

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4658**

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES FOR THE REGIONAL WATER SUPPLY SERVICE

WHEREAS:

- A. Pursuant to section 559 of the *Local Government Act*, the Capital Regional District (“the District” or “CRD”) may impose development cost charges for the purpose of providing funds to assist the District to pay the capital costs of providing, constructing, altering, or expanding Water Facilities;
- B. The Development Cost Charges established by this bylaw will be used for the purpose of providing funds to assist the District to pay the costs of providing, constructing, altering or expanding the District water system that services the Regional Water Supply Service Area;
- C. In setting the Development Cost Charges under this bylaw, the Board has considered the future land use patterns and development, and the phasing of works and services within the Service Area;
- D. The Board is of the opinion that the Development Cost Charges imposed by this Bylaw:
 - (a) are not excessive in relation to the capital costs of prevailing standards of service;
 - (b) will not deter Development;
 - (c) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land; and
 - (d) will not discourage Development designed to result in a low environmental impact.
- E. In the opinion of the Board, the charges imposed by this Bylaw are related to capital costs attributable to works included in the CRD’s financial plan, long-term capital plans, and Regional Water Supply Master Plan; and
- F. The Development Cost Charges imposed under this Bylaw will be collected by the Member Municipalities on behalf of the District, where applicable;

NOW THEREFORE the Board of the Capital Regional District, in open meeting assembled hereby enacts as follows:

1. DEFINITIONS

(1) For the purposes of this Bylaw, the words or phrases that are not included in this section shall have the meaning assigned to them in *the Local Government Act*.

(2) In this Bylaw:

“Applicant” means a person liable to pay Development Cost Charges under this Bylaw.

“Attached Secondary Suite” has the same meaning as under the British Columbia *Building Code* and does not include a strata Lot.

“Board” means the elected board of the Capital Regional District.

“Building Permit” means any permit authorizing the construction, alteration or extension of a building or Structure in a Member Municipality or the Electoral Area within the Service Area.

“Commercial” means land zoned for commercial uses under a Zoning Bylaw enacted by a Member Municipality or the District.

“Commission” means the Regional Water Supply Commission.

“Comprehensive Development” includes any development that is comprised of any two or more Residential Uses, Non-Residential Uses or both.

“Detached Secondary Suite” means a building attached to a foundation, used or designed as a self-contained Dwelling Unit located on a lot with a primary single-family dwelling and does not include a strata Lot.

“Development” means a Subdivision or the construction, alteration, or extension of a building or structure for which a Building Permit may be obtained.

“Development Cost Charges” means the applicable rates prescribed in Schedule A – Development Cost Charge Rates.

“District” means the Capital Regional District.

“Dwelling Unit” or **“Unit”** means a room, a suite of rooms or a building or Structure that is used or intended to be used as a self-contained private residence for one household that may contain eating, living, sleeping and sanitary facilities.

“Electoral Area” includes any Electoral Area of the District, which is under the jurisdiction of the Commission and is located within the Service Area.

“Gross Floor Area” means the total area of all floors in a building measured to the outside surface of the exterior walls, but excluding areas provided for parking or motor vehicles and storage of bicycles OR as defined under a Zoning Bylaw enacted by a Member Municipality or the District.

“High Density Residential” means a building containing three or more Dwelling Units, one or more of which are wholly or partly above another Dwelling Unit.

“Institutional” means land zoned for an institutional use under a Zoning Bylaw enacted by a Member Municipality or the District, and any Development providing for the assembly of persons for religious, charitable, philanthropic, cultural, civic, educational, or recreational purposes; including but not limited to auditoriums, youth centres, social halls, group camps, schools, and churches.

“Industrial” means land zoned for Industrial uses under a Zoning Bylaw enacted by a Member Municipality or the District.

“General Manager” means the person appointed by the Board to perform the duties and responsibilities of the General Manager, Infrastructure and Water Services and their designate.

“Lot” means any Parcel, block or other area in which land is held or into which it is legally subdivided, and for certainty, includes a bare land strata lot under the *Strata Property Act*.

“Low Density Residential” means a building containing one Dwelling Unit, or a building containing one Dwelling Unit and an Attached Secondary Suite, or a Two-Unit Dwelling.

“Medium Density Residential” means a Detached Secondary Suite, or a building that is used or designed to contain three or more Dwelling Units, each having direct access to the outside at grade level, and for certainty does not include a building containing a Dwelling Unit wholly or partly above another Dwelling Unit.

“Member Municipality” means the District of Central Saanich, City of Colwood, Township of Esquimalt, District of Highlands, City of Langford, District of Metchosin, District of North Saanich, District of Oak Bay, District of Saanich, Town of Sidney, District of Sooke, City of Victoria, the Town of View Royal, and any subsequently incorporated local government within the Service Area.

“Non-Residential Use” means the use of any building, Structure or any portion thereof that is not a Residential Use, including but not limited to Commercial, Industrial, and Institutional.

“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.

“Residential Use” means Low Density Residential, Medium Density Residential and High Density Residential uses.

“Service Area” means the area serviced by the District’s Regional Water Supply System, as amended, which is in a Member Municipality or the Electoral Area of the District, as defined by CRD Bylaw No. 2537, “Water Supply Local Service Area Establishment Bylaw”, as amended or replaced from time to time.

“Structure” means any construction fixed to, supported by or sunk into land or water, excluding asphalt or concrete paving or similar surfacing of a Parcel.

“Subdivision” means a subdivision as defined in the *Land Title Act* or *Strata Property Act*.

“Two Unit Dwelling” means a building consisting of two self-contained dwelling units which share a common wall or an area that forms the floor of one unit and the ceiling of the other and are not linked by a trellis, deck, breezeway or similar connection (e.g., a duplex).

“Water Facility” means any works, service or plant for storing, conveying, disposing or treating water.

2. DEVELOPMENT COST CHARGES

- (1) The Development Cost Charges set out in Schedule A – Development Cost Charge Rates, attached hereto and forming part of this Bylaw, are hereby imposed on every Applicant within the Service Area who obtains:
 - (a) approval of a Subdivision of land under the *Land Title Act* or the *Strata Property Act*, that creates two or more Parcels on which the construction of a Low Density Residential dwelling is permitted;
 - (b) approval of a Building Permit authorizing the construction of a Low Density Residential Dwelling Unit on an existing Parcel; or
 - (c) approval of a Building Permit authorizing the construction, alteration or extension of a Medium Density Residential, High Density Residential; or Non-Residential building or Structure.
- (2) For certainty, the intent of this Bylaw is to impose charges in respect of Building Permits authorizing the construction, alteration or extension of buildings that will, after the construction, alteration or extension, contain fewer than four self-contained Dwelling Units and be put to no other use than Residential Use in those Dwelling Units.
- (3) An Applicant shall pay the Development Cost Charges to the Member Municipality or the District, according to the location of the Parcel in respect of which the Development Cost Charges are payable upon approval of a Subdivision or issuance of a Building Permit, as the case may be.

3. EXEMPTIONS

- (1) Despite any other provision of this Bylaw, a Development Cost Charge is not payable if any of the following applies in relation to a Development authorized by a Building Permit:
 - (a) the permit authorizes the construction, alteration or extension of a building or part of a building that is, or will be, after the construction, alteration or extension, exempt from taxation under section 220(1)(h) or 224(2)(f) of the *Community Charter*;
 - (b) the permit authorizes the construction, alteration, or extension of self-contained Dwelling Units in a building, the area of each self-contained

Dwelling Unit is no larger than 29 square meters (m²), and each Dwelling Unit will be put to no other use than Residential Use;

- (c) the value of the work authorized by the Building Permit does not exceed \$50,000;
- (d) a Development Cost Charge has previously been paid for the Development unless, as a result of further Development, new capital cost burdens will be imposed on the Member Municipality;
- (e) a Development does not impose new capital cost burdens on the District; or,
- (f) the *Local Government Act* or another enactment of the Province or the District or any regulations thereunder provide that no Development Cost Charge is payable.

4. CALCULATION OF APPLICABLE CHARGES

- (1) Development Cost Charges imposed under this Bylaw shall be calculated in accordance with the rates prescribed in Schedule A – Development Cost Charge Rates.
- (2) Where a type of Development is not specifically identified in Schedule A – Development Cost Charge Rates, the amount of Development Cost Charges applicable under Schedule A – Development Cost Charge Rates shall be equal to the Development Cost Charges payable for the type of Development that imposes the most similar cost burden on the District's Water Supply Facilities.
- (3) The amount of Development Cost Charges payable in relation to Comprehensive Development shall be calculated separately for each portion of the Development, in accordance with Schedule A – Development Cost Charge Rates, which are included in the Building Permit application and shall be the sum of the charges payable for each type.
- (4) For certainty, a Two-Unit Dwelling will be charged two Low Density Residential Development Cost Charges.

5. COLLECTION AND REMITTANCE OF DEVELOPMENT COST CHARGES

- (1) Each Member Municipality shall collect the Development Cost Charge payable under this Bylaw at the time prescribed in section 2(3).
- (2) A Member Municipality shall not approve a Subdivision or issue a Building Permit for any Development unless the Development Cost Charges imposed under this Bylaw have been paid in accordance with section 2.
- (3) Each Member Municipality shall establish and maintain a separate account for the Development Cost Charge monies collected under this Bylaw and deposit and hold these monies in that separate account, in trust for the District, until the Development Cost Charge monies are remitted to the District.

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- (4) Within thirty (30) days of the first business day of each month, each Member Municipality shall remit to the District the total amount of the Development Cost Charges collected by the Member Municipality during the previous month.
- (5) Each Member Municipality shall provide to the District with the remittance of the Development Cost Charge monies a statement of account in a form approved by the General Manager which sets out the following information:
 - (a) the date and amount of Development Cost Charges collected and the amount still outstanding under instalment payments (as permitted on Development Cost Charges owed greater than \$50,000) and the dates for payment;
 - (b) the number and type of Residential Use(s);
 - (c) the amount and type of Non-Residential Use(s);
 - (d) the location of Parcel(s) and Dwelling Unit(s) against which Development Cost Charges were levied;
 - (e) the location of Parcel(s) and Dwelling Unit(s) against which Development Cost Charges were not levied and the reason for the exemption; and
 - (f) any other information that the General Manager deems necessary.
- (6) Each Member Municipality shall retain, for a period of eleven years, sufficient records to support the statements and payments referred to in this part.
- (7) The District may, at any time subject to first giving reasonable notice to any Member Municipality, inspect any and all records of the Member Municipality relating to the information required by this Bylaw, the calculation, the collection and remittance by the Member Municipality of the Development Cost Charges levied under this Bylaw, and the calculations and remittance by the Member Municipality of any payments required under this Bylaw.
- (8) Each Member Municipality shall permit any employee or agent of the District to inspect the records referred in this part and to make and take away copies of those records.
- (9) If a Member Municipality chooses not to collect any portion of Development Cost Charges payable under this Bylaw or to remit to the District any Development Cost Charges collected in the manner prescribed by this Bylaw, the Member Municipality shall pay to the District on demand an amount equal to the Development Cost Charges that the Member Municipality should have collected or remitted under this Bylaw.

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(1) The General Manager may prescribe any form, statement, notice, practice, procedure or other administrative requisites required under this Bylaw, after prior consultation with the staff of Member Municipalities.

7. SEVERABILITY

(1) If any portion of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed, and the remainder of the Bylaw shall be deemed to have been enacted without the invalid portion.

8. APPLICATION AND ADMINISTRATION

(1) Schedule A – Development Cost Charge Rates attached to this Bylaw forms an integral part of this Bylaw and is enforceable in the same manner as this Bylaw.

(2) This Bylaw applies to all applications for Subdivision and for issuance of a Building Permit for parcels located within the Regional Water Supply Service Area.

9. EFFECTIVE DATE

(1) This Bylaw shall come into force and effect on April 2, 2027.

10. CITATION

(1) This Bylaw may be cited as “Regional Water Supply Service Development Cost Charge Bylaw No. 1, 2026”

READ A FIRST TIME THIS	day of	20____
READ A SECOND TIME THIS	day of	20____
READ A THIRD TIME THIS	day of	20____
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	day of	20____
ADOPTED THIS	day of	20____

CHAIR

CORPORATE OFFICER

SCHEDULE A
DEVELOPMENT COST CHARGE RATES

Land Use Category	Unit of Charge	Development Cost Charge Rates
Low Density Residential (<i>Single Family, Two-Unit Dwelling</i>)	per lot (or unit, in the case of a Two-Unit Dwelling)	\$9,044
Medium Density Residential (<i>Triplex, Fourplex, Townhouse, Manufactured House</i>)	per unit	\$7,914
High Density Residential (<i>Apartment</i>)	per unit	\$5,087
Commercial	per m ² * GFA**	\$33.92
Industrial	per m ² GFA	\$16.96
Institutional	per m ² GFA	\$73.48

*m² = square metre

**GFA = Gross Floor Area