CITY OF PORT COQUITLAM

BYLAW NO. 4320

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES

WHEREAS pursuant to the *Local Government Act,* the Council of the City of Port Coquitlam 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 sanitary sewer, water, drainage and roads facilities, and providing and improving parkland to service directly or indirectly, the development for which the charges are imposed;"

AND WHEREAS the Council of the City of Port Coquitlam is of the opinion that 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 described in the Official Community Plan, and how development designed to result in a low environmental impact may affect the capital costs of sanitary sewer, water, drainage, and roads and providing and improving parkland;"

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 City of Port Coquitlam, in open meeting assembled, enacts as follows:

PART 1 - GENERAL ADMINISTRATION

1.1 This bylaw may be cited as "Development Cost Charge Bylaw 2023, No. 4320."

PART 2 - DEFINITIONS AND INTERPRETATION

2.1 This bylaw applies to all applications for subdivisions and for issuance of a building permit for parcels located in the City of Port Coquitlam.

2.2 In the event of a conflict with any term of this bylaw with the provisions of the *Local Government Act* authorizing the imposition of development cost charges, this bylaw is to be interpreted so that it is consistent with the authority set out in the *Local Government Act.*

2.3 For the purposes of this bylaw, the words or phrases that are not defined in this section shall have the meaning assigned to them in the Zoning Bylaw.

2.4 In this bylaw:

(a) **"Building Permit"** means any permit required under the City of Port Coquitlam Building and Plumbing Bylaw, 2009, No. 3710, as amended, or repealed and replaced from time to time.

(b) **"City"** means the City of Port Coquitlam.

(c) **"Commercial"** means a commercial development in a commercial zone listed in the Zoning Bylaw or a similar development in another zone permitted in accordance with the Zoning Bylaw, in which the predominant use of the zone, as determined by its purpose and list of permitted uses, is of a commercial nature.

(d) **"Construction"** includes building, erection, installation, repair, alteration, addition, enlargement, moving, relocating, reconstruction, demolition, removal, excavation, or shoring requiring a Building Permit.

(e) **"Dwelling Unit"** means a self-contained set of rooms, including provisions for living, sleeping, cooking and sanitation; includes coach homes or secondary suites.

(f) **"Gross Floor Area"** or **"GFA"** means the area of all storeys of the building measured to the exterior surfaces of the walls.

(g) **"Ground-Oriented Multi Family"** means residential development which includes townhouse, rowhouse, duplex and multi-plex.

(h) **"General/Light Industrial"** means an industrial development in a zone listed in the Zoning Bylaw, or similar development in another Zone permitted in accordance with the Zoning Bylaw, in which the predominant use, as determined by its general purpose and list of permitted uses, is of general or light industrial nature.

(i) **"Heavy Industrial"** means an industrial development in a zone listed in the Zoning Bylaw, or similar development in another Zone permitted in accordance with the Zoning Bylaw, in which the predominant use, as determined by its general purpose and list of permitted uses, is of heavy industrial nature.

(j) **"Institutional"** means an institutional development in a public or institutional zone listed in the Zoning Bylaw or a similar development in another zone permitted in accordance with the Zoning Bylaw, in which the predominant use of the zone, as determined by its purpose and list of permitted uses, is of an institutional nature.

(k) **"Lot"** means any lot, parcel, block, or other area in which land is held or into which it is legally subdivided, and for certainty, includes a bare land strata lot under the *Strata Property Act*.

(l) **"Multi Family"** means development of a residential building which contains multiple Dwelling Units accessible via a common hallway or corridor and shared entrance facilities, and includes apartment dwellings.

(m) **"Single Family"** means development that contains not more than one single unit dwelling for residential use and that is separate on all sides from any other building. Where specially permitted in the Zoning Bylaw, this use may contain one additional Dwelling Unit in the form of a secondary suite.

(n) **"Subdivision"** means a subdivision as defined in the *Land Title Act* or *Strata Property Act*.

(o) **"Total Site Area"** means the whole or a portion of the parcel to be improved for industrial purposes as part of the development authorized by building permit or development permit, including all buildings, vehicular and pedestrian circulation areas, loading, parking, storage, works, decorative areas and landscaped areas belonging to the development.

(p) **"Zone"** means the zones identified and defined in the Zoning Bylaw.

(q) **"Zoning Bylaw"** means the City of Port Coquitlam Zoning Bylaw, 2008, No. 3630 as amended, or repealed and replaced from time to time.

PART 3 - DEVELOPMENT COST CHARGES

3.1 The Development Cost Charges set out in Schedule "A", attached hereto and forming part of this bylaw, are hereby imposed on every person who obtains:

(a) approval of a Subdivision of land under the *Land Title Act* or the *Strata Property Act*, that results in two or more Lots on which the Zoning Bylaw permits the construction of a Single-Family Dwelling Unit;

(b) approval of a Building Permit authorizing the construction of a Single-Family Dwelling Unit on an existing Lot; or

(c) approval of a Building Permit authorizing the Construction of Ground-Oriented Multi Family, Multi Family, Commercial, Industrial, or Institutional building or structure;

and the development cost charge shall be paid upon approval of a subdivision or issuance of a building permit, as the case may be.

3.2 For certainty, this bylaw imposes charges in respect of Building Permits authorizing the Construction, of buildings or structures that will, after the Construction, contain fewer than four Dwelling Units and for which the Dwelling Units in the building or structure will be put to no use other than residential use.

PART 4 - EXEMPTIONS

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:

(a) the permit authorizes the Construction of a building or part of a building that is, or will be, after the Construction, exempt from taxation under section 220(1)(h) or 224(2)(f) of the *Community Charter*;

(b) the permit authorizes the Construction of Dwelling Units in a building, the area of each Dwelling Unit is no larger than 29m^2, and each Dwelling Unit will be put to no other use than residential use;

(c) the value of the work authorized by the permit does not exceed $50,000;

(d) a development cost charge has previously been paid for the development unless, as a result of further development, new capital cost burdens will be imposed on the municipality; or

(e) The *Local Government Act* or any regulations thereunder provide that no development cost charge is payable.

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” of this bylaw.

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 City shall be equal to the development cost charges that are payable for the type of development that in the opinion of Director of Development Services imposes the most similar cost burden on the City’s transportation, sanitary sewer, water, and drainage, park facilities and parkland.

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, in accordance with Schedule “A”, based on the mix of uses included in the building permit application and the total development cost charges payable shall be the sum of the charges payable for each type.

PART 6 - EFFECTIVE DATE

6.1 This Bylaw shall come into force and effect on the date of adoption.

PART 7 - SEVERABILITY

7.1 If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of the bylaw remains valid.

PART 8 - REPEAL

8.1 The following City of Port Coquitlam Bylaws, and all amendments, are repealed:

(a) Water Facilities Development Cost Charge Bylaw, 1992, No. 2737,

(b) Drainage Facilities Development Cost Charge Bylaw, 1992, No. 2738,

(c) Highway Facilities Development Cost Charge Bylaw, 1992, No. 2739, and

(d) Sewage Facilities Development Cost Charge Bylaw, 1992, No. 2740.

READ A FIRST TIME this	11th day of	July, 2023
READ A SECOND TIME this	11th day of	July, 2023
READ A THIRD TIME this	11th day of	July, 2023
ADOPTED this	12th day of	December, 2023

B. WEST
Mayor

C. DEAKIN
Corporate Officer

RECORD OF AMENDMENTS

BYLAW NO.	AMENDED SECTION	DATE
4431	Adding Parks DCC's	2026-04-14

SCHEDULE “A”

ATTACHED TO CITY OF PORT COQUITLAM

DEVELOPMENT COST CHARGE BYLAW NO. 4320, 2023

	Unit	**Transportation**	**Water**	**Drainage**	**Sanitary Sewer**	**Parkland Acquisition and Improvement**
Single Family	Per dwelling unit/lot	$9,119	$0	$4,871	$1,772	$15,253
Ground-Oriented Multi Family	Per dwelling unit	$4,799	$0	$3,171	$927	$7,983
Multi Family	Per dwelling unit	$3,216	$0	$1,608	$629	$5,417
Commercial	Per square metre of gross floor area	$73.43	$0	$19.30	$2.98	$25.66
General/Light Industrial	Per square metre of gross floor area	$27.36	$0	$25.27	$1.49	$12.83
Heavy Industrial	Per hectare of total site area	$43,145.63	$0	$76,279.63	$14,903.95	$129,294
Institutional	Per square metre of gross floor area	$47.99	$0	$38.14	$1.66	$14.25