

Report to Council



Date: October 3, 2022
To: Council
From: City Manager
Subject: Development Cost Charge Bylaws Adoption – Information Report
Department: Financial Services and Office of the City Clerk

Recommendation:

THAT Council receives, for information, the report dated October 3, 2022 pertaining to the adoption of Kelowna Development Cost Charge Reserve Reduction Bylaw No. 12419 and Kelowna Development Cost Charge Bylaw No. 12420;

AND THAT Development Cost Charge Reserve Reduction Bylaw No. 12419 and Development Cost Charge Bylaw No. 12420 be forwarded for adoption consideration

Purpose:

To adopt Kelowna Development Cost Charge Reserve Reduction Bylaw No. 12419 and Kelowna Development Cost Charge Bylaw No. 12420

Background:

Development Cost Charge Bylaw No. 12420 sets out the charges collected from developers for public roads, water, sewer, drainage and public parkland acquisition and development when subdividing or constructing, altering, or extending a building, pursuant to the Local Government Act. Development Cost Charge Reserve Reduction Bylaw No. 12419 was drafted to draw down existing reserves for the sectors that were consolidated as part of this update. The two Bylaws will work together to fund the program but only DCC Bylaw No. 12420 will be the 'forward-facing' Bylaw that will be used to collect DCCs.

The new DCC rates will be in force immediately after the adoption by Council of the DCC Bylaw. The Local Government Act provides in-stream protection of up to 1-year from changes to DCC rates for

building permits and precursor applications (Rezoning, Development Permit and Subdivision) provided the application is complete and all application fees have been paid prior to DCC Bylaw adoption date.

Previous Council Resolution

Council gave the bylaws first three readings during the August 22, 2022 Regular Council Meeting.

Resolution	Date
<p>THAT Council receives, for information, the report from Financial Services dated August 22nd, 2022, with respect to the Development Cost Charge program update;</p> <p>AND THAT Council endorse the updated 20-Year Servicing Plan and Financing Strategy, AND THAT Development Cost Charge Bylaw No. 12420 and Development Cost Charge Reserve Reduction Bylaw No. 12419, be given reading consideration;</p> <p>AND THAT the interest on the amount borrowed for the anerobic digester be included in the Development Cost Charge rate calculations,</p> <p>AND FURTHER THAT Council direct Staff to submit the new Development Cost Charge Bylaws and supporting documentation to the Ministry of Municipal Affairs for their review and approval prior to fourth reading and adoption by Council.</p>	August 22, 2022

Legal/Statutory Authority:

Local Government Act Part 14 Division 19 – Development Cost Recovery

Legal/Statutory Procedural Requirements:

Inspector of Municipalities approval is required prior to adoption of a development cost charge bylaw. Statutory approval was granted September 23, 2022 for Bylaw No. 12419 and for Bylaw No. 12420.

Submitted by:

Joel Shaw, Acting Divisional Director, Financial Services
Stephen Fleming, City Clerk