

BYLAW NO. 5222, 2022

A Bylaw to Impose Development Cost Charges

Consolidated with amendments in Bylaw: (1) 5332, 2023

NOTE: This is a consolidation for convenience purposes only and does not have the force of law.

WHEREAS:

- A Council of the City of Coquitlam (“Council”) under authority provided by the *Local Government Act*, R.S.B.C. 2015, c.1, as amended (the “*Local Government Act*”), in particular section 559 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 parkland and improving parkland to service, directly or indirectly, the development for which the charge is being imposed;
- C Council has taken into consideration the provisions of Section 560 of the *Local Government Act*; and
- D 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. 5222, 2022”.

2. Effective Date and Transitional Provisions

2.1 This *Bylaw* will come into force on the *Effective Date of October 1, 2022*.

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. 4950, 2019, 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 559(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;
- (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.

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 559(5) 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 2nd day of May, 2022.

READ A SECOND TIME this 2nd day of May, 2022.

READ A THIRD TIME this 2nd day of May, 2022.

GIVEN FOURTH AND FINAL READING and the Seal of the Corporation affixed this 4th Day of July, 2022.

_____ MAYOR

_____ CLERK

SCHEDULE “A”
to
Development Cost Charges Bylaw No. 5222, 2022

DEFINITIONS

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

“Apartment” means a building used for three or more *Dwelling Units*, and includes such a building subdivided under the *Strata Property Act*; excludes *Townhouse, Multiplex Residential, Fourplex Residential* and *Triplex Residential*.

“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* located primarily above a detached accessory off-street parking structure that is subordinate to the principal building in terms of size, scale and massing, with a separate entrance directly from the exterior and all floor area at or above finished grade elevation.

“City” means the City of Coquitlam.

“Commercial” 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, Parkland 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” 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 October 1, 2022.

“Fourplex Residential” means a residential use in which a principal building is used for four principal *Dwelling Units*.

“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” 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” 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 Municipal Affairs and Housing for the Province of British Columbia.

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

“Multiplex Residential” means a residential use that includes three or more principal *Dwelling Units* on a lot in attached, detached or semi-detached forms; excludes *Apartment, Townhouse, Fourplex Residential* and *Triplex Residential*.

“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*.

“Parkland 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 *Parkland 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.

“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” 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” means a single building containing three or more *Dwelling Units* separated one from another by party walls extending from the foundation to roof, with each *Dwelling Unit* having a separate, direct entrance from grade and includes all row, linked, patio, garden, court or other housing which meets such criteria; excludes *Multiplex Residential*, *Fourplex Residential* or *Triplex Residential*.

“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” means a residential use in which a principal building is used for three principal *Dwelling Units*.

“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"
to
Development Cost Charges Bylaw No. 5222, 2022
Consolidated with amendments in Bylaw: (1) 5332, 2023 – Effective October 1, 2023

Description of Use	Transportation DCC	Parkland Acquisition DCC	Park Improvement DCC	Drainage DCC	Sanitary Sewer DCC	Water DCC	Total DCC
<i>Single-detached Residential</i>	\$13,408 per Dwelling Unit	\$28,135 per Dwelling Unit	\$11,268 per Dwelling Unit	\$5,138 per Dwelling Unit	\$2,669 per Dwelling Unit	\$2,523 per Dwelling Unit	\$63,141 per Dwelling Unit
<i>Duplex Residential, Triplex Residential, Fourplex Residential or Multiplex Residential</i>	\$10,685 per Dwelling Unit	\$17,464 per Dwelling Unit	\$6,994 per Dwelling Unit	\$3,083 per Dwelling Unit	\$1,656 per Dwelling Unit	\$1,566 per Dwelling Unit	\$41,448 per Dwelling Unit
<i>Street Oriented Village Home and Townhouse</i>	\$7,124 per Dwelling Unit	\$17,168 per Dwelling Unit	\$6,876 per Dwelling Unit	\$3,083 per Dwelling Unit	\$1,628 per Dwelling Unit	\$1,539 per Dwelling Unit	\$37,418 per Dwelling Unit
<i>Apartment and Mobile Home Residential</i>	\$3,876 per Dwelling Unit	\$11,544 per Dwelling Unit	\$4,623 per Dwelling Unit	\$1,541 per Dwelling Unit	\$1,095 per Dwelling Unit	\$1,036 per Dwelling Unit	\$23,715 per Dwelling Unit
<i>Commercial</i>	\$79 per square metre of Gross Floor Area	\$0 per square metre of Gross Floor Area	\$0 per square metre of Gross Floor Area	\$16 per square metre of Gross Floor Area	\$5 per square metre of Gross Floor Area	\$5 per square metre of Gross Floor Area Unit	\$105 per square metre of Gross Floor Area
<i>Industrial</i>	\$42 per square metre of Gross Floor Area	\$0 per square metre of Gross Floor Area	\$0 per square metre of Gross Floor Area	\$13 per square metre of Gross Floor Area	\$3 per square metre of Gross Floor Area	\$3 per square metre of Gross Floor Area	\$61 per square metre of Gross Floor Area
<i>Institutional</i>	\$79 per square metre of Gross Floor Area	\$0 per square metre of Gross Floor Area	\$0 per square metre of Gross Floor Area	\$16 per square metre of Gross Floor Area	\$5 per square metre of Gross Floor Area	\$5 per square metre of Gross Floor Area	\$105 per square metre of Gross Floor Area