

# REGIONAL DISTRICT OF NORTH OKANAGAN

## BYLAW No. 2040

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

**WHEREAS** pursuant to Section 933 [*Development cost charges generally*] of the *Local Government Act*, R.S.B.C., 1996, Chapter 323, as amended, and Regulations passed pursuant thereto, provides that the Board of the Regional District of North Okanagan may, by Bylaw, impose development cost charges for the purpose of providing funds to assist the District in paying the capital cost of providing and improving park land, in order to serve directly or indirectly, the development in respect of 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** the City of Vernon, District of Coldstream and Regional District of North Okanagan are desirous of increasing the Development Cost Charges for providing and improving park land in the Greater Vernon Parks and Recreation District Designation Area 1;

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

**AND WHEREAS** in the opinion of the Board, the charges imposed by this Bylaw:

- a. are not excessive in relation to the capital cost of prevailing standards of service in the Greater Vernon Parks and Recreation District Designation Area 1;
- b. will not deter development in the Greater Vernon Parks and Recreation District Designation Area 1;
- c. will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the Greater Vernon Parks and Recreation District Designation Area 1.

**AND WHEREAS** the Board, in setting the Development Charges payable pursuant to the provisions of this bylaw, has taken into consideration:

- a. future land use patterns and development;
- b. the phasing of works and services;
- c. the provision of park land described in an official community plan.

**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 and Recreation District Development Cost Charge Bylaw No. 2040, 2005***".

## DEFINITIONS

2. For the purposes of this bylaw and the recitals hereto:

**"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.

**"Developer"** means a person who obtains approval of a subdivision, or obtains a building permit authorizing the construction, alteration or extension of building or structure.

**"Development"** means the construction, alteration or extension of one (1) or more buildings or structures for which a building permit is issued and includes a subdivision.

**"District"** means the Regional District of North Okanagan.

**"Dwelling Unit"** means 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.

**"Gross Floor Area"** means gross floor areas as defined by the City of Vernon, District of Coldstream, and Regional District of North Okanagan zoning bylaws.

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

**"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.

**"Strata Development"** means a development carried out by way of a strata plan that is not a bare land strata plan.

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

**"Subdivision"** means the division of land or one (1) or more buildings or both into two (2) or more parcels under the provisions of the Land Title Act or the Strata Property Act.

For the purposes of this bylaw and the recitals hereto, the definitions of words and phrases that are not included in this section 2 shall have the meaning assigned to them in the *Local Government Act*.

## DEVELOPMENT COST CHARGES LIABLE

3. Every person who obtains:

- (1) approval of a subdivision under the *Land Title Act* or the *Strata Property Act*, or
- (2) a building permit authorizing the construction, alteration, or extension of a building or structure;



Schedule "A" attached to and forming part of  
Bylaw 2040, being "Greater Vernon Parks and Recreation  
District Development Cost Charge Bylaw No. 2040, 2005."

## **DEVELOPMENT COST CHARGES**

for

### *PROVIDING AND IMPROVING PARK LAND*

1. **SUBDIVISION – Single Family** (Sec. 3.1 of Bylaw 2040)

The Developer shall pay to the District, Development Cost Charges calculated by multiplying the sum of \$2,844.00 by the total number of parcels that will be created by the subdivision.

2. **BUILDING PERMIT – Single Family** (Sec. 3.2 of Bylaw 2040)

The Developer shall pay to the District, Development Cost Charges calculated by multiplying the sum of \$2,844.00 by the total number of dwelling units that will be permitted to be constructed under the building permit upon the issue thereof.

3. **BUILDING PERMIT – Multi Family** (Sec. 3.2 of Bylaw 2040)

The Developer shall pay to the District, Development Cost Charges calculated by multiplying the sum of \$2,844.00 by the total number of dwelling units that will be permitted to be constructed under the building permit upon the issue thereof.

4. **BUILDING PERMIT – Strata Development** (Sec. 3.2 of Bylaw 2040)

The Developer shall pay to the District, Development Cost Charges calculated by multiplying the sum of \$4,264.00 by the total number of dwelling units that will be permitted to be constructed under the building permit upon the issue thereof.

5. **BUILDING PERMIT – Congregate Care facility / Rest Home** (Sec. 3.2 of Bylaw 2040)

The Developer shall pay to the District, Development Cost Charges calculated by multiplying the sum of \$2,844.00 by the total number of beds that will be permitted to be accommodated within the congregate care facility or rest home upon completion of the construction of the building for which the building permit was issued, and dividing that sum by 2.4.

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