



AMENITY COST CHARGES

Planning Institute of British Columbia

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BACKGROUND & PURPOSE

- Introduced through Bill 46 – 2023 – *Housing Statutes (Development Financing) Amendment Act* - in effect as of November 30, 2023.
- New development finance tool.
- Allows local governments to collect funds to pay capital costs for certain “amenities” (or expansion of existing amenities).

AMENITIES

- “Amenity” means a facility or feature that provides social, cultural, heritage, recreational or environmental benefits to a community, including:
 - a community, youth or senior’s centre
 - a recreational or athletic facility
 - a library
 - a daycare facility
 - a public square
- Amenities must benefit directly or indirectly the development for which the ACC is charged and the increased population of residents or workers that results from the development.
- Amenities must be owned by the local government – unless owned or operated by another entity or public authority under a partnering agreement.

BYLAW REQUIREMENTS

- ACCs must be imposed by bylaw.
- Inspector of Municipalities approval not required.
- Bylaw must specify:
 - one or more ACC areas in which the ACCs will apply;
 - the amenity projects within an area for which the ACC will be imposed; and
 - the amount of the ACC (to be set out in a schedule to the bylaw).
- Local government must provide one or more opportunities it considers appropriate to consult with the public and affected parties.

TIMING OF PAYMENT

- Must be paid at the time of subdivision approval or building permit issuance.
- May be paid in installments in accordance with the *Development Cost Charge and Amenity Cost Charge (Installments) Regulation*.

PRECURSOR APPLICATIONS

- For the first ACC Bylaw, charges cannot apply to a development if the local government has received a complete application for a BP, DP or a zoning bylaw amendment before the date the ACC Bylaw is adopted.
- For an amendment to an ACC Bylaw, applicants that have submitted a complete BP, DP or zoning bylaw amendment are given a 12-month exemption from a new ACC rate, as long as they receive a BP within that time period.

EXCEPTIONS

- ACCs not payable for:
 - places of public worship
 - developments that do not result in an increase in population of residents or workers
 - developments that have already been charged for the amenity
 - affordable and special needs housing under a zoning bylaw
 - any class of affordable housing prescribed by the *Prescribed Classes of Affordable Housing (Local Government Act) Regulation*

WAIVERS/REDUCTIONS

- As with DCCs, a local government can, by bylaw, establish categories of “eligible developments” for which ACCs may be waived or reduced.
- The following may be “eligible developments”:
 - not-for-profit rental housing, including supportive living housing;
 - for profit affordable rental housing; and
 - housing that is subject to requirements under an affordable and special needs housing zoning bylaw.

INTERPLAY WITH OTHER TOOLS

- Development Cost Charges
- Density Bonusing
- Community Amenity Contributions
- Phased Development Agreements



Thank you!