
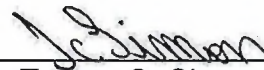




**First Nations Tax Commission**  
**Commission de la fiscalité des premières nations**

I, Tracey C. Simon, do hereby affirm as the FMA Registrar for the First Nations Tax Commission that the attached copy is a true copy of the original law, *Tk'emlúps te Secwépemc Development Cost Charges Law, 2013*, duly made on October 29, 2013 by the Council of the Tk'emlúps te Secwépemc and as such has been stamped  FNTC Certified True Copy  
CFPN copie certifiée  
authentique de l'original  
on each of the eighteen (18) pages.

Signed at Kamloops, British Columbia this 31st day of January, 2014.



Tracey C. Simon, FMA Registrar  
First Nations Tax Commission



**TK'EMLÚPS TE SECWÉPEMC  
DEVELOPMENT COST CHARGES LAW, 2013**

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**SCHEDULES**

- I Map of Development Cost Charge Defined Areas
- II Calculation of Development Cost Charges – Defined Area 1
- III Calculation of Development Cost Charges – Defined Area 2
- IV Complaint to Administrator Respecting Development Cost Charges

**WHEREAS:**

A. Pursuant to section 5 of the *First Nations Fiscal Management Act*, the council of a first nation may make laws respecting taxation for local purposes of reserve lands, interests in reserve lands or rights to occupy, possess or use reserve lands, including the imposition of development cost charges in respect of reserve lands;

B. The Tk'emlúps te Secwépemc Council deems it to be in the best interests of the First Nation to make a law for the imposition of development cost charges to assist the First Nation to pay the capital costs of providing, constructing, altering, or expanding sewer, water, stormwater and transportation facilities and providing and improving park and recreation land, in order to serve, directly or indirectly, the development in respect of which such charges are imposed;

C. The Council has determined that the development cost charges imposed by this Law

(a) are not excessive in relation to the capital cost of prevailing standards of service in jurisdictions adjacent to the Reserve,

(b) will not deter development on the Reserve, and

(c) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land on the Reserve;

D. The Council has considered the charges imposed by this Law as related to future land use patterns and development, the phasing of works and services, and the provision of park and recreation land;



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CFPN copie certifiée  
authentique de l'original

*[Signature]*  
Signature

JAN 31 2014  
Date

E. In the opinion of Council, the development cost charges imposed by this Law are related to capital costs attributable to projects included in the Long Term Capital Plan of Tk'emlúps te Secwépemc dated July 30, 2013; and

F. The Council has given notice of this Law and has considered any representations received by the Council, in accordance with the requirements of the *First Nations Fiscal Management Act*;

NOW THEREFORE the Tk'emlúps te Secwépemc Council duly enacts as follows:

## PART I

### CITATION

#### Citation

1. This Law may be cited as the *Tk'emlúps te Secwépemc Development Cost Charges Law, 2013*.

## PART II

### DEFINITIONS AND REFERENCES

#### Definitions and References

2.(1) In this Law:

"Act" means the *First Nations Fiscal Management Act*, S.C. 2005, c.9, and the regulations enacted under that Act;

"administrator" means a person appointed by Council under subsection 3(1) to administer this Law;

"assist factor" means that percentage of the capital costs of each development cost charge class that will be paid by the First Nation;

"building" means any structure used or intended for supporting or sheltering any use or occupancy and includes a manufactured home;

"capital costs" includes planning, engineering and legal costs directly related to the work for which a capital cost may be incurred, and interest costs incurred by the First Nation that are directly related to the work;

"commercial development" means a development used or intended to be used for the carrying on of any business, including the provision or sale of goods, accommodation, entertainment, meals or services, but excludes an industrial or residential development;

"Council" has the meaning given to that term in the Act;

"Defined Area 1" means that part of the Reserve shown as Defined Area 1 on the map attached as Schedule I;

"Defined Area 2" means that part of the Reserve shown as Defined Area 2 on the map attached as Schedule I;

"Defined Areas" means Defined Area 1 and Defined Area 2;

"developer" means a person undertaking a development within the Defined Areas;



- “development” means the subdivision of a parcel or the construction, alteration or extension of a building or other structure within the Defined Areas;
- “development cost charge” means an amount levied under subsection 5(2);
- “development cost charge class” means a class of works, or park and recreation land acquisition and improvement, for which development cost charges are levied under this Law;
- “Development Servicing Requirements” means laws, regulations, policies or other lawful requirements or applicable standards for the provision of sewer, water, stormwater and transportation facilities, or park and recreation land acquisition and improvement, in respect of a development, established or applied by the First Nation in respect of development on the Reserve;
- “expenditure law” means an expenditure law enacted by Council under paragraph 5(1)(b) of the Act;
- “First Nation” means Tk’emlúps te Secwépemc, being a band named in the schedule to the Act;
- “FMB” means the First Nations Financial Management Board;
- “gross floor area” means the combined area of all floors within a building, including any basement or cellar, measured to the inside surface of the exterior walls of the building;
- “gross site area” means the total area of a parcel;
- “improvement” means any building, fixture, structure or similar thing constructed, placed or affixed on, in or to land, or water over land, or on, in or to another improvement and includes a manufactured home;
- “industrial development ” means a development used or intended to be used for manufacturing, production, assembly, testing, warehousing, distribution or storage of products or materials;
- “institutional development ” means a building or structure used or intended to be used only on a non-profit basis for cultural, recreational, social, religious, governmental, public hospital or educational purposes, and also includes any building or structure that is serviced with sewer, water or drainage and which is not a residential, commercial or industrial development;
- “manufactured home” means a structure, whether or not ordinarily equipped with wheels, that is designed, constructed or manufactured to
- (a) be moved from one place to another by being towed or carried, and
  - (b) provide
    - (i) a dwelling house or premises,
    - (ii) a business office or premises,
    - (iii) accommodation for any other purpose,
    - (iv) shelter for machinery or other equipment, or
    - (v) storage, workshop, repair, construction or manufacturing facilities;
- “manufactured home park development” means a residential development where spaces and utilities are provided for two (2) or more manufactured homes;
- “parcel” means a parcel, block or other defined area of property within the Defined Areas;
- “park improvements” means fencing, landscaping, drainage and irrigation, trails, restrooms,

- changing rooms, and playground and playing field equipment;
- “person” includes a partnership, syndicate, association, corporation and the personal or other legal representatives of a person;
- “property” means land or improvements, or both, within the Defined Areas and, without limitation, includes any interest in land or improvements, any occupation, possession or use of land or improvements, and any right to occupy, possess or use land or improvements;
- “Reserve” means Kamloops Indian Reserve No. 1, being lands set apart for the use and benefit of the First Nation;
- “residential dwelling unit” means a self-contained residential unit, including sleeping, living, cooking and sanitary facilities, designed and used for the accommodation of only one (1) person or family;
- “residential (multi-family) development” means a development that results in more than three (3) residential dwelling units on a parcel and includes an apartment, strata property and any other building used for residential living, but does not include a hotel or motel;
- “residential (single family) development” means a development comprising one or more single family residential dwelling units, other than a residential (multi-family) development;
- “resolution” means a motion passed and approved by a majority of Council present at a duly convened meeting;
- “structure” means a construction of any kind whether fixed to, supported by or sunk into land or water;
- “subdivision” means any change in the existing size, shape, number or arrangement of one or more parcels, whether or not involving the creation of a greater number of parcels than existing and whether carried out by survey plan or otherwise;
- “subdivision approval” means final subdivision approval in accordance with the First Nation’s *Development Approval Process Bylaw*; and
- “Taxation Law” means the *Kamloops Indian Band Property Taxation Law, 2008*.

(2) In this Law, references to a Part (e.g. Part I), section (e.g. section 1), subsection (e.g. subsection 2(1)), paragraph (e.g. paragraph 3(5)(a)) or Schedule (e.g. Schedule I) is a reference to the specified Part, section, subsection, paragraph or Schedule of this Law, except where otherwise stated.

### PART III ADMINISTRATION

#### Administration

3.(1) Council must, by resolution, appoint an administrator to administer and enforce this Law on the terms and conditions set out in the resolution.

(2) The administrator must administer and enforce this Law and undertake such further duties as specified by Council.

(3) The administrator must establish and maintain a separate development cost charge reserve fund for each development cost charge class under this Law.

(4) The administrator must maintain records for all development cost charges imposed and collected.

(5) The administrator must report annually to Council on the administration of this Law, which report must include, for each development cost charge class,

- (a) the amount of development cost charges received;
- (b) the expenditures from the development cost charge reserve fund;
- (c) the balance in the development cost charge reserve fund account at the start and at the end of each calendar year;
- (d) any exemptions, credits, rebates or refunds of development cost charges;
- (e) the amount of all outstanding installment payments of development cost charges; and
- (f) a summary of the works completed and the works to be undertaken within each development cost charge class.

(6) The administrator must make available to the public, upon request, the considerations, information and calculations used to determine the development cost charges imposed under this Law, except that information respecting the contemplated acquisition costs and locations of specific properties need not be provided.

#### **Authorization of FMB**

4. Notwithstanding any other provision of this Law, if the FMB gives notice to Council pursuant to the Act that third-party management of the revenues raised under this Law is required, Council authorizes the FMB to act as agent of the First Nation to fulfill any of the powers and obligations of the Council under this Law and the Act.

### **PART IV**

#### **IMPOSITION OF DEVELOPMENT COST CHARGES**

##### **Imposition of Development Cost Charges**

5.(1) Where a person has, in compliance with the Development Servicing Requirements, applied

- (a) for a building permit to construct, alter or extend a building or other structure, or
- (b) for subdivision approval, where Council has determined in accordance with subsection 9(2) that development cost charges are payable at the time of subdivision approval,

the person must, at the time of building permit issuance or subdivision approval, as the case may be, pay to the First Nation development cost charges in accordance with this Law, except for any development for which a complete application for a building permit has been submitted to the First Nation on or before December 31, 2013.

(2) The development cost charges set out in Schedule II are hereby imposed on every person who obtains, in respect of a parcel within Defined Area 1,

- (a) a building permit authorizing the construction, alteration or extension of a building or other structure; or
- (b) subdivision approval, where Council has determined in accordance with subsection 9(2)



that development cost charges are payable at the time of subdivision approval.

(3) The development cost charges set out in Schedule III are hereby imposed on every person who obtains, in respect of a parcel within Defined Area 2,

(a) a building permit authorizing the construction, alteration or extension of a building or other structure; or

(b) subdivision approval, where Council has determined in accordance with subsection 9(2) that development cost charges are payable at the time of subdivision approval.

(4) For greater certainty, for the purposes of calculating the development cost charges payable for residential (single family) developments, a duplex is comprised of two dwelling units and a triplex is comprised of three dwelling units.

#### **Exemption from Development Cost Charges**

6.(1) As an exception to section 5, no development cost charges are required to be paid where

(a) the development does not impose any new capital cost burden on the First Nation;

(b) development cost charges have previously been paid for the same development, unless, as a result of a further development (including extensions or other alterations which result in an increase of floor area, where the value of the work exceeds the amount set out in paragraph 6(1)(d)), new capital cost burdens will be imposed on the First Nation;

(c) the building permit authorizes the construction, alteration or extension of a building or part of a building that is, or will be after construction, alteration or extension, exempt from taxation under the Taxation Law as a place of public worship;

(d) the value of the work authorized by a building permit does not exceed Fifty Thousand dollars (\$50,000);

(e) the development is being carried out by or on behalf of a member of the First Nation for the member's personal residence, as evidenced to the satisfaction of the administrator and subject to any terms or conditions required by the administrator, provided that in such cases the First Nation must pay the exempted developer's portion of the costs from general revenue into the appropriate development cost charge reserve funds; or

(f) Council has, by resolution, exempted the development from development cost charges, provided that in such cases the First Nation must pay the exempted developer's portion of the costs from general revenue into the appropriate development cost charge reserve funds.

#### **Credits and Rebates**

7.(1) If a developer has, with the approval of the First Nation expressed in a written agreement between the developer and the Council, provided or paid the cost of providing a specific service, outside the boundaries of the parcel being subdivided or built upon, that is included in the calculations used to determine the amount of development cost charges, the cost of the service must be deducted from the development cost charges otherwise owing for that development cost charge class.

(2) Where a service is included in the calculations used to determine the amount of a development cost charge and a developer has, with the approval of a First Nation expressed in a written agreement between the developer and the Council,

- (a) provided that service outside the boundaries of the parcel being subdivided or built upon, and
  - (b) provided the service to a standard that exceeds the local standard required,
- the First Nation must offer a development cost charge rebate for the incremental portion of costs beyond the local standard required for that development cost charge class.

#### **Calculation of Development Cost Charges**

8.(1) The amount of development cost charges payable in relation to a development must be calculated using the applicable charges and formula set out in Schedules II and III, as applicable.

(2) Where a type of development is not identified on Schedules II or III, the amount of development cost charges to be paid to the First Nation must be equal to the development cost charges that would have been payable for the most comparable type of development, as determined by the administrator.

(3) Where a development contains two (2) or more uses, the development cost charges must be calculated separately for each use within the development and the total amount payable must be the sum of the development cost charges levied for all uses in the development.

(4) Where a building permit relates only to the expansion or alteration of an existing development, the development cost charges must be levied only on that portion of the development that expands or alters the existing development.

(5) Where required by the administrator, the developer must provide to the administrator the calculation of the development cost charges payable under this Law, as determined and certified by a professional engineer who is registered and licensed under applicable provincial legislation.

(6) Where, in the opinion of the administrator, the development cost charges for sewer facilities or water facilities are not applicable to a development, the administrator may reduce the amount of development cost charges payable in respect of that development to the extent of the inapplicable facilities.

### **PART V**

#### **PAYMENT AND USE OF DEVELOPMENT COST CHARGES**

##### **Payment of Development Cost Charges**

9.(1) Except as provided in this section, development cost charges levied under this Law must be paid in full to the First Nation at the time of building permit issuance authorizing the construction, alteration or extension of a building or other structure as part of the development.

(2) Council may, in its sole discretion, require a developer to pay development cost charges in full at the time of subdivision approval, where the development is not a residential development.

(3) In the case of a phased development, development cost charges must be paid at the time of each building permit issuance, or each subdivision approval, if subsection (2) applies, in respect of the subdivision approval for each phase of the development.

(4) On request by a developer, the Council may, in its sole discretion, allow the developer to pay development cost charges in installments, provided that at least one-third (1/3) of the development cost charges must be paid on the date of building permit issuance or subdivision approval, as the case may be, one-half (1/2) of the balance must be paid within one (1) year of the



date of building permit issuance or subdivision approval, and the balance must be paid in full within two (2) years of the date of building permit issuance or subdivision approval.

(5) Where a developer pays the development cost charges by installments and fails to pay an installment within any time required for payment, the total balance becomes due and payable immediately.

(6) No interest is payable on the unpaid balance of a development cost charge until it becomes due and payable, but when it does, it is a condition of Council's agreement to allow the developer to pay by installments that interest is payable from the due date until payment is received, at the rate of ten percent (10%) per annum.

(7) Council may require a developer to provide, at the time of the first installment payment, a clean, irrevocable letter of credit or undertaking from a bank, credit union or a trust company registered under the *Financial Institutions Act* (British Columbia), or a bond of a surety licensed under the *Insurance Act* (British Columbia), or a security duly assigned, which ensures to the satisfaction of Council that upon default the balance of the unpaid development cost charges will be recoverable from the person, the bank, the surety or from the proceeds of the realization of the security, as the case may be.

#### **Management and Use of Development Cost Charges**

10.(1) All development cost charges paid to the First Nation under this Law must be deposited in a separate development cost charge reserve fund established for each development cost charge class.

(2) Notwithstanding the differing development cost charge amounts calculated under Schedules II and III, there must be only one development cost charge reserve fund for each development cost charge class.

(3) Money in any development cost charge reserve fund, together with interest earned on it, must be used only for the following:

(a) to pay the capital costs of providing, constructing, altering, improving, replacing or expanding sewer, water, stormwater and transportation facilities that relate directly or indirectly to the development in respect of which the development cost charge was collected;

(b) to pay the capital costs of

(i) acquiring park and recreation land or reclaiming land as park and recreation land, and

(ii) providing park improvements on park and recreation land,

subject to the restriction that the capital costs must relate directly or indirectly to the development in respect of which the development cost charge was collected;

(c) to pay the principal of and interest on a debt incurred by a First Nation as a result of an expenditure under paragraphs (a) or (b);

(d) to pay a person subject to a development cost charge for some or all of the capital costs the person incurred in completing a project described in paragraph (a) or (b) if

(i) the project was completed further to a written agreement between the person and the Council, and

(ii) the project is included in the calculations used to determine the amount of that development cost charge;



(e) to provide refunds of development costs charges received as determined and authorized under subsection 13(2) or subsection 14(5).

(4) Payments made under paragraphs (3)(a) through to (3)(d) must be authorized by an expenditure law.

(5) Moneys in a development cost charge reserve fund that are not immediately required may be invested or reinvested by the administrator only in one or more of the following:

- (a) securities of Canada or of a province;
- (b) securities guaranteed for principal and interest by Canada or by a province;
- (c) securities of a municipal finance authority or the First Nations Finance Authority;
- (d) investments guaranteed by a bank, trust company or credit union; or
- (e) deposits in a bank or trust company in Canada or non-equity or membership shares in a credit union.

#### **Transfer of Development Cost Charges**

11. Council may, in an expenditure law, transfer moneys in a development cost charge reserve fund to another development cost charge reserve fund, where the amount to the credit of a reserve fund is greater than required for the purpose for which the reserve fund was established.

#### **Borrowing from a Development Cost Charge Reserve Fund**

12.(1) If money in a development cost charge reserve fund is not currently required for its purpose, and the First Nation has another reserve fund established for a capital purpose, the First Nation may borrow money from the development cost charge reserve fund for the purpose of the second reserve fund.

(2) In the event the FMB assumes third-party management of the First Nation's local revenue account in accordance with the Act, the FMB may, acting in the place of the Council, borrow moneys from a development cost charge reserve fund where it determines that such borrowing is necessary to meet the financial obligations of the First Nation.

(3) Borrowing from a reserve fund under this section must be authorized by an expenditure law.

(4) If money from one reserve fund is used under subsection (1) for the purposes of another reserve fund, the First Nation must repay to the first reserve fund, no later than the time when the money is needed for the purposes of that reserve fund,

- (a) the amount used; and
- (b) an amount equivalent to the interest that would have been earned on the amount had it remained in the first reserve fund, at the prime lending rate set from time to time by the principal banker to the First Nation.



**PART VI**  
**REFUNDS OF DEVELOPMENT COST CHARGES**

**Refund of Development Cost Charges**

13.(1) A developer may apply to the administrator for a refund of development cost charges previously paid by the developer in whole or in part when a development has been abandoned and the building permit or subdivision approval, as applicable, is cancelled, provided that an application for a refund is made within six (6) months of the cancellation of the building permit or subdivision approval, as the case may be, and a new or replacement building permit or subdivision application has not been received or approved in respect of the development.

(2) Upon application under subsection (1), the administrator must determine whether a development cost charge should be refunded and, if the administrator determines that the development cost charge should be refunded, the administrator must refund the development cost charge from the development cost charge reserve fund.

**PART VII**  
**COMPLAINTS TO ADMINISTRATOR**

**Complaints to Administrator**

14.(1) A developer may, within seven (7) days of receiving from the administrator the amounts of development cost charges payable in respect of a development, make a complaint to the administrator in writing.

(2) A complaint may only be made respecting one or more of the following:

(a) there is an error or omission respecting the calculation of the development cost charges; and

(b) an exemption has been improperly applied.

(3) A complaint must be made in the form set out in Schedule IV and delivered to the administrator and must include any reasons in support of the complaint.

(4) Within twenty one (21) days after receipt of a complaint, the administrator must review the matter and attempt to resolve the complaint.

(5) If the administrator concludes that the development cost charges were improperly calculated or levied and the developer is owed a refund, the administrator must correct the error and refund to the developer the excess development cost charges paid from the applicable development cost charge reserve fund.

(6) If the administrator concludes that the development cost charges were improperly calculated or levied and that further amounts are owed by the developer, the developer must pay the balance of the development cost charges owing within ten (10) days of notice from the administrator.

(7) The administrator must provide a report to Council in respect of each complaint received under this section, which report must include the nature of the complaint and the resolution of the complaint, if any.

(8) Where a developer makes a complaint under this Law, the developer may pay the full

amount of the development cost charges assessed and such payment will not prejudice the developer's rights in respect of the complaint.

## **PART VIII**

### **PARK AND RECREATION LAND ACQUISITION**

#### **Acquisition of Park and Recreation Land**

15.(1) With respect to development cost charges to provide and improve park and recreation land, all or part of the development cost charges may be paid by providing property in accordance with this section.

(2) The property to be provided must

(a) have a location and character acceptable to the First Nation; and

(b) on the day the development cost charge is payable, have a market value that is at least equal to the amount of the development cost charge or applicable part thereof.

(3) If the developer and the First Nation are not able to agree on the market value of the property, the developer and the First Nation may agree that the market value is to be determined by an appraiser acceptable to the developer and the First Nation.

(4) If the developer and the First Nation are not able to agree on an appraiser, the First Nation may decide to not accept the property in lieu of development cost charges or applicable parts thereof for park and recreation land.

(5) Unless otherwise agreed, the cost of an appraiser must be borne equally by the developer and the First Nation.

(6) If partial payment of a development cost charge for park and recreation land in the form of property is made, the remainder must be paid in accordance with this Law.

(7) Where property is provided under this section, the developer must transfer its interest in the property to the First Nation, at the developer's cost, in the manner directed by the First Nation.

(8) Where park and recreation land is acquired under this section, the First Nation may use interest earned on money in the park and recreation land development cost charge reserve fund to provide for park improvements on the park and recreation land.

## **PART IX**

### **GENERAL PROVISIONS**

#### **Validity**

16. Nothing under this Law must be rendered void or invalid, nor must the liability of any person to pay a development cost charge under this Law be affected by

(a) an error or omission in a valuation or a determination made by the administrator; or

(b) a failure of the First Nation or the administrator to do something within the required time.

#### **Notices**

17.(1) Where in this Law a notice is required to be given and where the method of giving the notice is not otherwise specified, it must be given



- (a) by mail to the recipient's ordinary mailing address;
  - (b) where the recipient's address is unknown, by posting a copy of the notice in a conspicuous place on the recipient's property; or
  - (c) by personal delivery or courier to the recipient or to the recipient's ordinary mailing address.
- (2) Except where otherwise provided in this Law
- (a) a notice given by mail is deemed received on the fifth (5th) day after it is posted;
  - (b) a notice posted on property is deemed received on the second (2nd) day after it is posted; and
  - (c) a notice given by personal delivery is deemed received upon delivery.

#### **Interpretation**

18.(1) The provisions of this Law are severable, and where any provision of this Law is for any reason held to be invalid by a decision of a court of competent jurisdiction, the invalid portion may be severed from the remainder of this Law and the decision that it is invalid must not affect the validity of the remaining portions of this Law.

(2) Where a provision in this Law is expressed in the present tense, the provision applies to the circumstances as they arise.

(3) Words in this Law that are in the singular include the plural, and words in the plural include the singular.

(4) This Law must be construed as being remedial and must be given such fair, large and liberal construction and interpretation as best ensures the attainment of its objectives.

(5) Reference in this Law to any law, regulation, bylaw or other enactment is a reference to the law, regulation, bylaw or other enactment as it exists and is amended or replaced from time to time and includes any regulations made under any enactment.

(6) Headings form no part of this Law and must be construed as being inserted for convenience of reference only.

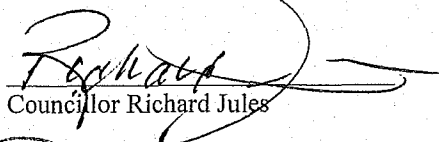
#### **Force and Effect**

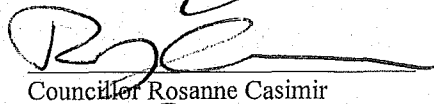
19. This Law comes into force and effect on the later of January 1, 2014 and the day after it is approved by the First Nations Tax Commission.

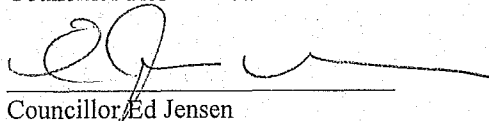
THIS LAW IS HEREBY DULY ENACTED by Council on the 29<sup>th</sup> day of October 2013, at Kamloops, in the Province of British Columbia.

A quorum of Council consists of five (5) members of Council.

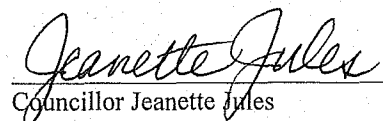
Chief Shane Gottfriedson

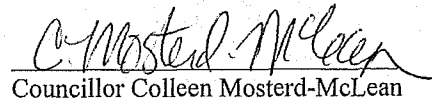
  
Councillor Richard Jules

  
Councillor Rosanne Casimir

  
Councillor Ed Jensen

Councillor Fred Seymour

  
Councillor Jeanette Jules

  
Councillor Colleen Mosterd-McLean

  
Councillor Katy Gottfriedson



# SCHEDULE I

## MAP

DCC AREAS

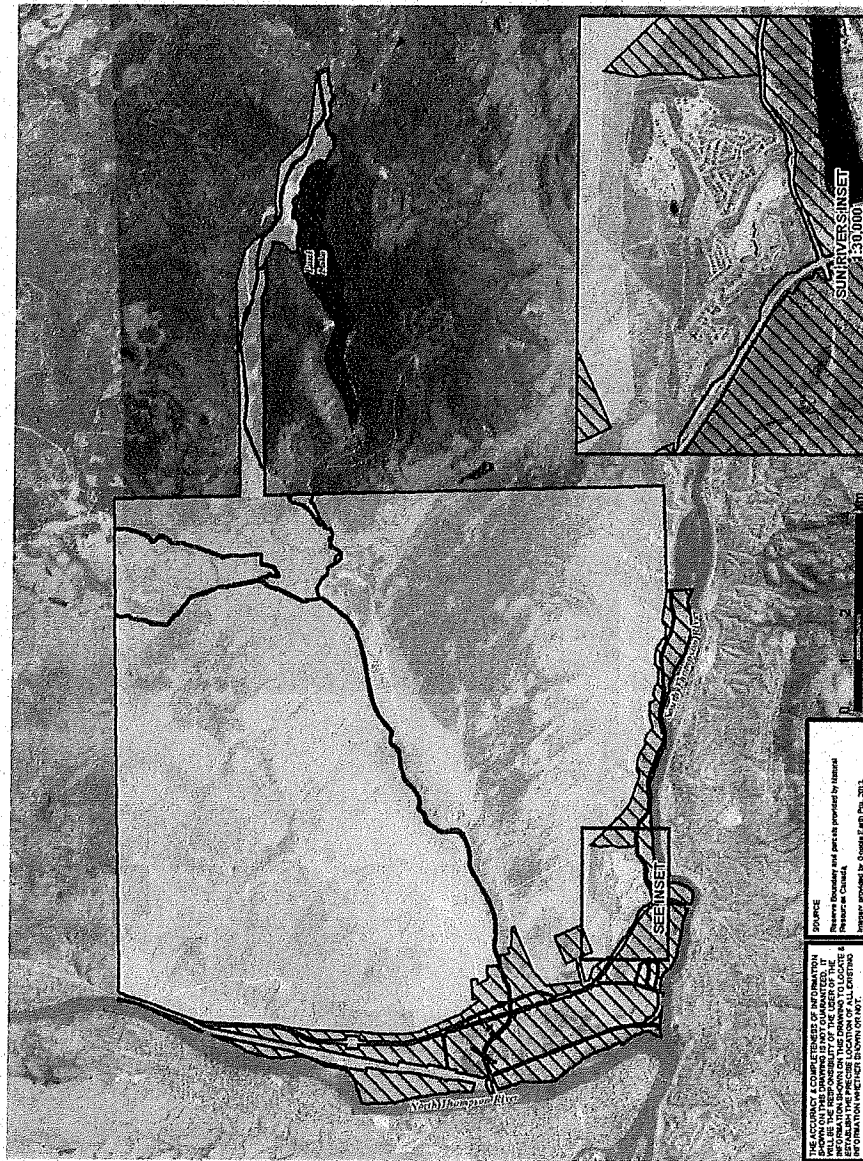
FIGURE 1



1:100,000

- Legend**
- ☐ Reserve Boundary
  - ☐ No DCCs
  - ☐ Applicable
  - ☐ Defined Area 1
  - ☒ Defined Area 2

DATE: JULY 2013



**SOURCE**  
Reserve Boundary and areas provided by Natural Resources Canada.  
Map data provided by Google Earth Pro, 2013.

**THE ACCURACY & COMPLETENESS OF INFORMATION IS NOT GUARANTEED. THE USER OF THIS INFORMATION WILL BE RESPONSIBLE FOR THE USE OF THE INFORMATION AND FOR THE CONSEQUENCES OF ANY ACTION TAKEN BASED ON THE INFORMATION. THE USER WILL BE RESPONSIBLE FOR THE USE OF THE INFORMATION AND FOR THE CONSEQUENCES OF ANY ACTION TAKEN BASED ON THE INFORMATION.**



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JAN 31 2014

## SCHEDULE II

### CALCULATION OF DEVELOPMENT COST CHARGES - DEFINED AREA 1

Within Defined Area 1, the following calculations apply:

#### A. Development cost charges for stormwater facilities.

1. Development cost charges are payable for stormwater facilities as follows:

TYPE OF DEVELOPMENT	DEVELOPMENT COST CHARGE
Residential (single family)	\$ <u>63.00</u> per dwelling unit
Residential (multi-family)	\$ <u>34.00</u> per dwelling unit
Manufactured home park	\$ <u>34.00</u> per pad space
Commercial	\$ <u>0.20</u> per metre <sup>2</sup> of gross floor area
Institutional	\$ <u>0.19</u> per metre <sup>2</sup> of gross floor area
Industrial	\$ <u>1,419.00</u> per hectare of gross site area

2. The assist factor for stormwater facilities is 0 percent (0%).

#### B. Development cost charges for transportation facilities.

1. Development cost charges are payable for transportation facilities as follows:

TYPE OF DEVELOPMENT	DEVELOPMENT COST CHARGE
Residential (single family)	\$ <u>2,733.00</u> per dwelling unit
Residential (multi-family)	\$ <u>1,769.00</u> per dwelling unit
Manufactured home park	\$ <u>1,769.00</u> per pad space
Commercial	\$ <u>37.52</u> per metre <sup>2</sup> of gross floor area
Institutional	\$ <u>48.24</u> per metre <sup>2</sup> of gross floor area
Industrial	\$ <u>74,366.00</u> per hectare of gross site area

2. The assist factor for transportation facilities is 0 percent (0%).

#### C. Development cost charges for providing and improving parks and recreation land.


1. Development cost charges are payable for providing and improving parks and recreation land as follows:

TYPE OF DEVELOPMENT	DEVELOPMENT COST CHARGE
Residential (single family)	\$ <u>30.00</u> per dwelling unit
Residential (multi-family)	\$ <u>18.00</u> per dwelling unit
Manufactured home park	\$ <u>18.00</u> per pad space
Commercial	\$ <u>0.00</u> per metre <sup>2</sup> of gross floor area
Institutional	\$ <u>0.00</u> per metre <sup>2</sup> of gross floor area
Industrial	\$ <u>0.00</u> per hectare of gross site area

2. The assist factor for providing and improving parks and recreation land is 0 percent (0%).



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### SCHEDULE III

#### CALCULATION OF DEVELOPMENT COST CHARGES - DEFINED AREA 2

Within Defined Area 2, the following calculations apply:

**A. Development cost charges for sewer facilities.**

1. Development cost charges are payable for sewer facilities as follows:

TYPE OF DEVELOPMENT	DEVELOPMENT COST CHARGE
Residential (single family)	\$ <u>256.00</u> per dwelling unit
Residential (multi-family)	\$ <u>152.00</u> per dwelling unit
Manufactured home park	\$ <u>152.00</u> per pad space
Commercial	\$ <u>1.23</u> per metre <sup>2</sup> of gross floor area
Institutional	\$ <u>1.04</u> per metre <sup>2</sup> of gross floor area
Industrial	\$ <u>6,094.00</u> per hectare of gross site area

2. The assist factor for sewer facilities is 0 percent (0%).

**B. Development cost charges for stormwater facilities.**

1. Development cost charges are payable for stormwater facilities as follows:

TYPE OF DEVELOPMENT	DEVELOPMENT COST CHARGE
Residential (single family)	\$ <u>63.00</u> per dwelling unit
Residential (multi-family)	\$ <u>34.00</u> per dwelling unit
Manufactured home park	\$ <u>34.00</u> per pad space
Commercial	\$ <u>0.20</u> per metre <sup>2</sup> of gross floor area
Institutional	\$ <u>0.19</u> per metre <sup>2</sup> of gross floor area
Industrial	\$ <u>1,419.00</u> per hectare of gross site area

2. The assist factor for stormwater facilities is 0 percent (0%).

**C. Development cost charges for transportation facilities.**

1. Development cost charges are payable for transportation facilities as follows:

TYPE OF DEVELOPMENT	DEVELOPMENT COST CHARGE
Residential (single family)	\$ <u>4,124.00</u> per dwelling unit
Residential (multi-family)	\$ <u>2,669.00</u> per dwelling unit
Manufactured home park	\$ <u>2,669.00</u> per pad space
Commercial	\$ <u>56.61</u> per metre <sup>2</sup> of gross floor area
Institutional	\$ <u>72.79</u> per metre <sup>2</sup> of gross floor area
Industrial	\$ <u>112,210.00</u> per hectare of gross site area



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2. The assist factor for transportation facilities is 0 percent (0%).

**D. Development cost charges for providing and improving parks and recreation land.**

1. Development cost charges are payable for providing and improving parks and recreation land as follows:

TYPE OF DEVELOPMENT	DEVELOPMENT COST CHARGE
Residential (single family)	\$ <u>30.00</u> per dwelling unit
Residential (multi-family)	\$ <u>18.00</u> per dwelling unit
Manufactured home park	\$ <u>18.00</u> per pad space
Commercial	\$ <u>0.00</u> per metre <sup>2</sup> of gross floor area
Institutional	\$ <u>0.00</u> per metre <sup>2</sup> of gross floor area
Industrial	\$ <u>0.00</u> per hectare of gross site area

2. The assist factor for providing and improving parks and recreation land is 0 percent (0%).

**E. Development cost charges for water facilities.**

1. Development cost charges are payable for water facilities as follows:

TYPE OF DEVELOPMENT	DEVELOPMENT COST CHARGE
Residential (single family)	\$ <u>2,716.00</u> per dwelling unit
Residential (multi-family)	\$ <u>1,610.00</u> per dwelling unit
Manufactured home park	\$ <u>1,610.00</u> per pad space
Commercial	\$ <u>9.05</u> per metre <sup>2</sup> of gross floor area
Institutional	\$ <u>11.07</u> per metre <sup>2</sup> of gross floor area
Industrial	\$ <u>6,640.00</u> per hectare of gross site area

2. The assist factor for water facilities is 73 percent (73%).

**SCHEDULE IV**  
**COMPLAINT TO ADMINISTRATOR RESPECTING**  
**DEVELOPMENT COST CHARGES**

TO: Administrator for Tk'emlúps te Secwépemc DCC Law  
200 – 330 Chief Alex Thomas Way  
Kamloops, British Columbia  
V2H 1H1

PURSUANT to the provisions of the *Tk'emlúps te Secwépemc Development Cost Charges Law*, 2013, I hereby make a complaint respecting the imposition of development cost charges on the development on the following property:

\_\_\_\_\_  
*[description of the development/property]*

This complaint is based on the following reasons:

(1)

(2)

(3)

(describe the reasons in support of the complaint in as much detail as possible)

Applicant's mailing address to which a reply to the complaint is to be sent:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Name of Complainant (please print)

\_\_\_\_\_  
Signature of Complainant (or  
representative)

Dated: \_\_\_\_\_, 20\_\_.



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