

# PARK LAND DEVELOPMENT COST CHARGE BYLAW

Bylaw No. 1574 and amendments thereto

## CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws listed below. The amending bylaws have been consolidated with the original bylaws for convenience only.

Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

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<u>BYLAW NO.</u>	<u>ADOPTED</u>
1574	November 5, 1996
1838	September 23, 1997
2538	March 20, 2012

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The bylaw numbers in **bold** at the end of the clause refer to the bylaws that amended the principal bylaw.

# PARK LAND DEVELOPMENT COST CHARGE BYLAW

## *Consolidated Copy - Bylaw No. 1574 and amendments*

### A Bylaw to Impose Development Cost Charges for Providing and Improving Park Land.

WHEREAS pursuant to section 983, of the *Municipal Act*, the Council, may, by bylaw, impose development cost charges under the terms and conditions of the section;

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 and improving park land in order to serve, directly or indirectly, the development in respect of which the charges are imposed;

AND WHEREAS in fixing the development cost charges, the Council has taken into consideration future land use patterns and development, the phasing of works and services and the provision of park land described in the Official Community Plan and whether the charges:

- (a) are excessive in relation to the capital cost of prevailing standards of service;
- (b) will deter development; or
- (c) will discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in Pitt Meadows;

AND WHEREAS the Official Community Plan designates certain lands as park land;

AND WHEREAS in the opinion of Council the charges imposed by this Bylaw are related to the capital costs attributable to projects included in the Municipality's capital expenditure program.

NOW THEREFORE the Council of The Corporation of the City of Pitt Meadows, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "**Park Land Development Cost Charge Bylaw No. 1574, 1996**".
2. Those development cost charges which are set out in the Schedule, attached hereto and made a part of this Bylaw, are hereby imposed on every person who obtains:
  - (a) approval of the subdivision of a parcel of land under the *Land Title Act* or the *Condominium Act*; or
  - (b) a building permit authorizing the construction, alteration or extension of a building or structure;

except where an exemption from a charge is provided for in section 983 of the *Municipal Act*.

3. The development cost charges imposed pursuant hereto shall be paid to the Municipality by each such person:

**3. Cont'd.**

- (a) where an application is made only for the subdivision of a parcel, prior to the approval of such subdivision;
- (b) where an application is made only for a building permit, prior to the issue of such building permit;
- (c) where applications with respect to a parcel are made both for the subdivision of such parcel and for the issue of a building permit with respect to such parcel or any part thereof, prior to the earlier of the approval of such subdivision or the issue of such building permit;

except where such person chooses to pay in instalments which are authorized by section 983 of the *Municipal Act*.

**4. Notwithstanding any provision in this Bylaw, where a charge has been imposed or made a requirement under:**

- (a) section 642 of the *Municipal Act*;
- (b) Division (7) of Part 29 of the *Municipal Act*; or
- (c) section 729 of the *Municipal Act* before the repeal of that section became effective;

for park land or for specific works and services outside the boundaries of land being subdivided or developed, that are included in the calculations used to determine the amount of a development cost charge, the amount of the charge imposed or the value of the requirement made under section 642, Division (7) of Part 29, or section 729 of the *Municipal Act*, as the case may be, shall be deducted from those classes of development cost charges which are applicable to the types of works and services or the park land for which the charge was imposed or the requirement was made.

- 5.**
- (1) A development cost charge imposed under this Bylaw may be paid for in whole or in part by providing land having a market value, as at the day the charge is payable, equivalent to the amount of the charge, so long as the location and character of the land is acceptable to the Municipality;
  - (2) Where, for the purposes of subsection (1), the owner and the Municipality do not agree on the market value, it shall be determined in the manner that is prescribed in the regulations made under section 992 (7) of the *Municipal Act*;
  - (3) Where partial payment of a development cost charge for park land in the form of land is made, the remainder shall be paid in accordance with this Bylaw;
  - (4) Where land is provided for park land under this section, the land shall be shown as park on the plan of subdivision;
  - (5) Notwithstanding section 985 (3) of the *Municipal Act*, interest earned on money in the park land development cost charge reserve fund may be used to provide for fencing, landscaping, drainage and irrigation, trails, restrooms, changing

5. (5) Cont'd.

rooms and playground and playing field equipment on park land owned by the Municipality or owned by the Crown and managed by the Municipality.

6. Bylaw No. 762, cited as the "Parkland Acquisition Development Cost Charge Bylaw, 1979 No. 762", and any amendments thereto, are hereby repealed.

**SCHEDULE**

**Park Land Development Cost Charges**

Zones in the Zoning Bylaw in which Development Cost Charges Apply	Upon Issuance of Building Permit	Upon Subdivision
All Residential and Agricultural Zones	a) for acquisition of park land: \$2,230.00 per dwelling unit as defined in the Zoning Bylaw permitted to be constructed pursuant to zoning.  b) for improvement of park land: \$521.00 per dwelling unit as defined by the Zoning Bylaw pursuant to zoning.	a) for acquisition of park land: \$2,230.00 per legal parcel or strata lot being created.  b) for improvement of park land: \$521.00 per legal parcel or strata lot being created (Bylaw No. 1838 )

**(Bylaw No. 1838, 1997)**  
**(Bylaw No. 2538, 2012)**