

SCHOOL SITE ACQUISITION CHARGE REGULATION

Authority: *Local Government Act*, sections 937.2 to 937.91

B.C. Reg. 17/00 Effective January 28, 2000
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Lieutenant Governor in Council Regulation

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Definitions

1 The definitions in sections 1, 932, 937.2 and 937.4 of the *Local Government Act* apply to this regulation.

Exemption from school site acquisition charges

2 (1) The following categories of eligible development are exempt from school site acquisition charges under section 937.3 (1) of the *Local Government Act*:

- (a) hospitals as defined in section 1 of the *Hospital Act*;
- (b) private hospitals or hospitals as defined in section 5 (1) of the *Hospital Act*;
- (c) a hospital under paragraphs (c) to (e) of the definition of "hospital" in section 1 of the *Hospital Insurance Act*;
- (d) bunkhouses or camp buildings;
- (e) hotels as defined in the *Residential Tenancy Act*;
- (f) community care facilities as defined in the *Community Care Facility Act*;
- (g) non-profit housing, including facilities owned or operated by
 - (i) a society under the *Societies Act*, other than a member-funded society as defined in section 190 of that Act,
 - (ii) a municipality or a regional district,
 - (iii) a college designated under the *College and Institute Act*,

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- (iv) a university or institute named in the *University Act*, *Royal Roads University Act*, *Institute of Technology Act*, *Technical University of British Columbia Act* or *University of Northern British Columbia Act*,
- (v) a school board or a francophone education authority under the *School Act*,
or
- (vi) an authority under the *Independent School Act*;
- (h) a property for which financial assistance has been provided under the *Human Resource Facility Act* for non-profit housing;
- (i) housing for elderly citizens for which a grant or other assistance has been given under section 8.1 of the *Ministry of Lands, Parks and Housing Act*;
- (j) *REPEALED BC Reg. 38/10*
- (k) a non-profit housing cooperative under the *Cooperative Association Act*;
- (l) a private mental hospital as defined in section 1 of the *Mental Health Act*.

(2) Subsection (1) does not apply to an eligible development to which section 937.3 (3.3) applies.

[am BC Reg. 211/15, effective Nov 28/16]

Eligible development

3 The categories of eligible development for the purposes of Division 10.1 of Part 26 of the *Local Government Act* are low density, medium low density, medium density, medium high density and high density which are defined as follows:

"low density" means up to 21 self-contained dwelling units on a gross hectare;

"medium low density" means 21 to 50 self-contained dwelling units on a gross hectare;

"medium density" means 51 to 125 self-contained dwelling units on a gross hectare;

"medium high density" means 126 to 200 self-contained dwelling units on a gross hectare;

"high density" means over 200 self-contained dwelling units on a gross hectare.

Prescribed factors in section 937.5 (1)

4 The factors for the purpose of the definition of "D" in section 937.5 (1) of the *Local Government Act* are set out in Column 1 in the following Table for the corresponding categories in Column 2 in that Table.

TABLE

Column 1 Factor to be applied for each Category of Eligible Development	Column 2 Category of Eligible Development
1.25	low density
1.125	medium low density
1.00	medium density
0.875	medium high density
0.75	high density

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Maximum school site acquisition charges

5 For each category listed in Column 1 in the following Table, the maximum school site acquisition charge payable per unit is the corresponding entry in Column 2 in that Table.

TABLE

Column 1 Category of Eligible Development	Column 2 Maximum Charge per unit
low density	\$1,000
medium low density	\$900
medium density	\$800
medium high density	\$700
high density	\$600

Local government administration fees

6 (1) A local government may retain from money collected under section 937.3 (1) of the *Local Government Act* as an administration fee \$2,000 per school year in addition to 0.1% of school site acquisition charges collected.

(2) Subsection (1) applies unless a school board and local government agree otherwise.

Payment of disbursements if land is transferred to a local government under section 937.9 of the *Local Government Act*

7 (1) In this section, "disbursements" means any expenses necessarily incurred by a local government relating to the transfer of land transferred to a school board under section 937.9 of the *Local Government Act*.

(2) If land has been transferred under section 937.9 of the *Local Government Act* to a school board, the school board must reimburse the local government for any disbursements.

(3) Subsection (2) applies unless a school board and local government agree otherwise.