

THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER

DEVELOPMENT COST CHARGE BYLAW NO. 3801, 1993

A bylaw to impose development cost charges.

WHEREAS, pursuant to Sections 983 and 984 of the Municipal Act the Council may, by bylaw, impose development cost charges;

AND WHEREAS the Council has, in fixing development cost charges in this Bylaw, considered 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 whether the charges:

- (a) are excessive in relation to the capital cost of prevailing standards of service,
- (b) will deter development, and
- (c) will discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the Municipality.

NOW THEREFORE the Council of The Corporation of the District of West Vancouver, in open meeting assembled, enacts as follows:

1. In this Bylaw unless the context otherwise requires:

"Council" - means the Council of the Municipality.

"Municipality" - means The Corporation of the District of West Vancouver.

"Highway Facility, Community" - means a highway intended for use for pedestrian and vehicular purposes by all the inhabitants of the Municipality.

"Highway Facility, Neighbourhood" - means a highway intended for use for pedestrian and vehicular purposes primarily by the inhabitants of an area containing an ascertainable number of parcels or dwelling units.

"Parcel" - means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway.

"Park, Ambleside Waterfront" (formerly "Park, Community") - means park land on the Ambleside Waterfront, between 14th and 18th Streets intended for use for play and recreation by all the inhabitants of the Municipality

"Park, Local" - means park land intended for use for play and recreation primarily by the inhabitants of a group of dwellings and includes a pedestrian way.

"Park, Major" (formerly "Park, Neighbourhood") - means park land intended for use for play and recreation but which is not considered "Park, Local" nor "Park, Ambleside Waterfront".

"Unit" - where construction is for:

- (a) residential purposes means a dwelling unit as defined by "Zoning Bylaw No. 2200, 1968", as amended;
- (b) commercial purposes means a gross floor area of 186 square metres or less.

2. 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 Municipality at the time of the approval of the subdivision or the issue of the building permit, as the case may be, the applicable development cost charges as set out in Schedules "A" and "A1" in accordance with the areas specified in Schedule "B" as attached hereto and forming an integral part of the Bylaw.

3. No charge is payable 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 398(1)(h) of the Municipal Act,
- (b) the building permit authorizes the construction, alteration or extension of a building that will, after the construction, alteration or extension,
 - (i) contain less than four self-contained dwelling units, and
 - (ii) be put to no other use other than the residential use in those dwelling units, or
- (c) the value of the work authorized by permit does not exceed \$50,000 (or any other amount the Minister may, by regulation, prescribe).

4. A development cost charge is not payable where:
 - (a) the development does not impose new capital cost burdens on the Municipality, or
 - (b) a development cost charge has previously been paid for the same development unless, as a result of further development, new capital cost burdens will be imposed on the Municipality.
5. Where the Municipality has imposed a charge or made a requirement under Division (7) of the Municipal Act for park land or for specific works and services outside the boundaries of land being subdivided or developed, that are included in the calculations used to determine the amount of a development cost charge, the amount of the charge imposed or the value of the requirement made under Division (7) shall be deducted from those classes of development cost charges which are applicable to the types of works and services or the park land for which the charge was imposed or the requirement was made.
6. Where an owner has, with the approval of the Municipality, provided or paid the cost of providing park land or specific works and services outside the boundaries of land being subdivided or developed, that are included in the calculations used to determine the amount of a development cost charge, the value of the park land or cost of the works and services, as the case may be, shall be deducted from those classes of development cost charges which are applicable to the park land or works and services as the case may be.
7. Where land is developed under a registered land use contract, no development cost charges shall be payable under this Bylaw.
8. "Development Cost Charge Bylaw No. 3151" shall apply to applications for subdivision or building permits that have been received and all applicable fees paid for on or before the date of adoption of this bylaw. This bylaw shall apply to all applications received or paid for after adoption of this bylaw.

9. This Bylaw may be cited for all purposes as "Development Cost Charge Bylaw No. 3801, 1993".

FIRST READING by the Council on 1993 March 08.

AMENDED AND PASSED by the Council on 1993 March 08.

RECEIVED THE APPROVAL of the Inspector of Municipalities on 1993 April 05.

RECONSIDERED AND ADOPTED on 1993 April 19.


MAYOR


MUNICIPAL CLERK

1993 February 26

Schedule "A"

DEVELOPMENT COST CHARGES - \$ PER UNIT
effective to 1994 February 28

Area (a)	Total	Water	Drainage	Highway Facilities			Public Open Spaces		
				Neighbourhood	Community	Underground Wiring	Ambleside Waterfront	Major	Local
1. Caulfeild Plateau									
2. West of Nelson Creek, and N. of Upper Levels; N. of Horseshoe Bay	11,768	3,688	1,037	*	216	196	1,075	3,159	2,397
3. East of Nelson Creek, West of Cypress Creek and N. of Upper Levels	14,931	3,688	1,037	3,163	216	196	1,075	3,159	2,397
4. East of Cypress Creek, West of Existing Development and N. of Upper Levels	15,049	4,760	1,037	2,210	216	196	1,075	3,159	2,397
5. Infill - apartment, single family, and non-residential (b)	8,589	509	1,037	*	216	196	1,075	3,159	2,397

(a) Areas are designated on Schedule "B"; the official detailed map is lodged with the Municipal Clerk as part of this Bylaw.

(b) Charges for non-residential units are calculated on the gross floor area, with each 186 square metres (approximately 2,000 square feet) or portion thereof equal to one unit.

* No charges.

1993 February 26

Schedule "A1"

DEVELOPMENT COST CHARGES - \$ PER UNIT
effective 1994 March 1

Area (a)	Total	Water	Drainage	Highway Facilities			Public Open Spaces		
				Neighbourhood	Community	Underground Wiring	Ambleside Waterfront	Major	Local
1. Caulfeild Plateau									
2. West of Nelson Creek, and N. of Upper Levels; N. of Horseshoe Bay	12,376	3,688	1,037	*	216	196	1,075	3,475	2,689
3. East of Nelson Creek, West of Cypress Creek and N. of Upper Levels	15,538	3,688	1,037	3,163	216	196	1,075	3,475	2,689
4. East of Cypress Creek, West of Existing Development and N. of Upper Levels	15,657	4,760	1,037	2,210	216	196	1,075	3,475	2,689
5. Infill - apartment, single family, and non-residential (b)	9,196	509	1,037	*	216	196	1,075	3,475	2,689

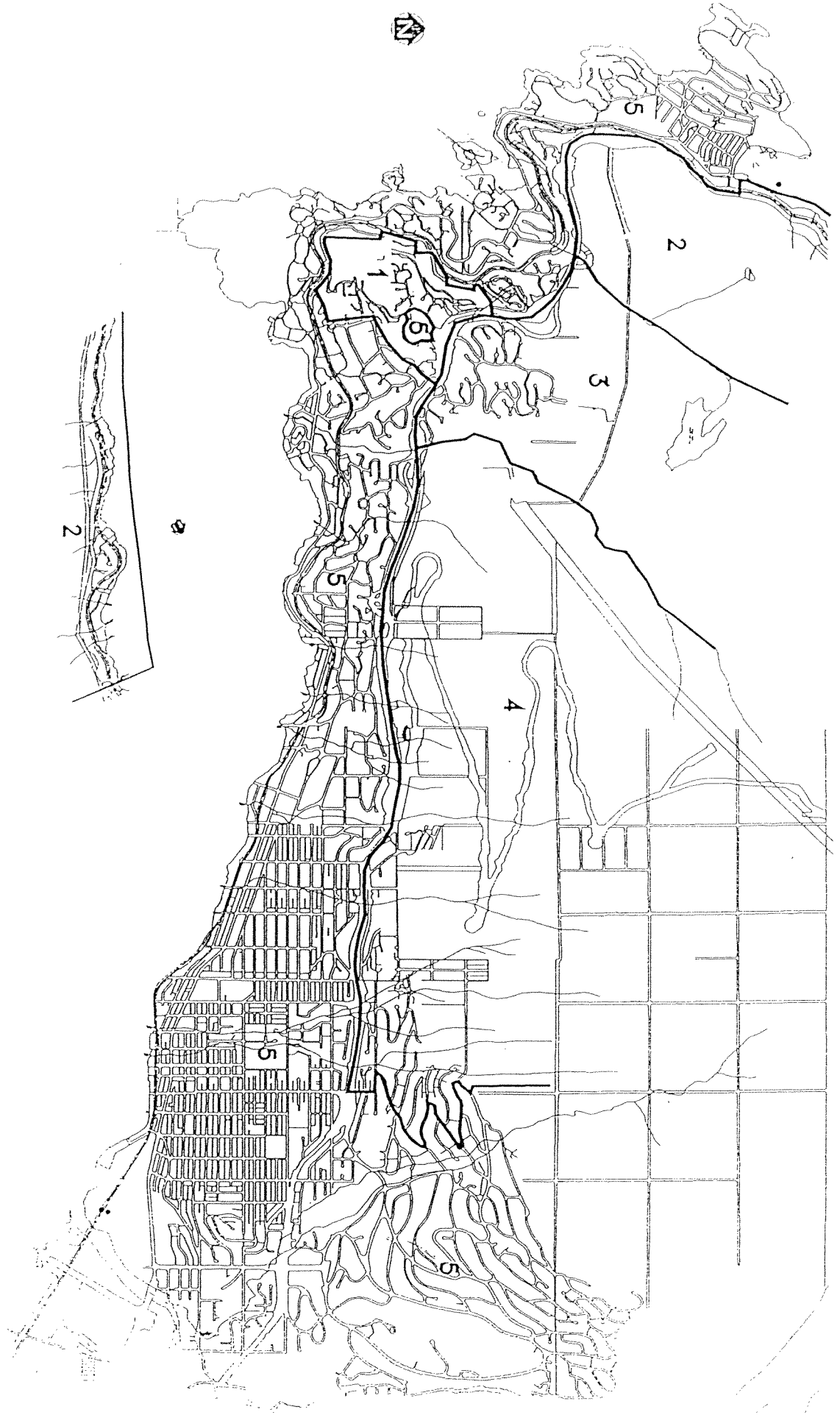
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(b) Charges for non-residential units are calculated on the gross floor area, with each 186 square metres (approximately 2,000 square feet) or portion thereof equal to one unit.

* No charges.

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Schedule "B" to
Development Cost Charge Bylaw
No. 3801, 1993



NOTE: This schedule is for convenience only.
The full size document is on file with the Municipal Clerk.