



Development Cost Charge

Bylaw 1197

Effective 2014 December

Consolidated 2022 December

CASTLEGAR

Development Cost Charge

Bylaw 1197

WHEREAS the Council may, pursuant to the Local Government Act, impose Development Cost Charges;

AND WHEREAS Development Cost Charges may be imposed for the purpose of providing funds to assist the City in paying the capital cost of providing, constructing, altering, or expanding sewage, water, drainage, and highway facilities, other than off-street parking facilities, and the improvement of parkland, in order to service, directly or indirectly, the development for which the charge is being imposed;

AND WHEREAS in the consideration of Council the charges imposed by this Bylaw:

- a. are not excessive in relation to the capital cost of prevailing standards of service in the municipality;
- 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; and,
- d. will not discourage development designed to result in a low environmental impact;

AND WHEREAS in the opinion of Council, the charges imposed under this Bylaw are:

- a. related to capital costs attributable to projects included in the capital budget of the City;
- b. related to capital projects consistent with the Official Community Plan of the City.

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

PART I – INTERPRETATION AND DEFINITIONS

TITLE

- 1.1 This Bylaw shall be cited as "City of Castlegar Development Cost Charge Bylaw, No. 1197".

HEADINGS

- 2.1 The headings given to parts, sections and paragraphs in this Bylaw are for convenience of reference only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.

SEVERABILITY

- 3.1 If any portion of this Bylaw is for any reason held invalid by any court of competent jurisdiction, the invalid portion shall be severed, and the severance shall not affect the validity of the remainder.

SCHEDULE

- 4.1 "Schedule A" is attached to and forms part of this Bylaw.

DEFINITIONS

5.1 In this Bylaw, unless the context otherwise requires:

Affordable requires that the housing units to be rented for an initial monthly rate that is less than the median market rent levels most recently published by the Canada Mortgage and Housing Corporation for the City of Castlegar or a like community, or as the date of First Reading of the Bylaw authorizing a Housing Agreement, and limits the rate of increase of the monthly rate. **(Bylaw 1390)**

Building Area means the maximum projected horizontal area of a building including but not limited to, eaves, garages and carports on the ground level, balconies, sundecks, porches and gazebos, storage and warehouses, other ancillary buildings, and structures.

Building Permit means any permit required by the City that authorizes the construction, alteration or extension of a building or structure.

City means the City of Castlegar.

Commercial means a commercial use permitted in a Commercial Zone designated in the Zoning Bylaw or the commercial component of a development that allows a mixture of commercial and residential uses.

Council means the Council of the City of Castlegar.

Developed Area means the Building Area plus the Outdoor Area plus the Setback Area.

Development means a subdivision; or the construction, alteration or extension of a building or structure for which a Building Permit is required.

Duplex means a building which contains two dwelling units of approximately equal floor areas with each dwelling unit having its own connections to the community water and sewer systems; and excludes one-family dwellings with secondary suites.

Dwelling Unit means a building or portion thereof containing one or more habitable rooms used or intended to be used for living and sleeping purposes and containing sleeping, sanitary facilities, and not more than one set of cooking facilities.

For-profit Rental Housing means rental housing owned by a private individual or company that is rented to tenants who pay market or below market rates, notwithstanding that the units may have been subdivided under the Strata Property Act. **(Bylaw 1390)**

Gross Floor Area means the sum of the horizontal areas of each storey in each building on a parcel measured between the exterior walls of such buildings.

Housing Agreement means an agreement between a property owner and the City under Section 483 of the *Local Government Act* to supply affordable housing or special needs housing. **(Bylaw 1390)**

Industrial means an industrial use permitted in an Industrial land use Zone as designated in the Zoning Bylaw.

Low Environmental Impact Development means a development that has been designed to meet, and is confirmed at the time of Building Occupancy to have met the City's sustainability objectives, with a score of 40 or higher, based on a standard point system and Sustainability Checklist (attached as 'Schedule D'), as provided by the City, and as revised from time to time. **(Bylaw 1390)**

Multiple Residential means the development of a multiple residential building (a building containing three (3) or more dwelling units) as designated in the Zoning Bylaw.

Not-for-profit Rental Housing means rental housing that is owned and operated by community-based, non-profit societies, or local governments and regional districts.
(Bylaw 1390)

Official Community Plan means the City of Castlegar Official Community Plan.

Outdoor Area means any outdoor parking facilities and loading facilities, solid waste storage and snow storage, landscaped area required under the City's Zoning Bylaw or a Development Permit, swimming pools and other ancillary facilities, and other outdoor amenity spaces, but excludes outdoor sports or recreation facilities within public parks or public schools.

One-Family Dwelling means a detached building containing one dwelling unit except a mobile home but including a modular home.

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.

Public means public and institutional development in the Public and Institutional Zones as designated in the Zoning Bylaw.

Secondary Suite means a self-contained dwelling unit located within the structure of a one-family dwelling.

Senior Citizens Home means a multiple residential building occupied exclusively by people over the age of 55, which is supported in whole or in part by financial assistance from the Municipal, Provincial, or Federal Governments or agencies; or where the residents are regularly served with meals, housekeeping and alert services for emergent medical needs and the building contains adequate facilities to provide such services along with other amenities.

Setback Area means an open space left vacant to meet the setback requirements under the City's Zoning Bylaw or BC Building Code and shall be determined by the area of a polygon formed by the lines that are parallel to the lot lines and located on the required minimum setback distance.

Subdivision means a subdivision of land into two or more Parcels, whether by plan, apt descriptive words or otherwise, under the Land Title Act or the Strata Property Act.

Zone(s) means the land areas into which the City is divided pursuant to the Local Government Act, to be referenced herein in accordance with the map or maps shown and attached to the Zoning Bylaw and for which specific regulations are outlined for each area in the Zoning Bylaw.

Zoning Bylaw means the City of Castlegar's Zoning Bylaw.

Unless otherwise provided in this Bylaw, words and phrases used herein have the same meanings as in the Local Government Act and Community Charter as the context and circumstances may require. A reference to a statute in this bylaw refers to a statute of the Province of British Columbia and a reference to any statute, regulation, bylaw, or other enactment refers to that enactment as it may be amended or replaced from time to time.

CHARGES

- 6.1 Every person who:
- a. obtains approval of a subdivision;
 - b. obtains a Building Permit authorizing the construction, alteration, or extension of a building or structure; or
 - c. obtains a Building Permit authorizing the construction, alteration or extension of a building that will, after the construction, alteration or extension, will contain more than four (4) self-contained dwelling units and be put to no other use other than residential use;

must pay to the City Development Cost Charges in accordance with Schedule "A".

EXEMPTIONS AND REDUCTIONS (Bylaw 1390)

- 7.1 A Development Cost Charge is not payable if any of the following applies in relation to a development authorized by a Building Permit:
- a. the permit authorizes the construction, alteration or extension of a building set apart for public worship or part of such a building that is, or will be, after the construction, alteration or extension, exempt from taxation under the Community Charter;
 - b. where a Development Cost Charge has already been paid for the same development unless additional or new capital cost burdens are anticipated;
 - c. the value of the work authorized by the permit does not exceed \$50,000; or
 - d. the square footage of the dwelling unit is no larger than 29 square meters.
- 7.2 A development is not exempt from payment of the applicable Development Cost Charges if the application for development which might otherwise qualify under section 7.1(b) above relates to a single site for which, if more fully developed, the total value of the work possible would exceed \$50,000.
- 7.3 Despite other provision of this Bylaw, no Development Cost Charge is payable for a subdivision approval or a Building Permit which takes place on land located East of the Columbia River.
- 7.4 Despite other provisions of this bylaw, Development Cost Charges will be waived for the purposes of not-for-profit rental housing, including supportive living housing. **(Bylaw 1390)**
- 7.5 Despite other provisions of this bylaw, Development Cost Charges will be reduced for the purposes of for-profit affordable rental housing by: **(Bylaw 1390)**
- 50% for that area specified under Schedule 'B' of this Bylaw and described as the Downtown Specific Growth Area in the City's applicable Official Community Plan, subject to the proponent entering into a Housing Agreement for a period of 10 years with the City that maintains standard affordable rental rates; or
 - 30% for those areas specified under Schedule 'C' of this Bylaw and described as Specific Growth Areas in the City's applicable Official Community Plan, subject to the proponent entering into a Housing Agreement for a period of 10 years with the City that maintains standard affordable rental rates.

- Development Cost Charges will not be reduced for the purposes of for-profit affordable rental housing outside of Specified Growth Areas as defined in the City's applicable Official Community Plan.

7.6 Despite other provisions of this bylaw, Development Cost Charges will be reduced for the purposes of market housing, mixed use residential and commercial, commercial, and light industrial developments that meet the City's criteria of Low Environmental Impact Development by: **(Bylaw 1390)**

- 50% for that area specified under Schedule 'B' of this Bylaw and described as the Downtown Specific Growth Area in the City's applicable Official Community Plan, subject to the proponent obtaining a score of 40 or higher based on a standard point system and Sustainability Checklist, attached as Schedule 'D' of this Bylaw; and/or
- 30% for those areas specified under Schedule 'C' of this Bylaw and described as Specific Growth Areas in the City's applicable Official Community Plan, subject to the proponent obtaining a score of 40 or higher based on a standard point system and Sustainability Checklist, attached as Schedule 'D' of this Bylaw; and/or
- 15% for those areas that fall outside of both Schedule 'B' and 'C' of this Bylaw, subject to the proponent obtaining a score of 40 or higher based on a standard point system and Sustainability Checklist, attached as Schedule 'D' of this Bylaw.

7.7 A Development Cost Charge reduction for an eligible development under Section 7.6 may be provisionally approved by the City upon the provision and review by the City of a completed Sustainability Checklist prior to the issuance of a Building Permit. **(Bylaw 1390)**

7.8 The applicant will be required to pay the full amount of Development Cost Charges at the time of Building Permit issuance and will be re-imbursed at the time of Building Occupancy once it has been determined that the development has achieved the intended eligibility requirements as determined by a qualified professional or City staff. **(Bylaw 1390)**

MANNER OF CALCULATION

- 8.1 The amount of Development Cost Charges payable depends upon:
- a. the number of additional parcels being created by an application for the subdivision of land;
 - b. the number of new dwelling units proposed when applying for a Building Permit; or
 - c. the developed area in square metres, when applying for a Building Permit for industrial, commercial, or public development.
- 8.2 For mixed use developments, the Development Cost Charge payable shall be calculated separately for each portion of the development contained in the Building Permit or subdivision application in accordance with the Zones and Land Uses identified in "Schedule A". The total payable will be the sum of the Development Cost Charges for each portion of the development.
- 8.3 Where a type of development is not identified in "Schedule A", the amount of development cost charges to be paid to the city shall be equal to the development cost charges that would have been payable for the most comparable type of development

8.4 The Developed Area of a non-residential building in a commercial, industrial, or public zone shall be determined by summing the building area, outdoor area, and setback area in square metres for which a building permit is issued for a new construction, alteration, or extension.

Where an area is overlapped by more than one building area, outdoor area, or setback area, only one type of area is counted for the developed area in square metres.

TIMING OF PAYMENT

9.1 Development Cost Charges imposed by this Bylaw must be paid in full to the City at the following times:

- a. at the time of subdivision approval for a subdivision; or
- b. at the time of issuance of a Building Permit for a development.

REPEAL OF PRIOR BYLAWS

10.1 The City of Castlegar "Development Cost Charge Bylaw, No. 695, 1994" and all amendments thereto are repealed as of the date this bylaw comes into force and effect.

10.2 This Bylaw comes into force and effect on the date of its final adoption.

Read a First time this 11th day of August, 2014.

Read a Second time this 11th day of August, 2014.

Read a Third time this 11th day of August, 2014.

Approved by the Inspector of Municipalities on the 12th day of November, 2014

Adopted this 15th day of December, 2014.

"Original Signed"

Mayor

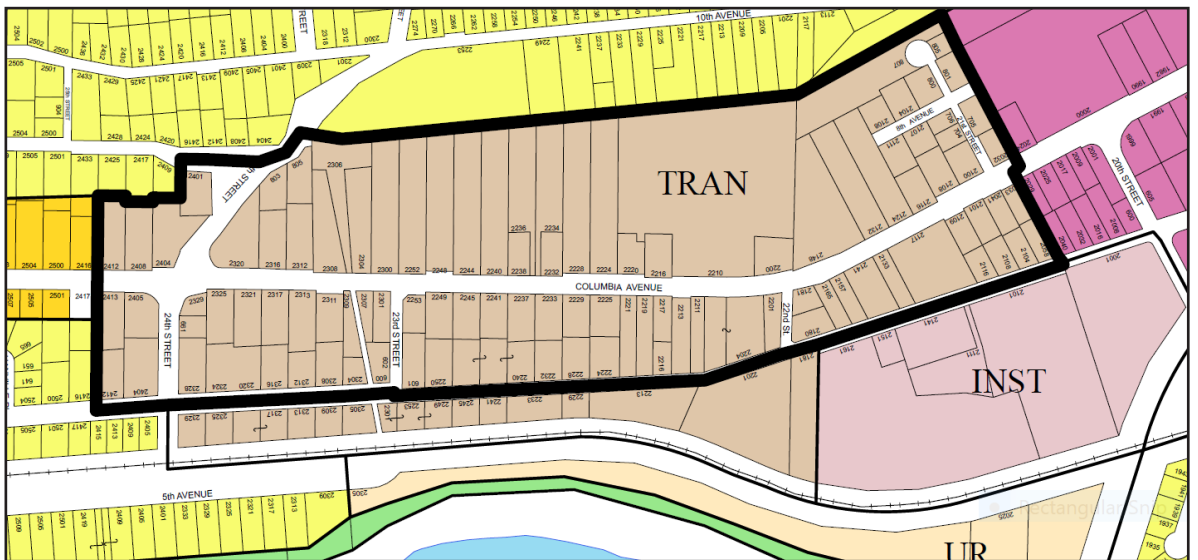
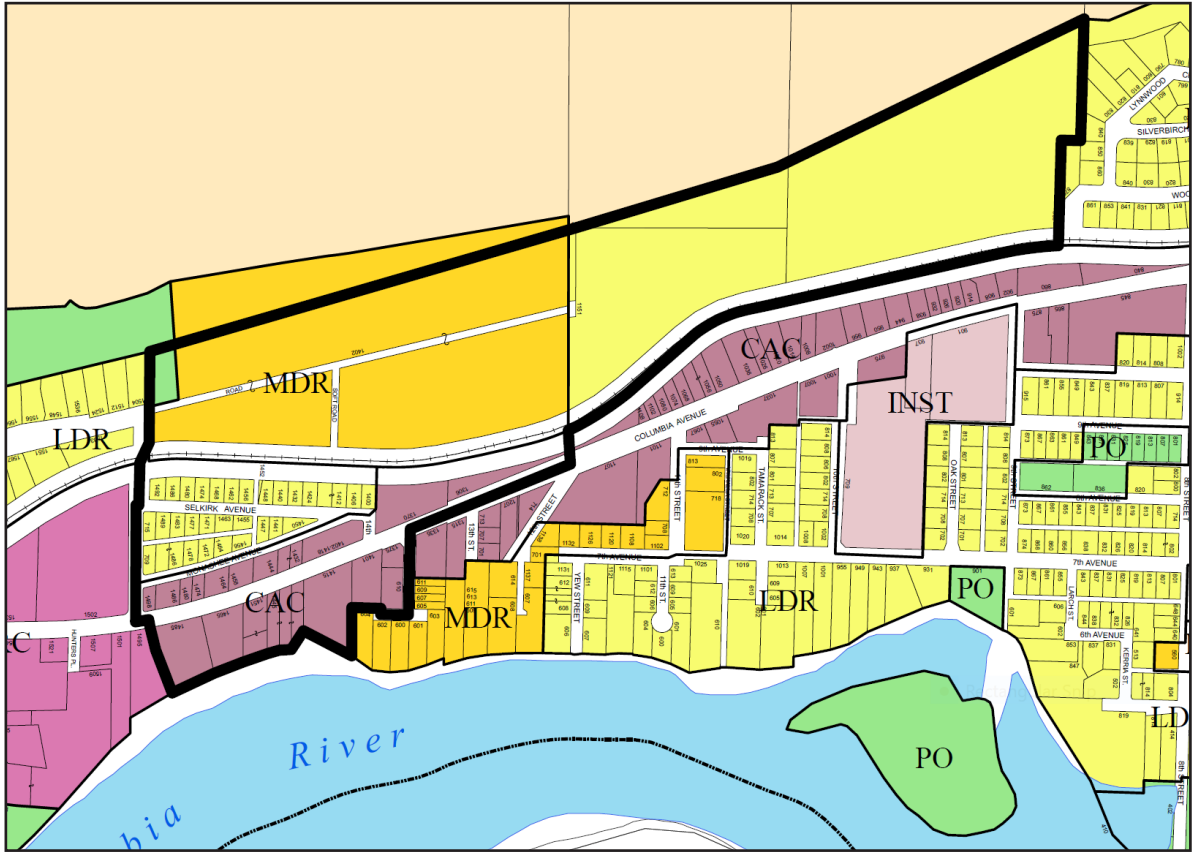
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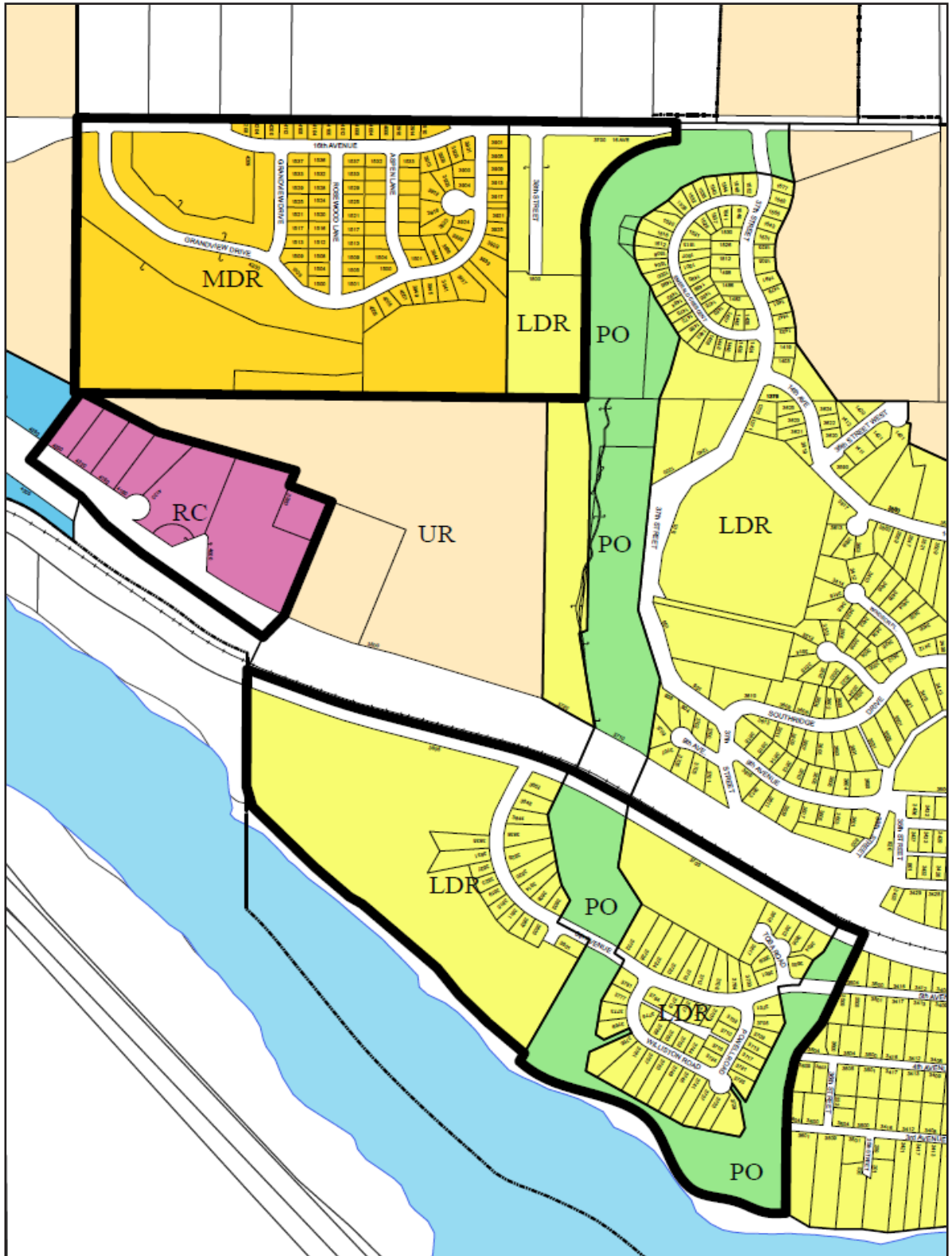
Director of Corporate Services

Schedule A: Development Cost Charges

Type of Development	Collection basis	Road System	Water System	Drainage System	Sewage System	Parks	Total
Subdivision of land zoned RR-2 and R-1C. (zones that allow up to one dwelling unit)	per Parcel	\$2,180	\$560	\$7	\$1,074	\$84	\$3,905
Subdivision of land zoned RR-1, RR-3, R-1S, R-1, R-1B, and R2 (zones that allow up to two dwelling units)	per Parcel	\$2,906	\$746	\$10	\$1,432	\$112	\$5,206
Building permit for Multiple Residential, One Family Dwelling, Duplex Secondary Suite, Mobile Home or Modular Home on land zoned R-3, R-4, R-4B, R-4C and R-5	per Dwelling Unit	\$2,180	\$560	\$4	\$1,074	\$84	\$3,902
Building permit for Senior Citizens Home	per Dwelling Unit	\$1,453	\$373	\$5	\$716	\$56	\$2,603
Building Permit for Commercial	per square metre of Developed Area	\$8.25	\$1.52	\$0.02	\$2.45	\$0.00	\$12.24
Building permit for Industrial	per square metre of Developed Area	\$2.35	\$0.81	\$0.02	\$2.45	\$0.00	\$5.63
Building Permit for Public	per square metre of Developed Area	\$1.92	\$1.40	\$0.02	\$2.64	\$0.00	\$5.98

Schedule C: Specified Growth Areas





(Bylaw 1390)

Schedule D: Sustainability Checklist

Project Address		
Applicant Address		
Name of Applicant		
Signature of Applicant		
Sustainability Criteria	Maximum Points	Points Awarded
Site Design Criteria		
Storm Water Retention (on-site)	5	
Storm Water Treatment (Sediment and oil removal with bioswales, oil/grit separators, or media filters)	3	
Permeable Surfacing* (minimum 50% of site permeable)	5	
Permeable Surfacing* (minimum 30% of site permeable)	3	
Provision of Shade Trees (in alignment with the City's Street Tree Master Plan)	5	
Provision of EV Parking (exceeding 10% of required parking)	5	
Provision of Bike Parking (exceeding requirements of zoning)	3	
Located within 400 metres of a bus transit stop, park, or trail	6	
Located within 800 metres of a bus transit stop, park, or trail	3	
Landscaping incorporates up to 30% drought resistant and/or wildfire resistant vegetation	3	
Building Criteria		
Green Roof (minimum 75% of roof area)	5	
Green Roof (minimum 50% of roof area)	3	
Provision of cold weather heat pumps (per unit)	3	
Low Carbon Construction (minimum 25%)	5	
Deconstruction & Re-use of Materials (minimum 25%)	5	
BC Energy Step Code (minimum Step 5)	10	
BC Energy Step Code (minimum Step 4)	7	
BC Energy Step Code (minimum Step 3)	5	
Geothermal (minimum 20%)	3	
Solar Thermal (minimum 20%)	3	
Alternative Low Energy (minimum 20%)	3	
Rainwater Collection & Re-use (minimum 20%)	3	
Low Flow Fixtures (minimum 75% of units)	2	
Greywater System	4	
HVAC or HEPA Filter System	2	
Energy Star Appliances (minimum 75% of units)	2	
Other Innovations	10 (max)	
Total Points Calculated		

*Permeable Surfacing includes permeable pavers or asphalt products and excludes loose gravel or dirt that may result in run-off, dust or tracking of materials off-site.

(Bylaw 1390)