

# VILLAGE OF RADIUM HOT SPRINGS

## Development Cost Charge Bylaw No. 344, 2008

### A bylaw to impose Development Cost Charges

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**WHEREAS** pursuant to Section 933 of the Local Government Act, RSBC 1996, c. 323, as amended, Council of the Village of Radium Hot Springs (the Village) may, by bylaw, impose development cost charges under the conditions of that section;

**AND WHEREAS** development cost charges may be imposed for the purposes of providing funds to assist the Village to pay the capital costs of providing, constructing, altering or expanding water, highway, sewer, and drainage facilities, and providing park land and improving park land to service, directly or indirectly, the development for which the charge is being imposed;

**AND WHEREAS** Council has taken into consideration the provisions of Section 934 of the *Local Government Act*;

**AND WHEREAS**, in the opinion of Council, the charges to be imposed by this bylaw are related to the capital costs attributable to projects included in the Village's capital financial plan and are consistent with the Village's Official Community Plan;

**AND WHEREAS** this bylaw has received the approval of the Inspector of Municipalities;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Village of Radium Hot Springs, in open meeting assembled, enacts as follows:

#### 1. Title

This bylaw shall be cited as the "**Village of Radium Hot Springs Development Cost Charges Bylaw No. 344, 2008**".

#### 2. Definitions

In this bylaw,

**Apartment** means the residential use of part or all of a *building* comprised of 3 or more *dwelling units* which have a common hallway or entry area.

**Building** means any structure *used* or intended for supporting or sheltering persons, animals, or property.

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**Building Permit** means the document authorizing the carrying out of a development, alteration or other work in accordance with the Village's Official Community Plan, Zoning Bylaw, Building Regulations Bylaw, the BC Building Code or any other applicable statute or regulation.

**Commercial** means *use* of land or buildings for any retail, wholesale, tourist accommodation, personal or professional service, entertainment or recreational *use* or any commercial *use* as permitted under the Village's Zoning Bylaw.

**Dwelling** means a *building* designed or *used* as a residential *dwelling* unit or units for one or more families.

**Duplex** means the residential use of a *building* containing two *dwelling* units only, but does not include a single detached dwelling parcel containing a *secondary suite*.

**Gross Building Floor Space** means the sum of the total horizontal area of all floors of a *building* except for basement or cellar floor areas *used* exclusively for storage or containing heating or laundry facilities; any portion used for parking; swimming pools; open sun decks and balconies; or any portion of a penthouse containing elevator or ventilating equipment.

**Secondary Suite** means an additional dwelling unit located in a single family dwelling or in an accessory use building on a parcel and having a total floor area of the lesser of 90 square meters or 40% of the total living area of the single family dwelling it is located in; OR having a total floor area of not more than 55 square meters if located within an accessory use building and it does not exceed the floor area of the footprint of the building in which it is located.

**Single Detached Dwelling** means a *dwelling* containing 1 *dwelling* unit only, excluding the presence of a *secondary suite*.

**Subdivision** means the division of land into two or more parcels, whether by plan, descriptive words or otherwise, under the *Land Title Act* or the *Strata Properties Act*.

**Townhouse** means the residential *use* of a *building* comprised of 3 or more *dwelling* units, usually separated from one another by party walls extending from foundations to roof, with each *dwelling* unit having a separate direct entrance or access from grade.

**Use or Used** means the purpose for which a *building* or other structure, or a parcel of land may be designed, arranged, intended, maintained or occupied, or an activity, occupation, business or operation carried on or intended to be carried on, in a *building* or other structure or on a parcel of land.

### 3. Development Cost Charges

Every person who obtains:

- a. approval of a subdivision, or
- b. 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 issue of a building permit, as the case may be, the applicable development cost charges as set out in Schedule 'A' attached hereto and forming part of this bylaw.

### 4. Exemptions

No development cost charge is payable where:

- a) the development does not impose new capital cost burden on the Village,
- b) 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 Village,
- c) the building permit authorizes the construction, alteration or extension to 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 and 224 (2) f of the *Community Charter*,
- d) pursuant to Section 933 (4.1) of the *Local Government Act*, the building permit authorizes the construction, alteration or extension of a building that will, after the construction, alteration or extension
  - i. contain less than 2 self-contained dwelling units, and
  - ii. be put to no other use other than the residential use in the dwelling unit, except for the construction of a single detached dwelling unit with a secondary suite.
- e) the value of the work authorized by the permit does not exceed \$50,000 or any other amount prescribed by regulation under the *Local Government Act*.

**5. Severability**

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 with the intent that the remainder of the bylaw shall continue in full force and effect.

**6. Effective Date**

This bylaw shall come into force and take effect on: THE DATE OF FINAL ADOPTION.

Read a first time this 9<sup>TH</sup> day of JANUARY, 2008

Read a second time this 9<sup>TH</sup> day of JANUARY, 2008

Read a third time this 9<sup>TH</sup> day of JANUARY, 2008

Approved by the Inspector of Municipalities this 18<sup>TH</sup> day of FEBRUARY, 2008

Reconsidered, Finally Passed and Adopted this 27<sup>TH</sup> day of FEBRUARY, 2008

Guyon Decker  
Mayor

[Signature]  
Clerk

Certified as a true and correct copy of the Village of Radium Hot Springs  
Development Cost Charge Bylaw No. 344, 2008

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Corporate Administrator

**SCHEDULE 'A'**

**DEVELOPMENT COST CHARGE BYLAW NO. 344, 2008 .**

**DEVELOPMENT COST CHARGES**

Upon approval of a subdivision or the issuance of a building permit for any lands within the Village of Radium Hot Springs, the following development cost charges shall be paid:

Land Use	Water	Sanitary	Total	Units	When Payable
Single Detached Dwelling	\$3,015.47	\$1,627.40	\$4,642.87	per lot/ per dwelling unit	Subdivision approval or if subdivision is not required, then at building permit issue
Duplex	\$2,783.51	\$1,502.21	\$4,285.72	per dwelling unit	Subdivision approval or if subdivision is not required, then at building permit issue
Townhouse	\$2,667.53	\$1,439.62	\$4,107.15	per dwelling unit	Building permit issue
Apartment	\$2,319.59	\$1,251.84	\$3,571.43	per dwelling unit	Building permit issue
Commercial	\$15.08	\$8.14	\$23.22	per m <sup>2</sup> gross building floor space	Building permit issue