

**FRASER VALLEY REGIONAL DISTRICT**

**BYLAW NO. 0797, 2007**

*A Bylaw to impose Development Cost Charges  
for the West Popkum/Bridal Falls/Cheam Water Supply Service*

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**WHEREAS** the Fraser Valley Regional District was incorporated by Letters Patent effective December 12, 1995;

**AND WHEREAS** Article 10 of the Letters Patent incorporating the Fraser Valley Regional District provides that all Bylaws of the former Central Fraser Valley Regional District, Dewdney-Alouette Regional District and the Regional District of Fraser Cheam in force and effect at the time of dissolution of the above named Regional Districts shall continue to apply to the area of the Regional District to which they applied at the time of dissolution;

**AND WHEREAS** pursuant to the Local Government Act the Board may by bylaw impose development cost charges under the terms and conditions of the Act;

**AND WHEREAS** development cost charges may be imposed for the purpose of providing funds to assist the Regional District to pay the capital costs of providing, constructing, altering, or expanding sewage, water, drainage and highway facilities, other than off-street parking facilities, and providing park land, to service, directly or indirectly, the development for which the charge is being imposed

**AND WHEREAS** a development cost charge is not payable if

- (i) the development does not impose new capital cost burdens on the Regional District,  
or
- (ii) a development cost has previously been paid for the same development, unless, as a result of further development, new capital cost burdens will be imposed on the Regional District.

**AND WHEREAS** in setting the development cost charges in this Bylaw, the Board has taken into consideration:

- (i) future land use patterns and development, and the phasing of works and services within the FVRD, and;
- (ii) whether the charges are excessive in relation to the capital cost of prevailing standards of service, will deter the development, or will discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the FVRD.

**NOW THEREFORE** in open meeting assembled, the Board of Directors of the Fraser Valley Regional District enacts as follows:

1. **CITATION**

This Bylaw may be officially cited for all purposes as the “Fraser Valley Regional District Popkum/Bridal Falls Water Development Cost Charge Bylaw No. 0797, 2007”

2. **DEFINITIONS**

In this Bylaw, unless the context otherwise requires:

“building permit”

means a building permit, issued under "Fraser Valley Regional District Building Bylaw No. 0034, 1996" authorizing the construction, alteration, or extension of a building or structure;

“commercial use”

means a building or structure used or intended to be used to carry on one or more businesses.

“comprehensive development”

means a development that is comprised of 2 or more of the following uses: residential, commercial, institutional or industrial;

“development cost charges” or “DCC”

means the applicable DCC Rates prescribed in Schedule B;

“gross floor area” means

the sum of the floor areas of each storey in each building or structure on a lot, measured between the exterior walls or such buildings or structures.

“lot”

means the smallest area of land designated as a separate and distinct lot on a subdivision plan, bare land strata plan, or certificate of title filed in the Land Title Office.

”single detached dwelling”

means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household.

3. **IMPOSITION OF CHARGES**

This bylaw applies in respect of the areas of land identified in Schedule A attached and forming part of this bylaw.

- a) Subject to exemptions specified in Section 933 of the Local Government Act, a development cost charge shall be imposed on every person who obtains
  - (i) approval of a subdivision, or
  - (ii) a building permit authorizing the construction, alteration or extension of a building or structure.
- b) A person who applies for approval of a subdivision or for a building permit must pay the applicable development cost charge prescribed in Schedule B at the same time the person's subdivision application is approved or building permit is issued.
- c) For a comprehensive development:
  - (i) development cost charges must be calculated separately for each use that is part of that comprehensive development, in accordance with Schedule B, and
  - (ii) the development cost charge payable equals the sum total of the development cost charges calculated for each separate use.
- d) For forms of development not itemized in this Bylaw, the development cost charge for the most similar type of development will be levied.

#### **4. COLLECTION OF CHARGES**

- (i) Where under this bylaw a development cost charge is imposed that is applicable within a participating member municipality, the participating member municipality shall collect the development cost charges on behalf of the Regional District and shall remit the development cost charge monies to the Regional District within one month of the month during which the development cost charges were collected by the participating member municipality.
- (ii) a development cost charge for any reason not paid at the time of approval of a subdivision or issuance of a building permit is a debt owing to the Regional District

#### **5. SEVERABILITY**

Each portion of this Bylaw is intended to be independent to the extent that its invalidation by a court does not affect the validity of any other portion.

#### **6. REPEAL**

The following bylaws are hereby repealed:

RDFC Bylaw No. 913 entitled "Popkum West Water Supply and Distribution System Development Cost Charge Bylaw No. 913, 1990";

RDFC Bylaw No. 0556 entitled "Development Cost Charge Bylaw of the Bridal Falls Water Supply and Distribution System of the Regional District of Fraser Cheam, Bylaw No. 556, 1984";

RDFC Bylaw No. 0830 entitled "Regional District of Fraser-Cheam Development Cost Charge Installment Payments Bylaw No. 830, 1988".

**7. READINGS**


READ A FIRST TIME THIS 24<sup>th</sup> DAY OF April, 2007

READ A SECOND TIME THIS 24<sup>th</sup> DAY OF April, 2007

READ A THIRD TIME THIS 24<sup>th</sup> DAY OF April, 2007

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 8<sup>th</sup> DAY OF June, 2007.

ADOPTED THIS 26<sup>th</sup> DAY OF June, 2007.


  
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Chair/Vice-Chair

  
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Administrator/Deputy

**8. CERTIFICATION**

I hereby certify the foregoing to be a true correct copy of the Fraser Valley Regional District Popkum/Bridal Falls Water Development Charge Bylaw No. 0797, 2007 as read a third time by the Board of Directors on this 24<sup>th</sup> day of April, 2007.

Dated at Chilliwack, B.C. This 25<sup>th</sup> day Of April, 2007.

  
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Administrator/Deputy

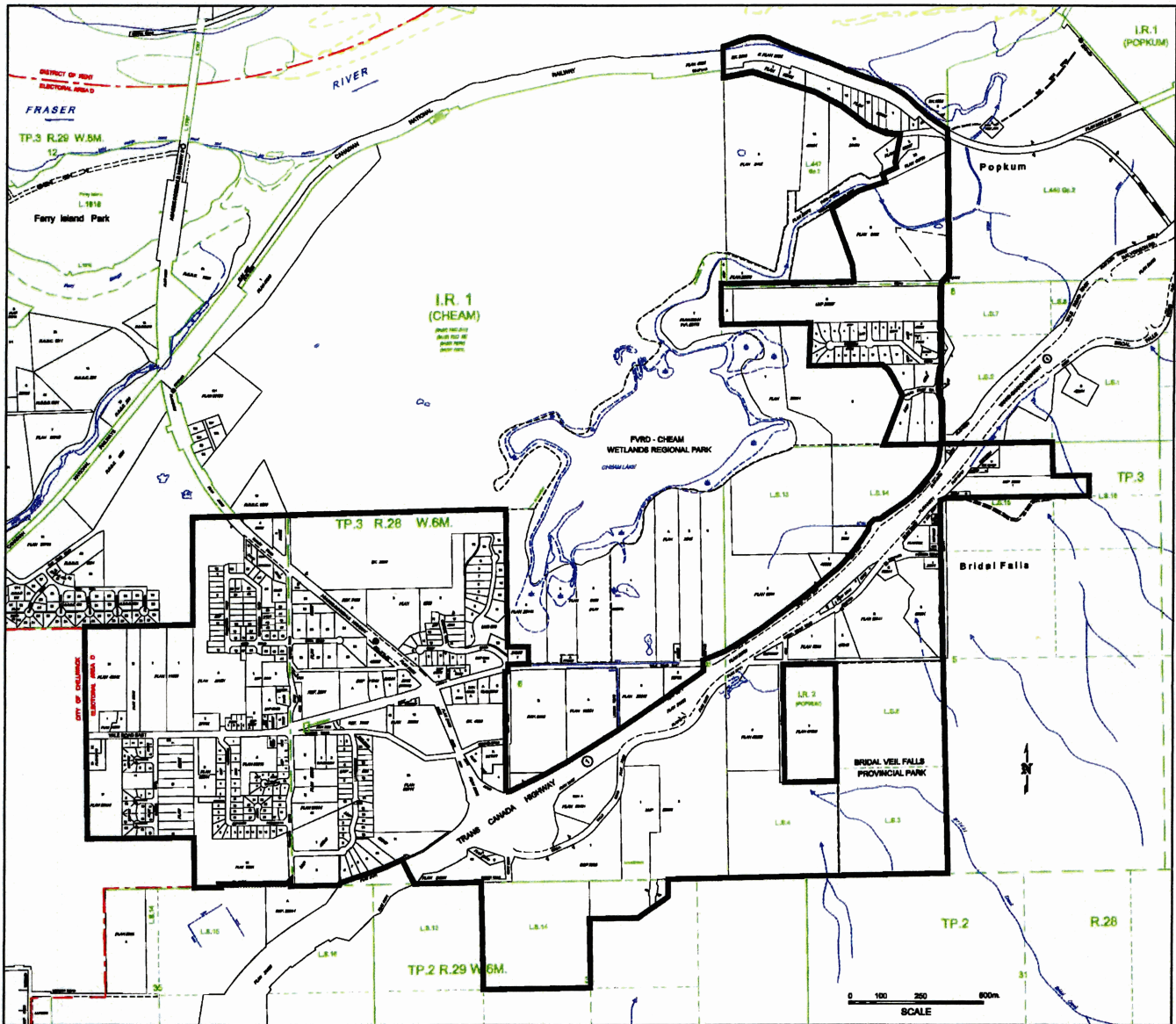
I hereby certify that this is a true and correct and copy of Bylaw No.0797, 2007 adopted by the Board of Directors of the Fraser Cost Regional District on the 26<sup>th</sup> day of June 2007,

Dated at Chilliwack, B.C. This 27<sup>th</sup> day of June, 2007.

  
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Administrator/Deputy

**FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 0797, 2007**  
**Schedule A**

**Popkum/Bridal Falls Water Supply Area**



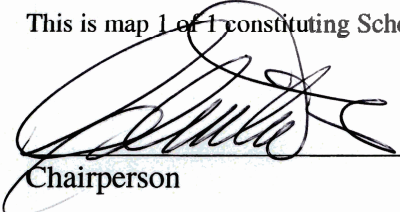
Map Reference: 92h012.3.1, 3.2, 3.3, 3.4 & 92h022.2.1, 2.2  
 Land District: New Westminster District  
 Land Title Office: New Westminster

April 16, 2007

**LEGEND**

 Boundary of Popkum/Bridal Falls Development Cost Charge Area

This is map 1 of 1 constituting Schedule 0797-A which is referred to as an integral part of Bylaw 0797, 2007.

  
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 Chairperson

  
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 Administrator

**FRASER VALLEY REGIONAL DISTRICT  
BYLAW NO. 0797, 2007**

**Schedule B**

**Development Cost Charges**

<b>Land Use</b>	<b>DCC Rate</b>
<b>Single Detached Dwelling</b>	<b>\$5,325.42 per lot</b>
<b>Commercial</b>	<b>\$172.77 per m<sup>2</sup> gross floor area</b>