

## POLICY MANUAL

<b>Title:</b> <b>Maple Ridge Local Area Service Policy</b>	<b>Policy No:</b> 5.01 (Rev. 2) <b>Supersedes:</b>
<b>Authority:</b> <input checked="" type="checkbox"/> <b>Legislative</b> <input type="checkbox"/> <b>Operational</b> <b>Approval:</b> <input checked="" type="checkbox"/> <b>Council</b> <input type="checkbox"/> <b>CMT</b> <span style="margin-left: 200px;"><input type="checkbox"/> <b>General Manager</b></span>	<b>Effective Date:</b> December 16, 2009 <b>Review Date:</b> December 2010
<p><b>Policy Statement:</b></p> <ol style="list-style-type: none"> <li>1. Except in the cases where the Medical Health Officer has determined that community health is at risk due to the lack of the municipal service, Local Area Service process will only be implemented if at least 50% of the area within the defined benefiting area has been subdivided to potential minimum sized lots in conformity with the designation in the current Official Community Plan, and at least 60% of the area within the defined benefiting area has a dwelling unit or other buildings.</li> <li>2. A Local Area Service, towards which the District bears any portion of the cost thereof shall only proceed provided such costs are: <ul style="list-style-type: none"> <li>- recoverable in part or whole (- including appropriate financing costs) from each of the existing as well as future parcels of land that will be served by the Local Area Service,</li> <li>- within the limit of the funds so allocated for such purposes within the municipal budget, and,</li> <li>- not excessive as determined by the Municipal Council.</li> </ul> </li> </ol> <p>If after Local Area Service Works have been accomplished, an Owner wants to change the Lot configuration e.g., a change of Front lot line through subdivision, the Owner must pay up the balance owing before effecting the change.</p>	
<p><b>Purpose:</b>  To set conditions under which the District of Maple Ridge will consider installation of services pursuant to the 'Local Area Services' provision within the <i>Community Charter</i>.</p>	
<p><b>Definitions:</b></p> <p><b>Frontage</b> means the common boundary shared by the <i>front lot line</i> and a <i>highway</i>, excluding a lane. On a corner <i>lot</i>, the <i>frontage</i> shall be considered to be the shorter of the <i>highway</i> boundaries, regardless of the direction the <i>buildings</i> on the <i>lot</i> are to face.</p> <p><b>Flankage</b> means a boundary which a <i>highway</i>, excluding a lane, abuts a <i>lot line</i> not being the <i>front</i> or <i>rear lot line</i>.</p>	

**Highway** means a street, road, lane, bridge, viaduct or any other way open to the use of the public, but excludes a private right-of-way on a private *lot*.

**Front lot line** means:

- (a) the *lot line* common to a *lot* and an abutting *highway* excluding lane; or
- (b) where the *lot* is a corner *lot*, the shortest of the lot lines abutting a *highway* shall be the *front lot line*; or
- (c) where the *lot* is a corner *lot* and both lot lines abutting a *highway* are equal in length, 1 lot line shall be selected as the *front lot line* and the other lot line shall be selected as the side lot line; or
- (d) where the *lot* abuts *highways* on two opposite fronts, both *lot lines* common to a *lot* and abutting *highways* shall be the *front lot line*.

**Lot** means land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the records of the Land Title Office.

**Lot Line** means any line which forms the boundary of a *lot*.

**Capitalized or Italicized** terms used herein and not defined have the meanings ascribed to them in the *B.C. Community Charter, Local Government Act, R.S.B.C.1996, Chapter 323* or *Interpretation Act, R.S.B.C.1996, Chapter 238*.

#### Key Areas of Responsibility

##### Action to Take

1. For undertaking Local Area Service (LAS) Works, project costs may be financed internally. The amount financed, together with interest charged, shall be repaid over a period set within the Bylaw establishing the LAS. The costs of LAS Work shall not exceed the amount included in the Financial Plan.
2. Recovery of the Owners' portion of the Works is typically repaid over a term of 15 years through annual installments on the property tax bill with a fixed interest rate set prior to construction. The interest rate shall be reflective of the cost of borrowing through the Municipal Finance Authority (MFA) of British Columbia.

##### Responsibility

Manager of Financial Planning

3. The following table outlines the current cost sharing ratios for the program.

Qualifying Works or Services	District's Share	Owners' Share
<b>General</b>		
Lane Paving	0%	100%
Sewer extensions	0%	100%
Water extensions	0%	100%
Storm drainage extensions	0%	100%
Sidewalk	25%	75%
Concrete Curb and Gutter	25%	75%
Street Lighting	25%	75%
Local Road Construction	0%	100%
Converting Driveway to Municipal Road	100% of the cost to bring the road to current unpaved road standards	100% of the cost of paving the road
<b>Downtown Core (as defined in the DCC Bylaw)</b>		
Lane Paving	50%	50%
Sidewalk	60%	40%
Curb and Gutter (Conc.)	60%	40%
Street lighting	60%	40%

4. The cost of a Local Area Service for each of the benefiting properties within the defined area of the service will be that cost which is apportioned in the ratio of the *front lot line* length of each property.
5. In the cases where the Local Area Service has no direct road *frontage* or no direct and immediate benefit to individual property owners, (e.g., in the case of a pump station, a siphon, a retention/detention pond, an off-road trunk sewer or other similar works,) the apportionment of the cost will be by property area, property value or any other method or combination of methods allowed in the *Community Charter*.

6. Where the benefiting properties are inordinately disproportionate in sizes compared with one another, the following formula shall determine the Local Area Service taxable-*frontage*:

taxable-*frontage*

$$= (32 \times \text{Front lot line length} + 10 \times \text{Rear lot line length} + 3 \times \text{Perimeter length}) / 60$$

7. The Local Area Service charge shall not include the portion of cost for any upsizing beyond the size of the municipal service needed for the defined benefiting area.
8. The cost charge shall be reduced to reflect any Provincial or other third party contribution.
9. The share of the property *flankage* where both the *frontage* and *flankage* will be serviced by a Local Area Service or the length of Local Area Service work that is not fronting any property within the defined benefiting area shall be apportioned among all the properties within the defined area on the basis deemed equitable by the General Manager, Public Works and Development Services.
10. If a property has both *frontage* and *flankage* and will be serviced on one side by the Local Area Service, the side that will be serviced first by a Local Area Service will be considered as the *frontage* while the other side will be considered as the *flankage* for subsequent Local Area Service apportionment purposes as described herein.
11. Where the *front lot line* 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 *front lot line* length used for calculating the charge.
12. For a property which benefits from a Local Area Service works not in the municipal right-of-way fronting the property, the cost apportionment shall be based on the minimum lot width as defined under the Zoning By-law.
13. For exceptional lots, General Manager, Public Works and Development Services will determine the appropriate cost apportionment using methods allowed in the *Community Charter*.

<p>14. Where only one sidewalk is to be installed, costs are to be shared <math>\frac{1}{3}</math>: <math>\frac{2}{3}</math> by <i>Lots</i> on both sides of the street, with the larger portion being borne by the Owners of the <i>Lots</i> on the same side as the sidewalk.</p> <p>15. Where curb and gutter is to be installed, it must be done on both sides of the street, unless one side has been installed previously.</p>	
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