

BYLAW NO. 4607, 2015

A Bylaw to Impose Development Cost Charges

Consolidated with amendments in Bylaw:

(1) 4705, 2016

(2) 4829, 2017

WHEREAS:

- A Council of the City of Coquitlam (“Council”) under authority provided by the *Local Government Act*, R.S.B.C. 1996, c.323, as amended (the “*Local Government Act*”), in particular section 933 thereof and regulations passed pursuant thereto, and the general provisions of the Community Charter, S.B.C. 2003, c.26 (the “*Community Charter*”), may, by bylaw, impose development cost charges;
- B The development cost charges may be imposed for the purposes of providing funds to assist the City of Coquitlam (the “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 park land and improving park land to service, directly or indirectly, the development for which the charge is being imposed;
- B. Council has taken into consideration the provisions of Section 934 of the *Local Government Act*; and
- C. The charges to be imposed by this bylaw are related to capital costs attributable to projects included in the City's capital expenditure program and are consistent with the City of Coquitlam Citywide Official Community Plan Bylaw No. 3479, 2001, as amended from time to time.

NOW, THEREFORE, the Council for the City of Coquitlam, in open meeting lawfully assembled, enacts as follows:

1. **Name of the Bylaw**

This *Bylaw* may be cited for all purposes as “Development Cost Charges Bylaw No. 4607, 2015”.

2. **Effective Date and Transitional Provisions**

2.1 This *Bylaw* will come into force on the *Effective Date*.

- 2.2 Development Cost Charges Bylaw No. 4339, 2012, and all amendments thereto shall be wholly repealed on the *Effective Date*.
- 2.3 Despite section 2.2, where:
- (a) a *Precursor Application* which is *In-stream* on the *Effective Date* and the associated *Building Permit* for the *Precursor Application* is issued within one-year after the *Effective Date*;
 - (b) a *Subdivision Application* that is *In-stream* on the *Effective Date* and is approved by the *Approving Officer* within one year after the *Effective Date*; or
 - (c) a *Building Permit Application* that is *In-stream* on the *Effective Date* and is issued within one-year after the *Effective Date*;

Development Cost Charges Bylaw No. 4339, 2012, and all amendments thereto, shall apply.

3. Definitions

- 3.1 Italicized words used in this *Bylaw* will have the meanings attributed to them in Schedule “A” to this *Bylaw*.
- 3.2 Words not expressly defined in this *Bylaw* will have the meaning ascribed to them in the *Zoning Bylaw*.

4. Schedules

Schedules “A” and “B” annexed to this *Bylaw* are hereby incorporated into and form an integral part of this *Bylaw*.

5. Imposition of DCC

- 5.1 Subject to Section 6, and in accordance with the provisions of section 933(1) of the Local Government Act, every person who obtains:
- (a) approval for a *Subdivision* under the *Land Title Act* or the *Strata Property Act*; or

- (b) a *Building Permit*;
must pay to the *City* at the time of approval of the *Subdivision* or upon the issue of the *Building Permit*, as the case may be, the applicable *DCC* set out in Schedule “B” in accordance with the provisions of Section 7.

5.2 Without limiting the generality of the foregoing, every person who obtains a *Building Permit* for the construction, alteration or extension of a building that will, after the construction, contain fewer than four Dwelling Units must pay to the *City* at the time of issue of the *Building Permit*, the applicable *DCC* as set out in Schedule “B”.

6. Exemption from DCC

6.1 *DCC* are not payable:

- (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*;
- (b) where the value of the work authorized by a *Building Permit* does not exceed \$150,000 provided that:
 - (i) where the *General Manager* believes that a value of construction estimate of less than \$150,000 provided in an application for *Building Permit* is not reflective of the work described in the permit application, the *General Manager* may request that the applicant provide a value of construction estimate prepared by a Certified Quantity Surveyor in good standing with the Canadian Institute of Quantity Surveyors;
- (c) where the *Development* does not impose new capital cost burdens on the *City*;
- (d) where *DCC* have been previously paid for the *Development* unless, as a result of further development, new capital cost burdens will be imposed on the *City*; or
- (e) where unit size is less than or equal to 29 square metres and each unit is to be put to no other use other than a residential use in those units.

- 6.2 If an owner of a *Development* has, with the approval of the *City*, provided or paid the cost of providing specific works and services outside the boundaries of the *Development* that are included in the calculations used by the *City* to determine the *DCC*, the cost of such works and services will be deducted from the class or classes of *DCC* which are applicable to the works and services.

7. Calculation of DCC

- 7.1 The *DCC* imposed by this *Bylaw* will be calculated in accordance with the charges identified in Schedule “B”. Unless otherwise specifically provided in Schedules “A” or “B” to this *Bylaw*, where a *Development* for which a *DCC* applies contains two or more uses, the *DCC* to be paid will be calculated separately for each use within the *Development* and the total *DCC* to be paid will be the sum of the *DCC* for all uses within the *Development*.

8. Payment of DCC

- 8.1 Subject to Section 8.2, *DCC* imposed under this *Bylaw* must be paid in full to the *City* as follows:
- (a) as a condition of the approval of the final plan of *Subdivision* by the *Approving Officer* where the *Subdivision* creates *Single-detached Residential Use, Parcels* or bare land strata lots under the *Strata Property Act*; or
 - (b) for all other types of *Development* to which this *Bylaw* applies prior to the issuance of a *Building Permit* for the *Development*.
- 8.2 *DCC* that would otherwise be payable in full at the times indicated in Section 8.1 may be payable in installments provided that the *Minister* has, by regulation made pursuant to Section 933(6) of the *Local Government Act*, authorized the payment of the *DCC* in installments and prescribed the conditions under which such installments may be paid.

9. Severability

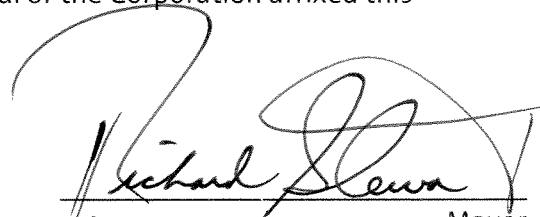
If any section, subsection, clause or phrase of this *Bylaw* is, for any reason, held to be invalid by a court of competent jurisdiction, it will be deemed to be severed and the remainder of the *Bylaw* will remain valid and enforceable in accordance with its terms.

READ A FIRST TIME this 9th day of November, 2015.

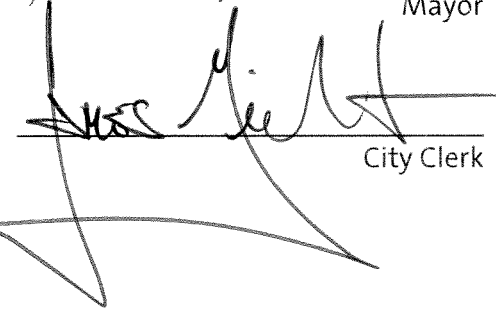
READ A SECOND TIME this 9th day of November, 2015.

READ A THIRD TIME this 14th day of December, 2015.

GIVEN FOURTH AND FINAL READING and the Seal of the Corporation affixed this 4th day of January, 2016.



Richard Sewa
Mayor



City Clerk

SCHEDULE “A”
to
Development Cost Charges Bylaw No. 4607, 2015

DEFINITIONS

In this *Bylaw*, unless the context otherwise requires:

“Apartment Use” means a residential use in a building or structure that includes one or more *Dwelling Units*, other than *Dwelling Units* that are *Single-detached Residential Use*, *Duplex Residential Use*, *Triplex Residential Use*, *Quadruplex Residential Use* or *Townhouse Use*.

“Approving Officer” means an *Approving Officer* as defined in the *Land Title Act*;

“Building Bylaw” means the City of Coquitlam Building Bylaw No. 3598, 2003, as amended or replaced from time to time.

“Building Permit” means any permit required by the *Building Bylaw*, that authorizes the construction, alteration or extension of a building or structure.

“Building Permit Application” means an application for *Building Permit* that is deemed to be complete by the *City*.

“Bylaw” means this *Bylaw* and any subsequent amendments hereto.

“Carriage House” means an accessory *Dwelling Unit* in a building on a lot that is detached from the principal building and is subordinate to the principal building in terms of size, scale and massing, yet it is attached to and located above a detached accessory off-street parking building or structure and has its own separate entrance directly from the exterior of the building or structure.

“City” means the City of Coquitlam.

“Commercial Use” means a use providing for the sale or rental of goods or services, personal services, or the servicing and repair of goods and includes:

- (a) entertainment and recreation, commercial recreation (as defined in the *Zoning Bylaw*) or extensive recreation (as defined in the *Zoning Bylaw*) facilities,
- (b) commercial schools, including, without limitation, facilities which include instruction in the arts, sports, business, self-improvement, academics and trades,

- (c) service stations,
- (d) tourist accommodations and facilities,
- (e) adult or child day-care centres,
- (f) *Sleeping Units*,
- (g) community care (as defined in the *Zoning Bylaw*) and congregate housing and care (as defined in the *Zoning Bylaw*)
- (h) any use permitted as a *Commercial Use* in the *Zoning Bylaw*,
- (i) uses ancillary to any *Commercial Use* located on the same *Parcel* that serves or enhances the *Commercial Use*.

“DCC” means *Transportation DCC, Park Land Acquisition DCC, Park Improvement DCC, Drainage DCC, Sanitary Sewer DCC, and Water DCC.*

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

“Drainage DCC” means development cost charges imposed in Schedule “B” of this *Bylaw* for the purposes of providing, constructing, altering or expanding drainage facilities.

“Duplex Residential Use” includes:

- (a) any *Parcel* resulting from any *Subdivision* which is used or may be used for a single building or structure containing two *Dwelling Units*, neither of which is a *Secondary Suite, Carriage House or Garden Cottage*, and
- (b) any *Dwelling Unit* which is or will be situated in a single building or structure containing two *Dwelling Units*, neither of which is a *Secondary Suite, Carriage House or Garden Cottage*, that is constructed, altered or extended on a single *Parcel*.

“Dwelling Unit” means one or more rooms which comprise a self-contained unit with a separate entrance, used or intended to be used as a domicile by one or more persons and usually containing living, sleeping and sanitary facilities, and containing or providing for the installation of only one set of cooking facilities.

“Effective Date” means the day this *Bylaw* is given fourth and final reading by Council.

“Garden Cottage” means an accessory residential use in a single-storey building on a lot that is detached from the principal building and is subordinate to the principal building in terms of size, scale and massing.

“General Manager” means the General Manager Planning and Development, or designate.

“Gross Floor Area” means gross floor area as defined in the *Zoning Bylaw*.

“Industrial Use” means a use providing for the manufacturing, processing, fabricating, assembling, storing, transporting, distributing, wholesaling, testing, servicing, repairing, wrecking, recycling, or salvaging of goods, materials or things for direct use or resale to individual business customers, and not for the general public and includes medical marijuana grow operations.

“Institutional Use” means a use providing for public functions including:

- (a) government offices,
- (b) schools, and colleges and universities operated by duly incorporated federal or provincial societies exclusively as non-profit, charitable organizations,
- (c) hospitals,
- (d) community centres,
- (e) courts, police stations and jails,
- (f) libraries and museums, and
- (g) buildings associated with public parks, public playgrounds, cemeteries and works yards.

“Instream” means an application submitted and accepted by the *City* as a legitimate application and all applicable application fees have been paid, and where the application has not been declined or rejected by the *City* or withdrawn by the applicant.

“Land Title Act” means the *Land Title Act*, R.S.B.C. 1996, c.250, as amended.

“Minister” means the Minister of Community, Sport and Cultural Development for the Province of British Columbia.

“Mobile Home Residential Use” means a manufactured unit, intended to be occupied in a place other than at its manufacturer, and designed as a *Dwelling Unit*.

“Parcel” means any lot, block or other area in which land is held or into which it is subdivided and for greater certainty, without limiting the foregoing, includes a strata lot under the *Strata Property Act*.

“Park Land Acquisition DCC” means development cost charges imposed in Schedule “B” of this *Bylaw* for the purposes of providing park land.

“Park Improvement DCC” means development cost charges imposed in Schedule “B” of this *Bylaw* for the purposes of providing park land improvements.

“Park DCC” means *Park Land Acquisition DCC* and *Park Improvement DCC*.

“Precursor Application” means:

- (a) an application for the issuance of a Development Permit:
 - (i) submitted and accepted by the *City* as a legitimate application, that includes a completed application form, submission of all required items identified on the Development Permit application checklist, and payment of all applicable application fees; and,
 - (ii) the *development* authorized by the *Building Permit* is entirely within the area of land that was the subject of the Development Permit application;or,
- (b) an application for an amendment to the *Zoning Bylaw*:
 - (i) submitted and accepted by the *City* as a legitimate application, that includes a completed application form, submission of all required items identified on the Rezoning application checklist, and payment of all applicable application fees; and,
 - (ii) the *development* authorized by the *Building Permit* is entirely within the area of land that was the subject of the *Zoning Bylaw* amendment application.

“Quadruplex Residential Use” means a residential use that includes a total of four *Dwelling Units* on a *Parcel*.

“Secondary Suite” means an accessory residential *Dwelling Unit* within a building of residential occupancy containing only one principal *Dwelling Unit*.

“Sanitary Sewer DCC” means development cost charges imposed in Schedule “B” of this *Bylaw* for the purposes of providing, constructing, altering or expanding sanitary sewer facilities.

“Single-detached Residential Use” includes

- (a) any *Parcel* resulting from any *Subdivision* which is used or may be used for a single building or structure containing one *Dwelling Unit*, and
- (b) any *Dwelling Unit* which is or will be situated in a single building or structure containing one *Dwelling Unit* and no other principal uses, and which may include a *Secondary Suite*, *Carriage House*, or *Garden Cottage* that is constructed, altered or extended on a single *Parcel*.

“Sleeping Units” means one or more rooms that do not contain cooking facilities, used for the lodging of persons.

“Strata Property Act” means the *Strata Property Act*, S.B.C. 1998, c. 43, as amended.

“Street Oriented Village Home Use” means a residential use consisting of one *Dwelling Unit* per principal building vertically attached by party walls to one or more principal building/s with each individual principal building located on a separate lot (including a strata lot).

“Subdivision” means the division of land into two or more *Parcels*, whether by plan, appropriate descriptive words or otherwise, under the *Land Title Act* or the *Strata Property Act*.

“Subdivision Application” means an application for *Subdivision*, submitted and accepted by the *City* as a legitimate application, which includes a completed *Subdivision* application form, submission of all required items identified on the *Subdivision* Application checklist of the application form, and payment of all applicable application fees.

“Townhouse Use” means a residential use in a single building containing three or more *Dwelling Units* separated one from the other by party walls extending normally from foundation or top of common parking garage to the roof of the *Dwelling Units*, with each *Dwelling Unit* having a separate, direct entrance from grade and includes all row, linked, patio, garden, court or other housing that meets those criteria; other than *Dwelling Units* that are *Triplex Residential Use* or *Quadruplex Residential Use*.

“Transportation DCC” means development cost charges imposed in Schedule “B” of this *Bylaw* for the purposes of providing, constructing, altering or expanding highway facilities.

“Triplex Residential Use” means a residential use that includes a total of three *Dwelling Units* on a *parcel*.

“Water DCC” means development cost charges imposed in Schedule “B” of this *Bylaw* for the purposes of providing, constructing, altering or expanding water facilities.

“Zoning Bylaw” means the City of Coquitlam Zoning Bylaw No. 3000, 1996, as amended or replaced from time to time.

Schedule "B"

Development Cost Charges Amendment Bylaw No. 4829, 2017

Description	Transportation DCC	Parkland Acquisition DCC	Park Improvement DCC	Drainage DCC	Sewage DCC	Water DCC	Total DCC
Each Parcel that is for single-detached Residential Use equal to or greater than 375m ²	\$7,933 per Parcel	\$9,896 per Parcel	\$3,548 per Parcel	\$3,145 per Parcel	\$660 per Parcel	\$1,698 per Parcel	\$26,880 per Parcel
Each Parcel that is for single-detached Residential Use less than 375m ²	\$7,126 per Parcel	\$7,974 per Parcel	\$2,859 per Parcel	\$3,145 per Parcel	\$532 per Parcel	\$1,369 per Parcel	\$23,005 per Parcel
Duplex/Triplex/Quadruplex Residential Use (1)	\$38 per square metre of Gross Floor Area	\$46 per square metre of Gross Floor Area	\$17 per square metre of Gross Floor Area	\$11 per square metre of Gross Floor Area	\$3 per square metre of Gross Floor Area	\$8 per square metre of Gross Floor Area	\$123 per square metre of Gross Floor Area
Townhouse Residential Use (2)	\$29 per square metre of Gross Floor Area	\$52 per square metre of Gross Floor Area	\$19 per square metre of Gross Floor Area	\$12 per square metre of Gross Floor Area	\$3 per square metre of Gross Floor Area	\$8 per square metre of Gross Floor Area	\$123 per square metre of Gross Floor Area
Apartment Residential Use (3)	\$26 per square metre of Gross Floor Area	\$55 per square metre of Gross Floor Area	\$20 per square metre of Gross Floor Area	\$10 per square metre of Gross Floor Area	\$3 per square metre of Gross Floor Area	\$9 per square metre of Gross Floor Area	\$123 per square metre of Gross Floor Area
Commercial Use	\$48 per square metre of Gross Floor Area	\$0 per square metre of Gross Floor Area	\$0 per square metre of Gross Floor Area	\$9 per square metre of Gross Floor Area	\$1 per square metre of Gross Floor Area	\$4 per square metre of Gross Floor Area	\$62 per square metre of Gross Floor Area
Industrial Use	\$26 per square metre of Gross Floor Area	\$0 per square metre of Gross Floor Area	\$0 per square metre of Gross Floor Area	\$8 per square metre of Gross Floor Area	\$1 per square metre of Gross Floor Area	\$2 per square metre of Gross Floor Area	\$37 per square metre of Gross Floor Area
Institutional Use	\$47 per square metre of Gross Floor Area	\$0 per square metre of Gross Floor Area	\$0 per square metre of Gross Floor Area	\$9 per square metre of Gross Floor Area	\$2 per square metre of Gross Floor Area	\$4 per square metre of Gross Floor Area	\$62 per square metre of Gross Floor Area

(1) DCCs for duplex/triplex/quadruplex are to be charged on a per square metre of gross floor area basis up to a maximum of \$22,577 per dwelling unit.

(2) DCCs for townhouses are to be charged on a per square metre of gross floor area basis up to a maximum of \$20,238 per dwelling unit.

(3) DCCs for apartments are to be charged on a per square metre of gross floor area basis up to a maximum of \$14,035 per dwelling unit.