



# Corporate Report

**NO: R094**

**COUNCIL DATE: May 2, 2005**

## **REGULAR COUNCIL**

**TO: Mayor & Council**                      **DATE: April 26, 2005**  
**FROM: General Manager, Engineering**                      **FILE: 5320-00**  
**SUBJECT: Local Area Services**

## **RECOMMENDATIONS**

1. That the Local Improvements Cost Sharing By-law, 1970, No. 3250, be repealed.
2. That the revised City Policy R-6 Local Area Services Frontage Policy (Appendix 1) be adopted.

## **INTENT**

To seek Council's approval to repeal the Local Improvements Cost Sharing By-law, 1970, No. 3250, and to adopt the revised City Policy R-6 Local Area Services Frontage Policy.

## **BACKGROUND**

In the past, Local Improvements had been governed by Part 19 of the Local Government Act. Part 19 of the Local Government Act has been repealed and the replacement provisions are found in Division 5 of Part 7 of the Community Charter. Local improvements are now referred to as Local Area Services. Under the Community Charter, the concept of general by-law, such as By-law No. 3250, setting out charges ahead of time is no longer relevant. The local area service costs will be imposed on a case-by-case basis in their respective individual by-law.

Policy R-6, Frontage Tax Assessment Rolls, was introduced in 1978 to set how the cost will be apportioned among the properties within the Local Service Area. This Policy is complex. The Policy has methodologies on how cost will be apportioned for corner lots and exceptional cases. Exceptional cases, such as double fronting lots and lots with fronting roads on 3 sides, were rarely encountered. In addition, the apportionment methodologies were specific for different class of works such as Sewer, Water or Roads.

## **DISCUSSION**

In lieu of the Cost Sharing By-law, No. 3250, the attached City Policy R-6 has been revised to simplify and set out more clearly how costs will be apportioned among all the property owners within the local service area. In an effort to streamline the process, the cost apportionment will be based on frontage of the benefiting lots. In the past, the water and sanitary sewer services had been based on potential number of lots (connections in the future) while the storm sewers, sidewalks and road works had been based on lot frontage. It has been very difficult to estimate accurately the number of potential lots in the local service area. Sometimes land use changes made after the date of the original estimation have led to more potential lots and complaints from the other contributing owners that the process is not equitable.

This revised apportionment methodology is also consistent with the new improved latecomer process recently adopted. An exception is made for works that do not have frontage but serve a catchment and are not related to frontage such as for pump stations, siphons, and off-road services. In this case, the apportionment will be by area,

property value or any other methods allowed in the Community Charter that is appropriate.

The revised City Policy R-6 sets out a simple and consistent process for computing the cost apportionment for Local Area Services among all the classes of municipal works. This process is further strengthened by appropriate departmental Practices and Procedures. These Practices and Procedures describe the steps the City staff will take in the local area service process. This will ensure consistency in the process.

## CONCLUSION

With the advent of the Community Charter, we recommend the Local Improvements Cost Sharing By-law, No. 3250, be repealed and the revised City Policy R-6 be adopted to manage Local Area Services.

Paul Ham, P.Eng.  
General Manager, Engineering

VL/RL/brb:rdd  
Attachment

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# CITY POLICY

No.

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**REFERENCE:**

REGULAR COUNCIL  
MINUTES

**APPROVED BY:**  
COUNCIL

**DATE:**  
2005

**CITY**

**April**

**HISTORY:**

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**TITLE: Local Area Services Policy**

1. The cost-share of the Local Area Service (LAS) for each property within the Local Service Area (LSA) will be apportioned by the frontage of each property except where the LAS has no direct road frontage, such as a pump station, a siphon or an off-road trunk sewer or other similar cases. In this case, the apportionment will be by area, property value or any other methods allowed in the Community Charter.
2. The charge shall not include the portion of cost for any upsizing beyond the size of the municipal service needed for the local service area.
3. The cost charge shall be reduced to reflect any Provincial or other third party contribution.
4. The share of the property flankage where both the frontage and flankage will be serviced by the LAS or length of LAS work that is not fronting any property within the LSA shall be apportioned among all the properties within the LSA on a frontage basis.
5. If a property has both frontage and flankage and will be serviced on one side by the LAS, the side that will be serviced first by a LAS will be considered as the frontage while the other side will be considered as the flankage for subsequent LAS apportionment purposes as described herein.

6. The definition of frontage and flankage shall be same as in Surrey Zoning By-law.
7. Where the frontage length is less than the minimum lot width under the Zoning By-law for the current zoning of the lot, the minimum lot width as defined under the Zoning By-law shall be the frontage length used for calculating the charge.
8. For properties abutting but not fronting the LAS works, the cost apportionment shall based on the minimum lot width as defined under the Zoning By-law.
9. For exceptional lots, General Manager, Engineering will determine the appropriate cost apportionment with methods allowed in the Community Charter.
10. An LAS will only be considered and implemented if at least 50% of the area within the LSA has been subdivided to potential minimum lots in conformity with the description in Official Community Plan, and at least 60% of the area within the LSA has a dwelling unit or other buildings.