

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

LANGLEY DEVELOPMENT COST CHARGES BYLAW 2008 NO. 4640

**A Bylaw to Impose Development Cost Charges for Highway, Drainage, Sewage, Water
and Park Facilities**

EXPLANATORY NOTE

Bylaw No. 4640 repeals the Langley Development Cost Charge Bylaw 2004 No. 4385 and amendments thereto and establishes a new Development Cost Charge Bylaw.

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WHEREAS Division 10, Part 26 of the *Local Government Act*, R.S.B.C. 1996 chp. 323 authorizes municipalities to impose development cost charges for the purpose of providing funds to assist local governments to pay certain capital costs;

AND WHEREAS the Council of the Township of Langley deems it necessary and desirable to offset some of the costs of infrastructure required to service the needs of development by collecting development costs charges from land developers;

AND WHEREAS the Council of the Township of Langley has considered future development and land use patterns, the phasing of works and services and the provision and development of parks, consistent with the Official Community Plan of the Township when determining the Development Cost Charges imposed by this Bylaw;

NOW THEREFORE, the Council of the Corporation of the Township of Langley, in open meeting assembled, ENACTS AS FOLLOWS:

Title

1. This Bylaw may be cited for all purposes as "Langley Development Cost Charges Bylaw 2007 No. 4640". As a short title, it may be known as "DCC Bylaw No. 4640".

Definitions

2. For the purposes of this Bylaw:

Development Cost Charge means the charges payable pursuant to the provisions of this Bylaw and in the amounts as calculated in the schedules hereto. Abbreviated, the words Development Cost Charges may be referred to as "DCC's", "DCCs" or "DCC".

Residential 1 means residential developments having a density of 15 or less dwelling units (du) per hectare.

Residential 2 means residential developments having a density greater than 15 up to 44 dwelling units per hectare.

Residential 3 means residential developments having a density greater than 44 up to 74 dwelling units per hectare.

- Residential 4** means residential developments having a density greater than 74 dwelling units per hectare.
- Commercial 1** means all developments zoned commercial, and all developments having commercial uses undertaken in buildings or on land where the zoning designation is other than commercial; and where the first storey gross floor area is 3,700 square metres (m²) or less. This includes, but is not limited to all rural commercial, campgrounds, golf courses, outdoor recreational and similar uses.
- Commercial 2** means all developments zoned commercial, and all developments having commercial uses undertaken in buildings or on land where the zoning designation is other than commercial; and where the first storey gross floor area is more than 3,700 square metres (m²). This includes, but is not limited to all rural commercial, campgrounds, golf courses, outdoor recreational and similar uses.
- Commercial 3** means all developments zoned commercial and all developments having commercial uses undertaken in buildings or on land, where the zoning designation is other than commercial; and is located on the second and higher floor levels. This includes, but is not limited to all rural commercial, campgrounds, golf courses, outdoor recreational and similar uses.
- Industrial** means all developments zoned industrial, except where the use is other than Industrial as defined in this Bylaw.

Institutional	means all developments zoned institutional and institutional uses undertaken in buildings or on land where the zoning designation is other than institutional, including, but not limited to, schools and other educational facilities, congregate care facilities and other live/care accommodation, hospitals and other medical facilities, government buildings including public recreational facilities, fire halls, police stations, airport facilities, communications and energy facilities, waste disposal and other similar public and utility uses.
Gross Floor Area	means the sum of all floor areas used or intended to be used for the undertaking of permitted uses, measured to the extreme outer limits of the building, excluding areas for parking and unenclosed balconies.
Area of Development	means that portion of the parcel encompassing or covered by buildings and structures, including, but not limited to, zoning setbacks, storage yards and parking areas, driveways, easements and areas encumbered by rights-of-way, landscaping areas, detention and siltation ponds, ancillary structures and other areas used for a facility or structure to support the development or use of the property. Environmental reserve areas are not included in area of development provided they are protected by restrictive covenant.
Complete and Valid	in the case of a subdivision, means a subdivision application made in compliance with the Township of Langley Development Application and Fee Bylaw 2007 No. 4634 and in the case of a building permit, means a building permit application made in compliance with the Township of Langley Building Bylaw 2008 No. 4642, as amended.
Utility	means a use providing for public utility structures and facilities for water, sewer, electrical, telephone, gas and similar services, where such use is accepted by the Municipality, by another government body, or by a company regulated by a government commission, including broadcast transmission facilities.

Schedules and Notes

3. Schedules "A", "B" and "C" are attached hereto and form a part of this Bylaw.
4. The notes found at the bottom of each schedule form a part of this Bylaw.

Development Cost Charges


5. Development Cost Charges, as set out in Schedules “A”, “B” and “C” hereto, are hereby imposed on every person who obtains:
 - a) approval of a subdivision, or
 - b) a building permit authorizing the construction, alteration or extension of a building or part of a building, other than a permit authorizing the construction, alteration or extension of a building or part of a building that:
 - i) is, or will be, after the construction, alteration or extension, exempt from taxation under Section 339(1)(g) of the *Local Government Act*, R.S.B.C. 1996, chp.323;
 - ii) will, after the construction, alteration or extension contain fewer than four (4) self-contained dwelling units; and be put to no other use than the residential use in those dwelling units;
 - iii) the value of the work authorized by the building permit does not exceed \$50,000.
6. The Development Cost Charges imposed pursuant to this Bylaw must be paid prior to time of approval of a subdivision or issuance of a building permit.
7. Complete and valid subdivision and building permit applications, submitted prior to the final adoption of this Bylaw, shall be granted a twelve (12) month grace period from the date of final adoption of this Bylaw, during which time the Development Cost Charge rates applicable at the time of application shall be payable, unless the developer requests in writing the application of the new bylaw, upon which the rates applicable under this Bylaw will apply.
8. The Development Cost Charges imposed pursuant to this Bylaw on residential developments, shall be credited one dwelling unit for each existing fully serviced parcel that existed prior to the subdivision approval or issuance of building permit, where applicable.
9. Where a developer is required to provide, or pay to provide, a specific service or part of a service, outside the boundaries of land being subdivided or developed; and the cost of the service is included in the calculations used to determine the amount of Development Cost Charges imposed pursuant to this Bylaw, then the cost of providing the service shall be deducted from the class of Development Cost Charges applicable to the subdivision or development for the particular service, as set out in the schedules hereto, the amount of which shall not exceed the lower of the two following amounts:
 - a) the amount of Development Cost Charges as indicated in the column entitled “DCC” in the DCC Projects Report which forms part of the Supplementary Information Document for the 2007 Development Cost Charge Program as amended from time to time; or

- b) the amount of Development Cost Charges calculated for the subdivision or building project pursuant to the provisions of this Bylaw for the particular class of service.

General Provisions

- 10. In this By-law words importing the singular number include the plural number and vice versa.
- 11. Langley Development Cost Charge Bylaw 2004 No. 4385 and amendments thereto are hereby repealed.

READ A FIRST TIME the	18	day of	February	, 2008
READ A SECOND TIME the	18	day of	February	, 2008
READ A THIRD TIME the	18	day of	February	, 2008
RECEIVED THE APPROVAL OF THE INSPECTOR OF MUNICIPALITIES the	14	day of	July	, 2008
RECONSIDERED AND ADOPTED the	21	day of	July	, 2008



Mayor



Deputy Township Clerk

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Schedule "A"

**RESIDENTIAL
DEVELOPMENT COST CHARGES**

Type of Development	Unit	Highway	Drainage	Sewage	Water	Parks	Total
Residential 1	du	\$8,814	\$3,663	\$879	\$2,051	\$10,700	\$26,107
Residential 2	du	\$8,594	\$1,476	\$746	\$1,740	\$9,079	\$21,635
Residential 3	du	\$7,492	\$1,012	\$586	\$1,367	\$7,134	\$17,591
Residential 4	du	\$6,611	\$645	\$453	\$1,056	\$5,512	\$14,277

NOTE:

- Residential DCCs are imposed on each dwelling unit (du).
- The residential component of mixed use developments, other than institutional, is calculated and assessed in accordance with Schedule A; and is payable in addition to any other DCCs applicable to other uses.

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Schedule "B"

**COMMERCIAL AND INSTITUTIONAL
DEVELOPMENT COST CHARGES**

Type of Development	Unit	Highway	Drainage	Sewage	Water	TOTALS	
						Highways, Sewage and Water (gfa)	Drainage (da)
Commercial 1	m ²	\$44.07	\$8.97	\$3.04	\$7.08	\$54.19	\$8.97
Commercial 2	m ²	\$34.37	\$8.97	\$3.04	\$7.08	\$44.50	\$8.97
Commercial 3	m ²	\$15.87	\$0.00	\$2.26	\$5.28	\$23.41	--
Institutional	m ²	\$21.15	\$7.98	\$3.04	\$7.08	\$31.27	\$7.98

NOTE:

- The residential component of mixed use developments, other than institutional, is calculated and assessed in accordance with Schedule A; and is payable in addition to any other DCCs applicable to other uses.
- Commercial and Institutional DCCs, with the exception of the Drainage component, are imposed on gross floor area (gfa).
- Drainage component of all non-residential DCCs is imposed on development area (da).
- Commercial developments having a building with gross floor areas greater than 3,700 m², shall have the Highway component of the Commercial 1 rates applied to the first 3,700 m² and the Highway component of the Commercial 2 rates applied to all areas exceeding 3,700 m².

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Schedule "C"

INDUSTRIAL DEVELOPMENT COST CHARGES

Type of Development	Unit	Highway	Drainage	Sewage	Water	TOTALS
Industrial	m ²	\$6.83	\$8.49	\$1.20	\$2.80	\$19.32

NOTE:

- The residential component of mixed use developments, other than institutional, is calculated and assessed in accordance with Schedule A; and is payable in addition to any other DCCs applicable to other uses.
- Industrial DCCs are imposed on development area (da).
- Drainage component of all non-residential DCCs is imposed on development area (da).