

Latecomer Agreements and Charges

LGMA Approving Officers Seminar

Nanaimo B.C.

June 21, 2016

Excess and extended services

- Highway that will provide access to land other than land being subdivided or developed
- Water, sewage or drainage system that will serve land other than land being subdivided or developed
- Centreline rule in s. 506(8)

Triggers

- “Local government” may require
- Works and services bylaw, *ad hoc* requirements
- Delegation of authority to staff
- Subdivision approval
- Building permit issuance
- Zoning amendment
 - 508(7) latecomer charge rules apply if an owner provides excess/extended services in accordance with a works and services bylaw
 - Latecomer charge waiver should be considered if excess/extended services are zoning conditions

Local government pay scenario

- Using works and services agreement as cost sharing agreement
- Separate cost sharing agreement
- Certifying costs for local government share
- Recovering local government share of costs
 - Latecomer charge
 - Local service tax
 - Fee

Developer pay scenario

- Using works and services agreement as the latecomer agreement
- Separate latecomer agreement
- Certification of excess/extended service costs at completion of construction
- Identifying latecomer charging events – connecting to or using the services
- Assignment of latecomer revenues to others
- Relationship to DCC credits

“Local government” decisions

- Determination of excess/extended service costs
- Identify benefiting lands
- Development potential of benefiting lands
 - Effect of subsequent OCP or zoning changes
- Allocating costs to benefiting lands
- Requiring the developer’s engineer to provide information on the above
- Delegation of s. 508(1) decisions to staff
- Interest rate bylaw

City of Terrace – Latecomer's Scenario

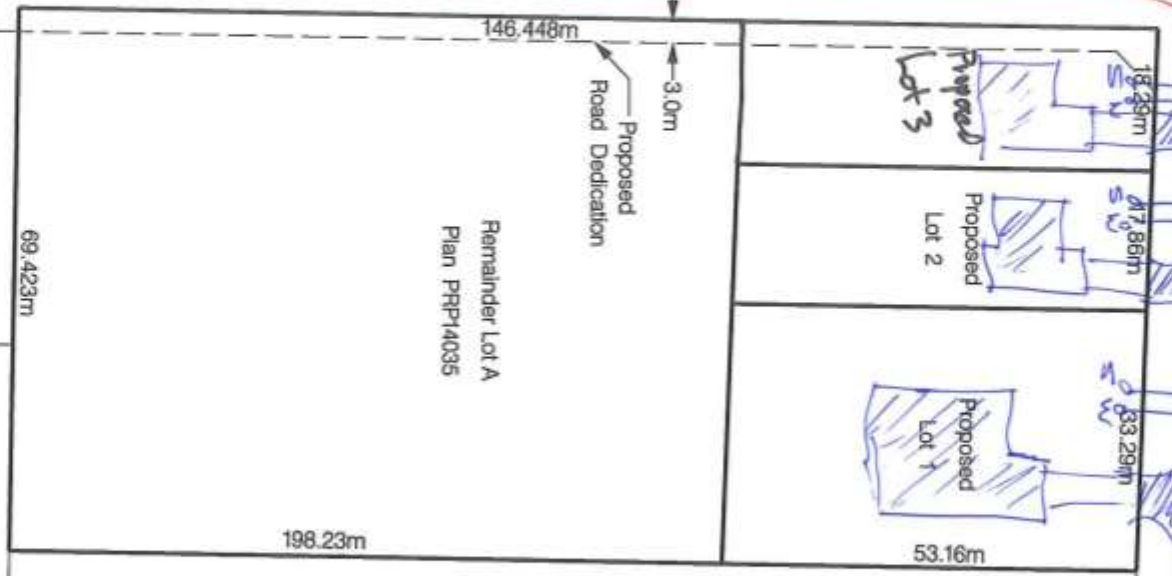




SITE CONTEXT

EXISTING ROAD
WATER & SAN.
MCCONNELL AVE

NEW ROAD CORY DRIVE WATER & SAN.



Not to Scale



PROPOSED SUBDIVISION - Schedule 'A'

Lot A, DL 983, Plan PRP14035

Cadastre: May 2012

Print Date: May 18, 2012

All Dimensions are Approximate Only.