

DISTRICT OF SICAMOUS

BYLAW NO. 1060, 2024

A Bylaw to Impose Development Cost Charges

WHEREAS according to the *Local Government Act*, a council may, by bylaw, impose development cost charges.

AND WHEREAS in the consideration of council, development cost charges may be imposed for the sole purpose of providing funds to assist the District in paying the capital cost of providing, constructing, altering, or expanding sewage, water, drainage, and highway facilities other than off-street parking facilities, and providing and improving parkland, to service, directly or indirectly, the development for which the charges are imposed;

AND WHEREAS the council of the District of Sicamous has considered the following:

- (a) future land use patterns and development;
- (b) the phasing of works and services;
- (c) the provision of parkland described in an official community plan;
- (d) how development designed to result in a low environmental impact may affect the capital costs of infrastructure;
- (e) whether the charges are excessive concerning the capital cost of prevailing standards of service in the municipality;
- (f) whether the charges will, in the municipality:
 - (i) deter development,
 - (ii) discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land, or
 - (iii) 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 District's financial plan;
- b) related to capital projects consistent with the District's Official Community Plan.

AND WHEREAS as the Inspector of Municipalities has approved this bylaw;

NOW THEREFORE the municipal council of the District of Sicamous, in an open meeting assembled, hereby enacts as follows:

1. Title

This bylaw may be cited for all purposes as the ***“District of Sicamous Development Cost Charges Bylaw No. 1060, 2024”***.

2. Interpretation

In this bylaw

“Accessory Dwelling Unit” means a coach house or garden suite that contains a dwelling unit subordinate in size to the principal building on the same parcel.

“Building” means anything constructed or placed on land used or intended for supporting or sheltering any use, excluding landscaping (hard or soft) and docks.

“Campground” means a site intended for the temporary accommodation of travelers for vacation or recreational purposes in Recreational Vehicles, tent trailers or tents that are not occupied as principal residences or long-term accommodations and excludes a mobile home park or recreational vehicle park, but may include accessory laundry, bathroom, shower facilities, retail store, office, and recreation facilities, provided such uses are limited to the occupants of the campground.

“Coach House” means a Dwelling Unit that is contained within an accessory building.

“Commercial” means the use of land or buildings in a commercial zone as permitted under the District’s Zoning Bylaw.

“District” means the District of Sicamous.

“Dwelling Unit” means a building, or a portion of a building designed and used for human habitation for one household, which contains sleeping facilities, one kitchen, and a bathroom.

“Garden Suite” means an accessory building used to accommodate an accessory dwelling unit and will not include a mobile home, park model trailer, or recreational vehicle

“Gross Floor Area” means the sum of all areas of each floor, excluding a crawl space or basement and unenclosed balconies or decks, of all buildings on a lot as measured to the exterior wall cladding.

“High-Density Multiple-Family Residential” means a use containing three or more dwelling units as permitted under the District’s Zoning Bylaw having a density greater than twelve (12) dwellings per four thousand and forty-seven square meters (4,047 square metres) of lot area.

“Industrial” means the use of land or buildings in an industrial zone as permitted under the District’s Zoning Bylaw.

“Institutional” means the use of lands, buildings or structures for government services, police, ambulance and fire stations, courts of law, legislative chambers and offices, archives and meeting rooms accessory thereto whether on the same property or not, public detention centres, public schools, social services, public healthcare facilities, religious institution, community care facilities, child daycare facilities, utilities, and parks.

“Lot” means a parcel of land legally described and registered on the records of the Land Title Office and includes Land Act Surveys as registered crown land.

“Medium-Density Multiple Family Residential” means a use containing three or more dwelling units, as permitted under the District's Zoning Bylaw having a density equal to or less than twelve (12) dwelling units per four thousand and forty-seven square meters (4,4047 square meters) of lot area.

“Mobile Home” means a dwelling unit that is manufactured and assembled in a factory to Canadian Standards Association Z-240 MH Standard, and is intended to be capable of movement from place to place and be occupied other than in its place of manufacture.

“Modular Home” means a single-unit dwelling or two-unit dwelling constructed to the CAN/CSA A277 standard, built in two or more sections to be assembled on a permanent foundation.

“Park Model Trailer” means a recreational vehicle unit that conforms to CAN/CSA Z-241 series of standards for park model trailers at the time of manufacture, with a width greater than 2.6 m in transit mode and a maximum interior area of 50 m² when in the setup mode.

“Recreational Vehicle Park” means a site intended for the accommodation of persons in recreational vehicles or park model trailers, and excludes a mobile home park or campground, but may include an accessory laundry, bathroom, shower facilities, retail store, office, and recreational facilities, provided such uses are limited to the occupants of the recreational vehicle park.

“Recreational Vehicle Space” means a designated area, or parcel subdivided under the *Strata Property Act*, of a recreational vehicle park intended for the siting of a recreational vehicle or park model trailer, but does not include common amenities, Usable Open Space, and Accessory Use areas.

“Recreational Vehicle Strata Park” means a site intended to be subdivided under the *Strata Property Act* for the individual ownership of recreational vehicle spaces.

“Residential” means a use containing up to and including two dwelling units.

“Subdivision” means the division of land or one or more buildings or both into two or more parcels under the provisions of the *Land Title Act* or the *Strata Property Act*.

“Zoning Bylaw” means the District of Sicamous Zoning Bylaw as amended from time to time.

3. Charges

3.1 Development cost charges are hereby imposed on every person who obtains:

- a. approval of a subdivision; or
- b. a building permit authorizing the construction, alteration or extension of a building or structure; or

- c. a building permit authorizing the construction, alteration or extension of a building that will, after the construction, alteration or extension, contain fewer than four (4) self-contained dwelling units and be put to no other use than the residential use in those dwelling units.
- 3.2 The District will be paid the development cost charge amount set out in Schedule "A" which is attached to and forms part of this bylaw. The development cost charge will be paid in full before approval of a subdivision or building permit issuance.
- 3.3 All charges imposed by this bylaw may be paid in installments following B.C. Reg.166/84 Development Cost Charges (Installments) Regulation to the *Local Government Act*.

4. Exemptions

- 4.1 No charge is payable under Section 3 of this bylaw where:
 - a) the building permit authorizes the construction, alteration or extension of a building or part of a building that is, or will be, after the construction, alteration or extension, exempt from taxation under Section 220(l)(h) and 224 (2)(f) of the *Community Charter*;
 - b) the value of the work authorized by the permit does not exceed \$50,000 or any other amount prescribed by regulation under the *Local Government Act*; or
 - c) the square footage of each dwelling unit is no larger than 29 square metres and is to be put to no other use other than residential use, as prescribed under Section 561(7) of the *Local Government Act*.

5. Calculation of Applicable Charges

- 5.1 The amount of development cost charges payable for a particular application will be calculated using the applicable charges set out in Schedule "A" and depends upon:
 - a. the number of additional lots being created by the application for a subdivision of land zoned to permit residential use, other than land zoned to permit multiple-family residential use only;
 - b. the number of additional lots being created by the application for a subdivision of land, including the creation of bare land strata, within a mobile home subdivision, or a recreation vehicle strata park;
 - c. the number of new dwelling units proposed when applying for a building permit for the development of a medium-density multiple-family residential or high-density multiple-family residential, at the time of approval of a building permit authorizing the development;
 - d. the number of new dwelling units proposed when applying for a building permit for the development of an accessory dwelling unit;

- e. the number of new dwelling units proposed when applying for a building permit for the development of a mobile home, or modular home, where the units are not located on individual lots or bare land strata lots;
 - f. the gross floor area of the building when applying for a building permit for commercial, industrial, and institutional development authorized to be constructed, altered, or extended by the building permit.
- 5.2 For campgrounds and recreation vehicle parks as permitted in the zoning bylaw, the development cost charge will be the rate charged to commercial development based on the gross floor area of buildings constructed on the site. In addition, for each serviced lot (water and/or sanitary) a per unit charge will apply using the same rate as a Park Model Trailer and/or Recreational Vehicle.
- 5.3 Where a type of development is not identified on Schedule "A" the amount of development cost charges to be paid to the municipality will be equal to the development cost charges that would have been payable for the most comparable type of development.
- 5.4 The amount of development cost charges payable concerning a mixed-use type of development will be calculated separately for each portion of the development, according to the separate use types, which are included in the building permit application and will be the sum of the charges payable for each type.

6. Timing of Payment

- 6.1 Development cost charges imposed by this bylaw must be paid in full to the District at the following times:
- (a) subdivision approval of land zoned residential except for land zoned for multiple-family residential use only; or
 - (b) subdivision approval of land zoned for a mobile home park or recreational vehicle strata park; or
 - (c) building permit approval for development of a mobile home or modular home, where the units are not located on individual lots or bare land strata lots; or
 - (d) building permit approval for an accessory dwelling unit; or
 - (e) building permit approval for the development of a medium-density multiple-family or high-density multiple-family residential building; or
 - (f) building permit approval for commercial, industrial, and institutional development.

7. Remainder of Bylaw to be Maintained Intact

- 7.1 If any portion of this bylaw is declared ultra vires by a court of competent jurisdiction, then such portion will be deemed to be severed from the bylaw with the intent that the remainder of the bylaw will continue in full force and effect.

8. Applications Made Prior to Adoption of This Bylaw

- 8.1 If by statute or by operation of law, this bylaw does not apply to an application to subdivide or an application for a building permit made before the adoption of this bylaw, any bylaw repealed by this bylaw will remain unrepealed and in force and effect concerning such applications, so far as is necessary to impose development cost charges under that bylaw at the time of subdivision approval or issuance of the building permit.

9. Effect and Repeal

- 9.1 This bylaw will take effect upon the date of adoption at which time the "District of Sicamous Development Cost Charge Bylaw No. 951, 2018", and amendments thereto are repealed.

READ A FIRST and SECOND TIME this 28th day of February 2024.

READ A THIRD TIME this 24th day of July 2024.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this 8th, day of October, 2024.

ADOPTED this 23rd, day of October, 2024.



Mayor

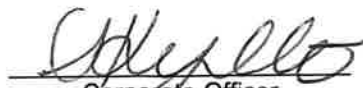


Corporate Officer

SCHEDULE 'A' - Development Cost Charges

	Transportation	Water	Sanitary	Parks	Total Development Cost Charge	
Residential Subdivision	\$2,452.88	\$1,715.85	\$7,205.42	\$367.67	\$11,741.82	per lot
Mobile/Modular Home Park or Recreational Vehicle Strata Park Subdivision	\$1,587.15	\$1,250.53	\$5,253.95	\$269.62	\$8,361.25	per lot
Mobile/Modular Home or Park Model Trailer	\$1,587.15	\$1,250.53	\$5,253.95	\$269.62	\$8,361.25	per unit
Accessory Dwelling Unit	\$1,587.15	\$1,250.53	\$5,253.95	\$269.62	\$8,361.25	per unit
Medium Density Multiple Family Dwelling	\$1,587.15	\$1,250.53	\$5,253.95	\$269.62	\$8,361.25	per unit
High Density Multiple Family Dwelling	\$1,490.96	\$756.14	\$4,353.27	\$220.60	\$6,820.97	per unit
Commercial	\$16.83	\$5.82	\$37.53	\$0.00	\$60.18	per m ² of gross floor area
Industrial	\$6.61	\$5.82	\$15.01	\$0.00	\$27.44	per m ² of gross floor area
Institutional	\$21.64	\$5.82	\$37.53	\$0.00	\$64.99	per m ² of gross floor area

Certified a true and correct Schedule "A" attached to and forming part of
the District of Sicamous Development Cost Charge Bylaw No. 1060,
2024.


Corporate Officer

