

THE CORPORATION OF THE DISTRICT OF PEACHLAND  
BYLAW NUMBER 2155

A Bylaw to impose Development Cost Charges pursuant to  
the provisions of the Local Government Act

*This is a consolidated bylaw prepared for convenience only.*

Amended by: Bylaw No. 2363 Adopted August 9, 2022

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WHEREAS pursuant to the Local Government Act, and Regulations passed pursuant thereto, the Council of the Corporation of the District of Peachland may, by Bylaw, impose development cost charges;

AND WHEREAS the development cost charges may be imposed for the purpose of providing funds to assist the District in paying the capital cost of providing, constructing, altering, or expanding roads, sewage, water, drainage and providing and improving park land, in order to serve directly or indirectly, the development in respect of which the charges are imposed;

AND WHEREAS Council has deemed the charges imposed by this bylaw:

- (a) are not excessive in relation to the capital cost of prevailing standards of service in the District;
- (b) will not deter development in the District; and
- (c) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the District;

AND WHEREAS Council has considered the charges imposed by this bylaw as related to future land use patterns and development, the phasing of works and services, and the provision of park land described in an Official Community Plan;

NOW THEREFORE, the Council of the Corporation of the District of Peachland, in Open Meeting assembled, HEREBY ENACTS AS FOLLOWS:

1.1 This bylaw may be cited for all purposes as "District of Peachland Development Cost Charge Bylaw Number 2155, 2017".

2.1 In this Bylaw all words or phrases shall have their normal or common meaning except where this is changed, modified or expanded by the definitions in the Local Government Act, the Interpretation Act, and the District of Peachland Zoning Bylaw, except that the definitions set out below shall take precedence:

"Capital Cost Burden" means a burden placed on the District to undertake any portion of a capital project, in the present or at any time in the future. If development has any impact on roads, water, sewer, drainage, parks or any other capital work under the jurisdiction of the District, then it places a capital cost burden on the District. If development utilizes existing capacity in a District capital work, then it has a capital cost burden on the District.

"Commercial" means a commercial development in a "C" zone listed in the Zoning Bylaw, or a similar development in another zone permitted in accordance with the Zoning Bylaw, in which the predominant use, as determined by its general purpose and list of principal uses, is of a commercial nature.

"Congregate Housing" means permanent housing in the form of multiple sleeping units where residents are provided with common dining facilities, meal preparation, laundry services and room cleaning. Congregate housing may also include other services such as transportation for routine

medical appointments and counseling. Such facilities may or may not be licensed under the Community Care Facility Act.

"Gross Floor Area" means the sum of the floor areas of each storey in each building on a parcel, measured between the exterior walls of such buildings. The gross floor area includes unfinished areas such as basements but excludes residential parking garages.

"Industrial" means an industrial development in an "I" zone listed in the Zoning Bylaw, or a similar development in another zone permitted in accordance with the Zoning Bylaw, in which the predominant use, as determined by its general purpose and list of permitted uses, is of an industrial nature.

"Institutional" means development of an institutional nature in a "P" zone listed in the Zoning Bylaw, or a similar development of an institutional nature permitted in another zone in accordance with the Zoning Bylaw.

"Multiple Unit Residential" means a residential development which contains 2 or more dwelling units. It includes a carriage home separated from a single detached residential unit, but it does not include secondary suite. It also includes a mobile home located within a mobile home park.

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

"Single Detached Residential" means the use of land for a single detached house.

"Zone" means the zones identified and defined in District of Peachland Zoning Bylaw No. 2100 as amended from time to time.

"Zoning Bylaw" means the District of Peachland Zoning Bylaw No. 2100 as amended from time to time.

3.1 Every person who obtains:

- (a) approval of subdivision of land under the Land Title Act or the Strata Property Act, or
- (b) a building permit authorizing the construction, alteration or extension of a building or structure,

shall be liable to the District for payment of the development cost charges as set out on the following Schedule attached hereto and forming part of this bylaw, namely:

SCHEDULE "A" Development Cost Charges Summary

3.2 The amount of development cost charges payable depends upon:

- (a) the number of new lots being created by the application for a single detached residential subdivision, and
- (b) the number of dwelling units proposed when applying for a building permit for multiple unit residential, and
- (c) the number of beds that will be constructed when applying for a building permit for a congregate care facility, and
- (d) the gross floor area that will be constructed when applying for a building permit for commercial, industrial, or institutional development.

3.3 For mixed use developments, the development cost charge payable shall be calculated separately for each portion of the development in accordance with the zones and land uses which are

contained in the building permit, or subdivision application. The total payable will be the sum of the development cost charges for each portion of the development.

- 3.4 Development Cost Charges pursuant to this bylaw shall be paid to the District under Section 3.2 of this bylaw at the time of subdivision or building permit, as determined by the District.
- 3.5 Notwithstanding Sections 3.1 to 3.4 of this Bylaw, no development cost charge is payable where exempt in a provision outlined in the Local Government Act.
- 3.6 Notwithstanding the exemption provisions in the Local Government Act, and as per the provisions in the Local Government Act, a development cost charge is payable under Section 3.1(b) for a building permit authorizing the construction of a building containing fewer than four self-contained dwelling units, a mobile home located within a mobile home park where none existed previously, or a carriage house separate from a single detached residential unit.
- 3.7 Where a type of development is not identified on Schedule "A" the amount of development cost charges to be paid to the Municipality shall be equal to the development cost charges that would have been payable for the most comparable type of development.
- 4.1 The following bylaws are hereby repealed:  
"Development Cost Charge Bylaw Number 1893, 2008" and amendments hereto.
- 5.1 The boundaries of this bylaw are the entire municipality of the District of Peachland, as amended from time to time.
- 6.1 This bylaw shall come into full force and effect and be binding on all persons as and from three months from the day this bylaw is adopted.

READ A FIRST TIME, this 28<sup>th</sup> day of March, 2017.

READ A SECOND TIME, this 28<sup>th</sup> day of March, 2017.

READ A THIRD TIME, this 28<sup>th</sup> day of March, 2017.

APPROVED by the Inspector of Municipalities this 16<sup>th</sup> day of June, 2017.

FINALLY RECONSIDERED AND ADOPTED, this 27<sup>th</sup> day of June, 2017.

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Mayor

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Corporate Officer

Dated at Peachland, B.C.  
This 27<sup>th</sup> day of June, 2017.

Schedule A  
Development Cost Charges Summary

Bylaw No. 2363 adopted August 9, 2022 amended Bylaw 2155 by deleting and replacing Schedule A.

	Collection Basis	Road System	Water Transmission System	Water Treatment System	Sewage System	Parks	Total
Single Detached Residential	Per Lot	\$3,908	\$6,560	\$11,961	\$3,055	\$1,205	<b>\$26,689</b>
Multi-family Residential	Per Unit	\$2,853	\$4,816	\$8,780	\$2,242	\$884	<b>\$19,575</b>
Commercial	Per floor area in m <sup>2</sup>	\$11.72	\$7.37	\$13.44	\$14.87	\$1.35	<b>\$48.75</b>
Industrial	Per floor area in m <sup>2</sup>	\$11.72	\$12.28	\$22.40	\$0.00	\$0.00	<b>\$46.40</b>
Institutional	Per bed	\$1,446	\$2,408	\$4,390	\$1,121	\$442	<b>\$9,807</b>