

**THE BOARD OF EDUCATION OF
SCHOOL DISTRICT NO. 40 (NEW WESTMINSTER)**

CAPITAL BYLAW NO. 2008-1

A BYLAW BY THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 40 (New Westminister) (hereinafter called the "Board") to establish a School Site Acquisition Charge Capital Bylaw that sets the school site acquisition charges for the prescribed categories of eligible development pursuant to Part 26, Division 10.1, Sections 937.2 to 937.91 of the *Local Government Act* and British Columbia School Site Acquisition Charge Regulation 17/00.

WHEREAS, School District No. 40 (New Westminister) is an eligible school district pursuant to Part 26, Division 10.1, Sections 937.2 to 937.91 of the *Local Government Act* for which the Board has indicated an eligible school site requirement in its approved capital plan;

AND WHEREAS, the Board submitted its eligible school site requirements pursuant to its capital plan to the Ministry of Education after the Board consulted with and received approval from City of New Westminister pursuant to the *Local Government Act*;

AND WHEREAS, the 2008 Eligible School Site Proposal was accepted by the Minister of Education;

AND WHEREAS, Capital Bylaw 2005-1 was adopted on May 24, 2005 setting the medium density category rate at \$800 pursuant to maximum rates allowed by Provincial Regulations;

AND WHEREAS, Corrections are required to the to the school site charge rate table calculations for Medium Low density and High Density categories in Capital Bylaw 2005-1 to match formulas in Provincial School Site Acquisition Charge Bylaw regulations 17/00;

NOW THEREFORE the Board of Education for School District No. 40 (New Westminister) in open meeting assembled, ENACTS AS FOLLOWS:

1. "Eligible Development" means
 - a) a subdivision of land in School District No. 40 (New Westminister), or
 - b) any new construction, alteration or extension of a building in School District No.40 (New Westminister) that increases the number of self-contained dwelling units on a parcel.

2. "School Site Acquisition Charge" means a charge collected by local government, for each new residential parcel to be created by subdivision and for new multiple family residential units to be constructed on an existing parcel, for the purpose of providing funds to assist school boards to pay the capital costs of meeting eligible school site requirements pursuant to Part 26, Division 10.1, Sections 937.2 to 937.91 of the *Local Government Act* and British Columbia School Site Acquisition Charge regulations.

3. Pursuant to Part 26, Division 10.1 of the *Local Government Act*, the Board establishes the charges applicable to the prescribed categories of eligible development for the school district in accordance with the following formula:

$$SSAC = [(A \times B) / C] \times D$$

Where

SSAC = the school site acquisition charge applicable to each prescribed category of eligible development;

A = \$45,364,000 (cost attributable to eligible development units);

B = 35% (set by Provincial regulation);

C = 7,935 (Eligible development units projected for the 2005 capital plan submission); and

D = a factor set by Provincial Regulation for the prescribed categories of eligible development.

4. The new charge rates applicable to the categories of eligible development as prescribed by British Columbia Regulation 17/00 for the school district are set in the table below:

Prescribed Category of Eligible Development (BC Regulation 17/00)	D=(Factor set by BC Regulation 17/00)	SSAC Rates set in old bylaw 2005-1	New Per Unit Rates School Site Acquisition Charge (pursuant to Reg. 17/00) SSAC = [(A x B) - A1 / C] x D
Low Density (less than 21 units / gross ha.)	1.25	\$1000.00	\$1,000.00
Medium Low (21-50 units / gross ha)	1.125	\$896	\$ 900.00
Medium (51 -125 units / gross ha)	1.0	\$800	\$ 800.00
Medium High (126-200 units / gross ha)	0.875	\$700	\$ 700.00
High Density (greater than 200 units / gross ha)	0.75	\$560	\$ 600.00

5. The school site acquisition charge amendment does not come into effect until 60 days after the adoption day of this bylaw. The implementation date for the collection of charges will be June 9, 2008.
6. Any subdivision or building permit application accepted by local government prior to **June 9, 2008** will be subject to the old school site acquisition charge rates pursuant to Bylaw 2005-1, provided that a completion of the application, with final approval of subdivision or a building permit authorizing construction, is received prior to June 9, 2009.

7. A school site acquisition charge is not payable if any of the following applies:

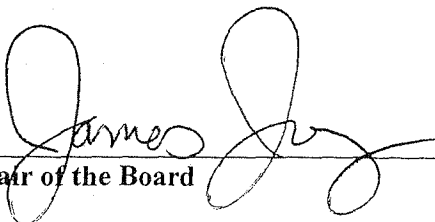
- (a) The eligible development is within a category that is exempt from school site acquisition charges pursuant to BC School Site Acquisition Charge Regulations;
- (b) A school site acquisition charge has previously been paid for the same eligible development unless, as a result of further subdivision or issuance of a building permit, more eligible development units are authorized or will be created on a parcel;
- (c) Where a building permit is issued on an existing parcel, which after construction, alteration or extension, the parcel will contain three or fewer self-contained dwelling units.

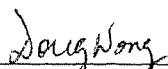
8. This Bylaw shall be cited for all purposes as the "School District No.40 (New Westminster) Capital Bylaw No. 2008-1, (Re: School Site Acquisition Charge)" and replaces School District No. 40 (New Westminster) Capital Bylaw No. 2005-1.

READ A FIRST TIME THE 8th DAY OF April 2008.

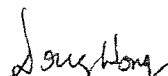
READ A SECOND TIME THE 8th DAY OF April 2008.

READ A THIRD TIME, PASSED AND ADOPTED THE 8th DAY OF April 2008.


Chair of the Board


Secretary-Treasurer

I HEREBY CERTIFY this to be a true and original of **School District No. 40 (New Westminster) Capital Bylaw No. 2008-1**, adopted by the Board the 8th day of **APRIL 2008**.


Secretary-Treasurer