

The following is a consolidated copy of the Black Creek – Oyster Bay water local service area capital improvement charges bylaw and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
2462	Black Creek/Oyster Bay Water Local Service Area Capital Improvement Charge Bylaw No. 2462, 2002	August 26, 2002	To impose capital improvement charges to provide the service to additional customers or additional capacity for the Black Creek/Oyster Bay Water Local Service Area boundaries
64	Black Creek/Oyster Bay Water Local Service Area Capital Improvement Charge Bylaw No. 2462, 2002, Amendment No. 1	November 23, 2010	To replace Schedule 'A' – Definitions and capital improvement charges
613	Black Creek/Oyster Bay Water Local Service Area Capital Improvement Charge Bylaw No. 2462, 2002, Amendment No. 2	March 31, 2020	To amend the payment requirements for capital improvement charges
640	Black Creek/Oyster Bay Water Local Service Area Capital Improvement Charge Bylaw No. 2462, 2002, Amendment No. 3	NOT ADOPTED	
853	Black Creek/Oyster Bay Water Local Service Area Capital Improvement Charge Bylaw No. 2462, 2002, Amendment No. 4	April 8, 2025	To update the definitions and charges payable

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 2462

A Bylaw to Impose Capital Improvement Charges for the Black Creek/Oyster Bay Water Local Service Area

WHEREAS Bylaw No. 1557, being “Black Creek/Oyster Bay Water Local Service Area Conversion and Establishment Bylaw, 1993” was adopted by the Regional District on the 30th day of January 1995 which established the Black Creek/Oyster Bay Water Local Service;

AND WHEREAS Bylaw No. 2392, being “Black Creek/Oyster Bay Water Local Service Area Development Cost Charges, 2001” imposed development cost charges on the Local Service Area for the purpose of providing funds to assist the Regional District to pay the capital costs of providing, altering or expanding water facilities to service directly or indirectly, development in respect of which the charges are imposed;

AND WHEREAS Section 363 of the Local Government Act, made applicable to regional districts by way of Section 797.2, authorizes a board to, by bylaw, impose a fee or charge in respect of all or part of a service of the Regional District;

AND WHEREAS capital improvements will be required to provide the service to additional customers or additional capacity purchased if an expansion of the Black Creek/Oyster Bay Water Local Service Area boundaries occurs and therefore the Board desires to impose a capital improvement charge on each parcel added to the Black Creek/Oyster Bay Water Local Service Area under a boundary expansion in an amount equivalent to the development cost charges;

NOW THEREFORE, the Regional Board of the Regional District of Comox-Strathcona in open meeting assembled enacts as follows:

1. **Definitions:**

- a) “Attached tourist accommodation unit” means a dwelling unit attached to other dwelling units via a shared wall providing temporary accommodation for the travelling public such as, motels, hotels, inns, hostels or resorts;
- b) “Building permit” means a permit issued by the Regional District or a participating municipality, as applicable, authorizing the construction, alteration or extension of a building or structure;
- c) “Campground” has the same meaning as defined in the Zoning Bylaw;
- d) “Camping space” means a defined area in a campground intended for the temporary occupation of one recreational vehicle or one or more tents.;
“Carriage house” has the same meaning as defined in the Zoning Bylaw;

- e) "Commercial" means a building or structure intended to accommodate a commercial use such as, but not limited to, service commercial, office commercial, or other commercial use as permitted under the authority of the Zoning Bylaw, but specifically excludes attached tourist accommodation units and detached tourist accommodation units;
- f) "Comprehensive development" means any development that includes two or more residential uses, non-residential uses or a combination of residential and non-residential uses;
- g) "Detached Tourist Accommodation Unit" means a free-standing dwelling unit providing temporary accommodation for the travelling public such as cabins, lodges, or park model trailers;
- h) "Duplex dwelling" has the same meaning as defined in the Zoning Bylaw;
- i) "Dwelling unit" has the same meaning as defined in the Zoning Bylaw;
- j) "Gross floor area" has the same meaning as defined in the Zoning Bylaw;
- k) "High density residential" means a building which contains multiple dwelling units accessible via a common hallway or corridor and shared entrance facilities, including apartment buildings and attached tourist accommodation units;
- l) "Industrial / utility" means a building intended to house an industrial operation or utility as permitted under the authority of the Zoning Bylaw;
- m) "Institutional" means a building or structure intended to accommodate an institutional use as permitted under the authority of the Zoning Bylaw;
- n) "Low density residential" means a single detached dwelling, which may contain one additional dwelling unit in the form of an attached secondary suite.
- o) "Medium density residential" means a multi-residential dwelling (except apartments), duplex dwelling, single detached second dwellings and detached tourist accommodation dwelling units with direct access to the outside .
- p) "Multi-residential dwelling" means a building divided into three or more dwelling units , which includes but is not limited to apartment, townhouse, or row house where each unit is occupied or intended to be occupied as the permanent home or residence of one household.
- q) "Regional District" means the Comox Valley Regional District;
- r) "Secondary suite" has the same meaning as defined in the Zoning Bylaw;

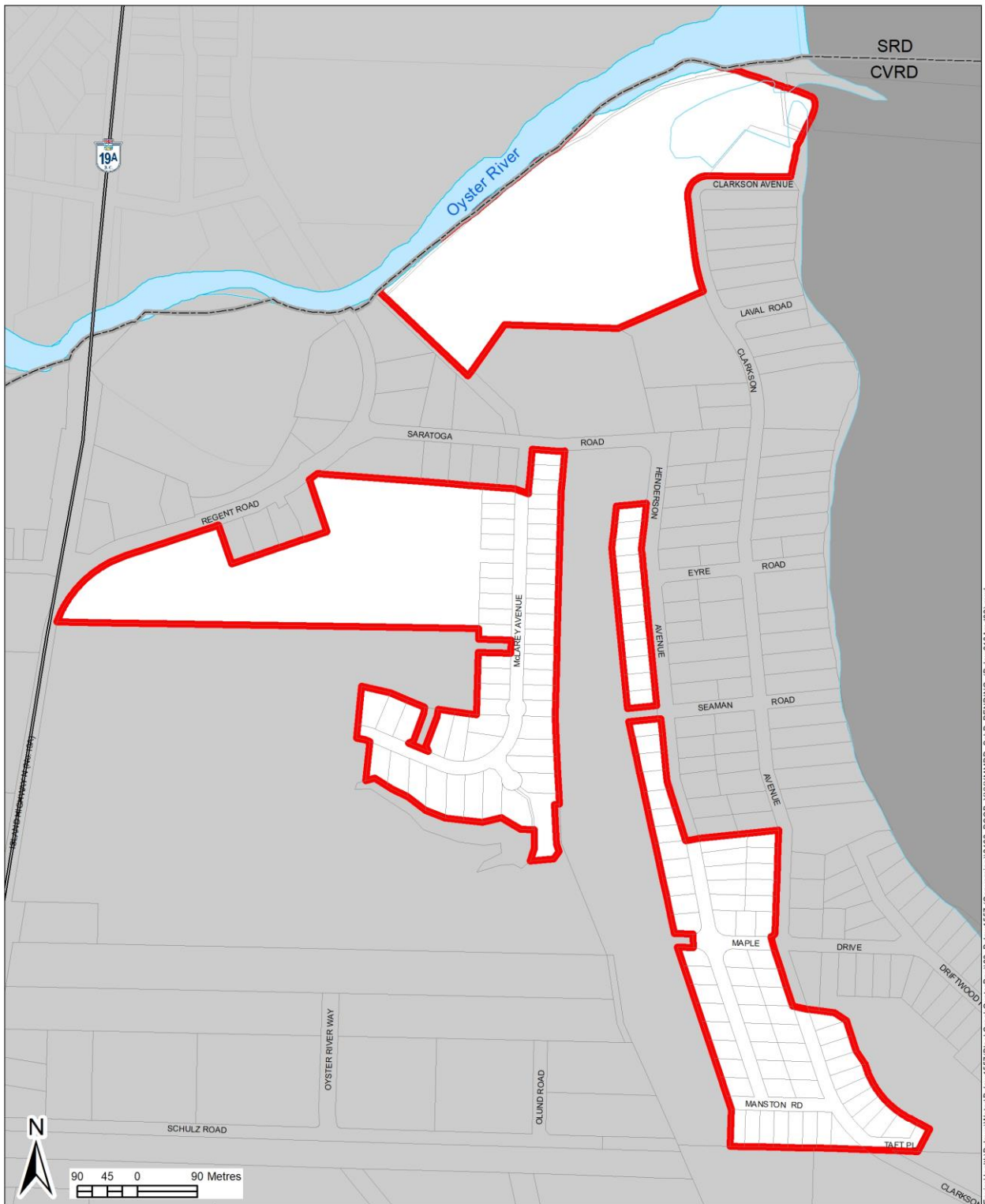
- s) "Single detached dwelling" has the same meaning as defined in the Zoning Bylaw;
 - t) "Single detached second dwelling" means a second detached, free-standing building or manufactured home containing one dwelling unit used or intended for residential use that is in addition to the first single family residential building or mobile home on the property, and for certainty includes a carriage house, or secondary dwelling but excludes a recreational vehicle or tent;
 - u) "Structure" means a construction of any kind, whether fixed to, supported by or sunk into land or water and for certainty includes on-site sewage disposal infrastructure, potable water infrastructure, washroom and shower facilities, administrative offices, maintenance and storage facilities, and other structures that support the development or expansion of a campground;
 - v) "Subdivision" has the same meaning as defined in the Zoning Bylaw;
 - w) "Tourist accommodation" has the same meaning as defined in the Zoning Bylaw;
 - x) "Zoning Bylaw" means the Rural Comox Valley Zoning Bylaw, No. 520, 2019 as amended or replaced from time to time.
2. The owner of any parcel of land proposed to be added to the Black Creek/Oyster Bay Water Local Service Area ("the Service Area") subsequent to the enactment of this bylaw must pay to the Regional District the applicable charge set out in Schedule "A" to this bylaw for the service.
 3. The charge imposed under Section 1 must be paid to the Regional District prior to the adoption of a bylaw amending the boundaries of the service area.
 4. As an exception to Section 2, the regional district may amortize the applicable charge set out in Schedule 'A' to this bylaw over a ten (10) year period for those properties shown outlined in red on Schedule 'B'.
 5. This Bylaw may be cited for all purposes as **"Black Creek/Oyster Bay Water Local Service Area Capital Improvement Charge Bylaw No. 2462, 2002."**

SCHEDULE A

Capital improvement charges payable under this bylaw

	Type of Development	Charges Payable
a)	Low Density Residential	\$10,418 per building lot
b)	Medium Density Residential	\$8,185 per unit
c)	High Density Residential	\$7,069 per unit
d)	Campground	\$2,232 per camping space
e)	Commercial	\$33.49 per square meter of gross floor area
f)	Institutional	\$33.49 per square meter of gross floor area
g)	Industrial/Utility	\$16.74 per square meter of gross floor area

Schedule 'B'



Schedule "B"
Bylaw No. 2462 being "Black Creek/Oyster Bay Water Local Service Area
Capital Improvement Charge Bylaw No. 2462, 2002"

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