



## CAPITAL EXPENDITURE CHARGE BYLAW No. 741

### 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 698(1)(e) 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.
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).



Capital Expenditure Charge Bylaw No. 741

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. 706 "Comprehensive Capital Expenditure Charge (Water) Bylaw 2017".
8. This bylaw may be cited as the "Bylaw No. 741, Comprehensive Capital Expenditure Charge (Water) Bylaw 2025".

**INTRODUCED AND GIVEN** first reading by the Trustees on the 11<sup>th</sup> day of February 2025.

**RECONSIDERED AND PASSED** by the Trustees on the 11<sup>th</sup> day of February 2025.

I **HEREBY** certify that this is a true copy of Bylaw No. 741.

Colin Day  
Chairman of the Trustees

A true copy of Bylaw No. 741  
registered in the office of the  
Inspector of Municipalities this  
26th day of February 2025

Deputy Inspector of Municipalities

Robert Hrasko  
Administrator



**SCHEDULE 'A' - BYLAW No. 741  
CAPITAL EXPENDITURE CHARGES (WATER INFRASTRUCTURE)**

LAND USE DESIGNATION	"A" & "C" Grade Rate \$/Unit	"D" Grade Rate \$/Unit	UNIT	Notes	KELOWNA ZONING	RDCO ZONING
<b>AGRICULTURAL ZONES</b>						
Agricultural (Regrade)	not applic.	\$ 6,000	acre	Allowed one house on a single property	A1	A1
Forest Resource	not applic.	\$ 7,500	acre			F1
Greenhouse	\$ 4,500	n/a	rate plus m2	Lump sum for first 150 m2 plus \$8.00 m2 thereafter		
Farm Worker Accomodation	\$ 600	n/a	per bed	Rate per bed	A1	A1
<b>RURAL RESIDENTIAL ZONES</b>						
Rural Residential 1 - 3	\$ 7,200	\$ 9,000	lot	Allows max. outdoor irrigation area of 1,000m2 If > 1,000 m2 exceeded, add'l charge applies of \$1.20/m2	RR1-RR1s	RU1-RU6
<b>URBAN RESIDENTIAL ZONES</b>						
Large Lot housing	\$ 7,500	\$ 9,375	lot	> 0.20 ha. + Oversized homes > 500m2 (all floor area)	RU1	R1
Medium Lot housing	\$ 6,000	\$ 7,500	lot	< or = 2,000 m2	RU2, 2s, 2hs, 3, 3hs / R1	
Secondary suites / bed & breakfast suite	\$ 1,800	N/A	unit		SUITES	
Low Density Cluster Homes - Row/strata	\$ 4,500	\$ 6,000	lot		RU4	
Bareland Strata / Manufactured Home Subd.	\$ 4,500	\$ 6,000	lot or MH pad	Mobile Home park , detached dwellings	RU5 RM7	R1M RMP
Multiple Dwelling Housing	\$ 4,500	\$ 6,000	each unit	Duplex, triplex, fourplex, Townhouse, row housing	RU6, RM2-4	R2-3A RC1
Carriage House on ex. SF Lot (large)	\$ 4,500	N/A	bldg.	> 110 m2 total floor area		
Carriage House on ex. SF Lot (medium)	\$ 3,600	N/A	bldg.	55 - 110 m2 total floor area		
Carriage House on ex. SF Lot (small)	\$ 2,400	N/A	bldg.	< 55 m2 total floor area		
Medium and High Density Housing			unit	Rate for MF units, single and multi-storey buildings	RM6	R3C
- Large MF size unit 1-4 bedroom	\$ 3,600	N/A	unit	> 90 m2 total floor area		
- Med MF size unit 1-3 bedroom	\$ 2,400	N/A	unit	40 - 90 m2 total floor area		
- Small / Micro unit 1-3 bedroom	\$ 1,800	N/A	unit	< 40 m2 total floor area		
Congregate Housing - Single/Dual occupancy	\$ 1,800	N/A	room	Rate for single & dual occupancy		R3D, C7, C8
<b>COMMERCIAL ZONES</b>						
Commercial Subdivision	\$ 3,000	\$ 9,000	acre	Regrade fee for Commercial zoned subdivisions		
All commercial zones	\$ 7,500	n/a	150m2	For first 150 m2 of total floor area including mezzaines	C1-10	
Building charge	\$ 12.00	n/a	per m2>150m2	For remainder area greater than 150m2.		
Hotel, motel, campground, tourist commercial	\$ 2,400	n/a	unit			C7, C8
Golf Course	\$ 3,000	\$ 9,000	acre	Rate for total irrigated area including greens, fairways and tees		
<b>INDUSTRIAL ZONES</b>						
Industrial Subdivision	\$ 3,000	\$ 9,000	acre	Regrade fee for Industrial zoned subdivisions		
All industrial lands	\$ 7,500	n/a	150m2	For first 150 m2 of total floor area including mezzaines	I1-5	I1 to I5
Building charge	\$ 12.00	n/a	per m2>150m2	For remainder area greater than 150m2.		
<b>PUBLIC AND INSTITUTIONAL ZONES</b>						
Institutional Subdivision	\$ 3,000	\$ 9,000	acre	Regrade fee for Institutional zoned subdivision		
Major, minor Institutional, Utilities	\$ 7,500	n/a	150m2	For first 150 m2 of total floor area including mezzaines	P1,2,4	P2
Recreational, Intensive Water use	\$ 7,500	n/a	150m2	For first 150 m2 of total floor area including mezzaines	W1, W2	P3
Building charge	\$ 12.00	n/a	per m2>150m2	For remainder area greater than 150m2.	P2	P2
Parks & Open Space, Municipal Dist.Park	\$ 1,500	\$ 7,500	acre	Special cases may be assessed on Max.day use	P3	P1

**NOTES:** Land must be regraded for commercial, industrial and institutional zones prior to building development.  
For urban development zones, Grade D unit rate charge includes regrade of D grade land to Grade A