

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW NO. 1983

To impose Development Cost Charges for providing Water Facilities within the
Greater Vernon Water Utility Service Area.

WHEREAS pursuant to Section 933 [*Development cost charges generally*] of the *Local Government Act*, R.S.B.C., 1996, Chapter 323, as amended, and Regulations passed pursuant thereto, provides that the Board of the Regional District of North Okanagan may, by Bylaw, impose development cost charges for the purpose of providing funds to assist the regional district in paying the capital cost of providing, constructing, altering, or expanding water facilities, in order to serve directly or indirectly, the development in respect of which the charges are imposed;

AND WHEREAS by Bylaw No. 1764, being the Greater Vernon Water Service Amendment Bylaw No. 1764, 2002, the Regional District was authorized to exercise the powers of Section 933 in the member municipalities for the purposes of the Water function;

AND WHEREAS the City of Vernon, District of Coldstream and Regional District of North Okanagan are desirous of having Development Cost Charges for providing water in the Greater Vernon Water Utility Service Area;

AND WHEREAS the Board has deemed the charges imposed by this Bylaw are related to capital costs attributable to projects included in the capital expenditure Bylaw of the Regional District;

AND WHEREAS in the opinion of the Board, the charges imposed by this Bylaw:

- a. are not excessive in relation to the capital cost of prevailing standards of service in the Greater Vernon Water Utility Service Area;
- b. will not deter development in the Greater Vernon Water Utility Service Area;
- c. will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the Greater Vernon Water Utility Service Area.

AND WHEREAS the Board has considered and has made provision herein for circumstances in which the City of Vernon, District of Coldstream and Regional District of North Okanagan has previously imposed requirements with respect to a subdivision or development for the preservation, dedication, or provision of public open space under a Land Use Contract, Development Permit, or pursuant to the provisions of Section 933 of the *Local Government Act*.

NOW THEREFORE, the Board of the Regional District of North Okanagan, in open meeting assembled, hereby ENACTS AS FOLLOWS:

CITATION

This bylaw may be cited for all purposes as "**Greater Vernon Water Utility Water Development Cost Charge Bylaw No. 1983, 2004**".

DEFINITIONS

1. For the purpose of this bylaw, the definitions of words and phrases that are not included in this section shall have the meaning assigned to them in the *Local Government Act*.

2. In this Bylaw and the recitals and schedules attached hereto:

“congregate care facility or rest home” means a facility where lodging or food and lodging, together with medical care and attention are provided to persons, with or without charge, who on account of age, infirmity, physical or mental disability, require care and attention.

“commercial” shall have the meaning included in the applicable zoning bylaw for the City of Vernon, District of Coldstream, and Regional District of North Okanagan.

"dedicate" means to convey a lot to the District, Her Majesty the Queen in Right of the Province of British Columbia, the Corporation of the City of Vernon, or the District of Coldstream, and includes the vesting ownership in a parcel of land in Her Majesty the Queen in Right of the Province of British Columbia by deposit of a subdivision at a Land Title Office.

"developer" means a person upon whom Development Cost Charges are or may be imposed under the provisions of this Bylaw.

"development" means the construction or alteration or the proposed construction or alteration of one (1) or more buildings or structures for which a building permit is issued for the creation of four (4) or more dwelling units, or a congregate care facility or rest home, and includes a subdivision.

"development permit" means a Development Permit issued by the District, the Corporation of the City of Vernon, or the District of Coldstream pursuant to the provisions of the Municipal Act.

"district" means the Regional District of North Okanagan.

"dwelling unit" means one (1) or more rooms constituting a self-contained unit for the residential accommodation of only one (1) family, when such room or rooms contain or provide for sleeping facilities, sanitary facilities, and food storage and cooking facilities.

“gross floor area” means gross floor areas as defined by the City of Vernon, District of Coldstream, and Regional District of North Okanagan zoning bylaws.

“industrial” shall have the meaning included in the applicable zoning bylaw for the City of Vernon, District of Coldstream, and Regional District of North Okanagan.

“institutional” shall have the meaning included in the applicable zoning bylaw for the City of Vernon, District of Coldstream, and Regional District of North Okanagan.

"lot" means a parcel of land or strata lot that will be created by a subdivision when the subdivision is registered under the provisions of the Land Title Act or the Condominium Act.

“multi family” means a building containing two or more dwelling units on one (1) parcel.

“parcel” means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway.

"provide" means to reserve or set aside, but does not include dedicate.

"residential use" means a use providing for the accommodation and home life of one (1) or more people.

“single family” means a single detached dwelling unit on a single parcel.

"subdivision" means the division of land or buildings or both into two (2) or more lots under the provisions of the Land Title Act or the Condominium Act.

Schedule "A" attached to and forming part
of Bylaw 1983, being "*Greater Vernon Water Utility
Water Development Cost Charge Bylaw No. 1983, 2004.*"

DEVELOPMENT COST CHARGES for

PROVIDING WATER FACILITIES

1. SUBDIVISION – Single Family (Sec. 3.1 of Bylaw 1983)

The Developer shall pay to the District, Development Cost Charges calculated by multiplying the sum of \$2,180.00 by the total number of parcels that will be permitted to be constructed under the subdivision upon the issue thereof.

2. BUILDING PERMIT – Multi Family (Sec. 3.2 of Bylaw 1983)

The Developer shall pay to the District, Development Cost Charges calculated by multiplying the sum of \$1,857.00 by the total number of dwelling units that will be permitted to be constructed under the Building Permit upon the issue thereof.

3. BUILDING PERMIT – Institutional (Sec. 3.2 of Bylaw 1983)

The Developer shall pay to the District, Development Cost Charges calculated by multiplying the sum of \$8.88 by the gross floor area (square meter) that will be permitted to be accommodated within the institutional building area upon completion of the building for which the building permit is issued.

4. BUILDING PERMIT – Commercial (Sec. 3.2 of Bylaw 1983)

The Developer shall pay to the District, Development Cost Charges calculated by multiplying the sum of \$7.27 by the gross floor area (square meter) that will be permitted to be accommodated within the commercial building area upon completion of the building for which the building permit is issued.

5. BUILDING PERMIT – Industrial (Sec. 3.2 of Bylaw 1983)

The Developer shall pay to the District, Development Cost Charges calculated by multiplying the sum of \$3.63 by the gross floor area (square meter) that will be permitted to be accommodated within the industrial building area upon completion of the building for which the building permit is issued.

END of DOCUMENT