DISTRICT OF COLDSTREAM
BYLAW NO. 1729, 2018

A BYLAW TO REDUCE DEVELOPMENT COST CHARGES FOR LOW ENVIRONMENTAL IMPACT DEVELOPMENT IN THE TOWN CENTRE

WHEREAS pursuant to the *Local Government Act* the Council may, by bylaw, reduce Development Cost Charges for development that is designed to result in low environmental impact.

AND WHEREAS Council wishes to reduce the Development Cost Charge payable for development that is designed to result in low environmental impact within the Town Centre Revitalization Area.

NOW THEREFORE the Council of the District of Coldstream ENACTS AS FOLLOWS:

TITLE

1. This Bylaw may be cited as the "DISTRICT OF COLDSTREAM TOWN CENTRE REVITALIZATION AREA DEVELOPMENT COST CHARGE REDUCTION BYLAW NO. 1729, 2018".

INTERPRETATION

2. (1) In this Bylaw:

"Building Official" includes Building Inspectors, Plan Checkers, and Plumbing Inspectors designated by the Chief Administrative Officer or designate for the District of Coldstream;

"District" means the District of Coldstream;

"eligible development" means an improvement to land or building that is described in section 5(1)(a);

"LEED" means Leadership in Energy and Environmental Design, a standard for building systems as established by the Canada Green Building Council;

"LEED Accredited Person" means a person who has been accredited by the Green Building Certification Institute as a LEED Accredited Professional with specialization in the aspects of the improvement he or she is retained to design or certify as meeting a LEED standard;

"LEED Certified" or "LEED Certification" in relation to a building system or improvement means one that is certified by a LEED Accredited Person as meeting a LEED standard;

"Town Center Revitalization Area" means the area shown outlined in Schedule "A".

(2) Unless otherwise provided in this Bylaw, words and phrases used herein have the same meanings as in the *Community Charter*, *Local Government Act* and the *Interpretation Act* as the context and circumstances may require.

(3) A reference to an Act in this Bylaw refers to a statute of British Columbia, and a reference to any statute, regulation, bylaw or other enactment refers to that enactment as it may be amended or replaced from time to time.

(4) Words in the singular include the plural, and words in the plural include the singular.

(5) Headings are for convenience only and must not be construed as defining or limiting the scope or intent of the provisions.

SCHEDULES

3. Schedule "A" is attached to and forms part of this Bylaw.

SEVERABILITY

4. If any part of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid part is severed and the remainder of the Bylaw continues to be valid.

TOWN CENTER REVITALIZATION AREA

5. (1) Pursuant to the *Local Government Act*

(a) an improvement within the Town Center Revitalization Area, as set out in Schedule “A” to this bylaw:

i. that has been designated by a LEED Accredited Person in accordance with a LEED standard, and

ii. for which the developer provides proof, to the satisfaction of the Building Official that, at the time of occupancy, the improvement is LEED Certified,

qualifies as an eligible development, and

(b) the development cost charges that would otherwise apply under this Bylaw for sewer, drainage, parks and roads are reduced by twenty-five percent (25%) in relation to an improvement that qualifies under this section as an eligible development.

(2) To receive a reduction under this section, a person must, at the time when fees for a building permit are due, provide the District with

(a) the entire payment of the required development cost charges and building permit fees, except that the amount for which a reduction of charges under this section is available may be in the form of an irrevocable letter of credit issued by a Canadian bank in favour of the District, and

(b) documented proof in a form satisfactory to the Building Official that the improvement is on a path to LEED Certification at that time.

(3) On being satisfied as to proof that an improvement within the Town Centre Revitalization Area meets the criteria for LEED certification at the time of application for an occupancy permit, the Building Official will advise the District's Financial Officer in writing that the improvement qualifies for a reduction under subsection 5.(1)(b) as an eligible development. On being so advised, the Financial Officer will arrange for a refund in accordance with this section.

READ A FIRST TIME this	7th	day of	August	2018
READ A SECOND TIME this	7th	day of	August	2018
READ A THIRD TIME this	7th	day of	August	2018
ADOPTED this	22nd	day of	July	2019

Corporate Officer

Mayor

Attachments: Schedule "A" – Town Center Revitalization Area Map

Schedule "A"

TOWN CENTER REVITALIZATION AREA MAP

