

**REGIONAL DISTRICT OF NORTH OKANAGAN  
BYLAW NO. 2279, 2007**

**CONSOLIDATED FOR CONVENIENCE**

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*This document is an office consolidation of the above-noted Bylaw and includes the amendments listed below. This Bylaw has been consolidated for convenience and is intended for information and reference purposes only. This document is not the official version of the Bylaw. Be advised that plans, pictures, other graphics or text in the official version may be missing or altered in this consolidated version. Where accuracy is critical, please contact the Corporate Services Department at the Regional District of North Okanagan.*

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**TEXT AMENDMENTS**

<b>Bylaw No.</b>	<b>Adopted</b>	<b>Amendment</b>
2714	July 19, 2017	– Provide authority to waive DCC's on not-for-profit that is owned by a non-profit charity/society or government organization and also to collect DCC's on all developments excluding single family dwellings

**CONSOLIDATED FOR CONVENIENCE**  
**REGIONAL DISTRICT OF NORTH OKANAGAN**

**BYLAW No. 2279**

A bylaw to impose Development Cost Charges for providing and improving park land  
within the Greater Vernon Parks and Recreation District Designation Area 1

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**WHEREAS** ~~Section 933 [Development cost charges generally]~~ **Section 559 [Development cost charges: imposition and collection]** of the *Local Government Act*, authorizes the Board of the Regional District of North Okanagan, by Bylaw, to impose development cost charges for the purpose of providing funds to assist the District to pay the capital cost of providing and improving park land, in order to serve directly or indirectly, the development for which the charges are imposed;

**AND WHEREAS** by Bylaw No. 1648, being the *Greater Vernon Parks, Recreation and Culture Service Conversion and Service Establishment Bylaw No. 1648, 2000*, the District was authorized to exercise the powers of Section 933 in the member municipalities for the purposes of the Parks and Recreation function;

**AND WHEREAS** by Bylaw No. 2040, the Board imposed development costs charges for the purpose of providing and improving park land in the Greater Vernon Parks and Recreation District Designation Area 1 (the "Development Area");

**AND WHEREAS** the City of Vernon, District of Coldstream and Regional District of North Okanagan are desirous of increasing the Development Cost Charges imposed by Bylaw No. 2040;

**AND WHEREAS** the Board has deemed the charges imposed by this Bylaw are related to capital costs attributable to projects included in the Financial Plan for the District;

**AND WHEREAS** the Board has taken into consideration the matters set out in section ~~934(4)~~ **564(4)** of the *Local Government Act* and, in the opinion of the Board, the charges imposed by this Bylaw are consistent and compatible with the matters in section ~~934(4)(a) through (d)~~ **564(4)(a) through (d)** and, in relation to the following matters in section ~~934(4)(e)~~ **564(4)(e) and (f)** the charges:

- (i) are not excessive in relation to the capital cost of prevailing standards of service in the Development Area;
- (ii) will not deter development in the Development Area;
- (iii) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the Development Area, or
- (iv) will not discourage development designed to result in a low environmental impact in the Development Area.

**NOW THEREFORE**, the Board of the Regional District of North Okanagan, in open meeting assembled, hereby ENACTS AS FOLLOWS:

**CITATION**

1. This bylaw may be cited for all purposes as "**Greater Vernon Parks, Recreation and Culture Service Development Cost Charge Bylaw No. 2279, 2007**".

**DEFINITIONS**

2. (a) For the purposes of this bylaw and the recitals hereto, words and phrases that are not defined in this bylaw have the meaning assigned to them in the *Local Government Act*.

(b) For the purposes of this bylaw,

**“Bare Land Strata Plan”** means a strata plan on which the boundaries of the strata lots are defined on a horizontal plane by reference to survey markers and not by reference to the floors, walls or ceilings of a building.

**“Board”** means the Board of Directors for the District.

**“Congregate Care Facility or Rest Home”** means a facility where food and lodging, with or without medical care and attention are provided to persons, with or without charge, who on account of age, infirmity, physical or mental disability, require care and attention.

**“Development”** has the same meaning as in section 932-558 of the *Local Government Act*.

**“Development Area”** means the Greater Vernon Parks and Recreation District Designation Area 1.

**“Development Cost Charges”** means the charges imposed by this bylaw for the provision and improvement of park land to service, directly or indirectly, the development for which the charge is being imposed.

**“District”** means the Regional District of North Okanagan.

**“Dwelling Unit”** means

- (a) one (1) or more rooms constituting a self-contained unit for the residential accommodation of only one (1) family, when such room or rooms contain or provide for sleeping facilities, sanitary facilities, and cooking facilities; or
- (b) one or more rooms rented as a unit for profit as tourist **commercial** accommodation, where the length of each stay is required to last for seven (7) or more consecutive days.

**“Multi Family”** means a building containing, or designed to contain, two or more dwelling units on one (1) parcel.

**“Not-for-profit rental housing”** means *low income housing that is owned by a non-profit corporation incorporated under the Society Act or a government organization and occupied or intended to be occupied under tenancy agreements as defined in the Residential Tenancy Act.*

**“Parcel”** means any lot, block or other area in which land is held or into which it is subdivided, and includes a strata lot.

**“Provide”** means to reserve or set aside, but does not include dedicate

**“Residential”** refers to a use providing for the accommodation and home life of one (1) or more people.

“**Secondary Suite**” means not more than one separate dwelling unit within a single family dwelling.

“**Single Family**” means a single detached dwelling unit on a single parcel.

“**Strata Development**” means a development created by means of a strata plan that is not a bare land strata plan.

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

### **PAYMENT OF DEVELOPMENT COST CHARGES**

3. (a) A person who obtains the approval of a subdivision or the issuance of a building permit for a parcel within the boundaries of the Development Area, must pay to the District the Development Cost Charges prescribed in Schedule A, calculated according to the multiplier set out in that schedule for the applicable category of development and approval or permit.
- (b) The development Cost charges must be paid at the same time the approval or permit referred to in subsection (a) is obtained.

### **DEVELOPMENT COST CHARGES EXEMPT**

4. ~~Section 3 does not apply in any of the circumstances where a person is exempted from payment under section 933 of the Local Government Act.~~
  - (a) ***Pursuant to section 563(1)(a) of the Local Government Act, Development Cost Charges for not-for-profit rental housing as defined in this bylaw are waived in their entirety.***
  - (b) ***No Development Cost Charges shall be required to be paid where the building permit authorizes the construction, alteration or extension of a building or part of a building that will, after the construction, alteration or extension:***
    - (i) ***Contain fewer than two (2) residential dwelling units; and***
    - (ii) ***Be put to no use other than the residential use in those dwelling units.***

### **SCHEDULE AND APPENDIX**

5. (a) Schedule A attached to this bylaw is an integral part of and enforceable in the same manner as this bylaw.
- (b) ~~Appendix 1 is attached to this bylaw for the purposes of information and convenience of reference only and is not a part of this bylaw.~~

### **REPEAL**

6. Bylaw 2040, being the “Greater Vernon Parks and Recreation District Development Cost Charge Bylaw No. 2040, 2005” is hereby repealed.

<b>Read a First, Second and THIRD Time</b>	this	18th	day of	January, 2012
<b>Approved by the Inspector of Municipalities</b>	this	18th	day of	April, 2012
<b>ADOPTED</b>	this	2nd	day of	May, 2012

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"P. Nicol"  
Chair  
Patrick Nicol

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"J. Byron"  
Corporate Officer  
Jeanne Byron

**SCHEDULE A**

Greater Vernon Parks, Recreation and Culture Service  
Development Cost Charge Bylaw No. 2279, 2007

**CALCULATION OF DEVELOPMENT COST CHARGES APPLICABLE TO CATEGORIES OF DEVELOPMENT (FOR PROVIDING AND IMPROVING PARK LAND)****1. SUBDIVISION – Single Family**

Development Cost Charges are calculated by multiplying the sum of \$3,644.00 by the total number of parcels that will be created by the subdivision.

**2. BUILDING PERMIT – Single Family**

Development Cost Charges are calculated by multiplying the sum of \$3,644.00 by the total number of dwelling units, including secondary suites, to be constructed under the building permit.

**3. BUILDING PERMIT – Multi Family**

Development Cost Charges are calculated by multiplying the sum of \$3,644.00 by the total number of dwelling units to be constructed under the building permit

**4. BUILDING PERMIT – Strata Development**

Development Cost Charges are calculated by multiplying the sum of \$5,633.00 by the total number of dwelling units to be constructed under the building permit issued for the strata plan.

**5. BUILDING PERMIT – Congregate Care facility / Rest Home**

Development Cost Charges are calculated by multiplying the sum of \$3,644.00 by the total number of beds that will be accommodated within the congregate care facility or rest home on the parcel upon completion of the construction of the building for which the building permit is issued, and dividing that sum by 2.4.

**6. BUILDING PERMIT – Tourist Commercial**

Development Cost Charges are calculated by multiplying the sum of \$3,644 by the total number of dwelling units to be constructed on the parcel under the building permit issued for the parcel.

END of DOCUMENT