

# CITY OF PRINCE GEORGE

## BYLAW NO. 7825

### **A Bylaw to impose Development Cost Charges.**

**WHEREAS**, pursuant to the *Community Charter* and the *Local Government Act*, City Council may, by Bylaw, delegate powers to an officer or employee of the City;

**AND WHEREAS**, pursuant to the *Local Government Act* and the regulations passed thereto, Council may, by Bylaw, impose development cost charges;

**AND WHEREAS** the 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 sewage, water, drainage and highway facilities, and providing and improving park land or any of them, in order to service, directly or indirectly, the development in respect of which the charges are imposed;

**AND WHEREAS** in the consideration of Council the charges imposed by this bylaw:

- a) are not excessive in relation to the capital cost of prevailing standards of service,
- b) will not deter development in the City; and
- c) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land;

**AND WHEREAS** Council has taken into consideration future land use patterns and development, the phasing of works and services and the provision of park land as described in the Official Community Plan.

**NOW THEREFORE**, Council of the City of Prince George, in open meeting assembled, **ENACTS AS FOLLOWS**:

### **1. TITLE**

This Bylaw may be cited for all purposes as "City of Prince George Development Cost Charge Bylaw No. 7825, 2007".

### **2. REPEAL**

- 2.1 "City of Prince George Development Cost Charge Bylaw No. 6861, 1997" is hereby repealed.
- 2.2 Schedule "A-4" of "City of Prince George Comprehensive Fees and Charges Bylaw No. 7557, 2004" is hereby repealed.

### 3. INTERPRETATION

- 3.1 Unless otherwise defined in Schedule A, all words or expressions used in this Bylaw that are defined in the *Community Charter* or the *Local Government Act* shall be interpreted in accordance with that legislation.
- 3.2 Words in this Bylaw directing or empowering any officer of the City to do any act or thing, or otherwise applying to him by name of office, include his successors in such office and his lawful deputy, and any person the Council may from time to time by Bylaw or resolution designate to act in his place.

### 4. ADMINISTRATION

The Authorized Person shall administer this bylaw.

### 5. CHARGES

- 5.1 Except as provided for in Section 7, every person who obtains:
  - a) approval of a subdivision, or
  - b) a building permit authorizing the construction, alteration or extension of a building or structure,shall pay to the City the development cost charges in the amounts set out in Schedule D.
- 5.2 Any person required to pay development cost charges pursuant to Section 5.1 shall pay the appropriate charges as follows:
  - a) Highway and drainage facilities, and park land development cost charges are applicable to all areas within the boundaries of the City and as may vary between the areas designated in Schedule B.
  - b) Water facilities development cost charges are applicable to all areas within the Urban Settlement Area as identified in Schedule C and in areas outside the Urban Settlement Area where the development connects to City water facilities. Water facilities development cost charges may vary between the areas designated in Schedule B.
  - c) Sewage facilities development cost charges are applicable to all lands within the Urban Settlement Area as identified in Schedule C and in areas outside the Urban Settlement Area where the development connects to City sewage facilities. Sewage facilities

development cost charges may vary between the areas designated in Schedule B.

- 5.3 Except as provided for in Section 6, development cost charges imposed under this bylaw must be paid in full to the City as follows:
- a) At the time of approval of a subdivision where the subdivision involves Residential (Single Family) Development or Residential (Two Family) Development, or a bare land strata plan under the Strata Property Act. The charge shall be for each additional parcel to be created by the proposed subdivision, calculated pursuant to Schedule D.
  - b) For all other types of development to which this Bylaw applies, at the time of approval of a building permit authorizing the development, calculated pursuant to Schedule D.
- 5.4 Where a development to which development cost charges apply contains two or more uses, the charge to be paid will be calculated separately for each use within the development and the total charge to be paid will be the sum of the development cost charges for all uses in the development.
- 5.5 When an application involves an addition to an existing building or the expansion of an existing industrial development, the development cost charges shall be assessed only on that portion that exceeds the gross building area of the existing building or the gross developed area of the existing industrial development.

## 6. INSTALLMENT PAYMENTS

- 6.1 As an exception to Section 5.3, if development cost charges are imposed and exceed \$50,000, the person required to pay such charges may elect to pay in installments in accordance with the regulations enacted pursuant to the *Local Government Act*.

## 7. EXEMPTIONS

- 7.1 No charge is payable under Section 6 where:
- a) 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 224 (2) (f) of the *Community Charter*,

- b) the building permit authorizes the construction, alteration or extension of a building that will, after the construction, alteration or extension,
  - i. contain fewer than 3 (three) self-contained dwelling units, and
  - ii. be put to no other use than the residential use in those dwelling units,unless the building is part of a development authorized by a single development permit, or a phased strata plan, comprising more than two dwelling units; or
- c) the value of the work authorized by the permit does not exceed \$50,000, or any other amount prescribed by regulation pursuant to Section 933(4) (c) of the *Local Government Act*.

## 8. REDUCTION IN THE DEVELOPMENT COST CHARGE

- 8.1 Single family and two-family residential developments that provide a higher density will be assessed a reduced development cost charge for highway facilities, drainage facilities, sewage facilities and water facilities in the amounts as set out in Schedule D. Higher density means a single family or two-family parcel density, strata lot density or manufactured home pad density of greater than 20 parcels per hectare, excluding roads and common areas, and an average parcel, lot, pad or site width no greater than 14.0 metres.
- 8.2 Highway facilities development cost charges for an industrial development may be reduced when the industrial use is predicted by a traffic analysis, prepared by a qualified BC Professional Engineer whose qualifications have been approved by the Authorized Person, to generate an Average Vehicle Trip Ends (ATVE) value of less than 100 ATVE/hectare/day. The highway facilities development cost charge per hectare shall be calculated by multiplying the quotient of the predicted ATVE divided by 100 ATVE, by the applicable development cost charge per hectare in the Schedule D as may vary between the areas designated in Schedule B.
- 8.3 Where the applicant for a building permit installs onsite storm drainage works that will, in the judgment of the Authorized Person, eliminate or reduce the capital cost burden of the building on the City, the otherwise applicable class of drainage facility development cost charges shall be reduced by the value of the works provided that:
  - a) the works are designed and the construction of the works are certified by a qualified professional engineer registered in the Province of British Columbia;

- b) the design of the works and the applicant's arrangements for the maintenance and operation of the works, including all calculations, certification, manuals and documentation are submitted to and are acceptable to the Authorized Person; and,
- c) the development is a land use other than single family and two-family developments, unless the development is a bare land strata or manufactured home park development where the works can be situated on common property onsite that will be maintained by the owner.

If the works are not completed prior to the issuance of the building permit, the Authorized Person may require the applicant to pay the drainage facilities development cost charges upon issuance of the building permit. The Authorized Person may then refund the applicant the value of the onsite works up to the amount of drainage facilities development cost charges collected following completion of the onsite storm drainage works, submission of certification by the qualified professional engineer and submission of a copy of the operations and maintenance manual for the works prepared by the qualified professional engineer.

## **9. REFUND OF DEVELOPMENT COST CHARGES**

9.1 Upon receipt of a written request, a development cost charge will be refunded:

- a) where a building permit has lapsed due to construction not having begun, such as the excavation or installation of footings, since the payment of the development cost charges, or where a building permit has been returned to the City for cancellation and has been cancelled, provided that:
  - i. a renewal or replacement of the building permit has not been obtained subsequent to submitting an application for the refund of the development cost charge; and
  - ii. the City has not undertaken any off-site works requested by the developer or required by the City and specifically related to the building in respect of which the development cost charges were paid, excluding works undertaken at the developer's sole expense.

9.2 Upon receipt of a written request, a development cost charge will be refunded in whole or in part upon the issuance of a permit to demolish a multiple family residential, commercial or institutional building if a building permit has been issued for construction of an addition to an existing

building or a new building on the same parcel, prior to the demolition, provided that:

- a) the amount refunded shall be determined by using the same development cost charge rates as were charged at the time of the issuance of the building permit;
- b) the amount refunded shall not exceed the amount of development costs charges paid at the time of issuance of the building permit; and
- c) the demolition shall have been indicated on the building permit application drawings.

## **10. SEVERABILITY**

If any section, subsection, clause, sub-clause or phrase of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, that section, subsection, clause, sub-clause or phrase shall be severed from the Bylaw and any such decision shall not affect the validity of the remaining portions of this bylaw.

## **11. EFFECTIVE DATE**

This bylaw shall come into force on the date of final adoption by City Council.

## **12. TRANSITIONAL PROVISIONS**

- 12.1 All applications for subdivision or building permits received after the coming into force of this bylaw shall be assessed development cost charges in accordance with the rates prescribed in this bylaw.
- 12.2 All subdivision applications received prior to, or on, the date on which this bylaw comes into force shall be assessed development cost charges in accordance with the rates prescribed under Development Cost Charge Bylaw No. 6861, 1997 and the Fees and Charges Bylaw, provided that the charges are paid and the Approving Officer has approved the subdivision within one year from that date.
- 12.3 All building permit applications containing sufficient information to establish compliance with City Bylaws regulating development, received prior to, or on, the date on which this bylaw comes into force, shall be assessed development cost charges in accordance with the rates prescribed under Bylaw No. 6861, 1997 and the Fees and Charges Bylaw, provided that the charges are paid and the permit is issued within one year from that date.

12.4 With regard to any subdivision or building permit application within the scope of Sections 12.2 or 12.3, no increase in the number of parcels or the floor area of a building shall be permitted as part of the original application unless the applicant agrees in writing that development cost charges shall be assessed in relation to such additional parcels or floor area in accordance with the rates prescribed in this bylaw.

READ A FIRST TIME THIS THE **5th** DAY OF **MARCH** , **2007**.

READ A SECOND TIME THIS THE **5th** DAY OF **MARCH** , **2007**.

READ A THIRD TIME THIS THE **5th** DAY OF **MARCH** , **2007**.

All three readings passed by a **unanimous** decision of Members of City Council present and eligible to vote.

Certified correct as passed Third Reading, this the **13th** day of **NOVEMBER 2008**.

Wendy Nordin  
D/CLERK OF  
THE CITY OF PRINCE GEORGE

RECEIVED THE APPROVAL OF THE INSPECTOR OF MUNICIPALITIES PURSUANT TO THE PROVISIONS OF SECTION 937(1), THIS THE 20<sup>th</sup> DAY OF FEBRUARY , 2009.

As Per Statutory Approval  
D/INSPECTOR OF MUNICIPALITIES

ADOPTED THIS THE DAY OF , 2008, BY A DECISION OF ALL MEMBERS OF CITY COUNCIL PRESENT AND ELIGIBLE TO VOTE.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

## Schedule A

### Definitions

In this Bylaw, and in the following definitions, whenever references to a zone start with and include only the letters AG, AF, AR, RS, RT, RM, C, M, P, U, W or Z, they shall be deemed to include all zones which contain those letters in combination with other numbers or letters.

In this Bylaw,

**“Applicant”**: an owner of land being subdivided or developed, or a representative of the Owner duly authorized to make an Application on the Owner’s behalf;

**“Application”**: a written request by the Owner or a representative of the Owner for approval of a Subdivision or Development;

**“Authorized Person”**: the person appointed by Council from time to time as the head of the Department of Development Services of the City of Prince George, or a person designated in writing by the Authorized Person to carry out any act or function under this Bylaw;

**“City”**: the City of Prince George;

**“Commercial Development”**: the obtaining of a building permit in respect of any use, other than residential, in:

- a) any C zoning district; or
- b) any Z district where all or a portion of the use is a principal use permitted in the downtown (C1), regional commercial (C2), neighbourhood commercial (C3), local commercial (C4), visitor commercial (C5), highway commercial (C6), transition commercial (C7), commercial conversion (C8), or outdoor recreation (C9) zone in the City’s Zoning Bylaw; or,
- c) any zoning district where all or a portion of the use is listed under the principal uses in the zoning district listed under b);

**“Council”**: the Council of the City;

**“Dwelling Unit”**: one or more self-contained rooms designed for the residential accommodation of one family and containing sleeping, cooking and toilet facilities, and excludes hotel or motel units and travel trailers;

**“Fees and Charges Bylaw”**: City of Prince George Comprehensive Fees and Charges Bylaw No. 7557, 2004 as amended from time to time.

**“Gross Building Area”**: the sum of all floor areas including mezzanines, measured in square metres, that are enclosed by the exterior perimeter of a structure, and all covered exterior areas used or intended to be used for the accommodation of the permitted uses, but excluding catwalks, storage areas where the height from the top of the floor to ceiling is less than 1.9 metres, areas used for motor vehicle parking and interior rooms designated for commuter-cycling storage;

**“Gross Developed Area”**: the total area of a parcel, measured in hectares, containing improvements for the accommodation of the proposed use of the land, including building areas, areas required for structures, access, parking and loading areas, onsite sanitary sewage disposal areas and storm runoff groundwater recharge systems, and excludes landscaped areas and areas provided for facilities installed or constructed to reduce the capital burden on the City for offsite infrastructure as approved by the Authorized Person;

**“Industrial Development”**: the obtaining of a building permit in respect of any use in:

- a) any M zoning district; or
- b) any Z district where all or a portion of the use is listed under the principal uses in the light industrial (M1), general industrial (M2), business industrial (M3), transitional industrial (M4), heavy industrial (M5), special heavy industrial (M6) or mineral processing (M7) zone in the City’s Zoning Bylaw;

**“Institutional Development”**: the obtaining of a building permit in respect of any use in:

- a) any P zoning district;
- b) a W zoning district;
- c) a Z1 zoning district;
- d) any U zoning district where the development is not funded from development cost charge reserves; or
- e) a Z zoning district where all or a portion of the use is listed under the principal uses in the parks and recreation (P1), minor institutional (P2), major institutional (P3), higher education (P4), cemetery (P5), special institutional (P6), water recreational (W), minor utility (U1), or major utility (U2) zone in the City’s Zoning Bylaw; or
- f) any zoning district where all or a portion of the use is listed under the principal uses in the zoning district listed under e);

**“Manufactured Home Park Development”**: the obtaining of a building permit or the approval of a subdivision of land in respect of any use in an RS5 zoning district;

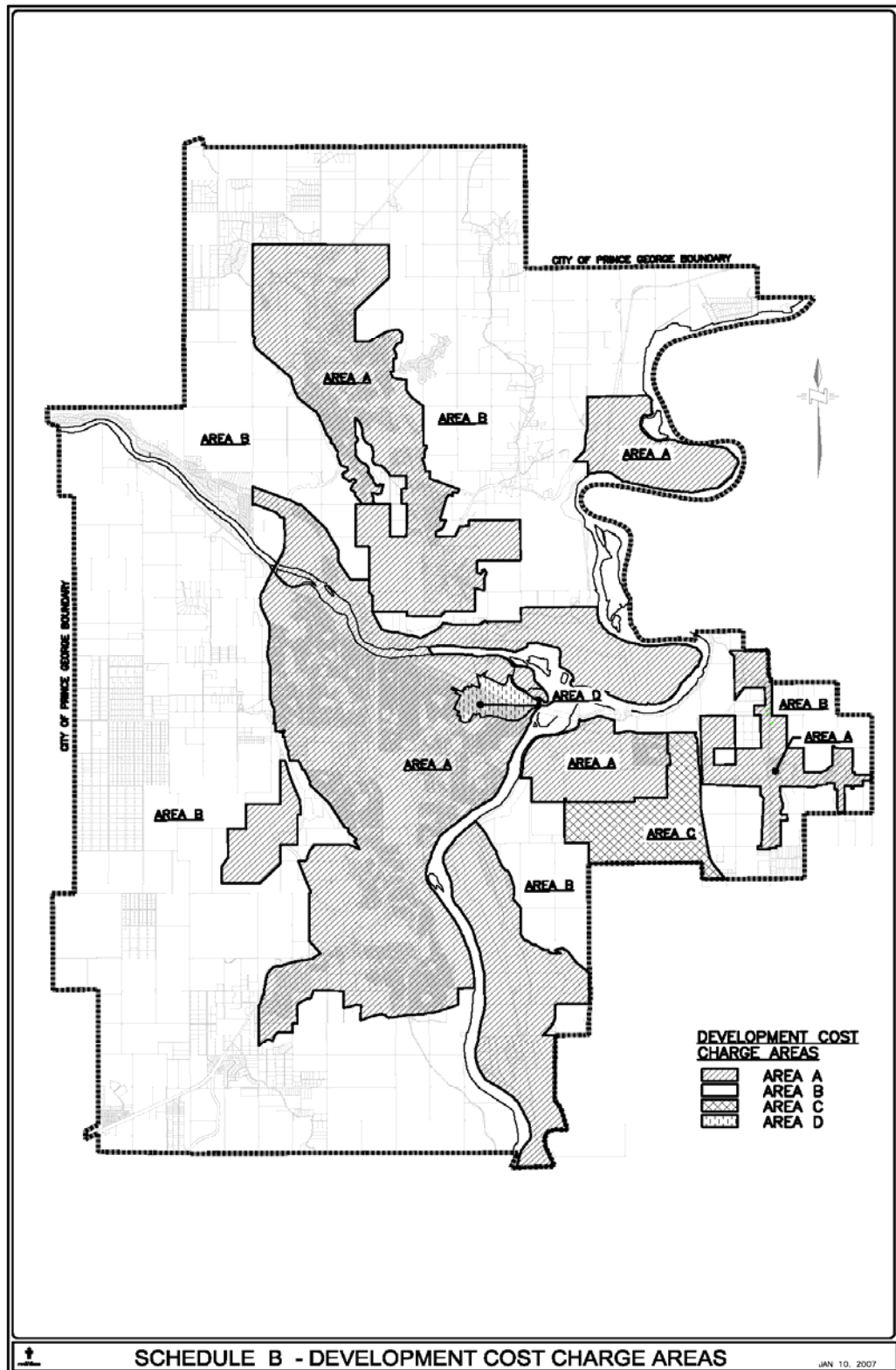
**“Parcel”**: any lot, block or other area of land which is recorded in the records of the Land Title Office and, without limiting the generality of the foregoing, includes any bare land strata lot;

**“Residential (Single Family) Development”**: the obtaining of a building permit or the approval of a subdivision of land for single-family residential purposes in any Zoning District;

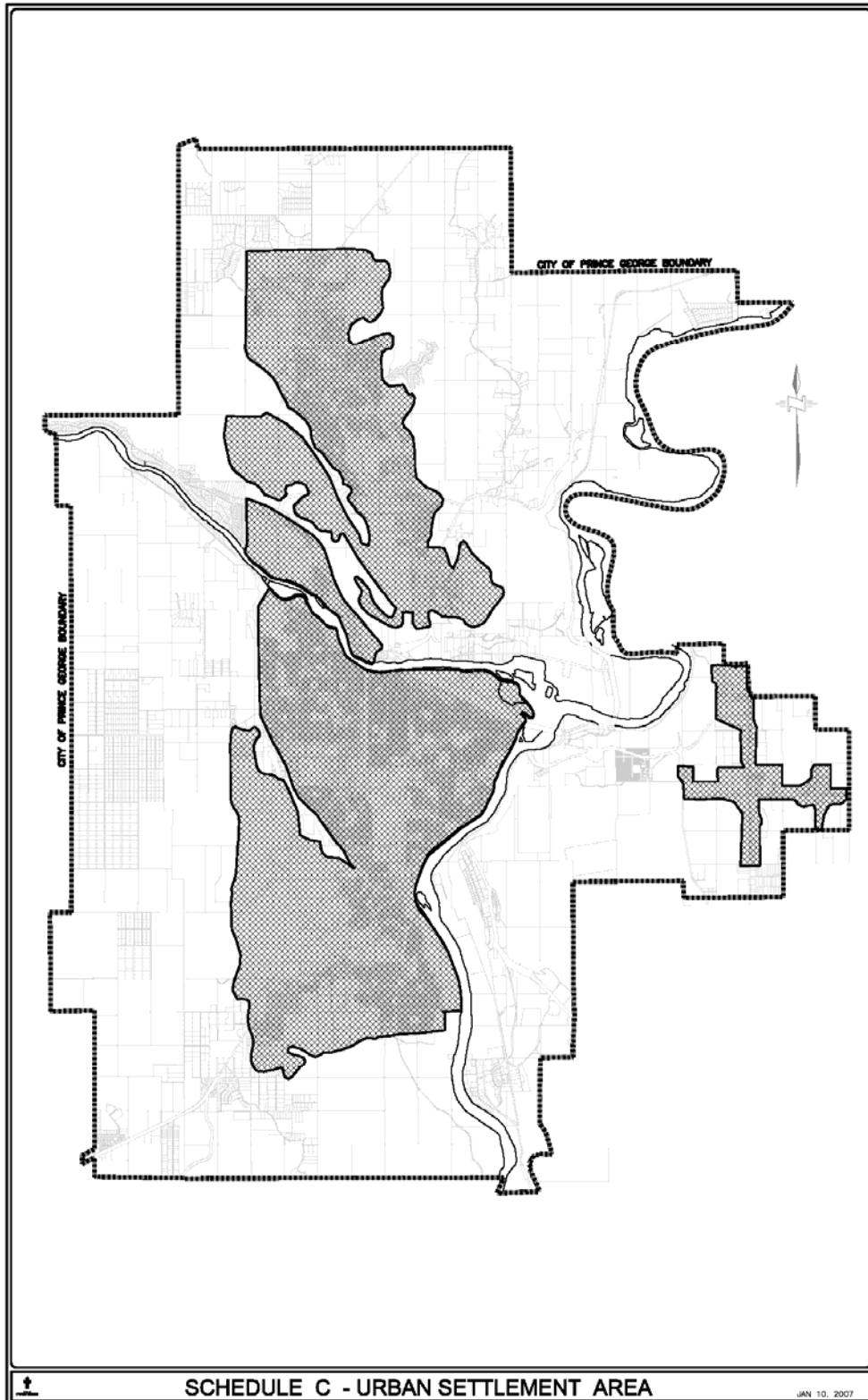
**“Residential (Two Family) Development”**: the obtaining of a building permit or the approval of a subdivision of land for two family residential purposes in any Zoning District;

**“Residential (Multiple Family) Development”**: the obtaining of a building permit or the approval of a subdivision of land for medium or high density residential purposes in any Zoning District.

### Schedule B



**Schedule C**



**Schedule D****D.1 Development Cost Charges – Area A****DEVELOPMENT COST CHARGE RATES (\$) – Area A <sup>1</sup>**

<b>Type of Development</b>	<b>Measurement unit</b>	<b>Park Land</b>	<b>Highway Facilities<sup>2</sup></b>	<b>Drainage Facilities<sup>2</sup></b>	<b>Sewage Facilities<sup>2</sup></b>	<b>Water Facilities<sup>2</sup></b>
<b>Residential</b> (single and two family)	per parcel	222	1,257	417	846	1,089
<b>Residential – Higher Density<sup>3</sup></b> (single and two family)	per parcel	222	1,100	365	740	953
<b>Manufactured Home Park<sup>4</sup></b>	per pad	222	1,257	417	846	1,089
<b>Residential - Multiple Family</b> (medium and high density)	per dwelling unit	148	852	204	564	726
<b>Commercial</b>	per square metre of gross building area <sup>5</sup>	1.11	19.75	3.44	4.23	5.44
<b>Industrial</b>	per hectare of gross developed area <sup>6</sup>	3,326	13,164	12,420	12,693	16,332
<b>Institutional</b>	per square metre of gross building area	0.74	15.80	2.48	2.82	3.63

**Notes to Schedule:**

1. Area boundary is defined in Schedule B.
2. Reductions or exemptions may apply to the rates listed. Refer to Sections 5, 7 and 8.
3. “Residential – Higher Density” as defined in Section 8.1.
4. “Manufactured Home Park” means a development as defined under CPG Bylaw No. 6091, 1993. A Manufactured Home Park may qualify for “Residential – Higher Density” DCCs, only if it meets the requirements of Section 8.1.
5. “gross building area” means an area as defined under Schedule A.
6. “gross developed area” means an area as defined under Schedule A.
7. Parcel, dwelling unit and pad charges apply equally to fee simple, rental, and strata developments.
8. All development cost charges reflect a City of Prince George 10% assist factor.

D.2 Development Cost Charges – Area BDEVELOPMENT COST CHARGE RATES (\$) – Area B <sup>1</sup>

Type of Development	Measurement unit	Park Land	Highway Facilities <sup>2</sup>	Drainage Facilities <sup>2</sup>	Sewage Facilities <sup>2</sup>	Water Facilities <sup>2</sup>
<b>Residential</b> (single and two family)	per parcel	529	3,036	720	850	2,602
<b>Residential – Higher Density<sup>3</sup></b> (single and two family)	per parcel	529	2,657	630	744	2,277
<b>Manufactured Home Park<sup>4</sup></b>	per pad	529	3,036	720	850	2,602
<b>Residential - Multiple Family</b> (medium and high density)	per dwelling unit	352	2,057	352	567	1,735
<b>Commercial</b>	per square metre of gross building area <sup>5</sup>	2.64	47.69	5.94	4.25	13.01
<b>Industrial</b>	per hectare of gross developed area <sup>6</sup>	7,930	31,795	21,452	12,747	39,034
<b>Institutional</b>	per square metre of gross building area	1.76	38.15	4.29	2.83	8.67

**Notes to Schedule:**

1. Area boundary is defined in Schedule B.
2. Reductions or exemptions may apply to the rates listed. Refer to Sections 5, 7 and 8.
3. “Residential – Higher Density” as defined in Section 8.1.
4. “Manufactured Home Park” means a development as defined under CPG Bylaw No. 6091, 1993. A Manufactured Home Park may qualify for “Residential – Higher Density” DCCs, only if it meets the requirements of Section 8.1.
5. “gross building area” means an area as defined under Schedule A.
6. “gross developed area” means an area as defined under Schedule A.
7. Parcel, dwelling unit and pad charges apply equally to fee simple, rental, and strata developments.
8. All development cost charges reflect a City of Prince George 10% assist factor.

D.3 Development Cost Charges – Area C**DEVELOPMENT COST CHARGE RATES (\$) – Area C <sup>1</sup>**

<b>Type of Development</b>	<b>Measurement unit</b>	<b>Park Land</b>	<b>Highway Facilities<sup>2</sup></b>	<b>Drainage Facilities<sup>2</sup></b>	<b>Sewage Facilities<sup>2</sup></b>	<b>Water Facilities<sup>2</sup></b>
<b>Residential</b> (single and two family)	per parcel	222	1,257	417	846	1,089
<b>Residential – Higher Density<sup>3</sup></b> (single and two family)	per parcel	222	1,100	365	740	953
<b>Manufactured Home Park<sup>4</sup></b>	per pad	222	1,257	417	846	1,089
<b>Residential - Multiple Family</b> (medium and high density)	per dwelling unit	148	852	204	564	726
<b>Commercial</b>	per square metre of gross building area <sup>5</sup>	1.21	21.01	2.59	3.66	3.29
<b>Industrial</b>	per hectare of gross developed area <sup>6</sup>	3,635	14,006	9,370	10,969	9,855
<b>Institutional</b>	per square metre of gross building area	0.81	16.81	1.87	2.44	2.19

**Notes to Schedule:**

1. Area boundary is defined in Schedule B.
2. Reductions or exemptions may apply to the rates listed. Refer to Sections 5, 7 and 8.
3. “Residential – Higher Density” as defined in Section 8.1.
4. “Manufactured Home Park” means a development as defined under CPG Bylaw No. 6091, 1993. A Manufactured Home Park may qualify for “Residential – Higher Density” DCCs, only if it meets the requirements of Section 8.1.
5. “gross building area” means an area as defined under Schedule A.
6. “gross developed area” means an area as defined under Schedule A.
7. Parcel, dwelling unit and pad charges apply equally to fee simple, rental, and strata developments.
8. All development cost charges reflect a City of Prince George 10% assist factor.

D.4 Development Cost Charges – Area D**DEVELOPMENT COST CHARGE RATES (\$) – Area D <sup>1</sup>**

<b>Type of Development</b>	<b>Measurement unit</b>	<b>Park Land</b>	<b>Highway Facilities<sup>2</sup></b>	<b>Drainage Facilities<sup>2</sup></b>	<b>Sewage Facilities<sup>2</sup></b>	<b>Water Facilities<sup>2</sup></b>
<b>Residential</b> (single and two family)	per parcel	222	1,257	417	846	1,089
<b>Residential – Higher Density<sup>3</sup></b> (single and two family)	per parcel	222	1,100	365	740	953
<b>Manufactured Home Park<sup>4</sup></b>	per pad	222	1,257	417	846	1,089
<b>Residential - Multiple Family</b> (medium and high density)	per dwelling unit	110	124	53	15	48
<b>Commercial</b>	per square metre of gross building area <sup>5</sup>	0.82	2.87	0.89	0.11	0.36
<b>Industrial</b>	per hectare of gross developed area <sup>6</sup>	2,475	1,912	3,213	340	1,069
<b>Institutional</b>	per square metre of gross building area	0.55	2.29	0.64	0.08	0.24

**Notes to Schedule:**

1. Area boundary is defined in Schedule B.
2. Reductions or exemptions may apply to the rates listed. Refer to Sections 5, 7 and 8.
3. “Residential – Higher Density” as defined in Section 8.1.
4. “Manufactured Home Park” means a development as defined under CPG Bylaw No. 6091, 1993. A Manufactured Home Park may qualify for “Residential – Higher Density” DCCs, only if it meets the requirements of Section 8.1.
5. “gross building area” means an area as defined under Schedule A.
6. “gross developed area” means an area as defined under Schedule A.
7. Parcel, dwelling unit and pad charges apply equally to fee simple, rental, and strata developments.
8. All development cost charges reflect a City of Prince George 10% assist factor.