

NORTH SALT SPRING WATERWORKS DISTRICT
BYLAW 269

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 North Salt Spring Waterworks District (the 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 District;

The Trustees of the North Salt Spring Waterworks District ENACT AS FOLLOWS:

1. In addition to other charges applicable under other bylaws of the 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 of 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 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 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 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 District; or,
 - b. will deter development in the District; or,
 - c. will discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the 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 District. The District must use money deposited in the reserve fund plus all interest or earning 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 charges was based, in order to service directly or indirectly, the development in respect to which the charge was collected; or,
 - b. pay principle and interest on a debt incurred by the District as a result of an expenditure referred to in Section 5(a).
6. Monies must be disbursed by a bylaw passed by the Trustees.
7. The following bylaw is hereby repealed: Bylaw 263
8. This bylaw may be cited as the “Comprehensive Capital Expenditure Charge (Water) Bylaw 269”.

INTRODUCED and given first reading by the Trustees on the 21st day of January 2015.

RECONSIDERED and finally passed by the Trustees on the 21st day of January 2015.

Original signed by:

Marshall Heinekey

Chairman Board of Trustees

Anne Williams

Secretary to the Trustees

I hereby certify under the seal of the North Salt Spring Waterworks District that this is a true copy of Bylaw 266 of the North Salt Spring Waterworks District, passed by the Trustees on the 21st day of January 2015.

Anne Williams

Secretary to the Trustees

Registered by the Inspector of Municipalities February 11, 2015

SCHEDULE "A"
BYLAW 269 – January 21, 2015

CAPITAL EXPENDITURE CHARGES (WATER FACILITIES)

Land Use		Basis of Assessment	Charge
A. Residential		Per lot being created	
1.	Single family including bare land strata		\$10,962.00
2.	Multi-Family units over 600 sq. ft. including duplex units, secondary suites, apartments, condominiums and townhouses	Per unit to be constructed	\$ 9,098.00
3.	Multi-Family units under 600 sq. ft. including duplex units, secondary suites, apartments, condominiums and townhouses	Per unit to be constructed	\$ 7,015.00
4.	Manufactured Home Park	Per unit	\$ 7,015.00
5.	RV Park	Per unit or pad to be constructed	\$ 2,740.00
B. Commercial			
1.	Motels, Hotels and RV Parks	Per unit or pad to be constructed	\$ 2,740.00
2.	Restaurants, Shopping Centre, Dining Lounges, Offices, Pubs, Service Stations and every other commercial use other than Motels, Hotels and RV Parks	Per 100 square meters of commercial floor space created	\$ 4,384.00
C. Industrial/Commercial			
1.	Light Industrial	Per 100 square meters of industrial space created	\$ 2,192.00
2.	Industrial/Commercial requiring water for process	Per 1.66 cubic meters per day of maximum day demand	\$10,962.00
D. Institutional			
1.	Institutional uses: Land or buildings used as an institution for educational, health religious or charitable purposes for the benefit of the public without a view to obtaining profit or gain, including, without limiting the generality of the foregoing, the use of land or buildings as a church, a hospital, a public school or training facility, and a museum.	Per 100 square meters of institutional floor space created	\$ 3,946.00
2.	Institutional Landscaping	Per hectare of irrigated area	\$ 5,481.00