

**AMENITY COST CHARGES BYLAW 2025**

A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to provide funds to assist the City in paying the capital costs of providing, constructing, altering or expanding the amenities specified in Schedule B.

In setting the amenity cost charges in this bylaw and specifying the amenities that will receive funding from those charges, the City has taken into consideration:

- (a) the capital costs of amenities that will receive funding from the charge and the phasing of amenities;
- (b) whether the charges:
  - (i) are excessive in relation to the capital cost of prevailing standards of service in the City,
  - (ii) will, in the City, deter development,
  - (iii) will, in the City, discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land, and
  - (iv) will, in the City, discourage development designed to result in a low environmental impact; and
- (c) the City's Official Community Plan and other planning documents, expected increases in population of residents and workers, and the City's financial plan.

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The Council of the City in an open meeting assembled enacts the following provisions:

**Title**

- 1 This bylaw may be cited as the “Amenity Cost Charges Bylaw 2025”.

**ACC Area, Definitions and Interpretation**

- 2 (1) The area in which development is subject to amenity cost charges under this bylaw is entire area of the City.
- (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, words or phrases that are not defined in this section but are defined in the zoning bylaw shall have the meaning given to them in the zoning bylaw.
- (4) In this bylaw:

“**building**” means anything constructed or placed on a lot used or intended for supporting or sheltering any use, excluding landscaping, docks, wharfs and piers;

“**building permit**” means any permit required under the Building and Plumbing Regulation Bylaw, 2017;

“**City**” means the City of Victoria;

“**commercial**” means a commercial development in a commercial zone listed in the zoning bylaw or a similar development in another zone permitted in accordance with the zoning bylaw, in which the predominant use of the zone, as determined by its purpose and list of permitted uses, is of a commercial nature;

“**construction**” means construction, alteration or extension;

“**dwelling unit**” means a self-contained set of rooms, including provisions for living, sleeping, cooking and sanitation; containing not more than one kitchen, with a direct entrance to the open air or to a common hallway or corridor, without passing through any other dwelling unit; includes secondary suites or accommodation units and mobile homes, and modular homes or prefabricated dwellings;

“**garden suite**” means a building attached to a foundation, used or designed as a self-contained dwelling unit located on a lot with a single family dwelling and does not include a strata lot;

**“high density residential”** means a building containing three or more self-contained dwelling units, but that is not a medium density residential building;

**“industrial”** means an industrial development in an industrial zone listed in the zoning bylaw, or similar development in another zone permitted in accordance with the zoning bylaw, in which the predominant use, as determined by its general purpose and list of permitted uses, is of an industrial nature;

**“institutional”** means an institutional development in a public or institutional zone listed in the zoning bylaw or a similar development in another zone permitted in accordance with the zoning bylaw, in which the predominant use of the zone, as determined by its purpose and list of permitted uses, is of an institutional nature;

**“lot”** means any lot, parcel, block or other area in which land is held or into which it is legally subdivided, and for certainty, includes a bare land strata lot under the *Strata Property Act*;

**“low density residential”** means a single-family dwelling unit, which may contain one additional dwelling unit in the form of an attached secondary suite, or a two-family dwelling comprising two self-contained dwelling units;

**“medium density residential”** means a garden suite (detached secondary suite) or a ground-oriented building that is used or designed as three or more self-contained dwelling units, each having direct access to the outside at grade level and does not contain a self-contained dwelling unit wholly or partly above another self-contained dwelling unit;

**“secondary suite”** has the same meaning as under the *British Columbia Building Code*, and does not include a strata lot;

**“single family dwelling”** means a detached building having independent exterior walls and containing only one self-contained dwelling unit. Where specially permitted in the zoning bylaw, this use may contain one additional dwelling unit in the form of a secondary suite or accommodation unit;

**“subdivision”** means a subdivision as defined in the *Land Title Act* or *Strata Property Act*;

**“two family dwelling”** means a building consisting of two self-contained dwelling units which share a common wall or an area that forms the floor of one unit and the ceiling of the other and are not linked by a trellis, deck, breezeway or similar connection;

**“zone”** means the zones identified and defined in the zoning bylaw;

**“zoning bylaw”** means the Zoning Regulation Bylaw (No. 80-159) or the Zoning Bylaw 2018, as applicable, as they may be amended from time to time.

### **Amenity Cost Charges**

- 3** The amenity cost charges set out in Schedule A 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 lots on which the zoning bylaw permits the construction of a Low Density Residential development; or
  - (b) a building permit authorizing the construction of a building;
- and the amenity cost charge shall be paid at the time of approval of a subdivision or issuance of a building permit, as the case may be.
- 4** The amenities that will receive funding from the amenity cost charges imposed under this bylaw are specified in Schedule B.

### **Local Government Act Exemptions**

- 5** For clarity, in accordance with section 570.4 of the *Local Government Act*:
- (a) an amenity cost charge is not payable in relation to a development authorized by a building permit that 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) an amenity cost charge is not payable if the development is not expected to result in an increase in population of residents or workers;
  - (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 or workers; or
  - (e) an amenity cost charge is not payable in relation to a development within any class of affordable housing prescribed by regulation under the *Local Government Act*.

**Calculation of Applicable Charges**

- 7 (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.
- (2) 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, in the opinion of the Director of Planning and Development, the most comparable type of development.
- (3) The amount of amenity cost charges payable in relation to mixed-use developments 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 of use.

**Severability**

- 8 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.

**Effective Date**

- 9 This bylaw comes into force on adoption.

READ A FIRST TIME the **24th** day of **July** 2025

READ A SECOND TIME the **24th** day of **July** 2025

READ A THIRD TIME the **24th** day of **July** 2025

ADOPTED on the day of 2025

CITY CLERK

MAYOR

**SCHEDULE A**

**AMENITY COST CHARGES BYLAW NO. 25-048**

	<b>Unit</b>	<b>Amenity Cost Charge</b>
Low Density Residential	Per lot / Per dwelling unit	\$3,366.47
Medium Density Residential	Per dwelling unit	\$2,290.80
High Density Residential	Per dwelling unit	\$1,394.40
Commercial	Per square metre of floor area or total floor area (based on definition in applicable zoning bylaw)	\$2.19
Industrial	Per square metre of floor area or total floor area (based on definition in applicable zoning bylaw)	\$0.90
Institutional	Per square metre of floor area or total floor area (based on definition in applicable zoning bylaw)	\$2.19

## SCHEDULE B

### AMENITIES LIST

Amenity	Description
<b>Community Amenity Space</b>	Multi-use community space that supports a range of public programming and community services for Victoria residents throughout the city, including but not limited to recreational, civic, social, educational or cultural.
<b>Street “Parks” and Plazas*</b> <ul style="list-style-type: none"><li>• Basic</li><li>• Enhanced</li><li>• Enhanced Plus</li></ul>	The Street “Parks” and Plazas program reallocates and redesigns public rights-of-way for ecological services and corridors, as well as social and cultural gathering space at strategic locations throughout the city.

\**Basic* Street Parks and Plazas – Located in Community Corners and/or throughout the General Urban Fabric and may include: standard surface paving and urban furniture; standard softscape; with potential small GSI elements.

\**Enhanced* Parks and Plazas – Located in Small or Large Urban Villages and may include: a mix of standard and feature paving and urban furniture; softscape with richer plant material palette; with more prominent GSI elements and/or small water feature; small-scale public art/interpretive elements.

\**Enhanced Plus* Parks and Plazas - Located in the Downtown Core and/or Town Centre and may include: predominantly feature paving and urban furniture; softscape with richer plant material palette, with feature planting; with prominent GSI elements (e.g. sponge plaza), large-scale public art/interpretive elements.