

THE CORPORATION OF THE VILLAGE OF LAKE COWICHAN

BYLAW NO. 603-1994

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES  
IN THE VILLAGE OF LAKE COWICHAN

WHEREAS the Council may, pursuant to Section 983 of the Municipal Act R.S.B.C. 1979 c.290, impose development cost charges under the terms and conditions of that Section;

AND WHEREAS development cost charges may be imposed for the sole purpose of providing funds to assist the municipality in paying the capital cost of providing, constructing, altering or expanding sewage, water and highway facilities or any of them, in order to serve, directly or indirectly, the development for which the charges are imposed;

AND WHEREAS no development cost charge shall be required to be paid:

- (1) if a development cost 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 municipality; or
- (2) where the development does not impose new capital cost burdens on the municipality;

AND WHEREAS, in the consideration of Council, the charges imposed by this Bylaw:

- (1) are not excessive in relation to the capital cost of prevailing standards of service in the municipality;
- (2) will not deter development in the municipality; and
- (3) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land;

AND WHEREAS, in the opinion of Council, the charges imposed by this Bylaw are:

- (1) related to capital costs attributable to projects involved in the capital budget of the municipality;
- (2) related to capital projects consistent with the Official Community Plan of the municipality;

THEREFORE BE IT RESOLVED that the Council of the Corporation of the Village of Lake Cowichan, in open meeting assembled, ENACTS AS FOLLOWS:

1. Charges

Subject to the provision of the Municipal Act, every person who obtains:

- (1) approval of a subdivision; or
  - (2) a building permit authorizing the construction, alteration, or extension of a building or structure;
- shall pay to the Village at the time of the approval of the subdivision or the issuance of the building permit, as the case may be, the appropriate development cost charges in the amount and at the time as set out in Schedule "A" attached hereto and forming part of this Bylaw.

2. Remainder of Bylaw to be Maintained Intact

In the event that any portion of this Bylaw is declared ultra vires by a Court of competent jurisdiction, then such portion shall be deemed to be severed from the Bylaw to the intent that the remainder of the Bylaw shall continue in full force and effect.

3. Title

This Bylaw may be cited for all purposes as "VILLAGE OF LAKE COWICHAN DEVELOPMENT COST CHARGE BYLAW NO. 603-1994".

Read a First time this 22nd day of November, 1994.

Read a Second time this 22nd day of November, 1994.


Read a Third time this 22nd day of November, 1994.

Received the approval of the Inspector of Municipalities on the 6th day of January, 1995.

Reconsidered, Adopted and Finally Passed this 10th day of January, 1995.

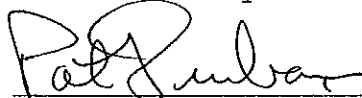


Clerk



Mayor

I hereby certify the foregoing to be a true and correct copy of Village of Lake Cowichan Development Cost Charge Bylaw No. 603-1994 as adopted by Council on the 10th day of January, 1995.



Clerk

I hereby certify the foregoing to be a true and correct copy of Village of Lake Cowichan Development Cost Charge Bylaw No. 603-1994 as given Third reading by Council on the 22nd day of November, 1994.



Clerk

A true copy of By-Law No. 603 registered in the office of the Inspector of Municipalities this 19th day of January 1995.



Deputy Inspector of Municipalities

SCHEDULE "A"

to

BYLAW NO. 603-1994

Village of Lake Cowichan Development Cost Charges

1. Development Cost Charges shall be levied in all areas of the Village of Lake Cowichan in order to provide funds to assist the Village in paying the capital cost of providing, constructing, altering or expanding highway facilities, water service facilities and sewer service facilities within the Village of Lake Cowichan.
2. The charges to be levied and paid within the Village of Lake Cowichan are as follows:

|   | <u>Roads</u> | <u>Water</u> | <u>Sewer</u> |
|---|--------------|--------------|--------------|
| <u>Single Family Residential:</u><br>Subdivision Approval   | \$1,313/lot  | \$2,514/lot  | \$644/lot    |
| <u>Multi-Family Residential</u><br>Building Permit Issuance | \$1,050/unit | \$2,012/unit | \$516/unit   |