

DISTRICT OF MISSION



DEVELOPMENT COST CHARGES BYLAW

3753-2004

THE FOLLOWING DOCUMENT HAS BEEN REPRODUCED FOR CONVENIENCE ONLY and is a consolidation of "District of Mission Development Cost Charges Bylaw 3753-2004" with the following amending bylaws:

Bylaw Number	Date Adopted	Section Amended
3821-2005-3753(1)	September 1, 2005	Paragraph 1 and Schedule "A"
3859-2005-3753(2)	March 20, 2006	Schedule "A"
3993-2007-3753(3)	November 19, 2007	Schedule "A" and "B"

Individual copies of any of the above bylaws are available from the Administration Department of the District of Mission. For legal purposes, copies of the original bylaws should be obtained.

DISTRICT OF MISSION

BYLAW 3753-2004

A bylaw to consolidate and impose Development Cost Charges in Area A (Mission Central and Fraser Area), Area B (Cedar Valley Comprehensive); and Area C (Hatzic, Rural, Silverdale Urban Reserve and Silverdale Urban Residential)

3821-2005-3753(1)

WHEREAS, pursuant to Division 10 of Part 26 of the *Local Government Act*, the Council may, by bylaw, impose development cost charges for the purpose of providing funds to assist the municipality to pay the capital costs of providing, constructing, altering, or expanding sewage, water, drainage, park facilities, highway facilities, and Water Supply and Sewage Treatment, other than off-street parking facilities, and providing and improving park land to service, directly or indirectly, the development for which the charge is being imposed;

AND WHEREAS a development cost charge is not payable where the development does not impose new capital cost burdens on the municipality, or the 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;

AND WHEREAS the Council has taken into consideration those matters prescribed in the *Local Government Act* and the Council considers that the charges imposed by this bylaw are not excessive in relation to the capital cost of prevailing standards of service in the municipality, will not deter development in the municipality, or discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the municipality;

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 financial plan for the municipality;

NOW THEREFORE the Council of the District of Mission, in open meeting assembled, ENACTS AS FOLLOWS:

1. **Title**

This Bylaw may be cited for all purposes as "District of Mission Development Cost Charge (Areas A, B and C) Bylaw 3753-2004".

2. **Definitions**

In this Bylaw:

“**Apartment**” is as defined in the District of Mission Zoning Bylaw 3143-1998

“**Assembly Use**” means a use providing for the assembly of persons for religious, charitable, philanthropic, cultural, non-commercial private recreational or private educational purposes; includes churches, monasteries, abbeys, auditoriums, youth and senior centres, social halls, banquet and reception rooms, group camps, private

schools, play schools, day nurseries and day care schools; excludes residential facilities such as dormitories, foster homes, residential care facilities, or RESIDENTIAL USE, GARDEN APARTMENT or RESIDENTIAL USE, TOWNHOUSE accommodation.

"Building" is as defined in the District of Mission Zoning Bylaw 3143-1998.

"Civic Use" is as defined in the District of Mission Zoning Bylaw 3143-1998.

"Cluster Compact Single Family Residential" means a RESIDENTIAL USE limited to one DWELLING UNIT per bare land strata lot to a maximum density of 18.5 DWELLING UNITS per hectare (7.5 dwelling units per acre) and in which a minimum of fifteen percent (15%) of the gross site area is preserved for open space.

"Commercial use" means a principal use permitted in Section 500 Commercial Zones of the District of Mission Zoning Bylaw 3143-1998.

"Compact Single Family Residential" means a RESIDENTIAL USE limited to one DWELLING UNIT per fee simple lot to a maximum density of 18.5 DWELLING UNITS per hectare (7.5 dwelling units per acre).

"Duplex" is as defined in the District of Mission Zoning Bylaw 3143-1998.

"Dwelling Unit" is as defined in the District of Mission Zoning Bylaw 3143-1998.

"Family" is as defined in the District of Mission Zoning Bylaw 3143-1998.

"Floor Area" is as defined in the District of Mission Zoning Bylaw 3143-1998.

"Floor Area Ratio" means the figure obtained by dividing the FLOOR AREA of all buildings on the fee simple or bare land strata lot divided by the LOT AREA.

"Fourplex" is as defined in the District of Mission Zoning Bylaw 3143-1998

"Garden Apartment" is as defined in the District of Mission Zoning Bylaw 3143-1998.

"Grade" is as defined in the District of Mission Zoning Bylaw 3143-1998.

"Industrial use" means a principal use permitted in Section 600 Industrial Zones of the District of Mission Zoning Bylaw 3143-1998.

"Institutional use" means a principal use permitted in Section 700 Institutional Zones of the District of Mission Zoning Bylaw 3143-1998.

"Institutional" means an ASSEMBLY USE, CIVIC USE, PERSONAL CARE USE or PUBLIC SERVICE USE.

"Institutional Residential" means a RESIDENTIAL USE, TOWNHOUSE or RESIDENTIAL USE, GARDEN APARTMENT provided by an institution such as a church or social program provider agency.

“Local Commercial Centre” means a land use development containing retail convenience shops such as a bakery, delicatessen, grocery store, financial institution, laundry and dry cleaning, personal service establishment, pharmacy, professional office, restaurant, travel agency, video rental store, beer and wine making shop and café limited to a maximum of two storeys in height, with the gross FLOOR AREA of individual commercial units not exceeding 232 square metres (2,500 square feet) and the maximum density of buildings not exceeding a gross FLOOR AREA RATIO of 0.50.

"Lot" is as defined in the District of Mission Zoning Bylaw 3143-1998.

"Lot Area" is as defined in the District of Mission Zoning Bylaw 3143-1998.

"Mixed Use Commercial/Residential" means a land use development containing LOCAL COMMERCIAL CENTRE uses on the ground floor and RESIDENTIAL USE, GARDEN APARTMENT use on the second floor with a maximum height of two storeys with the gross FLOOR AREA of individual commercial units not exceeding 139 square metres (1,500 square feet) and the maximum density of buildings not exceeding a gross FLOOR AREA RATIO of 0.50.

"Neighbourhood Commercial Centre" means a land use development containing retail convenience shops such as a bakery, delicatessen, grocery store, financial institution, fuel pump, indoor recreation (e.g. billiards, bowling, excluding arcades), laundry and dry cleaning, medical/dental office, neighbourhood public house, personal service establishment, pharmacy, professional office, residential use (on second floor), restaurant, supermarket, travel agency, video rental store, beer and wine making shop and cafe, limited to a maximum of two storeys in height with gross FLOOR AREA of individual commercial units not exceeding 465 square metres (5,000 square feet and the maximum density of buildings not exceeding a gross FLOOR AREA RATIO of 0.50.

"One Unit" is as defined in the District of Mission Zoning Bylaw 3143-1998.

"Personal Care Use" is as defined in the District of Mission Zoning Bylaw 3143-1998.

"Principal use" is as defined in the District of Mission Zoning Bylaw 3143-1998.

"Public Service Use" is as defined in the District of Mission Zoning Bylaw 3143-1998.

"Residential Use" is as defined in the District of Mission Zoning Bylaw 3143-1998.

"School" means a public education facility such as an elementary school with an enrollment capacity of approximately 500 students or a secondary school with an enrollment capacity of approximately 800 students.

“Single Family” is as defined in the District of Mission Zoning Bylaw 3143-1998.

“Townhouse" is as defined in the District of Mission Zoning Bylaw 3143-1998.

“Triplex” is as defined in the District of Mission Zoning Bylaw 3143-1998.

"Two Unit" is as defined in the District of Mission Zoning Bylaw 3143-1998.

"Urban Reserve (Comprehensive Development Zone for Employment)" means employment generating uses with a maximum building FLOOR AREA RATIO of 0.60, a maximum of two storeys and with a minimum of thirty percent (30%) of the developable floor area averaged over the entire zone preserved for residential uses.

"Zoning Bylaw" means District of Mission Zoning Bylaw 3143-1998 including amendments thereto.

3. Application

This Bylaw applies to all lands in the District of Mission in Development Cost Charge Areas A, B, and C as shown on Schedule B, attached hereto and forming part of this bylaw. Sanitary Sewer Specified Area B charges apply only to those lands within the specified area shown on Schedule C.

4. Imposition of Charges

a. Subject to the exemptions specified in the *Local Government Act*, every person who, in respect of land located anywhere in the District of Mission obtains:

- i) approval of a subdivision as defined in the *Land Title Act* or the *Strata Property Act*, or
- ii) subject to section 4.b, a building permit authorizing the construction, alteration or extension of a building or structure,

shall, at the time of the approval of the subdivision or the issuance of the building permit, pay to the municipality the development cost charges as set out in Schedule "A", attached hereto and forming part of this bylaw, applicable to the subdivision or the building permit.

b. In the case of creation of lots permitted in Section 200 Rural Zones or Section 300 One and Two Unit Residential Zones of the Zoning Bylaw, any development cost charge must be paid at the time of subdivision approval. Payment of any other development cost charge for any other class of development must be paid at the time of building permit issuance.

c. Where a subdivision creates lots permitted in Section 200 Rural Zones or Section 300 One and Two Unit Residential Zones of the District of Mission Zoning Bylaw 3143-1998, development cost charges shall be based on the maximum number of dwelling units which could lawfully be accommodated within the subdivision, less any lawfully existing dwelling units which existed on the lands prior to the completion of the development of the subdivision.

d. Where land or a building or structure is permitted to be used for a combination of principal uses under the District of Mission Zoning Bylaw 3143-1998, development cost charges shall be calculated as shown on Schedule A.

- e. A development cost charge for any reason not paid at the time of approval of subdivision or issuance of a building permit as required by this bylaw is a debt owing to the municipality.

5. Establishment and Use of Reserve Fund

- a. There is hereby established the following reserve fund under the provisions of the *Local Government Act* and the *Community Charter*:
 - i) District of Mission Development Cost Charge (Areas A, B, and C) and Sanitary Specified Area B.
- b. Development cost charges collected by the municipality in each year pursuant to this bylaw shall be deposited in the said Development Cost Charge Reserve Fund. Money in this fund, together with interest thereon, shall be used only to:
 - i) pay the capital costs, including planning, engineering and legal costs directly related to the work of providing, constructing, altering, or expanding sewage, water, drainage, park facilities and highway facilities in the District of Mission, subject to the restriction that the costs relate directly or indirectly to the development in respect of which the charge was collected;
 - ii) pay the principal and interest on a debt incurred as a result of an expenditure referred to in section 5.b i).
 - iii) pay the capital costs (as included in Subsection i) to purchase parkland and improve same.
- c. Payments from this Development Cost Charge Reserve Fund shall be authorized by bylaw.

6. Repeal

The following bylaws and amendments thereto are hereby repealed:

“District of Mission Highway, Drainage and Park Facilities (Mission Central/Fraser and Hatzic/Rural/Silverdale Development Cost Charges Bylaw 3322-2000” and amendments; and

“District of Mission Highway, Drainage, Sewer and Park Facilities (Cedar Valley Area) Development Cost Charges Bylaw 3323-2000 and amendments; and

“District of Mission Sewer Extension (Cedar Valley Area) Development Cost Charges Establishment Bylaw 3381-2001 and amendments”.

7. Severability

If any part of this bylaw or its regulations are for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and shall not affect the validity of the remainder.

READ A FIRST TIME this 15th day of November, 2004

READ A SECOND TIME this 15th day of November, 2004

READ A THIRD TIME this 15th day of November, 2004

THIRD READING RESCINDED this 6th day of December, 2004

AMENDED AND READ A THIRD TIME this 6th day of December, 2004.

APPROVED BY THE Ministry of Community, Aboriginal and Women's Services this 21st day of December, 2004

ADOPTED this 17th day of January, 2005

(original signed by Mayor Neufeld)
MAYOR

(original signed by Dennis Clark)
DIRECTOR OF CORPORATE
ADMINISTRATION

I HEREBY CERTIFY the foregoing to be a true and correct copy of "District of Mission Development Cost Charge (Areas A, B and C) Bylaw 3753-2004"

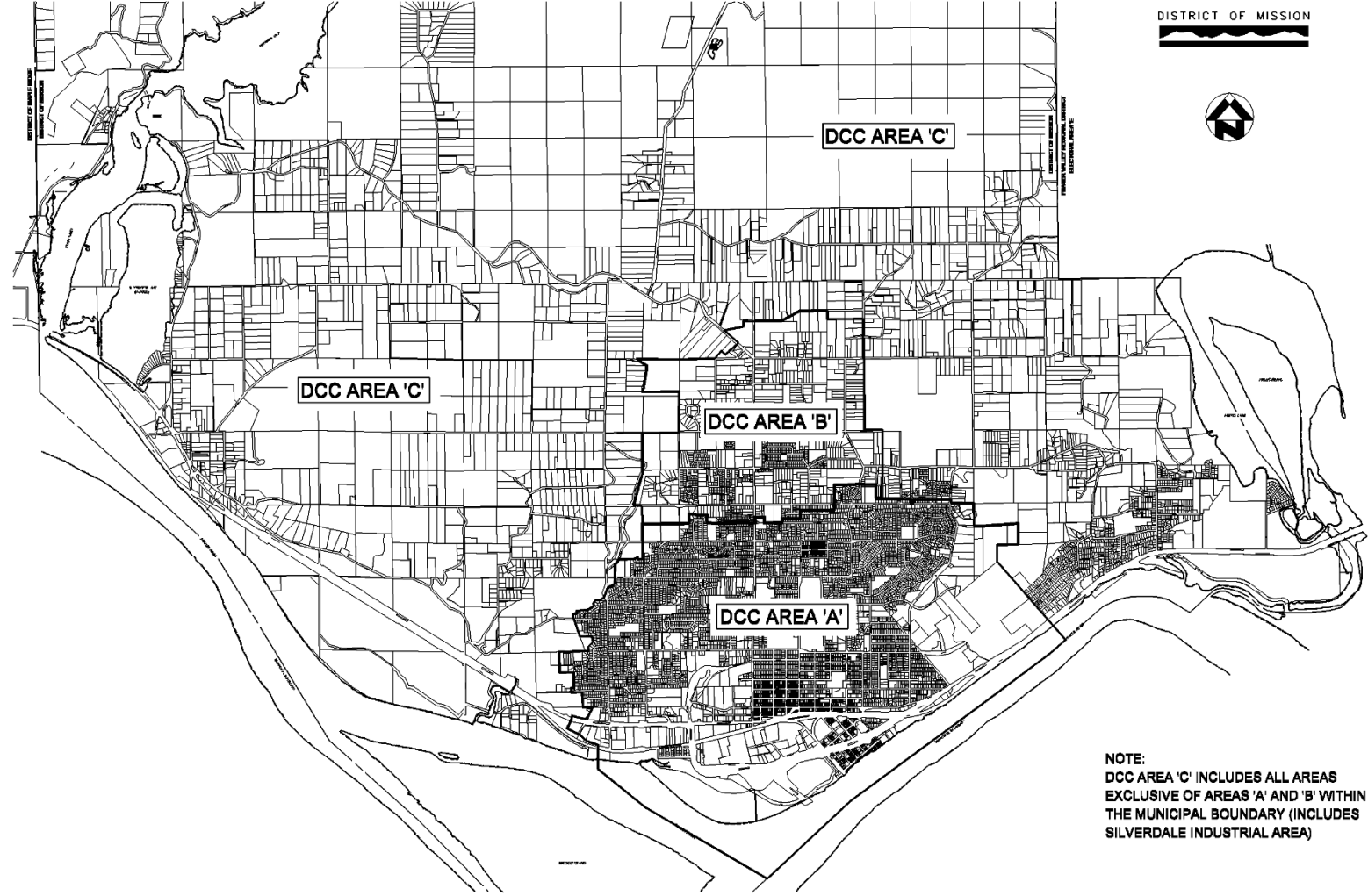
DIRECTOR OF CORPORATE
ADMINISTRATION

SCHEDULE "A"
DEVELOPMENT COST CHARGES

- Each Development Cost Charge payable for a particular subdivision or development proposal in Areas A, B, or C (as shown in Schedule "B") is that charge set out opposite the land use/class of development corresponding to the proposal for that Area.
- For a subdivision for Residential Use, One or Two Unit, Cluster Compact Single Family Residential, Townhouse or Garden Apartment, the calculation is based on a "per dwelling unit" charge. For other classes of development the calculation is based upon the floor area of a building intended to be created as part of the proposed development.

Areas	Land Use	Unit	Roads- All Areas (Areas A, B and C)	Roads – Area B	Drainage – Area B	Sanitary – Area B	Water – Area B	Sanitary Spec – Area B Per Schedule C	Parks – All Areas	Cedar Valley Environmentally Sensitive Parkland (Area B)		Water Supply All Areas (Areas A, B and C)	Sewage Treatment All Areas (Areas A, B and C)
										Acquisition	Development		
Area "A" Mission Central, Fraser Area	Single Family	Per dwelling unit	\$1,624.12						\$967.52			\$5,345.73	\$3,724.56
	Townhouse	Per dwelling unit	\$1,034.98						\$734.97			\$4,060.85	\$2,829.34
	Apartments	Per dwelling unit	\$827.98						\$585.68			\$3,235.99	\$2,254.63
	Duplexes, Triplexes	Per dwelling unit	\$827.98						\$442.13			\$5,345.73	\$3,724.56
	Local Commercial	Per m2 of floor area	\$46.18									\$8.72	\$6.08
	Neighbourhood & Mixed Use Commercial/ Residential	Per m2 of floor area	\$46.18									\$11.90	\$8.29
	Industrial	Per m2 of floor area	\$7.17									\$7.14	\$4.97
	Institutional	Per m2 of floor area	\$31.85									\$7.14	\$4.97
Area "B" Cedar Valley Comprehensive	Single Family	Per dwelling unit	\$1,624.12	\$3,936.22	\$6981.56	\$623.60	\$1,151.60	\$344.28	\$967.52	\$995.07	\$70.21	\$5,345.73	\$3,724.56
	Compact S	Per dwelling unit	\$1,624.12	\$3,936.22	\$6981.56	\$623.60	\$1,151.60	\$344.28	\$967.52	\$995.07	\$70.21	\$5,345.73	\$3,724.56
	Cluster Comp. S.F.	Per dwelling unit	\$1,624.12	\$3,936.22	\$6981.56	\$623.60	\$1,151.60	\$344.28	\$967.52	\$995.07	\$70.21	\$5,345.73	\$3,724.56
	Townhouse	Per dwelling unit	\$1,034.98	\$2,508.37	\$4049.30	\$473.72	\$874.80	\$261.53	\$734.97	\$755.90	\$53.33	\$4,060.85	\$2,829.34
	Garden Apartment	Per dwelling unit	\$827.98	\$2,006.70	\$1745.39	\$377.49	\$697.11	\$208.41	\$585.68	\$602.36	\$42.50	\$3,235.99	\$2,254.63
	Institutional Res.	Per dwelling unit	\$827.98	\$2,006.70	\$1745.39	\$284.97	\$526.25	\$157.33	-	\$454.72	\$32.08	\$2,442.86	\$1,702.02
	Local Commercial	Per m2 of floor area	\$46.18	\$111.91	\$22.34	\$1.02	\$1.88	-				\$8.72	\$6.08
	Neighbourhood Commercial	Per m2 of floor area	\$46.18	\$111.91	\$22.34	\$1.39	\$2.56	\$0.77				\$11.90	\$8.29
	Mixed Use Com/Res	Per m2 of floor area	\$46.18	\$111.91	\$22.34	\$1.39	\$2.56	\$0.77		\$4.90	\$0.34	\$11.90	\$8.29
	School	Per m2 of floor area	\$31.85	\$77.18	\$20.94	\$2.78	\$5.13	\$1.53				\$7.14	\$4.97
Institutional	Per m2 of floor area	\$31.85	\$77.18	\$20.94	\$2.78	\$5.13	\$1.53				\$7.14	\$4.97	
Area "C" Includes all areas exclusive of Areas "A" and "B" within the municipal boundary (includes Silverdale industrial area)	Single Family	Per dwelling unit	\$1,624.12						\$967.52			\$5,345.73	\$3,724.56
	Townhouse	Per dwelling unit	\$1,034.98						\$734.97			\$4,060.85	\$2,829.34
	Apartments	Per dwelling unit	\$827.98						\$585.68			\$3,235.99	\$2,254.63
	Duplexes, Triplexes	Per dwelling unit	\$827.98						\$442.13			\$5,345.73	\$3,724.56
	Local Commercial	Per m2 of floor area	\$46.18									\$8.72	\$6.08
	Neighbourhood & Mixed Use Commercial/ Residential	Per m2 of floor area	\$46.18									\$11.90	\$8.29
	Industrial	Per m2 of floor area	\$7.17									\$7.14	\$4.97
	Institutional	Per m2 of floor area	\$31.85									\$7.14	\$4.97

SCHEDULE 'B'

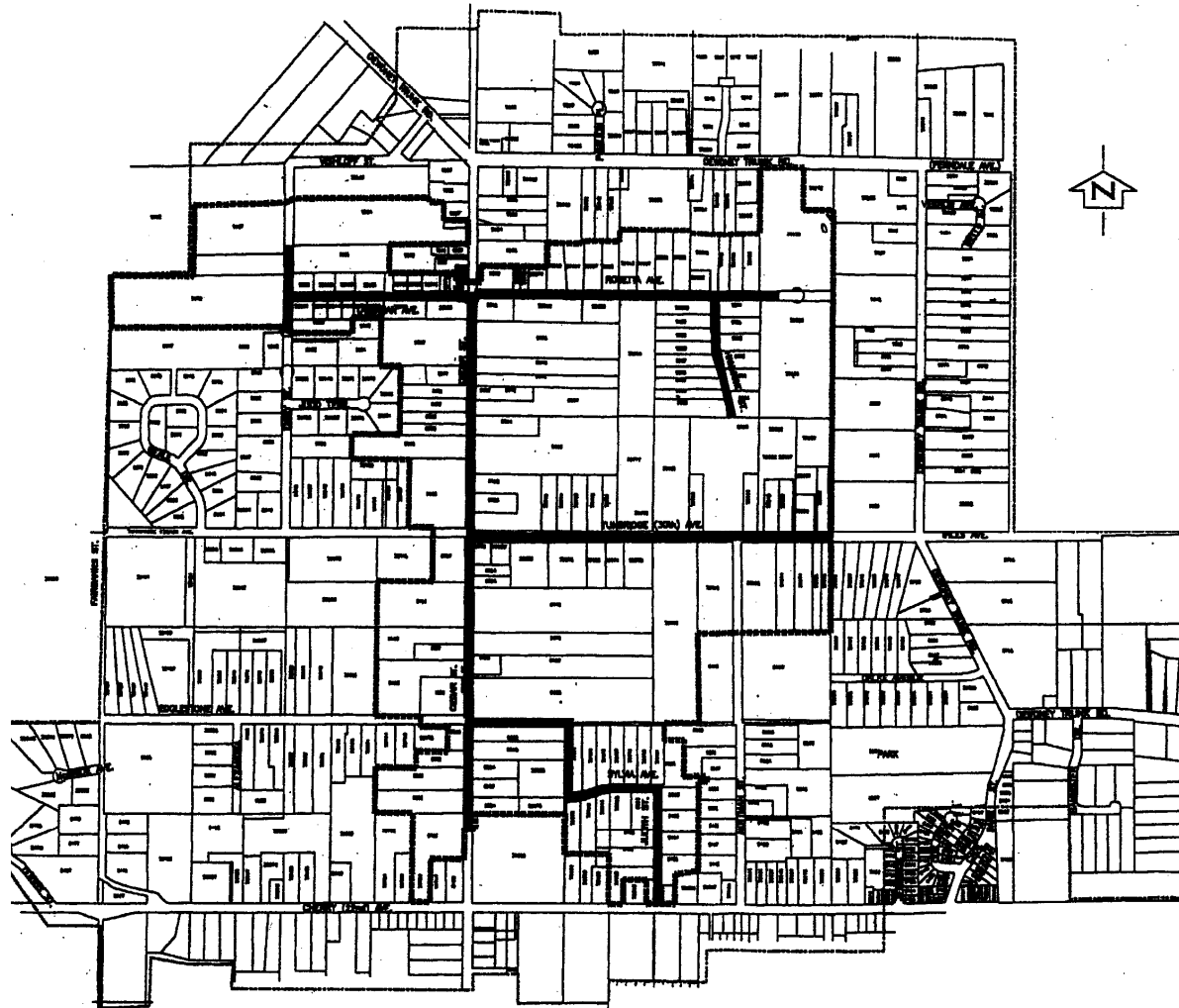


SCHEDULE 'C'






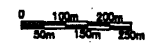
CEDAR VALLEY

Specified Area Sanitary DCC



LEGEND:

-  Proposed Sanitary Sewer
-  Specified Area Boundary
-  Cedar Valley Comprehensive Development Plan



DATE: APRIL, 2001