



## CAPITAL EXPENDITURE CHARGE BYLAW No. 678

### A BYLAW TO FIX A CHARGE FOR CAPITAL EXPENDITURES ON PARCELS OF LAND AND TO PROVIDE FOR THE TIME AND MANNER OF PAYMENT.

WHEREAS pursuant to Section 746(1)(f) of the *Local Government Act* the Trustees may, by bylaw, fix capital expenditure charges under the terms and conditions as set out in the bylaw;

AND WHEREAS the capital expenditure charges may be fixed for the sole purpose of providing funds to the improvement district to pay the capital cost of providing, constructing, altering, or expanding water facilities in order to service directly or indirectly, the development in respect to which the charges are fixed;

AND WHEREAS in the opinion of the Trustees the charges fixed by this bylaw are related to capital costs attributable to projects identified in the capital expenditure program of the improvement district;

The Trustees of the Black Mountain Irrigation District **ENACT AS FOLLOWS:**

1. In addition to other charges applicable under other bylaws of the improvement district, every person who develops land must pay the applicable capital expenditure charge as set out in Schedule "A" attached to and forming part of this bylaw.
2. Every person who obtains:
  - a. approval of a subdivision of a parcel of land under the *Land Title Act* or the *Strata Property Act*; or,
  - b. approval of an application for service.will pay at the time of the approval of the subdivision or the approval of the application for service, as the case may be, to the improvement district the applicable capital expenditure charges as set out in Schedule "A" attached to and forming part of this bylaw.
3. A capital expenditure charge is not payable where:
  - a. the development does not impose new capital cost burdens on the improvement district; or
  - b. a capital expenditure charge has previously been paid for the same development, unless as a result of further development new capital cost burdens will be imposed on the improvement district.
4. In fixing capital expenditure charges by this bylaw, the Trustees have taken into consideration future land use patterns and development and the phasing of works and services and whether the charges:
  - a. are excessive in relation to the capital cost of prevailing standards of service in the improvement district; or,
  - b. will deter development in the improvement district; or,
  - c. will discourage the construction of reasonably priced serviced land in the improvement district.



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5. All sums of money collected under this bylaw must be deposited in a special reserve fund separate from all other funds of the improvement district. The improvement district must use money deposited in the reserve fund plus all interest or earnings thereon for the purposes for which it was deposited, namely to:
  - a. pay the capital costs of providing, constructing, altering or expanding water facilities included in the capital expenditure program on which the charge was based, in order to serve directly or indirectly, the development in respect to which the charge was collected; or,
  - b. pay principle and interest on a debt incurred by an improvement district as a result of an expenditure referred to in section 5(a).
6. Monies must be disbursed by bylaw passed by the Trustees and approved by the Inspector of Municipalities.
7. The following bylaws are hereby repealed: Bylaw No. 639 "Comprehensive Capital Expenditure Charge (Water) Bylaw 1998".
8. This bylaw may be cited as the "Comprehensive Capital Expenditure Charge (Water) Bylaw No. 678".

**INTRODUCED AND GIVEN** first reading by the Trustees on the 6<sup>th</sup> day of November 2007.

**RECONSIDERED AND PASSED** by the Trustees on the 6<sup>th</sup> day of November 2007.

**I HEREBY** certify that this is a true copy of Bylaw No. 678.

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Chairman of the Trustees

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Administrator



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**SCHEDULE 'A' - BYLAW No. 678**  
**CAPITAL EXPENDITURE CHARGES (WATER FACILITIES)**

LAND USE DESIGNATION	"A" & "C" Grade Rate \$/Unit	"D" Grade Rate \$/Unit	UNIT	Notes
<b>AGRICULTURAL ZONES</b>				
Agricultural (Regrade)	not applic.	\$ 9,000	ha.	Allowed one house on a single property
Forest Resource	not applic.	\$ 12,000	ha.	
Pickers Cabin	\$ 1,440	n/a	bldg.	Additional unit within structure - add \$ 250 each unit
<b>RURAL RESIDENTIAL ZONES</b>				
Rural Residential 1 - 3	\$ 3,600	\$ 4,500	lot	Allows max. outdoor irrigation area of 1000m2 After 1000m2 area exceeded, capital charge applies of \$1.20/m2
<b>URBAN RESIDENTIAL ZONES</b>				
Large Lot housing	\$ 4,500	\$ 5,625	lot	> 0.20 ha.
Medium & Small Lot housing	\$ 3,600	\$ 4,500	lot	< or = 0.20 ha.
Low Density Cluster Housing	\$ 2,700	\$ 3,600	lot	Duplex, triplex, rate per unit, Townhouse, row housing
Bareland Strata / Manufactured Home Subd.	\$ 2,700	\$ 3,600	lot	
Multiple Dwelling Housing	\$ 2,700	\$ 3,600	each unit	
Mobile Home Park	\$ 2,700	\$ 3,600	MH pad	
Carriage House on ex. SF Lot	\$ 2,700	n/a	bldg.	
Common building for stratas, hotels, etc.	\$ 2,700	\$ 3,600	each	
Four-plex housing	\$ 2,160	\$ 2,700	each unit	
Medium Density Multiple Housing	\$ 2,160	\$ 2,700	unit	2, 3 and 4 storey MF units
High Rise Apartment Housing	\$ 1,440	\$ 1,800	unit	Rate for MF 5 stories high and higher
Congregate Housing, hotel, tourist comm.	\$ 1,440	\$ 1,800	unit	Rate for Single person residences such as congregate care
Secondary suite/bed & breakfast suite	\$ 1,080	\$ 1,080	unit	
<b>COMMERCIAL ZONES</b>				
Commercial Subdivision	\$ 3,000	\$ 12,000	ha.	Regrade fee for Commercial zoned subdivisions
All commercial zones	\$ 4,500	n/a	150m2	For first 150 m2 of total floor area including mezzaines
Building charge	\$ 8.00	n/a	per m2>150m2	For remainder area greater than 150m2.
Campground, cabin, motel	\$ 1,440	n/a	unit	
Hotel, tourist commercial	\$ 1,440	n/a	unit	
Golf Course	\$ 6,000	\$ 15,000	ha.	Rate for total irrigated area including greens, fairways and tees
<b>INDUSTRIAL ZONES</b>				
Industrial Subdivision	\$ 3,000	\$ 12,000	ha.	Regrade fee for Industrial zoned subdivisions
All industrial lands	\$ 4,500	n/a	150m2	For first 150 m2 of total floor area including mezzaines
Building charge	\$ 8.00	n/a	per m2>150m2	For remainder area greater than 150m2.
<b>PUBLIC AND INSTITUTIONAL ZONES</b>				
Institutional Subdivision	\$ 3,000	\$ 12,000	ha.	Regrade fee for Institutional zoned subdivision
Major, minor Institutional, Utilities	\$ 4,500	n/a	150m2	For first 150 m2 of total floor area including mezzaines
Recreational, Intensive Water use	\$ 4,500	n/a	150m2	For first 150 m2 of total floor area including mezzaines
Building charge	\$ 8.00	n/a	per m2>150m2	For remainder area greater than 150m2.
Parks & Open Space, Municipal Dist.Park	\$ 3,000	\$ 12,000	ha.	Special cases may be assessed on Max.day use