



DISTRICT OF WEST KELOWNA

COUNCIL POLICY MANUAL

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Approval Date: 2008-JUL-08

SECTION: DEVELOPMENT SERVICES
SUBJECT: FUNDING OF CAPITAL COSTS OF PROVIDING, CONSTRUCTING, ALTERING AND EXPANDING THE DISTRICT OF WEST KELOWNA'S ROAD NETWORK

WHEREAS, prior to the incorporation of the District of West Kelowna (The District), the Central Okanagan Regional District (CORD) addressed the impact of new development on off-site road infrastructure within the District's boundaries through the requirement, at rezoning, of a voluntary gift from the applicant for each building unit to be developed;

AND WHEREAS, with the incorporation of the District, the District decided to address the impact of new development on its off-site road infrastructure through the imposition of development cost charges;

AND WHEREAS, the District is in the process of preparing to adopt a development cost charge bylaw for such purposes;

AND WHEREAS, the District has, while preparing to adopt the development cost charge bylaw, continued to consider rezoning applications and, as a condition of approving those applications, has required that the applicant enter into a development cost charge interim measures development agreement with the District, which development agreement would prohibit the developer from subdividing or building upon the subject lands without first paying an amount per lot or building unit to the District in anticipation of the adoption of the development cost charge bylaw by the District;

AND WHEREAS, the District wishes to ensure that every developer of land within the District's boundaries has paid or will pay an equitable amount towards the impact of the development on the District's off-site road infrastructure;

AND WHEREAS, the District wishes to ensure that no developer will have paid voluntary gifting to the Regional District or amounts under a development cost charge interim measures development agreement to the District towards the impact of the development on the District's off-site road infrastructure in respect of the development in addition to development cost charges that the developer will be required to pay once the development cost charge bylaw is adopted in respect of that specific development;

NOW THEREFORE BE IT RESOLVED THAT:

1. Voluntary gifting paid to CORD, at rezoning, for development that will not trigger a requirement to pay development cost charges under the development cost charge bylaw, once adopted, will be kept by the District in a reserve and used towards the capital costs of the projects identified as underlying the development cost charges imposed under the bylaw;

2. Amounts paid to the District pursuant to a development cost charge interim measures development agreement for development that will not trigger a requirement to pay development cost charges under the development cost charge bylaw, once adopted, will be kept by the District in a reserve and used towards the capital costs of the projects identified as underlying the development cost charges imposed under the bylaw;
3. Amounts paid to the District pursuant to the development cost charge bylaw will be kept by the District in a reserve and used by the District in accordance with the provisions of the *Community Charter and Local Government Act*; and,
4. Voluntary gifting paid to CORD, at rezoning, for development that will trigger a requirement to pay development cost charges under the development cost charge bylaw, once adopted, will be refunded by the District to the party that paid such gifting upon adoption of the bylaw and payment of the development cost charges.

Previous Revision/s: