

VILLAGE OF CUMBERLAND ACC BYLAW DEVELOPMENT

Three Readings of the ACC Bylaw
March 9, 2026

URBAN
SYSTEMS



TODAY'S PURPOSE & OUTCOMES

PROJECT PURPOSE

Develop an Amenity Cost Charge Bylaw for the Village to ensure ACCs effectively and sustainably fund essential amenities needed to support growth

PRESENTATION PURPOSE

Provide Council with:

- An update on engagement with interested parties
- The final, proposed ACC program

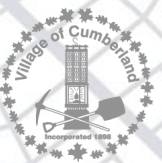
DESIRED OUTCOMES

- Receive Council direction regarding three readings of the ACC Bylaw



AGENDA

1. Project Timeline
2. ACC Refresher
3. Update on Engagement with Interested Parties
4. Proposed ACC Program, Rates, and Community Comparisons
5. ACC Implementation
6. Next Steps & Discussion



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PROJECT TIMELINE

ACC BYLAW DEVELOPMENT PROCESS

PROGRAM DEVELOPMENT

★ WE ARE HERE

Estimate Growth

Develop ACC Project List

Consider Draft Assist Factor

COUNCIL INPUT

Calculate Draft ACC Rates

BYLAW ADOPTION

Present Draft ACC Rates to Council

COUNCIL INPUT

Consult with Interested Parties

Consideration of ACC Bylaw ★

COUNCIL INPUT

Note: Upon bylaw adoption, there is a grace period for in-stream development





ACC REFRESHER

WHAT ARE ACCs?

- Help communities recover the costs of amenities that provide social, cultural, heritage, recreational, or environmental benefits to a community
- Closely resemble DCCs
 - Charges for one-time capital costs
 - Growth-driven
- Regulated by the Province
 - New legislation (Bill 46)
 - Division 19.1 of the *Local Government Act*
 - ACC Best Practices Guide



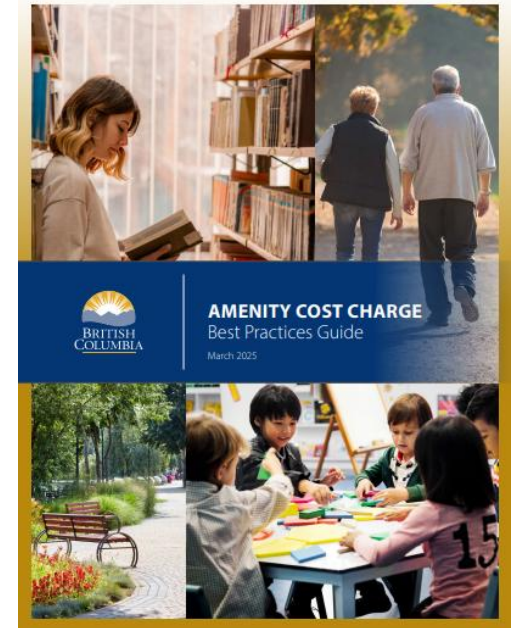
WHY IMPLEMENT AN ACC?

- Fosters a **fair and equitable** approach where growth pays for growth and infrastructure costs are **transparent**
- Creates **consistency and clarity** for the development community compared to negotiated CACs
- Ensures certainty that amenities support **growth and development**
- **Minimizes financial risk** to the Village
- Ensures **timely processing** of development applications



ACC BEST PRACTICES GUIDE – ITEMS OF NOTE

- Can only be used for capital costs
- Cannot be used to pay for housing of any kind
- Cannot be levied on “affordable housing” or “places of worship”
- Cannot be levied if a development doesn’t result in increased population of residents or workers
- Must be owned by local government or through a “partnering agreement”
- Approval by Inspector of Municipalities is not required
- Cannot overlap with DCCs, CACs, Density Bonusing – no “double charging”



WHAT WORKS CAN ACCs PAY FOR?

ACCs CAN BE USED TO FUND

Amenities (non-exhaustive)

- Community, youth, or seniors' centre
- Recreation or athletic facility
- Library
- Daycare facility
- Public square

ACCs CANNOT BE USED TO FUND

- Projects otherwise eligible for DCCs
- Projects needed to serve the existing population (deficiencies, asset replacement), i.e., **ACC projects must be growth-related**
- Operations and Maintenance Costs

HOW IS THE ACC RATE DETERMINED?



GROWTH PROJECTIONS

Identify where more housing supply/growth is expected

Technical Inputs



IDENTIFY AMENITIES

Determine amenities needed, costs, and timing

Technical Inputs



ACC RATES

Prepare ACC program and determine ACC rates

Technical Inputs



CONSULTATION

Consult with interested parties on the ACCs

Technical Inputs



BYLAW ADOPTION

Council Adoption of the ACC Bylaw

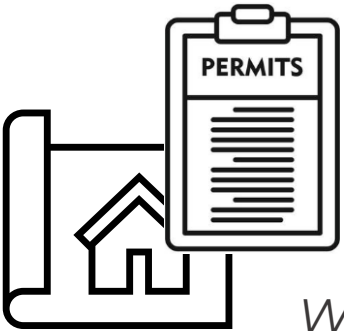
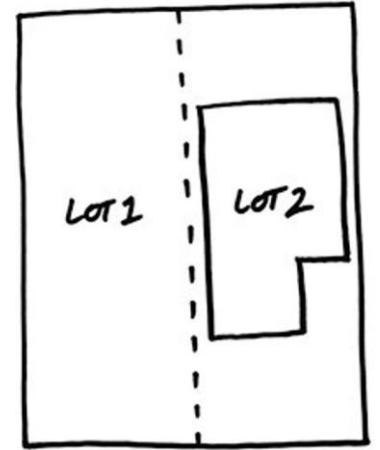
Policy Inputs

Note: Economic analysis to determine the impacts of the ACC program on development viability is now a requirement (extent of the analysis varies)

HOW AND WHEN ARE CHARGES COLLECTED?

ACCs must be paid by applicants at either:

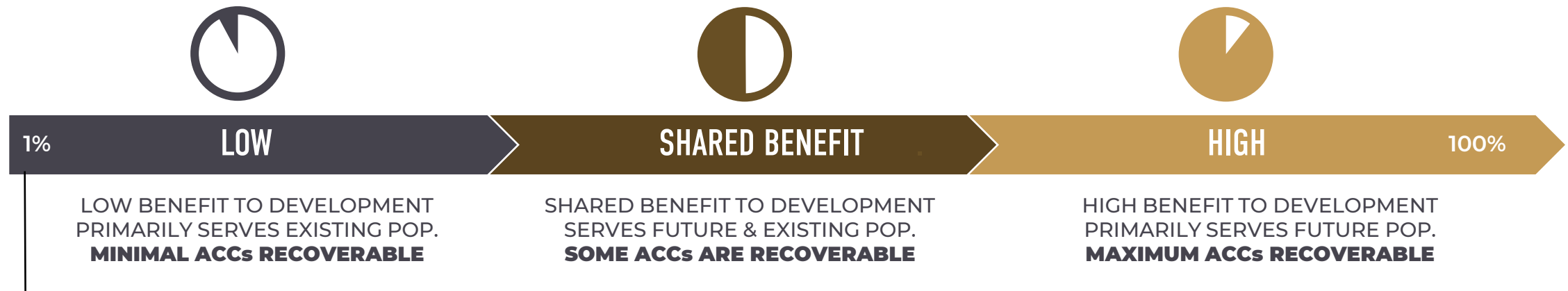
- **subdivision approval** for low density development sites, or
- **building permits** for medium- and high-density residential uses, commercial, industrial, and institutional development.



Where subdivision is not applicable for low-density development sites, charges may be charged at building permit.

ALLOCATING BENEFIT

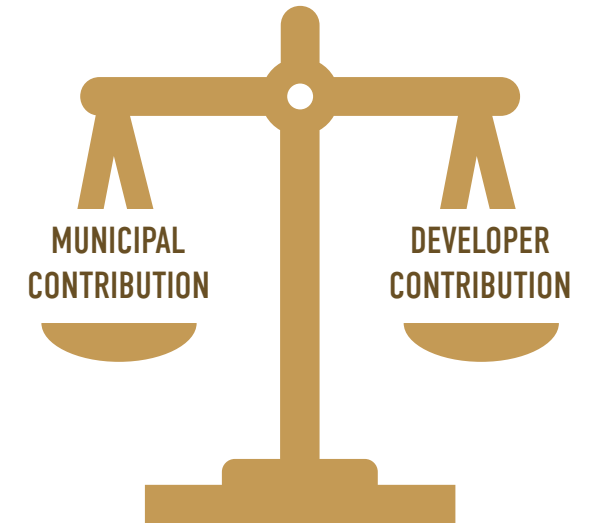
- A benefit allocation (%) is assigned to each project to reflect anticipated benefit to growth
- Ensures costs are shared equitably between the existing and future population
- The benefit allocation can be determined based on the following methods:
 1. Population growth
 2. Technical analysis (capacity modelling)
 3. 'Rule of thumb'



Projects that are not growth-driven (i.e., 0%) are not eligible for ACCs

MUNICIPAL ASSIST FACTOR

- Legislation requires local governments to assist development for ACCs
- Assist amount must be made up through non-ACC revenue (general taxation)
- The assist factor can be **set based on the amenity category** (e.g., by daycares, libraries)
- **Council has complete discretion** to set an assist factor between 1% (least assistance) and 99% (most assistance)
- The assist factor is currently proposed at **1%**



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UPDATE ON ENGAGEMENT WITH INTERESTED PARTIES

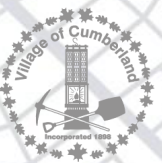
ENGAGEMENT

- The ACC Best Practice Guide outlines consultation protocols with affected parties, which includes the public, the development community, and Council (among others)
- Engaging with relevant interested parties is a required aspect of updating an ACC program to ensure transparency, accountability, and accuracy
- All feedback will be included in the final ACC reporting



ENGAGEMENT CONDUCTED TO-DATE

- Information on the Village's Engage Comox Valley page was published online in the summer of 2025 and includes a summary of the program and project timeline (still available)
- Participation in the joint regional DCC & ACC in-person information session on July 21, 2025 in Courtenay, which included:
 - A general group presentation summarizing the proposed programs across the CVRD (Cumberland, Courtenay, Comox, CVRD)
 - The opportunity to walk around the space and engage directly with each local government and regional district at individual 'stations' with specific program information
- Approximately 53 attendees were at the in-person session, along with 12 local government staff and consultants



INFORMATION SESSION FEEDBACK

- Concerns about the introduction of rates and the resultant impact on development viability
- Interest in understanding the combined DCC and ACC total (i.e., interested parties were curious about the ‘fee stack’), more so than individual DCC and ACC rates; and,
- Questions about how the Village’s ACC rate compares to those in other communities across the Province.

This feedback largely aligns with what is heard in other communities during similar engagement opportunities.



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PROPOSED ACC PROGRAM

PROJECTS

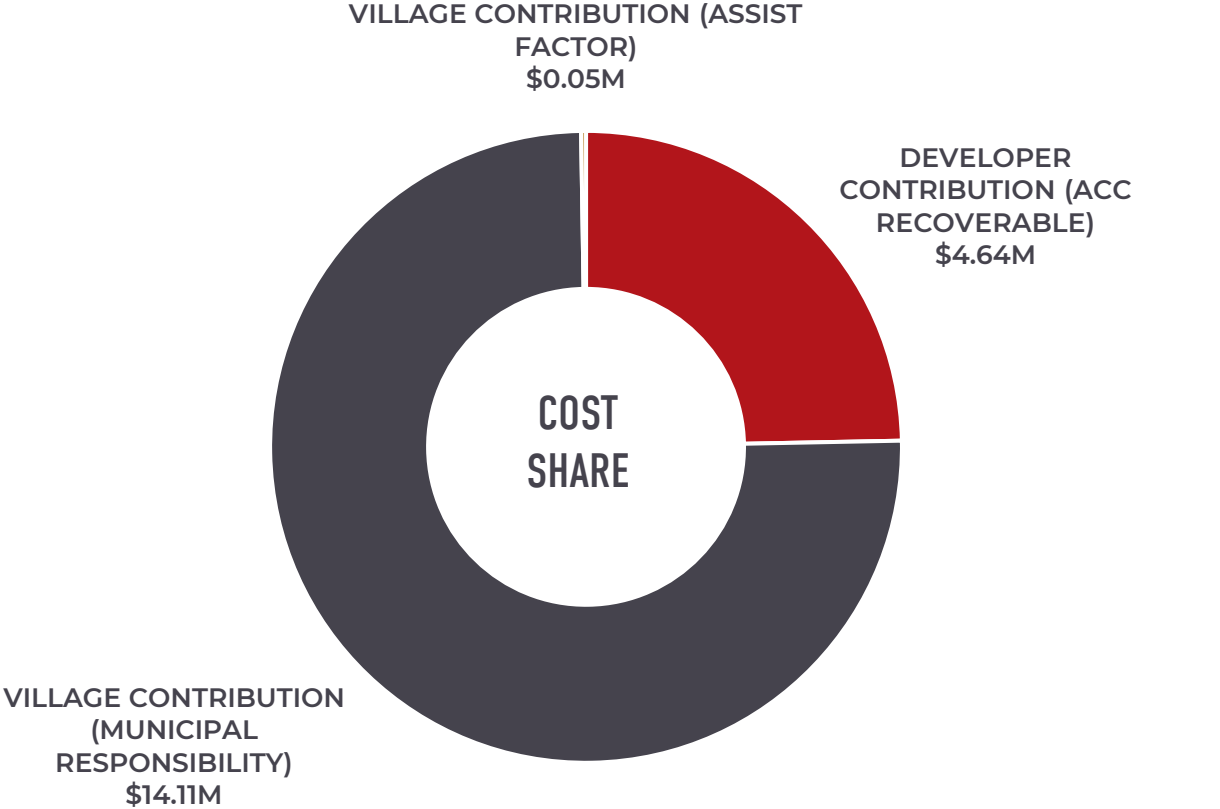
- The Village's proposed ACC program includes the following projects:
 1. Recreation Centre Expansion
 2. Daycare Facility
- About the program:
 - The total ACC program costs amount to **\$21.9 M**
 - The benefit factor for each project is **25% (i.e., 25% to new growth, 75% to the existing population)**, which is based on the projected growth expected to occur in the Village over the **20-year program timeframe**



REC CENTRE EXPANSION

ASSUMPTIONS

- \$18,752,867 project cost
- 25% benefit allocation to new growth (i.e., 75% to existing users)
- 1% Municipal Assist Factor

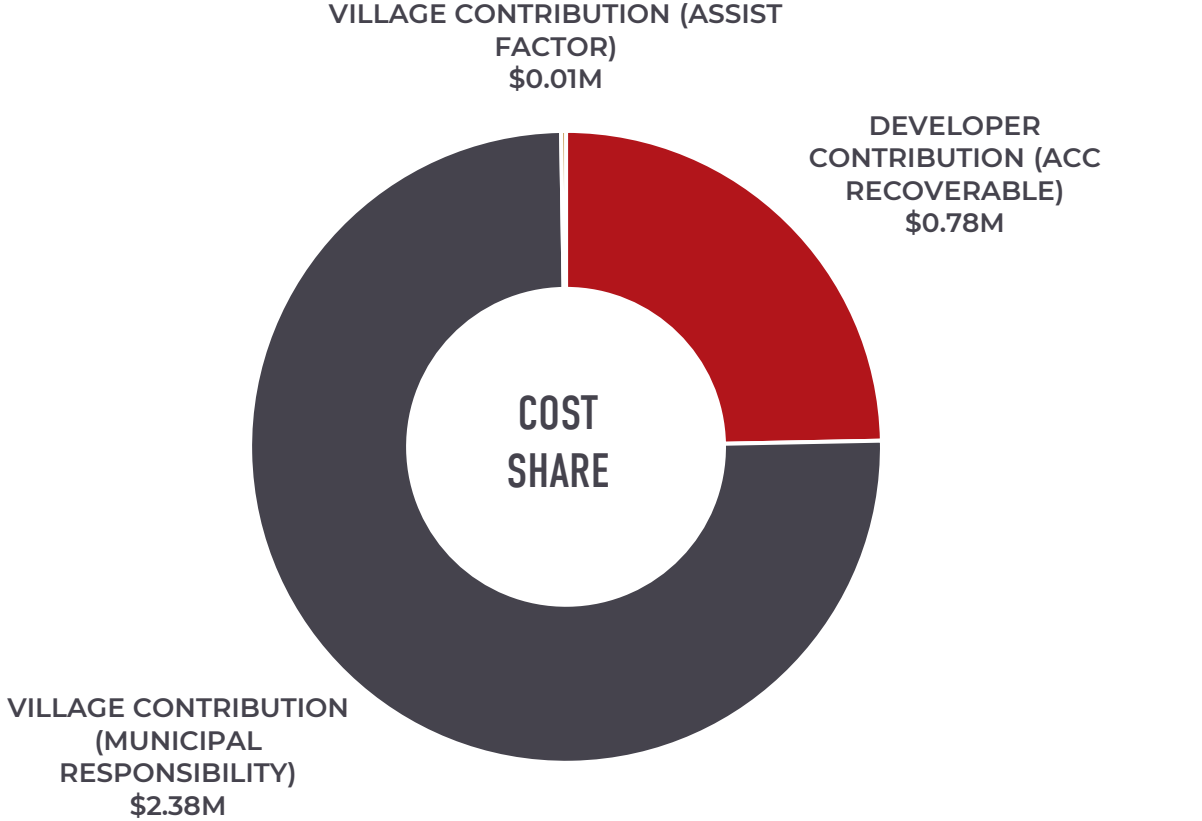


PROJECT COST \$18,752,867	BENEFIT ALLOCATION 25%		ASSIST FACTOR (1%) i.e., 1% assistance to developer		COST SHARE
DEVELOPER CONTRIBUTION	\$4,688,217	-	\$46,882	=	\$4,641,335
VILLAGE CONTRIBUTION	\$14,064,650	+	\$46,882	=	\$14,111,532

DAYCARE FACILITY

ASSUMPTIONS

- \$3,160,500 project cost
- 25% benefit allocation to new growth (i.e., 75% to existing users)
- 1% Municipal Assist Factor



PROJECT COST \$3,160,500	BENEFIT ALLOCATION 25%		ASSIST FACTOR (1%) i.e., 1% assistance to developer		COST SHARE
DEVELOPER CONTRIBUTION	\$790,125	-	\$7,901	=	\$782,224
VILLAGE CONTRIBUTION	\$2,370,375	+	\$7,901	=	\$2,378,276

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PROPOSED ACC RATES

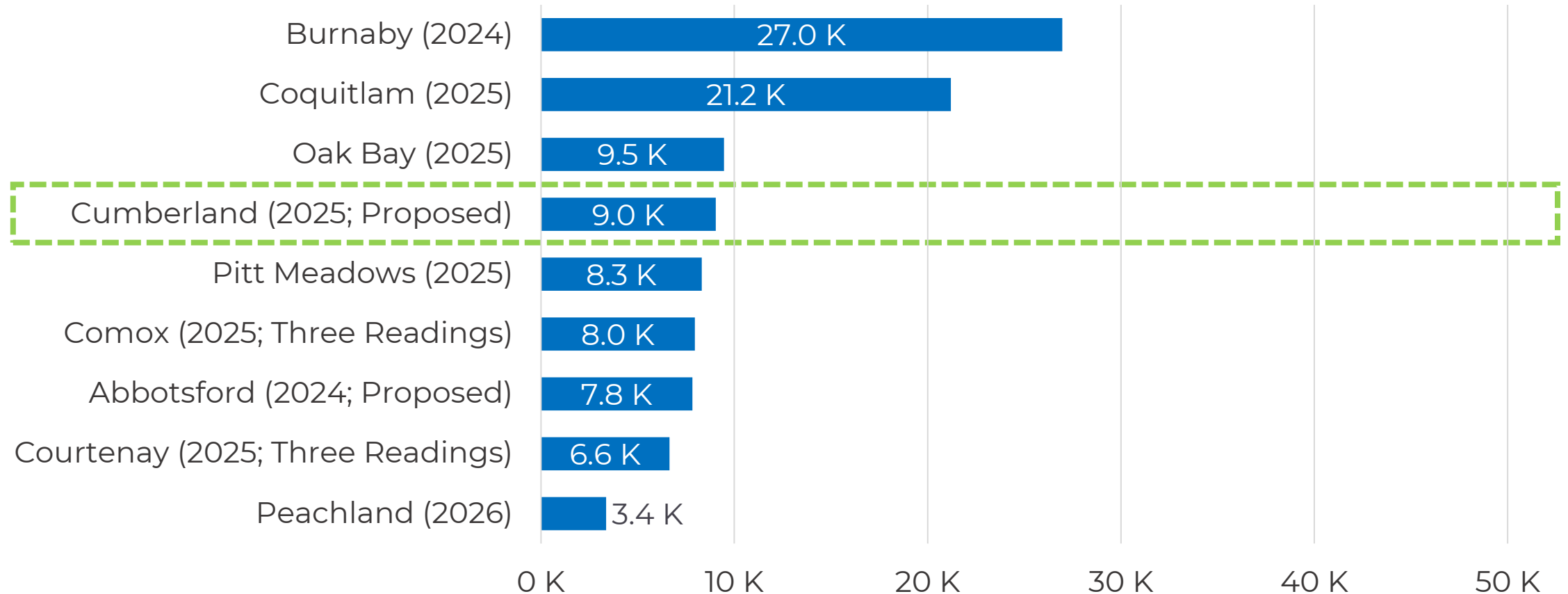
PROPOSED ACC RATES

Land Use Category	Unit	ACC
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
Non-Residential <i>(Commercial, Industrial, Institutional)</i>	N/A	

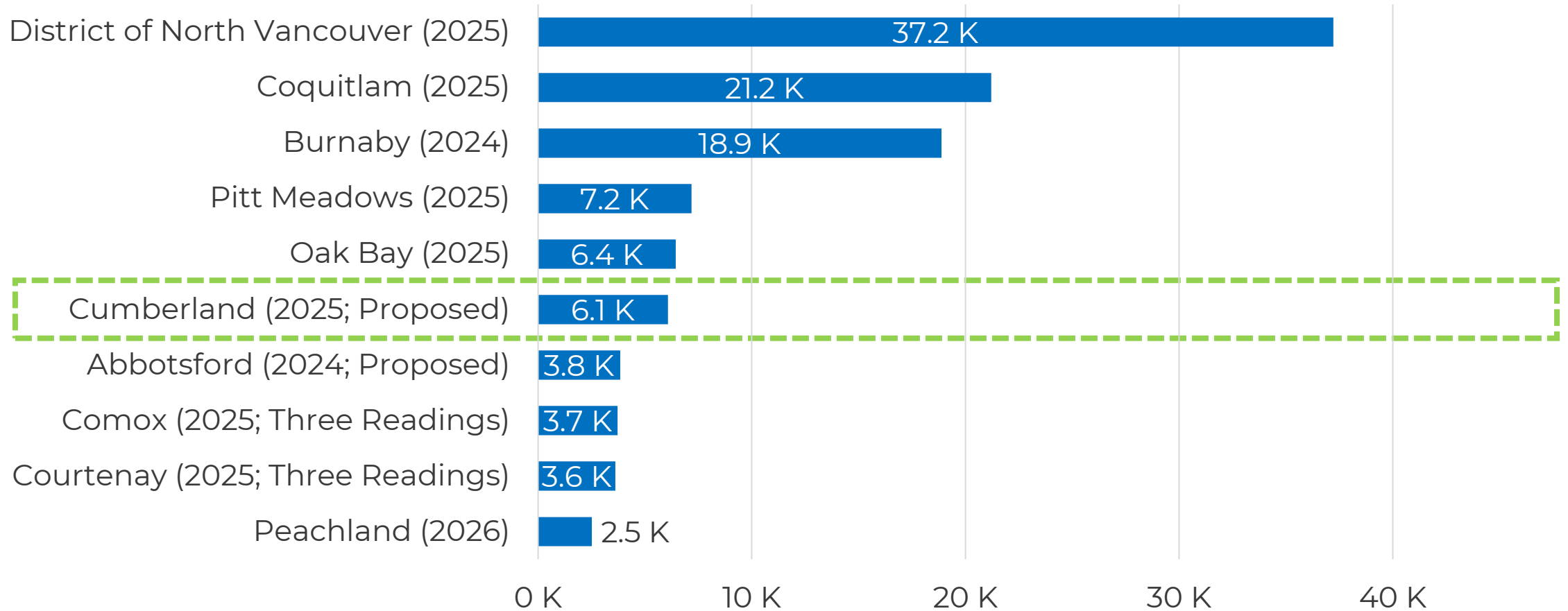
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COMMUNITY COMPARISONS

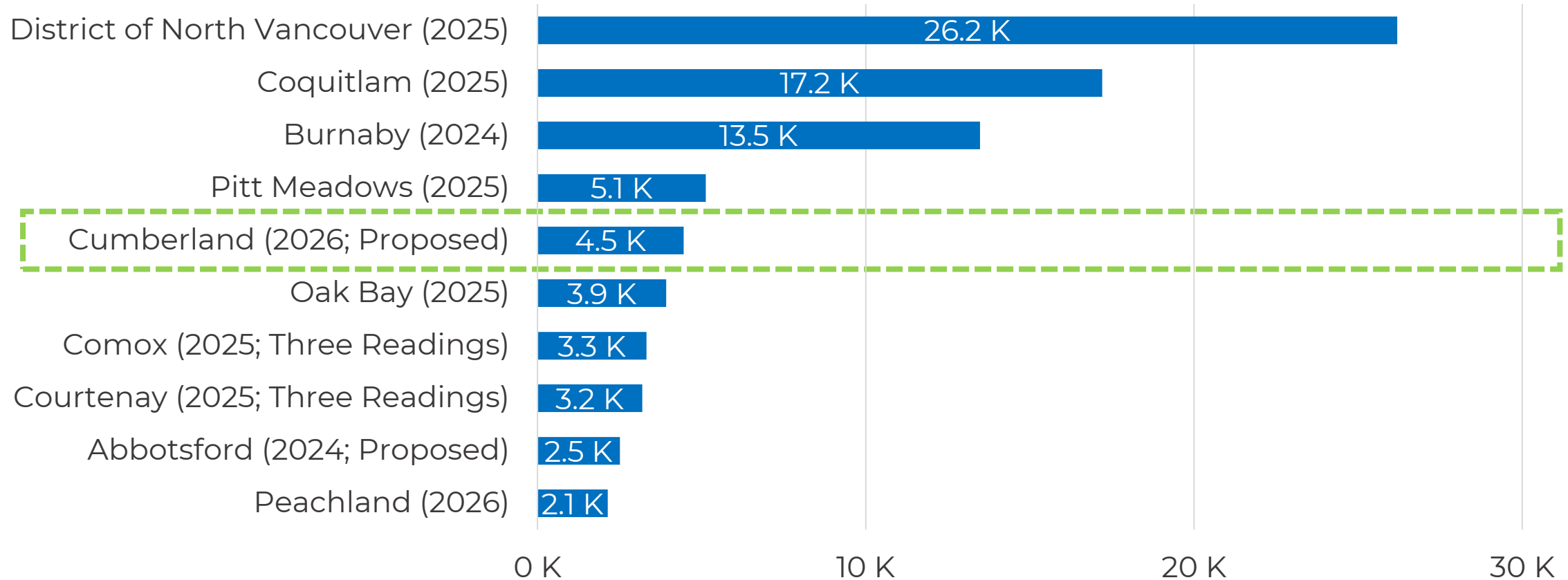
LOW DENSITY RESIDENTIAL



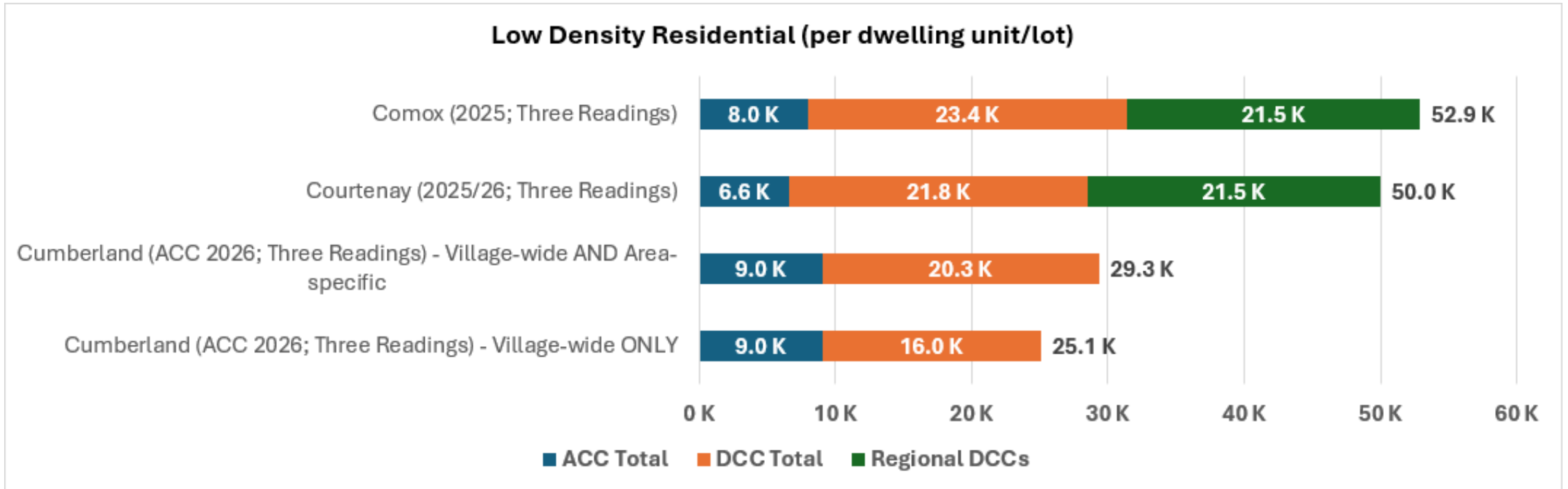
MEDIUM DENSITY RESIDENTIAL



HIGH DENSITY RESIDENTIAL

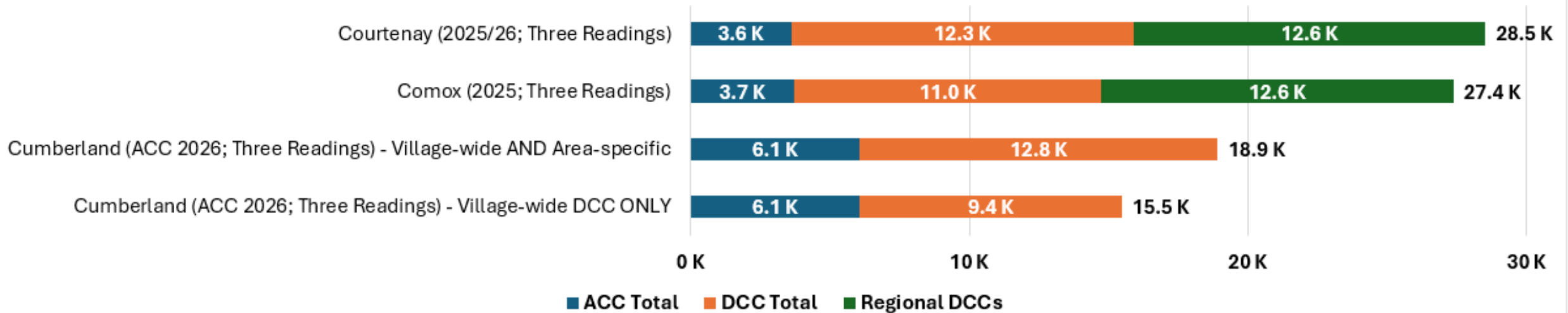


TOTAL LOW DENSITY RESIDENTIAL COMPARISONS



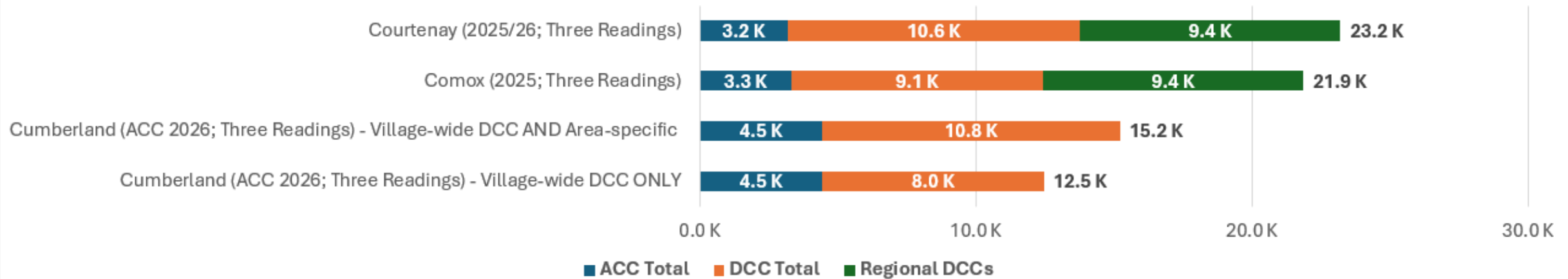
TOTAL MEDIUM DENSITY RESIDENTIAL COMPARISON

Medium Density Residential (per dwelling unit)



TOTAL HIGH DENSITY RESIDENTIAL COMPARISON

High Density Residential (per dwelling unit)



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ACC IMPLEMENTATION

STATUTORY EXEMPTIONS

- Per s. 570.4 of the *LGA*, certain developments are required to be exempt from ACCs:
 - Places of Worship
 - Developments that do not result in an increase in residents or workers
 - Previously charged amenities
 - Below-market housing created through Inclusionary Zoning bylaws
 - Classes of affordable housing:
 - Rental units owned or leased and operated by government entities or non-profit housing providers
 - Supportive Housing
 - Cooperative Housing
 - Transitional Housing
 - Emergency Shelters

PAYMENT BY INSTALMENTS

- Effective January 1, updated regulations provide greater flexibility for payment of ACCs and DCCs by instalment
- Applies to ACCs Payable over \$50,000
- Qualified developers and homebuilders will be able to:
 - Use on-demand surety bonds Province-wide
 - Pay 25% of ACCs at permit approval and pay the remaining 75% at the earlier of occupancy or 4 years



IN-STREAM PROTECTION

A complete application is one that:

- ☒ has been received
- ☒ is complete
- ☒ has been paid

- New ACC rates will be effective at **bylaw adoption**
- However, legislation provides a 12-month in-stream protection period for complete applications, such as:
 - Building permit applications
 - Subdivision applications
 - Precursor applications (re-zoning and Development Permit)

NOTE!

Precursor or in-stream development applications are indefinitely exempt from the initial ACC bylaw and applicants will not pay ACCs until the Village passes an amended ACC bylaw in future; the 12-month in-stream protection period starts once the amended bylaw is adopted.



IMPLEMENTATION POST-BYLAW READINGS

- Should Council give three readings to the proposed ACC Bylaw, it is recommended that the Village completes the following:
 - Corresponds with the local development community to inform them of the timelines for bylaw adoption and in-stream protection
 - Updates the Village website (i.e., the ACC project page on Engage Comox Valley) with information regarding the timeline for the implementation of the new ACCs and the in-stream protection period



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NEXT STEPS & DISCUSSION

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THANK YOU!
ANY QUESTIONS?