



# REPORT TO COUNCIL

To: **Mayor and Councillors**

Subject: Property Acquisition Loan Authorization Bylaw  
2021, No. 3145 and Alternative Approval Process

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From: Francis Cheung  
Chief Administrative Officer

Date: February 16, 2021

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## RECOMMENDATION:

1. THAT Council abandon Property Acquisition and Infrastructure Upgrades Loan Authorization Bylaw 2020, No. 3112 which currently stands at third reading.
2. THAT City Council give first, second and third readings to Property Acquisition Loan Authorization Bylaw 2021, No. 3145.
3. THAT City Council direct the Corporate Officer to submit Property Acquisition Loan Authorization Bylaw 2021, No. 3145 to the Ministry of Community Services for review and approval by the Inspector of Municipalities.
4. THAT following approval of the Property Acquisition Loan Authorization Bylaw 2021, No. 3145 by the Inspector of Municipalities, approval of the electors be sought through the Alternative Approval Process in relation to the loan authorization bylaw.

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## PURPOSE:

Subject to approval of the 2021-2025 Financial Plan, the purpose of this report is to seek approval from City Council to give first, second and third readings to Property Acquisition Loan Authorization Bylaw 2021, No. 3145, and seek approval of the electors through the Alternative Approval Process in relation to the loan authorization bylaw.

## **POLICY:**

The *Community Charter* provides guidance on liability limits, process of undertaking a municipality borrowing, and process of seeking elector approval.

## **COMMENTS/ANALYSIS:**

*Langley City: Nexus of Community* is the Council-approved vision the community that will leverage SkyTrain investment to Langley City in the next eight to ten years.

While SkyTrain is the catalyst, the vision is about much more than transit. It is about our city and the people that will grow around it before the train arrives, so that its stations are places of arrival, not departure. The vision builds on our existing community strengths of compact design, natural beauty and job-creating industries, and evolves in a bold and sustainable way, to strengthen our place as the strategic hub between the Fraser Valley and Metro Vancouver.

*Langley City: Nexus of Community* welcomes change and proposes bold moves that will allow Langley City to grow and develop in a way that provides new opportunities for our residents and businesses while maintaining our commitment to the environment, our values and what people love about our community today. The vision is one where Langley City is the place where young families thrive and kids grow up with the housing and services they need to stay healthy and challenged to be the best that they can be. Where seniors feel safe and included and young adults can stay and prosper. Where visitors come to experience what we have created. A place of vibrant spaces, invested partners and healthy citizens.

*Langley City: Nexus of Community* imagines a future Langley City with:

- A variety of new mixed-use developments that offer a diversity of housing, community services and business opportunities for residents – all in one place.
- A thriving downtown core that provides meeting places for our residents young and old.
- Daytime and evening activities, shops, restaurants and events drawing locals and visitors into the city centre.
- Walkable neighbourhoods, with an emphasis on greenspace and sustainable living, connected by efficient public transit.

*Langley City: Nexus of Community* established four cornerstones to provide focus and motivation for implementation:

**COMMUNITY** – Community is the place where everyone knows you. The place where you say hello to your neighbours and the clerk at the local store. Where you raise your children. Where you grow old surrounded by your support network

of friends and family. Where residents and visitors alike feel safe, capable, valued, and up held. Community is what gives us strength, feeds our hearts and minds, and supports us to reach our potential.

**CONNECTED** – We are all looking for more from our cities. Young adults are seeking authenticity and uniqueness in their lifestyle and the desire to connect in a concrete and personal way. Employers are looking to locate in areas with transit-oriented developments because employees are demanding it. Connection requires easy access and pedestrian-scale, walkable areas across the city not just in the heart of downtown. Whether it is along the Nicomekl Flood Plain, or a residential street in Uplands we want to move between the different areas of our life with ease.

**EXPERIENCES** – People need a reason to come to our city. It is not enough to give them the means – we must also provide them with culture, entertainment, recreation and places to meet. Developing lifestyle is as important to a city's health as developing infrastructure. Langley City experimented with destination entertainment, food, activities and retail and showed that it is possible. The key is to create things that are truly unique and appeal to locals and tourists alike and build on the work we have already done.

**INTEGRATION** – Integration is the comfort of knowing that your city possesses the employment and services to provide for all residents according to their needs. It is a place where you live, work and play, and a place where everything you need is close by. We strive for a city that is self-sustaining, efficient, and welcoming. A place where city government partners with business and industry to build places where people want to be, where it's easy to do business and where community funds offer benefits to all.

### Investment Proposal

We have a small window of opportunity to be a leader in the kind of transformational growth and redevelopment that comes with major transportation infrastructure changes like SkyTrain expansion, and ensure changes are aligned with our Nexus vision, the new Official Community Plan and Zoning Bylaw Updates, and Nicomekl River District Neighbourhood Plan.

Investing now allows us to shape the type of redevelopment of properties along the rapid transit corridor. The City can drive redevelopment directly or partner with developers to ensure that the redevelopment achieves the City's goals as a transit-oriented nexus between Metro Vancouver and the Fraser Valley.

The City has been fiscally responsible and prudent throughout the municipality's 65-year history, enjoying a debt-free status for many years by utilizing a 'pay as you go' practice. Consequently, we have had to prioritize and/or limit the scope and type of

capital investments over the years due to the financial constraints that result from this practice. While it has served the community well to date, a new approach is needed to shape how the city grows over the next 10 to 20 years.

The City needs to play a key and pivotal role in directing the type of redevelopment of properties along the transit corridor. The City will be in a position to influence, direct and transform the type of redevelopments that will fit the form and character of our community. The City can drive the redevelopment either by being our own developer or partnering with developers to ensure that the redevelopment achieves the goals of the City's new Official Community Plan, Zoning Bylaw and Nicomekl River District Neighbourhood Plan, including:

- Affordable Living & Diverse Housing for all Generations
- A Walkable City for Health & Wellness
- A Responsive Economy for Future Jobs
- Environmental Solutions for the Climate Emergency

The City needs to make significant investments to create an environment and provide incentives that will attract investors to establish themselves here. To this end, Loan Authorization Bylaw No. 3112 was given three readings by Council in 2020 and was intended to go through an Alternative Approval Process to seek approval to borrow up to \$50 million for land acquisitions, parks and trail improvements, downtown Langley infrastructure upgrades, and City and recreation facilities expansions and enhancements which are key initiatives of our Langley City: Nexus of Community vision. But given how the financial uncertainty of the COVID-19 pandemic has impacted the taxpayers in Langley City, we are abandoning this bylaw and proposing a new loan authorization bylaw which reduces the scope of what can be accomplished but still allows the City to move forward with \$7.5 million in property acquisitions in preparation for the arrival of SkyTrain.

These property acquisitions will allow the City to start advancing our vision with important community-building initiatives. Anticipated long-term benefits from this investment include community amenities, transit-oriented development, and new investors and businesses to support the needs of our residents and visitors.

Subject to elector approval, the proposed loan authorization bylaw would allow the City to support redevelopment that fits the form and character of our community, and strengthen our role as the nexus between Metro Vancouver and Fraser Valley. The investment plan will only proceed with elector support, and the City will continue to apply prudent, fiscally responsible management practices.

The loan will be repaid over 15 years through a modest, one-time property tax increase of 1.93%.

### Alternative Approval Process

In accordance with the Community Charter, municipalities must seek approval from local electors prior to passing a loan authorization bylaw. Elector approval may be sought either by Assent Voting (Referendum) or by an Alternative Approval Process. Staff are recommending using the Alternative Approval Process as it is less costly and requires fewer resources than Assent Voting while at the same time allows electors to submit responses over a period lasting at least 30 days.

Under the Alternative Approval Process, adoption of the loan authorization bylaw may proceed if fewer than 10% of eligible electors in the city submit forms opposing the bylaw.

Following are the basic steps for the City to complete the borrowing for these matters:

- Abandon the previous loan authorization bylaw which currently stands at third reading.
- Complete three readings of the new loan authorization bylaw.
- Submit bylaw and Liability Servicing Limit Certificate to the Ministry of Community Services for review and approval by the Inspector of Municipalities.
- Following approval from Inspector of Municipalities, Council to establish time period during which electors may submit Elector Response Forms and approve the form to be used for the Alternative Approval Process.
- Seek elector approval of the bylaw through the Alternative Approval Process. Two public notices in subsequent weeks are required.
- If an elector is in favour of the proposed loan authorization bylaw, they don't have to do anything.
- If an elector opposes the proposed loan authorization bylaw they may sign an Elector Response Form and submit it to the City.
- Elector Response Forms will be available to the public at City Hall and on the City's web site on the date of publication of the first public notice. Eligible electors who are opposed to the loan authorization bylaw will have 30 days after the publication of the second notice to submit their forms to the Corporate Officer. Due to safety considerations as a result of the pandemic, electors will have the option to submit their forms via email.
- Following the 30-day deadline, the Corporate Officer will certify the results.
- Adoption of the loan authorization bylaw will proceed if it does not receive opposition of 10% or more of the electorate. If opposition of 10% or more of the electorate is received, Council must either proceed to seeking elector approval of the loan authorization bylaw by Assent Voting (Referendum) or abandon the bylaw.

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- If elector approval of the bylaw is received, and subsequent to the thirty day quashing period for the bylaw as required by S. 760 of the Local Government Act, the City may make application for the Certificate of Approval by the Ministry, which upon receipt the City may borrow funds.

#### **BUDGET IMPLICATIONS:**

The proposed loan authorization bylaw would allow the City to borrow up to \$7.5 million to make strategic land acquisitions.

The loan will be repaid over 15 years through a one-time property tax increase of 1.93%

#### **ALTERNATIVES:**

1. **THAT the City proceeds with Assent Voting (Referendum) on the loan authorization bylaw to seek eligible elector consent to borrow up to \$7.5 million to make strategic land acquisitions.** This would entail significant additional expense for the same purpose (not recommended).
2. **THAT the City does not proceed with the loan authorization bylaw.** This would avoid the expense of seeking consent but would also limit the City's role in shaping development near the future SkyTrain station (not recommended).

Respectfully Submitted,



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Francis Cheung, P. Eng.  
Chief Administrative Officer



## Property Acquisition and Infrastructure Upgrades Loan Authorization Bylaw 2020, No. 3112

A bylaw to authorize the borrowing up to \$50 million, the estimated cost to make strategic land acquisitions, parks and trails improvements, infrastructure upgrades, and undertake City/recreation facilities expansion/enhancement capital projects.

**WHEREAS** it is deemed desirable and expedient to acquire strategic parcels of land, make parks and trails improvements, infrastructure upgrades, and undertake City/recreation facilities expansion/enhancement capital projects;

**AND WHEREAS** the estimated cost of projects including expenses incidental thereto is the sum of \$56.3 million of which the sum of \$50 million is the amount of debt intended to be borrowed by this bylaw;

**NOW THEREFORE**, the Council of the City of Langley in open meeting assembled, enacts as follows:

1. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the acquisition of strategic parcels of land (\$31 million), make parks and trail improvements (\$3 million), infrastructure upgrades (\$6 million), and undertake City/recreation facilities expansion/enhancement capital projects (\$10 million), generally in accordance with general plans on file in the municipal office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
  - a) To borrow upon the credit of the Municipality a sum not exceeding \$50 million.
  - b) To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the projects.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is 15 years.
3. This bylaw may be cited as "Property Acquisition and Infrastructure Upgrades Loan Authorization Bylaw 2020, No. 3112".

READ A FIRST, SECOND AND THIRD TIME this twenty fourth day of February, 2020.

RECEIVED THE APPROVAL OF THE INSPECTOR OF MUNICIPALITIES this \_\_\_ day of \_\_\_\_, 20\_\_ .

RECEIVED THE ASSENT OF THE ELECTORS OF CITY OF LANGLEY this \_\_\_ day of \_\_\_\_, 20\_\_.

FINALLY ADOPTED this \_\_\_ day of \_\_\_\_, 20\_\_ .

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CORPORATE OFFICER**

I hereby certify that this is a true copy of the original Bylaw 3112.

Date: February 25, 2020

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Kelly Kenney  
Corporate Officer



**Property Acquisition  
Loan Authorization Bylaw 2021, No. 3145**

A bylaw to authorize the borrowing up to \$7.5 million, the estimated cost to make strategic land acquisitions.

**WHEREAS** it is deemed desirable and expedient to acquire strategic parcels of land;

**AND WHEREAS** the estimated cost of the properties to be acquired including expenses incidental thereto is \$7.5 million of which the sum of \$7.5 million is the amount of debt intended to be borrowed by this bylaw;

**NOW THEREFORE**, the Council of the City of Langley in open meeting assembled, enacts as follows:

1. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the acquisition of strategic parcels of land (\$7.5 million), generally in accordance with general plans on file in the municipal office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
  - a) To borrow upon the credit of the Municipality a sum not exceeding \$7.5 million.
  - b) To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the projects.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is 15 years.
3. This bylaw may be cited as "Property Acquisition Loan Authorization Bylaw 2021, No. 3145".

READ A FIRST, SECOND AND THIRD TIME this     day of     , 20\_\_.

RECEIVED THE APPROVAL OF THE INSPECTOR OF MUNICIPALITIES this  
\_\_day of \_\_\_\_, 20\_\_ .

RECEIVED THE ASSENT OF THE ELECTORS OF CITY OF LANGLEY this \_\_  
day of \_\_\_\_, 20\_\_.

FINALLY ADOPTED this \_\_day of \_\_\_\_, 20\_\_ .

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CORPORATE OFFICER**