

**THE CORPORATION OF THE VILLAGE OF CUMBERLAND**

**BYLAW NO. 1257**

**A Bylaw to Establish Amenity Cost Charges**

WHEREAS pursuant to the *Local Government Act*, the Council of the Village of Cumberland may, by Bylaw, impose Amenity Cost Charges;

AND WHEREAS Amenity Cost Charges may be imposed for the purpose of providing funds to assist the municipality 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;

AND WHEREAS Council has considered the charges imposed by this Bylaw in relation to future land use patterns and development, the phasing of works and services and the provision of park land described in the Official Community Plan, expected increases in population growth of residents, the Financial Plan, and how development designed to result in a low environmental impact may affect the capital costs of facilities or features;

AND WHEREAS in the opinion of the Council, the charges imposed by this Bylaw are related to capital costs attributable to projects included in the municipality's financial plan and long-term capital plans, and to capital projects consistent with the Official Community Plan.

NOW THEREFORE, the Council of the Corporation of the Village of Cumberland, in open meeting assembled, enacts as follows:

**PART 1 – Title**

1. This Bylaw shall be cited as “Amenity Cost Charges Bylaw No. 1257, 2026”.

**PART 2 – Definitions**

1. This Bylaw applies to approval of Subdivision and for issuance of a Building Permit for Parcels located in the Village of Cumberland.
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 Amenity Cost Charges, this Bylaw is to be interpreted so that it is consistent with the authority set out in the *Local Government Act*.

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.

4. In this Bylaw,

**“Amenity Cost Charges”** or **“ACC”** means the applicable rates prescribed in Schedule “A” to this Bylaw;

**“Apartment”** means a multi-storey residential building containing three (3) or more Dwelling Units, where each Dwelling Unit has access through common corridors and/or common stairways;

**“Building Permit”** means any permit required by the Village of Cumberland that authorizes the Construction, alteration, or extension of a building or Structure;

**“Construction”** includes building, erection, installation, repair, alteration, addition, enlargement, moving, relocating, reconstruction, demolition, removal, excavation, or shoring requiring a Building Permit;

**“Dwelling Unit”** means a building or self-contained portion thereof containing sleeping, sanitary, and cooking facilities, used or intended to be used as a residence for one household, but does not include hostels, hotels, motels, or recreational vehicles;

**“Duplex Dwelling”** means a residential building consisting of two principal Dwelling Units placed one above the other or attached side by side, each of which has an independent entrance;

**“Gross Floor Area”** or **“GFA”** means the sum of the total floor area of all buildings on a Lot, measured from the outside face of the exterior walls, excluding enclosed areas used to accommodate parking areas and any associated ramps used for vehicular access/egress, as calculated in accordance with the Village of Cumberland’s Zoning Bylaw;

**“High Density Residential”** means a residential building that is used or designed where three (3) or more attached, self-contained Dwelling Units are accessible via a common hallway or corridor and shared entrance facilities (e.g., Apartments). Also includes caretaker suite(s);

**“Lot”** means a separate and distinct Parcel of land which is legally defined by a recorded Parcel plan or description of land filed in the Provincial Land Title Office;

**“Low Density Residential”** means one detached Dwelling Unit in the form of one Single Detached Dwelling on a Parcel, which may contain one (1) additional Dwelling Unit in the form of an attached Secondary Suite;

**“Manufactured Home”** means a building containing one (1) Dwelling Unit, built in a factory environment in one or more sections, intended to be occupied in a place other than its manufacture and is constructed to the CAN/CSA Z-240 (Mobile Home) standard;

**“Medium Density Residential”** means a ground-oriented residential development comprising of two (2) or more Single Detached Dwellings, Manufactured Homes, or attached dwellings including a Duplex Dwelling or Multi-Unit Dwelling with self-contained Dwelling Units accessible through separate, ground-oriented entrances (triplexes, fourplexes, Townhouse Dwellings);

**“Multi-Unit Dwelling”** means a residential building containing three (3) or more Dwelling Units;

**“Parcel”** means a Lot, block or other area in which land is held or onto which land is subdivided;

**“Secondary Suite”** means a self-contained Dwelling Unit located within a building or portion of a building pursuant to the British Columbia Building Code;

**“Single Detached Dwelling”** means a residential use building that only contains one principal Dwelling Unit;

**“Structure”** means anything constructed, placed or erected on land;

**“Subdivision”** means a division of land as defined in the *Land Title Act* and a bare land Subdivision as defined in the *Strata Property Act* or any subsequent Act or Acts which may be enacted in substitution therefore;

**“Townhouse Dwelling”** means a residential use building that is divided vertically into three or more Dwelling Units, each of which has independent entrances;

**“Village”** means the Village of Cumberland;

**“Zone”** means the Zones, areas, or districts identified, established, and defined in the Zoning Bylaw;

**“Zoning Bylaw”** means the Village of Cumberland Zoning Bylaw as amended, or repealed and replaced from time to time.

### **PART 3 – Amenity Cost Charges**

1. Pursuant to section 570.2(1) of the *Local Government Act* for the purpose of providing funds to assist the Village 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 that results from the development for which the charge is being imposed, the Amenity Cost Charges set out in Schedule “A”, attached hereto and forming part of 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 Parcels on which the Zoning Bylaw permits the Construction of Low Density Residential;
  - (b) Approval of a Building Permit authorizing the Construction of Low Density Residential on an existing Parcel; or,
  - (c) Approval of a Building Permit authorizing the Construction of Medium Density Residential, or High Density Residential;

and the Amenity Cost Charge shall be paid upon approval of a Subdivision or issuance of a Building Permit, as the case may be.

### **PART 4 – Exemptions**

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 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) or 224(2)(f) 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) No increase in the population of residents is expected to result from the development;
  - (d) 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 further development is expected to result in an increase

in the population of residents;

- (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.

2. Despite any other provision of this Bylaw, Amenity Cost Charges are not required or payable for Secondary Suites.

#### **PART 5 – Calculation of Applicable Charges**

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” of this Bylaw.
2. Where a type of development is not specifically identified in Schedule “A” the amount of Amenity Cost Charges to be paid to the Village shall be equal to the Amenity Cost Charges that are payable for the most comparable type of development.
3. The amount of Amenity Cost Charges payable in relation to mixed-use type of development shall be calculated separately for each portion of the development, in accordance with Schedule “A”, based on the mix of uses included in the Building Permit application and the total Amenity Cost Charges payable shall be the sum of the charges payable for each type.
4. The Village will consider provision of an amenity in lieu of an Amenity Cost Charge payment in accordance with section 570.9 of the *Local Government Act*.
5. For clarity, a Duplex Dwelling would be charged one (1) Medium Density Residential Amenity Cost Charge per unit, or two (2) total.
6. For clarity, a Manufactured Home Park would be charged based on the number of Manufactured Home sites created. Each Manufactured Home would be charged one (1) Medium Density Residential Amenity Cost Charge per site.

#### **PART 6 – Effective Date**

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

#### **PART 7 – Severability**

1. If any section or subsection of this Bylaw is found to be invalid by a court of competent jurisdiction, the section or subsection may be severed from the Bylaw without affecting the validity of the remainder of the Bylaw.

<b>READ A FIRST TIME THIS</b>	<b>09<sup>TH</sup></b>	<b>DAY OF</b>	<b>MARCH</b>	<b>2026.</b>
<b>READ A SECOND TIME THIS</b>	<b>09<sup>TH</sup></b>	<b>DAY OF</b>	<b>MARCH</b>	<b>2026.</b>
<b>READ A THIRD TIME THIS</b>	<b>09<sup>TH</sup></b>	<b>DAY OF</b>	<b>MARCH</b>	<b>2026.</b>
<b>ADOPTED THIS</b>	<b>08<sup>TH</sup></b>	<b>DAY OF</b>	<b>JUNE</b>	<b>2026.</b>

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Mayor

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Corporate Officer

**SCHEDULE "A"**

ATTACHED TO THE VILLAGE OF CUMBERLAND

AMENITY COST CHARGES BYLAW NO. 1257, 2026

<b>Land Use</b>	<b>Unit</b>	<b>Total</b>
Low-Density Residential	Per Lot	\$9,035.02
Medium Density Residential	Per Dwelling Unit	\$6,076.37
High Density Residential	Per Dwelling Unit	\$4,453.88
Commercial	Per m <sup>2</sup> of GFA*	N/A
Industrial	Per m <sup>2</sup> of GFA	N/A
Institutional	Per m <sup>2</sup> of GFA	N/A

\*GFA = Gross Floor Area

**SCHEDULE "B"**

ATTACHED TO THE VILLAGE OF CUMBERLAND

AMENITY COST CHARGES BYLAW NO. 1257, 2026

List of Amenities:

1. Recreation Centre Expansion
2. Daycare Facility