

DATE OF MEETING July 5, 2021

AUTHORED BY CLAIRE NEGRIN, MANAGER, SUBDIVISION

SUBJECT SCHOOL SITE ACQUISITION CHARGE

OVERVIEW

Purpose of Report:

To provide Council with information regarding the process for implementation of a School Site Acquisition Charge, which is being considered by Nanaimo Ladysmith Public Schools.

BACKGROUND

On 2021-JUN-17, Staff received a letter from the Nanaimo Ladysmith Public Schools (NLPS) describing its need for implementing a new School Site Acquisition Charge (SSAC) Bylaw (Attachment A). A Board of Education (School Board) may implement an SSAC bylaw under the authority of the *Local Government Act*. An SSAC, similar to a Development Cost Charge (DCC), is a fee charged on new development within a specified area, collected either at the subdivision or building permit stage of development, on a per parcel or per unit basis. The funds collected from SSACs are used to pay only for the cost of land acquisition needed by the School Board for new or expanded school sites.

NLPS does not have an SSAC bylaw, but have identified the need for collecting SSACs within its most recent Long Range Facilities Plan. NLPS has determined that in order to meet its anticipated growth in the next ten years, it will require an additional 16.4 hectares of land within the City of Nanaimo and the District of Lantzville. As such, NLPS has commenced the process of implementing an SSAC bylaw by reaching out to the City of Nanaimo to begin consultation. The NLPS will also consult with other stakeholders as required by the *Local Government Act*, which may include the public and the development community.

Upon adoption by a School Board of an SSAC bylaw, the charges are collected by the local government on behalf of the School Board. At the subdivision stage, charges are collected with an application for final approval; at building permit stage, at the time of permit issuance.

DISCUSSION

Having identified that it has an insufficient amount of land for its anticipated growth, the NLPS will now undergo the process for implementing an SSAC bylaw to gather funds to acquire additional lands. The next stage in this process will be for the NLPS to review the SSAC terms with the City. These terms include development projections, student projections, the number and size of school sites, and the location and value of school sites that the NLPS is using to determine SSAC amounts. As indicated in its letter, NLPS is expecting that the maximum SSAC amounts permitted by legislation will be applied, which range from \$600-\$1,000 per unit.

The *Local Government Act* (LGA) grants School Boards the authority to collect SSACs on any development of four units or greater. Section 561(6) of the LGA provides additional authority to local governments to adopt a concurrent bylaw to collect SSACs on any development of two units or greater. In its letter, NLPS has requested the City consider adopting such a bylaw. As DCCs are collected for any development of two units or more, and as SSACs will be collected at the same time as DCCs, having the same conditions applied to SSACs would provide administrative consistency. As such, Staff plan to prepare a bylaw for Council's consideration that would require SSACs to be collected for any development of two units or more.

NEXT STEPS

As offered in its letter, Council may request a presentation by the NLPS regarding the SSAC process.

In the fall, Council can expect to see the SSAC Resolution from the School Board. Upon receipt, Council will have 60 days to respond to the resolution identifying acceptance or identifying any issues with the SSAC Resolution. The legislation contains a dispute resolution mechanism that can be activated if Council and the School Board cannot agree on the terms of SSAC Resolution.

In addition, after receipt of the School Board's SSAC Resolution, Staff plan to bring forward a bylaw for Council's consideration that would reduce the unit requirement for the collection of SSACs from four units to two units.

SUMMARY POINTS

- The Nanaimo Ladysmith Public Schools has commenced the process of implementing a School Site Acquisition Charge Bylaw.
- Staff plan to prepare a bylaw for Council's consideration that would require SSACs to be collected for any development of two units or more.

ATTACHMENTS

ATTACHMENT A: Letter to City of Nanaimo from NLPS dated 2021-JUN-17 Re: School Site Acquisition Charges

ATTACHMENT B: School Site Areas |

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