

NO: R109

COUNCIL DATE: June 13, 2011

---

## REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **June 2, 2011**

FROM: **General Manager, Engineering**

FILE: **5320-00**

SUBJECT: **Amendments to the City Policy on Local Area Services**

---

## RECOMMENDATION

The Engineering Department recommends that Council approve amendments to City Policy No. R-6 “Local Area Services” as documented in Appendix I and Appendix II, which are attached to this report.

## INTENT

The purpose of this report is to obtain Council approval to amend the City policy related to the implementation of new engineering infrastructure in the City by way of Local Area Service (LAS). The new policy amendments seek to adjust cost apportioning for agricultural- zoned lots and will provide an opportunity for the application of LAS servicing in areas with development potential when it would be of benefit to the City.

## BACKGROUND

Local Area Services are governed by Division 7 of Part 5 of the *Community Charter* supplemented by the guidelines contained in the City’s Local Area Service Policy (the “Policy”) adopted in May 2005. The Policy sets out the requirements for a preliminary petition of the benefitting property owners and the methodology of apportioning the costs among the benefitting property owners within the local service area.

## DISCUSSION

### **Policy Amendment to Address Cost apportioning for agricultural - zoned lots**

The policy is proposed to be amended to address agricultural lots that are smaller or narrower than the minimums prescribed in the Surrey Zoning By-law. The proposed amendment, as listed in Sections 7 and 8 of Appendix I, will act to prescribe for such lots a “minimum lot frontage length” for cost apportioning purposes to ensure an equitable distribution of the capital costs across the benefitting properties in an LAS area. It is proposed that the minimum frontage for these small lots be same as the minimum frontage requirement for suburban lots which is 50m.

## **Policy Amendment – Exceptions to allow the application of an LAS in areas with development potential**

The Policy as it is currently structured does not allow for the application of an LAS in areas with development potential. In general, the City has taken the position that where development potential exists, the developer should be responsible for servicing such development. The proposed amendment, as documented in Section 11 of Appendix I, provides an opportunity for LAS servicing in areas with development potential when such an approach is beneficial to the City. Benefits, for example, could include looping local water mains to improve local water quality or providing community water mains to provide water to properties where ground water quality issues exist.

## **Housekeeping Amendments**

Amendments are proposed to clarify the application of frontage and flankage lengths in the administration of the Policy. These amendments are documented in Sections 4, 5, and 6 of Appendix I.

The second set of housekeeping amendments as listed in Section 10 of Appendix I act to include Neighbourhood Concept Plans (NCPs) and Local Area Plans (LAPs) in the determination of subdivision potential relative to the LAS process. Currently, an LAS will only be considered and implemented if at least 50% of the total area of the parcels within the Local Service Area (LSA) has been subdivided to potential minimum lots in conformity with the description in the Official Community Plan. The amendments now add NCPs and LAPs as plans that will be referenced in relation to establishing the subdivision potential of lots in the LAS area.

## **Legal Services Review**

Legal Services has reviewed this report and the proposed amendments to the Policy and has no concerns.

## **CONCLUSION**

Based on the above discussion, the Engineering Department recommends that Council approve amendments to City Policy No. R-6 “Local Area Services” as documented in Appendix I and Appendix II, which are attached to this report.

Vincent Lalonde, P.Eng.  
General Manager, Engineering

JA/SM/brb

Appendix I - Proposed Amendments to Local Area Service Policy R-6, 2005  
Appendix II - Proposed Local Area Service Policy R-6

## Proposed Amendments to Policy No. R-6 - Local Area Service

The following amendments are proposed to Policy No. R-6:

- 1) By replacing the existing Section 4 with:

“Where both the frontage and flankage of a property will be serviced by the LAS, the share otherwise attributable to the flankage of that property shall be apportioned among all of the properties within the LSA on a frontage basis.”

and renumbering it Section 5.

- 2) By replacing the existing Section 5 with:

“For lengths of any LAS works not fronting any lots in the LSA, the costs shall be apportioned among all the properties within the LSA on a frontage basis.”

And renumbering it Section 6.

- 3) By replacing the existing Section 6 with:

“The definition of frontage shall be the same as in the Surrey Zoning By-law. Flankage shall mean any boundary of a property abutting a City road right-of-way other than the lot’s frontage.”

and renumbering it Section 4.

- 4) By replacing the existing Section 7 with:

“Where the frontage length is less than the minimum lot width specified under the Zoning By-law for the current zoning of the lot, the frontage length used for calculating the charge shall be:

- (a) The minimum lot width required for the lot under the Zoning By-law based on the lot’s current zoning; or
- (b) In case of lots zoned A-1 or A-2 under the Zoning By-law, the minimum lot width required under the Zoning By-law or 50m, whichever is greater.”

- 5) By replacing the existing Section 8 with:

“For a property abutting but not fronting the LAS works, or a property otherwise benefitting from but not fronting the LAS works, the cost apportionment for the property shall be based on the deemed frontage length of the property as specified in Section 7.”

- 6) By replacing the existing Section 10 with:

“Subject to Section 11, an LAS will only be considered and implemented if at least 50% of the total area of the parcels within the LSA has been subdivided to minimum-sized lots in conformity with the description in the Official Community Plan and with any applicable

Neighbourhood Concept Plan or Local Area Plan, and at least 60% of the parcels within the LSA have a dwelling unit or other buildings on the parcel.”

7) By adding the following Section 11 after Section 10:

“An LAS not meeting the criteria under Section 10 may be considered where in the opinion of the General Manager, Engineering the LAS would benefit the City's servicing strategy or would positively address other existing servicing constraints or health concerns related to the use of the properties in the LSA.”

# CITY POLICY

No. R-6

---

REFERENCE:	APPROVED BY:	CITY COUNCIL
REGULAR COUNCIL MINUTES 9 JANUARY 1978 PAGE 34	DATE:	May 2, 2005 (RES.R05-1038)
	HISTORY:	9 JAN 1978

---

**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.
- ~~5.4. 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.  
Where both the frontage and flankage of a property will be serviced by the LAS, the share otherwise attributable to the flankage of that property shall be apportioned among all of the properties within the LSA on a frontage basis.~~
- ~~6.5. 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.  
For lengths of any LAS works not fronting any lots in the LSA, the costs shall be apportioned among all the properties within the LSA on a frontage basis.~~
- ~~4.6. The definition of frontage and flankage shall be same as in Surrey Zoning By-law. The definition of frontage shall be the same as in the Surrey Zoning By-law. Flankage shall mean any boundary of a property abutting a City road right-of-way other than the lot's frontage.~~
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.  
Where the frontage length is less than the minimum lot width specified under the Zoning By-law for the current zoning of the lot, the frontage length used for calculating the charge shall be:~~

- 
- (a) The minimum lot width required for the lot under the Zoning By-law based on the lot's current zoning; or
- (b) In case of lots zoned A-1 or A-2 under the Zoning By-law, the minimum lot width required under the Zoning By-law or 50 m, whichever is greater.
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.~~  
For a property abutting but not fronting the LAS works, or a property otherwise benefitting from but not fronting the LAS works, the cost apportionment for the property shall be based on the deemed frontage length of the property as specified in Section 7.
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.~~  
“Subject to Section 11, an LAS will only be considered and implemented if at least 50% of the total area of the parcels within the LSA has been subdivided to minimum-sized lots in conformity with the description in the Official Community Plan and with any applicable Neighbourhood Concept Plan or Local Area Plan, and at least 60% of the parcels within the LSA have a dwelling unit or other buildings on the parcel.”
11. An LAS not meeting the criteria under Section 10 may be considered where in the opinion of the General Manager, Engineering the LAS would benefit the City's servicing strategy or would positively address other existing servicing constraints or health concerns related to the use of the properties in the LSA.

This policy is subject to any specific provisions of the Local Government Act, or other relevant legislation or Union agreement.