

# REVISED SCHOOL SITE ACQUISITION CHARGE EFFECTIVE MARCH 12, 2007

On July 28, 1998 the Provincial Government passed Bill 35 - the *Education Statutes Act*, 1998. This Act amended both the *Local Government Act* and the *School Act* and requires that school districts and local governments work together in planning for new schools, and in administering development charges to fund the purchase of new school sites.

On January 11, 2007, the Board of Trustees of the Surrey School District No. 36 enacted a By-law (By-law No. 101B) to amend the School Site Acquisition Charge (By-law No. 101A, adopted June 12, 2003). This amendment revised the school site acquisition charge rates that are applicable to new residential development within the City of Surrey.

The School Site Acquisition Charge (SSAC) payable for a specific project is based on the density category for residential development and calculated on a per-dwelling unit basis. Charges are based on the following residential density categories:

## School Site Acquisition Charge (SSAC) Rates - \$ per unit

Categories Residential Density	Revised SSAC By-law No. 101A (June 2003)	Revised SSAC By-law No. 101B (January 11, 2007)
	Effective August 11, 2003	Effective March 12, 2007
Low (<21 units per hectare)	\$647	\$1,000
Medium Low (21 - 50 units per hectare)	\$582	\$900
Medium (51 - 125 units per hectare)	\$518	\$800
Medium High (126 - 200 units per hectare)	\$453	\$700
High Density (>200 units per hectare)	\$388	\$600

## Implementation of the Revised School Site Acquisition Charge

The new SSAC rates came into effect on March 12, 2007 (60 days after the January 11, 2007 amendment). Any applications received prior to March 12, 2007 are classified as *"in-stream applications"* and will have a period of 12 months (or by March 12, 2008) within which to be approved and qualify for the old SSAC rates. If an in-stream application is not approved within this 12-month period, it will be subject to the new SSAC rates.

**All single family/duplex residential Subdivision applications** submitted on or after March 12, 2007 are required to pay the new School Site Acquisition Charges. All single family/duplex residential Subdivision applications that were submitted, and accepted as a complete Subdivision application, before March 12, 2007 are considered *in-stream applications* and qualify for the old School Site Acquisition Charges. In-stream Subdivision applications must be completed on or before March 12, 2008 - otherwise the new rates will apply.

A complete Subdivision application shall include a properly completed subdivision application form, a properly completed Letter of Authorization (if required), a properly completed Contaminated Soil Questionnaire, a properly drawn subdivision layout and all required subdivision application fees. A Subdivision application is deemed to be complete if the applicant fulfills all conditions of approval including, but not limited to, the submission of all duly executed required documents, the payment of all required fees, charges and levies and the submission of the plan of subdivision ready for final approval by the Approving Officer.

**All multiple family residential Building Permit applications** submitted on or after March 12, 2007, are required to pay the new School Site Acquisition Charges. All multiple family Building Permit applications submitted, and accepted as a complete Building Permit application, before March 12, 2007, are considered *in-stream applications* and qualify for the old School Site Acquisition Charges. In-stream Building Permits must be issued on or before March 12, 2008 - otherwise, the new rates will apply.

A complete Building Permit application shall include Letters of Assurance, all architectural, structural, plumbing, electrical, site drainage drawings and sprinkler drawings, where applicable, along with the payment of all applicable application fees. For a Building Permit application to be deemed to be complete, all documents, fees and charges must be submitted to the City before March 12, 2008.

If the application requires the registration of legal encumbrances relating to engineering work, these documents must be registered prior to March 12, 2008. Please note that, if the Building Permit is for a project that is proceeding in conjunction with a Rezoning Application, Development Permit application and/or Development Variance Permit application, the Rezoning By-law must be granted final reading and/or the respective permits must be issued by Council before the Building Permit may be issued.

## **Payment**

School Site Acquisition Charges are due at the time of either Subdivision approval or Building Permit issuance - whichever is applicable. Applicants may, in full or in part, provide land in lieu of School Site Acquisition Charges provided that School District No. 36, the City of Surrey and the applicant agree on the provision of the land.

The payment of School Site Acquisition Charges by three installments (i.e. 1/3 at a time of subdivision approval or issuance of the building permit, and 1/3 on each of the first and second anniversaries of that date), similar to the payment of Development Cost Charges, is permitted where the total School Site Acquisition Charge for the project exceeds \$50,000.

## Exemptions

Under Section 937.3(3) of the *Local Government Act*, a school site acquisition charges is not payable if:

- (a) the eligible development is within a category that is exempt from school site acquisition charges under the regulations. Under the regulations as defined in the School Site Acquisition Charge Regulation, this includes the following categories of development:
- 1) hospitals as defined in Section 1 of the *Hospital Act*;
  - 2) private hospitals or hospitals as defined in Section 5(1) of the *Hospital Act*;
  - 3) a hospital under paragraphs (c) to (e) of the definition of "hospital" in Section 1 of the *Hospital Insurance Act*;
  - 4) bunkhouses or camp buildings;
  - 5) hotels as defined in the *Residential Tenancy Act*;
  - 6) community care facilities as defined in the *Community Care Facility Act*;
  - 7) non-profit housing, including facilities owned and operated by:
    - i. a non-profit society incorporated under the *Society Act*;
    - ii. a municipality or a regional district;
    - iii. a college designated under the *College and Institute Act*;
    - 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*;
  - 8) a property for which financial assistance has been provided under the *Human Resource Facility Act* for non-profit housing;
  - 9) 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*;
  - 10) not-for-profit rental housing in respect of which a development cost charge has been waived or reduced under Section 922(12) of the *Local Government Act*;
  - 11) a non-profit housing cooperative under the *Cooperative Association Act*;
  - 12) a private mental hospital as defined in Section 1 of the *Mental Health Act*;
- (b) a school site acquisition charge has previously been paid for the same eligible development unless, as a result of a further subdivision or issuance of a building permit, more eligible development units are authorized or will be created on the parcel;
- (c) the eligible development is authorized by a building permit and will, after the construction, alteration or extension, contain fewer than 4 self-contained dwelling units.

Note: Recent amendments have been undertaken to the *Community Care Facility Act* with respect to "assisted living" facilities. "Assisted Living" facilities, provided they meet certain criteria, now fall within the *Community Care Facility Act* and are, therefore, exempt from School Site Acquisition Charges.