



Corporate Report

NO: RL005

COUNCIL DATE: January 22, 2007

REGULAR COUNCIL – LAND USE

TO: Mayor & Council DATE: January 18, 2007
FROM: Acting General Manager, Planning and Development FILE: 0510-01
SUBJECT: Surrey School District Bylaw #101B -
School Site Acquisition Charge Amendment Bylaw

RECOMMENDATION

It is recommended that Council receive this report as information;

INTENT

The purpose of this report is to advise Council of the Surrey School District's recently adopted School Site Acquisition Charge Amendment Bylaw.

BACKGROUND

On December 18, 2006 Council considered Corporate Report No. R276 - Surrey School Board Resolution: Eligible School Sites Proposal 2007 – 2016, which advised Council of the proposed locations of future new school sites and school expansions within Surrey and estimated the costs associated with school site acquisition. The report noted that it was anticipated that the School District would be amending the School Site Acquisition Charge Bylaw in the early 2007 to increase the School Sites Acquisition Charges ("SSAC") for residential developments in Surrey. At that time, Council received the report as information.

On December 20, 2006 the Ministry of Education approved the 2007 - 2011 five year capital plan, as submitted by the Surrey School District. Based on Section 937.5 of the *Local Government Act*, R.S.B.C. 1996, c. 323 (the "Act") and BC School Site Acquisition Charge Regulations, the Surrey School Board has revised its SSAC of eligible development to reflect increased acquisition costs for serviced land.

DISCUSSION

The New SSAC Rates

On January 11, 2007 the Board of School Trustees passed Bylaw #101B, Re: School Site Acquisition Charge Amendment Bylaw. A copy of the Bylaw and the School District's Report is attached as Appendix I.

The adoption of Bylaw #101B results in increased SSAC. The new rates will come into effect, pursuant to the *Act*, 60 days after the date of adoption of the Bylaw, which will be March 12, 2007. The table below compares the new rates to existing rates.

Prescribed Category of Eligible Development (BC Regulation 17/00)	(Factor set by BC Regulation 17/00)	Amended School Site Acquisition Charge Rates <i>(The SSAC rate is capped at maximum allowed pursuant to Provincial regulations)</i>	Current School Site Acquisition Charge Rates per Unit	Increase in School Site Acquisition Charge Rates
Low Density (<21 units / ha.)	1.25	\$1,000 per unit	\$647 per unit	\$353
Medium Low (21-50 units / ha)	1.125	\$900 per unit	\$582 per unit	\$318
Medium (51 -125 units / ha)	1.0	\$800 per unit	\$518 per unit	\$282
Medium High (126-200 units / ha)	0.875	\$700 per unit	\$453 per unit	\$247
High Density (>200 units / ha)	0.75	\$600 per unit	\$388 per unit	\$212

The new Bylaw sets the SSAC rate based on a provincially established formula applicable to each prescribed category of eligible development. Pursuant to provincial formula, the SSAC is capped at a maximum of \$1,000. As shown in the above table, the Bylaw will increase the average SSAC rate from the current rate of \$518 to \$800. For each prescribed category of eligible development, the SSAC will increase by an average of 54%.

Implementation

Pursuant to the *Act*, residential development applications received by municipalities prior to implementation date of the revised charge (60 days after the date the Board adopts the revised bylaw, being March 12, 2007) will be considered "in stream applications received prior to the implementation date". Development applications received prior to the implementation date on March 12, 2007 will be given a 12 month grace period to complete at the rate established prior to the adoption of this Bylaw.

As required by the legislation, the City of Surrey collects the SSAC on behalf of the School District and remits these charges to the School District on a regular basis each year. As part of this service to the School District, City staff will provide information to

the development industry on SSAC increases and relay important dates that pertain to these increases.

CONCLUSION

The increase to the SSAC rates is based on significant increases to the estimated cost of the acquisition of serviced land in the developing areas of the City where new school sites are to be acquired. On average, the SSAC rate will increase by 54%. It is recommended that City Council receive this report as information.

How Yin Leung
Acting General Manager
Planning and Development

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Attachment:

Appendix I Surrey School District Bylaw #101B: School Site Acquisition Charge Amendment Bylaw.

BYLAW #101B, RE: SCHOOL SITE ACQUISITION CHARGE AMENDMENT BYLAW

SCHOOL DISTRICT NO. 36 (SURREY)

**BYLAW #101B, RE: SCHOOL SITE ACQUISITION CHARGE
AMENDMENT BYLAW**

A BYLAW BY THE BOARD OF SCHOOL TRUSTEES OF SCHOOL DISTRICT NO. 36 (SURREY) (hereinafter called the "Board") to amend the School Site Acquisition Charge Capital Bylaw #101, adopted by the Board on May 22, 2001, as amended by Bylaw No. 101A, adopted by the Board on June 12, 2003. The School Site Acquisition Charge Capital Bylaw #101B replaces the school site acquisition charge rates for the prescribed categories of eligible development pursuant to Section 937.5 of the *Local Government Act* and BC School Site Acquisition Charge Regulation 17/00.

WHEREAS, School District No.36 (Surrey) is an eligible school district pursuant to Division 10 of the Local Government Act for which the Board has indicated an eligible school site requirement in its approved capital plan beginning in 2001;

WHEREAS, the Board approved the 2007/08 Eligible School Site Proposal which indicates a significant increase in serviced land cost;

WHEREAS, the Board consulted with and received acceptance from the City of White Rock and the City of Surrey on the 2007/08 Eligible School Site Proposal incorporated into the 2007-2011 Five Year Capital Plan pursuant to the *Local Government Act*.

AND WHEREAS, the Ministry of Education has acknowledged the submission of the 2007-2011 five Year capital plan in writing on December 20, 2006. The Ministry has indicated that the 2007/08 capital plan submitted by the Board of Trustees for School District 36 (Surrey) shall be considered by the Ministry as the approved capital plan pursuant to School Site Acquisition Charge Bylaw Regulations, BC Reg. 17/00. The Board is required to amend its School Site Acquisition Charge Capital Bylaw within 60 days of the date of this acceptance;

NOW THEREFORE the Board of School Trustees for School District No. 36 (Surrey) in open meeting assembled, ENACTS AS FOLLOWS:

The provisions numbered 1 to 4 of the "School District No.36 (Surrey) Bylaw #101, Re: School Site Acquisition Charge Bylaw" as adopted by the Board on the 22nd day of May 2001 and as amended by "School District No. 36 (Surrey) Bylaw #101A, Re: School District #36 (Surrey) Site Acquisition Charge Amendment " as adopted on the 12th day of June 2003, are hereby replaced with the following provisions:

1. "**Eligible Development**" means
 - (a) a subdivision of land in School District No.36 (Surrey), or
 - (b) any new construction, alteration or extension of building in School District No.36 (Surrey) that increases the number of self-contained dwelling units on a parcel.

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2. Pursuant to Division 10.1 of the *Local Government Act*, the Board establishes the charges applicable to the prescribed categories of eligible development for the school district in accordance with the following formula:

$$\text{SSAC} = [(A \times B) / C] \times D \quad (\text{The maximum charge cannot exceed } \$1,000)$$

Where

SSAC = the school site acquisition charge applicable to each prescribed category of eligible development;

A = \$103,876,999 (cost attributable to eligible development units);

B = 35% (set by Provincial regulation);

C = 38,249 (Eligible development units projected in the 2007/08 capital plan submission); and

D = a factor set by Provincial Regulation for the prescribed categories of eligible development.

3. The charges applicable to the categories of eligible development as prescribed by BC Reg.17/00 are set in the table below:

Prescribed Category of Eligible Development (BC Regulation 17/00)	D = (Factor set by BC Regulation 17/00)	School Site Acquisition Charge Rates <i>(The SSAC rate is capped at maximum allowed pursuant to Provincial regulations)</i>
Low Density (<21 units / ha.)	1.25	\$1,000
Medium Low (21-50 units / ha)	1.125	\$900
Medium (51 –125 units / ha)	1.0	\$800
Medium High (126-200 units / ha)	0.875	\$700
High Density (>200 units / ha)	0.75	\$600

Continued ...

- 4. The revised school site acquisition charge amendment does not come into effect until 60 days after the adoption day of this bylaw.
- 5. Residential development applications received by the City of Surrey and the City of White Rock prior to the date when the bylaw comes into effect will be considered "in stream applications received prior to amendment bylaw implementation date" and pursuant to the *Local Government Act* have 12 months to complete their application from the date of implementation at the charge rate existing prior to the enactment of this bylaw amendment.

This Bylaw shall be cited for all purposes as the "School District No. 36 (Surrey) Bylaw #101B, Re: School Site Acquisition Charge Amendment Bylaw".

READ A FIRST TIME THE 11TH DAY OF JANUARY, 2007.

READ A SECOND TIME THE 11TH DAY OF JANUARY, 2007.

READ A THIRD TIME, PASSED AND ADOPTED THE 11TH DAY OF JANUARY, 2007.

(Corporate Seal)

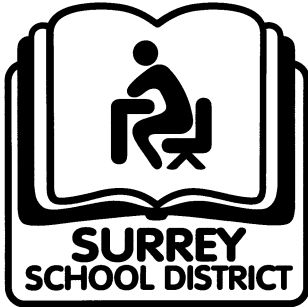
Chairperson of the Board

Secretary-Treasurer

I HEREBY CERTIFY this to be a true and original School District No. 36 (Surrey) Bylaw #101B, Re: School Site Acquisition Charge Amendment Bylaw adopted by the Board the 11TH day of January, 2007.

Secretary-Treasurer

**BYLAW #101B, RE: SCHOOL SITE ACQUISITION CHARGE AMENDMENT BYLAW
REPORT**



SCHOOL DISTRICT NO. 36 (SURREY)

Schedule

of

ADMINISTRATIVE MEMORANDUM

(R E G U L A R)

MEETING DATE: 2007 01 11

**TOPIC: BYLAW #101B, RE: SCHOOL SITE ACQUISITION
CHARGE AMENDMENT BYLAW**

The Board of School District No.36 (Surrey) is required, pursuant to Section 937.5 of the *Local Government Act* and BC School Site Acquisition Charge Regulations, to amend its School Site Acquisition Charge Capital Bylaw to set revised school site acquisition charges for prescribed categories of eligible development to reflect increased acquisition costs for serviced land.

BACKGROUND

On May 22, 2001 the Board of School Trustees adopted Bylaw #101, establishing school site acquisition charges as required in the Act. The Bylaw set the school site acquisition charge rates based on the estimated serviced cost of land and the eligible new residential units projected for the 2001-2005 Five Year Capital Plan. Since its inception, 12 eligible school site acquisitions under the plan have received funding approval for capital plan years 2001/2002 through 2006/2007 with a revised actual serviced land cost of \$50.375 million. School Site Acquisition Charges for eligible school sites that received Ministry funding approved for capital plan years 2001/2002 through 2005/2006 are required to be included in the School Site Acquisition Charge calculations although they are deleted from future Five Year Capital Plan submissions.

The 2007-2011 Five Year Capital Plan submission includes 8 eligible school sites, with a total serviced land cost of \$18,329,932.

The Board has not made any changes to the number, size or location of the original 20 eligible school sites included in the 2001 Eligible School Sites Proposal although the total cost attributable to development units had increased from approximately \$46.5 million as estimated in August 2000 to \$103.877 million in October 2006.

MEETING DATE: **2007 01 11**

TOPIC: **BYLAW #101B, RE: SCHOOL SITE ACQUISITION
CHARGE AMENDMENT BYLAW**

The amount remaining to be collected from the cost attributable to eligible development units is calculated on 35% of a revised total serviced land cost of the original 20eligible school sites ($\$103,876,999 \times 35\% = \$36,356,946$).

On December 20, 2006 the Ministry of Education acknowledged the submission of the 2007-2011 five year capital plan. The Ministry has indicated that the 2007/08 capital plan submitted by the Board of Trustees for School District #36 (Surrey) shall be considered by the Ministry as the approved capital plan pursuant to School Site Acquisition Charge Bylaw Regulations, BC Reg. 17/00. The maximum collectable SSAC of \$36,356,946 would be applicable to 38,692 eligible residential units projected by the City of Surrey and the City of White Rock.

PROPOSED AMENDMENT BYLAW

Proposed Bylaw #101B, Re: School Site Acquisition Charge Amendment Bylaw, sets the school site acquisition charge rate based on a provincially established formula applicable to each prescribed category of eligible development. Pursuant to provincial formula, the school site acquisition charge is capped at a maximum of \$1,000. The proposed bylaw will increase the average school site acquisition charge rate from its current amount of \$518 to a revised amount of \$800. The charge applied will range from \$600 for high density (>200 units / ha) to \$1,000 for low density (<21 units per ha).

IMPLEMENTATION

School District staff have consulted with the City of Surrey and the City of White Rock on the final calculation of the bylaw and Municipal staff for both municipalities understand that they are required by the Local Government Act to collect the revised cost charge from new applications received after it comes into effect. Residential development applications received by municipalities prior to implementation date of the revised charge (60 days after the date the Board adopts the revised bylaw – March 12, 2007) will be considered "in stream applications received prior to the implementation date". Development applications received prior to implementation date on March 12, 2007 will be given 12 months grace to complete at the rate established prior to the adoption of this bylaw.

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MEETING DATE: **2007 01 11**

TOPIC: **BYLAW #101B, RE: SCHOOL SITE ACQUISITION CHARGE AMENDMENT BYLAW**

IT IS THEREFORE RECOMMENDED:

That Bylaw #101B, Re: School Site Acquisition Charge Amendment Bylaw be given three (3) readings at this meeting (vote must be unanimous):

BYLAW RECOMMENDATION:

1. That Bylaw #101B, Re: School Site Acquisition Charge Amendment Bylaw be approved as read a first time;
2. That Bylaw #101B, Re: School Site Acquisition Charge Amendment Bylaw be approved as read a second time;
3. That Bylaw #101B, Re: School Site Acquisition Charge Amendment Bylaw be approved as read a third time and finally adopted.

Enclosures:

Submitted by:

W.D. Noye, Secretary-Treasurer

Approved by:

M. A. McKay, Superintendent