

**REGIONAL DISTRICT OF NORTH OKANAGAN
BYLAW NO. 1768, 2002**

CONSOLIDATED FOR CONVENIENCE

This document is an office consolidation of the above-noted Bylaw and includes the amendments listed below. This Bylaw has been consolidated for convenience and is intended for information and reference purposes only. This document is not the official version of the Bylaw. Be advised that plans, pictures, other graphics or text in the official version may be missing or altered in this consolidated version. Where accuracy is critical, please contact the Corporate Services Department at the Regional District of North Okanagan.

TEXT AMENDMENTS

Bylaw No.	Adopted	Amendment
2732	April 20, 2022	<ul style="list-style-type: none">- delete "development" from the Definitions Section, replace with "has the same meaning as in Section 558 of the LGA,- delete "for the purpose of the construction of" section- amend Schedule "B"- add to section Development Cost Charges Exempt

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 1768

To impose Development Cost Charges for providing water facilities within the Silver Star Mountain Community (Electoral Area 'C')

WHEREAS pursuant to the *Local Government Act*, R.S.B.C., 1996, Chapter 323, as amended, and Regulations passed pursuant thereto, the Board of the Regional District of North Okanagan may, by Bylaw, impose development cost charges;

AND WHEREAS Section 933 [*Development cost charges generally*] of the *Local Government Act* the development cost charges may be imposed for the purpose of providing funds to assist the regional district in paying the capital cost of providing, constructing, altering, or expanding water facilities, in order to serve directly or indirectly, the development in respect of which the charges are imposed;

AND WHEREAS the Board of the Regional District of North Okanagan, has deemed the charges imposed by this bylaw:

- a. are not excessive in relation to the capital cost of prevailing standards of service in the Regional District;
- b. will not deter development in the Regional District;
- c. will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the Regional District.

AND WHEREAS the Board has considered the charges imposed by this Bylaw as related to future land use patterns and development as well as phasing of works and services generating capital costs attributable to projects included in the capital expenditure Bylaw of the Regional District;

NOW THEREFORE, the Board of the Regional District of North Okanagan, in open meeting assembled, hereby ENACTS AS FOLLOWS:

Title

This bylaw may be cited for all purposes as “***Silver Star Mountain Development Cost Charge Bylaw No. 1768, 2002***”.

DEFINITIONS

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*.

2. In this Bylaw and the recitals and schedules hereto:

"congregate care facility or rest home" means a facility where lodging or food and lodging, together with medical care and attention are provided to persons, with or without charge, who on account of age, infirmity, physical or mental disability, require care and attention.

"dedicate" means to convey a lot to the District, Her Majesty the Queen in Right of the Province of British Columbia, the Corporation of the City of Vernon, or the District of Coldstream, and includes the vesting ownership in a parcel of land in Her Majesty the Queen in Right of the Province of British Columbia by deposit of a subdivision at a Land Title Office.

"Developer" means a person upon whom Development Cost Charges are or may be imposed under the provisions of this Bylaw.

"development" ~~means the construction or alteration or the proposed construction or alteration of one (1) or more buildings or structures for which a building permit is issued for the creation of four (4) or more dwelling units, or a congregate care facility or rest home, and includes a subdivision.~~ **has the same meaning as in Section 558 of the Local Government Act.**

"Development Permit" means a Development Permit issued by the District, the Corporation of the City of Vernon, or the District of Coldstream pursuant to the provisions of the Municipal Act.

"District" means the Regional District of North Okanagan.

"dwelling unit" means one (1) or more rooms constituting a self-contained unit for the residential accommodation of only one (1) family, when such room or rooms contain or provide for sleeping facilities, sanitary facilities, and food storage and cooking facilities.

"lot" means a parcel of land or strata lot that will be created by a subdivision when the subdivision is registered under the provisions of the Land Title Act or the Condominium Act.

"provide" means to reserve or set aside, but does not include dedicate.

"residential use" means a use providing for the accommodation and home life of one (1) or more people.

"subdivision" means the division of land or buildings or both into two (2) or more lots under the provisions of the Land Title Act or the Condominium Act.

"Zoning Bylaw" means the District's Zoning Bylaw, as amended from time to time and includes such other Bylaws adopted by the District from time to time in substitution or replacement thereof.

DEVELOPMENT COST CHARGES LIABLE

3. Every person who obtains:

- (1) approval of a subdivision under the *Land Title Act* or the *Condominium Act*, or
- (2) a Building Permit authorizing the construction, alteration, or extension of a building or structure ~~for the purpose of the construction of:~~
 - ~~(a) four (4) or more self-contained dwelling units, and/or~~
 - ~~(b) non residential land use structures.~~

for a property shown within the boundaries of Schedule "A" shall pay to the District, at the time of approval of the subdivision or the issuance of a building permit, the applicable Development Cost Charges as set out in Schedule "B" hereto.

DEVELOPMENT COST CHARGES EXEMPT

4. Notwithstanding the provisions of Section 3 of this Bylaw, no Development Cost Charges shall be required to be paid by a Developer:

- (1) where a subdivision or development does not impose new capital cost burdens on the District, or
- (2) if a Development Cost Charge has previously been paid for the same development unless, as a result of further subdivision or development, new capital cost burdens will be imposed on the District, or
- (3) where a Building Permit authorizes construction, alteration, or extension of a building or a part of it that is, or will after the construction, alteration, or extension be exempt from taxes under Section 339(1)(g) of the *Local Government Act*.

5. Notwithstanding the exemption provisions under the *Local Government Act*, and as per provisions in the *Local Government Act*, a Development Cost Charge is payable for a building permit authorizing the construction of a building containing fewer than four self-contained dwelling units.

EFFECTIVE DATE OF BYLAW

6. This Bylaw shall come into full force and effect and be binding on all persons as and from the date of adoption.

Read a First, Second and THIRD Time this 10th day of April, 2002

Approved by the Inspector of Municipalities this 11th day of July, 2002

ADOPTED this 14th day of August, 2002

"signature on file"

Chair
Stan Field

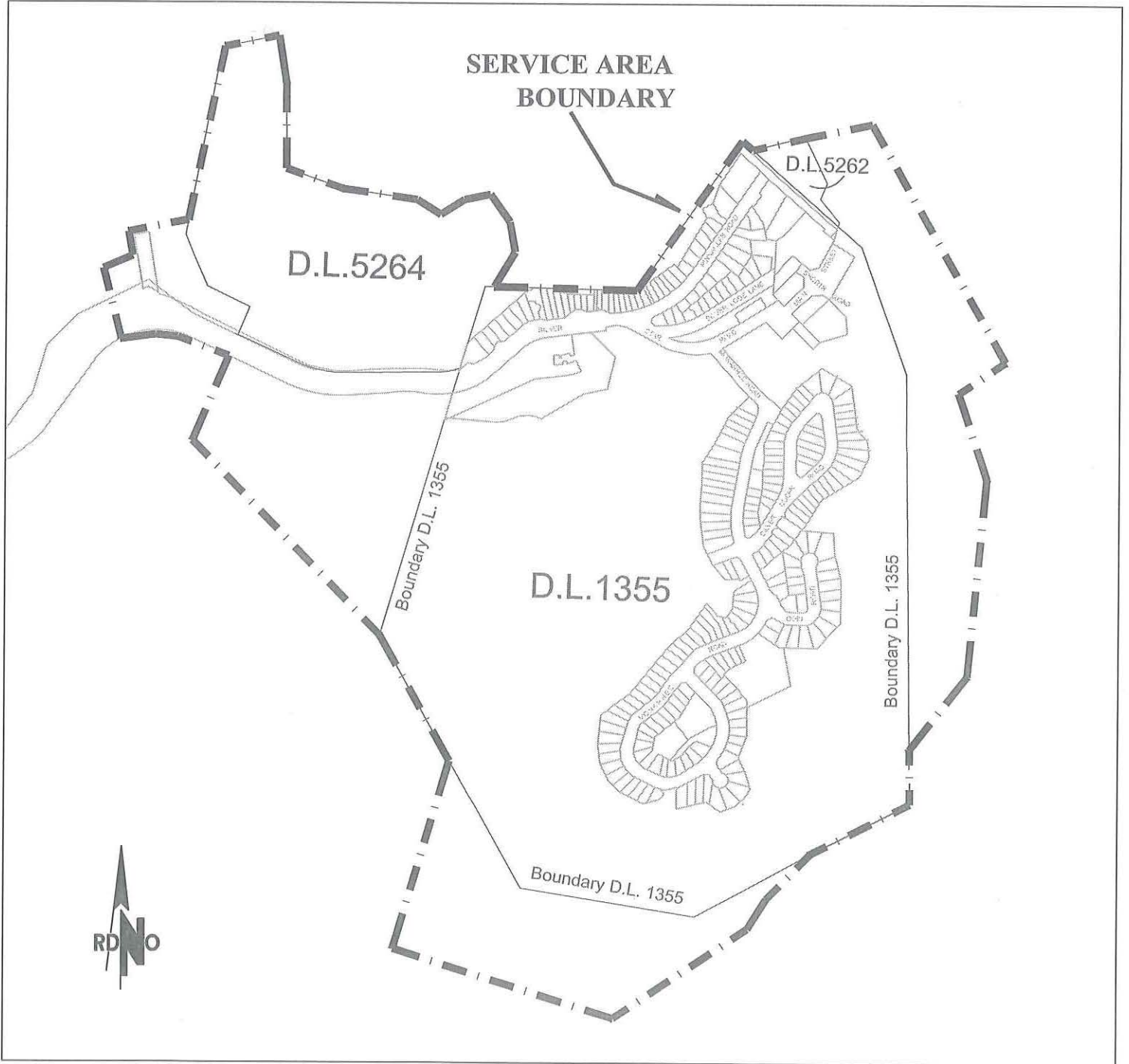
"signature on file"

Corporate Officer
Barry Gagnon

REGIONAL DISTRICT OF NORTH OKANAGAN

Schedule "A" attached to and forming part
of Bylaw 1768, being "Silver Star Mountain
Development Cost Charge Bylaw No. 1768, 2002."

SILVER STAR WATER DCC's - SECTOR MAP



Schedule 'A' to Bylaw No. 1768,
being the "Silver Star Mountain
Development Cost Charge Bylaw No.
1768, 2002"

**REGIONAL DISTRICT OF NORTH OKANAGAN
SILVER STAR SERVICE AREA**

CONSOLIDATED FOR CONVENIENCE

REGIONAL DISTRICT OF NORTH OKANAGAN

Schedule "B" attached to and forming part of
Bylaw 1768, being "Silver Star Mountain
Development Cost Charge Bylaw No. 1768, 2002."

DEVELOPMENT COST CHARGE SCHEDULE "B"

1. **SUBDIVISION** (Sec. 3.1 of Bylaw 1768)

The Developer shall pay to the District, Development Cost Charges based on \$57.10 per pillow in accordance with the following table:

Land Use	Pillow Units	DCC's / Pillows	DCC Rate
Single Family Lots	13	\$57.10	\$742.30 per Unit
Duplex Lots	16	\$57.10	\$913.60 per Unit
Townhouse	10	\$57.10	\$571.00 per Unit
Condominium	7	\$57.10	\$399.70 per Unit

at the time of subdivision.

2. **BUILDING PERMIT – 4 or more self-contained dwelling units** (Sec. 3.2.a. of Bylaw 1768)

The Developer shall pay to the District, Development Cost Charges based on \$57.10 per pillow in accordance with the following table:

Land Use	Pillow Units	DCC's / Pillows	DCC Rate
Single Family Lots	13	\$57.10	\$742.30 per Unit
Duplex Lots	16	\$57.10	\$913.60 per Unit
Townhouse	10	\$57.10	\$571.00 per Unit
Condominium	7	\$57.10	\$399.70 per Unit

~~when there are in excess of three (3) dwelling units, that will be permitted to be constructed under the Building Permit, upon the issuance thereof.~~

3. **BUILDING PERMIT – Non residential land use structures** (Sec. 3.2.b. of Bylaw 1768)

The Developer shall pay to the District, Development Cost Charges based on \$57.10 per pillow in accordance with the following table:

Land Use	Pillow Units	DCC's / Pillows	DCC Rate
Hotel Room	4	\$57.10	\$228.40 per Unit
Hostel Room	2	\$57.10	\$114.20 per Unit
Commercial Retail	1/500 m ²	\$57.10	\$114.20 per 1,000 m ²
Commercial Restaurant/Pub	1/5 seats	\$57.10	\$94.02 per seat

upon the issuance of the Building Permit.