

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

BYLAW NO. 1907

A Bylaw to Provide a Reduction of Development Cost Charges

CONSOLIDATED FOR CONVENIENCE AND REFERENCE PURPOSES ONLY

This consolidated version is not a legal document. For official purposes please refer to the original bylaw and amending bylaw documents:

Bylaw 1984, Adopted February 4, 2019

Bylaw 2028, Adopted October 21, 2019

(Discounts For Affordable and Below Market Housing)

WHEREAS the Council has adopted *Central Saanich Development Cost Charge Bylaw No. 1889, 2016*;

AND WHEREAS the municipal council may, under s. 563 of the *Local Government Act*, reduce a development cost charge for an Eligible Development, as defined by bylaw, by an amount or rate of reduction described in the bylaw;

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

1. Title

This Bylaw may be cited as the “Development Cost Charge Reduction Bylaw No. 1907, 2017.”

2. Definitions

In this Bylaw:

- (a) “**Applicant**” means an owner of a Development eligible for a Development Cost Charge Reduction under this Bylaw;
- (b) “**Application**” means a written application from an Applicant for a Development Cost Charge Reduction
- (c) “**Building**” means a building or structure for which a Building Permit is required under District bylaws;
- (d) “**Building Code**” means the *British Columbia Building Code* established under the *Building Act*, SBC 2015, c. 2, as amended;
- (e) “**Building Permit**” means a permit required by the District that authorizes the construction or alteration of a building or structure in accordance with *Central Saanich Building Bylaw No. 1470, 2003*, as amended;
- (f) “**Development**” means the means the improvement of land pursuant to a Building Permit;
- (g) “**Development Cost Charges**” means the Development Cost Charges payable for a Development under the *Development Cost Charge Bylaw*;

- (h) “**Development Cost Charge Bylaw**” means *Central Saanich Development Cost Charge Bylaw No. 1889, 2016*, as amended;
- (i) “**Development Cost Charge Reduction**” means the development cost charge reduction specified under Section 3.1 of this Bylaw;
- (j) “**District**” means the corporation of the District of Central Saanich;
- (k) “**District Representative**” means the District’s Director of Planning and Building Services, his or her delegate or such other person as may be appointed by the District’s municipal council;
- (l) “**Eligible Development**” means a Development specified in Section 3.2 of this Bylaw;
- (m) “**Local Government Act**” means the *Local Government Act*, RSBC 2015, c. 1, as amended;
- (n) “**Occupancy Permit**” means permission or authorization in writing from the authority having jurisdiction to occupy a building for its intended purpose;
- (o) “**Registered Professional**” means a professional engineer or architect in good standing in the Province of British Columbia; and
- (p) “**Security**” means a cash deposit or letter of credit in form and substance acceptable to the District that is provided by an Applicant in respect of an anticipated Development Cost Charge Reduction.

3. Development Cost Charge Reduction for Eligible Developments

- 3.1 The combined Development Cost Charges imposed under the District’s *Development Cost Charge Bylaw* for a Development are hereby reduced by thirty percent (30%) if the Development is an Eligible Development.
- 3.2 An Eligible Development is, for the purposes of this Bylaw, any one or more of the following classes of Development:
 - (a) Not for Profit Rental Housing Development, Including Supportive Living Housing owned by the Government of British Columbia, the Government of Canada, the District or another local government under the *Local Government Act*, a public housing authority or a not-for-profit society incorporated under the *Societies Act*, SBC 2015, c. 18, as amended, or Part II of the *Canadian Corporations Act*, RSC 1970, c. C-32, as amended and where the Applicant has demonstrated to the reasonable satisfaction of the District Representative that the Development is eligible for a rent or capital housing subsidy from the Government of British Columbia, the Government of Canada, or a public housing authority;
 - (b) For Profit Affordable Rental Housing Development where the rent charged for units within the Development does not exceed 30% of the Canada Mortgage Housing Corporation median household gross income for the Capital Regional District and the Development is the subject of an affordable housing agreement under Section 483 of the *Local Government Act* that guarantees the affordable use for a period of at least ten years from the date an Occupancy Permit is granted;

4. Procedure for grant of Development Cost Charge Reduction

- 4.1 A Development Cost Charge Reduction for an Eligible Development shall be granted in accordance with the following procedure:
- (a) in order to be eligible for a Development Cost Charge Reduction, an Applicant shall submit an Application to the District Representative for a Development Cost Charge Reduction at or before the time that Development Cost Charges are payable for the Development under the Development Cost Charge Bylaw;
 - (b) subject to Subsection (c), the Applicant shall pay to the District all Development Cost Charges payable for the Development under the *Development Cost Charge Bylaw* as if the Development was not an Eligible Development under this Bylaw;
 - (c) within thirty (30) days of the date that an Occupancy Permit is issued for the Development and the Development has satisfied the requirements of Section 3.2 of this Bylaw to be an Eligible Development, the District shall refund to the Applicant an amount equal to Development Cost Charge Reduction for the Development; and
 - (d) for certainty, if a Development does not satisfy the requirements of Section 3.2 as an Eligible Development at the time that an Occupancy Permit is issued for the Development, no refund of Development Cost Charges shall be provided to the Applicant under Subsection (c).