A true copy of Bylaw No.__248__ registered in the office of the Inspector of Municipalities this 24th day of April 2023

GILLIES BAY IMPROVEMENT DISTRICT

CAPITAL EXPENDITURE CHARGE BYLAW NO. 248 Deputy Inspector of Municipalities

A by-law 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 698 (1) (e) of the Local Government Act, the Trustees may, by bylaw fix capital expenditure charges under the terms and conditions as set out in the bylaw;

AND WHEREAS the development 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 Gillies Bay Improvement District ENACT AS FOLLOWS:

- 1. That for the purposes of this bylaw:
 - a. "Parcel" means any lot, block or other area, which is the subject of separate registration in the Land Title Office.
 - b. "Unit" means any Dwelling Unit, Residential Unit, Commercial Unit, Industrial Unit or Rental Unit.
 - c. "Dwelling Unit" shall mean any room or suite of rooms used or intended to be used as a place of habitation by one or more persons and a dwelling unit shall include, without prejudice to the said generality, a single-family dwelling, a trailer, a mobile home and a self-contained room or suite of rooms in a building.
 - d. "Commercial Unit" shall mean any unit of divided space for which the use is the provision of the selling of goods and services, for the servicing and repair of goods or for the commercial office functions, including retail sales, wholesaling incidental to retail sales, commercial education and entertainment services, household services, and all associated repairs, other personal and nonpersonal services, and administrative, commercial, and professional offices.
 - e. "Industrial Unit" shall mean any unit of divided space for which the use is the provision for the processing, fabricating, testing, servicing, repairing, or wrecking or salvaging of goods and materials, and the selling of heavy industrial equipment.
 - f. "Multiple Occupancy" shall mean any land or building upon, or in which are more than one unit of whatever kind.
 - g. "Rental Unit" means a structure or part of a structure used as a home, residence, or sleeping unit by one or more persons, or any grounds or other facilities or area promised for the use of a residential tenant and includes, without limitation' apartment units, and units in boarding houses, rooming houses hotels, motel and also includes mobile home spaces, single family dwellings and recreational vehicle sites.

- h. "Recreational Vehicle Site" means an area intended to be occupied by a recreational vehicle, motor home, camper, travel trailer or similar unit for dwelling or sleeping purposes.
- 2. 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.
- 3. Every person who obtains:
 - a. approval of a subdivision of a parcel of land under the Land Title Act or the Strata Property Act or:
 - b. approval of an application for water service:

will pay at the time of the approval to the improvement district the applicable capital expenditure charges set out in Schedule "A" attached to and forming part of this bylaw.

- 4. 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.
 - c. The parcel already exists on our assessment roll prior to December 31, 2022.
- 5. 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
 - 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.
- 6. 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 must use money deposited in the reserve fund plus all interest or earnings thereon for the purposes for which it was deposited, namely to:
 - 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 principal and interest on a debt incurred by an improvement district as a direct result of an expenditure referred to in section 6(a).
- 7. Monies shall be disbursed by bylaw passed by the Trustees and approved by the Inspector of Municipalities.
- 8. This bylaw may be cited as the "Gillies Bay Improvement District Comprehensive Capital Expenditure Charge Bylaw 2023".

INTRODUCED and given first reading by the Trustees on the 21st day of March 2023.

RECONSIDERED and finally passed by the Trustees on the 21st day of March 2023.

I hereby certify that this is a true copy of Bylaw No. 248.

Chair of the Trustees

Officer

GILLIES BAY IMPROVEMENT DISTRICT BYLAW NO. 248 CAPITAL EXPENDITURE CHARGES

SCHEDULE "A"

CAPITAL EXPENDITURE CHARGES

LAND USE		BASIS OF ASSESSMENT	CHARGE
Α.	Single Family Residential	Parcels with one dwelling unit and no other units	\$7,500.00
В.	Multiple Occupancy Residential	Parcels with more than one dwelling unit, or rental unit.	\$7,500.00 per unit
c.	Commercial	Parcels with commercial units including offices, pubs, restaurants, service stations and every other commercial use except Industrial.	\$7,500.00 per unit
D.	Commercial Accommodation	R.V. Parks, Mobile Home Parks, Hotels, Motels	\$7,500.00 per unit
E.	Industrial	Light industrial - equivalent to 1.5 units	\$7,500.00 per unit
		Industrial - equivalent to 2 units requiring water for process/works	\$7,500.00 per unit
F.	Mixed Use	Parcels with more than one class of units of any kind.	\$7,500.00 per unit