

POLICY MANUAL

Title: Excess or Extended Services and Latecomer Payments	Policy No : 9.11 Supersedes:
Authority: <input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Operational Approval: <input checked="" type="checkbox"/> Council <input type="checkbox"/> CMT <input type="checkbox"/> General Manager	Effective Date: December 8, 2015
	Review Date: 2017
<p>Policy Statement: Where the City of Maple Ridge (City) requires a Developer, pursuant to section 939 of the Local Government Act, to provide Excess or Extended Services, a portion of the Developers upfront Construction Costs shall be recovered from Benefitting Lands based upon the following two principles:</p> <ol style="list-style-type: none"> 1. Where the Excess or Extended Services consist of works to which additional direct connections are possible (such as a water line to which an adjacent property may be connected), Latecomer charges shall be allocated amongst each property lying adjacent to the works in proportion to the Equivalent Development Units (EDU's) that will be directly connected to the works; and 2. Where the Excess or Extended Services consist of works to which additional direct connections are not possible (such as a reservoir or a portion of a water line adjacent to property that will not be directly connected to it), Latecomer charges shall be allocated amongst each property that is indirectly connected to the works in proportion to the EDU's that will be indirectly connected to the works. 	
<p>Purpose: To outline the procedures for calculating and recovering the upfront Construction Costs where the City has required a Developer to provide Excess or Extended Services.</p>	
<p>1.0 Definitions:</p> <p>Benefitting Lands means lands benefited by the provision of Excess or Extended Services.</p> <p>Completion means the date identified by the City that the Excess or Extended Services have been substantially complete and permits direct or indirect use by Benefitting Lands.</p> <p>Construction Costs means the actual cost of constructing Excess or Extended Services.</p>	

Designated Land Use means the use permitted under the current zoning of a property or the use contemplated for the property under the current Official Community Plan, whichever use results in the highest number of estimated EDU's.

Developer means the party who pays for the construction of Excess or Extended Services.

Direct Benefit means the benefit to a property that is adjacent to Excess or Extended Services arising from the ability to directly connect the works.

Equivalent Development Units (EDU's) means, in respect of single or multi-family family development, one self contained dwelling unit and, in respect of non-residential development, a unit of development that the City considers will result in use of the Excess or Extended Services that is equivalent to the use of such services by one self-contained dwelling unit.

Excess or Extended Services means a portion of a highway system that will provide access to land other than the land being subdivided or developed, and a portion of a water, sewage or drainage system that will serve land other than the land being subdivided or developed.

Indirect Benefit means the benefit to property arising from being served by Excess or Extended Services to which the property is not directly connected.

Latecomer Agreement means an agreement between the City and a Developer regarding the imposition of Latecomer Charges.

Servicing Agreement means an agreement pursuant to a City bylaw for the installation of works and services by a Developer.

Term of the Agreement means the period, not exceeding 15 years from the date the Excess or Extended Services are completed, during which Latecomer Charges will be collected.

Waived Lands are properties that are identified as Benefitting Lands in respect of which the Developer has chosen to waive Latecomer Charges.

Key Areas of Responsibility	
Action to Take	Responsibility
<p>1.0 Eligibility During the development referral stage the City will identify if the required works and services are considered to be Excess or Extended Services and will reference the eligibility for a Latecomer Agreement in the referral comments.</p>	Engineering
<p>2.0 Design Submission At a predevelopment meeting the City will identify to the Developer the expectations around what are eligible Construction Costs and the overarching approach to the distribution to Benefitting Lands.</p>	Engineering
<p>The Developer in consideration of the City's identified approach will submit for approval along with the civil design drawing any documentation required by the City to clearly identify the following Latecomer requirements:</p> <ul style="list-style-type: none"> • Developer 's full name, address and telephone number • Professional certification • City project number • Legend, scale and date • Plan view of Excess or Extended Services and Benefitting Lands at 1:2500 scale • Type, size and material of Excess or Extended Services • Estimated cost of the Excess or Extended Services • Location of existing municipal services • Location of all lands that will receive a Direct Benefit from the Excess or Extended Services • Location of all lands that will receive a Indirect Benefit from the Excess or Extended Services • Location of non-developable areas identified in the OCP • Designated land use for all Benefitting Lands • The number of Equivalent Development Units (EDU) for all Benefitting ands and • All Waived Lands <p>Design costs may be included up to a maximum of 10% of the Construction Cost and certified with a seal by a professional engineer to be eligible for inclusion into the Latecomer cost.</p>	Developer
<p>3.0 Servicing Agreement The Servicing Agreement will reference the requirement to prepare a Latecomer Agreement for Council approval.</p> <p>Where a Developer does not wish to participate in the Latecomer process a waiver clause will be included in the relevant Servicing Agreement.</p>	Engineering
<p>The City shall identify all Benefitting Lands as Latecomer Pending when the Servicing Agreement is entered into.</p>	Engineering

<p>4.0 Construction</p> <p>The Developer will pay all Construction Costs for the Excess or Extended Services as required. All Construction Costs must be certified with a seal by a professional engineer to be eligible for inclusion.</p> <p>Where a property is connected to an existing municipal service it will be reconnected without charge at the Developer's expense.</p> <p>Upon notification of completion a Construction Cost Summary showing the actual cost of the Excess or Extended Services and the estimated cost of the works yet to be completed (such as final lift of asphalt) must be submitted to the City under seal by a professional engineer.</p> <p>Maintenance work which arises after completion of Excess or Extended Services shall not be included as Construction Costs.</p> <p>If the applicant has registered status and will be completing GST self-assessment Latecomer Charges are not subject to Goods and Services Tax (GST). Written confirmation of non-registered status must be received by the City prior to determination of the Latecomer Charge.</p>	<p>Developer</p> <p>Developer</p> <p>Developer</p>
<p>5.0 Benefit Calculation</p> <p>The Developer will prepare a Payment Schedule based upon the approved assessment of the Benefitting Lands and Construction Costs.</p> <p>The payment schedule will identify the proportion of cost for each of the Benefitting Lands based upon the following two principles:</p> <p>Direct Benefit</p> $\frac{\text{(Total Direct Cost} \div \text{Total number of Direct Benefit EDU)}}{\text{x Direct Benefit EDU for the Benefitting Land}}$ <p>Indirect Benefit</p> $\frac{\text{(Total Indirect Cost} \div \text{Total number of Benefit EDU)}}{\text{x Total EDU for the Benefitting Land}}$ <p>For phased developments, the City will determine if the proposed phasing will prompt the need for a secondary Latecomer Agreement for each phase.</p> <p>The Developer may choose to waive Latecomer Charges for certain properties. Waived properties are included in the total number of potential direct or indirect EDU for the Benefitting Lands, but will be identified as having a zero payment in the payment schedule.</p>	<p>Developer</p>
<p>6.0 Latecomer Agreement</p> <p>The City will prepare a Latecomer Agreement for Council adoption in accordance with the accepted Payment Schedule. The adopted Latecomer Agreement will then be circulated to the developer for execution. A Certificate of Acceptance shall not be issued until a signed Latecomer Agreement is returned to the City.</p>	<p>Engineering</p>

