

Squamish Nation Seḥákw Sewer Services Fee Law, 2025
Fee Law Report

A. Background

Squamish Nation (the "**Nation**") has entered into a services agreement (the "**Services Agreement**") with the City of Vancouver (the "**City**") pursuant to which the City agrees to provide services, including sewer services, to the residents and businesses of a development, commonly referred to as "Seḥákw", on Kitsilano No. 6 ("**IR 6**") and the Nation agrees to pay for those services on the terms and conditions set out in the Services Agreement.

Pursuant to the Services Agreement, the Nation enacted the *Squamish Nation Senakw Sewer and Watercourse By-law 2022* (the "**SN Sewer and Watercourse By-law**") pursuant to which the City of Vancouver *Sewer and Watercourse By-law No. 8093* as amended or replaced from time to time and as modified by the SN Sewer and Watercourse By-law ("**COV Sewer and Watercourse By-law**") is incorporated by reference and made applicable to IR 6, and the Nation is required to pay to the City all fees, charges, costs and other amounts, other than penalties and fines, payable pursuant to the COV Sewer and Watercourse By-law for sewer services provided to IR 6.

The Nation wishes to enact the "*Squamish Nation Seḥákw Sewer Services Fee Law, 2025*" (the "**SN Sewer Services Fee Law**") for the purpose of charging and collecting fees from the holders of interests in IR 6 for sewer services provided to such interests determined on the same basis as such fees are determined pursuant to the COV Sewer and Watercourse By-law, plus an administrative fee to cover the Nation's costs of administration of the sewer services.

All changes in the fees prescribed under the COV Sewer and Watercourse By-law will automatically be incorporated in the SN Sewer Services Fee Law without the requirement for an amendment of the SN Sewer Services Fee Law.

B. Report

The SN Sewer Services Fee Law provides at Recital E that the fees established in the law reflect the projected cost of the Nation in providing sewer services to IR 6 and are supported by a report setting out the projected cost of such sewer services, how the cost of the sewer services was determined, and the proportion of the total costs of the sewer services that the Nation will recover through the fees set out in this the law.

1. Usage Fee

The SN Sewer Services Fee Law levies ongoing usage fees to each holder who is supplied with water and served by a plumbing system connected to a public sewer connection on account of the wastewater discharged from such interest into the public sewer connection using the same metered rates and formula prescribed by the COV Sewer and Watercourse By-law, plus an administrative fee of \$350.

Specifically, usage fees will be calculated based on the following formula:

85% x (Amount of water delivered during billing period, expressed in *Units) x (Rate per Unit as set out in COV Sewer and Watercourse By-law for metered uses)

PLUS

(administrative fee of \$350)

***"Unit" has the same meaning as defined in the City of Vancouver *Water Works By-law No. 4848*, as amended or replaced from time to time. As of the date of this report, Unit means 2,831.6 litres of water.

2. Ancillary Sewer Services Fees

For the provision of any other sewer services to a holder of an interest in IR 6, the SN Sewer Services Fee Law levies the same fees as prescribed by the COV Sewer and Watercourse By-law for such other sewer services, plus an administrative fee of \$350.

3. Minimum Fee

For the provision of sewer services that is not subject to the fee referred to in section 1 above under the heading of "Usage Fees", the same fees as prescribed for "Other Property" of the COV Sewer and Watercourse By-law for such sewer services, plus an administrative fee of \$350.

4. Projected Cost of Sewer Services

The Nation's projected cost of providing sewer services to IR 6 may be broken down into 2 components.

The first component comprises all of the fees payable by the Nation to the City pursuant to the SN Sewer and Watercourse By-law. As all such fees are fully recoverable by the Nation from the holders of interests in IR 6 pursuant to the SN Sewer Services Fee Law, this component of the Nation's cost is expected to be revenue neutral.

The second component is the administrative cost for the Nation to remit payment to the City pursuant to the SN Sewer and Watercourse By-law and invoice and collect fees from the holders of interests in IR 6 for the sewer services.

a. Administrative Cost of Invoicing for Usage Fees

When Señákw is fully complete, it is expected that there will be 11 buildings in total, each separately metered and demised under its own separate sublease. In the expectation that each invoice for usage fees will reflect the total water consumption of all occupants within a building and issued to the subtenant who holds the sublease for that building, the Nation anticipates that 5 hours will be required to administer each invoice for usage fees, at an hourly rate of \$50. The tasks involved in respect of each invoice are anticipated to include:

- obtaining the water meter reading for the applicable building;
- confirming the applicable metered rate to be applied;
- preparing an invoice that shows the water consumption, expressed in Units, and the applicable rate;
- delivering the invoice; and
- ensuring that payment is made and determining if an early payment discount applies.

In addition, to the extent that the City renders only one invoice to the Nation for usage fees for all of IR 6, without a breakdown for each building, the Nation will need to ensure that the sum of the invoices issued to the subtenants equals the total invoiced amount from the City.

In addition to the hourly labour costs of generating an invoice, the Nation has assigned \$100 to cover associated overhead costs.

The administrative fee of \$350 for each invoice for usage fees as provided for in SN Sewer Services Fee Law was determined based on the above rationale.

b. Administrative Cost of Invoicing for Ancillary Sewer Services

All other invoices for sewer services will be rendered to the subtenant who receives the service and provide for the same fee charged by the City for such service pursuant to the COV Sewer and Watercourse By-law. As each such invoice will be issued on a one-off basis and reflect the specific services provided, the administration involved in respect of each such invoice will not be routine. The Nation believes that it is reasonable to expect that the same number of hours (i.e. 5) will be required to administer each such invoice as the regular usage invoice, at the same hourly rate of \$50.00. The overhead costs associated with each such invoice is also expected to be \$100.

The Nation anticipates that the SN Sewer Services Fee Law will provide for 100% recovery of the total costs to the Nation to provide sewer services.