

CITY OF SURREY

BYLAW NO. 18601

A Bylaw to establish the local area service for sanitary infrastructure works to benefit the catchment roughly bounded by 161A Street, 168 Street, 20/23 Avenue and the eastern edge of the Highway 99 Local Area Plan boundary; to authorize the construction of the Fergus Sanitary Pump Station, Forcemain and related appurtenances to service parcels within the local service area; to authorize the acquisition of all appliances, equipment, materials, real property, easements and rights-of-way required for the construction of the Works; to define the boundaries of the local service area; and to impose local service taxes.

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As amended by By-law No. 19390, 11/06/17

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WHEREAS Council has initiated a local area service subject to petition against to construct the Fergus Sanitary Pump Station and Forcemain in the Sunnyside Heights area, roughly bounded by 161A Street, 168 Street, 20/23 Avenue and the eastern edge of the Highway 99 Local Area Plan boundary, pursuant to Section 213 of the Community Charter, S.B.C. 2003, c.26;

AND WHEREAS the City Clerk has certified that the petition against received for the Works does not constitute a sufficient petition signed by a majority of the owners, representing at least half of the assessed value of the parcels that would be subject to the local service tax;

AND WHEREAS Corporate Report R018/2015, approved by Council on February 2, 2015, has described the cost apportioning and cost recovery method for this local area service;

NOW THEREFORE, the City Council of the City of Surrey, ENACTS AS FOLLOWS:

1. This Bylaw shall be cited for all purposes as “Local Area Service Fergus Sanitary Pump Station and Forcemain [Project # 4706-453] Bylaw, 2016, No. 18601”.
2. Fergus Sanitary Pump Station and Forcemain, comprising a pump station, a forcemain and related appurtenances (the “Works”), shall be constructed to service parcels in the local service area.
3. The local service area of the City for the benefit of which the Works are to be constructed, operated and maintained, is defined as the area roughly bounded by 161A Street, 168 Street, 20/23 Avenue and the eastern edge of the Highway 99 Local Area Plan boundary as illustrated by the hatched area in Appendix I, which is attached to and forms part of this Bylaw.
4. The total cost of the Works is estimated to be \$11.1 million to be recovered as follows:
 - (a) \$5.55 million will be paid by a group of developers, which will be recoverable through two (2) development cost charge front-ender agreements and one (1) development works agreement;
 - (b) \$2.25 million of development cost charges have already been received by the City to fund a portion of the total cost of the Works;
 - (c) \$0.44 million will be borrowed from sanitary sewer development cost charge revenues already received by the City in 2015 from developments in other parts of the City, with the City being reimbursed for the advancement of these funds using the first \$0.44 million in sanitary sewer development cost charge revenues received from developments in the local service area; and
 - (d) \$2.86 million will be recovered through a local service tax under this Bylaw.
5. The local service tax shall be apportioned amongst the parcels within the local service area based on the area of each parcel, as more particularly set out in Appendix II which is attached to and forms part of this Bylaw. For the purposes of this Bylaw, parcel area is defined as the total area of the parcel as of the date this Bylaw receives final adoption.
6. The local service tax, including the accrued financing charges, shall be payable in full by the owner(s) of a parcel within the local service area prior to final adoption of, or issuance of permit by, the City for one of the following in relation to the parcel: (i) rezoning; (ii) subdivision; (iii) consolidation; (iv) development permit; (v) service connection application; (vi) development variance permit; or (vii) building permit.

7. Despite Section 6, the local service tax shall not be payable by an owner when applying for a development variance permit or building permit where an existing building on the parcel is demolished and rebuilt, or if a development variance permit is taken out on an existing building for renovation or rebuild, without connecting to the City sanitary sewer system.
8. The General Manager, Engineering has compiled the report and estimates of the costs relating to the Works as shown in Appendix II.
9. The General Manager, Engineering is directed to have the necessary plans and specifications for the Works prepared and to have the Works carried out or to provide the specifications necessary for the preparation of a contract to construct the Works, or any part thereof.
10. The General Manager, Finance & Technology may, subject to the approval of Council, agree with any banks, persons, or institutions for temporary advances of money to meet the cost of the Works pending the completion of the Works.
11. The Mayor and City Clerk are authorized to cause a contract for the construction of the Works to be made and entered into with some person or persons, firm or corporation, subject to the approval of Council to be declared by resolution.
12. The Works shall be carried out under the supervision and according to the directions of the General Manager, Engineering.
13. The General Manager, Finance & Technology upon completion of the Works shall prepare a certified statement setting out the final cost of the Works and submit the statement to Council.
14. The General Manager, Engineering shall prepare a revised Appendix II setting out the final cost of the Works and apportionments within the local service area and bring forth to Council the revised schedule as an amendment to this Bylaw.
15. Upon Council's adoption of the revised Appendix II, the General Manager, Finance & Technology shall impose a local service tax on the owners of parcels within the local service area as a parcel tax, as shown in Appendix II.
16. Upon Council's approval of the revised Appendix II with final costs, the City Clerk is authorized to append it to this Bylaw and it shall then form part of this Bylaw, superseding the original Appendix II with estimated costs.

17. Any local service taxes unpaid following the calendar year that construction of the Works is completed shall incur an annual financing charge calculated at an estimated rate of 4.90% per annum compounded annually for the first 15 years, after which time no additional annual interest charges shall be incurred. The actual interest rate shall be confirmed at the time of the Bylaw amendment.
18. The local service tax shall be levied in accordance with Sections 4(d), 5, 6, 7, and 15 of this Bylaw.

PASSED FIRST READING on the 11th day of January, 2016.

PASSED SECOND READING on the 11th day of January, 2016.

PASSED THIRD READING on the 11th day of January, 2016.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 1st day of February, 2016.

_____MAYOR

_____CLERK

APPENDIX II

CITY OF SURREY

ENGINEER'S REPORT – FINAL COSTS & APPORTIONMENT

LOCAL AREA SERVICE – FERGUS SANITARY PUMP STATION AND FORCEMAIN

ON COUNCIL INITIATIVE – SUBJECT TO PETITION AGAINST

Pursuant to Section 14 of the Local Area Service Fergus Sanitary Pump Station and Forcemain [Project # 4706-453] Bylaw, 2016, No.18601, the following provides the final cost and apportionment thereof:

Works:	Fergus Sanitary Pump Station and Forcemain
Location:	Sunnyside Heights area, roughly bounded by 161A Street, 168 Street, 20/23 Avenue and the eastern edge of the Highway 99 Local Area Plan boundary.

Total Cost	\$9,862,405.15
Developers' Contribution as Development Cost Charge Front-Enders Agreements and Development Works Agreement	\$5,550,000
City's Contribution as Development Cost Charges already received	\$2,250,000
City's Contribution as Development Cost Charges already received in 2015 from developments in other parts of the City	\$440,000
Total Local Service Tax (A less (B+C+D))	\$2,062,405.15
Total Area of the Properties in the Local Service Area	715,735.19 sq.m.
LAS Unit Charge per Square Metre of Parcel Area	\$2.88 (*)
Amortization Period	15 years
Annual Interest Rate	5.35%

(*) Multiplying the Parcel Area by the LAS Unit Charge may not result in the exact Local Service Tax amount shown in the following table due to rounding.

Cost Distribution (not including interest)

	Address		Parcel Area (sq.metres)	Local Service Tax * (Total)
	House	Road		
1	16778	20 Ave	2,282	\$ 6,574.57
2	16756	20 Ave	2,304	\$ 6,638.71
3	16732	20 Ave	2,326	\$ 6,703.56
4	16708	20 Ave	2,129	\$ 6,135.26
5	16674	20 Ave	2,166	\$ 6,240.31
6	16648	20 Ave	2,074	\$ 5,976.02
7	1919	167 St	4,378	\$ 12,615.53
8	1949	167 St	4,045	\$ 11,656.87
9	1942	167 St	4,638	\$ 13,365.13
10	1918	167 St	4,058	\$ 11,692.00
11	1913	168 St	4,048	\$ 11,663.50
12	1945	168 St	4,097	\$ 11,806.32
13	16515	18 Ave	4,207	\$ 12,123.67
14	1821	165A St	4,115	\$ 11,858.00
15	1841	165A St	4,123	\$ 11,880.70
16	1861	165A St	4,120	\$ 11,871.24
17	1980	165A St	4,081	\$ 11,760.61
18	16588	20 Ave	2,084	\$ 6,004.09
19	1960	165A St	4,052	\$ 11,676.78
20	1940	165A St	4,044	\$ 11,653.17
21	1920	165A St	4,371	\$ 12,594.09
22	1894	165A St	4,604	\$ 13,265.45
23	1864	165A St	4,486	\$ 12,925.71
24	1834	165A St	1,869	\$ 5,385.79
25	1935	165A St	4,047	\$ 11,660.58
26	1955	165A St	4,046	\$ 11,657.29
27	16508	20 Ave	4,045	\$ 11,655.53
28	16663	19 Ave	4,254	\$ 12,258.42
29	16651	19 Ave	4,214	\$ 12,142.34
30	16621	19 Ave	4,046	\$ 11,659.14
31	1915	165A St	4,044	\$ 11,653.02
32	1881	165A St	4,047	\$ 11,661.32
33	16620	20 Ave	2,263	\$ 6,521.72
34	16606	20 Ave	3,583	\$ 10,325.47
35	16679	16 Ave	11,202	\$ 32,278.77
36	1909	165A St	5,349	\$ 15,414.58
37	1891	165A St	4,144	\$ 11,939.84
38	16468	20 Ave	3,837	\$ 11,055.25

	Address		Parcel Area (sq.metres)	Local Service Tax * (Total)	
	House	Road			
39	1753	168 St	4,042	\$	11,646.57
40	1733	168 St	4,042	\$	11,648.30
41	1707	168 St	4,043	\$	11,650.04
42	16488	20 Ave	4,299	\$	12,386.78
43	1960	164 St	6,237	\$	17,972.98
44	1946	164 St	6,237	\$	17,973.46
45	1906	164 St	6,726	\$	19,380.47
46	1870	164 St	6,898	\$	19,877.29
47	1852	164 St	5,011	\$	14,438.22
48	16453	18 Ave	3,473	\$	10,006.43
49	16460	20 Ave	4,040	\$	11,640.69
50	1980	164 St	4,040	\$	11,641.56
51	16485	18 Ave	4,039	\$	11,638.90
52	16558	18 Ave	25,790	\$	74,315.77
53	16607	16 Ave	36,582	\$	105,411.13
54	1869	168 St	20,014	\$	57,671.79
55	1889	168 St	19,969	\$	57,540.02
56	1785	168 St	7,127	\$	20,536.22
57	16755	16 Ave	4,429	\$	12,763.46
58	1643	168 St	4,421	\$	12,738.37
59	1671	168 St	5,239	\$	15,096.69
60	1681	168 St	5,037	\$	14,513.83
61	16470	18 Ave	1,093	\$	3,148.46
62	16421	20 Ave	9,901	\$	28,529.04
63	16437	20 Ave	9,902	\$	28,532.02
64	16465	20 Ave	5,025	\$	14,480.72
65	16505	20 Ave	3,259	\$	9,391.60
66	16543	20 Ave	3,158	\$	9,101.19
67	16273	20 Ave	23,603	\$	68,012.69
68	16367	20 Ave	19,198	\$	55,319.43
69	16355	20 Ave	19,193	\$	55,304.91
70	16321	20 Ave	8,085	\$	23,296.54
71	16301	20 Ave	19,879	\$	57,281.11
72	2172	160 St	39,607	\$	114,129.27
73	16172	24 Ave	20,218	\$	58,257.73
74	1947	164 St	5,880	\$	16,943.07
75	16344	20 Ave	4,398	\$	12,673.56
76	16370	20 Ave	5,997	\$	17,279.23
77	16322	20 Ave	2,037	\$	5,868.29

	Address		Parcel Area (sq.metres)	Local Service Tax * (Total)
	House	Road		
78	1891	164 St	176	\$ 507.74
79	16662	16 Ave	1,900	\$ 5,474.10
80	16692	16 Ave	4,269	\$ 12,300.38
81	16712	16 Ave	4,694	\$ 13,526.07
82	16736	16 Ave	4,694	\$ 13,525.72
83	16766	16 Ave	4,694	\$ 13,525.63
84	16790	16 Ave	4,692	\$ 13,521.43
85	16725	15 Ave	2,888	\$ 8,323.02
86	16615	18 Ave	4,371	\$ 12,594.93
87	16510	18 Ave	6,574	\$ 18,942.45
88	16541	16 Ave	8,078	\$ 23,276.08
89	16641	18 Ave	4,094	\$ 11,797.84
90	16653	16 Ave	7,236	\$ 20,849.95
91	16688	18 Ave	19,185	\$ 55,280.85
92	16691	16 Ave	28,213	\$ 81,296.23
93	16715	16 Ave	4,609	\$ 13,281.12
94	16733	16 Ave	4,609	\$ 13,280.64
95	16770	15 Ave	4,032	\$ 11,617.51
96	1461	168 St	2,657	\$ 7,656.19
97	16737	15 Ave	4,056	\$ 11,688.65
98	16203	20 Ave	783	\$ 2,255.23
99	16759	15 Ave	4,058	\$ 11,693.99
100	1543	168 St	4,534	\$ 13,065.39
101	16655	18 Ave	4,186	\$ 12,062.12
102	16687	18 Ave	4,095	\$ 11,801.14
103	16711	18 Ave	4,405	\$ 12,692.57
104	16739	18 Ave	4,405	\$ 12,692.66
105	16763	18 Ave	4,097	\$ 11,806.40
106	1837	168 St	4,130	\$ 11,901.85
107**	2228	162 St	15,332	\$ 44,179.09

* Multiplying the Parcel Area by the LAS Unit Charge may not result in the exact Local Service Tax amount shown in the table due to rounding.

** Funds were previously contributed towards the Works in relation to 2228 - 162 Street, which funds are being held by the City. Despite Section 6 of the Bylaw, the Local Service Tax for 2228 - 162 Street will become payable in full at the time the revised Schedule B is approved by Council and appended to this Bylaw, and payment will be drawn from the funds already held by the City.