

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4363**

**A BYLAW TO AUTHORIZE THE PREPARATION OF A PARCEL TAX ROLL FOR THE
MAGIC LAKE ESTATES WASTEWATER SYSTEM UPGRADE**

WHEREAS:

- A. The Capital Regional District established the Magic Lake Estate Wastewater System Local Service under *Outer Gulf Islands Magic Lake Estates Sewage System Local Service Establishment Bylaw, 1990* (Bylaw No. 1873), which authorizes collection of monies by parcel tax;
- B. Pursuant to *Magic Lake Estates Wastewater System Loan Authorization Bylaw No. 3, 2019* (Bylaw No. 4320), adopted December 11, 2019, the Capital Regional District may borrow an amount not to exceed \$6-million for the purpose of administering, planning, designing, acquiring and constructing capital renewal and upgrade of the wastewater system;
- C. As part of the public consultation process, ratepayers desired to pay for the upgrades to the service by way of per unit parcel tax, and desired the option for a per-parcel lump sum payment to be excluded from this parcel tax roll; and
- D. For the purpose of imposing a parcel tax the Board must, pursuant to s. 388(2) of the *Local Government Act*, provide for the preparation of a parcel tax roll for the service area in accordance with Division 4 of Part 7 of the *Community Charter*;

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

Definitions

- 1. In this bylaw, unless the context otherwise requires, "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.

Preparation of Parcel Tax Roll

- 2. Beginning in the year 2020 and annually thereafter until the end of the year 2050, a parcel tax roll shall be prepared for the purposes of paying the debt incurred under *Magic Lake Estates Wastewater Loan Authorization Bylaw No. 3, 2019* (Bylaw No. 4320), in accordance with Division 4 of Part 7 of the *Community Charter*.
- 3. The parcel tax roll will include all parcels of land within the boundary of the Magic Lake Estates System Service Area, except for those parcels who have pre-paid for this parcel tax in accordance with the terms of this bylaw.
- 4. This parcel tax may be waived and the property removed from this parcel tax roll for pre-payment in cash pursuant to s. 201(3) of the *Community Charter* under the following terms and conditions:

- a. Any owner whose parcel is subject to a parcel tax in accordance with the *Outer Gulf Islands Magic Lake Estates Sewage System Local Service Establishment Bylaw No. 1, 1990* (Bylaw No. 1873) and the loan authorized by *Magic Lake Estates Wastewater System Loan Authorization Bylaw No. 3, 2019* (Bylaw No. 4320) may, in lieu of the annual parcel tax payment, make a one-time cash payment of \$8,249.30.
- b. The payment must be made by way of bank draft or certified cheque, delivered to the Capital Regional District no later than 12:00 noon on Friday, November 27, 2020.
- c. A cash payment made under this subsection waives the parcel tax payable with respect to one parcel only within the service area. The owner of a parcel being subdivided in respect of which a cash payment has been made shall advise the Capital Regional District as to which parcel created as a result of subdivision the cash payment is to be applicable (the "Designated Parcel").
- d. Subsection (c) applies to further subdivisions of the Designated Parcel.
- e. A parcel created by subdivision other than a Designated Parcel shall be liable and shall continue to be liable for the parcel tax throughout the duration of the debt servicing period in respect of which the parcel tax is imposed as if no cash payment had been made in respect of the parcel as described in this bylaw.
- f. If a lot is consolidated with any other lot subject to a parcel tax, then the new consolidated lot will be deemed subject to the parcel tax, despite anything in this bylaw.

Basis and Amount of Parcel Tax

5. The parcel tax shall be imposed on the basis of a single amount for each parcel.

Citation

7. This Bylaw may be cited as the "Magic Lake Estates Wastewater System Parcel Tax Roll Bylaw No. 1, 2020".

READ A FIRST TIME THIS	day of
READ A SECOND TIME THIS	day of
READ A THIRD TIME THIS	day of
ADOPTED THIS	day of

CHAIR

CORPORATE OFFICER