

CITY OF BURNABY

BYLAW NO. 14646

A bylaw to impose
amenity cost charges

The Council of the City of Burnaby enacts as follows:

PART 1 - CITATION

1.1 This **bylaw** may be cited as **BURNABY AMENITY COST CHARGES BYLAW 2024**.

PART 2 - DEFINITIONS AND INTERPRETATION

2.1 For the purposes of this **bylaw**, the words or phrases that are not defined in this section shall have the meaning ascribed to them in the **Zoning Bylaw**.

2.2 In this **bylaw**, unless the context otherwise requires:

“amenity cost charges” or “ACC”	means the applicable rates prescribed in Schedule “A” to this bylaw
“building”	has the meaning set out in the Building Bylaw
“Building Bylaw”	means <i>Burnaby Building Bylaw 2016</i> , as amended, or repealed and replaced from time to time
“building permit”	has the meaning set out in the Building Bylaw
“City”	means the City of Burnaby
“Commercial”	means land zoned for commercial uses in the Zoning Bylaw
“construction”	has the meaning set out in the Building Bylaw
“dwelling unit”	has the meaning set out in the Zoning Bylaw
“gross floor area” or “GFA”	has the meaning set out in the Zoning Bylaw

“ High Density Residential ”	means development of a residential building which contains multiple dwelling units accessible via a common hallway or corridor and shared entrance facilities, including apartment buildings
“ Industrial ”	means land zoned for industrial uses in the Zoning Bylaw
“ Institutional ”	means the use of a building or portion of a building for public or private organizations that provide community services or activities, such as education, healthcare, religious worship, or government functions
“ lot ”	means any lot, parcel, block, or other area in which land is held or into which it is legally subdivided, and for certainty, includes a bare land strata lot under the <i>Strata Property Act</i>
“ Low Density Residential ”	means residential development consisting of one building that contains no more than two primary dwelling units and any secondary suite(s) , including a single family dwelling and any secondary suite , or a duplex dwelling and any secondary suite(s)
“ Medium Density Residential ”	means ground-oriented residential development, including laneway homes, townhouse dwellings, rowhouse dwellings, and multiplex dwellings
“ primary dwelling unit ”	has the meaning set out in the Zoning Bylaw
“ secondary suite ”	has the meaning set out in the Zoning Bylaw
“ subdivision ”	means a subdivision as defined in the <i>Land Title Act</i> or <i>Strata Property Act</i>
“ Zoning Bylaw ”	means the <i>Burnaby Zoning Bylaw, 1965</i> , as amended, or repealed and replaced from time to time

PART 3 - AMENITY COST CHARGES

3.1 Pursuant to section 570.2(1) of the *Local Government Act*, for the purpose of

providing funds to assist the **City** in paying the capital costs of providing, constructing, altering or expanding the amenities set out in Schedule “B” to this **bylaw** to service, directly or indirectly, the development and the increased population of residents or workers that results from the development for which the charge is being imposed, the **amenity cost charges** set out in Schedule “A” to this **bylaw** are hereby imposed on every person who obtains:

- (a) approval of a **subdivision** of land under the *Land Title Act* or the *Strata Property Act*, that results in two or more **lots** on which the **Zoning Bylaw** permits the **construction** of a **Low Density Residential** development; or
- (b) approval of a **building permit** authorizing the **construction** of a **Low Density Residential** development on an existing **lot**; or
- (c) approval of a **building permit** authorizing the **construction** of **Medium Density Residential, High Density Residential, Commercial, Industrial, or Institutional** development on a **lot**,

and the **amenity cost charges** shall be paid upon approval of a **subdivision** or issuance of a **building permit**, as applicable.

PART 4 - EXEMPTIONS

4.1 Despite any other provision of this **bylaw**, an **amenity cost charge** is not payable if any of the following applies in relation to a development authorized by a **building permit**:

- (a) the **building permit** authorizes the **construction** of a **building** or part of a **building** that is, or will be, after the **construction**, exempt from taxation under section 220(1)(h) or 224(2)(f) of the *Community Charter*;
- (b) no increase in the population of residents or workers is expected to result from the development;
- (c) an **amenity cost charge** in respect of a particular amenity is not payable if an **amenity cost charge** in respect of that amenity has previously been paid for the same development, unless as a result of further development, an increase in the population of residents or workers is expected; or
- (d) the development falls within any class of affordable housing prescribed by regulation under the *Local Government Act*.

PART 5 - CALCULATION OF APPLICABLE CHARGES

5.1 The amount of **amenity cost charges** payable in relation to a particular development shall be calculated using the applicable charges set out in Schedule “A” to this **bylaw**.

5.2 Where a type of development is not specifically identified in Schedule “A” to this **bylaw** the amount of **amenity cost charges** to be paid to the **City** shall be equal to the **amenity cost charges** that are payable for the most comparable type of development.

5.3 The amount of **amenity cost charges** payable in relation to a mixed-use development shall be calculated separately for each type of use separately, in accordance with Schedule “A” to this **bylaw**, based on the uses included in the **building permit** application and the total **amenity cost charges** payable shall be the sum of the **amenity cost charges** payable for each type of use.

PART 6 - EFFECTIVE DATE

6.1 This **bylaw** comes into force and effect on July 1, 2024.

PART 7 - SEVERABILITY

7.1 If any portion of this **bylaw** is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of the **bylaw** is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Read a first time this	day of	, 2024
Read a second time this	day of	, 2024
Read a third time this	day of	, 2024
Reconsidered and adopted this	day of	, 2024

MAYOR

CORPORATE OFFICER

SCHEDULE “A”

Amenity Cost Charges

	Amenity Cost Charge
Low Density Residential (Single family dwelling and any secondary suite/ Duplex dwelling and any secondary suite(s))	\$26,963.00 per primary dwelling unit / lot
Medium Density Residential (Townhouse/Rowhouse/Multiplex/Laneway home)	\$18,874.00 per dwelling unit
High Density Residential (Apartment)	\$13,481.00 per dwelling unit
Commercial	\$60.67 per m² gross floor area
Industrial	\$40.44 per m² gross floor area
Institutional	\$60.67 per m² gross floor area

SCHEDULE “B”
List of Amenities

1. Metrotown Library (Expansion)
2. Confederation Park Community Centre
3. Bonsor Recreation Complex
Redevelopment
4. Childcare Facilities (Two)