



DISTRICT OF SOOKE

DEVELOPMENT COST CHARGES BYLAW NO. 775, 2021

CONSOLIDATED FOR REFERENCE
JUNE 3, 2025

DEVELOPMENT COST CHARGES BYLAW NO. 775, 2021
DEVELOPMENT COST CHARGES AMENDMENT BYLAW NO. 909 (775-01), 2024

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DISTRICT OF SOOKE DEVELOPMENT COST CHARGES BYLAW No. 775

A bylaw to impose Development Cost Charges.

WHEREAS pursuant to the Local Government Act, the Council of the District of Sooke may, by Bylaw, impose development cost charges;

AND WHEREAS development cost charges may be imposed for the purpose of providing funds to assist the municipality in paying the capital costs of providing, constructing, altering, or expanding sanitary sewer, drainage and roads facilities, and providing and improving park land to service directly or indirectly, the development for which the charges are imposed;

AND WHEREAS the Council of the District of Sooke has deemed the charges imposed by this bylaw:

- (a) are not excessive in relation to the capital cost of prevailing standards of service in the municipality;
- (b) will not deter development in the municipality;
- (c) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land in the municipality; and
- (d) will not discourage development designed to result in a low environmental impact in the municipality;

AND WHEREAS Council has considered the charges imposed by this bylaw in relation to future land use patterns and development, the phasing of works and services and the provision of park land described in the Official Community Plan, and how development designed to result in a low environmental impact may affect the capital costs of sanitary sewer, drainage, and roads, and providing and improving park land;

AND WHEREAS in the opinion of the Council, the charges imposed by this Bylaw are related to capital costs attributable to projects included in the municipality's financial plan and long-term capital plans, and to capital projects consistent with the Official Community Plan.

NOW THEREFORE, the Council of the District of Sooke, in open meeting assembled, enacts as follows:

CITATION

1. This Bylaw is cited as “Development Cost Charges Bylaw No. 775, 2021”

INTERPRETATION AND DEFINITIONS

2. This bylaw applies to all applications for subdivisions and for issuance of a building permit for parcels located in the District of Sooke.
3. For the purposes of this bylaw, the words or phrases that are not included in this section shall have the meaning assigned to them in the Zoning Bylaw.
4. In this bylaw:

Attached Dwelling means a Semi-detached dwelling or Townhouse unit (including duplex, triplex, quadraplex, rowhouse), each of which has an independent entrance.

Building Permit means any permit required by the District that authorizes the construction, alteration or extension of a building or structure.

Commercial means a commercial development in a commercial zone listed in the Zoning Bylaw or a similar development in another zone permitted in accordance with the Zoning Bylaw, in which the predominant use, as determined by its purpose and list of permitted uses, is of a commercial nature.

Construction includes building, erection, installation, repair, alteration, addition, enlargement, moving, locating, relocating, reconstruction, demolition, removal, excavation, or shoring.

Development means the construction, alteration, or extension of buildings and/or structures for any use authorized by the zoning bylaw that requires the issuance of a building permit but does not include internal alterations of a building and/or structure where the principal use of the building and/or structure, or part thereof, is not changing.

District means the Corporation of the District of Sooke.

Dwelling Unit means a self-contained set of rooms, including provisions for living, sleeping, cooking and sanitation; containing not more than one kitchen, with a direct entrance to the open air or to a common hallway or corridor, without passing through any other dwelling unit; includes suites and manufactured homes, and modular homes or prefabricated dwellings.

Gross Floor Area or GFA means the total floor area of each storey in each building including exterior walls but, excluding areas used exclusively for parking purposes.

High Density Multi-Family means a residential building which contains multiple dwelling units accessible via a common hallway or corridor and shared entrance facilities, includes apartment buildings.

Industrial means an industrial development in a zone listed in the Zoning Bylaw, or similar development in another zone permitted in accordance with the Zoning Bylaw, in which the predominant use, as determined by its general purpose and list of permitted uses, is of an industrial nature.

Institutional means an institutional development in a public or institutional zone listed in the Zoning Bylaw or a similar development in another zone permitted in accordance with the Zoning Bylaw, in which the predominant use, as determined by its purpose and list of permitted uses, is of an institutional nature.

Low Density Residential means residential development consisting of one or more single detached dwellings built on separate parcels, excludes manufactured homes.

Medium Density Multi-Family means residential development which includes attached dwellings and manufactured homes.

Parcel means any lot, block or other area in which land is held or into which it is subdivided but does not include a highway.

Single Detached Dwelling means a building that contains one dwelling unit for residential use and is separate on all sides from any other structure. Where specially permitted in the Zoning Bylaw, a single-detached dwelling may contain one additional dwelling unit in the form of a secondary suite for residential use.

Structure means any construction fixed to, supported by or sunk into land or water, excluding asphalt or concrete paving or similar surfacing of a parcel.

Subdivision means a subdivision as defined in the *Land Title Act* or *Strata Property Act*.

Zone means the zones identified and defined in the District of Sooke Zoning Bylaw.

Zoning Bylaw means the District of Sooke Zoning Bylaw.

DEVELOPMENT COST CHARGES

5. The Development Cost Charges set out in Schedules "A", attached hereto and forming part of this bylaw, are hereby imposed on every person who obtains:
 - (1) approval of a subdivision of land under the Land Title Act or the Strata Property Act, that creates two or more parcels on which the Zoning Bylaw permits the construction of a single detached dwelling;
 - (2) approval of a building permit authorizing the construction of a single detached dwelling unit or the placing of a manufactured home on an existing parcel; or

- (3) approval of a building permit authorizing the construction, alteration or extension of a medium density multi-family, high density multi-family, commercial, industrial, or institutional building or structure;
 - (4) and the development cost charge shall be paid prior to approval of a subdivision or issuance of a building permit, as the case may be.
6. For certainty, this bylaw imposes charges in respect of building permits authorizing the construction, alteration or extension of buildings that will, after the construction, alteration or extension, contain fewer than four self-contained dwelling units and be put to no other use than residential use in those dwelling units.

EXEMPTIONS

7. Despite any other provision of this bylaw, a development cost charge is not payable if any of the following applies in relation to a development authorized by a building permit:
- (1) the permit authorizes the construction, alteration or extension of a building or part of a building that is, or will be, after the construction, alteration or extension, exempt from taxation under section 220(1)(h) or 224(2)(f) of the Community Charter;
 - (2) the permit authorizes the construction, alteration, or extension of self-contained dwelling units in a building, the area of each self-contained dwelling unit is no larger than 29m², and each dwelling unit will be put to no other use than residential use;
 - (3) the value of the work authorized by the building permit does not exceed \$50,000; or
 - (4) a development cost charge has previously been paid for the development unless, as a result of further development, new capital cost burdens will be imposed on the municipality.

CALCULATION OF APPLICABLE CHARGES

8. The amount of development cost charges payable in relation to a particular development shall be calculated using the applicable charges set out in Schedule "A" of this bylaw.
9. Where a type of development is not specifically identified in Schedule "A" the amount of development cost charges to be paid to the District shall be equal to the development cost charges that are payable for type of development that in the opinion of Director of Operations imposes the most similar cost burden on the District's transportation, sewer, drainage and park services.
10. The amount of development cost charges payable in relation to mixed-use type of development shall be calculated separately for each portion of the development, in

accordance with Schedule "A", which are included in the building permit application and shall be the sum of the charges payable for each type.

EFFECTIVE DATE

11. This Bylaw shall come into force and effect on the date of adoption.

SEVERABILITY

12. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of the bylaw remains valid.

REPEAL

13. Development Cost Charge Imposition Bylaw No. 202, 2004 and all amendments thereto are hereby repealed.

READ A FIRST TIME on the 12 day of October, 2021.

READ A SECOND TIME on the 12 day of October, 2021.

READ A THIRD TIME on the 12 day of October, 2021.

APPROVED by the Ministry of Municipal Affairs on the 25 day of March, 2022.

ADOPTED on the 13 day of June, 2022.

Original signed by _____
Mayor

Original signed by _____
Corporate Officer

SCHEDULE A

Attached to District of Sooke Development Cost Charges Bylaw No. 775, 2021
[Amended by Bylaw No. 909 (775-01), 2024].

	Unit	Transportation	Drainage	Sewer	Parks	Total
Low Density Residential	Per lot	\$12,313.18	\$62.33	\$7,014.90	\$1,177.80	\$20,568.21
Medium Density Multi Family	Per unit	\$6,849.21	\$31.17	\$3,720.02	\$624.59	\$11,224.99
High Density Multi-Family	Per unit	\$3,770.91	\$7.48	\$2,391.44	\$401.52	\$6,571.36
Commercial	Per square metre of gross floor area	\$84.65	\$0.69	\$15.94	\$0.45	\$101.73
Industrial	Per square metre of gross floor area	\$60.03	\$0.49	\$7.97	-	\$68.48
Institutional	Per square metre of gross floor area	\$84.65	\$0.69	\$15.94	-	\$101.28