

COUNCIL POLICY

INTERIM COMMUNITY AMENITY CONTRIBUTION POLICY

1. PURPOSE

The purpose of this policy is to provide guidance for developers, staff, and Council in negotiating appropriate community amenity contributions at the time of application for zoning bylaw amendment in the short term. The community amenity contributions will generally be secured by covenant prior to adoption of the zoning amendment bylaw.

This policy is intended to be temporary, and sections will become obsolete as various bylaws are updated and adopted.

2. SCOPE

North Cowichan staff will consider this policy when reviewing any applications for zoning bylaw amendments. Staff will communicate this policy to the development industry, property owners, and the public.

In considering applications for zoning bylaw amendments, North Cowichan Council will consider this policy. However, nothing in this policy fetters Council's discretion in considering applications for zoning bylaw amendments.

This policy will generally not need to be considered for zoning bylaw amendment applications where the bylaw amendment received readings from Council prior to October of 2024.

3. ACRYNOMS & DEFINITIONS

3.1. Acronyms

The following acronyms are used in the place of the full term.

Acronym	Full term
CAC	Community Amenity Contribution
DCC	Development Cost Charge
OCP	Official Community Plan

3.2. Definitions

The following defined terms are italicized when used in this policy.

"DCC Bylaw" is Development Cost Charges Bylaw No. 3460, 2012.

"Subject Property" means the property that is the subject of an application for a zoning amendment application.

4. SHORT-TERM INFRASTRUCTURE FUND

The DCCs established in the *DCC Bylaw* are based on infrastructure costs that were established in 2011. A project is underway to update the DCCs; however, infrastructure modelling projects have revealed that several major infrastructure upgrades are required in the near-term before adequate funds can be collected under new DCC rates.

- 4.1. All applications for zoning amendment that will allow for an increase in density on the *subject property* are asked to contribute to a fund to support near-term development of infrastructure. The amount of the requested contribution is equal to three times the amount established in the *DCC Bylaw* Phase 3 (July 1, 2015, onwards).
- 4.2. The contribution to the short-term infrastructure fund may be reduced or waived where a developer is required to build off-site infrastructure, that is in addition to the required services established by the Subdivision Bylaw or Works and Services Bylaw as a condition of their development (e.g., when system-level infrastructure upgrades must be completed as a precondition of the development).
- 4.3. After the date when the *DCC Bylaw* is repealed or amended, the developer may waive their contribution to the short-term infrastructure fund by agreeing in writing to pay the new DCC charges established.
- 4.4. As of one year after the date when new DCC charges are established, contributions towards the short-term infrastructure fund will no longer be requested and any covenant requirement for provision of short-term infrastructure contributions will be written to expire upon the new DCC Charges becoming payable.

5. AFFORDABLE HOUSING FUND

Contributions to the Affordable Housing Reserve Fund will allow the Municipality to provide modest support to affordable housing projects in the community.

- 5.1. All applications for zoning amendment that that will allow for an increase in density on the *subject property* are asked to contribute to the Affordable Housing Reserve Fund. The amount of the requested contribution is equal to:
 - a) \$4,000 per additional single detached lot,
 - b) \$2,000 per additional ground-oriented unit,
 - c) \$1,000 per additional apartment/condo unit,
 - d) \$11 per additional square metre of commercial space,¹ and
 - e) \$4.5 per additional square metre of industrial space.²

¹ This clause (commercial space) will generally not be considered for zoning bylaw amendment applications where the bylaw amendment received readings from Council prior to December 2025.

² This clause (industrial space) will generally not be considered for zoning bylaw amendment applications where the bylaw amendment received readings from Council prior to December 2025.

6. CONSIDERATIONS FOR NEGOTIATIONS

All CACs are to be negotiated voluntarily between the Municipality and the project proponents who are seeking zoning bylaw amendments. The CAC amounts should be negotiated based on the specific characteristics of the application and proposed development.

- 6.1. The following factors should be considered in CAC negotiations related to this policy, noting that this is not an exhaustive list:
- a) Impacts and benefits of the project on the immediate neighbourhood and broader community;
 - b) Other CACs being provided, considering amenities identified in OCP policy 4.12(b), and with particular consideration for direct provision of affordable housing (e.g., an affordable housing development meeting the definitions established in the Affordable Housing Policy and Implementation Plan, or where a housing agreement is in place); and
 - c) Scale of the amendment/proposed development.
- 6.2. In addition to the total amount of the CACs provided for a project, the timing of payment can be important to the proponent. Negotiations should consider:
- a) Phasing CAC payment, by splitting the total amount to be paid at different times, when possible and practical, considering the planned use of the CAC contribution.
 - b) The timing of CAC payment, when possible and practical, considering the planned use of the CAC contribution. Options may include: payment after third reading but prior to bylaw adoption; payment secured by covenant paid prior to subdivision or building permit application/issuance; and/or payment at the time of building occupancy with provision of adequate security.

7. TRANSPARENCY

To allow project proponents to see the positive impact of the CACs they provide, the Municipality will track and make available information on the amounts of CACs collected and the projects that they fund.

RELATED POLICIES & PROCEDURES

Development Cost Charges Bylaw No. 3460, 2012

Council Policy - Affordable Housing Policy and Implementation Plan

Official Community Plan Bylaw No. 3900, 2022

APPROVAL HISTORY

WRITTEN BY: Bell McKinnon Local Area Plan Technical Steering Committee	APPROVED BY:	DATE: Click here to enter a date.
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