

**DISTRICT OF INVERMERE
BYLAW NO. 1598**

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES

WHEREAS pursuant to the *Local Government Act*, the Council of the District of Invermere may, by Bylaw, impose development cost charges;

AND WHEREAS development cost charges may be imposed for the purpose of providing funds to assist the municipality in paying the capital costs of providing, constructing, altering, or expanding sewage, water, drainage and roads facilities, and providing and improving park land to service directly or indirectly, the development for which the charges are imposed;

AND WHEREAS the Council of the District of Invermere has deemed the charges imposed by this bylaw:

- (a) are not excessive in relation to the capital cost of prevailing standards of service in the municipality;
- (b) will not deter development in the municipality;
- (c) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the municipality; and
- (d) will not discourage development designed to result in a low environmental impact in the municipality;

AND WHEREAS Council has considered the charges imposed by this bylaw in relation to future land use patterns and development, the phasing of works and services and the provision of park land described in the Official Community Plan, and how development designed to result in a low environmental impact may affect the capital costs of sewage, water, drainage, and roads, and providing and improving park land;

AND WHEREAS in the opinion of the Council, the charges imposed by this Bylaw are related to capital costs attributable to projects included in the municipality's financial plan and long-term capital plans, and to capital projects consistent with the Official Community Plan.

NOW THEREFORE, the Council of the District of Invermere, in open meeting assembled, enacts as follows:

PART 1 - CITATION

1.1 This Bylaw may be cited as "Development Cost Charge Bylaw No. 1598, 2021".

**DISTRICT OF INVERMERE
BYLAW NO. 1598**

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES

PART 2 - DEFINITIONS AND INTERPRETATION

2.1 For the purposes of this bylaw, the definitions of words or phrases that are not included in this section shall have the meaning assigned to them in the *Local Government Act* or the *Community Charter*, as the case may be.

2.2 In this bylaw:

“Building” means an exterior structure used or intended for supporting or sheltering any use or occupancy.

“Commercial” means a commercial development used or intended to be used for the carrying on of any business, including the sale or provision of goods, accommodation, entertainment, meals or services, but excludes an industrial, institutional or residential development.

“Dwelling Unit” means a building or portion thereof containing one or more habitable rooms used or intended to be used for living and sleeping purposes and containing sleeping, sanitary facilities and not more than one (1) set of cooking facilities.

“District” means the District of Invermere.

“Construction” includes building, erection, installation, repair, alteration, addition, enlargement, moving, locating, relocating, reconstruction, demolition, removal, excavation, or shoring.

“Development” means the construction, alteration, or extension of buildings and/or structures for any use authorized by the zoning bylaw that requires the issuance of a building permit, but does not include internal alterations of a building and/or structure where the principal use of the building and/or structure, or part thereof, is not changing.

“Gross floor area” or “GFA” means the sum of the total horizontal area of all floors of a building, excluding, hallways, stairwells, elevator shafts, storage rooms, heating, ventilation, air conditioning and mechanical rooms, swimming pools, open sun decks, balconies, and any portion used for parking.

“Industrial” means an industrial development used or intended to be used for manufacturing, production, assembly, testing, warehousing, distribution or storage of products and materials, but excludes a commercial, institutional, or residential development.

“Institutional” means an institutional development intended to be used only on a non-profit basis for cultural, recreational, social, religious, governmental, public hospital or educational purposes, but excludes a commercial, industrial, or residential development.

“Mobile Home” means any structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to be moved from one place to another by being towed or carried on its own chassis, and which contains a dwelling unit.

“Multiple Family Residential” means a dwelling containing three (3) or more dwelling units.

**DISTRICT OF INVERMERE
BYLAW NO. 1598**

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES

“Residential” means a use permitted in a Rural Residential Zone, a Residential zone, or a dwelling unit permitted in a Commercial Zone created by the Zoning Bylaw.

“Single Family Residential” means a dwelling containing one (1) dwelling unit.

“Structure” means any construction fixed to, supported by, or sunk into land or water, excluding asphalt or concrete paving or similar surfacing of a lot.

“Subdivision” means a subdivision as defined in the Land Title Act or Strata Property Act.

“Zone” means the zones identified and defined in the District of Invermere Zoning Bylaw.

“Zoning Bylaw” means the District of Invermere Zoning Bylaw in effect at the time of application of this bylaw.

PART 3 - DEVELOPMENT COST CHARGES

3.1 Development Cost Charges are hereby imposed on 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; or
- c. a building permit authorizing the construction, alteration or extension of a building or structure 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 dwelling units. *[note: this clause has been included in the bylaw to meet requirements of the Local Government Act in order to allow the District to impose a development cost charge on building permits for buildings that contain 1, 2, or 3 residential dwelling units]*

who shall pay to the District the development cost charge in the amount set out in Schedule A which is attached to and forms part of this bylaw. The development cost charge shall be paid prior to approval of a subdivision or issuance of a building permit, as the case may be.

3.2 All charges imposed by this bylaw may be paid by instalments in accordance with BC Reg. 166/84 to the Local Government Act, being the Development Cost Charges (Instalments) Regulation.

PART 4 - EXEMPTION OF CHARGES

4.1 Despite any other provision of this bylaw, a development cost charge is not payable if any of the following applies in relation to a development authorized by a building permit:

**DISTRICT OF INVERMERE
BYLAW NO. 1598**

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES

- a. the 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*; or
- b. the value of the work authorized by the permit does not exceed \$50,000 or any other amount prescribed by regulation under the Local Government Act; or
- c. the permit authorizes the construction, alteration or extension of self-contained dwelling units in a building, the area of each self-contained dwelling unit is no larger than 29 m², and each dwelling unit will be put to no other use than residential use.

PART 5 - CALCULATION OF APPLICABLE CHARGES

5.1 The amount of development cost charges payable in relation to a particular development shall be calculated using the applicable charges set out in Schedule “A” attached to this bylaw and depends upon:

- a. the number of additional Lots being created by the application for a Subdivision of land zoned to permit Residential use, including Multiple Family Residential.
- b. the number of additional Lots being created by the application for a Subdivision of land, including creation of a bare land strata within a mobile home subdivision
- c. for a duplex building, one charge shall be imposed for the second dwelling unit at the time of approval of a building permit authorizing the development. The charge for the additional dwelling unit shall be equivalent to the charge for a Single Family Residential Unit. A charge will have been already paid (or assumed to have been paid) for the first dwelling unit upon subdivision to create the lot that accommodates the duplex.
- d. the number of new Dwelling Units proposed when applying for a Building Permit for development of Multiple Family Residential, at the time of approval of a building permit authorizing the development. A charge will have been already paid (or assumed to have been paid) for the first single family residential or multiple family residential unit upon subdivision to create the lot that accommodates the multiple family dwelling units. This charge is subtracted from the amount payable based on the number of new Dwelling Units proposed.
- e. the number of new Dwelling Units proposed when applying for a Building Permit for development of a Mobile Home, where the units are not located on their own individual lots or bare land strata lots.
- f. the Gross Floor Area of the building when applying for a Building Permit for Commercial, Industrial, and Institutional development authorized to be constructed, altered or extended by the building permit.

5.2 Where a type of development is not specifically identified in Schedule “A” the amount of development cost charges to be paid to the District shall be equal to the development cost charges that are payable for the most comparable type of development

**DISTRICT OF INVERMERE
BYLAW NO. 1598**

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES

5.3 The amount of development cost charges payable in relation to mixed-use type of development shall be calculated separately for each portion of the development, according to the separate use types, which are included in the building permit application and shall be the sum of the charges payable for each type.

PART 6 - TIMING OF PAYMENT

6.1 Development cost charges imposed by this Bylaw must be paid to the District at the following times:

- a. where an application is made for the Subdivision of land zoned to permit residential use at the time of approval of such subdivision;
- b. where an application is made for the Subdivision of land, including creation of a bare land strata, at the time of approval of such subdivision;
- c. for a duplex unit, one DCC due at the time of subdivision creating the parcel which accommodates the duplex, the second DCC due at the time of approval of a building permit authorizing the development;
- d. for development of a Multiple Family Residential Building, at the time of approval of a building permit authorizing the development;
- e. for development of a Mobile Home, where the units are not located on their own individual lots or bare land strata lots, at the time of approval of a building permit authorizing the development;
- f. for Commercial, Industrial, and Institutional development, at the time of approval of a building permit authorizing the development.

PART 7 - REPEAL

7.1 District of Invermere Bylaw No. 1421, cited as "Development Cost Charge Bylaw No. 1421, 2010" and amendments thereto is repealed.

**DISTRICT OF INVERMERE
BYLAW NO. 1598**

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES

PART 8 - EFFECTIVE DATE

8.1 This Bylaw comes into effect on the date of its adoption.

Introduced and Read a First Time this 12th day of January, 2021.

Read a Second Time this ____ day of _____, 2021.

Read a Third time this ____ day of _____, 2021.

Approved by the Inspector of Municipalities this ____ day of _____, 2021.

RECONSIDERED AND FINALLY ADOPTED this ____ day of _____, 2021.

Mayor

Chief Administrative Officer

Certified a true copy of Bylaw No. 1598, 2021 as at third reading
this ____ day of _____, _____

Corporate Officer

Certified a true copy of Bylaw No. 1598, 2021
this ____ day of _____, _____

Corporate Officer

SCHEDULE "A"

Development Cost Charges

	Transportation	Water	Sanitary Sewer	Parks	Total Development Cost Charge	
Single Family Residential	\$4,299.00	\$283.00	\$8,463.00	\$186.00	\$13,231.00	per dwelling unit
Multiple Family Residential	\$2,804.00	\$185.00	\$5,520.00	\$121.00	\$8,630.00	per dwelling unit
Commercial	\$67.30	\$1.71	\$51.22	\$0.00	\$120.23	per m ² gross floor area
Industrial	\$37.39	\$1.71	\$51.22	\$0.00	\$90.32	per m ² gross floor area
Institutional	\$92.56	\$1.71	\$51.22	\$0.00	\$145.49	per m ² gross floor area

Note: Single Family Residential DCC rates apply to each duplex unit and mobile home