



Regional District of Alberni-Clayoquot

BYLAW NO. F1133

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES WITHIN THE BEAVER CREEK WATER SYSTEM SERVICE AREA

WHEREAS the Board may, pursuant to the *Local Government Act*, impose, by bylaw, development cost charges;

AND WHEREAS Bylaw No. E1054 being “A bylaw to establish a local service area within a portion of Electoral Area “E” (Beaver Creek) to provide for the supply, conveyance, storage and distribution of water to the Beaver Creek Community” was adopted by the Regional District Board on the 13th day of June 2012;

AND WHEREAS the development cost charges imposed by this Bylaw are for the purpose of providing funds to assist the Regional District to pay the capital cost of providing, altering or expanding water facilities to service directly or indirectly, development in respect of which the charges are imposed;

AND WHEREAS the Board has considered the following:

- a) future land use patterns and development
- b) the phasing of works
- c) how development designed to result in a low environmental impact may affect the capital costs of infrastructure under section 559(2) and (3) of the *Local Government Act*
- d) that the costs are not excessive in relation to the capital cost of prevailing standards of service,
- e) that the charges will not deter development, discourage the construction of reasonably priced housing, the provision of reasonably priced serviced land, nor discourage development designed to result in a low environmental impact on the regional district

in the Beaver Creek Water System Service Area;

NOW THEREFORE, the Board of Directors of the Regional District of Alberni-Clayoquot in open meeting assembled enacts as follows:

1. INTERPRETATION

Definitions:

“Dwelling, Single Family” means a detached building or mobile home containing one dwelling unit used or intended for residential use.

“Dwelling Unit” means a self-contained unit consisting of one or more rooms designed occupied or intended for occupancy as a separate household with sleeping, sanitary and cooking facilities.

"Gross Floor Area" means the total area of all the floors measured to the extreme outer limits of the building, or to the centre of the firewalls, and areas giving access thereto, such as corridors, hallways, landing, foyers, staircases, and stairwells.

“Service Area” means the service area created under Bylaw No. E1054 being “A bylaw to establish a local service area within a portion of Electoral Area “E” (Beaver Creek) to provide for the supply, conveyance, storage and distribution of water to the Beaver Creek Community” as amended from time to time.

"Subdivision" means a subdivision of land under the *Land Title Act* or the *Strata Property Act*.

2. APPLICABLE SERVICE AREAS

This Bylaw applies to subdivisions and development in the Beaver Creek Water System Service Area.

3. CHARGES AND PAYMENT

3.1 Every person who obtains, in the service area:

- a) approval of a subdivision for any purpose of a parcel of land under the *Land Title Act* or the *Strata Property Act* which creates a parcel zoned to permit no more than two dwelling units, or
- b) a building permit, authorizing the construction, alteration or extension of a building or structure where the construction value of the work authorized by the permit exceeds fifty thousand dollars (\$50,000), authorizing the construction, alteration or extension of a building that will, after the construction, alteration or extension, be put to no other use other than the residential use in the dwelling units contained in the building;
- c) a building permit for any new floor area which has a construction value in excess of fifty thousand dollars (\$50,000);

shall pay, at the time of the approval of the subdivision or the issuance of the building permit, the applicable development cost charges as set out in Schedule ‘A’ attached to and forming part of this bylaw.

3.2 Despite section 3.1, in the case of a mobile home park, a development cost charge shall be payable by every person who obtains:

- a) approval of a subdivision for any purpose of a parcel of land under the *Land Title Act* or the *Strata Property Act* to create a new parcel on which a mobile home is to be located or

- b) a building permit authorizing the construction, alteration or extension of a building or structure with a construction value in excess of fifty thousand dollars (\$50,000).

3.3 A development cost charge payable under this bylaw must be paid in accordance with the *Local Government Act*.

3.4 In the case of a comprehensive development area consisting of a parcel that has different uses permitted in different parts of a parcel, the development cost charges under this bylaw shall be calculated separately for each part of the comprehensive development designated respectively based on the types of development as described in Schedule A.

4. EXCEPTIONS

Section 3 does not apply to the extent that the payment of a development cost charge is subject to an exception, exemption, waiver or reduction provided for in the *Local Government Act* or in another enactment.

5. EFFECTIVE DATE

This bylaw will come into full force and effect 60 days from the adoption of the bylaw.

6. SEVERABILITY

In the event that any portion of this bylaw is declared invalid it shall be severed and the remainder of the bylaw shall continue in full force and effect.

7. REPEAL

This Bylaw repeals Capital Expenditure Bylaw, being Beaver Creek Improvement District Bylaw No. 148

8. CITATION

This bylaw may be cited as **the “Beaver Creek Water System Service Area Development Cost Charge Bylaw No. F1133, 2017”**

Read a first time this 8th day of November, 2017

Read a second time this 8th day of November, 2017

Amended this 25th day of April, 2018

Read a third time this 25th day of April, 2018

APPROVED BY THE
INSPECTOR OF MUNICIPALITIES THIS 13th day of June, 2018

ADOPTED this 27th day of June, 2018

Certified true and correct copy of **"A Bylaw to Impose Development Cost Charges for the Beaver Creek Water System Local Service Area Bylaw No. F1133, 2017"**

The Corporate seal of the Regional District of Alberni-Clayoquot was hereto affixed in the presence of:



Chief Administrative Officer



Chairperson

Schedule 'A'

Development cost charges payable under this bylaw are:

Type of Development	Upon Subdivision	Upon Building Permit
Residential Dwelling, Single Family	\$5,023 per parcel created for one dwelling unit	\$5,023 per one dwelling unit
Residential Dwelling, Two Family (duplex)	\$10,046 per parcel created for two dwelling units	\$10,046 per parcel created for two dwelling units
Residential Dwelling, Three Family (triplex)	\$15,069 per parcel created for three dwelling units	\$15,069 per parcel created for three dwelling units
Residential Dwelling, Four Family (four plex)	\$20,092 per parcel created for four dwelling units	\$20,092 per parcel created for four dwelling units
Residential Dwelling, Multi Family	\$4,186 per dwelling unit permitted to be constructed under zoning; or	\$4,186 per dwelling unit permitted to be constructed under zoning; or
Commercial		\$18.80 per gross floor area, m ²
Institutional		\$23.00 per gross floor area, m ²
Industrial		\$94,188 per ha of gross site area