

City of Port Moody

Bylaw No. 3054

WHEREAS Council of the City of Port Moody (Council), as authorized under the *Local Government Act*, RSBC 2015, Chapter 1, section 559 may, by bylaw, impose Development Cost Charges for the purpose of providing funds to assist the City of Port Moody (City) to pay the capital costs of providing, constructing, altering, or expanding sewage, water, drainage, and highway facilities, other than off-street parking facilities, and providing and improving park land to service, directly or indirectly, developments for which the charges are being imposed;

AND WHEREAS in setting Development Cost Charges, Council has taken into consideration future land use patterns and development; the phasing of works and services; the provision of park land described in City of Port Moody Official Community Plan Bylaw, 2014, No. 2955; how development designed to result in low environmental impact may affect the capital costs of infrastructure (sewer, water, drainage, highway facilities other than off-street parking, and park land); and considers that the charges:

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

AND WHEREAS Council considers that the Development Cost Charges to be imposed by this Bylaw are related to capital costs attributable to projects included in the City's financial plan, and are consistent with City of Port Moody Official Community Plan Bylaw, 2014, No. 2955;

NOW THEREFORE the Council of the City of Port Moody enacts as follows:

1. Citation

1.1 This Bylaw may be cited as "City of Port Moody Development Cost Charges Bylaw, 2019, No. 3054."

2. Repeal

2.1 Development Cost Charges Imposition Bylaw, 1986, No. 1801 and all amendments thereto are hereby repealed.

3. Definitions

3.1 In this Bylaw,

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 Port Moody;

Commercial, General means a use providing for the sale of goods and services, including retail, personal services, and entertainment uses;

Commercial, TOD means a use providing for the sale of goods and services within an area designated as a Transit-Oriented Development area;

Development means:

- (a) a subdivision and a proposed subdivision; or
- (b) the construction, alteration, or extension, and a proposed construction, alteration, or extension of a building or structure for which a building permit is required;

Duplex (Semi-Detached Residential) means a residential use in which a building on a lot is used for two (2) independent dwelling units in a variety of configurations, neither of which is a Detached Accessory Dwelling Unit (DADU) or Secondary Suite;

Effective Date means the date on which this Bylaw is adopted by Council for the City;

Excluded Area, in respect of Development, means the area identified as Excluded Area in Schedule "B" of this Bylaw;

Industrial includes both industrial use and light industrial use as defined in the Zoning Bylaw;

Institutional means a use providing for a public function or civic purpose, including:

- (a) federal, provincial, and local government offices, courts, jails, and correctional facilities;
- (b) public schools, colleges, hospitals, libraries, and museums;
- (c) public parks, playgrounds, and cemeteries;
- (d) municipal community centres, swimming pools, and public works yards; fire, police, ambulance stations; and
- (e) cultural, artistic, or heritage facilities or services, but does not include a commercial or industrial use;

Laneway House (Detached Accessory Dwelling Unit) means a dwelling unit in the rear yard of a single detached residential lot that is separate from and subordinate in scale to the principal dwelling unit on the lot and which may not be stratified;

Major Change means a change to the scope of work authorized by a building permit which results in either:

- (a) an increase by five percent (5%) or more in the cumulative total footprint of the dwelling units, the building area, the number of dwelling units within a building or on a lot, or the developed area of a lot; or
- (b) a change to the zone or land use on which the development cost charges was based;

Minor Change means a change to the scope of work authorized by a building permit which results in an increase by less than five percent (<5%) in the cumulative total footprint of the dwelling units, the building area, the number of dwelling units within a building or on a lot, or the developed area of a lot;

Multi-Residential means a residential use in a building divided into not less than three (3) dwelling units, including triplex, quadplex, townhouse, and apartment forms;

Multi-Family TOD means a Multi-Residential development within an area designated as a Transit-Oriented Development area;

Residential means a use providing for the accommodation and home life of a person or persons, and the activities customarily accompanying and subordinate to that use including incidental horticulture, recreation, enclosed storage, and the keeping of household pets where such animals are normally kept within a Dwelling Unit;

Secondary Suite means one additional Dwelling Unit that is located within and is accessory to a Single Detached Residential building or a Duplex that is the principal dwelling on the same lot in accordance with the Zoning Bylaw;

Single Detached Residential Unit has the same meaning as defined in the Zoning Bylaw;

Transit Oriented Development or **TOD** means a development within the Moody Centre Station Area TOD or the Inlet Centre Station TOD Area as designated in City of Port Moody Official Community Plan Bylaw, 2014, No. 2955; and

Zoning Bylaw means City of Port Moody Zoning Bylaw, 2018, No. 2937.

- 3.2 Except as otherwise defined, words and phrases in this Bylaw have the same meanings as in the *Local Government Act*, the *Community Charter*, the Zoning Bylaw, and the *Interpretation Act*, as the context and circumstances require. A reference to a statute refers to a statute 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.

3.3 If any portion of this Bylaw is held to be invalid by a court of competent jurisdiction, that portion is severed and the remainder of this Bylaw remains in force and effect.

4. Development Cost Charges Payable

4.1 The development cost charges established in this Bylaw apply to every Development in the City that is not within the Excluded Area.

4.2 Subject to section 7, every person who obtains:

- (a) approval of a subdivision under the *Land Title Act* or *Strata Property Act*; or
- (b) a Building Permit authorizing the construction, alteration, or extension of a building or other structure

must pay to the City, at the time of approval of the subdivision or the issue of the Building Permit, as the case may be, the applicable development cost charge established in Schedule A.

4.3 Without limiting the generality of subsection 4.2, development cost charges apply to a Building Permit that authorizes the construction, alteration, or extension of a building that will, after the construction, alteration or extension, contain one (1) or more self-contained residential Dwelling Units other than a Building Permit for a Secondary Suite within an existing Single Detached Residential Unit or a Duplex.

4.4 Subject to the *Local Government Act* sections 511 and 568, as applicable, development cost charges under this Bylaw are assessed and payable at the following times:

- (a) in the case of a Residential subdivision other than for a Multi-Residential building, at the time the application for subdivision is complete on its face and submitted, along with applicable fees, in a form acceptable to the approving officer for the City for processing approval; and
- (b) in other circumstances, at the time a building permit is issued,

but may be paid by way of instalments in accordance with the *Development Cost Charge (Instalments) Regulation*, B.C. Reg. 166/84.

5. Calculation of Charges

5.1 Development cost charges shall be calculated in accordance with Schedule "A" based on the use or combination of uses within the Development.

5.2 For a mixed-use Development, the applicable development cost charges will be calculated separately for each portion of the Development contained in the Building Permit or subdivision application in accordance with the zoning and land uses identified in Schedule "A".

6. Changes to Work Authorized by a Building Permit

6.1 For a Minor Change to a Building Permit, development cost charges will be recalculated to include the increase in building area, developed area, or dwelling units. The difference between the original development cost charge amount and the recalculated cost charge amount shall be paid to the City prior to the issuance of the revised permit.

6.2 For a Major Change to a Building Permit, development cost charges will be recalculated for the entire project. The difference between the original development cost charge amount and the recalculated cost charge amount shall be paid to the City prior to the issuance of the revised permit.

7. Exemptions

7.1 Section 4 does not apply:

- (a) where 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(1)(h) or section 224(2)(f) of the *Community Charter [places of public worship]*;
- (b) in relation to the construction, alteration, or extension of self-contained dwelling units in a building authorized under a Building Permit if each unit is no larger in area than 29 square metres and is used only for residential use; or
- (c) to a Development authorized by a Building Permit if the value of the work authorized by the permit does not exceed \$50,000 or such other amount as may be prescribed by provincial regulation.

8. Effective Date

8.1 This Bylaw will come into force on the Effective Date.

9. Attachments and Schedules

9.1 Schedules "A" and "B" are attached to and form part of this Bylaw.

Read a first time this 25th day of July, 2017.

Read a second time this 25th day of July, 2017.

Read a third time as amended this 23rd day of July, 2019

Reviewed and Approved by the Inspector of Municipalities this 13th day of December, 2019

Adopted this 14th day of January, 2020.



R. Vagramov
Mayor



D. Shermer
Corporate Officer

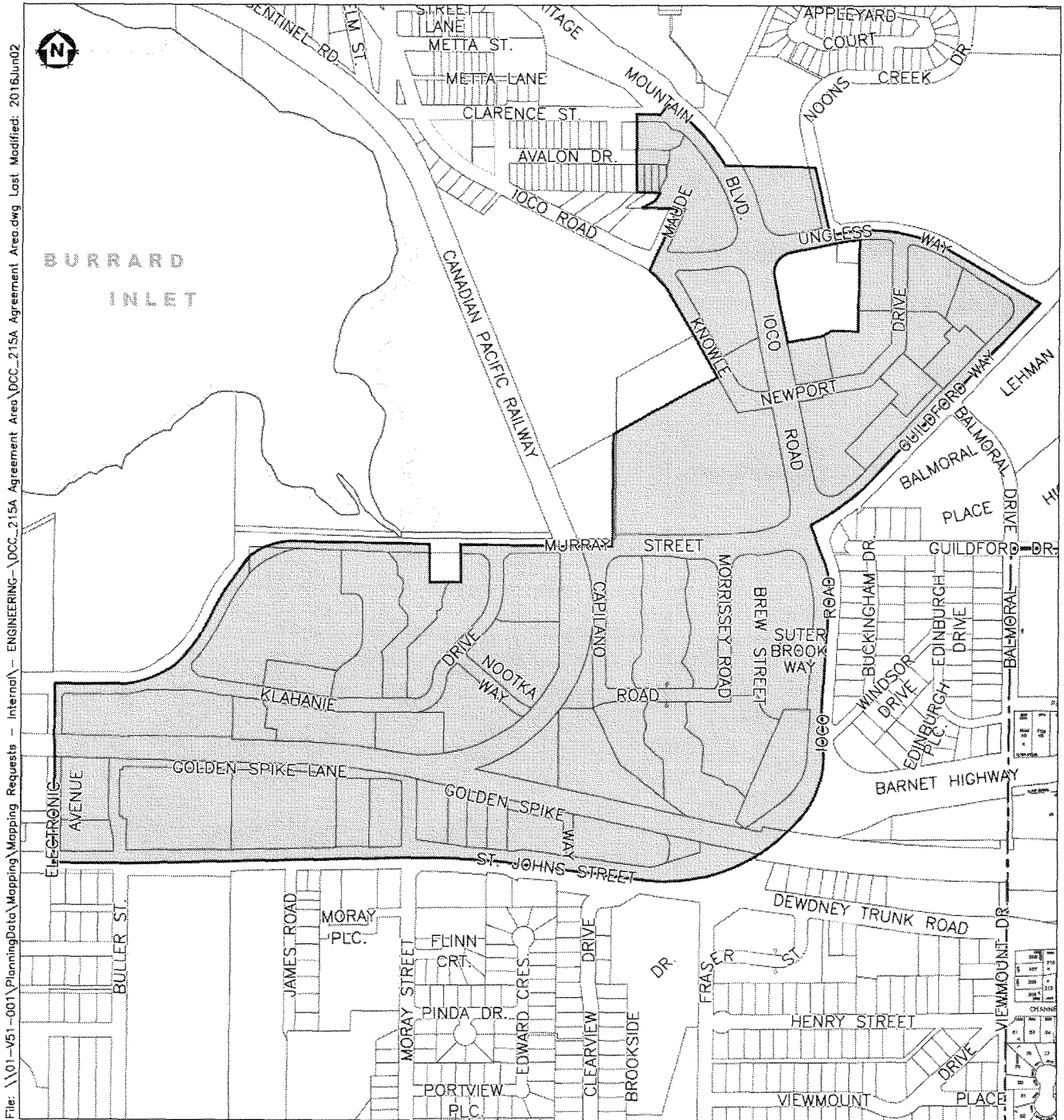
SCHEDULE "A"
to Development Cost Charges Bylaw, 2019, No. 3054

The following Development Cost Charges apply to Development within all areas except those shown on Schedule "B":

Land Use	Measure	Water	Sanitary Sewer	Drainage	Roads	Parks	Total
Laneway Houses	Dwelling unit	\$0	\$ 14.17	\$ 568.00	\$ 904.00	\$ 8,804.00	\$ 10,290.00
Single Detached Residential or Duplex, whether or not including Secondary Suites	Dwelling unit	\$0	\$ 54.44	\$ 2,924.00	\$ 3,478.00	\$ 26,998.00	\$ 33,453.00
Multi-Residential Townhouses	Square metre	\$0	\$ 0.20	\$ 5.79	\$ 6.95	\$ 130.86	\$ 143.80
Multi-Residential (Up to 6 storeys)	Square metre	\$0	\$ 0.15	\$ 3.32	\$ 9.05	\$ 105.29	\$ 117.81
Multi-Residential TOD greater than 6 storeys	Square metre	\$0	\$ 0.17	\$ 4.91	\$ 7.30	\$ 120.03	\$ 132.41
Commercial General/Institutional	Square metre	\$0	\$ 0.16	\$ 6.74	\$ 40.47	\$ -	\$ 47.37
Commercial TOD	Square metre	\$0	\$ 0.22	\$ 7.65	\$ 26.24	\$ -	\$ 34.12
Industrial	Square metre	\$0	\$ 0.25	\$ 29.93	\$ 10.67	\$ -	\$ 40.85

SCHEDULE "B"
to Development Cost Charges Bylaw, 2019, No. 3054

 **Excluded Area**



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