REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1927

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES WITHIN THE REGIONAL DISTRICT OF NANAIMO FOR SOLID WASTE AND RECYCLING FACILITIES

WHEREAS the Regional District may, pursuant to section 559 of the *Local Government Act,* impose development cost charges;

AND WHEREAS in accordance with the *Local Government Act* development cost charges may be imposed for the purpose of providing funds to assist the Regional District to pay the capital cost of providing, constructing, altering or expanding solid waste and recycling facilities in order to serve, directly or indirectly, the development for which the charges are imposed;

AND WHEREAS the Regional District has the responsibility of providing solid waste and recycling facilities in its member municipalities, being City of Nanaimo, District of Lantzville, City of Parksville and Town of Qualicum Beach;

AND WHEREAS in establishing the development cost charges under this bylaw, the Board has taken into consideration the future land use patterns and development and the other matters referred to in section 564(4) of the *Local Government Act*, including whether the development cost charges imposed under this bylaw

(a) are excessive in relation to the capital costs of prevailing standards of 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 Regional District, and

(d) will discourage development in the Regional District designed to result in a low environmental impact;

AND WHEREAS in the opinion of the Board, the charges imposed by this bylaw are related to capital costs attributable to projects included in the Regional District's financial plan and long-term capital plans, and to capital projects consistent with the Regional Growth Strategy for the Regional District and Official Community Plans for Electoral Areas A, C, E, F, G, H and Gabriola Island and the municipalities of City of Nanaimo, District of Lantzville, City of Parksville and Town of Qualicum Beach.

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

1. CITATION

This bylaw may be cited as "Regional District of Nanaimo Solid Waste and Recycling Facilities Development Cost Charge Bylaw No. 1927, 2025".

2. APPLICATION

This Bylaw is applicable to the Regional District of Nanaimo, including all electoral areas (Electoral Areas A, B, C, E, F, G and H) and the Regional District's member municipalities (City of Nanaimo, District of Lantzville, City of Parksville and Town of Qualicum Beach).

3. DEFINITIONS

In this bylaw:

"Board" means the Board of the Regional District of Nanaimo.

"Assisted Living Units" means a building or buildings used for multiple family residential use, where there may be common facilities and a cafeteria or eating area, but where residents are ambulatory and live in private rooms or units which can be locked and which are not automatically accessible to care staff.

"***Commercial Use***" means the use of a building for any commercial use, including retail, tourist accommodation, restaurant, personal or professional services, commercial entertainment or commercial recreational use, but excluding industrial or institutional use.

"***Dwelling Unit***" means a self-contained set of one or more habitable rooms that include cooking and washroom facilities and used as a single residence.

"***Gross Floor Area***" means the total of the horizontal area of all floors in a building, including any basement, parking facilities or underground levels, measured to the outside of exterior walls.

"***Industrial Use***" means the use of a building for any industrial, manufacturing, processing, repair, storage use or for wholesaling or distribution of goods.

"***Institutional Use***" means the use of a building as a school, hospital, correctional facility or care facility or for the purposes of a public body or publicly regulated utility, but does not include use for "assisted living".

"Member municipality" means the City of Nanaimo, District of Lantzville, City of Parksville and Town of Qualicum Beach or any of them.

"Lot" means a parcel created by registration of subdivision under the *Land Title Act* (British Columbia) or the Bare Land Strata regulation under the *Strata Property Act* (British Columbia).

"***Multiple Family Residential***" means a building or buildings containing, in total, two or more dwelling units, but excluding Single detached dwelling on a Lot with no other dwelling units.

"Regional District" means the Regional District of Nanaimo.

"Secondary Suite" means a dwelling unit contained in the same building as a principal dwelling unit and that is subordinate and accessory to that other dwelling unit.

"Single Detached Dwelling" means a building containing only one dwelling unit or one dwelling unit and a secondary suite.

"Zoning Bylaw" means the Regional District zoning bylaw for the applicable electoral area or the Member Municipality's zoning bylaw.

4. DEVELOPMENT COST CHARGES

4.1 Every person who obtains:

a) approval of a subdivision of land under the *Land Title Act* or the *Strata Property Act* into two or more parcels where the applicable zoning bylaw permits the construction of one single detached dwelling on at least one of the parcels; or

b) a building permit authorizing the construction, alteration or extension of a building, including a building that will, after construction, alteration or extension, contain less than four self-contained dwelling units and be put to no other use other than residential use in those dwelling units,

shall pay, at the time of the approval of the subdivision or the issuance of the building permit, the applicable development cost charges as set out in Schedule 'A' attached to and forming part of this bylaw.

4.2 For certainty and without limiting the circumstances where development cost charges are imposed under this bylaw, this bylaw imposes development cost charges in respect of a building permit authorizing the construction, alteration or extension of a building 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.

5. CALCULATION OF APPLICABLE CHARGES

5.1 Where a type of development is not identified in Schedule 'A' the amount of development cost charges to be paid to the Regional District shall be equal to the development cost charges that are payable for the type of development that in the opinion of the Regional District's Manager of Solid Waste Services imposes the most similar capital cost burden on the Regional District in respect of solid waste and recycling facilities.

5.2 For a building intended to be used for more than one use type specified in Schedule 'A', the development cost charges payable shall be calculated separately for each portion of the building containing a different use type and the amount payable shall be the sum of the development cost charges calculated for each such portion of the building.

6. *LOCAL GOVERNMENT ACT* PROVISIONS RESPECTING CIRCUMSTANCES WHERE DEVELOPMENT COST CHARGES ARE NOT PAYABLE

For clarity, in accordance with section 561 of the *Local Government Act*, a development cost charge is not payable under this bylaw if any of the following circumstances applies:

a. The building 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 either of the following provisions of the *Community Charter*:

   i. Section 220 (1) (h) [statutory exemption for places of public worship];
   ii. Section 224 (2) (f) [permissive exemptions in relation to places of public worship]; or

b. The building permit authorizes the construction, alteration or extension of a building if the value of the work authorized by permit does not exceed $50,000; or

c. In relation to the construction, alteration or extension of self-contained dwelling units in a building authorized under a building permit each unit is no larger in area than 29 square metres and each unit is to be put to no other use other than the residential use in those dwelling units; or

d. 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 Regional District; or

e. The development does not impose any new capital cost burdens on the Regional District.

7. EFFECTIVE DATE

This bylaw will come into full force and effect on the date of adoption.

8. SEVERABILITY

In the event that 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.

Introduced and read a first time this 14th day of October, 2025.

Read a second time this 12th day of May, 2026.

Read a third time this 12th day of May, 2026.

Approved by the Inspector of Municipalities this 14th day of August, 2026.

Adopted this 8th day of September, 2026.

CHAIR

CORPORATE OFFICER

Schedule 'A' to accompany Regional District of Nanaimo Solid Waste and Recycling Facilities Development Cost Charge Bylaw No. 1927, 2025

Chair

Corporate Officer

SCHEDULE 'A'

Development Cost Charges for Solid Waste and Recycling Facilities

1. For clarity, where DCCs have been paid at subdivision, DCCs for dwelling units at building permit will be payable for any increase in proposed number of dwelling units at the time of building permit issuance from the planned number at time of subdivision.

Category	Subdivision	Building Permit
Single Detached Dwelling including Mobile Homes	$534.49 per lot upon which a single detached dwelling may be constructed under applicable zoning bylaw	$534.49 per dwelling unit
Multiple Family Residential		$423.14 per dwelling unit
Commercial		$25.04 per square meter of building gross floor area
Industrial		$22.00 per square meter of building gross floor area
Institutional		$24.31 per square meter of building gross floor area