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# District of Lantzville

## REPORT TO COUNCIL

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**Regular Council Agenda Item**  
**July 24, 2017**

File: 1855-03-SPH3 & 3900.20.143

T:\DOL\RTC\2017\Phase III Sanitary Sewer Collection System Local Aea Service Establishment Bylaw No. 143 Jul 24 2017

**AUTHOR:** Trudy Coates, Director of Corporate Administration

**SUBJECT:** **Phase III Sanitary Sewer Collection System Local Area Service Establishment Bylaw No. 143, 2017**

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### **RECOMMENDATIONS**

THAT Council establish a 20-year term for the parcel tax for the repayment of District of Lantzville Phase III Sanitary Sewer Collection System Loan Authorization Bylaw No. 144, 2017.

THAT Council gives first reading to “District of Lantzville Phase III Sanitary Sewer Collection System Local Area Service Establishment Bylaw No. 143, 2017”.

THAT Council gives second reading to “District of Lantzville Phase III Sanitary Sewer Collection System Local Area Service Establishment Bylaw No. 143, 2017”.

THAT Council gives third reading to “District of Lantzville Phase III Sanitary Sewer Collection System Local Area Service Establishment Bylaw No. 143, 2017”.

THAT Council directs staff to submit the District of Lantzville Phase III Sanitary Sewer Collection System Local Area Service Establishment Bylaw No. 143, 2017 to the Province, publish the required advertising, and issue notification to the property owners within the Local Service Area for establishment of the local area service on Council initiative – subject to petition against for both the establishment of the Local Area Service and to authorize requisite borrowing through “District of Lantzville Phase III Sanitary Sewer Collection System Loan Authorization Bylaw No. 144, 2017”.

### **ALTERNATIVES**

1. Other action as directed by Council.

### **ATTACHMENTS**

1. April 10, 2017 Council Agenda Report – Phase III Sanitary Sewer Collection System – Financial Report
2. District of Lantzville Phase III Sanitary Sewer Collection System Local Area Service Establishment Bylaw No. 143, 2017
3. Notice
4. Petition Against Form

### **PURPOSE**

To obtain Council approval on items required to proceed with next steps for the Phase III Sanitary Sewer Collection System project.

### **BACKGROUND**

The District of Lantzville has been working towards completion of a municipal sanitary sewer collection system to be delivered in three phases, jointly funded through grants, and with phases beyond Phase III to be development driven. Council has previously adopted bylaws to establish and enlarge local area service areas that are on municipal sanitary sewer collection system for specified areas in the District of Lantzville, including Bylaw No. 47, 2007 for Phase I (as amended to Bylaw No. 47.2, 2011) and Bylaw No. 75, 2009 for Phase II (as amended to Bylaw No. 75.3, 2016).

Council, at its February 16, 2015 meeting, passed a motion to apply for funding for Phase III of the Sanitary Sewer Collection System, which was unsuccessful, and on January 11, 2016 Council passed the following motion:

*THAT Council directs staff to proceed with submitting a New Building Canada Fund – Small Communities Fund grant application to the B.C. Ministry of Community, Sport and Cultural Development for Phase 3 of the District of Lantzville Sanitary Sewer Collection System; AND FURTHER THAT the District's share of the project cost will be subject to the establishment of local area service on Council initiative - subject to petition against.*

As noted in the Phase III grant application report, the:

- District's Phase III sanitary sewer collection system will consist of approximately 307 parcels
- southern portion of Phase III (upper Lantzville) will be serviced by gravity and the northern portion (lower Lantzville) will include a small lift station to service low-lying waterfront areas
- infrastructure works will generally be located within existing road rights-of-way or on rights-of-way secured on private property.

On March 11, 2017 the Province issued a News Release, followed by a letter with the Shared Cost Agreement March 14, 2017, confirming that the District's application for infrastructure funding under the NBCF-SCF was approved at a maximum federal/provincial contribution of \$4,373,332. On March 20, 2017 Council passed the following motion:

*THAT the District of Lantzville enters into the Shared Cost Agreement SCA N20184 with the Province of British Columbia for the Phase III Sanitary Sewer Collection System (Project #N20184) commencing March 6, 2017 through the New Building Canada Fund – Small Communities Fund (NBCF-SCF); AND FURTHER THAT Council authorizes the Mayor and the Director of Corporate Administration to execute the NBCF-SCF Shared Cost Agreement substantially in the form as presented March 20, 2017.*

Preliminary Phase III construction cost estimate provided by the District's consulting engineers was \$6.6 million. The 2017-2021 Financial Plan includes \$2,000,000 in 2017 and \$4,880,000 in 2018 for the Phase III Sanitary Sewer Collection System (funding from 2/3 Grant and 1/3 Debt). On March 20, 2017, Council approved \$2,000,000 in 2017 and \$4,880,000 in 2018 for the Phase III Sanitary Sewer Collection System included in the 2017-2021 Financial Plan for immediate release.

The March 20, 2017 staff report also noted steps in this multi-million dollar, complex project, including:

1. **Secure grant funds.** Council approval of the Shared Cost Agreement, and establish systems for compliance with the agreement conditions, including accounting, communication, contracting, and reporting
2. **Finalize project details:** designating local service area, calculating number of benefiting properties, estimating total cost of project, determining amount to be borrowed, determining method of cost recovery, calculating estimated cost per property, preparing requisite legislative documents, assessing land needs (statutory rights of way etc.).
3. **Establishing Bylaw:** prepare establishing bylaw and adopt it after obtaining electoral approval. Under the method shown in the grant authorizing motion, the service and its cost recovery methods are proposed by a Council initiative (consistent with previous Phases) and in accordance with s. 213 [*local area service on council initiative - subject to petition against*], as long as 50% of the owners of properties representing at least 50% of the assessed value of land and improvements that will be subject to the local service tax do not petition against establishment of the local area service.
4. **Borrowing Bylaw:** prepare borrowing bylaw and adopt it after obtaining electoral approval (NOTE: in this case, elector approval is not required as the borrowing is proposed by Council initiative per section 217 of the *Community Charter*, therefore the petition against process with property owners within the proposed Local Service Area is for both the Establishment Bylaw (No. 143) and the Borrowing Bylaw (No. 144).
5. **Parcel Tax Bylaw:** prepare cost recovery bylaw (the District has historically used a parcel tax bylaw) and adopt. Parcel tax payments from those residents defined in the Local Area Service would repay the District's share of the project's capital cost.
6. **Detailed Design:** surveying, detailed design work, and construction.

The Sanitary Sewer Phase III project is currently budgeted at \$6,880,000. Of this \$4,373,332 will be funded by the grant and up to \$2,506,668 will be funded by those in the LAS. Some of the home owners may elect to pay upfront the total cost, thereby reducing the amount of debt required.

On April 10, 2017, Council received the Phase III Sanitary Sewer Collection System – Financial Report and a report on the Phase III Sanitary Sewer Collection System Loan Authorization Bylaw No. 144, 2017, and gave first three readings to Bylaw No. 144 to authorize:

- borrowing up to \$2,506,668 towards the construction of the Phase III sewer system which borrowed amounts to be recovered by a local service tax, with a maximum term for debentures to secure the debt of thirty years
- acquiring all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of the Phase III sewer system.

### **DISCUSSION**

Council has proposed to undertake a local area service on its own initiative, to complete Phase III of the sanitary sewer collection system, bringing the community sewer service to another 307 properties through works to be funded through grant funds and by the benefiting property owners (located within the local service area). To proceed, it would now be in order to:

- establish the term for the parcel tax for the repayment of District of Lantzville Phase III Sanitary Sewer Collection System Loan Authorization Bylaw No. 144, 2017, at 20 years as recommended in the Director of Financial Services' April 10, 2017 Phase III Sanitary Sewer Collection System – Financial Report (Attachment #1)
- give first three readings to the bylaw that would establish the service (Attachment #2),
- authorize staff to proceed with requisite notifications (two publications in the newspaper and posted on the bulletin board plus a notice (Attachment #3) to each of the owners of each property located within the proposed Local Service Area for establishment of the local area service on Council initiative – subject to petition against for both the establishment of the Local Area Service and to authorize requisite borrowing through “District of Lantzville Phase III Sanitary Sewer Collection System Loan Authorization Bylaw No. 144, 2017”.

If the owners of parcels that are located within the proposed benefiting local service area object to the establishment of the proposed Local Area Service and the requisite borrowing, they must submit a petition against (Attachment #4) on or before the September 5, 2017 deadline (within 30 days after the second notice is published) to the Director of Corporate Administration who must determine the sufficiency and validity of the petitions and certify the determination, which is final and conclusive.

In order for a petition against the establishment of the local area service to be successful:

- (a) the Petition Against must be signed by the owners of at least fifty percent (50%) of the parcels located in the Local Service Area subject to the local service tax; and
- (b) The persons signing the official Petition Against must be the owners of parcels that in total represent at least fifty percent (50%) of the assessed value of land and improvements in the Local Service Area subject to the local service tax.

If two or more persons are owners of a parcel:

- (a) They will be considered as one owner only (i.e. one vote per parcel);
- (b) They are not entitled to sign the official Petition Against unless a majority of them concurs; and
- (c) Their signatures will be disregarded in determining whether the official Petition Against is sufficient unless it is signed by the majority of them.

In accordance with the *Community Charter*, Council may proceed with the local area service unless it receives a sufficient petition against within 30 days after the second notice is published. If Council is prevented from undertaking a local area service because of a petition against, Council must not propose the same service on its own initiative within a period of one year after the presentation of the petition, unless the service is varied from or less expensive than that originally proposed to be undertaken.

### **FINANCIAL IMPLICATIONS**

As previously described, funds for the project in the Financial Plan have been authorized for early release, funding source is by grant and by borrowing (repaid by parcel tax to benefiting property owners) if the project proceeds. The April 10, 2017 Council Agenda Report – Phase III Sanitary Sewer Collection System – Financial Report (Attachment #1) also provides financial information.

### **COMMUNICATION STRATEGY**

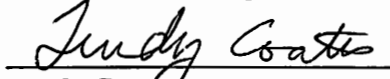
The communication strategy will comply with the notice requirements for the Local Area Service on Council Initiative - Subject to Petition Against process, defined in the *Community Charter*. This report will be available for review by the public in the July 24, 2017 Council meeting agenda package and available on the District of Lantzville website. The District is subject to the Communications Protocol referenced in the NBCF-SCF Shared Cost Agreement and is also guided by the Protocol in the NBCF-SCF Program Guide.

### **STRATEGIC PLAN ALIGNMENT**

Sewer Phase III is included on Council's 2016-2018 Strategic Priorities.

### **SUMMARY**

If Council wishes to proceed with the Sewer Phase III project, the next steps are as recommended above.



**Trudy Coates,**

**Director of Corporate Administration**

Reviewed By:

CAO		Dir. CA		Dir. FS		Dir. PW	
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**District of Lantzville  
REPORT TO COUNCIL**

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**Regular Council Agenda Item  
April 10, 2017**

File: 5330-20-SPHIII

Q:\DISTRICT OF LANTZVILLE\Reports to Council\2017\2017 04 10 Phase III Sanitary Sewer  
Collection System – Financial Report.docx

**AUTHOR:** Jeannie Beauchamp, Director of Financial Services

**SUBJECT:** Phase III Sanitary Sewer Collection System – Financial Report

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**RECOMMENDATION**

For information.

**ALTERNATIVES**

Other direction, as provided by Council.

**ATTACHMENT(S)**

1. Liability Servicing Limit Certificate, dated March 31, 2017.
2. Revised Preliminary Quantity & Cost Estimate – Phase 3, dated March 28, 2017.

**PURPOSE**

To provide Council with information regarding the financial implication of the Phase III Sanitary Sewer Collection System.

**BACKGROUND**

The Phase III Sanitary Sewer Collection System is currently included in the 2017-2021 Financial Plan in the amount of \$6,880,000.

The District of Lantzville has received a grant of \$4,373,332 through the New Building Canada Fund – Small Communities Fund. The balance of \$2,506,668 is to be funded by debenture debt. These are the maximum amounts and the project may come in under budget.

**DISCUSSION**

The portion of the Phase III Sanitary Sewer Collection System project to be funded by debt is up to \$2,506,668. Currently 307 properties are to be included in the Local Area Service for this project. The maximum principal cost per property is \$8,165. Should the project come in under budget, only the

actual cost will be borrowed as debenture debt and charged to the residents. The \$2,506,668 is an up-to amount and may be less should the budget come in under budget.

It is expected that residents will be able to commute their payment, paying the full amount upfront, before the District acquires the debt or to make an annual parcel tax payment. After a set date commuting payments will no longer be allowed and all remaining residents will be placed on an annual parcel tax payment.

### Elector Approval

Section 180 of the *Community Charter* stipulates that a loan authorization bylaw may only be adopted with the approval of the electors. The District will use the Alternative Approval Process under Part 4, Division 2 of the *Community Charter*.

### Long-Term Debt Financing

The long-term debt financing will be provided through MFA. The MFA typically raises funds twice per year (Spring & Fall). The District may borrow on the long-term basis for a term ranging from 5 to 30 years. The interest rate will be set for a period of typically 10 years and then re-set every 5 to 10 years thereafter. Cash proceeds realized at the beginning of the loan is 99% of the gross amount requested. 1% is held back as a cash security, and refunded at the expiry of the loan obligation. The District will repay the loan obligation through the Regional District of Nanaimo. Interest will be billed semi-annually and the principal payments will occur on an annual basis. Typically, the first interest payment will be 6-months after the loan commencement and the first principal payment one year after the loan issuance. Additional payments against the loan will generally not be allowed, except for typically at the end of 10 years, and then every 5-10 years thereafter, depending on the terms of the loan.

The principal payments that the District make are invested by MFA until the debt is paid off at the end of the term. The current actuarial is set at 3%. This actuarial adjustment reduces the annual principal payments that would otherwise be required. MFA can issue forgiven notices should they be able to retire funding obligations earlier than forecasted.

The amount of funds the District requires will not be converted to long-term debt for a period of approximately 2 years. This will only occur once the project is complete and the total amount required is known. In the meantime, funds will be temporarily borrowed from MFA.

The interest rate when the District obtains the long-term debt (Fall 2018 or Spring 2019) is not currently known. The following information is provided regarding current indicative rates and recent historical rates.

The current indicative rate are as follows:

5 years	1.94%
10 years	2.72%
15 years	3.23%
20 years	3.47%
25 years	3.53%
30 years	3.53%

The estimated 2017 Spring rate for 10 years is 3.00%

Historical rates for 10+ years are as follows:

Fall 2016	2.100%
Spring 2016	2.600%
Fall 2015	2.750%
Spring 2015	2.200%
Fall 2014	3.000%
Spring 2014	3.300%
Fall 2013	3.850%
Spring 2013	3.150%

Assuming a 3.50%\* interest rate the impact for various terms are shown below:

<b>Term</b>	<b>Total Payment</b>	<b>Total cost per home</b>	<b>Annual cost per home</b>
Upfront payment	\$2,506,668	\$8,165	n/a
10 Years	\$3,063,913	\$9,980	\$998
15 Years	\$3,337,625	\$10,872	\$725
20 Years	\$3,620,416	\$11,793	\$590
25 Years	\$3,912,149	\$12,743	\$510
30 Years	\$4,212,651	\$13,722	\$457

\*The interest rate is not known at this time. A 3.50% interest rate is a conservative estimate.

A parcel tax, with a term of 20 years is recommended.

#### Approximate Timeline

- Creation of a Loan Authorization Bylaw under section 179 of the *Community Charter* - Loan authorization bylaws for long term borrowing. (March 2017)
- Council to provide three readings to District of Lantzville Phase III Sanitary Sewer Collection System Loan Authorization Bylaw No. 144, 2017. (April 2017)
- Staff to prepare Liability Servicing Limit Certificate. (April 2017)
- Staff to send the District of Lantzville Phase III Sanitary Sewer Collection System Loan Authorization Bylaw No. 144, 2017 at third reading and the Liability Servicing Limit Certificate to the Ministry. (April 2017)
- District to receive the Inspector's Approval under section 179 (1) of the *Community Charter*. (May 2017)
- Obtain elector approval of District of Lantzville Phase III Sanitary Sewer Collection System Loan Authorization Bylaw No. 144, 2017. (June 2017)

- Council to adopt District of Lantzville Phase III Sanitary Sewer Collection System Loan Authorization Bylaw No. 144, 2017. (July 2017)
- One Month Quashing Period per section 262 (3) of the *Local Government Act*. (August 2017)
- Corporate Officers Certificate. (September 2017)
- Staff to send the Corporate Officers Certificate to the Ministry. (September 2017)
- Certificate of Approval from the Inspector of Municipalities. (October 2017)
- District to temporarily borrow funds until project is complete. (Beginning October 2017 through completion of project)
  - Council to provide three readings to District of Lantzville Phase III Sanitary Sewer Collection System Temporary Borrowing Bylaw.
  - Council to adopt District of Lantzville Phase III Sanitary Sewer Collection System Temporary Borrowing Bylaw.
  - Staff to obtain temporary borrowing funding through the Municipal Finance Authority of British Columbia as required.
- Municipal Security Issuing Resolution. (Late 2018)
- Regional District of Nanaimo Security Issuing Bylaw per section 825 of the *Local Government Act*. Three readings and adoption. (Late 2018)
- 10 Day Quashing Period. (Late 2018)
- Corporate Officers Certificate. (Late 2018)
- Security Issuing Certificate of Approval. (Late 2018)
- District to pay back Temporary Borrowing and receive Long Term Debenture Debt from the Municipal Finance Authority of British Columbia. (Fall 2018 or Spring 2019)
- District to begin annual parcel tax for the Local Area Service for Phase III. (Summer 2019)

### **FINANCIAL IMPLICATIONS**

Up to \$2,506,668 of the Phase III Sanitary Sewer Collection System will be funded by debenture debt through MFA.

### **COMMUNICATION STRATEGY**

This report will be available for review by the public in the April 10, 2017 Council meeting agenda package and available on the District of Lantzville website.



## **STRATEGIC PLAN ALIGNMENT**

Sewer Phase III is included on Council's 2016-2018 Strategic Priorities.

## **SUMMARY**

To provide Council with financial information regarding the Phase III Sanitary Sewer Collection System.

Respectfully submitted,

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Jeannie Beauchamp, CPA, CGA, MBA  
Director of Financial Services  
District of Lantzville

Reviewed By:

Chief Administrative Officer		Director of Financial Services		Director of Public Works		Director of Corporate Administration	
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## DISTRICT OF LANTZVILLE

## BYLAW NO. 143, 2017

**A BYLAW TO ESTABLISH A LOCAL AREA SERVICE FOR THE CONSTRUCTION OF  
A SANITARY SEWER COLLECTION SYSTEM BENEFITING PART OF THE MUNICIPALITY**

**WHEREAS** Section 210 of the *Community Charter* provides authority for local area services, a municipal service that is to be paid for in whole or in part by a local service tax under Section 216 for services that the Council considers provide particular benefit to part of the municipality;

**AND WHEREAS** Section 211(1)(b ) of the *Community Charter* authorizes Council to establish a local area service by bylaw, if the service and its cost recovery methods have been proposed by Council initiative subject to a petition against by the property owners subject to the local service tax;

**AND WHEREAS** Council has initiated a local area service subject to petition against to extend sanitary sewer service to an area to be known as Phase III, pursuant to Section 213 of the *Community Charter*;

**AND WHEREAS** the *Community Charter* provides for a part of the cost to be borne by property owners benefitting from a local area service and for the levy and imposition of a local service tax to be imposed on benefitting properties to recover the owners' portion of the costs;

**AND WHEREAS** the Corporate Officer 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;

**NOW THEREFORE**, the Council of the District of Lantzville, in open meeting assembled, enacts as follows:

**Citation**

1. This Bylaw may be cited as "District of Lantzville Phase III Sanitary Sewer Collection System Local Area Service Establishment Bylaw No. 143, 2017".

**Establishment of Local Area Service**

2. The District hereby establishes a local area service under the provisions of Section 211 of the *Community Charter* to be known as the "Phase III Sanitary Sewer Collection System Local Area Service".

**Description of Service**

3. The description of the local area service is the construction of a sanitary sewer collection system to serve a specified local service area.

**Boundaries of Local Service Area**

4. The Phase III Sanitary Sewer Collection System Local Service Area includes all of the parcels within the area outlined in heavy dashed black line on the plan attached to and forming part of this bylaw as Schedule 'A' – Phase III Sanitary Sewer Collection System Local Service Area Boundaries (the "Local Service Area").

**Method of Cost Recovery**

5. The cost recovery method for an amount not exceeding \$2,506,668, which is a portion of the estimated total construction cost of \$6,880,000 for constructing the sanitary sewer collection system, plus the cost of borrowing up to \$2,506,668 and interest, that is the subject of the local area service established under this bylaw, shall be recovered by way of a parcel tax under Division 4 of Part 7 of the *Community Charter* imposed only within the Local Service Area on the basis of a single amount for each parcel.

As an alternative to the preceding cost recovery method, an owner of a parcel within the Local Service Area may elect to pay their portion of the Local Area Service charge levied for their parcel in the form of a one-time cash payment.

**READ A FIRST TIME** this    day of            , 2017.

**READ A SECOND TIME** this    day of            , 2017.

**READ A THIRD TIME** this    day of            , 2017.

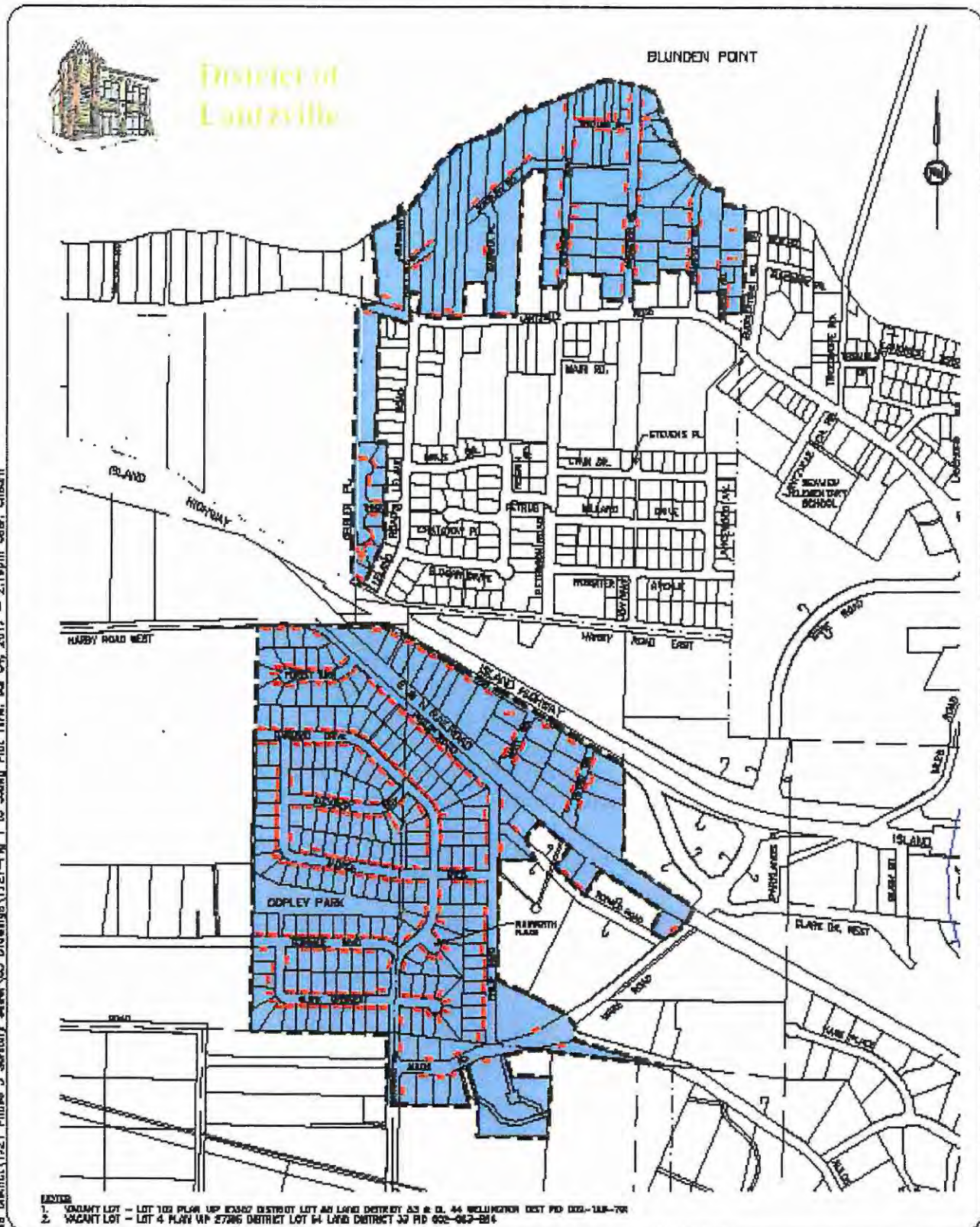
**ADOPTED** this    day of            , 2017.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Director of Corporate Administration

SCHEDULE "A"

Phase III Sanitary Sewer Collection System Local Area Service Boundaries



CUSTOMER	DISTRICT OF LANTZVILLE	TITLE	SCHEDULE 'A' - PHASE III SANITARY SEWER COLLECTION SYSTEM LOCAL SERVICE AREA SERVICE BOUNDARIES	
PROJECT	SANITARY SEWER COLLECTION SYSTEM - PHASE III	APPROVED	SCALE	NTS
		DATE	APR 04, 2017	DWG No. 1721-Fig 5 Rev. A
		JOB No.	1721	





District of Lantzville  
Incorporated June 2003

## Attachment #3

### PUBLIC NOTICE OF INTENT To establish Phase III Sanitary Sewer Collection System Local Area Service by Council Initiative, subject to Petition Against

In accordance with sections 210, 211, 213 and 217 of the *Community Charter*, the Council of the District of Lantzville gives notice that it intends to:

- undertake, on its own initiative and subject to petition against, a local area service to construct a sanitary sewer collection system for the benefit of a specified area of the District by adopting Phase III Sanitary Sewer Collection System Local Area Service Establishment Bylaw No. 143, 2017 and bringing sewer service to the 307 properties located within the Phase III SSCS Local Service Area;
- adopt Phase III Sanitary Sewer Collection System Loan Authorization Bylaw No. 144, 2017, to authorize:
  - borrowing up to \$2,506,668 towards the construction of the Phase III Sanitary Sewer Collection System (SSCS) to be recovered entirely by a local service tax assessed to property owners within the Phase III SSCS Local Service Area, with a maximum term of debentures of thirty years;
  - acquiring real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of the Phase III SSCS.

**Estimated costs of the service:** The estimated total cost of the proposed local service is \$6,880,000 comprised of capital works funded through a \$4,373,332 grant under the New Building Canada Fund – Small Communities Fund Program and the balance, not exceeding \$2,506,668, borrowed upon the credit of the District **to be recovered by means of a local service tax** imposed by way of a parcel tax under Division 4 of Part 7 of the *Community Charter*, on all land and improvements within the Phase III Sanitary Sewer Collection System Local Service Area as shown outlined in bold in the map below. The total maximum principal cost per property is \$8,165 to be paid by each of the 307 property owners which they may elect to pay as a one-time charge. A Parcel Tax will be levied on the remaining properties choosing not to pay the principal cost as a one-time charge. The Parcel Tax would be sufficient to cover the annual cost to repay the actual principal cost (maximum principal of \$8,165) plus interest for the 20-year term of borrowing. The estimated annual parcel tax, based on the \$8,165 maximum principal, would be approximately \$590 for the 20-year period.

**Opportunity to Petition Against:** Council may proceed with establishing the local area service unless, by 4:00 pm Tuesday, September 5, 2017 (30 days after notice has been given in accordance with section 213), the Council receives a sufficient petition against the proposed local service, certified by the Director of Corporate Administration:

- a) as being signed by the owners of at least 50% of the parcels that would be subject to the local service tax described below, and
- b) which owners are the owners of parcels that in total represent at least 50% of the assessed value of the land and improvements subject to that local service tax.

Please note that owners of parcels subject to the Phase III SSCS LAS local service tax will be directly notified by mail. The petition against response form, bylaw and other information regarding the Phase III SSCS Local Area Service may be obtained from the District Office or from the District's website at [www.lantzville.ca](http://www.lantzville.ca).

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District of  
Lantzville

BLUNDEN POINT



- NOTES:
1. VACANT LOT - LOT 102 PLAN UP 82400 DISTRICT LOT 45 LAND DISTRICT 43 & CL 44 BOUNDARY DIST PD 002-118-708
  2. VACANT LOT - LOT 4 PLAN 914 2796 DISTRICT LOT 64 LAND DISTRICT 32 PD 002-062-084

CLIENT

DISTRICT OF  
LANTZVILLE

PROJECT

SANITARY SEWER COLLECTION  
SYSTEM - PHASE III

TITLE

SCHEDULE 'A' - PHASE III SANITARY  
SEWER COLLECTION SYSTEM LOCAL  
SERVICE AREA SERVICE BOUNDARIES

APPROVED

DATE

APR 04, 2017

JOB No.

1721

SCALE

NTS

DWG No.

1721-Fig 5 Rev. A

File: H:\4254 Lantzville District\1721 Phase 3 Sanitary Sewer\03 Drawings\1721-Fig 1 to Sdwg Plot Three: AJ 04, 2017 - 2:19pm User: chsrm



## PETITION AGAINST

**District of Lantzville Proposal to establish Phase III Sanitary Sewer Collection System Local Area Service and Borrow Funds to Provide Sewer Service to the Phase III Area of Lantzville****ATTENTION:** Owners of Property within the Proposed Phase III Sanitary Sewer Collection System Local Area Service*Please note that you are only required to sign and return this petition against form if you are opposed to the Phase III Sanitary Sewer Collection System. If you are in favour of the adoption of the Phase III bylaws, no action is required.***DEADLINE TO RECEIVE YOUR FORM: TUESDAY, SEPTEMBER 5, 2017 AT 4:00 PM**

Originally-signed Petition Against Form must be received by the Director of Corporate Administration, District of Lantzville, 7192 Lantzville Road, PO Box 100, Lantzville, BC V0R 2H0, before 4:00 pm Tuesday, September 5, 2017 to be considered.

The District has circulated the attached notice of intent to establish Phase III Sanitary Sewer Collection System Local Area Service pursuant to sections 210, 211, 213 and 217 of the *Community Charter*, to bring sanitary sewer service to the 307 parcels within the proposed Local Service Area as shown on the attached map. Council intends to:

- undertake, on its own initiative and subject to petition against, a local area service to construct a sanitary sewer collection system for the benefit of a specified area of the District by adopting Phase III Sanitary Sewer Collection System Local Area Service Establishment Bylaw No. 143, 2017 and bringing sewer service to the 307 properties located within the Phase III SSCS Local Service Area;
- adopt Phase III Sanitary Sewer Collection System Loan Authorization Bylaw No. 144, 2017, to authorize:
  - borrowing up to \$2,506,668 towards the construction of the Phase III Sanitary Sewer Collection System (SSCS) to be recovered entirely by a local service tax assessed to property owners within the Phase III SSCS Local Service Area, with a maximum term of debentures of thirty years;
  - acquiring real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of the Phase III SSCS.

The total maximum principal cost per property is \$8,165 to be paid by each of the 307 property owners which they may elect to pay as a one-time charge. A Parcel Tax will be levied on the remaining properties choosing not to pay the principal cost as a one-time charge. The Parcel Tax would be sufficient to cover the annual cost to repay the actual principal cost (maximum principal of \$8,165) plus interest for the 20-year term of borrowing. The estimated annual parcel tax, based on the \$8,165 maximum principal, would be approximately \$590 for the 20-year term.

Council may proceed with establishing the local area service unless, by 4:00 pm Tuesday, September 5, 2017, the Council receives a sufficient petition against the proposed local service, certified by the Director of Corporate Administration:

- a) as being signed by the owners of at least 50% of the parcels that would be subject to the local service tax; and
- b) the persons signing must be the owners of parcels that in total represent at least 50% of the assess value of land and improvements that would be subject to the local service tax.

- An Owner of a parcel that would be subject to the local service tax may sign this form – that is, the owner of a parcel within the proposed Phase III Sanitary Sewer Collection System Local Service Area (see boundary map on other side of this page).
- If two (2) or more persons are owners of a parcel, they will be considered as one (1) owner only and their signatures will only be considered if a majority of them have signed the same petition.
- A person who would be liable to pay the local service tax by reason of being the holder or occupier of land held by an owner who is exempt from property taxation, may sign a petition as if the person were the owner. (e.g., a leaseholder who is responsible for payment of property taxes)
- Copies of this petition may be made and used for signing. A person who is not eligible (e.g. Tenants) must not sign this petition.
- The petition must include the petitioner's full name, signature (by authorized signing officers in the case of corporations), mailing address, and civic address and legal description of the property within the proposed Local Service Area owned or occupied by the petitioner.

By my signature below, I (We), as owner(s) of the parcel of land identified below and located within the proposed Phase III Sanitary Sewer Collection System Local Service Area, hereby petition the Council of the District of Lantzville to **NOT** adopt Phase III Sanitary Sewer Collection System Loan Authorization Bylaw No. 144, 2017 and the Phase III Sanitary Sewer Collection System Local Area Service Establishment Bylaw No. 143, 2017. Description of our Property within the Phase III Local Service Area:

Street Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Parcel Identifier (PID): \_\_\_\_ - \_\_\_\_ - \_\_\_\_

**Full Name of Property Owner/Occupier (please print):** \_\_\_\_\_  
 (Individual: Print First, Middle and Last Name in full – no initials. Company: Print Full Company Name & Print Name of each Person Signing On Behalf of Corporation)

Mailing Address of Owner/Occupier: \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Full Name of Property Owner/Occupier (please print):** \_\_\_\_\_  
 (Individual: Print First, Middle and Last Name in full – no initials. Company: Print Full Company Name & Print Name of each Person Signing On Behalf of Corporation)

Mailing Address of Owner/Occupier: \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_  
**\*\* Majority of registered owners on the property title must sign this petition.**



BLINDEN POINT



1. VACANT LOT - LOT 102 PLAN UP 87380 DISTRICT LOT 26 LAND DISTRICT 23 & CL 44 WELLSINGTON DIST PID 002-126-704

TITLE		SCHEDULE 'A' - PHASE III SANITARY SEWER COLLECTION SYSTEM LOCAL SERVICE AREA SERVICE BOUNDARIES	
APPROVED		SCALE	NTS
DATE		APR 04, 2017	
JOB No.	1721	DWG No.	1721-Fig 5 Rev. A