

**DISTRICT OF LANTZVILLE  
BYLAW NO. 422, 2025**

**A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES**

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**WHEREAS** the *Local Government Act*, section 559 authorizes Council to enact a bylaw to impose development cost charges for the purpose of providing funds to assist the District in paying the capital costs of providing, constructing, altering or expanding sewage, water, drainage and highway facilities, other than off-street parking facilities, and providing and improving parkland to service, directly or indirectly and fire protection facilities developments for which the charges are imposed;

**AND WHEREAS** in establishing the development cost charges under this Bylaw, Council has considered future land use patterns and development; the phasing of works and services; the provision of park land described in the District's Official Community Plan; and how development designed to result in a low environmental impact may affect the capital costs of the infrastructure services for which the charges are imposed;

**AND WHEREAS** Council considers that the development cost charges imposed under this Bylaw are not excessive in relation to the capital cost of prevailing standards of service in the District; and will not deter development, discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land, or discourage development designed to result in a low environmental impact;

**NOW THEREFORE** the Municipal Council of the District of Lantzville in open meeting assembled enacts as follows:

**Interpretation**

1.1 In this Bylaw,

“**building permit**” means a permit issued by a building official for the District authorizing the construction, alteration, or extension of a building or other structure;

“**Carriage House**” means a secondary dwelling unit located in a secondary building; the maximum gross floor area and other terms and conditions for a “Carriage House” is defined in the current Zoning Bylaw.

“**Commercial Use**” means any use of land or buildings for retail, hotel, tourist and resort accommodation, office, personal or professional services, restaurant, recreation or entertainment and other uses engaged for commercial purposes, but does not include home-based business as accessory to residential use or a Congregate Care, Industrial or Institutional use as defined in this Bylaw;

“**Congregate Care Use**” means a building or other structure that is used or intended for use as

(a) an assisted living residence, as defined by the *Community Care and Assisted Living Act*;

(b) a community care facility with four or more sleeping units that provide residential accommodations to adults in addition to other services prescribed by the *Community Care and Assisted Living Regulation*; and includes, but is not limited to, assisted living facilities, long-term care and nursing homes;

“**dwelling unit**” means a habitable self-contained unit with cooking, sleeping and sanitary facilities and a separate entrance that is used or intended to be used for a private residence, but does not include a Mobile Home, recreational vehicle or tent;

“**District**” means the District of Lantzville;

“**gross floor area**” means the gross floor area of a building or other structure calculated to the outside of the exterior walls, including floor areas over 1.8 metres in height, canopies with an occupancy or use, and parking structures as the principal use, but does not include stairwell and elevators exceeding one floor only, gas canopies, or the parking portions of a structure;

“**Industrial**” means any industrial use of land or buildings, including but not limited to uses of and related to co-generation, manufacturing, processing, assembling, fabricating, servicing, testing, repair, storing, transporting, warehousing; the distribution of goods, materials or things, wholesaling by distributing merchandise from the lot where it is sold, and accessory offices.

“**Institutional**” means the use of land or a building or other structure for a school, college, child care, hospital, library, museum, cemetery, crematorium, mausoleum, civic assembly, marina, jail or correctional facility, and similar purposes but does not include a Congregate Care Use;

“**Mixed Use Building**” means a building that contains one or more *dwelling units* in conjunction with any one or combination of Commercial, Institutional or Industrial use;

“**Mobile Home**” means a *dwelling unit* designed to be moved from time to time, which arrives at the site where it is to be occupied complete and ready for occupancy except for placing on foundation supports, connection of utilities, and some incidental assembly, and meets or exceeds Canadian Standards Association, Z-240 Standards, but excludes a recreational vehicle;

“**Mobile Home Park**” means an unsubdivided parcel of land, and not subdivided pursuant to the *Strata Property Act*, on which are situated three or more Mobile Homes for the purpose of providing residential accommodation, but excludes a hotel;

“**Multiple Family Residential**” means the use of land for a building consisting of two or more *dwelling units*, including for a Mobile Home Park, but does not include a Single Family Residential building with a secondary suite or a Congregate Care or Institutional use; A Carriage House is considered as a separate single-family dwelling.

“**residential subdivision**” means a subdivision of land under the *Land Title Act* or under the *Strata Property Act* that creates parcels to be used for residential purposes, and includes a Mobile Home Park subdivision, but does not include a Multiple Family Residential building;

**“Single Family Residential”** means the residential use of a lot that contains one building for a single *dwelling unit*, but which may include a secondary suite;

- 1.2 Except as otherwise provided herein, this Bylaw is to be interpreted consistently with the *Local Government Act* and with the District’s *Zoning Bylaw*. A reference to a statute, regulation, bylaw or other enactment refers to that enactment as amended or replaced from time to time.
- 1.3 If any section, subsection, paragraph or phrase of this Bylaw is for any reason held to be invalid by a court of competent jurisdiction, that portion shall be severed and the remainder of this Bylaw shall continue to be valid and effective.

### **Development Cost Charges**

- 2.1 Subject to sections 3 and 5, every person who obtains
  - (a) approval of a *residential subdivision*, or
  - (b) a *building permit*,must pay to the District the applicable development cost charges in the amounts set out in Schedule A.
- 2.2 Without limiting the generality of section 2, a *building permit* includes a permit authorizing the construction, alteration or extension of a building that will, after the construction, alteration or extension, contain fewer than four self-contained *dwelling units* that are only for a residential use and put to no other use than a residential use in those *dwelling units*.

### **Exceptions**

- 3.1 A development cost charge is not payable:
  - (a) for work authorized under a *building permit* that is valued at less than \$100,000; or
  - (b) for renovations to an existing dwelling - regardless of the construction cost; or
  - (c) where the imposition of such charge is prohibited by statute.

### **Time of Payment**

- 4.1 Subject to the *Local Government Act* sections 511 and 568, as applicable, development cost charges under this Bylaw are assessed and payable at the following times:
  - (a) in the case of a *residential subdivision*, at the time the application for subdivision is complete on its face and submitted, along with applicable fees, in a form acceptable to the approving officer for the District for processing approval;
  - (b) in other circumstances, at the time a building permit is issued,

but may be paid by way of instalments in accordance with the *Development Cost Charge (Instalments) Regulation*, B.C. Reg. 166/84.

### **Calculation of Charges**

- 5.1 Development cost charges under this Bylaw are calculated in accordance with Schedule A and are based on the actual use or combination of uses of the building, Whether the development is located within a designated Special Water DCC Area, and not the zoning category of the property, subject to the following:
- (a) where there is more than one use, each use is subject to the development cost charge based on the actual use, and more than one development cost charge category may be applied per building.
  - (b) mezzanines, storage or similar areas within a building are subject to development cost charges based on the same use as that of the majority area of the building;
  - (c) where a building is vacant and its future use cannot be determined, development cost charges are determined by the zoning category for the land upon which the building is situated.
  - (d) If the development is situated within the Area-Specific Water DCC zones for the Winds (Water Projects W-3 and W-4) or Clark Drive (Water Projects W-5 and W-6), as identified in *Figures 1 and 2* on Schedule B, the corresponding water DCC charges outlined in Schedule A – Development Cost Charges Rates will apply to the development.
  - (e) Development Cost Charges (DCCs) are separately applicable to a “Carriage House” and will be calculated and applied as an additional single-family dwelling. This applies regardless of whether DCCs for the primary building(s) are paid at the subdivision stage or at the building permit stage and whether the primary buildings(s) and the carriage house are built at the same time or the carriage house is added after.
  - (f) If converting an existing structure or accessory building into a Carriage House, and the original building permit for the existing structure was issued less than 5 years ago, Development Cost Charges (DCCs) will still apply if the new construction cost for conversion exceeds \$15,000.

### **In-Stream Protection**

6.1 "In-Stream Protection" is a legislated safeguard under the Local Government Act that prevents new DCC rates from applying to certain applications already in process when the bylaw is adopted:

- **Subdivision Applications (*Section 511- Local Government Act*):**

Subdivision applications submitted with the applicable fee before bylaw adoption are protected for 12 months from the date of the proposed DCC rates, unless the applicant agrees in writing to the new rates.

- **Building Permits and Related Applications (*Section 568- Local Government Act*):**

If a building permit is issued within 12 months of bylaw adoption, and a precursor application (e.g., rezoning or development permit) was in process on the date of adoption, the application is protected from the new DCC rates—unless the applicant agrees otherwise.

To be considered as an Instream application the application must be accepted for processing by the designated local government officer and the applicable fee must have been paid.

If the original application is denied or not fully approved within the one-year exemption period or if the conditional approval becomes invalid within this timeframe, new DCC rates will be applicable, whether it is a building permit or subdivision application.

### **Credits, Rebates, and Latecomer Agreements**

7.1 Credits, rebate and latecomer agreements are outlined as below:

- **DCC Credits**

If a developer required trunk infrastructure ahead of the district’s planned schedule (i.e., “out-of-sequence” development), the cost of those works may be credited against the DCCs payable, up to the total DCC amount. Credits are reviewed per development phase and the DCC credit cannot exceed the amount of DCC payable.

When doing redevelopments and expansion of existing land use, credit is calculated based on current DCC rates for the existing uses and reduced from the total DCCs owing on the new proposed development.

- **DCC Rebates**

When infrastructure is oversized to support development beyond the local service area, the District may provide a DCC rebate for the incremental oversizing cost. The rebate cannot exceed the DCC payable and is assessed per phase of the development.

- **Latecomer Agreements**

If trunk infrastructure built by a developer benefits other properties and is not included in the DCC program, a Latecomer Agreement may be established under the *Local Government Act*. The developer is responsible for initiating and funding the agreement, which is then administered by the District.

### **Refunds**

Development Cost Charges (DCCs) are collected and deposited into reserves and are non-refundable and not retroactive if DCC rates are later amended.

### **Schedules**

8. The following Schedules are attached to and form part of this Bylaw:
  - Schedule A – Development Cost Charge Rates
  - Schedule B – Winds and Clark Area Specific DCCs

### **Citation**

9. This Bylaw may be cited as the “District of Lantzville Development Cost Charges Bylaw No. 422, 2025.”

**READ A FIRST TIME** this day of , 2026.

**READ A SECOND TIME** this day of , 2026.

**PUBLIC HEARING HELD** this day of , 2026.

**READ A THIRD TIME** this day of , 2026.

**ADOPTED** this day of , 2026.

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Mark Swain, Mayor

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Delcy Wells, Director of Corporate Administration

"Schedule A to Bylaw 422, 2025"

CATEGORY OF LAND USE	Water \$			SEWAGE\$	DRAINAGE\$	HIGHWAY FACILITIES\$	PARK LAND\$	Fire protection\$	Total\$	
	Municipal Wide	Winds add on	Clark add on						Municipal Wide	Clark
<b>1.SINGLE FAMILY RESIDENTIAL</b> Per lot created at subdivision or Per dwelling unit constructed	2,641	6,061	19,114	4,095	3,456	2,889	1,298	3,260	Municipal Wide	17,639
									Winds	23,700
									Clark	36,753
<b>2.MULTIPLE FAMILY RESIDENTIAL</b> Per dwelling unit	2,347	5,388	16,990	3,640	2,451	1,763	1,154	2,898	Municipal Wide	14,253
									Winds	19,641
									Clark	31,243
<b>3.CONGREGATE CARE</b> Per sleeping unit	1,076	2,469	7,787	1,668	374	613	529	1,328	Municipal Wide	5,558
									Winds	8,057
									Clark	13,375
<b>4.COMMERCIAL</b> Per square metre of gross floor area authorized by building permit	5.90	5.90	42.50	9.10	8.60	108.30	N/A	7.20	Municipal Wide	139.10
									Winds	145
									Clark	181.60
<b>5.INSTITUTIONAL</b> Per square metre of gross floor area authorized by building permit	9.80	22.40	70.80	15.20	6.30	50.40	N/A	12.10	Municipal Wide	93.80
									Winds	116.20
									Clark	164.60
<b>6.INDUSTRIAL</b> Per hectare of gross site area authorized by building permit (1ha=10000m <sup>2</sup> )	9,780	22,450	70,792	15,166	57,592	38,449	N/A	12,073	Municipal Wide	133,060
									Winds	155.51
									Clark	203.852

“Schedule B to Bylaw 422, 2025”



Figure 1 Winds Area Specific Water DCC

- OCP Map No. 6 – Water Service Area
- Proposed Water Area Specific and Local Water Service Area Boundary (purple line)
- Proposed Watermain Extension (light blue line)
- Proposed Watermain Extension DCC Project No. W-3 W-4

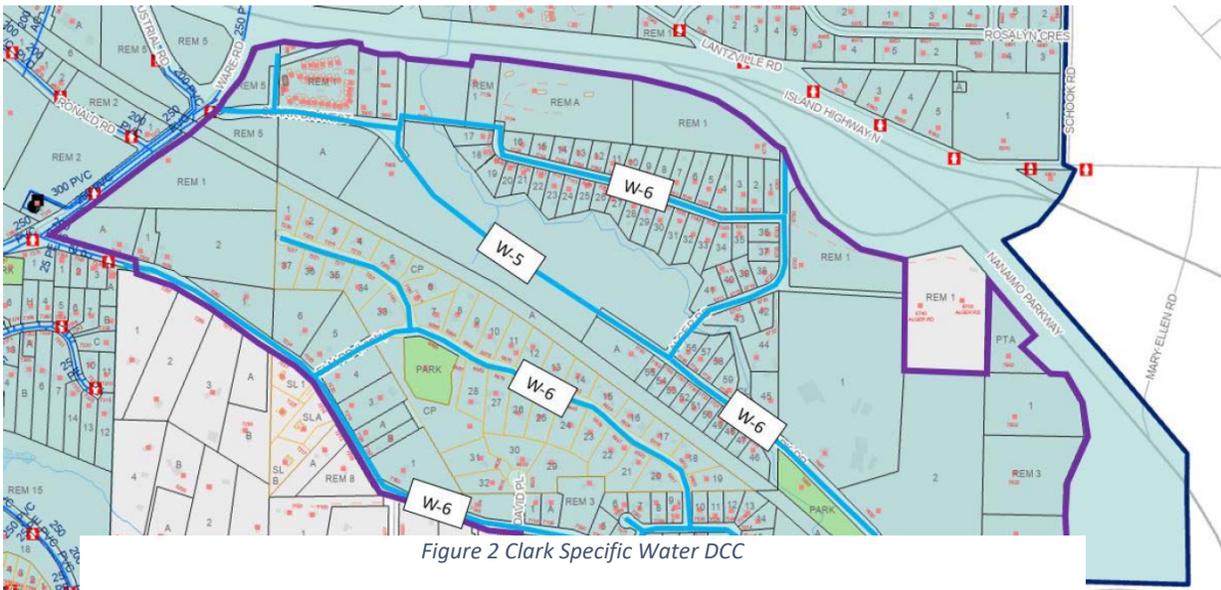


Figure 2 Clark Specific Water DCC

- OCP Map No. 6 – Water Service Area
- Proposed Water Area Specific and Local Water Service Area Boundary (purple line)
- Proposed Watermain Extension (light blue line)
- Proposed Watermain Extension DCC Project No. W-5 W-6