

## Attachment # 2

### **Amenity Cost Charges Bylaw No. 8540, 2025**

CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 8540, 2025

A Bylaw to Impose Amenity Cost Charges

WHEREAS the City Council of the corporation of the City of New Westminster ("Council") under authority provided by the *Local Government Act* R.S.B.C. 2015, c. 1, as amended (the "*Local Government Act*"), may impose amenity cost charges; and

WHEREAS the amenity cost charges may be imposed for the purpose of providing funds to assist the City of New Westminster (the "City") in paying the capital costs of providing, constructing, altering, or expanding a facility or feature (amenity) that provides social, cultural, heritage, recreational or environmental benefits to a community and service, directly or indirectly, the development for which the charges are imposed;

WHEREAS the amenity cost charges established by this Bylaw will be used for the recited purposes; and

WHEREAS Council has taken into consideration the provisions of Part 14: Division 19.1 of the *Local Government Act*; and

WHEREAS the charges imposed by this bylaw are related to capital costs attributable to amenity projects included in the City's capital expenditure program and are consistent with the City of New Westminster Official Community Plan Bylaw No. 7925, 2017, as amended from time to time;

NOW THEREFORE THE CITY COUNCIL of the Corporation of the City of New Westminster in open meeting assembled ENACTS AS FOLLOWS:

**1. General Provisions**

- 1.1** This Bylaw may be cited as the "New Westminster Amenity Cost Charges Bylaw No. 8540, 2025".
- 1.2** The following schedules attached to this Bylaw form part of this Bylaw:
  - (a) Schedule A – The City of New Westminster Amenity Cost Charges
  - (b) Schedule B – List of Amenities

**2. Effective Date**

2.1 This Bylaw will come into force on the *Effective Date*.

### 3. Definitions

3.1 In this Bylaw italicized words will have the meanings attributed to them as follows:

**AMENITY COST CHARGE** or **ACC** means the applicable rates prescribed in Schedule "A".

**ADOPTION DATE** means the date of adoption of this bylaw by Council for the *City*.

**APARTMENT RESIDENTIAL** means a building or portion of a building divided into three or more *dwelling units* with common or shared entrances or interior passageways, which provide access to the outside and which does not include a townhouse.

**BUILDING PERMIT** means any permit authorizing the construction, alteration or extension of a building or structure in the *City*.

**CITY** means the City of New Westminster.

**COMMERCIAL - OFFICE** means a building or portion of building designed and intended for *office* use, excluding offices for trade contractors.

**COMMERCIAL - RETAIL** means a building or portion of a building providing for the sale or rental of goods or services to the end user or for the servicing and repair of goods.

**DEVELOPMENT** means:

- (a) a *Subdivision* and a proposed *Subdivision*; or
- (b) the proposed construction, alteration, or extension of a building or structure for which a *Building Permit* is required.

**DWELLING UNIT** means one or more habitable rooms designed, occupied or intended for use, including occupancy, by one or more persons as an independent and separate residence in which a facility for cooking, sleeping facilities and a bathroom are provided for the exclusive use of such person or persons.

**EFFECTIVE DATE** means the date of adoption of this bylaw by Council for the *City*.

**FLOAT HOME** means a structure incorporating a flotation system, intended for use or being used or occupied for residential purposes, not primarily intended for, or usable in, navigation and does not include a water craft designed or intended for navigation.

**GROSS FLOOR AREA** means:

- (a) the floor area of the building or structure (measured from the outside edge of all exterior walls of the building or structure), less the floor area of the building or structure that is used or is intended to be used for vehicular and bicycle parking, bicycle end-of-trip facilities, vehicular access, maneuvering aisles, elevators and stairs; or
- (b) in the case of an alteration or extension of less than the entire building or structure, the portion of the building or structure to which the *Building Permit* applies (measured from the outside edge of any exterior walls in such portion of the building or structure), less the floor area of the building or structure that is used or is intended to be used for vehicular and bicycle parking, bicycle end-of-trip facilities, vehicular access, maneuvering aisles, elevators and stairs;

**IMPROVED SITE AREA** means the whole or a portion of the parcel to be improved for *industrial* purposes as part of the *development* authorized by a *building permit*, including all buildings, vehicular and pedestrian circulation areas, loading, parking, storage, works, decorative areas and landscaped areas belonging to the *development*.

**INDUSTRIAL** means a lot used or intended to be used for *industrial* uses, including manufacturing, processing, treatment, assembly, disassembly, storage, utility, testing, wholesale, distribution, or servicing of goods and materials.

**INSTITUTIONAL** means:

- (a) a use providing for the gathering of persons for charitable, cultural, governance, philanthropic, religious, community recreation facilities, hospitals, mental health facilities, or educational purposes, or
- (b) Housing units for the accommodation of caretakers, staff, students and/or patients, provided that such housing units are part of the institutional complex and a restrictive covenant is registered against

the title of the land in favour of the City to ensure that the housing units remain in the designated use.

**LAND TITLE ACT** means the Land Title Act, R.S.B.C 1996, c. 250, as amended.

**MIXED-USE** means a *development* in which the building or buildings are intended to be used for two or more uses.

**SINGLE DETACHED – RESIDENTIAL** includes any dwelling unit which is or will be situated in a single building or structure containing one dwelling unit and no other principal uses, and which may include a secondary suite, carriage house, or laneway house that is constructed, altered or extended on a single parcel.

**STRATA PROPERTY ACT** means the Strata Property Act, S.B.C 1998, c. 43 as amended.

**SUBDIVISION** means the division of land into two or more parcels under the *Land Title Act* or the *Strata Property Act*.

**SUBDIVISION APPLICATION** means an application for *subdivision*, submitted and accepted by the *City* as a legitimate application, which includes a completed *subdivision application* form, submission of all required items, and payment of all applicable application fees.

**TOWNHOUSE RESIDENTIAL** means a building or portion of a building divided into two or more *dwelling units* where each *dwelling unit* has direct ground level access, or indirect ground level access by way of a staircase shared by not more than two *dwelling units* on the same storey, and each *dwelling unit* is attached to another *dwelling unit*.

**ZONING BYLAW** means Zoning Bylaw 6680, 2001 as amended or replaced from time to time.

#### **4. Imposition of Amenity Cost Charges**

##### **4.1** Subject to Section 5, a person who obtains:

- (a) approval of *subdivision*; or
- (b) a *building permit* authorizing the construction, alteration or extension of a building or structure;

must pay to the *City* the applicable *amenity cost charges* set out in this Bylaw, at the time of the approval of the *subdivision* or the issuance of the *building permit*, as set out in Schedule “A”

- 4.2** Where on Schedule “A” an *amenity cost charge* is described as being payable at either *subdivision approval* or *building permit* issuance, it shall be paid upon the earlier event.

**5. Exemption from ACC**

*Amenity cost charges* are not payable where:

- (a) exempted by statute and where the *building permit* authorizes the construction, alteration or extension of a building or part of a building that is, or will be, after the construction, alteration or extension, exempt from taxation under Section 220(1)(h) [statutory exemption for places of worship] or Section 224(2)(f) [permissive exemptions in relation to places of public worship] of the *Community Charter*;
- (b) an *amenity cost charge* is not payable in relation to affordable and special needs housing units that are required under an affordable and special needs housing zoning bylaw as defined under section 478.1 of the *Local Government Act*;
- (c) the *development* does not impose new capital cost burdens on the *City*;
- (d) no increase in the population of residents or workers is expected to result from the *development*;
- (e) the *development* falls within any class of affordable housing prescribed by regulation; or,
- (f) the *Local Government Act* or any regulations thereunder provide that no *amenity cost charge* is payable.

**6. Calculation of ACC**

- (a) *Amenity cost charges* imposed under this Bylaw shall be calculated in accordance with the rates prescribed in Schedule “A”
- (b) Where a type of *development* is not specifically identified in Schedule “A” 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*.

- (c) Where a *development* for which an *amenity cost charge* applies contains two or more uses such as in *mixed-use developments*, the *amenity cost charge* to be paid will be calculated separately for each use within the *development* and the total *amenity cost charge* to be paid will be the sum of the *amenity cost charges* for all uses within the *development*.

## 7. Payment of ACC

*Amenity cost charges* imposed under this Bylaw must be paid in full to the *City* as follows:

- (a) as a condition of the approval of the final plan of *subdivision* by the Approving Officer where the *subdivision* creates *Single Detached Residential* use parcels or bare land strata lots under the *Strata Property Act*; or
- (b) for all other types of *development* to which this Bylaw applies prior to the issuance of a *Building Permit* for the *Development*.

## 8. Severability

If any section, subsection, clause or phrase of this Bylaw is for any reason held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the Bylaw shall remain valid and enforceable in accordance with its terms.

GIVEN FIRST READING THIS \_\_\_\_\_ day of \_\_\_\_\_ 2025.

GIVEN SECOND READING THIS \_\_\_\_\_ day of \_\_\_\_\_ 2025.

GIVEN THIRD READING THIS \_\_\_\_\_ day of \_\_\_\_\_ 2025.

ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2025.

\_\_\_\_\_  
MAYOR PATRICK JOHNSTONE

\_\_\_\_\_  
HANIEH BERG, CORPORATE OFFICER

**SCHEDULE "A"**

**CITY OF NEW WESTMINSTER**

**AMENITY COST CHARGES**

The following Amenity Cost Charges apply to development within the City of New Westminster.

<b>Area of Land Use</b>	<b>How Charge is Calculated</b>	<b>When Payable</b>	<b>Total Amenity Cost Charge by sq. m.</b>
Single Detached – Residential	Parcel Area	Subdivision Approval/ Building Permit Approval	\$125.52
Townhouse Residential	Gross Floor Area	Building Permit Approval	\$240.56
Apartment Residential	Gross Floor Area	Building Permit Approval	\$330.32
Float Home	Gross Floor Area	Building Permit Approval	\$240.56
Commercial – Retail	Gross Floor Area	Building Permit Approval	\$159.63
Commercial – Office	Gross Floor Area	Building Permit Approval	\$135.08
Industrial	Improved Site Area	Building Permit Approval	\$55.26
Institutional	Gross Floor Area	Building Permit Approval	\$135.08



**SCHEDULE "B"**  
**CITY OF NEW WESTMINSTER**  
**LIST OF AMENITIES**

1. Public Works Yard
2. City Hall
3. Artificial Turf Fields
4. Biodiversity Strategy Implementation / Habitat / Naturalization
5. Sport Courts and Outdoor Facilities
6. Picnic Shelters and Fieldhouses
7. Waterplay Features
8. Dog Off Leash Park Areas
9. Community Facilities
10. Dry Floor/Ice Arena
11. 22<sup>nd</sup> Street Self-Service Library
12. Main Library Expansion
13. Queensborough Library Expansion
14. Downtown Satellite Library
15. East Side Branch Library
16. Museum
17. Downtown Urban Spaces
18. East Urban Spaces
19. West Urban Spaces
20. Queensborough Urban Spaces
21. City-wide Public Art Projects
22. Gateway Public Art Projects
23. Site Responsive Public Art Projects