

The following is a consolidated copy of the Black Creek – Oyster Bay development cost charge bylaw and includes the following bylaws:

BYLAW No.	BYLAW NAME	ADOPTED	PURPOSE
2392	Black Creek/Oyster Bay Water Local Service Area Development Cost Charges Bylaw 2001	March 25, 2002	To impose development cost charges for the Black Creek/Oyster Bay water local service area
2461	Black Creek/Oyster Bay Water Local Service Area Development Cost Charges Bylaw 2001, Amendment Bylaw No. 1, 2002	January 27, 2003	To amend the development cost charge bylaw for the Black Creek/Oyster Bay water local service area
63	Black Creek/Oyster Bay Water Local Service Area Development Cost Charges Bylaw 2001, Amendment No. 2	November 23, 2010	To replace Schedule A, definition of service area and section 2

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 2392

**A Bylaw to Impose Development Cost Charges for the Black Creek/Oyster Bay
Water Local Service Area**

WHEREAS under Section 933(9) of the Local Government Act, where a Board has the responsibility of providing a service in a participating municipality, the Board may, by bylaw, under section 933(1) impose a development cost charge;

AND WHEREAS Bylaw No. 1557 being "Black Creek/Oyster Bay Water Local Service Area Conversion and Establishment Bylaw, 1993" was adopted by the Regional District Board on the 30th day of January 1995;

AND WHEREAS the development cost charges imposed by this Bylaw are for the purpose of providing funds to assist the Regional District to pay the capital cost of providing, altering or expanding water facilities to service directly or indirectly, development in respect of which the charges are imposed;

AND WHEREAS the Regional District is authorized to construct the facilities for which development cost charges are imposed under this Bylaw;

AND WHEREAS the Board of the Regional District has taken into consideration:

- a) future land use patterns and development; and
- b) the phasing of waterworks and services

in the Local Service Area;

AND WHEREAS the Board of the Regional District considers that the development cost charges imposed by this Bylaw:

- a) are not excessive in relation to the capital cost of prevailing standards of service; and
- b) will not deter development; and
- c) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land

in the Local Service Area;

AND WHEREAS this Bylaw requires the approval of the Inspector of Municipalities prior to adoption;

NOW THEREFORE, the Board of the Regional District of Comox-Strathcona in open meeting assembled, enacts as follows:

1. Definitions:

"Dwelling, Single Family" means a detached building or mobile home containing one dwelling unit used or intended for residential use.

"Dwelling Unit" means a self contained unit consisting of one or more rooms designed occupied or intended for occupancy as a separate household with sleeping, sanitary and cooking facilities.

"Service Area" means that part of that part of Electoral Area 'C' (Puntledge – Black Creek) of the Comox Valley Regional District and Electoral Area 'D' (Oyster Bay – Buttle Lake) of the Strathcona Regional District located within the local service area created under Bylaw No. 1557 being "Black Creek/Oyster Bay Water Local Service Area Conversion and Establishment Bylaw, 1993" as amended from time to time.

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"Tourist Accommodation" means a use providing for the temporary accommodation of the travelling public.

"Tourist Accommodation Unit" means a self-contained unit constructed in a building consisting of one or more rooms used or intended for a tourist accommodation use.

2. This Bylaw applies to subdivisions and development in the Service Area.

3. Every person who obtains, in the local service area:

- a) an approval of the subdivision of a parcel of land under the *Land Title Act* or the *Strata Property Act*, or;
- b) A building permit, whose value of the work authorized by the permit exceeds fifty thousand dollars (\$50,000), authorizing the construction, alteration or extension of a building that will, after the construction, alteration or extension
 - 1) Contain two or more self contained dwelling units; and
 - 2) Be put to no other use than the residential use in those dwelling units;

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shall pay the applicable development cost charges as set out in schedule 'A' to the Comox Valley Regional District at the time of approval of the subdivision or the issuance of a building permit, whichever the case may be.

c) a building permit authorizing the construction, alteration or extension of a building or structure

except where

- 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 339(1)(g) of the Local Government Act, or
- b) the permit authorizes the construction, alteration or extension of a building or part of a building that will, after the construction, alteration or extension
 - i. contain less than four (4) dwelling units, and
 - ii. be put to no other use other than the residential use of those dwelling units, or
- c) the value of the work authorized by the permit does not exceed \$50,000.00 or any other amount the Minister may, by regulation, prescribe,

must pay to the Comox Valley Regional District at the time of approval of the subdivision or the issuance of a building permit, whichever the case may be, the applicable development cost charges prescribed in Schedule 'A' of this bylaw.

4. Bylaw No. 440 being "Black Creek/Oyster Bay Specified Area Development Cost Charge Bylaw, 1980" is hereby repealed.
5. This Bylaw may be cited for all purposes as "Black Creek/Oyster Bay Water Local Service Area Development Cost Charges Bylaw 2001."

READ A FIRST AND SECOND TIME THIS 27TH DAY OF AUGUST 2001.

READ A THIRD TIME THIS 29TH DAY OF JANUARY 2002.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 26TH DAY OF FEBRUARY 2002.

ADOPTED THIS 25TH DAY OF MARCH 2002.

"D.M. Andrews"

Chair

"B. Randall"

Manager of Corporate Administration

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2392 being "Black Creek/Oyster Bay Water Local Service Area Development Cost Charges Bylaw 2001" as adopted by the Board of the Regional District of Comox-Strathcona on the 25th day of March, 2002.

"B. Randall"

Manager of Corporate Administration

Schedule 'A'

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Development cost charges payable under this bylaw are:

Type of Development	Upon Subdivision	Upon Issue of Building Permit
Residential Dwelling, Single Family	\$6,058 per parcel created for one dwelling unit	Not applicable
Residential Dwelling, Single Family (duplex)	\$12,116 per parcel created for two dwelling units	Not applicable
Residential Dwelling, Single Family (triplex)	\$18,174 per parcel created for three dwelling units	Not applicable
Residential Dwelling, Single Family (fourplex)	\$24,232 per parcel created for four dwelling units	Not applicable
Residential Dwelling, Multi Family	\$6,058 per dwelling unit permitted to be constructed under zoning; or	\$6,058 per unit
Tourist Accommodation	Not applicable	\$6,058 per unit created
Commercial/Institutional (other than tourist commercial)	Not applicable	\$6,058 per unit created