

CORPORATION OF THE CITY OF NEW WESTMINSTER



DEVELOPMENT COST CHARGES BYLAW NO. 7311, 2009

EFFECTIVE DATE: DECEMBER 13, 2010

CONSOLIDATED FOR CONVENIENCE ONLY
(November 5, 2015)

This is a consolidation of the bylaws listed below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

<u>AMENDMENT BYLAW</u>	<u>EFFECTIVE DATE</u>
7770, 2015 (Schedule B and D)	January 1, 2016

The bylaw numbers highlighted in this consolidation refer to the bylaws that amended the principal Bylaw No. 7311, 2009. The number of any amending bylaw that has been repealed is not referred to in this consolidation.

Obtainable from the City Clerk's Office

CORPORATION OF THE CITY OF NEW WESTMINSTER**BYLAW NO. 7311, 2009****A Bylaw to Authorize the Imposition of Development Cost Charges**

WHEREAS the City may impose development cost charges for the purpose of providing funds to assist the City to pay the capital costs of providing, constructing, altering or expanding transportation, water, drainage, sanitary, and providing and improving park land; and

WHEREAS the development cost charges established by this Bylaw will be used for the recited purposes; and

WHEREAS in setting the development cost charges under this Bylaw, the City Council has considered the future land use patterns and development, the provision of parkland described in an official community plan, the phasing of works and services, how development designed to result in a low environmental impact may affect the capital costs of infrastructure, and whether the charges:

- (a) are excessive in relation to the capital cost of prevailing standards of service in the City,
- (b) will deter development in the City
- (c) will discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the City, or
- (d) will discourage development designed to result in a low environmental impact in the City.

NOW THEREFORE THE CITY COUNCIL of the Corporation of the City of New Westminster in open meeting assembled ENACTS AS FOLLOWS:

1. General Provisions

- 1.1 This Bylaw may be cited as the "New Westminster Development Cost Charges Bylaw No. 7311, 2009".

Bylaw No. 7770, 2015

- 1.2 The following schedules attached to this Bylaw form part of this Bylaw:

- (a) Schedule A – The City of New Westminster Queensborough Transportation, Drainage, Water, Sanitary and Parkland DCC Boundary
- (b) Schedule B – Queensborough Development Cost Charges
- (d) Schedule C – The City of New Westminster Mainland Transportation, Drainage, Water, Sanitary and Parkland DCC Boundary
- (e) Schedule D – Mainland Development Cost Charges

- 1.3 This Bylaw applies to all approvals of subdivision of land and for all issuances of building permits for buildings and structures located in the City.
- 1.4 Bylaw No. 7048, being, "New Westminster Development Cost Charges Bylaw No. 7048, 2005" as amended, is hereby repealed.

2. Definitions

2.1 In this Bylaw:

APARTMENT RESIDENTIAL means a building or portion of a building divided into three or more dwelling units developed for residential use at a density greater than 1.2 FSR.

BUILDING PERMIT means any permit authorizing the construction, alteration or extension of a building or structure in the *City*.

CITY means the City of New Westminster.

OFFICE means a building or portion of building designed and intended for office use, excluding offices for trade contractors.

COMMERCIAL means a building or portion of building developed for retail sale to the end user, restaurant, personal service, recreational or entertainment use, or any other commercial enterprise, unless otherwise defined in this Bylaw.

COMPACT LOT SINGLE DETACHED RESIDENTIAL means all land developed with a single detached dwelling and a lot size between 2,300 sq.ft. and 3,000 sq.ft.

DEVELOPMENT includes a Subdivision and a proposed Subdivision and the construction, alteration or extension of a building or structure for which a *Building Permit* is or will be required.

DEVELOPMENT COST CHARGES or **DCC** means the applicable rates prescribed in Schedules "B" and "D".

FLOAT HOME means a structure incorporating a floatation system, intended for use or being used or occupied for residential purposes, not primarily intended for, or usable in, navigation and does not include a water craft designed or intended for navigation.

GROSS FLOOR AREA means the total area of all floors in a building measured to the outside surface of the exterior walls, but excluding areas provided for parking of motor vehicles and storage of bicycles.

IMPROVED SITE AREA means the whole or a portion of the parcel to be improved for industrial purposes as part of the development authorized by a

building permit, including all buildings, vehicular and pedestrian circulation areas, loading, parking, storage, works, decorative areas and landscaped areas belonging to the development.

INDUSTRIAL means a lot used or intended to be used for industrial uses, including manufacturing, processing, treatment, assembly, disassembly, storage, testing, wholesale, distribution, or servicing of goods and materials.

Bylaw No. 7770, 2015

IN-STREAM APPLICATIONS means a subdivision application for which the application form has been completed and submitted to the Approving Officer, the applicable fees have been paid and all required supporting documentation necessary to make the application complete have been submitted and accepted by the City as a legitimate application before January 1, 2016, and the application has not been determined, rejected or withdrawn by January 1, 2016.

LIVE WORK means a building or portion of a building developed as a "live/work unit" pursuant to the Zoning Bylaw.

MIXED USE means a development in which the building or buildings are intended to be used for two or more uses.

SINGLE DETACHED RESIDENTIAL - MAINLAND means all land developed with a single detached dwelling on the mainland of New Westminster.

SINGLE DETACHED RESIDENTIAL – QUEENSBOROUGH means all land developed with a single detached dwelling in Queensborough.

TOWNHOUSE RESIDENTIAL means a building or portion of a building divided into two or more dwelling units developed for residential use at a density less than or equal to 1.2 FSR.

ZONING BYLAW means Zoning Bylaw 6680, 2001 as amended or replaced from time to time.

3. Application of Development Cost Charges

Bylaw No. 7770, 2015

3.1 A person who obtains an:

- (a) approval of subdivision; or
- (b) issuance of a *building permit*, including, without limitation, and despite Section 4 of this Bylaw, a *building permit* authorizing the construction, alteration or extension of a building or structure that will, after construction, alteration or extension, contain fewer than 4 self-contained

dwelling units, and be put to no other use other than the residential use in those dwelling units;

must pay the applicable *development cost charges* set out in this Bylaw to the City, at the time of the approval of the subdivision or the issuance of the *building permit*, as set out in Schedules “B” and “D”.

Bylaw No. 7770, 2015

- 3.2** Where on Schedules “B” and “D” a *development cost charge* is described as being payable at either subdivision approval or building permit approval, it shall be paid upon the earlier event.

Bylaw No. 7770, 2015

- 3.3** *Development cost charges* imposed under this Bylaw shall be calculated in accordance with the rates prescribed in Schedules “B” and “D”.
- 3.3.1** In the case of a *mixed use* development, the *gross floor area* shall be calculated separately for each use that is part of that *mixed use* development, and the *development cost charges* for each use calculated in accordance with Schedules “B” and “D”, and the developer shall pay the sum total of the *development cost charges* calculated for each use.

Bylaw No. 7770, 2015

- 3.3.2** In addition to the 12 month grace period for in-stream building permits allowed by the Local Government Act, the DCC rate changes brought into force by Development Cost Charges Amendment bylaw No. 7770, 2015 have no effect on an In-Stream Subdivision Application.

4. Exemption from DCC

DCC are not payable where exempted by statute and 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) [*statutory exemption for places of worship*] or 224(2)(f) [*permissive exemptions in relation to places of public worship*] of the Community Charter;

5. Severability

If any portion of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the Bylaw shall be deemed to have been enacted without the invalid portion.

6. Effective Date

Bylaw No. 7770, 2015

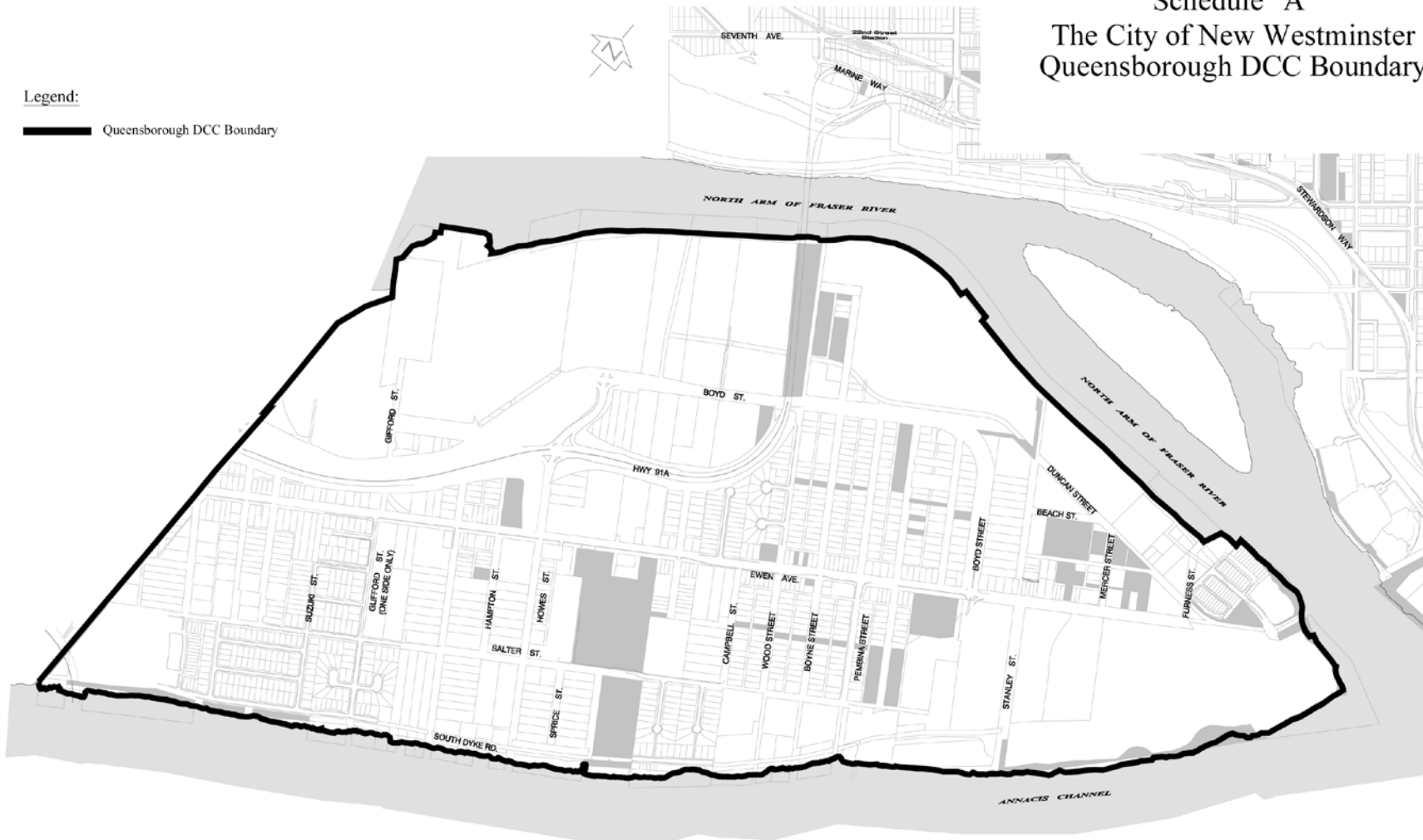
- 6.1** This Bylaw, including Schedules “B” and “D” shall come into force and effect on January 01, 2016.

SCHEDULE "A"

Schedule "A" The City of New Westminster Queensborough DCC Boundary

Legend:

— Queensborough DCC Boundary



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April 07, 2009

SCHEDULE "B"

CITY OF NEW WESTMINSTER

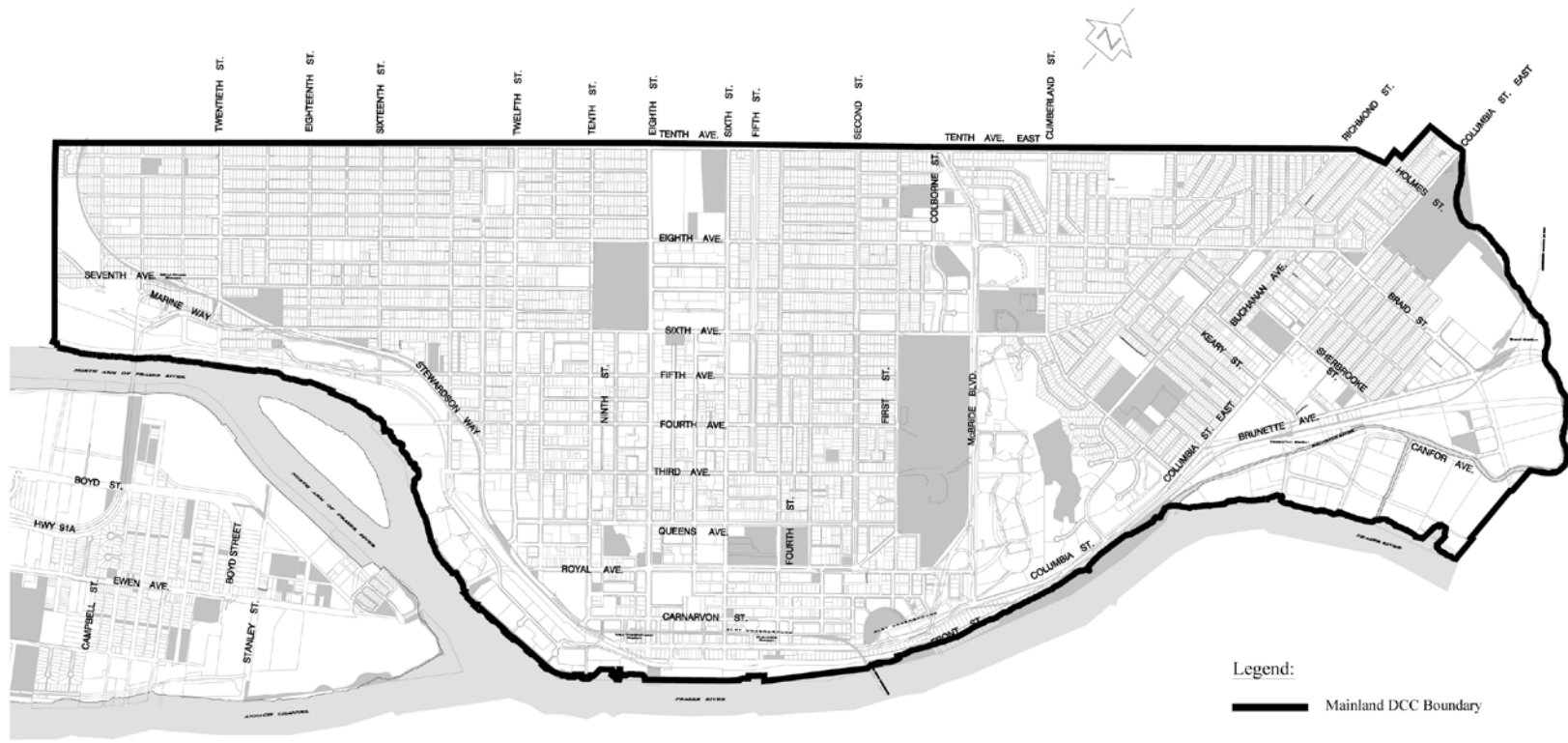
QUEENSBOROUGH DEVELOPMENT COST CHARGES

The following development cost charges apply to development within the DCC boundary shown on Schedule "A" of this Bylaw:

Area of Land Use	How Charge is Calculated	When Payable	Transportation by sq.ft.	Drainage by sq.ft.	Water by sq.ft.	Sanitary by sq.ft.	Park Acquisition and Development by sq.ft.	Total DCC by sq.ft.
Queensborough								
Single Detached – Residential Queensborough	Parcel Area	Subdivision Approval/ Building Permit Approval	\$1.20	\$0.27	\$0.00	\$0.42	\$2.33	\$4.23
Compact Lot Single Detached Residential	Parcel Area	Subdivision Approval/ Building Permit Approval	\$1.29	\$0.27	\$0.00	\$0.38	\$2.08	\$4.02
Townhouse Residential	Gross Floor Area	Building Permit Approval	\$2.73	\$0.56	\$0.00	\$0.85	\$4.69	\$8.83
Apartment Residential	Gross Floor Area	Building Permit Approval	\$2.65	\$0.39	\$0.00	\$0.79	\$4.37	\$8.21
Commercial	Gross Floor Area	Building Permit Approval	\$12.03	\$0.40	\$0.00	\$0.53		\$12.96
Office	Gross Floor Area	Building Permit Approval	\$4.92	\$0.40	\$0.00	\$0.45		\$5.77
Float Home	Gross Floor Area	Building Permit Approval	\$2.73		\$0.00	\$0.85	\$4.69	\$8.27
Industrial	Improved Site Area	Building Permit Approval	\$0.57	\$0.28	\$0.00	\$0.18		\$1.03

SCHEDULE "C"

Schedule "C" The City of New Westminster Mainland DCC Boundary



U:\Projects_V\1\2008\0001\01\City\Design\Analysis\CAD\Map\ScheduleC\09-02-2008\0001_01_Mainland Schedule C DCC Boundary Layout1 (4/6/09) 7:25:54 AM

April 07, 2009

SCHEDULE "D"

CITY OF NEW WESTMINSTER

MAINLAND DEVELOPMENT COST CHARGES

The following development cost charges apply to development within the DCC boundary shown on Schedule "C" of this Bylaw:

Area of Land Use	How Charge is Calculated	When Payable	Transportation by sq.ft.	Drainage by sq.ft.	Water by sq.ft.	Sanitary by sq.ft.	Park Acquisition and Development by sq.ft.	Total DCC by sq.ft.
Mainland								
Single Detached – Residential Mainland	Parcel Area	Subdivision Approval/ Building Permit Approval	\$0.64	\$0.05	\$0.13	\$0.23	\$1.73	\$2.78
Townhouse Residential	Gross Floor Area	Building Permit Approval	\$1.25	\$0.9	\$0.29	\$0.49	\$3.79	\$5.91
Apartment Residential	Gross Floor Area	Building Permit Approval	\$1.12	\$0.06	\$0.25	\$0.43	\$3.29	\$5.14
Commercial	Gross Floor Area	Building Permit Approval	\$4.63	\$0.06	\$0.17	\$0.29		\$5.14
Office	Gross Floor Area	Building Permit Approval	\$1.62	\$0.06	\$0.14	\$0.24		\$2.06
Live/work	Gross Floor Area	Building Permit Approval	\$1.43	\$0.08	\$0.21	\$0.37	\$3.54	\$5.63
Industrial	Improved Site Area	Building Permit Approval	\$0.24	\$0.04	\$0.06	\$0.14		\$0.48