

NORTH CEDAR IMPROVEMENT DISTRICT
CONSOLIDATED BYLAW NO. 293/331/374/422/453

A bylaw to fix a charge for Capital Expenditures on parcels of land and to provide for the time and manner of payment.

WHEREAS pursuant to Section 746(1)(f) of the *Local Government Act* the Trustees, by bylaw, fix capital expenditure charges under the terms and conditions as set out in the bylaw;

AND WHEREAS the capital expenditure charges may be fixed for the sole purpose of providing funds to the improvement district to pay the capital cost of providing, constructing, altering, or expanding water facilities in order to service directly or indirectly, the development in respect to which the charges are fixed;

AND WHEREAS in the opinion of the Trustees the charges fixed by this bylaw are related to capital costs attributable to projects identified in the capital expenditure program of the improvement district;

The Trustees of the North Cedar Improvement District ENACT AS FOLLOWS:

1. In addition to other charges applicable under other bylaws of the improvement district, every person who develops land shall pay the applicable capital expenditure charge as set out in Schedule "A" attached to and forming part of this bylaw.
2. Every person who obtains:
 - (a) approval of a subdivision of a parcel of land under the *Land Title Act* or the *Condominium Act* or;
 - (b) approval of an application for serviceshall pay at the time of the approval of the subdivision or the approval of the application for service, as the case may be, to the improvement district the applicable capital expenditure charges as set out in Schedule "A" attached to and forming part of this bylaw.
3. A capital expenditure charge is not payable where:
 - (a) the development does not impose new capital cost burdens on the improvement district or;
 - (b) a capital expenditure 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 improvement district.
4. In fixing capital expenditure charges by this bylaw, the Trustees have taken into consideration future land use patterns and development and the phasing of works and services and whether the charges
 - (a) are excessive in relation to the capital cost of prevailing standards of service in the improvement district or;
 - (b) will deter development in the improvement district or;
 - (c) will discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the improvement district.
5. All sums of money collected under this bylaw shall be deposited in a special reserve fund separate from all other funds of the improvement district. The improvement district shall use money deposited in the reserve fund plus all interest or earnings thereon for the purposes for which it was deposited, namely to:

- (a) pay the capital costs of providing, constructing, altering or expanding water facilities included in the capital expenditure program on which the charge was based, in order to serve directly or indirectly, the development in respect to which the charge was collected, or;
 - (b) pay principle and interest on a debt incurred by an improvement district as a result of an expenditure referred to in section 5(a).
6. Monies shall be disbursed by bylaw passed by the Trustees and approved by the Inspector of Municipalities.
7. The following bylaws are hereby repealed:
- Bylaw No. 287 – Comprehensive Capital Expenditure Charge Bylaw
8. This by-law may be cited as the “Comprehensive Capital Expenditure Charge Bylaw.”
9. To include the information contained in the Water System Master Plan – 2014 plus the 10 year Capital Expenditure Program as part of the Capital Expenditure Bylaw.

THIS BYLAW IS CONSOLIDATED FOR CONVENIENCE ONLY AND IS NOT TO BE CONSTRUED AS A LEGAL DOCUMENT

SCHEDULE "A"

BYLAW NO. 453

CAPITAL EXPENDITURE CHARGES (WATER FACILITIES)

Definitions:

"Single Family"	means any building consisting of one dwelling unit.
"Multi Family"	means the residential use of land or a building for two or more dwelling units but does not include an institutional use.
"Low Density"	means any unit created where gross density is greater than 20 and less than 50 units per hectare.
"Secondary Suite"	means a self-contained, accessory dwelling unit located within a principal single-detached dwelling or in an accessory building on the same parcel as a Single Family dwelling unit. A secondary suite does not include a duplex.
"High Density"	means land with gross density greater than 50 units per hectare
"Commercial"	means use of land or buildings for any retail, tourist accommodation, restaurant, personal or professional service, entertainment or recreational use and any other business use other than an institutional or industrial use.
"Institutional"	means any development providing for the assembly of persons for religious, charitable, philanthropic, cultural, civic or recreational purposes but not limited to auditoriums, youth centres, social halls, group camps and churches.
"Institutional-Residential"	means any short term or long term facilities which are operated by the government, a public agency or a private agency to provide food and accommodations in addition to providing care, assistance or supervision of the residents, including but not limited to nursing homes, boarding schools, community care facilities, convalescent homes, half-way houses, detention centres and correctional institutions.
"Industrial"	means use of land or building for permitted industrial uses on land zoned for such use(s).

Charges

A.	Residential		
	1) Single Family	Per lot	\$11,220.96
	2) Multi Family	Per unit	\$11,220.96
	3) Low Density	Per residential, mobile home, townhouse, low rise, condominium/apartment unit	\$9,494.66
	4) Secondary Suites	Per unit	\$3,740.32
	5) High Density	Per residential unit	\$6,473.63
B.	Commercial	Per each square metre of gross floor space	\$56.10
C.	Institutional Residential	Per Bed	\$4,207.86
D.	Institutional	Per each square metre of gross floor space	\$9.35
E.	Industrial	Per each square metre of gross floor space	\$56.10
F.	Campground	Per Central Service Building	\$2,992.26
G.	RV Park	Per Full Service Site	\$1,496.13
H.	Tourist Accommodation	Per Room	\$1,346.52