



DEVELOPMENT COST CHARGES
REDUCTION

BYLAW 3973, 2024

BYLAWS



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Cover photo by Toni Falk



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DEVELOPMENT COST CHARGES REDUCTION BYLAW

Bylaw No. 3973, 2024

ADOPTED October 10, 2024

PURPOSE

This bylaw sets out the type of development eligible for Development Cost Charges Reduction.

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The Council of the City of Campbell River enacts as follows:

PART 1: Title

1.1 This bylaw may be cited for all purposes as “**Development Cost Charges Reduction Bylaw No. 3973, 2024**”.

PART 2: Definitions

2.1 In this bylaw unless the context otherwise requires:

Applicant	means the owner of a development eligible for a Development cost Charges Reduction under this bylaw;
Application	means an application for a Development Cost Charges Reduction in the form established by the Director of Development Services from time to time;
Building	means a building or structure for which a Building Permit is required under the Building Bylaw;
Building Bylaw	means Building Bylaw No. 3899, 2023, as amended or replaced from time to time;
Building Permit	means a permit issued by the City that authorizes the construction or alteration of a Building in accordance with the Building Bylaw;
City	means the City of Campbell River;
CMHC	means the Canada Mortgage and Housing Corporation or any successor organization;
Development	means the improvement of land pursuant to a Building Permit;
Development Cost Charges	means Development Cost Charges payable for a Development under the Development Cost Charges Bylaw;
Development Cost Charges Bylaw	means Development Cost Charges Bylaw No. 3411, 2010, as amended or replaced from time to time;
Development Cost Charges Reduction	means a Development Cost Charges Reduction specified under section 4.2 of this bylaw;
Director of Development Services	means the Director of Development Services employed by the City;
Eligible Development	means a Development specified in section 4.1 of this bylaw;
Housing Agreement	means a housing agreement pursuant to section 483 of the <i>Local Government Act</i> ;
Occupancy Permit	means permission or authorization in writing issued by the City to occupy a Building for its intended purpose in accordance with the Building Bylaw;

Prime Interest Rate	means the rate of interest equal to the floating interest rate established from time to time by the National Bank of Canada as the base rate that will be used to determine rates of interest charged by it for Canadian dollar loans to customers in Canada and designated by the National Bank of Canada as its prime rate;
Triggering Date	means the date of issuance of a Building Permit that triggers the requirement to pay Development Cost Charges.

2.2 For the purpose of this bylaw, the definitions of words and phrases that are not included in this section shall have the meaning assigned to them in the *Local Government Act* or the *Community Charter*, as the case may be.

PART 3: Application

3.1 A Development Cost Charges Reduction shall only apply to those Development Cost Charges applicable in all areas of the City, being those specified in Schedule “A”, Schedule “B”, and Schedule “C” attached to the Development Cost Charges Bylaw.

PART 4: Development Cost Charges Reduction for Eligible Developments

4.1 For purposes of this bylaw, an “Eligible Development” is any one of the following classes of development:

- a. A not-for-profit rental housing Development, including an assisted living development, owned by a public authority or a not-for-profit society incorporated under the Societies Act, subject to a Housing Agreement that:
 - i. Limits the form of tenure of the housing units to rental tenure for a term of not less than 20 years from the date an Occupancy Permit is granted; and
 - ii. Requires the housing units to be rented:
 - 1. For a monthly rate that is a minimum of 10% less than the current median market rent levels published by CMHC from time to time; or
 - 2. In accordance with an executed agreement with BC Housing or CMHC.
- b. A for-profit affordable rental housing Development subject to a Housing Agreement that:
 - i. limits the form of tenure of the housing units to rental tenure for a term of not less than 20 years from the date an Occupancy Permit is granted; and
 - ii. requires the housing units to be rented for a monthly rate that is a minimum of 10% less than the current median market rent levels published by CMHC from time to time.

4.2 Subject to section 3.1, the total Development Cost Charges payable for a Development are hereby

reduced by 50% for an Eligible Development described in section 4.1.

4.3 In any case where part of a Development constitutes an Eligible Development, and part does not, the Development Cost Charges Reduction shall only apply to the part of the Development that constitutes an Eligible Development.

PART 5: Procedure for Grant of Development Cost Charges Reduction

5.1 A Development Cost Charges Reduction for an Eligible Development shall be granted in accordance with the following procedure:

- a. in order to be eligible for a Development Cost Charges Reduction, an Applicant must submit a complete Application to the City on or before the Triggering Date;
- b. subject to subsection 5(c), the Applicant shall pay to the City when due all Development Cost Charges payable for the Development as if the Development does not constitute an Eligible Development;
- c. within thirty (30) days of the date that an Occupancy Permit is issued for the Eligible Development the City shall refund to the Applicant an amount equal to the Development Cost Charges Reduction for the Eligible Development; and
- d. if a Development does not constitute an Eligible Development at the time that an Occupancy Permit is issued for the Development, then the entitlement to a Development Cost Charges Reduction is forfeited absolutely and no refund of Development Cost Charges shall be provided to the Applicant under subsection 5(c).

PART 6: Repayment

6.1 If, at any time during the term of the applicable Housing Agreement a Development, or any portion of a Development, for which a Development Cost Charges Reduction has been granted under this bylaw ceases to qualify as an Eligible Development due to:

- a. non-compliance with the requirements of section 4.1; or
- b. non-compliance with the provisions of the applicable Housing Agreement;

then the full amount of Development Cost Charges that would have been payable on the Triggering Date, had the Development Cost Charges Reduction not been granted, plus interest at the Prime Interest Rate, plus 2% per year calculated monthly since the Triggering Date, compounded annually, shall constitute a debt owing to the City and shall be due and payable immediately.

PART 7: Effective Date

7.1 This Bylaw comes into force on the date of its adoption, and will remain in effect until October 31, 2027 and/or until such time as available funding (a total program budget of \$250,000) is exhausted.

READ THE FIRST TIME this 5 day of September, 2024

READ THE SECOND TIME this 5 day of September, 2024

READ THE THIRD TIME this 5 day of September, 2024

ADOPTED this 10 day of October, 2024

Signed by the Mayor and Corporate Officer this 10 day of October, 2024



Kermit Dahl, MAYOR



Sheila Girvin, CORPORATE OFFICER



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