

CITY OF KELOWNA

BYLAW NO. 9474

Amendment No. 1 to Kelowna Development Cost Charge Bylaw No. 9095

WHEREAS the Council of the City of Kelowna may, by bylaw, impose development cost charges;

AND WHEREAS development cost charges may be imposed for the purpose of providing funds to assist the municipality in paying the capital cost of providing, constructing, altering, or expanding sewage, water, drainage and highway facilities, other than off-street parking facilities and public parks or any of them, in order to serve directly or indirectly, the development in respect of which the charges are imposed;

AND WHEREAS the Council of the City of Kelowna 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 municipality;
- (b) will not deter development in the municipality; and
- (c) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the municipality;

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;

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 capital budget, and to capital projects consistent with the Official Community Plan of the Municipality.

NOW THEREFORE the Municipal Council of the City of Kelowna, in open meeting assembled, ENACTS AS FOLLOWS:

1. THAT Section 2.2 of PART 2 – DEFINITIONS be amended by deleting the definitions of “Residential 2” and “Residential 3” and replacing them with the following:

“Residential 2” – developments with a density greater than 15 and less than or equal to 35 residential dwelling units per net hectare (generally small lot single family, row housing)

“Residential 3” – developments with a density greater than 35 and less than or equal to 85 residential dwelling units per net hectare (generally row housing and up to four storey apartment buildings)”;

2. AND THAT Section 3.2 of PART 3 – DEVELOPMENT COST CHARGES be amended by deleting paragraph (c) and replacing it with the following:

“(c) the building permit authorizes the construction, alteration or extension of a building or part of a building that is, or will be after construction, alteration or extension, exempt from taxation under section 220(1)(h) *[statutory exemption for places of public worship]* or 224(2)(f) *[permissive exemptions in relation to places of public worship]* of the Community Charter; or”;
3. AND THAT the page entitled “Development Cost Charges for All Services Applicable to Development Within the Municipality” of SCHEDULE A be deleted and replaced with the new page entitled “Development Cost Charges for All Services Applicable to Development Within the Municipality”, which is attached to this amending bylaw;
4. AND THAT page A3 entitled “SANITARY TRUNK SECTOR PLAN” of SCHEDULE A be deleted and replaced with the new page A3 entitled “SANITARY TRUNK SECTOR PLAN”, which is attached to this amending bylaw;
5. AND THAT page A4 entitled “SEWAGE TREATMENT SECTOR PLAN” of SCHEDULE A be deleted and replaced with the new page A4 entitled “SEWAGE TREATMENT SECTOR PLAN”, which is attached to this amending bylaw;
5. This amending bylaw shall come into full force and effect and be binding on all persons as and from the first day of October, 2005, or the date of final adoption, whichever is later.

Read a first, second and third time by the Municipal Council this 25th day of July, 2005.

Adopted by the Municipal Council of the City of Kelowna this day of , 2005.

Mayor

City Clerk

BYLAW NO. 9095

SCHEDULE A

Development Cost Charges for All Services Applicable to Development Within the Municipality

| <u>SERVICE AREA</u> | <u>Sector</u> | <u>Residential 1</u> To 15 Units/Net Ha. (Each Lot or Unit) | <u>Residential 2</u> >15-35 Units/Net Ha. (Each Lot or Unit) | <u>Residential 3</u> >35-85 Units/Net Ha. (Each Lot or Unit) | <u>Residential 4</u> Greater Than 85 Units/Net Ha. (Each Lot or Unit) | <u>Commercial</u> For 1st 1,000 sq. ft. of floor area or portion; 1/1,000th the rate for per sq. ft. over 1,000 | <u>Institutional "A"</u> For 1st 1,000 sq. ft. of floor area or portion; 1/1,000th the rate for per sq. ft. over 1,000 | <u>Institutional "B"</u> For 1st 1,000 sq. ft. of floor area or portion; 1/1,000th the rate for per sq. ft. over 1,000 | <u>Industrial/ Campground</u> Minimums | <u>Industrial/ Campground</u> Per Acre Over Minimum Developable Land |
|---|----------------------|--|---|---|---|--|---|---|--|--|
| <u>ROADS</u> | | | | | | | | | | |
| SE Kelowna | R-A | 9,018 | 7,214 | 4,960 | 4,689 | 2,775 | 2,775 | 0 | 9,018 - 1st acre/portion | 9,018 |
| South Mission | R-B | 13,965 | 11,172 | 7,681 | 7,262 | 4,297 | 4,297 | 0 | 13,965 - 1st acre/portion | 13,965 |
| NE Rutland | R-C | 6,271 | 5,017 | 3,449 | 3,261 | 1,930 | 1,930 | 0 | 6,271 - 1st acre/portion | 6,271 |
| Bell Mountain | R-D1 | 7,433 | 5,946 | 4,088 | 3,865 | 2,287 | 2,287 | 0 | 7,433 - 1st acre/portion | 7,433 |
| Gallagher Ridge | R-D2 | 5,840 | 4,672 | 3,212 | 3,037 | 1,797 | 1,797 | 0 | 5,840 - 1st acre/portion | 5,840 |
| Univ. S./S. Mckinley | R-E | 7,420 | 5,936 | 4,081 | 3,858 | 2,283 | 2,283 | 0 | 7,420 - 1st acre/portion | 7,420 |
| City Centre - Note 1 | R-1 | 3,634 | 2,907 | 1,999 | 1,890 | 1,118 | 1,118 | 0 | 3,634 - 1st acre/portion | 3,634 |
| <u>WATER</u> | | | | | | | | | | |
| City Centre - Note 2 | W-A | 1,393 | 933 | 669 | 474 | 536 | 536 | 536 | 1,393 -1st .36 acre/portion | 3,901 |
| South Mission | W-B | 696 | 466 | 334 | 237 | 268 | 268 | 268 | 696 -1st .36 acre/portion | 1,948 |
| Clifton/Glenmore | W-D | 2,505 | 1,678 | 1,202 | 852 | 963 | 963 | 963 | 2,505 -1st .36 acre/portion | 7,014 |
| <u>TRUNKS</u> | | | | | | | | | | |
| City Centre - Note 3 | S-A | 868 | 721 | 486 | 469 | 334 | 334 | 334 | 868 -1st .36 acre/portion | 2,431 |
| South Mission | S-B | 1,219 | 1,012 | 683 | 658 | 469 | 469 | 469 | 1,219 -1st .36 acre/portion | 3,413 |
| <u>TREATMENT</u> | | | | | | | | | | |
| City Centre - Note 3 and South Mission | T-A | 1,467 | 1,218 | 821 | 792 | 564 | 564 | 564 | 1,467 -1st .36 acre/portion | 4,107 |
| <u>PARKS</u> | | | | | | | | | | |
| | P-A | 2,147 | 2,147 | 2,147 | 2,147 | Exempt | Exempt | Exempt | Exempt | Exempt |

NOTES

1. City Centre; Dilworth Periphery; North Spec 7; South Spec 7; Central Mission; Clifton; Glenmore Highlands; Glenmore Valley; Rutland; South of Hwy 97; Sexsmith; Hall road
2. City Centre; Dilworth Periphery; North Spec 7; South Spec 7; Central Mission
3. City Centre; Dilworth Periphery; North Spec 7; South Spec 7; Central Mission; Clifton; Glenmore Highlands; Glenmore Valley; Rutland; South of Hwy 97; Sexsmith; Hall Road; NE Rutland; University South; S. Mckinley; Bell Mountain; Gallagher Ridge

Roads - Charges are Net of "Assist Factor" of 15%

Wastewater Trunks/Treatment - Charges are Net of "Assist Factor" of 1%

Water - Charges are Net of "Assist Factor" of 1%

- Areas not noted above are provided water by suppliers other than the City

Parks - Charges are Net of "Assist Factor" of 10%

General - 1,000 square feet is considered to be the equivalent of 92.9 meters

- sector designations denote geographical areas as designated on attached Sector maps A1 to A5

Commercial or Institutional Calculation

The measurement unit for Commercial and Institutional development is square feet of floor area. The calculation of floor area of a commercial or institutional building is based on the gross floor area which is measured from the outside edge of all exterior walls, less the area used for parking of motor vehicles and bicycles in the building permit application.

Industrial Calculation

The measurement unit for Industrial development is acres of site area. The calculation of industrial site area is based on the gross area of the site that is proposed for development in a building permit application, including access, parking and loading and excludes landscaped areas and the undeveloped portion of the site that is being held in it's pre-developed state for future additional development (1 acre minimum).

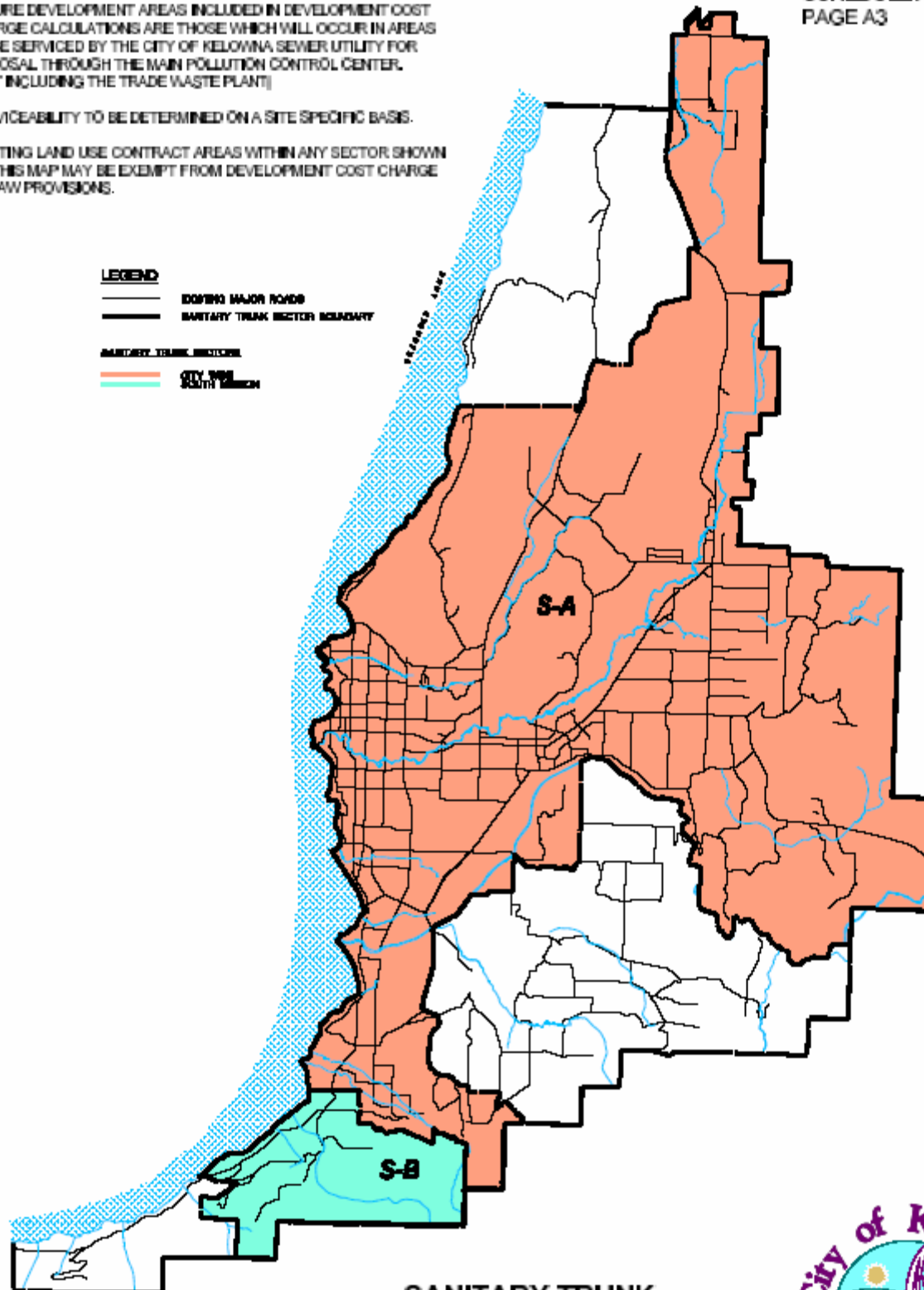
NOTES:

FUTURE DEVELOPMENT AREAS INCLUDED IN DEVELOPMENT COST CHARGE CALCULATIONS ARE THOSE WHICH WILL OCCUR IN AREAS TO BE SERVICED BY THE CITY OF KELOWNA SEWER UTILITY FOR DISPOSAL THROUGH THE MAIN POLLUTION CONTROL CENTER. (NOT INCLUDING THE TRADE WASTE PLANT)

SERVICEABILITY TO BE DETERMINED ON A SITE SPECIFIC BASIS.

EXISTING LAND USE CONTRACT AREAS WITHIN ANY SECTOR SHOWN ON THIS MAP MAY BE EXEMPT FROM DEVELOPMENT COST CHARGE BY-LAW PROVISIONS.

BY-LAW 9095
SCHEDULE A
PAGE A3



**SANITARY TRUNK
SECTOR PLAN**

OCT. 2005
KEY PLAN

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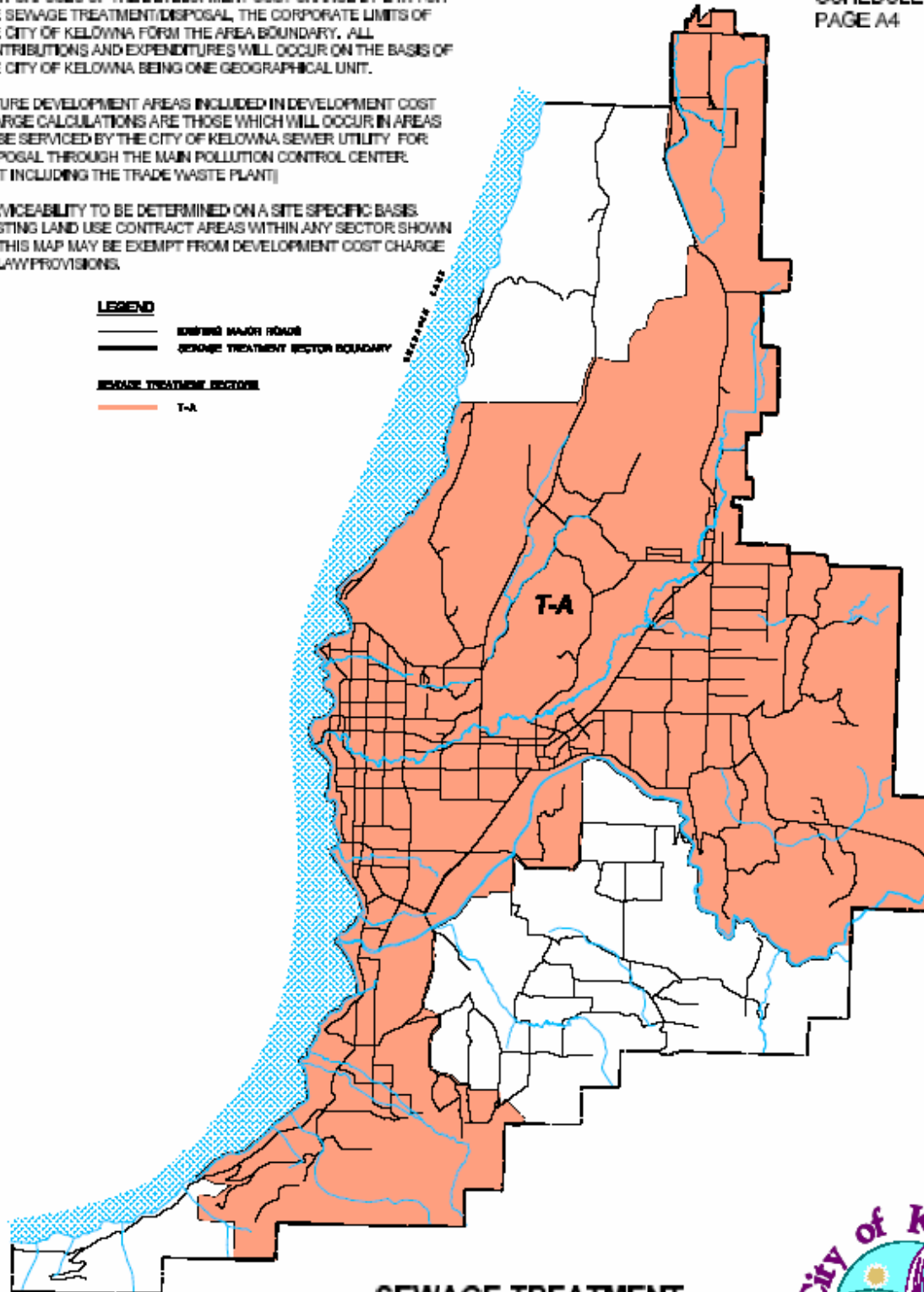
NOTES:

FOR PURPOSES OF THE DEVELOPMENT COST CHARGE BY-LAW FOR THE SEWAGE TREATMENT/DISPOSAL, THE CORPORATE LIMITS OF THE CITY OF KELOWNA FORM THE AREA BOUNDARY. ALL CONTRIBUTIONS AND EXPENDITURES WILL OCCUR ON THE BASIS OF THE CITY OF KELOWNA BEING ONE GEOGRAPHICAL UNIT.

FUTURE DEVELOPMENT AREAS INCLUDED IN DEVELOPMENT COST CHARGE CALCULATIONS ARE THOSE WHICH WILL OCCUR IN AREAS TO BE SERVICED BY THE CITY OF KELOWNA SEWER UTILITY FOR DISPOSAL THROUGH THE MAIN POLLUTION CONTROL CENTER. (NOT INCLUDING THE TRADE WASTE PLANT)

SERVICEABILITY TO BE DETERMINED ON A SITE SPECIFIC BASIS. EXISTING LAND USE CONTRACT AREAS WITHIN ANY SECTOR SHOWN ON THIS MAP MAY BE EXEMPT FROM DEVELOPMENT COST CHARGE BY-LAW PROVISIONS.

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PAGE A4



SEWAGE TREATMENT SECTOR PLAN

OCT. 2005
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