

TOWN OF CRESTON

BYLAW NO. 1331

A bylaw to impose Development Cost Charges under the provisions of Section 983 of the Municipal Act.

WHEREAS pursuant to Section 983(2) of the Municipal Act, the Council may, by bylaw, impose development cost charges under the terms and conditions of Section 983 and 984;

AND WHEREAS the development cost charges may be imposed for the sole purpose of providing funds for the municipality to pay the capital cost of providing, altering, or expanding water facilities in order to serve, directly or indirectly, the development in respect of which the charges are imposed;

AND WHEREAS a development cost charge is not payable where:

- (a) the development does not impose new capital cost burdens on the municipality,
- (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 municipality,
- (c) subject to Section 983(7) the local government has, for off-site services, imposed a charge or requirement for items for which a development cost charge is payable under Section 983(2);

AND WHEREAS in fixing development cost charges imposed by this bylaw, the Council has taken into consideration future land use patterns and development, the phasing of works and services and the provision of park land described in an official community plan and whether the charges:

- (a) are excessive in relation to the capital cost of prevailing standards or service in the municipality;
- (b) will deter development in the municipality;
- (c) will discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the municipality;

AND WHEREAS in the opinion of Council the charges imposed by this bylaw are related to capital costs attributable to a project involved in the capital expenditure program of the municipality;

NOW THEREFORE the Council of the Town of Creston, in open meeting assembled, enacts as follows:

1. Every person who obtains:

- (a) approval of the subdivision of a parcel of land under the Land Title Act or the Condominium Act, or
- (b) a building permit authorizing the construction or alteration of buildings or structures for a purpose other than the construction of three (3) or less self-contained dwelling units, or
- (c) a building permit authorizing construction, alteration, or extension of a building or structure, other than a building or portion of it used for residential purposes, where the value of the work exceeds Fifty Thousand Dollars (\$50,000) or another amount that the Minister may prescribe

shall pay at the time of the approval of the subdivision or the issue of the building permit, as the case may be, to the municipality the applicable development cost charges as set out in Schedule "A" hereto.

2. This bylaw may be cited for all intents and purposes as "Development Cost Charge Bylaw No. 1331, 1995".

READ A FIRST TIME THIS 15th day of May, 1995.

READ A SECOND TIME THIS 23rd day of May, 1995.

READ A THIRD TIME THIS 23rd day of May, 1995.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 4th day of August, 1995.

RECONSIDERED, PASSED, AND FINALLY ADOPTED THIS 21st day of August, 1995.

“Lela Irvine”
Mayor

“Wm F. Hutchinson”
Clerk

SCHEDULE "A"

DEVELOPMENT COST CHARGES

A. WATER FACILITIES - McLaren Street Waterline

1. Single Family Residential \$750.00 per lot being created at the time of subdivision according to the zoning of the property

2. Multi-Family Residential \$125.00 per dwelling unit being created at the time the building permit is issued, according to the zoning of the property

3. Apartment Residential \$87.50 per dwelling unit being created at the time the building permit is issued according to the zoning of the property.