 number of dwelling units 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;
- (c) the gross floor area (in square metres) that will be constructed when applying for a building permit for commercial development; and
- (d) the number of beds that will be provided when applying for a building permit for congregate care development.

For mixed use developments, the development cost charge payable shall be calculated separately for each portion of the development in accordance with the zoning district 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

5. 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.

BYLAW 5680

Application to Buildings Containing Two or Three Dwelling Units

6. Despite section 561(5) 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 DCCs for Low Income Housing

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

READ A FIRST TIME this 26th day of March, 2018.

READ A SECOND TIME this 26th day of March, 2018.

READ A THIRD TIME this 26th day of March, 2018.

APPROVED BY THE DEPUTY INSPECTOR OF MUNICIPALITIES
THIS 16th day of July, 2019.

ADOPTED that 19th day of August, 2019.



Mayor



Rep. Corporate Officer

SCHEDULE A
Attached to and Forming Part of Bylaw 5680
“City of Vernon Parks Development Cost Charges Bylaw No. 5680, 2018”

Municipal-Wide Parks DCCs For Park Land Acquisition and Park Development

Land Use	Parks DCC	Units
Single Detached Housing	\$2,645	Per parcel
Multiple Unit Housing	\$1,889	Per unit
Commercial	\$4.25	Per m ² gross floor area (GFA)
Congregate Care	\$944	Per bed