

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

BYLAW NO. 1889

A Bylaw to Impose Development Cost Charges

WHEREAS pursuant to section 559 of the *Local Government Act* and the regulations passed thereto, the Council may, by Bylaw, impose development cost charges; and

WHEREAS the development cost charges may be imposed for the purpose of providing funds to assist the District of Central Saanich in paying the capital cost of providing, constructing, altering, or expanding sewage, water, drainage and highway facilities, other than off-street parking facilities, and providing and improving park land or any of them, in order to service, directly or indirectly, the development for which the charge is being imposed.

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. 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 or the provision of reasonably priced serviced land 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 including a building permit that authorizes the construction, alteration or extension of a building or part of a building that will, after the construction, alteration or extension, contain one or more self-contained dwelling units 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

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, small lot residential, multi-family residential, commercial, industrial and institutional uses or any combination of them, the development cost charges shall be the sum of:
 - a) the applicable rate for residential detached development, multiplied by the number of proposed residential parcels, if any;
 - b) the applicable rate for small lot residential detached development, multiplied by the number of proposed residential parcels, if any;
 - c) the applicable rate for multi-family residential development multiplied by the number of proposed dwelling units, if any;
 - d) the applicable rate for commercial development multiplied by the gross floor area of proposed commercial space, if any;
 - e) the applicable rate for industrial development multiplied by the gross floor area of proposed industrial space, if any; and
 - f) the applicable rate for institutional development multiplied by the gross floor area of proposed institutional space, if any.
4. Development cost charges shall be paid:
 - a) in respect of residential detached and residential small lot detached development, after application for a subdivision has been made, but before the final approval has been given; and
 - b) in respect of multi-family residential, commercial, industrial, and institutional, after application for a building permit has been made, but before the building permit has been issued.
5. If a minor change to a building permit is proposed, the development cost charges will be recalculated based on the increase in gross floor area or dwelling units (as applicable) using the rates in the Central Saanich Development Cost Charge Bylaw in effect at the time of issuance of the revision permit. The difference between the original development cost charge amount and the recalculated development cost charge amount shall be paid to the District prior to the issuance of the revision permit.
6. If a substantial change to a building permit is proposed, the development cost charges will be recalculated on the entire project at the rates in the Central Saanich Development Cost Charge Bylaw in effect at the time of issuance of the revision permit. The difference between the original development cost charge amount and the recalculated development cost charge amount shall be paid to the District prior to the issuance of the revision permit.

7. In this Bylaw:

- a) "commercial" means a use of land that is not a residential, industrial, institutional or agricultural use;
- c) "dwelling unit" means one or more habitable rooms having collectively its or their own entrance from the exterior, used or intended to be used for the residential accommodation of not more than one family, having provision for living, sleeping and sanitary facilities and containing or providing for not more than one cooking facility.
- d) "'gross floor area" means the total area of all floors of a building, measured to the extreme outer limits of the building or to the centre of party walls, .
- e) "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;
- f) "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;
- g) "minor change" means a change to the scope of work authorized by a building permit which results in an increase of five percent (5%) or less in gross floor area , and which does not increase the number of dwelling units within a building or on a lot.
- h) "multi-family residential" means the use of a parcel or building for the provision of three or more dwelling units;
- i) "residential detached" means, except in section 1.b)iii) of this Bylaw, the use of a parcel or building for the provision of one or two dwelling units.
- j) "revision permit" means a revised building permit issued by the District where the District has accepted a proposed change to the scope of work originally authorized by a building permit.
- k) "small lot residential detached" means the use of a parcel or building for the provision of one or two dwelling units where the parcel is no more than 300 square meters land area.
- l) "substantial change" means a change to the scope of work authorized by a building permit which results in either: (a) an increase by more than five percent (5%) in the gross floor area; or (b) an increase in the number of dwelling units within a building or on the lot; or (c) a change to the zone or land use on which the development cost charges was based, as determined by the District.

8. Schedule "A" forms part of this Bylaw.

- 9. 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. 1748, 2011.

10. This Bylaw may be cited as “**Central Saanich Development Cost Charge Bylaw No. 1889, 2016**”.

11. Central Saanich Development Cost Charge Bylaw No. 1748, 2011 is repealed.

READ A FIRST TIME this **20th** day of **June** , **2016**

READ A SECOND TIME this **3rd** day of **October** , **2016**

READ A THIRD TIME this **3rd** day of **October** , **2016**

THIRD READING RESCINDED on this **7th** day of **November** , **2016**

READ A THIRD TIME AS AMENDED on this **7th** day of **November** , **2016**

RECEIVED THE APPROVAL OF THE INSPECTOR OF MUNICIPALITIES this **1st** day of **December** , **2016**

ADOPTED this **19th** day of **December** , **2016.**



Ryan Windsor
Mayor



per Elizabeth Cornwell
Municipal Clerk



BYLAW NO. 1889**SCHEDULE "A"**

1. Table of Charges

<u>Class of Development</u>	<u>Purpose</u>	<u>Development Cost Charge</u>
Residential Detached	Roads	\$ 858 per parcel
	Water	\$1,279 per parcel
	Sewer	\$1,987 per parcel
	Drainage	\$1,224 per parcel
	Parks	\$ 753 per parcel
Residential Small Lot Detached	Roads	\$ 757 per parcel
	Water	\$1,137 per parcel
	Sewer	\$1,766 per parcel
	Drainage	\$1,102 per parcel
	Parks	\$ 669 per parcel
Multi-Family Residential	Roads	\$ 564 per dwelling unit
	Water	\$ 947 per dwelling unit
	Sewer	\$1,472 per dwelling unit
	Drainage	\$ 404 per dwelling unit
	Parks	\$ 557 per dwelling unit
Commercial	Roads	\$11.78 per m ² of gross floor area
	Water	\$ 4.26 per m ² of gross floor area
	Sewer	\$ 6.62 per m ² of gross floor area
	Drainage	\$ 4.53 per m ² of gross floor area
Industrial	Roads	\$ 5.05 per m ² of gross floor area
	Water	\$ 2.13 per m ² of gross floor area
	Sewer	\$ 3.31 per m ² of gross floor area
	Drainage	\$ 2.75 per m ² of gross floor area
Institutional	Roads	\$15.14 per m ² of gross floor area
	Water	\$ 5.21 per m ² of gross floor area
	Sewer	\$ 8.10 per m ² of gross floor area
	Drainage	\$ 4.28 per m ² of gross floor area

2. Charges shall be assessed proportionately where expressed per m²