

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

**BYLAW NO. 1748**

A Bylaw to Impose Development Cost Charges

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

AND WHEREAS in fixing development cost charges imposed by this bylaw the Council has taken into consideration future land use patterns and development, the phasing of works and services, the provision of park land described in the official community plan and how development designed to result in a low environmental impact may affect the capital costs of infrastructure, and whether the charges are excessive in relation to the capital cost of prevailing standards of service in the municipality, will deter development in the municipality, will discourage the construction of reasonably priced housing, the provision of reasonably priced serviced land in the municipality and development designed to result in a low environmental impact in the municipality;

NOW THEREFORE the Council of the District of Central Saanich in open meeting assembled enacts as follows:

1. Every person who obtains:

- a) approval of a subdivision as defined in the *Land Title Act* or a subdivision under the *Strata Property Act*; or
- b) a building permit authorizing the construction, alteration or extension of a building or structure other than:
  - i) a building permit authorizing work of a value of less than \$50,000 or such other amount as may be prescribed by regulation under the *Local Government Act*;
  - ii) a building permit authorizing the construction, alteration or extension of a building that is, or will be, exempt from taxation under section 220(1)(h) or 224(2)(f) of the *Community Charter*;
  - iii) a building permit authorizing the construction, alteration or extension of self-contained dwelling units where each unit is no larger in area than 29 square metres and each unit is to be put to no other use other than the residential use in those dwelling units, and
  - iv) a building permit authorizing the construction, alteration or extension of a residential development where no subdivision approval is issued for the residential development,

shall pay to the Corporation of the District of Central Saanich at the time set out in section 4, the applicable development cost charges set out in Schedule "A".

2. For greater certainty, subject to section 1b), every person who obtains a building permit authorizing the construction, alteration or extension of a building or structure that will contain fewer than 4 self-contained dwelling units and be put to no other use than the residential use in those dwelling units shall pay to the Corporation of the District of Central Saanich, at the time set out in section 4, the applicable development cost charges set out in Schedule "A".
3. Where a development combines residential, multi-family residential, commercial, industrial, institutional and agricultural uses or any combination of them, the development cost charges shall be the sum of:
  - a) the applicable rate for residential development, multiplied by the number of proposed residential parcels, if any;
  - b) the applicable rate for multi-family residential development multiplied by the number of proposed dwelling units, if any;
  - c) the applicable rate for commercial development multiplied by the floor area of proposed commercial space, if any;
  - d) the applicable rate for industrial development multiplied by the developed area of proposed industrial space, if any;

- e) the applicable rate for institutional development multiplied by the floor area of proposed institutional space, if any; and
  - f) the applicable rate for agricultural development multiplied by the developed area of proposed agricultural space, if any.
4. Development cost charges shall be paid:
- a) in respect of residential development, at the time of subdivision approval; and
  - b) in respect of multi-family residential, commercial, industrial, institutional and agricultural development, at the time of building permit issuance.
5. Development cost charges shall only be assessed:
- a) in respect of commercial and institutional development, to the extent the development increases the floor area of commercial or institutional space, as applicable; and
  - b) in respect of industrial and agricultural development, to the extent the development increases the developed area of industrial or agricultural space, as applicable.
6. In this Bylaw:
- a) "agricultural" means the use of land for a farm operation or farm business as defined in the *Farm Practices Protection (Right to Farm) Act*;
  - b) "commercial" means a use of land that is not a residential, industrial, institutional or agricultural use;
  - c) "developed area" in respect of
    - i) industrial premises means that portion of a parcel on which are located any improvements to accommodate or facilitate an industrial use including any building, structure, parking or storage area, or landscaped area, and
    - ii) agricultural premises means that portion of a parcel on which are located any improvements to accommodate or facilitate an agricultural use including any building, structure, access, parking and loading area and covered area, but excluding any building for farm retail sales having a floor area of less than 100 square metres and any building erected for use for a period of less than 6 months;
  - d) "dwelling unit" means a set of habitable rooms in a building used or intended to be used as a residence, and without limiting the generality of the foregoing, containing some or all of cooking, eating, living, sleeping and sanitary facilities;
  - e) "floor area" means the total area of all floors in a building measured to the outside surface of the exterior walls, but excluding areas provided for parking of motor vehicles;
  - f) "industrial" means a use of land or water for the processing, fabricating, manufacturing, assembling, storing, transporting, distributing, testing, servicing or repairing of goods, materials or things, and includes railways, warehouses, the operation of transportation or shipping terminals and docks other than those used as marinas for pleasure craft;
  - g) "institutional" means a use of land by a public authority for the benefit of the public in general, and includes, without limiting the generality of the foregoing, public hospitals, public schools and private schools;
  - h) "multi-family residential" means the use of a parcel or building for the provision of two or more dwelling units other than a dwelling unit with a secondary suite;
  - i) "residential" means, except in sections 1.b)iii) and 2 of this Bylaw, the use of a parcel or building for the provision of one dwelling unit which may contain a secondary suite; and
  - j) "secondary suite" has the meaning set out in Central Saanich *Land Use Bylaw No. 1309, 1999*.
7. Schedule "A" forms part of this Bylaw.
8. In the case of a subdivision approval or building permit issued pursuant to an application received by the municipality prior to the date of adoption of this Bylaw, the development cost

charges payable upon approval of the subdivision or issuance of the building permit shall be the lesser of the amounts payable under this Bylaw and the amounts payable under Central Saanich Development Cost Charge Bylaw No. 1437, 2002.

9. This Bylaw may be cited as **“Central Saanich Development Cost Charge Bylaw No. 1748, 2011”**.

10. Central Saanich Development Cost Charge Bylaw No. 1437, 2002 is repealed.

READ A FIRST TIME this           **18<sup>th</sup>**    day of           **April**           , **2011**

READ A SECOND TIME this       **18<sup>th</sup>**    day of           **April**           , **2011**

READ A THIRD TIME this         **18<sup>th</sup>**    day of           **April**           , **2011**

RECEIVED THE APPROVAL OF THE INSPECTOR  
OF MUNICIPALITIES this         **19<sup>th</sup>**    day of           **May**           , **2011**

FINALLY PASSED AND ADOPTED by the Municipal Council, signed by the Mayor and Municipal Clerk, and sealed with the Seal of the Corporation this **6<sup>th</sup>** day of **June, 2011**.

**“JACK MAR”**  
Jack Mar  
Mayor

**“SARA C. RIBEIRO”**  
Sara C. Ribeiro  
Municipal Clerk

**BYLAW NO. 1748****SCHEDULE "A"**

## 1. Table of Charges

<u>Class of Development</u>	<u>Purpose</u>	<u>Development Cost Charge</u>
Residential	Roads	\$153 per parcel
	Water	\$104 per parcel
	Drainage	\$541 per parcel
	Parks	\$80 per parcel
Multi-Family Residential	Roads	\$112 per dwelling unit
	Water	\$86 per dwelling unit
	Drainage	\$178 per dwelling unit
	Parks	\$67 per dwelling unit
Commercial	Roads	\$4,497 per 1000m <sup>2</sup> of floor area
	Water	\$389 per 1000m <sup>2</sup> of floor area
	Drainage	\$2,000 per 1000m <sup>2</sup> of floor area
Industrial	Roads	\$3,748 per hectare of developed area
	Water	\$1,944 per hectare of developed area
	Drainage	\$12,162 per hectare of developed area
Institutional	Roads	\$2,698 per 1000m <sup>2</sup> of floor area
	Water	\$475 per 1000m <sup>2</sup> of floor area
	Drainage	\$1,892 per 1000m <sup>2</sup> of floor area
Agricultural	Roads	\$125 per 1000m <sup>2</sup> of developed area
	Drainage	\$270 per 1000m <sup>2</sup> of developed area

2. Charges shall be assessed proportionately where expressed per 1000m<sup>2</sup> or per hectare.