**SUN PEAKS MOUNTAIN RESORT MUNICIPALITY**

**BYLAW NO. 0238, 2026**

**DEVELOPMENT COST CHARGES FOR WATER, SANITARY SEWER, STORM DRAINAGE, HIGHWAY FACILITIES AND PARKLAND**

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**WHEREAS** the Council may, under Section 559 of the *Local Government Act,* impose development cost charges under the terms and conditions of that section;

**AND WHEREAS** development cost charges may be imposed to provide funds to assist the Municipality to pay the capital costs of providing, constructing, altering, or expanding sewage, water, drainage, and highway facilities and of providing and improving parkland, in order to service, directly or indirectly, the development for which the charges are imposed;

**AND WHEREAS** in establishing the development cost charges under this bylaw, Council has considered the future land use patterns and development, the phasing of works and services, the provision of park land described in the Official Community Plan within the Sun Peaks Mountain Resort Municipality;

**AND WHEREAS** the Council has also considered, and determined, that the charges imposed under this bylaw are not excessive in relation to the capital costs of prevailing standards of service, will not deter development, will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land and will not discourage development designed to result in a low environmental impact, within the Sun Peaks Mountain Resort Municipality;

**AND WHEREAS** the Inspector of Municipalities has approved this bylaw;

**NOW THEREFORE** the Municipal Council of the Sun Peaks Mountain Resort Municipality in open meeting assembled enacts as follows:

## 1. TITLE

1.1 This bylaw may be cited for all purposes as "Development Cost Charges Bylaw No. 0238, 2026".

## 2. REPEAL

2.1 This Bylaw repeals "Development Cost Charges Bylaw No. 0217, 2024".

## 3. DEVELOPMENT COST CHARGE AREA

3.1 The development cost charges imposed by this bylaw shall apply throughout the Sun Peaks Mountain Resort Municipality.

## 4. EXCEPTIONS

4.1 Notwithstanding the exemption under section 561(5) of the *Local Government Act*, a development cost charge will apply in relation to a development authorized by a building permit with less than four self-contained dwelling units.

## 5. INTERPRETATION

5.1 Enactments - Any Act referred to in this bylaw is a reference to an Act of British Columbia or Canada, as the case may be, and the applicable regulations, as amended, revised, consolidated, or replaced from time to time. Any bylaw referred to in this bylaw is a reference to a bylaw of the Sun Peaks Mountain Resort Municipality, as amended, revised, consolidated, or replaced from time to time.

5.2 Headings - The headings given to the parts, sections and paragraphs in this bylaw are for convenience of reference only. They do not form part of this bylaw and will not be used in the interpretation of this bylaw.

5.3 Severability - If any part, paragraph, or phrase in this bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, that portion shall be severed, and the remainder of this bylaw shall continue in force.

5.4 Schedules - The following schedules attached to this bylaw form part of this bylaw: Schedule A – Development Cost Charge Rates

## 6. DEFINITIONS

In this bylaw:

***"Bed Unit"*** means the floor area (or equivalent) required to provide overnight accommodation for one person. Bed units are assigned as follows:

- Single Family Residential 6 Bed Units
- Two Family Residential 10 Bed Units

  Multiple Family Residential developments are assigned 1 Bed Unit per 25m$^2$ of gross floor area.

***"Building"*** means any structure and portion thereof, including mechanical rooms, which is used or intended to be used for the purpose of supporting or sheltering any use or occupancy.

***"Commercial Use"*** means development of a **parcel** for **commercial use** as described in the Sun Peaks Zoning Bylaw or similar development that is of a commercial nature, including but not limited to uses such as retail, restaurant, personal or professional services.

***"Dwelling Unit"*** means one or more rooms with a separate entrance intended for year-round occupancy and used for the residential accommodation of only one family when such room or rooms contain or provide for the installation of only one set of cooking facilities.

***"Gross Floor Area"*** means as described in the Sun Peaks Zoning Bylaw

***"Gross Site Area"*** means the whole or portion of a **parcel(s)** to be improved as part of the development authorized by a building permit and includes all vehicular and pedestrian circulation areas, loading, parking, storage, works, decorative and landscaped areas appurtenant to the authorized development.

***"Industrial Use"*** means development of a **parcel** for **industrial use** as described in the Sun Peaks Zoning Bylaw or similar development that is of an industrial nature, including but not limited to uses such as cleaning, manufacturing, repair, and storage.

***"Institutional Use"*** means any development that is created and exists by law or public authority for the benefit of the public in general, and includes, but is not limited to, public hospitals, public and private schools, and churches.

***"Multiple Family Residential"*** means a unit in a **building** or **buildings,** containing three or more principal **dwelling units** on a **parcel, including units used for tourist accommodation, apartments, condo-hotel, and hotel units**.

***"Parcel"*** means any lot, block, strata lot or other area in which land is held or into which land is subdivided but does not include any portion of a highway.

***"Single Family Residential"*** means a residential use where the building lot is used for one principal **dwelling unit** and other uses as permitted, including an auxiliary residential unit.

***"Subdivision"*** means the division of land into two or more **parcels**, whether by plan or by metes and bounds description or otherwise, and including a plan consolidating two or more **parcels** into a fewer number of **parcels**.

***"Two Family Residential"*** means a residential use where the building lot is used for two principal **dwelling units** and other uses as permitted, including auxiliary residential units.

***"Zone or Zoning"*** means the **zone** identified in the "Sun Peaks Mountain Resort Municipality Zoning Bylaw No. 1400, 2025" as amended or replaced.

## 7. CHARGES

a) Every person who applies for new subdivision of land must pay to the Sun Peaks Mountain Resort Municipality the applicable development cost charges as set out in Schedule "A" attached to and forming part of this bylaw, based on the allowable bed units (or equivalent) to be constructed on the land being subdivided

b) In the case of development in existing subdivisions, for which development cost charges have not been paid, every person who obtains:

i) a building permit authorizing the construction of a new **building,** where the construction value of the building is in excess of One Hundred Thousand Dollars ($100,000.00)

must pay to the Sun Peaks Mountain Resort Municipality the applicable development cost charges as set out in Schedule "A" attached to and forming part of this bylaw.

c) In the case of development, regardless of previous development cost charge payments for a **subdivision** or **parcel**, every person who obtains:

i. a building permit authorizing the alteration and/or extension of a **building,** which has a construction value in excess of One Hundred Thousand Dollars ($100,000.00), where;

ii. there is an increase in the **Gross Floor Area** of the **building**, or a change-of-use that is deemed to place additional burden on Municipal infrastructure (e.g. **Commercial Use** to **Residential Use**)

must pay to the Sun Peaks Mountain Resort Municipality the applicable development cost charges as set out in Schedule "A" attached to and forming part of this bylaw, based on the additional **Gross Floor Area**, ~~and~~ the applicable us~~e~~es~~age~~s, and the difference in charge rates per this bylaw for a change of use.

d) The charges will be based on the actual use of the **building** not the **zoning** category of the property; and

i. where there is more than one use, each use is subject to the

charge based on the actual use and there may be more than one category applied per **building**.

ii. where a **building** is vacant and its future use cannot be determined, development cost charges are payable in accordance with the **zoning** category for the land upon which the **building** is situated.

e) All charges must be paid in full prior to the approval of the **subdivision** or building permit as applicable, unless paid by way of installments in accordance with *BC Regulation 166/84* as amended or replaced.

## 8. EFFECTIVE DATE

The effective date of the rates contained within this bylaw will be upon adoption of the bylaw by Council.

**READ A FIRST TIME** this 12th day of May, 2026

**READ A SECOND TIME** this 9th day of June, 2026

**READ A THIRD TIME**

**APPROVED BY INSPECTOR OF MUNICIPALITIES**

**ADOPTED**

Mayor

Corporate Officer

**SCHEDULE "A"**
**DEVELOPMENT COST CHARGE RATES**

1. For **Single-Family, Two-Family, or Multiple-Family Residential** developments**,** the following amounts shall be paid in respect of each **bed unit** in the plan of **subdivision**:

| **Residential** | |
|---|---|
| Drainage | $ 22.25 |
| Employee Housing | $ 20.88 |
| Parkland | $ 155.94 |
| Road | $ 176.80 |
| Sewer | $ 3,943.56 |
| Water | $ 3,446.44 |
| **Total Per Bed Unit** | **$ 7,765.87** |

2. Upon **subdivision** or issuance of a building permit for the construction, alteration or extension of a **building** or part of a **building** for any **Commercial Use**, the following charge shall be paid for each square meter of **Gross Floor Area** authorized to be constructed, altered, or extended by the building permit:

| **Commercial Use** | |
|---|---|
| Drainage | $ 0.38 |
| Employee Housing | $ 0.36 |
| Parkland | $ 2.65 |
| Road | $ 3.01 |
| Sewer | $ 67.04 |
| Water | $ 58.59 |
| **Total Per Square Meter** | **$** 132.02 |

3. Upon **subdivision** or issuance of a **building** permit for the construction, alteration or extension of a **building** or part of a building for any **Industrial Use**, the following charge shall be paid for each square meter of **Gross Floor Area** authorized to be constructed, altered, or extended by the building permit:

| **Industrial Use** | |
|---|---|
| Drainage | $ 0.22 |
| Employee Housing | $ 0.21 |
| Parkland | $ 1.56 |
| Road | $ 1.77 |

| | |
|---|---|
| Sewer | $ 39.44 |
| Water | $ 34.46 |
| **Total** Per Square Meter | **$** 77.66 |

4. Upon **subdivision** or issuance of a **building** permit for the construction, alteration or extension of a **building** or part of a building for any **Institutional Use**, the following charge shall be paid for each square meter of **Gross Floor Area** authorized to be constructed, altered, or extended by the building permit:

| **Institutional Use** | |
|---|---|
| Drainage | $ 0.40 |
| Employee Housing | $ 0.38 |
| Parkland | $ 2.81 |
| Road | $ 3.18 |
| Sewer | $ 70.98 |
| Water | $ 62.04 |
| **Total** Per Square Meter | **$** 139.79 |

5. Where a proposed **building** is to be used for more than one class of use under this bylaw, the charge for each portion of the **building** used for a separate class of use shall be calculated separately, based upon the relevant charge under Sections 1, 2, 3 or 4 of this Schedule, and the total amount of those charges shall be payable as per Section 7 of this bylaw.