

DISTRICT OF ELKFORD
Development Cost Charge Reduction Bylaw No. 909, 2024

A Bylaw to reduce development cost charges for not-for-profit rental housing and for-profit affordable rental housing.

WHEREAS S. 563 of the *Local Government Act* authorizes a local government to waive or reduce a development cost charge for not-for-profit rental housing and for-profit affordable rental housing;

WHEREAS Council wishes to provide for a waiver or reduction of a development cost charge for not-for-profit rental housing projects and for-profit affordable rental housing;

NOW THEREFORE, the Council of the District of Elkford in open meeting assembled enacts as follows:

1. CITATION

This bylaw may be cited as ***“Development Cost Charge Reduction Bylaw No. 909, 2024”***.

2. DEFINITIONS

In this bylaw:

- a) **“For-Profit Affordable Rental Housing”** means a development that includes dwelling units which are owned, or leased for a minimum term of 35 years by a for-profit organization, and which a covenant is registered against the title to a portion of the dwelling units contained within the development, in favor BC Housing, the District of Elkford, or other agency or ministry of the Province of British Columbia providing that one or more dwelling units are only available for rental to **Eligible Households**;
- b) **“Eligible Development”** means a development that meets the definition of **For-Profit Affordable Rental Housing** or **Not-For-Profit Rental Housing**.
- c) **“Eligible Households”** means a household in which:
 - i. the gross annual household income is at or below the limits established by BC Housing from time to time for affordable housing programs; or,
 - ii. 30% or more of the household's gross annual income would go toward housing:
 - 1. based on the median market rent in Elkford;
 - 2. with enough bedrooms for the size and make-up of the household based on Canada Mortgage and Housing Corporation's National Occupancy Standards.
- d) **“Not-For-Profit Rental Housing”** means a development that includes dwelling units which are owned, or leased for a minimum term of 35 years, by a Not-For Profit Society, BC Housing, a Non-Profit Municipal Housing Corporation or a Registered Charity;

3. ELIGIBLE DEVELOPMENT

- a) A **For-Profit Affordable Rental Housing** or **Not-For-Profit Rental Housing** development is an **Eligible Development**.

4. REDUCTION

- a) Development Cost Charges are not payable in relation to **Not-For-Profit Rental Housing Eligible Developments** in relation to all dwelling units.
- b) Development Cost Charges are not payable by **For-Profit Affordable Rental Housing** developments in relation to:
 - i. All dwelling units in the development, if at least 20% of the dwelling units within the development are designated for occupation by **Eligible Households**.
 - ii. Only those dwelling units that are designated for occupation by **Eligible Households**, if less than 20% of the dwelling units within the development are designated for occupation by **Eligible Households**.

5. SEVERABILITY

If any part, paragraph or phrase in this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, that portion shall be severed, and the remainder of this Bylaw shall continue in force.

6. FORCE AND EFFECT

This bylaw comes into force and effect upon adoption.

READ A FIRST TIME this 23rd day of September 2024.

READ A SECOND TIME this 23rd day of September 2024.

READ A THIRD TIME this 23rd day of September 2024.

ADOPTED this 15th day of October 2024.

Steve Fairbairn
Mayor

Chantel Dawson
Director of Corporate Services