

CAPITAL EXPENDITURE CHARGE BYLAW No. 706

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.




Capital Expenditure Charge Bylaw No. 706

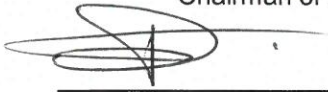
5. All sums of money collected under this bylaw must be deposited in a special reserve fund separate from all other funds of the improvement district. The improvement district must use money deposited in the reserve fund plus all interest or earnings thereon for the purposes for which it was deposited, 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. 678 "Comprehensive Capital Expenditure Charge (Water) Bylaw 2009".
8. This bylaw may be cited as the "Comprehensive Capital Expenditure Charge (Water) Bylaw No. 706".

INTRODUCED AND GIVEN first reading by the Trustees on the 24th day of January 2017.

RECONSIDERED AND PASSED by the Trustees on the 24th day of January 2017.

I HEREBY certify that this is a true copy of Bylaw No. 706.


Gordon Ivans,
Chairman of the Trustees


Dawn Williams,
Administrator

SCHEDULE 'A' - BYLAW No. 706						
CAPITAL EXPENDITURE CHARGES (WATER FACILITIES)						
LAND USE DESIGNATION	"A" & "C" Grade Rate \$/Unit	"D" Grade Rate \$/Unit	UNIT	Notes	CITY ZONING	RDCO ZONING
AGRICULTURAL ZONES						
Agricultural (Regrade)	not applic.	\$ 11,160	ha	Allowed one house on a single property	A1	A1
Forest Resource	not applic.	\$ 14,880	ha			F1
Agritourist Accommodation	\$ 1,790	n/a	bldg.	Additional unit within structure - add \$295 each unit	A1	A1
RURAL RESIDENTIAL ZONES						
Rural Residential 1 - 3	\$ 4,460	\$ 5,580	lot	Allows max. outdoor irrigation area of 1000m ² [0.1ha, 0.25ac] After 1000m ² area exceeded, capital charge applies of \$1.40/m ²	RR1 - RR3	RU1 - RU6
URBAN RESIDENTIAL ZONES						
Large Lot housing	\$ 5,580	\$ 6,980	lot	More than 2000m ² [0.2ha, 0.5ac]	All RU1 - RU3, RH1	R1
Medium & Small Lot housing	\$ 4,460	\$ 5,580	lot	2000m ² [0.2ha, 0.5ac] or less	All RU1 - RU3, RH1	R1
Low Density Cluster Housing	\$ 3,350	\$ 4,460	lot		All RU4	R1 & R1M
Bareland Strata / Manufactured Home Subd.	\$ 3,350	\$ 4,460	lot		RU5	R1M
Multiple Dwelling Housing	\$ 3,350	\$ 4,460	each unit	Duplex, triplex, rate per unit, Townhouse, row housing	RU6, RM2 - RM7	R2, R3A, RC1
Mobile Home Park	\$ 3,350	\$ 4,460	MH pad		RM7	RMP
Carriage House on ex. SF Lot	\$ 3,350	n/a	bldg.		All	All
Common building for stratas, hotels, etc.	\$ 3,350	\$ 4,460	each		All	All
Four-plex housing	\$ 2,680	\$ 3,350	each unit	Fourplex, fiveplex, housing, rate for each unit	RM1	R2
Medium Density Multiple Housing	\$ 2,680	\$ 3,350	unit	2, 3 and 4 storey MF units	RM5	R3B
High Rise Apartment Housing	\$ 1,790	\$ 2,230	unit	Rate for MF 5 stories high and higher	RM6	R3C
Congregate Housing, hotel, tourist comm.	\$ 1,790	\$ 2,230	unit	Rate for Single person residences such as congregate care	All	R3D, C7, C8
Secondary suite/bed & breakfast suite	\$ 1,340	\$ 1,340	unit		All	All
COMMERCIAL ZONES						
Commercial Subdivisions	\$ 3,720	\$ 14,880	ha	Regrade fee for Commercial zoned subdivisions	All C1 - C10	C1 - C4 & C6
All commercial zones	\$ 5,580	n/a	150m ²	For first 150m ² of total floor area including mezzanines	All C1 - C10	C1 - C4 & C6
Building charge	\$ 9.30	n/a	per m ² >150m ²	For remainder area greater than 150m ²	All C1 - C10	C1 - C4 & C6
Campground, cabin	\$ 1,790	n/a	unit		All C1 - C10	C5
Hotel, motel, agritourism commercial	\$ 1,790	n/a	unit		All C1 - C10	C7, C8
Golf Course	\$ 7,440	\$ 18,600	ha	Rate for total irrigated area including greens, fairways and tees	All C1 - C10	C6
INDUSTRIAL ZONES						
Industrial Subdivision	\$ 3,720	\$ 14,880	ha	Regrade fee for Industrial zoned subdivisions	All I1-I6	All I1-I5
All industrial lands	\$ 5,580	n/a	150m ²	For first 150m ² of total floor area including mezzanines	All I1-I6	All I1-I5
Building charge	\$ 9.30	n/a	per m ² >150m ²	For remainder area greater than 150m ²	All I1-I6	All I1-I5
PUBLIC AND INSTITUTIONAL ZONES						
Institutional Subdivision	\$ 3,720	\$ 14,880	ha	Regrade fee for Institutional zoned subdivision	All	All
Major, minor Institutional, Utilities	\$ 5,580	n/a	150m ²	For first 150m ² of total floor area including mezzanines	P1, P2, P4	P2
Recreational, Intensive Water use	\$ 5,580	n/a	150m ²	For first 150m ² of total floor area including mezzanines	W1, W2	P3
Building charge	\$ 9.30	n/a	per m ² >150m ²	For remainder area greater than 150m ²	All P1 - P5, W1, W2	P1, P2, P3
Parks & Open Space, Municipal Dist.Park	\$ 3,720	\$ 14,880	ha	Special cases may be assessed on Max. day use	P3, P5	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						