

CITY OF KELOWNA

BYLAW NO. 10589

Amendment No. 1 to Development Cost Charge Bylaw No. 10515

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Development Cost Charge Bylaw No. 10515, PART 2 - DEFINITIONS, Section 2.2 be amended by deleting the following definitions:

"Residential 5" - means multi-family residential units of 600 square feet or less.

"Seasonal Agricultural Commercial" - means a seasonal (as defined by zoning bylaw) commercial development in an agricultural zone, including but not limited to seasonal fruit and vegetable sales, seasonal agricultural tourism business.

"Seasonal Agricultural Industrial" - means a seasonal (as defined by zoning bylaw) industrial development in an agricultural zone, including but not limited to seasonal fruit and vegetable sales, seasonal agricultural tourism business."

"Structure" shall include, but necessarily be limited to, the providing, construction, altering, or expanding of sewage, water, drainage, and highway facilities in the RM7 (Mobile Home Park) zone of the Zoning Bylaw other than off-street parking facilities and providing and improving parkland to service, directly or indirectly, the mobile home park development for which the charge is being imposed pursuant to this Bylaw.

And replacing it with;

"Residential 5" - means multi-family residential units of 55.8 sq. meters or less.

"Seasonal Agricultural Commercial" - means a seasonal (no more than 6 months per year) commercial development in an agricultural zone, including but not limited to seasonal fruit and vegetable sales, seasonal agricultural tourism business.

"Seasonal Agricultural Industrial" - means a seasonal (no more than 6 months per year) industrial development in an agricultural zone, including but not limited to seasonal fruit and vegetable processing.

"Structure" shall include, but not necessarily be limited to, the providing, construction, altering, or expanding of sewage, water, drainage, and highway facilities in the RM7 (Mobile Home Park) zone of the Zoning Bylaw other than off-street parking facilities and providing and improving parkland to service, directly or indirectly, the mobile home park development for which the charge is being imposed pursuant to this Bylaw.

2. AND THAT City of Kelowna Development Cost Charge Bylaw No. 10515, PART 3 - DEVELOPMENT COST CHARGES, Section 3.1, sub-paragraph (b) be deleted in its entirety that reads:

- “(b) a building permit authorizing the construction, alteration or extension on a parcel of land of any building containing more than one self-contained dwelling unit and thereafter in respect of that same parcel:
- (i) any building permit authorizing the construction of another building containing one or more self-contained dwelling units; or
 - (ii) any building permit authorizing the alteration or extension of any building for the purpose of adding one or more self-contained dwelling units within such building.”

And replace with:

- “(b) a building permit authorizing construction, alteration or extension of a building on a residential or agricultural parcel of land that will result in the creation of any additional dwelling unit(s) on that parcel, or
- “(c) a building permit authorizing construction, alteration or extension of a building on a commercial, industrial or institutional parcel of land that will result in the creation of any dwelling unit(s) on that parcel, or
- (d) a building permit authorizing the construction, alteration or extension on a parcel of land of any non-residential (commercial, industrial or institutional) building.”
3. AND THAT City of Kelowna Development Cost Charge Bylaw No. 10515 be amended by deleting PART 3 - DEVELOPMENT COST CHARGES, Section 3.2 in its entirety that reads:
- “Notwithstanding section 3.1 above, where a complete building permit application is received by the City of Kelowna’s Development Services Division prior to the effective date of Bylaw No. 10515 and the corresponding building permit is issued within six weeks of the effective date of Bylaw No. 10515, then the Development Cost Charges imposed in relation to that development shall be those set out in Schedule “A-1” attached hereto and forming part of this bylaw.”
4. AND THAT City of Kelowna Development Cost Charge Bylaw No. 10515 be amended by deleting Schedule "A" and replacing it with a new Schedule "A" as attached to and forming part of this bylaw.
5. This bylaw shall be cited for all purposes as “Bylaw No. 10589, being Amendment No. 1 to Development Cost Charge Bylaw No. 10515”.

6. This amending bylaw shall come into full force and effect and be binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 22nd day of August, 2011.

Approved by the Inspector of Municipalities this 23rd day of September, 2011.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

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Schedule "A"

SERVICE AREA	Sector	Residential 1 To 15 Units/Hectare (Each Lot or Unit)	Residential 2 >15-35 Units/Hectare (Each Lot or Unit)	Residential 3 >35-85 Units/Hectare (Each Lot or Unit)	Residential 4 Greater Than 85 Units/Hectare (Each Lot or Unit)	Residential 5 Maximum applied to 50 sq. mtrs. unit	Residential 6 Per Square Meter of habitable floor space applied to units 50 sq. mtrs. or less	Secondary Suites Per Unit	Commercial For 1st 93 sq. mtrs. of floor area or portion; 193rd rate for per sq. mtr over 93	Seasonal Agricultural Commercial (500 Commercial)	Institutional "A" For 1st 93 sq. mtrs. of floor area or portion; 193rd rate for per sq. mtr over 93	Institutional "B" For 1st 83 sq. mtrs. of floor area or portion; 193rd rate for per sq. mtr over 93	Industrial/ Campground Minimums	Industrial/ Campground Per Hectare over minimum Developable Land	Seasonal Agricult. Industrial See Industrial Minimums	Seasonal Agricult. Industrial Per Hectare over minimum
ALL SERVICES (Note 4)								2,500								
ROADS																
SE Kelowna	R-A	7,878	7,405	5,278	4,983	3,860	69.3		2,423	1,212	2,423		7,878 - 1st .405 hctr/prtn	19,458	3,939	9,729
South Mission	R-B	21,540	20,247	14,432	13,570	10,554	189.5		6,626	3,313	6,626		21,540 - 1st .405 hctr/prtn	53,203	10,770	26,602
NE Rutland	R-C	14,292	13,435	9,576	9,004	7,003	125.7		4,395	2,198	4,395		14,292 - 1st .405 hctr/prtn	35,301	7,148	17,851
Bell Mtn/Gallagher Rix	R-D	11,072	10,408	7,419	6,976	5,425	97.4		3,406	1,703	3,406		11,072 - 1st .405 hctr/prtn	27,349	5,536	13,875
Univ. S./S. McKinley	R-E	10,666	10,026	7,147	6,720	5,227	93.8		3,281	1,641	3,281		10,666 - 1st .405 hctr/prtn	26,346	5,333	13,173
City Centre - Note 1	R-1	7,530	7,079	5,045	4,744	3,690	66.2		2,316	1,158	2,316		7,530 - 1st .405 hctr/prtn	18,600	3,765	9,300
WATER																
City Centre - Note 2	W-A	998	968	479	339	279	5.0		383	192	383	383	998 - 1st .15 hctr/prtn	6,904	499	3,452
South Mission	W-B	679	455	326	231	190	3.4		261	130	261	261	679 - 1st .15 hctr/prtn	4,698	339	2,349
Clifton/Glenmore	W-D	3,552	2,380	1,705	1,208	995	17.9		1,363	682	1,363	1,363	3,552 - 1st .15 hctr/prtn	24,578	1,776	12,289
TRUNKS																
City Centre - Note 3	S-A	1,294	1,074	724	699	569	10.2		497	248	497	497	1,294 - 1st .15 hctr/prtn	8,953	647	4,477
South Mission	S-B	1,903	1,580	1,066	1,028	837	15.0		731	365	731	731	1,903 - 1st .15 hctr/prtn	13,171	952	6,586
TREATMENT																
City Centre - Note 3 & South Mission	T-A	3,723	3,090	2,085	2,010	1,640	29.4		1,429	715	1,429	1,429	3,723 - 1st .15 hctr/prtn	25,760	1,861	12,880
PARKS																
P-A		5,300	5,300	5,300	5,300	5,300	95.1		Exempt	Exempt	Exempt	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; Hill 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; Hill 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 8%

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

4. DCC charges to be allocated proportionately by formula to each service

Commercial or Institutional Calculation

The measurement unit for Commercial and Institutional development is square meters 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 hectares 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 (0.405 hectares minimum).