



*South Coast British Columbia  
Transportation Authority Act*

DEVELOPMENT COST CHARGE  
REGULATION  
**B.C. Reg. 114/2018**

Deposited and effective June 14, 2018

**Consolidated Regulations of British Columbia**

*This is an unofficial consolidation.*

B.C. Reg. 114/2018 (M231/2018), deposited and effective June 14, 2018, is made under the *South Coast British Columbia Transportation Authority Act*, S.B.C. 1998, c. 30, ss. 34.21 and 34.22.

This is an unofficial consolidation provided for convenience only. This is not a copy prepared for the purposes of the *Evidence Act*.

This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at [www.bclaws.ca](http://www.bclaws.ca).

See the User Guide for more information about the *Consolidated Regulations of British Columbia*. The User Guide and the *Consolidated Regulations of British Columbia* are available online at [www.bclaws.ca](http://www.bclaws.ca).

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*South Coast British Columbia Transportation Authority Act*

**DEVELOPMENT COST CHARGE REGULATION**

**B.C. Reg. 114/2018**

**Definitions**

**1** In this regulation:

“**Act**” means the *South Coast British Columbia Transportation Authority Act*;

“**developer**” means a person on whom a development cost charge is imposed;

“**development cost charge amendment bylaw**” means a bylaw that changes the amount of a development cost charge specified in a development cost charge bylaw.

**Exemption – approval of development cost charge bylaws**

**2** (1) Subject to subsections (2) and (3), a development cost charge amendment bylaw is exempt from the approval requirement in section 34.22 of the Act if

(a) the bylaw changes the amount of one or more development cost charges once in a 12 month period after the date of the adoption of the bylaw, and

(b) the change in the amount of the development cost charge does not exceed the percentage change in the annual average Consumer Price Index for Vancouver, as published by Statistics Canada under the authority of the *Statistics Act* (Canada), for the calendar year before the date of the bylaw change referred to in paragraph (a) of this subsection.

(2) The authority may make use of an exemption under subsection (1) once each year for up to 4 years from

(a) the date of the adoption of a development cost charge bylaw approved by the inspector, or

(b) the date of the adoption of a bylaw approved by the inspector that amends a development cost charge bylaw.

(3) A copy of a development cost charge amendment bylaw under subsection (1) must be filed as soon as is reasonable with the inspector after the bylaw has been adopted.

**Payment may be in instalments**

**3** A developer liable to pay a development cost charge may elect to pay it in instalments, subject to the conditions set out in sections 4 to 8.

**Exception**

**4** Section 3 does not apply if the development cost charge is under \$50 000 unless the authority has, in the development cost charge bylaw, authorized that all development cost charges under \$50 000 imposed may be paid in instalments in accordance with this regulation.

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**Payment of charge in full**

- 5 A developer must pay the development cost charge in full within 2 years after the date that the developer obtains a building permit or approval of a subdivision by paying not less than
- (a) 1/3 of the total development cost charge at the time of obtaining the building permit or approval of the subdivision, and
  - (b) 1/2 of the balance within one year after the date of obtaining the building permit or approval of the subdivision.

**Failure to pay instalment**

- 6 If a developer elects to pay a development cost charge in instalments and fails to pay an instalment within any time required for payment by section 5, the total balance of the development cost charge becomes due and payable immediately.

**Interest**

- 7 If a developer elects to pay a development cost charge in instalments, no interest is payable on the unpaid balance of that development cost charge until the unpaid balance becomes due and payable, but when it does, interest is payable from that date until payment at the rate or rates prescribed under section 11 (3) of the *Taxation (Rural Area) Act* for the period of non-payment.

**Surety for payment in instalments**

- 8 A developer who elects to pay a development cost charge in instalments must deposit with the authority, at the same time as the developer pays the first instalment,
- (a) an irrevocable letter of credit or undertaking from a bank, or a credit union or trust company that has a business authorization issued under the *Financial Institutions Act*,
  - (b) a bond of an insurer that has a business authorization issued under the *Financial Institutions Act*, or
  - (c) a security duly assigned

that ensures to the satisfaction of the authority that upon default the balance of the unpaid development cost charge will be recoverable from the person, the bank, the credit union, the trust company or the insurer or from the proceeds of the realization of the security, as the case may be.