

CITY OF FORT ST. JOHN Development Cost

Charges Bylaw No. 2402, 2017

A BYLAW TO AUTHORIZE THE IMPOSTION OF DEVELOPMENT COST CHARGES

WHEREAS, pursuant to the *Local Government Act*, the Council may, by bylaw, 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 water, sewerage, highway, drainage facilities, and providing and improving park land in order to service, directly or indirectly, the development for which the charges are being imposed;

AND WHEREAS Council is satisfied that the development cost charges imposed by this Bylaw are related to capital costs attributable to projects included in capital expenditure plans of the Corporation;

AND WHEREAS Council has taken the following into consideration:

- (i) Future land use patterns and development;
- (ii) The phasing of works and services;
- (iii) The provision of park land described in the official community plan;
- (iv) How development designed to result in low environmental impact may affect the capital costs of infrastructure;
- (v) Whether the charges are excessive in relation to the capital costs of prevailing standards of service in the City; and
- (vi) Whether the charges will:
 - deter development,
 - discourage the construction of reasonably priced housing,
 - discourage the provision of reasonably priced serviced land, or
 - discourage development designed to result in a low environmental impact, in the City.

NOW THEREFORE the Council of the City of Fort St. John, in open meeting assembled, ENACTS AS FOLLOWS:

TITLE

1. This Bylaw may be cited for all purposes as the "City of Fort St. John Development Cost Charges Bylaw No. 2402, 2017".

REPEAL

2. Development Cost Charges Bylaw No. 2051, 2011 is hereby repealed and replaced with this Bylaw.

DEFINITIONS

3. In this Bylaw:

Application means a written request by the owner or representative of the owner for approval of a subdivision or building permit.

Building Permit means a building permit issued under the City's Building Bylaw, authorizing the construction, alteration, or extension of a building or structure.

Commercial means any development located in a Commercial zone under the City's Zoning Bylaw, except for residential development.

Comprehensive Development means a development that is comprised of two or more of the following uses: residential, commercial, institutional or industrial.

Dwelling Unit means one or more habitable rooms when such room or rooms together contain only one set of cooking facilities, to be used for living and sleeping purposes for a household as a functioning set of living quarters, and which has a private entrance either from outside or from a common hall inside a building.

Dwelling, Duplex means a building used or designed for use as two self-contained dwelling units above or below each other, with each having direct access or shared access to the outside. A duplex may be designed and constructed as two dwelling units at initial construction or through the conversion of an existing building.

Dwelling, Multi-Family means a building containing three or more dwelling units.

Dwelling, Semi-Attached means a building used or designed for use as two self-contained dwelling units, each having direct access to the outside at grade level, and where neither unit is wholly or partly above the other. The individual units within a semi-attached building may be side by side, with the main entrances to each dwelling unit facing the front property line. Semi-attached units may also be front-to-back, with the main entrance of one dwelling unit facing the front property line and the main entrance of the other dwelling unit facing the rear property line.

Dwelling, Single Detached means a building that contains only one dwelling unit and is completely separated by open space on all sides from any other structure, except its own garage or shed. This use includes manufactured homes that conform to CSA A277 or CSA Z240 standards.

Gross Floor Area means the sum of the gross area of all floors of a building, measured from the buildings perimeter.

Industrial means any development located in an Industrial zone under the City's Zoning Bylaw, except for residential development.

DEFINITIONS (continued)

3. In this Bylaw:

Institutional means any development located in an Institutional zone under the City's Zoning Bylaw, except residential development.

Not-For-Profit Housing means property owned, developed or operated by either a non-profit society, the Government of Canada, the Province of British Columbia or the local government as rental units for persons living in Northeastern British Columbia, where the income of such persons falls beneath the low income cut-off amounts published by Statistics Canada from time to time, or as otherwise determined or agreed to by the local government, and where a Housing agreement and restrictive covenant are registered on title.

Parcel means any lot, block of land or other area that is recorded in the records of the Land Title Office.

Residential means any development or portion of a development containing dwelling unit or units.

Suite-Attached means a self-contained, accessory dwelling unit located within a single detached dwelling, which has one or more habitable rooms used or intended for use as a residence by one or more persons living as a household. An attached suite has sleeping, cooking and bathing facilities which are separate from the facilities of the principal dwelling in which the attached suite is located. Attached suites must contain a separate private entrance, which is enclosed from the rest of the principal single detached dwelling. Attached suites are most commonly in the form of a "basement suite."

Suite-Detached means a self-contained, accessory dwelling unit located in a building completely separate from the principal single detached dwelling, which has one or more habitable rooms used or intended for use as a residence by one or more persons living as a household. A detached suite has sleeping, cooking and bathing facilities which are separate from the facilities of the principal dwelling located on the same parcel and may be contained within a separate building on the same parcel as a single detached dwelling (garden/carriage suite) or as part of a detached garage (garage suite).

EFFECTIVE DATE

4. This bylaw shall come into force on January 1, 2019.

CHARGES

5. Every person who:
 - a. Obtains approval of a subdivision, or
 - b. Obtains a building permit, including a 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 in those dwelling units

must pay to the City development cost charges in accordance with Schedules A, B, and C as the case may be.
6. Any person required to pay development cost charges pursuant to Section 5 must pay the charges prescribed:
 - a. In Schedule A from January 1, 2019 until December 31, 2020.
 - b. In Schedule B from January 1, 2021 until December 31, 2022.
 - c. In Schedule C from January 1, 2023 forward.
7. Where a type of development is not identified in Schedule A, B or C 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. Development cost charges imposed by this Bylaw must be paid in full to the City at the following times:
 - a. Where an application is made for the subdivision of land for a single family residential development, at the time of approval of such subdivision;
 - b. For duplex developments, at the time of subdivision approval for one of the dwelling units, and for the second dwelling unit, at the time of approval of a building permit;
 - c. For all other types of development to which this bylaw applies, including multi-family residential, commercial, industrial and institutional development, at the time of approval of a building permit.
9. For a comprehensive development:
 - a. Development cost charges must be calculated separately for each use that is part of that comprehensive development, in accordance with Schedules A, B and C as the case may be, and
 - b. The developer must pay the sum total of the development cost charges calculated for each separate use.

EXEMPTIONS

- 10. Pursuant to the *Local Government Act*, development cost charges for not-for-profit housing are waived in their entirety.

SEVERABILITY

- 11. Each portion or section of this Bylaw is intended to be independent to the extent that a decision of a court of competent jurisdiction that a portion or section of it is invalid does not affect the validity of any other portion or section, and the invalid portion shall be severed.

READ FOR A FIRST TIME THIS 14th DAY OF November, 2017

READ FOR A SECOND TIME THIS 14th DAY OF November, 2017

READ FOR A THIRD TIME THIS 14th DAY OF November, 2017

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 28th DAY OF December, 2017

ADOPTED BY CITY COUNCIL THIS 22nd DAY OF January, 2018

LORI ACKERMAN
MAYOR

JANET PRESTLEY, DIRECTOR OF
LEGISLATIVE AND ADMINISTRATIVE
SERVICES

SCHEDULE "A"

Development Cost Charges

The following development cost charges apply to development throughout the entire City

LAND USE	Service					TOTAL
	Water	Sewer	Transportation	Drainage	Parks	
Dwelling Single Detached (per parcel)	\$3010	\$2470	\$882	\$542	\$1691	\$8595
Dwelling, Duplex and Semi-Attached (per dwelling unit)	\$3010	\$2470	\$882	\$542	\$1691	\$8595
Dwelling, Multi-Family (per unit)	\$2150	\$1764	\$571	\$293	\$1209	\$5986
Commercial (per m ² gross floor area)	\$10.75	\$8.82	\$12.11	\$1.73	\$0.00	\$33.41
Industrial (per m ² gross floor area)	\$13.97	\$11.47	\$6.05	\$1.73	\$0.00	\$33.22
Institutional (per m ² gross floor area)	\$9.67	\$7.94	\$15.57	\$1.63	\$0.00	\$34.81

Notes to Schedule:

1. Development cost charges will not be charged for not-for-profit housing or suites.
2. Schedule "A" development cost charges reflect a City of Fort St. John assist factor of 15% for water and sanitary sewer, and 40% for transportation, drainage and park land acquisition and improvement.

SCHEDULE "B"

Development Cost Charges

The following development cost charges apply to development throughout the entire City

LAND USE	Service					TOTAL
	Water	Sewer	Transportation	Drainage	Parks	
Dwelling Single Detached (per parcel)	\$3010	\$2470	\$1103	\$678.00	\$2114	\$9375
Dwelling, Duplex and Semi-Attached (per dwelling unit)	\$3010	\$2470	\$1103	\$678.00	\$2114	\$9375
Dwelling, Multi-Family (per unit)	\$2150	\$1764	\$713	\$366.00	\$1510	\$6503
Commercial (per m ² gross floor area)	\$10.75	\$8.82	\$15.13	\$2.17	\$0.00	\$36.87
Industrial (per m ² gross floor area)	\$13.97	\$11.47	\$7.57	\$2.17	\$0.00	\$35.18
Institutional (per m ² gross floor area)	\$9.67	\$7.94	\$19.46	\$2.03	\$0.00	\$39.10

Notes to Schedule:

1. Development cost charges will not be charged for not-for-profit housing or suites.
2. Schedule "B" development cost charges reflect a City of Fort St. John assist factor of 15% for water and sanitary sewer, and 25% for transportation, drainage and park land acquisition and improvement.

SCHEDULE "C"

Development Cost Charges

The following development cost charges apply to development throughout the entire City

LAND USE	Service					TOTAL
	Water	Sewer	Transportation	Drainage	Parks	
Dwelling Single Detached (per parcel)	\$3010	\$2470	\$1250	\$768	\$2395	\$9893
Dwelling, Duplex and Semi-Attached (per dwelling unit)	\$3010	\$2470	\$1250	\$768	\$2395	\$9893
Dwelling, Multi-Family (per unit)	\$2150	\$1764	\$809	\$415	\$1711	\$6849
Commercial (per m ² gross floor area)	\$10.75	\$8.82	\$17.15	\$2.46	\$0.00	\$39.18
Industrial (per m ² gross floor area)	\$13.97	\$11.47	\$8.58	\$2.46	\$0.00	\$36.48
Institutional (per m ² gross floor area)	\$9.67	\$7.94	\$22.05	\$2.30	\$0.00	\$41.96

Notes to Schedule:

1. Development cost charges will not be charged for not-for-profit housing or suites.
2. All Schedule "C" development cost charges reflect a City of Fort St. John assist factor of 15%



Statutory Approval

Under the provisions of section _____ **560** _____

of the _____ **Local Government Act** _____

I hereby approve Bylaw No. _____ **2402** _____

of the _____ **City of Fort St. John** _____,

a copy of which is attached hereto.

Dated this _____ **28th** *day*

of _____ **December** , **2017**

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke.

Deputy Inspector of Municipalities