



Corporate NO: R195

Report COUNCIL DATE: October 7, 2002

REGULAR COUNCIL			
TO:	Mayor & Council	DATE:	October 1, 2002
FROM:	A/City Clerk	FILE:	1970-04
SUBJECT:	SECTION 339 TAX EXEMPTION BY-LAWFor Properties under Section 339 and 340 of the <i>Local Government Act</i>		

RECOMMENDATION

That the report be received; and

That Council consider three readings of the Section 339 Tax Exemption By-law.

BACKGROUND

The exemptions included in the Section 339 Tax Exemption By-law are those pursuant to Sections 339 and 340 of the *Local Government Act*, R.S.B.C. 1996, Chap. 323.

Each year, forms to apply for tax exemption are sent to organizations in the current year's by-law. Once the application is returned, the information is compared to the facts in that by-law. Any discrepancies are resolved by one or more of the following methods: a tax inquiry, title search, building file review, site visit, or telephone call to the applicant or to the local B.C. Assessment office. Most of these methods of review were utilized this year in order to

determine the appropriateness of including the property in the Section 339 Tax Exemption By-law.

DISCUSSION

Seven new applications were received, six of which have been included in the Bylaw. In each case, the application has been reviewed and certain verifications conducted to ensure the properties meet the criteria for the legislation.

The following are the changes in the bylaw for the 2003 year:

New Applications:

[1] St. Andrew Kim Catholic Parish – Section 339(1)(g) [Bylaw Item #38]. This is a new facility used for public worship.

[2] Namdhari Dharmasala Meditation & Religious Service Centre – Section 339(1)(g) [Bylaw Item #66]. This is a strata warehouse unit owned by the Namdharii Sangat Canada Society (B.C.) and is being used for public worship.

[3] Gurdwara Sahib Dasmesh Darbar – Section 339(1)(g) [Bylaw Item #68]. This is a parking lot and flag pole area associated with the Gurdwara Sahib Dasmesh Darbar that Council approved for a partial exemption under Bylaw #14536 last year.

[4] Fleetwood Islamic Centre Prayer Facility – Section 339(1)(g) [Bylaw Item #77]. This is a strata warehouse owned by the Ma'Aunatul Islam Association of B.C. and is being used for public worship.

[5] Khalsa School (Kindergarten) – Section 339(1)(k) [Bylaw Item #88]. This property is located directly across 124th Street from the existing Khalsa School and has been purchased by the Satnam Education Society of British

Columbia. They plan to use this facility as a school for approximately 187 Kindergarten students.

[6] Southridge School – Section 339(1)(k) [Bylaw Item #134]. The South Surrey Independent School Society purchased property next door to the existing school site to use for expansion, parking lot and playfields.

Not Recommended:

[1] Surrey Mosque – Section 339(1)(g) – this is a new Mosque currently under construction at the corner of 72 Avenue and 124 Street. The original Mosque burned in 2001 and the B.C. Muslim Association purchased and utilized the property next door for worship during 2002. They received property tax exemption for the two properties last year [12407 and 12423 72 Avenue, both of which being used for public worship]. Those two properties have been consolidated with another to the north for construction of a new Mosque. The property does not qualify for inclusion in this bylaw as it is under construction and will not be ready for occupancy for January 1, 2003.

Changes:

[1] Cloverdale Baptist Church – Section 339(1)(g) [Bylaw Item #95]

[2] Christ for the Nations Church – Section 339(1)(g) [Bylaw item #96]

[3] Zion Lutheran Church & School – Section 339(1)(g) & (k) [Bylaw Item #117]

[4] Emmanuel Evangelical Covenant Church – Section 339(1)(g) [Bylaw Item #150]

An error in the calculation of the amount of property eligible for exemption in each of the properties above has been corrected with this Bylaw. Property that is surplus to the needs of the buildings used for worship and the necessary parking area is no longer recommended for exemption. It has been the practice of the City of Surrey, in keeping with

the intent of the legislation, that only buildings and property used strictly for public worship are given exemption from taxation.

Applications Not Renewed:

[1] Strawberry Hill Library B.C. Assessment has denied tax exemption for this property. The library is located in premises leased by the City of Surrey.

[2] Surrey Pentecostal Assembly This church and property at 15145 68 Avenue was sold during 2002. Surrey Pentecostal Assembly has leased a new location for worship which is included in the Section 341 Bylaw.

[3] Surrey Mosque (2) The two properties – one at 12407 72 Avenue and one at 12423 72 Avenue have been consolidated into a new site and a new Mosque is currently under construction.

CONCLUSION

The addition of six new properties and the non-renewal of four brings the total number of properties included in the Section 339 Tax Exemption bylaw to 152. The majority of the properties are places of public worship, although some are for other uses permitted under Section 339 of the *Local Government Act*, such as seniors' housing and private schools.

In order for the listed properties to receive tax exemption in 2003, Council must pass this bylaw before October 31, 2002.

Margaret Jones
A/City Clerk