

**METRO VANCOUVER REGIONAL DISTRICT  
BYLAW NO. 1369, 2023**

**A Bylaw to Impose Development Cost Charges for the Provision of Regional Park Land**

**WHEREAS:**

- A. Pursuant to the *Local Government Act* (“the Act”), the Metro Vancouver Regional District (“the MVRD”), may, by bylaw, impose development cost charges on every person who obtains approval of a subdivision or a building permit authorizing the construction, alteration or extension of a building or structure from a Member Municipality;
- B. Development cost charges provide funds to assist the MVRD in paying the capital costs of providing regional park land, to service, directly or indirectly, the development for which the charge is being imposed;
- C. Pursuant to the Act, development cost charges are not payable in certain circumstances and the MVRD may waive or reduce development cost charges for eligible developments;
- D. Member Municipalities collect the development cost charges imposed under this Bylaw and remit them to the MVRD;
- E. In setting development cost charges under this Bylaw, the MVRD has considered:
  - (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;
  - (d) how development designed to result in a low environmental impact may affect the capital costs of infrastructure referred to in sections 559(2) and (3) of the Act;
  - (e) whether the charges are excessive in relation to the capital cost of prevailing standards of service in the municipality or regional district;
  - (f) whether the charges will, in the municipality or regional district,
    - (i) deter development,
    - (ii) discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land, or
    - (iii) discourage development designed to result in a low environmental impact.

**NOW THEREFORE** the Board of the Metro Vancouver Regional District enacts as follows:

**1. Citation**

- 1.1 The official citation of this bylaw is “Metro Vancouver Regional District Development Cost Charge Bylaw No. 1369, 2023”. This bylaw may be cited as the “MVRD Development Cost Charge Bylaw”.

## 2. Schedule

2.1 The following Schedule is attached to and forms part of the bylaw:

- Schedule “A”, MVRD Development Cost Charge Rates for Provision of Regional Park Land

## 3. Definitions

3.1 In this Bylaw:

**“Apartment Dwelling Unit”** means a Dwelling Unit in a building or structure that consists or may consist of two or more storeys and contains or may contain four or more Dwelling Units, whereby the building or structure has a principal exterior entrance used in common for access to the Dwelling Units. Apartment Dwelling Unit does not include Dwelling Units that are Townhouse Dwelling Units;

**“Building Permit”** means any permit required by a Member Municipality that authorizes the construction, alteration or extension of a building or structure;

**“Combination Development”** means any Development that comprises two or more of the following uses:

- (a) Apartment Dwelling Unit;
- (b) Residential Lot Development Unit;
- (c) Townhouse Dwelling Unit; and
- (d) Non-Residential Use;

**“Community Charter”** means the *Community Charter*, SBC 2003, c. 26;

**“Development”** means:

- (a) a Subdivision; or
- (b) the construction, alteration or extension of a building or structure for which a Building Permit is obtained;

**“Dwelling Unit”** means one or more rooms comprising a self-contained unit that is used or intended to be used for living and sleeping purposes and for which are provided cooking facilities, or the facilities for installation of cooking facilities, and one or more bathrooms having a sink or wash-basin, a water closet, and a shower or bath;

**“Floor Area”** means:

- (a) the floor area of the building or structure (measured from the outside edge of all exterior walls of the building or structure), less the number of square feet of the floor area of the building or structure that is used or is intended to be used for the parking of motor vehicles and the storage of bicycles; or
- (b) in the case of an alteration or extension of less than the entire building or structure, the portion of the building or structure to which the Building Permit applies (measured from the outside edge of any exterior walls in such portion of the building or structure), less the number of square feet of the floor area of the building or structure that is used or is intended to be used for the parking of motor vehicles and the storage of bicycles;

**“Metro Vancouver Regional District” or “MVRD”** means the Metro Vancouver Regional District, a regional district pursuant to the *Local Government Act*, RSBC 2015, c. 1;

**“Land Title Act”** means the *Land Title Act*, RSBC 1996, c.250;

**“Laneway House”** has the definition ascribed to such term in the bylaws of the Member Municipality where the laneway house is located, or, in the absence of such a definition, means a detached building or structure containing one Dwelling Unit and constructed in the yard of a site on which is situate a Single Family Residential Dwelling;

**“Local Government Act”** means the *Local Government Act*, RSBC 1996, c. 323;

**“Member Municipality”** means a municipality that is a member of the MVRD;

**“Minister”** means the member of the Executive Council appointed under the *Constitution Act* charged by order of the Lieutenant Governor in Council with the administration of the *Local Government Act*;

**“Municipal Charges”** means development cost charges imposed by a Member Municipality under either the *Local Government Act*, *Community Charter* or the *Vancouver Charter*;

**“Non-Residential Use”** means any building or structure or any portion of any building or structure that is not Apartment Dwelling Unit, Residential Lot Development Unit or Townhouse Dwelling Unit but for greater certainty, does not include any portion of any Residential Use building or structure that is not part of a Dwelling Unit and is used or is intended to be used solely for the purpose of gaining access to and from Dwelling Units, solely for the maintenance of the building or structure or solely by the occupants of the Dwelling Units in the building or structure;

**“Parcel”** means any lot, block or other area in which land is held or into which it is legally subdivided and for greater certainty, without limiting the foregoing, including a strata lot under the *Strata Property Act*;

**“Rate Schedule”** means the schedule of development cost charge rates that is attached as Schedule A to this Bylaw;

**“Regional Park”** has the definition ascribed to such term in the Metro Vancouver Regional District Regional Parks Regulation Bylaw No. 1177, 2012 as amended (or replaced) from time to time;

**“Rent”** means money paid or agreed to be paid, or value or a right given or agreed to be given, by or on behalf of a tenant to a landlord in return for the right to rent a Dwelling Unit, for the use of common areas and for services or facilities and includes any and all strata fees, regardless of whether such fees are paid directly to the landlord, but does not include any of the following:

- (a) a security deposit;
- (b) a pet damage deposit;
- (c) a fee prescribed under section 97 (2) (k) of the *Residential Tenancy Act*;

**“Residential Lot Development Unit”** means a Dwelling Unit on a lot (not including an Apartment Dwelling Unit or a Townhouse Dwelling Unit) but, if the Dwelling Unit is a Single Family Residential Dwelling, also includes:

- (a) the construction, alteration or extension of a building or structure for up to one Secondary Suite in the Single Family Residential Dwelling,
- (b) the construction, alteration or extension of up to one Laneway House, or
- (c) both.

**“Residential Tenancy Act”** means the *Residential Tenancy Act*, SBC 2002, c. 78;

**“Residential Use”** means Apartment Dwelling Unit, Residential Lot Development Unit and Townhouse Dwelling Unit;

**“Secondary Suite”** has the definition ascribed to such term in the bylaws of the Member Municipality where the secondary suite is located, or, in the absence of such a definition, means the smaller Dwelling Unit contained within a Single Family Residential Dwelling;

**“Single Family Residential Dwelling”** means a detached building or structure that contains one principal Dwelling Unit and may contain one smaller Dwelling Unit;

**“Strata Property Act”** means the *Strata Property Act*, SBC 1998, c. 43;

**“Subdivision”** includes a division of land into two or more Parcels, whether by plan, apt descriptive words or otherwise under the *Land Title Act* or the *Strata Property Act*, the consolidation of two or more Parcels of land, and phased strata plans;

**“Townhouse Dwelling Unit”** means a Dwelling Unit in a building or structure that contains or may contain four or more Dwelling Units, whereby each Dwelling Unit has a direct exterior entrance;

**“Vancouver Charter”** means the *Vancouver Charter*, SBC 1953, c. 55;

#### **4.0 Development Cost Charges**

**4.1 Application of Development Cost Charges.** Subject to section 4.2, every person who obtains:

- (a) approval of a Subdivision from a Member Municipality; or
- (b) a Building Permit from a Member Municipality;

must pay the applicable development cost charges set out in this Bylaw to that Member Municipality on behalf of the MVRD prior to the approval of the Subdivision or the issuance of the Building Permit.

**4.2 Exemptions from Development Cost Charges.** Development cost charges are not payable under this Bylaw if:

- (a) the Development will not impose new capital cost burdens on the MVRD;
- (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 MVRD;
- (c) the Building Permit authorizes the construction, alteration or extension of a building or structure or part of a building or structure that is, or will be, after the construction, alteration or extension, exempt from taxation under subsection 220(1)(h) of the *Community Charter*;
- (d) the value of the work authorized by the Building Permit does not exceed \$50,000 or such other amount which the Minister may prescribe by regulation; or
- (e) the Building Permit authorizes the construction, alteration or extension of self-contained Dwelling Units in a building in which:

- (i) each Dwelling Unit is no larger in area than 29 square metres [312.153 square feet]; and
- (ii) each Dwelling Unit is to be put to no use other than Residential Use in those Dwelling Units.

4.3 **Calculation of Development Cost Charges.** Development cost charges imposed under this Bylaw will be calculated in accordance with the rates set out in the Rate Schedule. The rates set out in the Rate Schedule may be different in relation to one or more of the following:

- (a) different zones or different defined or specified areas;
- (b) different uses;
- (c) different capital costs as they relate to different classes of Development; or
- (d) different sizes or different numbers of lots or units in a Development.

4.4 **Combination Development.** Without restricting the generality of section 4.3, the development cost charges for a Combination Development will be calculated separately for the portion of the Combination Development attributable to each of Apartment Dwelling Unit, Residential Lot Development Unit, Townhouse Dwelling Unit and Non-Residential Use and will be the sum of the development cost charges for each such use, calculated according to the Rate Schedule.

4.5 **Payment, Collection and Remittance of Development Cost Charges.** Development cost charges imposed under this Bylaw must be paid to the Member Municipality of the MVRD approving the Subdivision or issuing the Building Permit, as the case may be, as follows:

- (a) at the same time as any Municipal Charges as may be levied on the Development under a bylaw of the Member Municipality are payable to the Member Municipality; or
- (b) if no Municipal Charges will be levied on the Development under a bylaw of the Member Municipality, as follows:
  - (i) where an application is made only for Subdivision, prior to the issuance of the approval of the Subdivision by the Member Municipality; or
  - (ii) where an application is made only for a Building Permit or for both Subdivision and for a Building Permit, prior to the issuance of the Building Permit by the Member Municipality.

4.6 **Payment of Development Cost Charges by Instalments.** The development cost charges imposed under this Bylaw may not be paid by instalments unless a regulation under

subsection 559(5) of the *Local Government Act* applies to the Development and authorizes the payment of development cost charges in instalments.

## **5.0 Collection and Remittance of Development Cost Charges**

**5.1 Collection of Development Cost Charges by Member Municipalities.** Each Member Municipality must:

- (a) collect the development cost charges imposed on a Development under this Bylaw; and
- (b) not issue approval of a Subdivision or issue a Building Permit for any Development unless the development cost charges imposed under this Bylaw have been paid in accordance with section 4.0.

**5.2 Separate Account.** Each Member Municipality must establish and maintain a separate account for the development cost charge monies collected under this Bylaw and deposit and hold these monies in that separate account, in trust for the MVRD, until the monies are remitted to the MVRD under section 5.3

**5.3 Remittance of Development Cost Charges by Municipalities.** Each Member Municipality, within 30 days after June 30 and December 31 of each year, must remit to the MVRD the total amount of development cost charges collected by the Member Municipality under this Bylaw during the six-month period previous to such date, or an amount equal to such development cost charges if the Member Municipality did not collect development cost charges under this Bylaw, together with the statement referred to in section 5.4.

**5.4 Statements.** Each Member Municipality must provide statements to the MVRD, pursuant to section 5.3, for every six-month period comprising January 1 to June 30 and July 1 to December 31, setting out:

- (a) the number and type of use of all Dwelling Units and Residential Lot Development Units on which development cost charges were levied by it under this Bylaw;
- (b) the aggregate floor area of all Non-Residential Use buildings or structures on which development cost charges were levied by it under this Bylaw (calculated in accordance with the Rate Schedule);
- (c) the legal description and civic address of each Parcel on which development cost charges were levied by it under this Bylaw, whether such development cost charges were levied in respect of a Subdivision or a Building Permit;
- (d) the date and amount of each payment of development cost charges levied by it under this Bylaw and where section 4.6 applies to permit development cost charges levied under this Bylaw to be paid by instalments, the amount of instalment

payments remaining to be paid to it and the dates for payment of such remaining instalments;

- (e) the total amount of all development cost charges levied by it under this Bylaw and the total amount of all remaining instalment payments;
- (f) the number, legal description, civic address and type of use of all Parcels in respect of which Subdivisions were approved where no development cost charges were levied by it under this Bylaw; and
- (g) the number and type of use of all Dwelling Units and Residential Lot Development Units and the aggregate floor area of all Non-Residential Use buildings or structures (calculated in accordance with the Rate Schedule) in respect of which Building Permits were required where no development cost charges were levied by it under this Bylaw.

**5.5 Failure to Remit Development Cost Charges.** If a Member Municipality fails, for any reason, to collect any development cost charges payable under this Bylaw or to remit to the MVRD any development cost charges collected by it, the Member Municipality must pay to the MVRD on demand an amount equal to the development cost charges that the Member Municipality should have collected or remitted under this Bylaw.

## **6.0 Severability**

6.1 If a portion of this Bylaw is held to be invalid it shall be severed and the remainder of the Bylaw shall remain in effect.

## **7.0 Effective Date**

7.1 This bylaw will come into effect on January 1, 2025.



Read a first, second, and third time this 27 day of October, 2023.

Approved by the Inspector of Municipalities this 22 day of February, 2024.

Adopted this 22<sup>nd</sup> day of MARCH, 2024.



George V. Harvie, Chair



Dorothy Shermer, Corporate Officer

## Schedule A

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### MVRD DEVELOPMENT COST CHARGE RATES FOR PROVISION OF REGIONAL PARK LAND

As of January 1, 2025 to December 31, 2025

<u>Description</u>	<u>Rate</u>
1. Residential Lot Development Unit	\$491 per Residential Lot Development Unit
2. Townhouse Dwelling Unit	\$442 per Dwelling Unit
3. Apartment Dwelling Unit	\$303 per Dwelling Unit
4. Non-Residential Use	\$0.24 multiplied by the number of square feet of Floor Area

As of January 1, 2026 to December 31, 2026

<u>Description</u>	<u>Rate</u>
1. Residential Lot Development Unit	\$981 per Residential Lot Development Unit
2. Townhouse Dwelling Unit	\$884 per Dwelling Unit
3. Apartment Dwelling Unit	\$606 per Dwelling Unit
4. Non-Residential Use	\$0.48 multiplied by the number of square feet of Floor Area

As of January 1, 2027

<u>Description</u>	<u>Rate</u>
1. Residential Lot Development Unit	\$1,943 per Residential Lot Development Unit
2. Townhouse Dwelling Unit	\$1,751 per Dwelling Unit
3. Apartment Dwelling Unit	\$1,199 per Dwelling Unit
4. Non-Residential Use	\$0.94 multiplied by the number of square feet of Floor Area



# *Statutory Approval*

*Under the provisions of sections* \_\_\_\_\_ 560 \_\_\_\_\_

*of the* \_\_\_\_\_ Local Government Act \_\_\_\_\_

*I hereby approve Bylaw No.* \_\_\_\_\_ 1369 \_\_\_\_\_

*of the* \_\_\_\_\_ Metro Vancouver Regional District \_\_\_\_\_

*a copy of which is attached hereto.*

*Dated this* 22 *day*

*of* February *,* 2024

A handwritten signature in cursive script, appearing to read "J. Fagau".

Inspector of Municipalities