

DISTRICT OF LAKE COUNTRY

BYLAW 950, 2016

CONSOLIDATED VERSION

(Includes amendment as of June 15, 2021)

This is a consolidated copy to be used for convenience only. Users are asked to refer to the Development Cost Charge Bylaw as amended from time to time to verify accuracy and completeness.

Amending Bylaw	Summary of Amendments	Adoption
1140	Delete and replace Schedule A	June 15, 2021

DISTRICT OF LAKE COUNTRY**BYLAW 950**

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES

THE Council of the District of Lake Country, in open meeting assembled, enacts as follows:

1. DEFINITIONS

1.1 For the purpose of this bylaw, the definitions of words and phrases that are not included in this section shall have the meaning assigned to them in the Local Government Act or the Community Charter, as the case may be.

1.2 In this bylaw:

“Building Permit” means any permit required by the District that authorizes the **construction**, alteration or extension of a building or **structure**.

“Commercial” means a **commercial development** in a **commercial zone** used or intended to be used for the carrying on of any business, including an occupation, employment or enterprise that is carried on for gain or monetary profit by any person.

“Construction” includes building, erection, installation, repair, alteration, addition, enlargement, moving, locating, relocating, reconstruction, demolition, removal, excavation, or shoring.

“Development” means the **construction**, alteration, or extension of buildings and/or **structures** for any use authorized by the **Zoning Bylaw** that requires the issuance of a **building permit**, but does not include internal alterations of a building and/or **structure** where the principal use of the building and/or **structure**, or part thereof, is not changing.

“District” means the **municipal corporation of the District of Lake Country** or the area within the municipal boundaries as the context may require.

“Dwelling Unit” means accommodation providing sleeping rooms, washrooms and a kitchen intended for domestic use, and used, or intended to be used, permanently for a household. This use does not include a room in a hotel or a motel, and does not include recreational vehicles.

“Industrial” means an **industrial development** in a **zone** listed in the **Zoning Bylaw**, or a similar **development** in another **zone** permitted in accordance with the **Zoning Bylaw**, in which the predominant use, as determined by its general purpose and list of permitted uses, is of an **industrial** nature. It includes all **industrial** uses and agricultural uses such as greenhouses, mushroom farms, agricultural dwellings, retail nurseries, and manufacturing & processing plants for agriculture-related products and **commercial** businesses.

“Institutional” means **development** of a public or **institutional** nature in an **institutional zone** listed in the **Zoning Bylaw**.

“**Lot**” means the smallest unit into which land is subdivided as shown on the records of the Land Title Office.

“**Multi-family Residential**” means housing on a single **lot** other than a strata **lot** that contains three or more **dwelling units**.

“**Mobile Home**” means a transportable single-family **residential dwelling unit** meeting minimum Canadian Standards Association Z-240, suitable for long-term occupancy, and designed to be transported on wheels.

“**Modular Home**” means a factory-built single-family **residential dwelling unit** meeting Canadian Standards Association 277M, suitable for long-term occupancy, and designed to be placed on a permanent foundation.

“**Residential**” means any **residential development** in all **zones** where **residential development** is permitted in accordance with the **Zoning Bylaw**.

“**Sector**” means a prescribed geographical portion or area of the **municipality** within which a **development** cost charge is levied.

“**Structure**” means any **construction** fixed to, supported by or sunk into land or water, excluding asphalt or concrete paving or similar surfacing of a **lot**.

“**Single Detached Residential**” means housing on a single titled **lot** that contains one single family **dwelling unit**, including **mobile** or **modular homes**.

“**Subdivision**” means a **subdivision** as defined in the Land Title Act or Strata Property Act.

“**Zone**” means the **zones** identified and defined in the **District** of Lake Country **Zoning Bylaw** as applicable.

“**Zoning Bylaw**” means the **District** of Lake Country **Zoning Bylaw** in effect at the time of application of this bylaw.

2. DEVELOPMENT COST CHARGES

2.1 Those **Development** Cost Charges set out in Schedule “A” attached hereto and forming part of this bylaw, are hereby imposed on every person who:

- (a) obtains approval of a **subdivision**;
- (b) obtains a **building permit** authorizing the **construction**, alteration or extension of a building or **structure**; or
- (c) obtains a **building permit** authorizing the **construction**, alteration or extension of a building that will, after the **construction**, alteration or extension, contain fewer than four (4) self-contained **dwelling units** and be put to no other use than the **residential** use in those **dwelling units**;

as outlined in Schedule “A”.

3. EXEMPTIONS

3.1 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 set apart for public worship or part of such a building that is, or will be, after the **construction**, alteration or extension, exempt from taxation under the *Community Charter*;
- (b) the value of the work authorized by the permit does not exceed \$50,000 ;or
- (c) the square footage of the **Dwelling Unit** is no larger than 29m².

3.2 A **development** is not exempt from payment of the applicable **development** cost charges if the application for **development** which might otherwise qualify under section 3.1(b) above relates to a single site for which, if more fully developed, the total value of the work possible would exceed \$50,000.

4. CALCULATION OF APPLICABLE CHARGES

- 4.1 The amount of **development** cost charges payable in relation to a particular application shall be calculated using the applicable charges set out in Schedule “A” and applicable number of **development** units.
- 4.2 **Development** cost charge rates are paid by:
- (a) all **development** in the **District** for roads, sewer and parks;
 - (b) those located in the **District’s Drainage DCC Sector**, as set out in Schedule “B”, attached hereto, for drainage; and,
 - (c) those located within the **District’s Water DCC Sector**, as set out on Schedule “C”, attached hereto, for water.
- 4.3 Where a type of **development** is not identified on Schedule “A” the amount of **development** cost charges to be paid to the **District** shall be equal to the **development** cost charges that would have been payable for the most comparable type of **development**.
- 4.4 The amount of **development** cost charges payable in relation to a mixed-use type of **development** shall be calculated separately for each portion of the **development**, according to the separate use types, which are included in the **building permit** application and shall be the sum of the charges payable for each type.

5. REPEAL

District of Lake Country Development Cost Charge Bylaw 499, 2004 and its amendments are hereby repealed.

6. CITATION

This bylaw may be cited as Development Cost Charge Bylaw 950, 2016.

READ A FIRST TIME this 19th day of April, 2016.

READ A SECOND TIME this 19th day of April, 2016.

READ A THIRD TIME this 19th day of April, 2016.

Certified correct at 3rd reading

Original signed by Reyna Seabrook

Corporate Officer

Approved by the Inspector of Municipalities the 30th day of August, 2016.

Original signed by Liam Edwards
Deputy Inspector of Municipalities

ADOPTED this 6th day of September, 2016.

Original signed by James Baker
Mayor

Original signed by Reyna Seabrook
Corporate Officer

Schedule A deleted and replaced by Bylaw 1140

SCHEDULE A

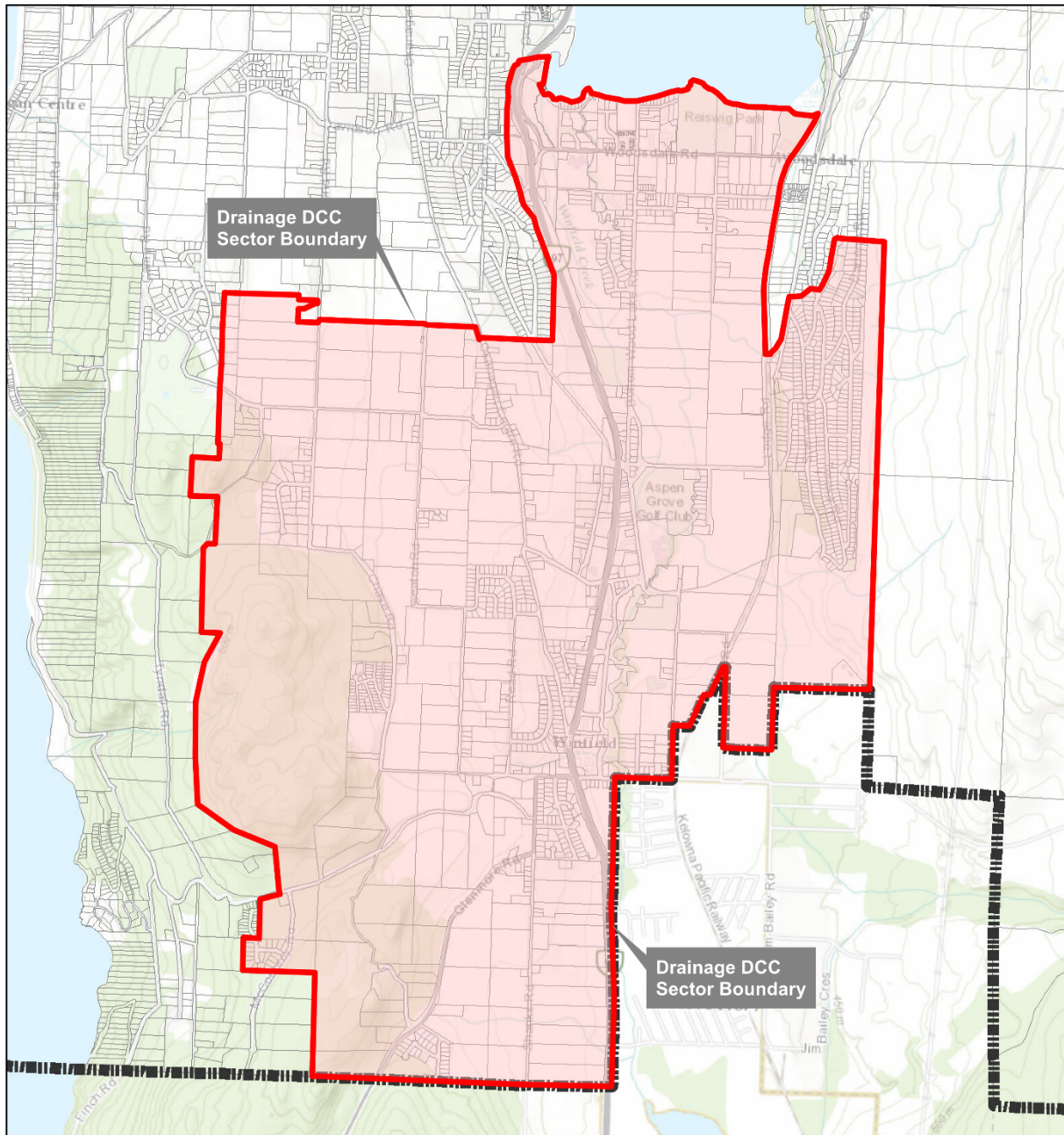
	Collection Basis	Road System	Water System	Drainage System	Sewage System	Parks
Single Detached Residential	Per Lot	\$4,346	\$7,533	\$738	\$5,256	\$12,790
Multi-family Residential	Per Unit	\$2,825	\$4,897	\$480	\$3,416	\$12,790
Commercial	Per floor area in m ²	\$14.60	\$25.31	\$2.48	\$17.66	\$22.24
Industrial	Per floor area in m ²	\$14.60	\$25.31	\$2.48	\$17.66	\$14.48
Institutional	Per floor area in m ²	\$14.60	\$25.31	\$2.48	\$17.66	\$22.24

Notes:

1. All development in the **District** shall pay development cost charges for roads, sewer and parks.
2. Development cost charges for drainage will be paid only by those located in the **District's Drainage DCC Sector**, as defined by the Drainage DCC Sector map (Schedule "B").
3. Development cost charges for water will be paid only by those located within the **District's Water DCC Sector**, as defined by the Water DCC Sector map (Schedule "C").
4. **'Single Detached Residential'** includes housing on a single titled **lot** that contains one single family **dwelling unit**, this includes **mobile** or **modular homes**.
5. **'Multi-family Residential'** includes housing on a single **lot** other than a strata **lot** that contains three or more **dwelling units**.
6. The charge per square metre for the non-**residential** categories is based on the gross floor area.
7. The metric conversion rate is 1.0 m² to 10.76 ft².

SCHEDULE 'B'

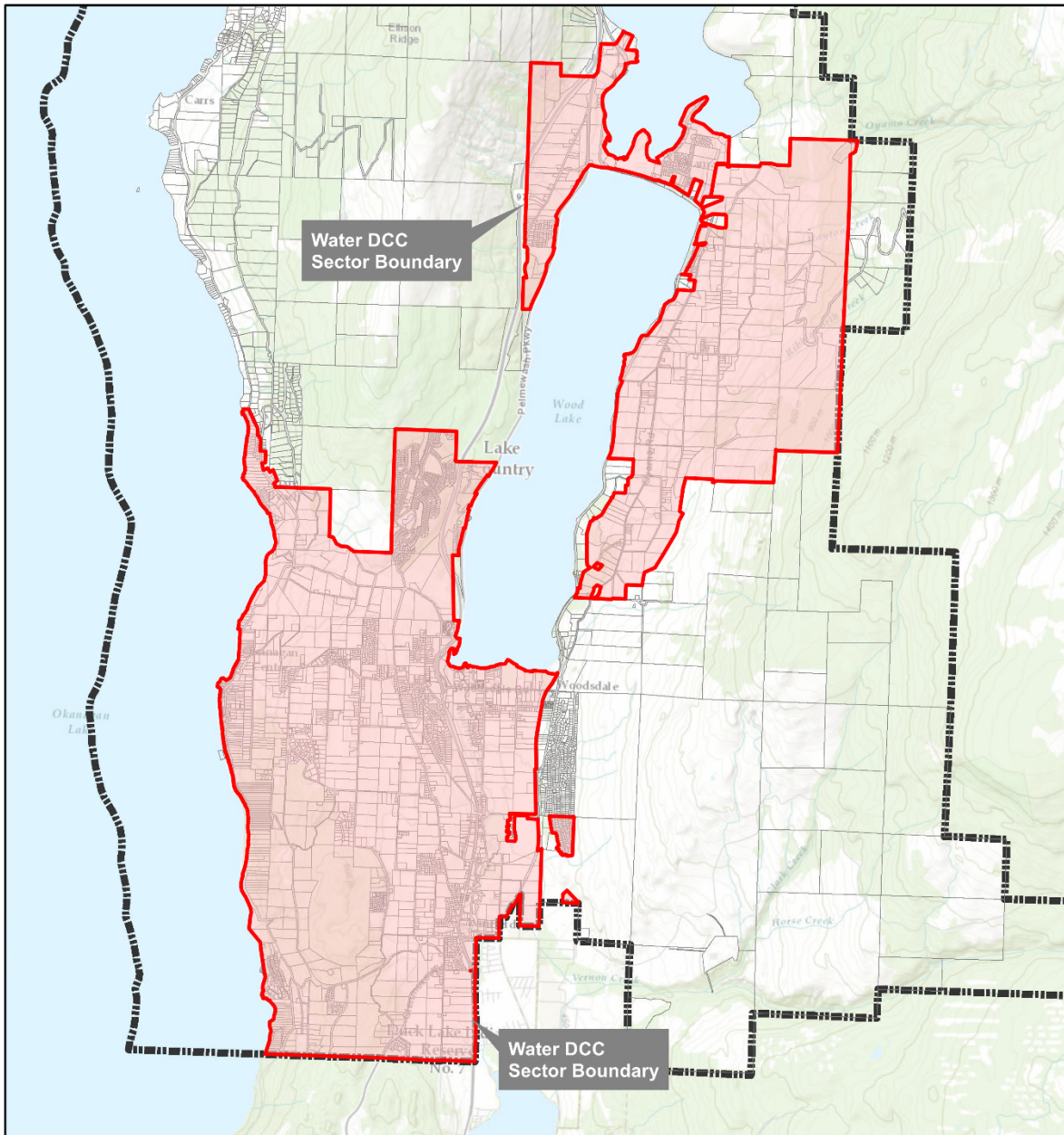
DEVELOPMENT COST CHARGE BYLAW 950, 2016







<p>LAKE COUNTRY Life. The Okanagan Way.</p>	<p>Legend</p> <p> Boundary of Drainage DCC Sector</p> <p> DLC Boundary</p>	<p>0 75 150 300 450 Metres</p>
<p>Lake Country Development Cost Charge Bylaw</p>	<p>Drainage DCC Sector</p>	<p>Coordinate System: NAD 1983 UTM Zone 11N</p> <p>Data Sources: Data provided by - District of Lake Country</p>
<p>The accuracy & completeness of information shown on this drawing is not guaranteed. It will be the responsibility of the user of the information shown on this drawing to locate & establish the precise location of all existing information whether shown or not.</p>		<p>Project #: 1577.0066.01 Author: BP Checked: JS Status: FINAL Revision: A Date: 2016 / 2 / 22</p>

SCHEDULE 'C'

DEVELOPMENT COST CHARGE BYLAW 950, 2016



 <p>LAKE COUNTRY Life. The Okanagan Way</p> <p>Lake Country Development Cost Charge Bylaw</p> <p>Water DCC Sector</p>	<p>Legend</p> <p> Boundaries of Water DCC Sector</p> <p> DLC Boundary</p>	<p>0 250 500 1,000 1,500 Metres</p> <p>Coordinate System: NAD 1983 UTM Zone 11N</p> <p>Data Sources: Data provided by - District of Lake Country</p> <p>The accuracy & completeness of information shown on this drawing is not guaranteed. It will be the responsibility of the user of the information shown on this drawing to locate & establish the precise location of all existing information whether shown or not.</p> <p>Project #: 1577.0066.01 Author: BS Checked: JS Status: FINAL Revision: A Date: 2016 / 4 / 7</p> 
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