



REPORT TO COUNCIL

To: **Mayor and Councillors**

Subject: Proposed Latecomer Policy CO-82

File #: 5210

Doc #: 186024

From: Hirod Gill, P.Eng.
Manager of Engineering Services

Date: March 20, 2023

RECOMMENDATION:

THAT CO-82 – Latecomer Policy be approved.

PURPOSE:

The purpose of this report is to request approval for the proposed CO-82 – Latecomer Policy.

POLICY/BYLAWS:

Subdivision and Development Servicing Bylaw, 2021, 3126.

Pursuant to sections 507 and 508 of the Local Government Act, a Latecomer Policy can be established by a municipality to facilitate payment to developers who have paid for infrastructure that benefit future developers.

COMMENTS/ANALYSIS:

As part of the development process, the City may require that a property developer construct infrastructure that not only benefit their development, but also other lands in the neighbouring area. The latecomer agreement provides a process to allow developers to recover costs from other developers for infrastructure that benefits multiple sites. It is a development finance agreement between a municipality and a developing property owner. The charges to the benefiting lands are also subject to interest over the term of the agreement, at a rate determined by the municipality.

These agreements allow developers to recover the costs of excess or extended services for up to 15 years.

The municipality administers the policy and collects charges from owners and remits those back to the initial developer. To execute a latecomer agreement, the property developer must pay to the City a non-refundable latecomer administration fee in the amount of 2% of the cost of providing Excess Service and Extended Service, plus applicable taxes. Staff will bring forward to Council a separate report to update the City's Fees and Charges Bylaw 2010, No.2837 accordingly.

Upon approval of the Latecomer Policy by Council, the City will use it as a framework to secure individual latecomer agreements with developers. The charges are subject to interest over the term of the agreement, which may not exceed 15 years, at a rate described in the City's Subdivision and Development Servicing Bylaw, 2021, No. 3126. Staff reviewed latecomer agreement policies across several municipalities in British Columbia and the proposed policy is consistent with these policies.

Latecomer Procedure

The Latecomer Policy refers to the City of Langley's Latecomer Procedure, where a detailed step by step approach is provided to applicants. The Latecomer Procedure, among others, includes:

- The required application process;
- Explains how to delineate benefitting areas;
- Shows how to determine whether a Service is Excess or Extended;
- Describes Approval process; and
- Explain Latecomer charges collection procedure.

BUDGET IMPLICATIONS:

The Latecomer Program is revenue neutral to the City.

ALTERNATIVES:

None.

Respectfully Submitted,



Hirod Gill, P.Eng.
Manager of Engineering Services

Reviewed by,



Rick Bomhof, P.Eng.
Director of Engineering, Parks & Environment

Reviewed by,



Darrin Leite, CPA, CA
Director of Corporate Services

Attachments:

1. City of Langley Latecomer Policy CO-82.
2. City of Langley Latecomer Procedure.
3. City of Langley Latecomer Procedure Schedules.

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:

I support the recommendation.



Francis Cheung, P. Eng.
Chief Administrative Officer