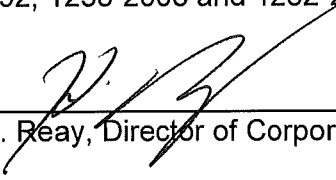


I, Harold Reay, Director of Corporate Services for the Regional District of Central Okanagan, do hereby certify that the following 3 pages comprises a true and correct copy of Bylaw No. 401, which was adopted by the Regional Board on the 16<sup>th</sup> day of October 1989 and has been consolidated to include amending Bylaw Nos. 523-1992, 1238-2008 and 1282-2010.

Dated at Kelowna, B.C. this  
14<sup>th</sup> day of February 2011

  
\_\_\_\_\_  
H. Reay, Director of Corporate Services

**Regional District of Central Okanagan**

**BYLAW NO. 401**

**Consolidated**

(includes amending Bylaw Nos. 523, 1238, and 1282.)

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Being a bylaw to impose Development Cost Charges under the provisions of Section 983 of the Municipal Act for Westbank Sewage Works.

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WHEREAS pursuant to Section 983(2) of the Municipal Act the Regional Board may, by by-law, impose development cost charges under the terms and conditions of Section 983 and 984:

AND WHEREAS by Supplementary Letters Patent dated January 22, 1987, the Regional District was empowered to undertake the function of sewage treatment and disposal;

AND WHEREAS the development cost charges may be imposed for the sole purpose of providing funds for the Regional District to pay the capital cost of providing, altering, or expanding sewage 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 Regional District,
- (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 or Regional District, or
- (c) subject to Section 983(7), the local government has, for off-site services or park land, 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 by-law the Regional Board 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 Regional District;
- (b) will deter development in the Regional District;

- (c) will discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the municipality or Regional District

AND WHEREAS in the opinion of the Regional Board the charges imposed by this by-law are related to capital costs attributable to projects involved in the capital budget of the Regional District;

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan in open meeting assembled enacts as follows:

1. Every person within the Westside Regional Sewer System Local Service Area, as established by Regional District of Central Okanagan Westbank Sewer Local Service Area No. 1 Establishment Bylaw No 509, 1992, as amended from time to time, 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 or extension of a building or structure, including a permit authorizing the construction, alteration or extension of 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, 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 Regional District the applicable development cost charges as set out in Schedule "A" hereto.
2. This by-law may be cited as "Westbank Sewage Specified Area Development Cost Charge By-law No. 401, 1989."

**Regional District of Central Okanagan  
Westbank Sewage Specified Area Development Cost Charge  
Amending Bylaw No. 1282, 2010  
Schedule "A"**

<b>Use</b>	<b>Unit Charged</b>	<b>Charge per Unit</b>
Single Detached Residential	For each parcel created at subdivision	\$3,188.00
Duplex or Triplex	For each unit permitted on the parcel at time of subdivision	\$3,188.00
Multiple Housing Residential	For each dwelling unit	\$2,125.00
Commercial	For each 100 sq.m. of gross floor area	\$1,381.00
Industrial	For each 100 sq.m. of gross floor area	\$1,381.00
Institutional	For each 100 sq.m. of gross floor area	\$1,169.00