

TOWN OF SIDNEY

BYLAW NO. 2303

A BYLAW TO ESTABLISH WAIVERS AND REDUCTIONS FOR DEVELOPMENT COST CHARGES AND AMENITY COST CHARGES.

WHEREAS pursuant to section 563 and section 570.6 of the *Local Government Act*, the Council of the Town of Sidney may, by Bylaw, waive or reduce Amenity Cost Charges and Development Cost Charges for Eligible Development;

NOW THEREFORE, the Council of the Town of Sidney, in open meeting assembled, enacts as follows:

PART 1 - CITATION

- 1.1 This Bylaw may be cited as “Town of Sidney Development Cost Charge and Amenity Cost Charge Waivers and Reductions Bylaw No. 2303.”

PART 2 - DEFINITIONS AND INTERPRETATION

- 2.1 This Bylaw applies to all applications for Subdivisions and for issuance of a Building Permit for Parcels located in the Town of Sidney.
- 2.2 In the event of a conflict with any term of this Bylaw with the provisions of the *Local Government Act* authorizing the imposition of Development Cost Charges and Amenity Cost Charges, this Bylaw is to be interpreted so that it is consistent with the authority set out in the *Local Government Act*.
- 2.3 For the purposes of this Bylaw, the words or phrases that are not defined in this section shall have the meaning assigned to them in the Zoning Bylaw.
- 2.4 In this Bylaw:

Affordable Housing Unit: A dwelling unit that has a registered housing agreement specifying that no more than 30 per cent of the occupying household's gross income goes towards paying the housing costs for that unit.

Amenity Cost Charge (ACC): Means the prescribed charges in Schedule “A” of the Town of Sidney Amenity Cost Charge Bylaw No. 2302, as amended or replaced from time to time.

Building: Any Structure used or intended for supporting or sheltering any use or occupancy.

Development Cost Charge (DCC): Means the prescribed charges in Schedule “A” of the Town of Sidney Development Cost Charge Bylaw No. 2301, as amended or replaced from time to time.

Eligible Development: Means a Not-for-Profit Rental Housing development, including supportive living housing.

Lot: Means a separate and distinct parcel of land that is legally defined by a recorded Subdivision plan or description of land registered in the Provincial Land Title Office; and for clarity includes Strata lots.

Not-for-Profit Rental Housing: Means a rental housing development that includes Affordable Housing Units, and which is owned or held by, and managed by, a not-for-profit organization.

Subdivision: Means the division of land into two or more Lots whether by plan or descriptive words or otherwise.

Zoning Bylaw: Means Town of Sidney Zoning Bylaw No. 2275, as amended or replaced from time to time.

PART 3 - WAIVER OR REDUCTION OF AMENITY COST CHARGES

3.1 Subject to Section 3.2 of this Bylaw, the Town will reduce by 50% the Amenity Cost Charges for the entire development where the Lot will be used for an Eligible Development that meets all of the following criteria:

(a) The land is either:

(1) Owned in fee simple by the Town and held by an applicant under a lease; or,

(2) The applicant has entered into a housing agreement with the Town under s. 483 of the *Local Government Act*, and the housing agreement has been registered against the title to the lot on which the development is located;

(b) At least 30% of the units in the development are Affordable Housing Units; and,

(c) The applicant has provided the Town with documentary proof, that demonstrates to the Town's satisfaction, that the development is eligible for a housing subsidy, which subsidy may be in the form of rental subsidies or capital grants from the government of British Columbia, the government of Canada, or a Public Housing Authority.

3.2 No reduction pursuant to Section 3.1 shall be granted unless the application for a reduction has been submitted to and approved by the Town as fulfilling all of the eligibility requirements and conditions for a reduction of Amenity Cost Charges as set out in this Bylaw.

PART 4 - WAIVER OR REDUCTION OF DEVELOPMENT COST CHARGES

4.1 Subject to Section 4.2 of this Bylaw, the Town will reduce by 50% the Development Cost Charges for the entire development where the Lot will be used for an Eligible Development that meets all of the following criteria:

(a) The land is either:

(1) Owned in fee simple by the Town and held by an applicant under a lease; or,

- (2) The applicant has entered into a housing agreement with the Town under s. 483 of the *Local Government Act*, and the housing agreement has been registered against the title to the lot on which the development is located;
- (b) At least 30% of the units in the development are Affordable Housing Units; and,
- (c) The applicant has provided the Town with documentary proof, that demonstrates to the Town's satisfaction, that the development is eligible for a housing subsidy, which subsidy may be in the form of rental subsidies or capital grants from the government of British Columbia, the government of Canada, or a Public Housing Authority.
- 4.2 No reduction pursuant to Section 4.1 shall be granted unless the application for a waiver or reduction, as applicable, has been submitted to, and approved by, the Town as fulfilling all of the eligibility requirements and conditions for a waiver or reduction, as applicable, of Development Cost Charges as set out in this Bylaw.

PART 5 - EFFECTIVE DATE

- 5.1 This Bylaw shall come into force and effect on the date of adoption.

PART 6 - SEVERABILITY

- 6.1 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 remains valid.

Read a first time the	14 th	day of	September, 2026.
Read a second time the	14 th	day of	September, 2026.
Read a third time the	14 th	day of	September, 2026.
Adopted the	28 th	day of	September, 2026.

MAYOR

CORPORATE OFFICER