

TOWN OF COMOX

BYLAW NO. 1830

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES FOR THE CAPITAL COST OF PROVIDING, ALTERING OR EXPANDING HIGHWAY, DRAINAGE, SEWAGE AND WATER FACILITIES AND INFRASTRUCTURE, AND FOR THE ACQUISITION AND IMPROVEMENT OF LAND FOR PUBLIC PARKS

WHEREAS:

- A. Development cost charges may be imposed for the purpose of providing funds to pay for the capital costs of land, facilities and infrastructure works stated above to service directly or indirectly, the development for which the charges are being imposed;
- B. In the opinion of Council, the charges imposed by this Bylaw are related to the capital costs attributable to projects considered in the financial plan in conjunction with the Town of Comox Official Community Plan;
- C. In imposing the development cost charges herein, Council has taken into consideration future land use patterns and development, the phasing of public works and services, and the provision and improvement of parkland all as described in the Official Community Plan and has considered how development designed to result in low environmental impact may affect the capital costs of infrastructure referred to in Section 564 (4) (a) through (f) of the *Local Government Act RSBC 2015 C.1*;
- D. Council considers that the charges imposed by this Bylaw are not excessive in relation to the prevailing standards of service in the Town of Comox, and will not
 - (i) deter development;
 - (ii) discourage the construction of reasonably priced housing, or the provision of reasonably priced serviced land;
 - (iii) discourage the development or redevelopment of commercial or industrial properties that would otherwise provide employment and economic diversity and stability in the Town; or
 - (iv) discourage development designed to result in low environmental impact.

NOW THEREFORE the Council of the Town of Comox, in open meeting assembled enact as follows:

1. Title

This Bylaw may be cited for all purposes as “Comox Development Cost Charges Bylaw No. 1830”

2. Definitions

The meaning of words in this bylaw that are not defined below shall have the meaning assigned to them in the *Local Government Act RSBC 2015 C.1* and in this Bylaw:

Building: A structure having a roof supported by columns or walls, and used for the shelter or accommodation of persons or property.

Cellars: That portion of a building situated between the top of any floor and the top of the floor next above it having no more than 0.6 metres of its height above the ground level, and a height from floor to ceiling of less than 2.1 metres.

Coach House: A building consisting of one dwelling unit. Coach houses shall:

- (1) only be permitted on a parcel on which a single family dwelling exists;
- (2) only be permitted on a parcel where either the single family dwelling or the coach house is owner occupied;
- (3) be limited to one (1) per parcel;
- (4) have a gross floor area not exceeding 90m²; and
- (5) not be located on a parcel containing more than 2 dwelling units.

Commercial: (1) a use located in a commercial or marine zone classified as such in section 4.1 of the Town’s zoning bylaw, other than a residential use, or (2) a non-residential use located in a residential or multi-family residential zone classified as such in section 4.1 of the Town’s zoning bylaw.

Commercial Accommodation: A commercial use where rooms are offered for use as temporary accommodation.

Community Care Facility: An establishment licensed as a community care facility under the *Community Care Facility Act* of British Columbia.

Congregate Care Facility: A building or part thereof providing dwelling units in conjunction with central kitchen and dining services and with or without common shared areas.

Development: Includes the subdivision of land and the construction, alteration, and extension of a building or structure requiring the issuance of a building permit.

Downtown: All parcels of land located within Downtown Comox as shown in Schedule “B1”.

Dwelling Unit: One or more rooms (1) constituting a self-contained unit with only one cooking facility and (2) occupied as the permanent residence of one household.

Gross Floor Area: The total floor area of all buildings on a parcel measured between the exterior faces of the exterior walls of each building including stairwells and elevator shafts; does not include parking or loading areas, driveways, bicycle parking spaces or cellars.

Household: One or more persons living together as a single domestic unit.

Industrial: (a) utility buildings and facilities such as telephone exchanges, transformer stations and public works yards or (b) a use located in an industrial zone classified as such in section 4.1 of the Town's zoning bylaw, other than a residential use.

Institutional: A use located in a park zone or an institutional zone classified as such in section 4.1 of the Town's zoning bylaw, other than a residential use, or utility buildings and facilities such as telephone exchanges, transformer stations and public works yards.

Intermediate Care Facility: A community care facility where food, accommodation and nursing care is provided.

Multi-Family High Density: A building or part thereof consisting of more than forty (40) dwelling units.

Multi-Family Low Density: (a) A part of a building consisting of one (1) dwelling unit; does not include a single family dwelling or (b) a building or part thereof consisting of two (2) to thirty (30) dwellings units, excluding secondary suites.

Multi-Family Medium Density: a building or part thereof consisting of thirty one (31) to forty (40) dwellings units.

Parcel: Any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway.

Parcel Area: The area of land within the boundaries of a parcel.

Residential Use: A single family dwelling; congregate care facility; intermediate care facility; multi-family low density; multi-family medium density; multi-family high density and the use of a portion of a dwelling unit for business purposes. For the purpose of sections 5(e) and 6(b) intermediate care facility is not a residential use.

Secondary Suite: A dwelling unit that is secondary to another dwelling unit. Single family dwellings containing a secondary suite shall be owner occupied.

Secondary suites shall:

- (1) be located only in single family dwellings;
- (2) be limited to one (1) per single-family dwelling;
- (3) be completely contained within the principal building of the single family dwelling;
and
- (4) have a dwelling unit gross floor area not exceeding 40% of the gross floor area of the principal building or 90m² whichever is the lesser.

Single Family Dwelling: A building consisting of one dwelling unit, a building consisting of two dwelling units one of which is a secondary suite, or a parcel containing a building consisting of one dwelling unit and a coach house.

Structure: Anything that is man-made that is fixed to, supported by or sunk into land; does not include a vehicle or boat.

Town: The Town of Comox.

Utility: An organization supplying electricity, natural gas, water, sanitary sewer, storm water management, telephone or communication cable service.

3. Application

This Bylaw applies to all land, buildings and structures situated within the boundaries of the Town of Comox.

4. Development Cost Charges

Every person who obtains:

- a) approval of a subdivision, or
- b) a building permit authorizing the construction, alteration or extension of a building or structure,

shall prior to such approval pay the applicable development cost charges as set out in Schedule "A" attached to and forming part of this Bylaw.

5. Exceptions

As an exception to Section 4, no development cost charges are required to be paid:

- a) where the development does not impose any new capital cost burden on the Town;
- b) where a development cost charge has previously been paid for the same development unless, as a result of a further development or alteration, new capital cost burdens will be imposed on the Town;
- c) where the building permit authorizes the construction, alteration or extension of a building exempt from taxation under S.220(1) (h) or S. 224 (2) (f) of the Community Charter;
- d) where the value of the work authorized by the building permit does not exceed \$100,000.00;

- e) for the construction, alteration, or extension of self-contained dwelling units in a building authorized under a building permit, if each unit is no larger than 45 square metres, and each unit is to be put to no other use other than the residential use in those dwelling units; or
- f) notwithstanding section 6(f) of this Bylaw, other than Single Family Dwelling, Multi-Family Low Density, Multi-Family Medium Density and Multi-Family High Density, no charges apply to uses located in an agricultural zone classified as such in section 4.1 of the Town's zoning bylaw

6. Payment and Calculation of Development Cost Charges

Charges shall be calculated and paid in accordance with Schedule "A" as follows:

- a) in the case of subdivision for single family dwelling each parcel in the subdivision in excess of the number that existed prior to subdivision shall be charged;
- b) under Section 561(6) of the *Local Government Act RSBC 2015 C.1*, on issuance of a building permit that authorizes the construction, alteration or extension of a building that will, after the construction, alteration or extension,
 - (i) contain fewer than 4 self-contained dwelling units, and
 - (ii) be put to no other use other than the residential use in those dwelling units;
- c) on the issuance of a building permit provided that the calculation of the charge shall be reduced by the amount of any charge levied and paid upon subdivision of the parcel on which the development is situated;
- d) on the issuance of a building permit provided that the calculation for the charge shall be reduced by the amount of any charge applicable to the most recent use of the property prior to building permit application;
- e) in the case of a building permit for mixed use development, charges shall be calculated separately for each category of use according to Schedule "A"; and
- f) where a type of development is not identified on Schedule "A", the amount of the charge to be paid shall be calculated as if the development were Commercial.

7. Schedule "A" attached to this Bylaw consists of three tables establishing the amounts of Development Cost Charges applicable to development in the Town of Comox and Schedule "A" forms part of this Bylaw.

8. Schedule "B" attached to this Bylaw consists of two maps, Schedule "B1" delineating "Downtown Comox" and Schedule "B2" delineating the "Sanitary Sewer Development Cost Charges Service Area" boundaries.

9. Repeal and Effective Date

- a) Comox Development Cost Charges Bylaw, 2006 is hereby repealed except Section 5.
- b) This Bylaw shall come into full force and effect as of the date of Adoption provided that in respect of both commercial development outside of the Downtown, and institutional development anywhere within the Town, the development cost charges in this Bylaw are suspended for six months from Adoption and shall be charged at the rates and amounts set out in Comox Development Cost Charges Bylaw, 2006.

10. ADOPTION

READ A FIRST AND SECOND TIME this	17 th day of February, 2016
READ A THIRD TIME this	17 th day of February, 2016
THIRD READING RESCINDED	6 th day of April, 2016
READ A THIRD TIME AS AMENDED this	6 th day of April, 2016
APPROVED by the Inspector of Municipalities this	15 th day of April, 2016
ADOPTED this	4 th day of May, 2016

“Paul Ives”

MAYOR

“Richard Kanigan”

CORPORATE OFFICER

Schedule "A"

Comox Development Cost Charges Bylaw No. 1830

SANITARY SEWER DEVELOPMENT COST CHARGES			
Type of Development	COLUMN A Upon Issuance of Building Permit	COLUMN B Upon Subdivision	Development Cost Charge Applicable Area
Single Family Dwelling (per parcel)	\$1,072.05	\$1,072.05	As shown in Schedule "B2"
Multi-Family Low Density -Except Downtown (per unit)	\$818.76	Not Applicable	
Multi-Family Medium Density - Except Downtown (per unit)	\$809.50	Not Applicable	
Multi-Family High Density - Except Downtown (per unit)	\$809.50	Not Applicable	
Multi-Family Low Density - Downtown (per unit)	\$809.50	Not Applicable	
Multi-Family Medium Density - Downtown (per unit)	\$809.50	Not Applicable	
Multi-Family High Density - Downtown (per unit)	\$809.50	Not Applicable	
Congregate Care Facility / Intermediate Care Facility (per unit)	\$396.11	Not Applicable	
Commercial Accommodation (per unit)	\$562.90	Not Applicable	
Commercial-Except Downtown (per m ² of gross floor area)	\$5.66	Not Applicable	
Commercial - Downtown (per m ² of gross floor area)	\$5.36	Not Applicable	
Institutional (per m ² of gross floor area)	\$6.00	Not Applicable	
Industrial (per m ² of gross floor area)	\$0.38	Not Applicable	

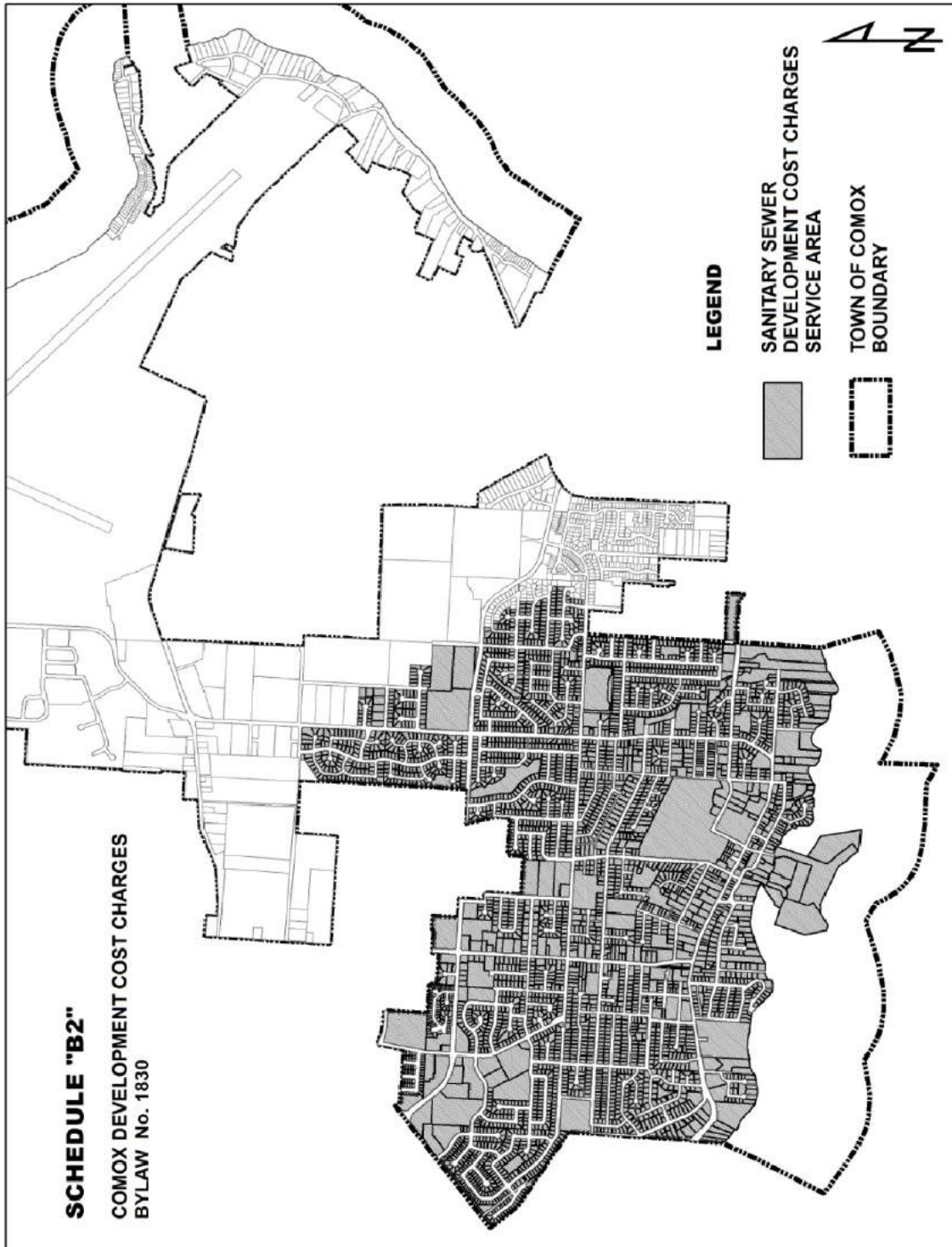
PARK DEVELOPMENT COST CHARGES			
Type of Development	COLUMN A Upon Issuance of Building Permit	COLUMN B Upon Subdivision	Development Cost Charge Applicable Area
Single Family Dwelling (per parcel)	\$2,171.62	\$2,171.62	All areas within the Town of Comox boundaries
Multi-Family Low Density -Except Downtown (per unit)	\$1,658.54	Not Applicable	
Multi-Family Medium Density - Except Downtown (per unit)	\$1,639.78	Not Applicable	
Multi-Family High Density -Except Downtown (per unit)	\$1,639.78	Not Applicable	
Multi-Family Low Density - Downtown (per unit)	\$1,639.78	Not Applicable	
Multi-Family Medium Density - Downtown (per unit)	\$1,639.78	Not Applicable	
Multi-Family High Density - Downtown (per unit)	\$1,639.78	Not Applicable	
Congregate Care Facility / Intermediate Care Facility (per unit)	\$802.40	Not Applicable	
Commercial Accommodation (per unit)	Not Applicable	Not Applicable	
Commercial-Except Downtown (per m ² of gross floor area)	Not Applicable	Not Applicable	
Commercial - Downtown (per m ² of gross floor area)	Not Applicable	Not Applicable	
Institutional (per m ² of gross floor area)	Not Applicable	Not Applicable	
Industrial (per ha of parcel area)	Not Applicable	Not Applicable	

HIGHWAY DEVELOPMENT COST CHARGES			
Type of Development	COLUMN A Upon Issuance of Building Permit	COLUMN B Upon Subdivision	Development Cost Charge Applicable Area
Single Family Dwelling (per parcel)	\$2,748.40	\$2,748.40	All areas within the Town of Comox boundaries
Multi-Family Low Density - Except Downtown (per unit)	\$1,551.79	Not Applicable	
Multi-Family Medium Density - Except Downtown (per unit)	\$1,550.75	Not Applicable	
Multi-Family High Density - Except Downtown (per unit)	\$1,550.75	Not Applicable	
Multi-Family Low Density - Downtown (per unit)	\$1,394.53	Not Applicable	
Multi-Family Medium Density - Downtown (per unit)	\$1,394.53	Not Applicable	
Multi-Family High Density - Downtown (per unit)	\$1,394.53	Not Applicable	
Congregate Care Facility / Intermediate Care Facility (per unit)	\$538.37	Not Applicable	
Commercial Accommodation (per unit)	\$1,095.43	Not Applicable	
Commercial-Except Downtown (per m ² of gross floor area)	\$95.24	Not Applicable	
Commercial - Downtown (per m ² of gross floor area)	\$48.26	Not Applicable	
Institutional (per m ² of gross floor area)	\$40.54	Not Applicable	
Industrial (per ha of parcel area)	\$32,005.61	Not Applicable	

Schedule "B1" Comox Development Cost Charges Bylaw No. 1830



Schedule "B2" Comox Development Cost Charges Bylaw No. 1830



The following is a consolidated copy of the Regional District of Comox-Strathcona Water Supply Development Cost Charges Bylaw 2001 and includes the following bylaws:

	Bylaw No.	Bylaw Name	Adopted	Purpose
1.	2342	Regional District of Comox-Strathcona Water Supply Development Cost Charges Bylaw 2001	Feb 26, 2001	<ul style="list-style-type: none"> ❑ Create development cost charges 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
2.	2900	Regional District of Comox-Strathcona Water Supply Development Cost Charges Bylaw 2001, Amendment No. 1	October 30, 2006	<ul style="list-style-type: none"> ❑ To amend the DCC's for the CV water system to assist in funding the required supply and storage improvements. Repeals and replaces section 1 and replaces Schedule A.

REGIONAL DISTRICT OF COMOX-STRATHCONA

BYLAW NO. 2342

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES FOR THE COMOX VALLEY WATER SUPPLY

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 that is applicable within that municipality, and the municipality, under section 933(1) shall collect and remit the development cost charge to the Board in the manner provided for in the Bylaw;

AND WHEREAS by Supplementary Letters Patent dated February 17, 1967, Division VI – Water Supply, the Regional District was empowered to design, construct, reconstruct, purchase, maintain and operate facilities for the purpose of supplying bulk water to the City of Courtenay and to the Town of Comox and to individual customers not within the boundaries of a municipality or improvement district having water supply as an object;

AND WHEREAS by way of Bylaw No. 1783 being “Water Local service Establishment Bylaw 1995”, the Regional District converted the water supply service to a local service to be know as the “Comox Valley Water System” for the supply of bulk water to:

- a) the City of Courtenay and the Town of Comox (the “Participating Municipalities”); and
- b) within Electoral Areas ‘A’, ‘B’ and ‘C’ of the Regional District, the water local service areas of Comox Valley, Arden, Marsden/Camco, Greaves Crescent and England Road (the “Local Service Areas”);

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 Participating Municipalities and Local Service Areas;

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 Participating Municipalities and Local Service Areas;

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

AND WHEREAS the Regional District has adopted a capital expenditure program bylaw;

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

1. Every person who obtains, in the participating municipalities or the local service areas:
 - 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
 - (i) Contain two or more self contained dwelling units; and
 - (ii) Be put to no other use than the residential use in those dwelling units;Shall pay the applicable development cost charges as set out in schedule ‘A’ to the participating municipality where the land being subdivided or the building or structure will be constructed, altered or extended is located, or to the Regional District of Comox-Strathcona if the land is located in the local service areas.
2. Where a charge is collected under Section 1 of this Bylaw by a Participating Municipality, the Participating Municipality shall by the twentieth business day of the following month, pay the development cost charges imposed and collected under this Bylaw to the Regional District and the Municipality shall, at the time of payment to the Regional District, provide the Regional District with an accounting of the source and amount of the development cost charge.
3. This Bylaw may be cited for all purposes as **“REGIONAL DISTRICT OF COMOX-STRATHCONA WATER SUPPLY DEVELOPMENT COST CHARGES BYLAW 2001.”**

READ A FIRST AND SECOND TIME THIS 29TH DAY OF JANUARY 2001.
READ A THIRD TIME THIS 29TH DAY OF JANUARY 2001.

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2342 being “Regional District of Comox-Strathcona Water Supply Development Cost Charges Bylaw 2001” as read a third time by the Board of the Regional District of Comox-Strathcona on the 29th day of January, 2001.

“B. Randall”

 Manager of Corporate Administration

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 21ST DAY OF FEBRUARY 2001.
ADOPTED THIS 26TH DAY OF FEBRUARY 2001.

“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. 2342 being “Regional District of Comox-Strathcona Water Supply Development Cost Charges Bylaw 2001” as adopted by the Board of the Regional District of Comox-Strathcona on the 26th day of February, 2001.

“B. Randall”

 Manager of Corporate Administration

REGIONAL DISTRICT OF COMOX-STRATHCONA**BYLAW NO. 2900****Regional District of Comox-Strathcona Water Supply
Development Cost Charges Bylaw 2001, Amendment No. 1****SCHEDULE ‘A’**

1. Development cost charges payable under this bylaw are:

	Type of Development	Upon Subdivision	Upon Issue of Building Permit
a.	Single family residential	\$3,702 per building parcel being created	Not applicable
b.	Multi-family residential	\$3,086 per dwelling unit permitted to be constructed under zoning; or	\$3,086 per unit
c.	Congregate care facility	Not applicable	\$1,543 per unit
d.	Commercial / institutional	Not applicable	\$10.80 per square metre of gross building area
e.	Industrial / public utility	Not applicable	\$37,027 per hectare of lot area under development

The following is a consolidated copy of the Comox Valley sewerage system development cost charges bylaw no. 2445, 2002 and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
2445	Comox Valley Sewerage System Development Cost Charges Bylaw No. 2445, 2002	July 29, 2002	To develop DCC's for the purpose of providing funds to assist the Regional District to pay the capital cost of providing, altering or expanding the sewerage system infrastructure to service directly or indirectly, development in respect of which the charges are imposed
2942	Comox Valley Sewerage System Development Cost Charges Bylaw No. 2445, 2002, Amendment No. 1	October 30, 2006	To assist in funding the required trunk sewer and sewerage treatment upgrading improvements of the Comox Valley sewerage system; repeals and replaces section 1 and replaces Schedule A.
218	Comox Valley Sewerage System Development Cost Charges Bylaw No. 2445, 2002, Amendment No. 2	March 26, 2013	To add definitions, replace section 1 (b), add sections 3-6 and replace Schedule A to reflect increased development cost charges (DCCs).

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. Titles and whereas clauses may be different than in original bylaws to make this consolidated version more clear and identify historical changes and conditions. 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. 2445

A bylaw to impose development cost charges for the Comox Valley sewerage system

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) of the *Local Government Act*, impose a development cost charge that is applicable within that municipality and the municipality, under section 933(1) shall collect and remit the development cost charge to the board in the manner provided for in the bylaw;

AND WHEREAS by supplementary Letters Patent dated January 11, 1979, the Regional District of Comox-Strathcona was empowered to acquire, construct, equip, operate and maintain sewage interception, treatment and disposal facilities for the purpose of providing the service of wastewater collection, treatment and disposal (the "sewerage system") to the City of Courtenay and to the Town of Comox;

AND WHEREAS the City of Courtenay and the Town of Comox are the participating members ("participating municipalities") in this service;

AND WHEREAS the Comox Valley Regional District was established in February 2008, following the restructure of the Comox Strathcona Regional District, and the newly formed Comox Valley Regional District was empowered to assume all the same functions of the sewerage systems under this service;

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 the sewerage system infrastructure 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 the sewerage system infrastructure

within the participating municipalities;

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

within the participating municipalities;

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

AND WHEREAS the regional district has adopted a capital expenditure program bylaw;

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

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Definitions

- a) “Dwelling unit” means a self-contained residential unit consisting of one or more habitable rooms designed, occupied or intended for occupancy as a separate household of only one person or family with a separate entrance and sleeping, sanitary and cooking facilities, with not more than one kitchen room.
- b) “Single family residential” means a detached free-standing building or mobile home containing one *dwelling unit* used or intended for residential use, but excludes a recreational vehicle and/or tent.
- c) “Single family residential second dwelling” means a detached free-standing building or mobile home containing one *dwelling unit* used or intended for residential use that is in addition to the first *single family residential* building or mobile home on the property and acts as a separate single family residential dwelling, but excludes a recreational vehicle and/or tent.
- d) “Secondary suite” means a *dwelling unit* of less than 90 m² or 40% of the habitable floor space of the main dwelling unit, whichever is less, which is located within a *single family residential* building, which is self-contained and accessory to the principal use being made of the lot upon which the *secondary suite* is located, with a separate entrance and exit, and with the following water efficient features:
 - i. High efficiency appliances
 - ii. Low flow faucets/shower head
 - iii. A maximum of one bath/shower unit per suite
 - iv. A maximum of one toilet per suite (4.8 lpf or less)
 - v. A meter-ready water connection for the lot
- e) “Multi-family residential” means a building or series of buildings containing two or more separate *dwelling units* used or intended for residential use on a single property.
- f) “Congregate care facility” means a building, or part thereof, or series of buildings with four or more sleeping units containing permanent residential accommodation and living facilities intended for persons age fifty-five (55) or older which has a common living area, common kitchen and dining area where meals are provided, housekeeping, and a common area where health care, skilled nursing, cultural, social and other services may be provided through a central management structure/service.
- g) “Commercial / institutional” means a building or series of buildings, or structure, intended to house a commercial OR institutional use such as, but not limited to, service commercial, office commercial, government use, hall, library, recreational facilities, public and private schools, colleges, universities, hospitals and private care facilities, as permitted under the authority of the *participating municipalities’* zoning bylaws.
- h) “Industrial / public utility” means a building or series of buildings intended to house an industrial operation OR public utility such as, but not limited to light, domestic, or heavy industrial use, manufacturing, warehouses, mini-storage, minor repair, fabrication, fuel storage, electrical power, natural gas, telephone, cable vision/systems, and similar utility use, supply, storage, distribution, utility service building, and plant facilities, as permitted under the authority of the *participating municipalities’* zoning bylaws”

1. Every person who obtains, in the participating municipalities
 - (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 authorizing the construction, alteration or extension of a buildingmust pay, at the time of approval of the subdivision or the issue of the building permit, as the case may be, applicable development cost charges prescribed in schedule ‘A’ to this bylaw to the participating municipality where the land being subdivided or the building or structure being be constructed, altered or extended is located.
2. Where a charge is collected under Section 1 of this bylaw by a Participating Municipality, the Participating Municipality shall by the twentieth (20th) business day of the following month, pay the development cost charges imposed and collected under this Bylaw to the Regional District and the Participating Municipality shall, at the time of payment to the Regional District, provide the Regional District with an accounting of the source and amount of the development cost charge.
3. 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 as a place of public worship under the community charter.
 - (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 contain fewer than two self-contained dwelling units and be put to no other use other than residential use in that dwelling unit, pursuant to section 933(4.1)(a) of the *Local Government Act* unless the building named in subsection 1(b) authorizes a *single family residential second dwelling* on the property.
 - (c) the value of the work authorized by the permit does not exceed \$50,000.
 - (d) the permit authorizes the construction, alteration or extension of self-contained dwelling units in a building if each unit is no larger in area than 29 square metres and each unit is to be put to no other use other than the residential use in those dwelling units.
 - (e) the permit authorizes the construction, alteration, or extension of a building for a *secondary suite*, which is hereby established under section 933.1 (3) of the *Local Government Act* as an eligible form of “for profit affordable rental housing”.
 - (f) if a development cost charge for the Comox Valley sewerage system was previously paid for the same development, at the same floor area or number of units as the current building permit.
4. For a building permit which authorizes the addition to an existing building or part thereof or construction of a new building, with or without demolition, the development cost charges will be assessed on that portion of the gross floor area that exceeds the gross floor area of the existing building or that portion of the gross development area of the existing development, whichever is applicable.
5. Where development to which development cost charges apply contains two or more uses, the charge to be paid will be calculated separately for each use within the development and

the total charge to be paid will be the sum of the development cost charges for all uses in the development.

6. Long-term financing costs related to the Comox Valley water pollution control centre expansion projects are included in the eligible project costs as an exceptional circumstance, to avoid the development cost charge reserve fund being in a negative cash flow position as a result of these projects, in accordance with section 932 of the *Local Government Act*.”
7. This Bylaw may be cited for all purposes as “Comox Valley Sewerage System Development Cost Charges Bylaw No. 2445, 2002”.

Schedule ‘A’
Comox Valley Sewerage System Development Cost Charges Bylaw No. 2445

1. Development cost charges payable under this bylaw are:

	Type of Development	Upon Subdivision	Upon Issue of Building Permit
a.	Single family residential	\$5,980 per building lot being created	Not applicable
b.	Single family residential (second home)	Not applicable	\$5,980 per unit
c.	Secondary suite	Not applicable	Not applicable
d.	Multi-family residential	\$4,984 per dwelling unit permitted to be constructed under zoning; or	\$4,984 per unit
e.	Congregate care facility	Not applicable	\$2,492 per unit
f.	Commercial / institutional	Not applicable	\$34.90 per square metre of gross floor area
g.	Industrial / public utility	Not applicable	\$59,804 per hectare or part thereof of lot area under development