

THE CORPORATION OF THE DISTRICT OF SAANICH
BYLAW NO. 9553
A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES

WHEREAS pursuant to the *Local Government Act*, the Council of The Corporation of the District of Saanich may, by Bylaw, impose development cost charges;

AND WHEREAS development cost charges may be imposed for the purpose of providing funds to assist the municipality in paying the capital costs of providing, constructing, altering, or expanding sewage, water, drainage and highway facilities, other than off-street parking facilities, and providing and improving park land to service directly or indirectly, the development for which the charges are imposed;

AND WHEREAS the Council of the District of Saanich 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 municipality;
- b. will not deter development in the municipality;
- c. will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the municipality; and
- d. will not discourage development designed to result in a low environmental impact in the municipality;

AND WHEREAS Council has considered the charges imposed by this bylaw in relation to future land use patterns and development, the phasing of works and services and the provision of park land described in the Official Community Plan, and how development designed to result in a low environmental impact may affect the capital costs of sewage, water, drainage and highway facilities, other than off-street parking facilities, and providing and improving park land;

AND WHEREAS in the opinion of the Council, the charges imposed by this Bylaw are related to capital costs attributable to projects included in the municipality's financial plan and long-term capital plans, and to capital projects consistent with the Official Community Plan.

NOW THEREFORE the Council of the District of Saanich, in open meeting assembled, enacts as follows:

PART 1 – DEFINITIONS AND INTERPRETATION

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:

“Apartment” means the residential use of a building which contains three or more dwelling units with each dwelling unit having its principal access from an entrance or hallway common to other dwelling units.

“Assembly” means a use providing for the gathering of people or artifacts for scientific, educational, cultural, religious, philanthropic, charitable or recreational purposes.

“Building Permit” means any permit required by the municipality 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 out for financial gain by any person.

“Construct” includes build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, demolish, remove, excavate or shore.

“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 or structures for any use authorized by the Zoning Bylaw that requires the issuance of a building permit, or the subdivision of land, but does not include internal alterations of a building or structure where the principal use of the building or structure, or part thereof, is not changing.

“Duplex” means a residential building on a single lot other than a strata lot that contains two distinct dwelling units, but does not include a secondary suite or garden suite.

“Dwelling Unit” means a housekeeping unit, designed, occupied or intended for occupancy, as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a family maintaining a household, but does not include a room in a hotel or a motel, and does not include a recreational vehicle.

“Garden Suite” means an additional detached dwelling unit located on a residential lot containing one other dwelling unit.

“Gross Floor Area” means the sum of the total floor area on a lot of each storey in each building measured to the outside face of the exterior walls; excludes the areas of canopies, sun decks, outside stairs, concealed parking, separate and attached carports and garages.

“Industrial” means a use providing for the processing, manufacture, storage, transportation, distribution, wholesaling, testing, servicing, repairing, wrecking, or salvaging of goods, materials or things; includes communication, electric, gas, sanitary service, and the selling of heavy industrial equipment.

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

“Lot” means any lot, parcel, block, or other area in which land is held or into which it is subdivided, but does not include a highway.

“Municipality” means the municipal corporation of the District of Saanich.

“Official Community Plan” or “OCP” means the municipality’s Official Community Plan Bylaw, 2008, No. 8940, as amended or replaced from time to time.

“Quadplex” means four dwelling units on a lot at least three of which are contained within a common building and each dwelling unit has its own principal access at ground level.

“Residential” means the use of a building or part thereof as a dwelling unit or dwelling units.

“Secondary Suite” means an additional dwelling unit located within a building of residential occupancy containing one other dwelling unit.

“Sewer Service Area” has the meaning assigned in the municipality’s Sanitary Sewer Bylaw, 2006, No. 8792, as amended or replaced from time to time.

“Structure” means any material or a combination of materials that form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water, but does not include concrete and asphalt paving or similar surfacing of a lot.

“Single Family” means a residential use of a building for one dwelling unit, and for purposes of this bylaw a secondary suite or garden suite is deemed not to be a separate dwelling unit from the principle dwelling unit.

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

“Townhouse” means three or more dwelling units on a strata lot where at least two of which are contained within a common building and each dwelling unit has its own principal access at ground level.

“Triplex” means three dwelling units on a lot at least two of which are contained within a common building and each dwelling unit has its own principal access at ground level.

“Water Service Area” has the meaning assigned in the municipality’s Water Utility Bylaw, 2000, No. 8124, as amended or replaced from time to time.

“Zone” means a zone identified and defined in the Zoning Bylaw.

“Zoning Bylaw” means the municipality’s Zoning Bylaw, 2003, as amended or replaced from time to time.

1.3 If any section, subsection, clause or phrase of this bylaw is, for any reason, held to be invalid by a court of competent jurisdiction, it shall be deemed to be severed and the remainder of this bylaw shall remain valid and enforceable in accordance with its terms.

PART 2 – DEVELOPMENT COST CHARGES

- 2.1 The Development Cost Charges set out in Schedules “A”, “B” and “C” 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, including 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.

PART 3 - EXEMPTIONS

- 3.1 Despite any other provision of this bylaw, 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 under section 220(1)(h) or 224(2)(f) of the *Community Charter*;
 - b. a development cost charge has previously been paid for the development unless, as a result of further development, new capital cost burdens will be imposed on the municipality;
 - c. the development does not impose new capital cost burdens on the municipality;
 - d. the permit authorizes the construction, alteration or extension of self-contained dwelling units in a building, the area of each self-contained dwelling unit is no larger than 29m², and each dwelling unit will be put to no other use than residential use; or
 - e. the value of the work authorized by the permit does not exceed \$50,000.

PART 4 – CALCULATION OF APPLICABLE CHARGES

- 4.1 The amount of development cost charges payable in relation to a particular development shall be calculated using the applicable charges set out in the schedules to this bylaw based on the applicable number of development units or gross floor area.
- 4.2 Development cost charges are applicable in the following areas:
- a. Transportation, drainage, park acquisition and development cost charges are applicable within the municipal boundary of the District of Saanich;
 - b. Water development cost charges are applicable within the Water Service Area;
 - c. Sewer development cost charges are applicable within the Sewer Service Area;
 - d. Cordova Bay Roads development cost charges are applicable with the boundaries as shown in Schedule “B”; and

e. Parks Quadrant development cost charges are applicable within the boundaries as shown in Schedule “C”.

4.3 Where a type of development is not specifically identified in the schedules the amount of development cost charges to be paid to the municipality shall be equal to the development cost charges that are 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.

PART 5 – REPEAL AND TRANSITION

5.1 Subject to section 5.2, Development Cost Charges Bylaw, 1997, No. 7692 and all amendments thereto are hereby repealed.

5.2 Despite section 5.1, Development Cost Charges Bylaw, 1997, No. 7692 and all amendments thereto shall apply for the purpose of imposing and collecting development cost charges in relation to development referred to in sections 511 and 568 of the *Local Government Act*, and for no other purpose.

PART 6 – TITLE

6.1 This bylaw may be cited for all purposes as “**DEVELOPMENT COST CHARGES BYLAW, 2019, NO. 9553.**”

Read a first time this 25th day of November, 2019.

Read a second time this 25th day of November, 2019.

Read a third time this 25th day of November, 2019.

Third reading repealed to amend Schedule B this 20th day of January, 2020.

Read a third time as amended this 20th day of January, 2020.

Approved by the Inspector of Municipalities the 31st day of January, 2020.

Adopted by Council, signed by the Mayor and Clerk and sealed with the Seal of the Corporation on the 24th day of February, 2020.

“Angila Bains”

“Fred Haynes”

Municipal Clerk

Mayor

SCHEDULE "A"
ATTACHED TO DISTRICT OF SAANICH
DEVELOPMENT COST CHARGES BYLAW NO. 9553, 2019

Table 1.0: DCC Rates in force at Date of Bylaw Adoption

District-wide DCC	Collection Basis	Transportation	Drainage	Sewer	Water	Park Acquisition and Development
Municipal Assist Factor		20%	1%	1%	1%	20%
Single Family Residential	Per Lot	\$3,643	\$1,173	\$1,749	\$1,173	\$3,804
Duplex / Triplex / Quadplex Residential	Per Unit	\$3,024	\$704	\$1,399	\$938	\$3,043
Townhouse Residential	Per Unit	\$2,659	\$704	\$1,224	\$821	\$2,663
Apartment Residential	Per Unit	\$2,222	\$340	\$1,014	\$680	\$2,206
Commercial	Per gross floor area in m ²	\$35.70	\$3.75	\$8.05	\$5.40	\$3.42
Industrial	Per gross floor area in m ²	\$10.56	\$2.58	\$3.32	\$2.23	\$1.52
Institutional	Per gross floor area in m ²	\$35.70	\$3.75	\$8.05	\$5.40	\$3.42

Table 2.0: DCC Rates in force at Date of Bylaw Adoption Plus One Year

District – wide DCC	Collection Basis	Transportation	Drainage	Sewer	Water	Park Acquisition and Development
Municipal Assist Factor		15%	1%	1%	1%	15%
Single Family Residential	Per Lot	\$3,897	\$1,173	\$1,749	\$1,173	\$4,055
Duplex / Triplex / Quadplex Residential	Per Unit	\$3,235	\$704	\$1,399	\$938	\$3,244
Townhouse Residential	Per Unit	\$2,845	\$704	\$1,224	\$821	\$2,838
Apartment Residential	Per Unit	\$2,377	\$340	\$1,014	\$680	\$2,352
Commercial	Per gross floor area in m ²	\$38.19	\$3.75	\$8.05	\$5.40	\$3.65
Industrial	Per gross floor area in m ²	\$11.30	\$2.58	\$3.32	\$2.23	\$1.62
Institutional	Per gross floor area in m ²	\$38.19	\$3.75	\$8.05	\$5.40	\$3.65

Table 3.0: DCC Rates in force at Date of Bylaw Adoption Plus Two Years

District-wide DCC	Collection Basis	Transportation	Drainage	Sewer	Water	Park Acquisition and Development
Municipal Assist Factor		10%	1%	1%	1%	10%
Single Family Residential	Per Lot	\$4,152	\$1,173	\$1,749	\$1,173	\$4,306
Duplex / Triplex / Quadplex Residential	Per Unit	\$3,446	\$704	\$1,399	\$938	\$3,444
Townhouse Residential	Per Unit	\$3,031	\$704	\$1,224	\$821	\$3,014
Apartment Residential	Per Unit	\$2,533	\$340	\$1,014	\$680	\$2,497
Commercial	Per gross floor area in m ²	\$40.69	\$3.75	\$8.05	\$5.40	\$3.88
Industrial	Per gross floor area in m ²	\$12.04	\$2.58	\$3.32	\$2.23	\$1.72
Institutional	Per gross floor area in m ²	\$40.69	\$3.75	\$8.05	\$5.40	\$3.88

Table 4.0: DCC Rates in force at Date of Bylaw Adoption Plus Three Years

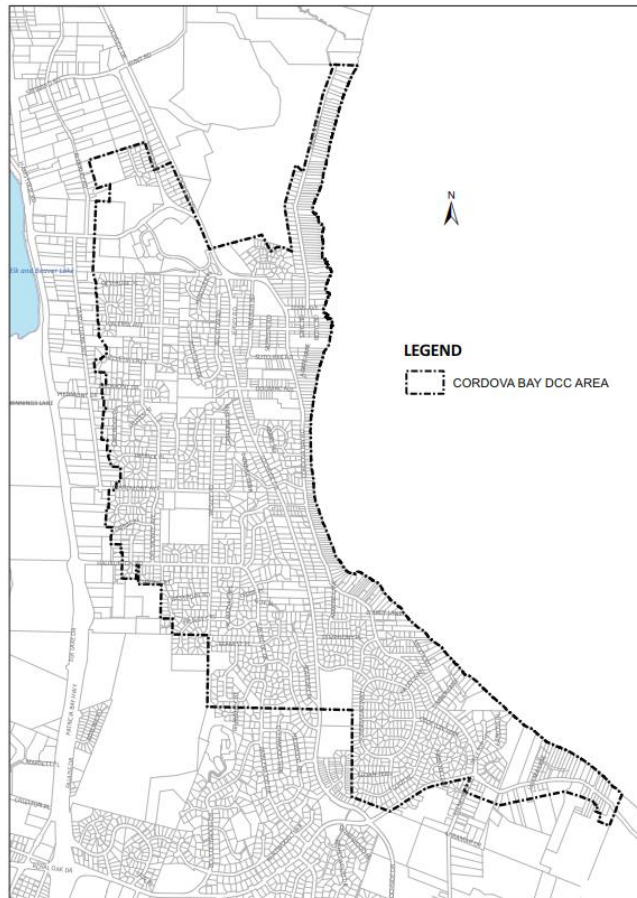
District –wide DCC	Collection Basis	Transportation	Drainage	Sewer	Water	Park Acquisition and Development
Municipal Assist Factor		5%	1%	1%	1%	5%
Single Family Residential	Per Lot	\$4,406	\$1,173	\$1,749	\$1,173	\$4,556
Duplex / Triplex / Quadplex Residential	Per Unit	\$3,657	\$704	\$1,399	\$938	\$3,645
Townhouse Residential	Per Unit	\$3,217	\$704	\$1,224	\$821	\$3,189
Apartment Residential	Per Unit	\$2,688	\$340	\$1,014	\$680	\$2,643
Commercial	Per gross floor area in m ²	\$43.18	\$3.75	\$8.05	\$5.40	\$4.10
Industrial	Per gross floor area in m ²	\$12.78	\$2.58	\$3.32	\$2.23	\$1.82
Institutional	Per gross floor area in m ²	\$43.18	\$3.75	\$8.05	\$5.40	\$4.10

Table 5.0: DCC Rates in force at Date of Bylaw Adoption Plus Four Years

District-wide DCC	Collection Basis	Transportation	Drainage	Sewer	Water	Park Acquisition and Development
Municipal Assist Factor		1%	1%	1%	1%	1%
Single Family Residential	Per Lot	\$4,610	\$1,173	\$1,749	\$1,173	\$4,757
Duplex / Triplex / Quadplex Residential	Per Unit	\$3,826	\$704	\$1,399	\$938	\$3,805
Townhouse Residential	Per Unit	\$3,365	\$704	\$1,224	\$821	\$3,330
Apartment Residential	Per Unit	\$2,812	\$340	\$1,014	\$680	\$2,759
Commercial	Per gross floor area in m ²	\$45.18	\$3.75	\$8.05	\$5.40	\$4.28
Industrial	Per gross floor area in m ²	\$13.37	\$2.58	\$3.32	\$2.23	\$1.90
Institutional	Per gross floor area in m ²	\$45.18	\$3.75	\$8.05	\$5.40	\$4.28

SCHEDULE "B"
ATTACHED TO DISTRICT OF SAANICH
DEVELOPMENT COST CHARGES BYLAW NO. 9553, 2019

Cordova Bay Roads DCC (area-specific)	Collection Basis	Date of Adoption (DoA)	DoA plus One Year	DoA plus Two Years	DoA plus Three Years	DoA plus Four Years
Municipal Assist Factor		20%	15%	10%	5%	1%
Single Family Residential	Per Lot	\$344	\$638	\$932	\$1,225	\$1,460
Duplex / Triplex / Quadplex Residential	Per Unit	\$286	\$529	\$773	\$1,017	\$1,212
Townhouse Residential	Per Unit	\$251	\$466	\$680	\$894	\$1,066
Apartment Residential	Per Unit	\$210	\$389	\$568	\$747	\$891
Commercial	Per gross floor area in m ²	\$3.37	\$6.25	\$9.13	\$12.01	\$14.31
Industrial	Per gross floor area in m ²	\$1.00	\$1.85	\$2.70	\$3.55	\$4.23
Institutional	Per gross floor area in m ²	\$3.37	\$6.25	\$9.13	\$12.01	\$14.31



SCHEDULE "C"
ATTACHED TO DISTRICT OF SAANICH
DEVELOPMENT COST CHARGES BYLAW NO. 9553, 2019

Parks Quadrant DCC (area-specific)	Subdivision (per lot)	Building Permit (per dwelling unit)	Building Permit (per sq.m. GFA)
Southeast	\$0	\$0	\$0
Southwest	\$0	\$0	\$0
Northeast	\$0	\$0	\$0
Northwest	\$0	\$0	\$0

