

QUALICUM BAY – HORNE LAKE WATERWORKS DISTRICT

BYLAW NO. 165

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 698(1)(e) 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 established for the purpose of providing funds to the District to pay the capital cost of providing, constructing, altering, maintaining, repairing 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 established by this bylaw are related to capital costs attributable to projects identified in the capital expenditure program of the District.

The Trustees of the Qualicum Bay Horne Lake 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 subdivision of a parcel of land under the *Land Title Act* or the *Strata Property Act*; or,
 - b) approval of application for 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 Qualicum Bay Horne Lake Waterworks 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 improvement 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 improvement district.

**Capital Expenditure Charge
Bylaw No. 165- 2018**

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 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 earnings 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 charge was based, in order to serve 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 bylaw passed by the Trustees.

7. Bylaw No. 151, the “Capital Expenditure Charge (Water) Bylaw 2014”, is hereby repealed.

8. This bylaw may be cited as the “Comprehensive Capital Expenditure Charge (Water) Bylaw 2018”.

INTRODUCED and given first reading by the Trustees on the 9th day of October, 2018.

RECONSIDERED and finally passed by the Trustees on the 9th day of October, 2018

Chairman, Board of Trustees

Officer

I hereby certify that this is a true copy of Bylaw No. 165.

**Capital Expenditure Charge
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SCHEDULE "A"

BYLAW NO. 165

CAPITAL EXPENDITURE CHARGES (WATER FACILITIES)

Land Use Basis of Assessment Charge

A. Residential

| | | |
|---------------------------------|--|-------------|
| 1) Single-family | Per Lot being created | \$ 8,718.88 |
| 2) Multi-family | Per unit to be constructed | \$ 8,718.88 |
| 3) Secondary Suite | | \$ 4,359.44 |
| 4) Bare-Land Strata Development | Per dwelling unit | \$ 8,718.88 |
| 5) Trailer | Per pad or space built or provided for | \$ 6,318.03 |
| 6) Cabins | Per unit to be constructed | \$ 6,318.03 |

B. Commercial

| | |
|---|-------------|
| Per square meter of floor space created | \$20.00 |
| Minimum Charge of | \$ 8,718.88 |

C. Institutional

| | |
|---|-------------|
| Per square meter of floor space created | \$20.00 |
| Minimum Charge of | \$ 8,718.88 |

D. Industrial

| | |
|---|-------------|
| Per square meter of floor space created | \$20.00 |
| Minimum charge of | \$ 8,718.88 |