

December 20, 2019

OWNER OF PROPERTY LOCATED WITHIN PROPOSED
Phase III Sanitary Sewer Collection System Local Service Area

Dear Property Owner:

Re: Proposal to Amend the Established Phase III Sanitary Sewer Collection System Local Area Service and Borrow Requisite Funds

This letter has been sent to you because our records indicate that you own property located within the boundaries of the Local Service Area established by Phase III Sanitary Sewer Collection System (SSCS) Local Area Service Establishment Bylaw No. 143, 2017, that would be subject to a parcel tax for the new sewer service after it is constructed.

The purpose of this letter is to deliver the enclosed Public Notice of Intent and Petition Against form. Please read these documents and review the boundary map carefully. Background information, copies of “District of Lantzville Phase III Sanitary Sewer Collection System Local Area Service Establishment Bylaw No. 143, 2017, Amendment Bylaw No. 220, 2019” and “District of Lantzville Phase III Sanitary Sewer Collection System Loan Authorization Bylaw No. 144, 2017, Amendment Bylaw No. 221, 2019” and reports, and additional copies of the petition against form are available to view at www.lantzville.ca and the Municipal Hall, 7192 Lantzville Road.

In 2016, Council applied for funding from the Federal and Provincial government for a project to bring sewer service to an additional 307 properties (Phase III) and resolved that the District’s share of the project cost would be subject to the establishment of a local area service on Council initiative – subject to petition against, as with the previous Sewer Phases I and II. In March 2017, the grant was approved, and the District proceeded with the steps required under the *Community Charter* and *Local Government Act* to establish the local area service and borrow the requisite funds that would be recovered by means of a local service tax imposed by way of a parcel tax.

In 2017, the District of Lantzville Council adopted bylaws to establish the local area service and to authorize borrowing funds to provide sewer to the Phase III area of Lantzville, based on estimated costs. After negotiating right-of way agreements, completing design drawings and tendering the construction, the overall estimated project budget is higher than estimated and authorized through the 2017 bylaws, necessitating bylaw amendments for the Phase III Sanitary Sewer Collection System project to proceed.

Council may proceed to adopt Bylaws No. 220 and No. 221 to amend the established Phase III SSCS Local Area Service and to borrow requisite funds, as described in the attached Notice of Intent, unless the Council receives a sufficient petition against the proposed local service signed by the owners of at least 50% of the parcels that would be subject to the local service tax described within the Notice, and 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, by **4:00 pm Monday, February 3, 2020**.

If you support Council amending the established Phase III SSCS Local Area Service and borrowing the requisite funds (to be recovered by parcel tax), you do not have to do anything.

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District of Lantzville

December 20, 2019 Letter to Owners of Property Located Within the Proposed Phase III SSCS Local Service Area
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If you have any questions please do not hesitate to email district@lantzville.ca or phone me at **250.933.8082**.

Yours truly,



Trudy Coates

Director of Corporate Administration

Encls. Notice of Intent and Petition Against Form

c. Ronald Campbell, CAO; Jamie Slater, Director of Financial Services; Fred Spears, Director of Public Works

File: 3900.20.220 & 3900.20.221

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PUBLIC NOTICE OF INTENT
To amend the established Phase III Sanitary Sewer Collection System Local Area Service by Council Initiative, and to borrow funds to provide the sewer service, both by Bylaw and subject to Petition Against

In 2017, the District of Lantzville Council adopted bylaws to establish a local area service and borrow funds to provide sewer to the Phase III area of Lantzville, based on estimated costs. After negotiating right-of way agreements, completing design drawings and tendering the construction, the overall estimated project budget is higher than estimated and authorized through the 2017 bylaws, necessitating bylaw amendments for the Phase III Sanitary Sewer Collection System project to proceed.

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, an amendment to the Method of Cost Recovery section of Bylaw No. 143 for the local area service established 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, Amendment Bylaw No. 220, 2019 to bring sewer service to the 307 properties located within the Phase III Sanitary Sewer Collection System Local Service Area;
- adopt Phase III Sanitary Sewer Collection System Loan Authorization Bylaw No. 144, 2017, Amendment Bylaw No. 221, 2019, to authorize:
 - borrowing up to \$4,300,000 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.

New estimated costs of the service: The new estimated total cost of the proposed local service is \$8,650,000 comprised of capital works funded through a \$4,373,332 grant under the New Building Canada Fund – Small Communities Fund Program and a portion of the balance, not exceeding \$4,300,000, 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 \$14,007 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 plus interest for the 30-year term of borrowing. The estimated annual parcel tax, based on the \$14,007 maximum principal, would be approximately \$657 for the 30-year term.

Opportunity to Petition Against: Council may proceed with amending the established local area service and loan authorization unless, **by 4:00 pm, Monday, February 3, 2020** (within 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 above, 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 Sanitary Sewer Collection System Local Area Service local service tax will be directly notified by mail. The petition against response form, bylaws and other information regarding the Phase III Sanitary Sewer Collection System Local Area Service may be obtained from the Municipal Hall, 7192 Lantzville Road (250.933.8082) or from the District's website at www.lantzville.ca.



BLUNDEN POINT



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





PETITION AGAINST

District of Lantzville Proposal to amend established 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 amendments. If you are **in favour** of the adoption of the Phase III amendment bylaws, **no action is required**.

DEADLINE TO RECEIVE YOUR FORM: Monday, February 3, 2020 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 Monday, February 3, 2020 to be considered.

The District has circulated the attached notice of intent to amend the established 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, an amendment to the Method of Cost Recovery section of Bylaw No. 143 for the 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, Amendment Bylaw No. 220, 2019 to bring 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, Amendment Bylaw No. 221, 2019, to authorize:
 - borrowing up to \$4,300,000 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 \$14,007 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 plus interest for the 30-year term of borrowing. The estimated annual parcel tax, based on the \$14,007 maximum principal, would be approximately \$657 for the 30-year term.

Council may proceed with amending the established local area service and loan authorization unless, by 4:00 pm Monday, February 3, 2020, 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 assessed value of the 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 or a society), 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, Amendment Bylaw No. 221, 2019 and the Phase III Sanitary Sewer Collection System Local Area Service Establishment Bylaw No. 143, 2017, Amendment Bylaw No. 220, 2019. Description of our Property within the Phase III Local Service Area:

Street Address: _____ Parcel Identifier (PID): ____ - ____ - ____

Legal Description: _____

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.**

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BLUNDEN POINT



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

