

Title: Local Area Service  
Division: Engineering & Transportation Services  
Policy Number: 0139  
File Number: 0282-20-0139

---

## 1. Purpose

- 1.1. This policy outlines the District's approach to receiving, processing, evaluating, and operationalizing Local Area Service (LAS) requests and is intended to complement the approach laid in the *Community Charter*.

## 2. Scope

- 2.1. This policy applies to all LAS Requests received by the District.

## 3. Definitions

**Benefitting Area** means the area in which a local service tax is imposed to in order to recover the costs associated with the delivery of a local area service.

**Council** means the Council of The Corporation of the District of West Vancouver.

**District** means The Corporation of the District of West Vancouver.

**Engineer** means the District's Director of Engineering and Transportation Services or such person as may be designated by Council to act in the place of the Director by name of office or otherwise.

**LAS Request** means a request by the local area service applicant to the District for a local area service.

**Local Area Service (LAS)** means a municipal service that is to be paid for in whole, or in part, by a local service tax, in accordance with the establishment of a local area service bylaw.

**LAS Applicant** means an owner or owners of a parcel or parcels of land petitioning for a local area service for the benefit of their parcel.

**LAS Bylaw** means the bylaw brought forward to Council for the specific local area service project which will describe the local area service and the amount to be charged by the local service tax.

**LAS Deposit** means a security deposit submitted by the local area service applicant to the District for the purposes of performing pre-construction activities.

**LAS Project** means any infrastructure project which is initiated under Part 7: Division 5 Local Service Taxes within the *Community Charter*.

**Petition** means a petition for a local area service made in accordance with this policy and as described within the *Community Charter*.

# District of West Vancouver

## POLICY

**Pre-construction Activities** means all works and investigations necessary to develop a LAS design and cost estimate, which will be used to prepare a Petition.

### 4. Policy Statement

#### 4.1. General

- 4.1.1. The authority to provide local area services are based on Part 7: Division 5 Local Service Taxes within the *Community Charter*.
- 4.1.2. LAS Projects will only be performed on District-owned property. No work connected to a local area service project shall be performed on property not owned by the District; this includes right-of-ways, easements, or any other area where the District may hold rights, but is not the owner.
- 4.1.3. The District will not contribute any funds to a LAS Project. Owners within the Benefitting Area are required to pay all costs associated with the administration, engineering design and inspection, the construction, and any other services necessary in order to complete and deliver the LAS Project.
- 4.1.4. Construction costs will be covered by funding through the Municipal Finance Authority, and as such, execution and scheduling of the works are subject to the availability of funding.
- 4.1.5. The District will review, process, respond to, or execute a LAS Project as dictated by available District resources.
- 4.1.6. Scheduling and delivery of local area service projects will be coordinated with the District's annual capital works plan and/or as resources permit. LAS Projects, in general, will be scheduled for the calendar year following the specific LAS Bylaw adoption.

#### 4.2. Application/Deposit

- 4.2.1. All LAS Requests must be submitted by a LAS Applicant. The LAS Applicant shall serve as the point of contact for the District for the LAS Request.
- 4.2.2. If a LAS Request is for one of the projects on the following list, it should be accompanied by signatures of support from 50% of the owners in the benefiting area:
  - Curb and Gutter Installation
  - Lane Paving
  - Street/Strip Paving or Repaving
  - Ornamental Street Lighting Installation
  - Sidewalk Installation
  - Active Transportation Installation
  - Traffic Calming Measures

# District of West Vancouver

## POLICY

If a LAS Request is not for a project on the above list, or is for a combination of two or more projects, then the application should be accompanied by signatures of support from 70% of the owners in the proposed benefitting area.

- 4.2.3. All LAS Requests are subject to initial review by the Engineer who will determine whether additional information from the applicant is required. If sufficient information has been provided, the Engineer will evaluate the application and provide a preliminary schedule for when Pre-construction Activities could proceed.
- 4.2.4. Before proceeding with Pre-construction Activities, the LAS Applicant will be required to provide a LAS Deposit, in an amount determined by the Engineer, having regard to the anticipated costs associated with the Pre-construction Activities. All costs associated with the Pre-construction Activities are the responsibility of the LAS Applicant.

### 4.3. Pre-Construction Activities

- 4.3.1. The District will undertake, manage, and make decisions pertaining to all aspects of work in order to coordinate and execute the Pre-construction Activities on behalf of the LAS Applicant.
- 4.3.2. At any point during Pre-construction Activities, the LAS Applicant can instruct the District to stop all work associated with the LAS, and the District will refund the LAS Deposit, withstanding all costs expended up until that point in time.
- 4.3.3. Once Pre-construction Activities are complete a detailed cost estimate will be provided to the LAS Applicant, based on the best available information at the time, so that they, and owners in the Benefitting Area, can make an informed decision as to whether to proceed with a Petition for the LAS.

### 4.4. Council Consideration

- 4.4.1. The LAS Applicant will obtain a copy of the Petition from the District, which will be presented in accordance with the *Community Charter*.
- 4.4.2. The LAS Applicant will be responsible for circulating the Petition to the owners in the Benefitting Area. A completed Petition must be returned to the District within 120 days of issuance in order for the LAS Application to remain valid. If the Petition is received more than 120 days after issuance, the LAS Application will be reviewed to determine if adjustments need to be made before a new Petition is generated.
- 4.4.3. Once submitted, the completed Petition will be verified by the Corporate Officer.
- 4.4.4. Pending verification, the staff will prepare a Council report and a LAS Bylaw for Council's consideration.

### 4.5. Construction

- 4.5.1. The Engineer will schedule construction activities to begin only when there are sufficient resources available to proceed.
- 4.5.2. The District will undertake, manage, and make decisions pertaining to all aspects of work in order to coordinate and execute the LAS construction activities on behalf of the LAS applicant. Change orders or other departures

District of West Vancouver  
**POLICY**

from the initial design scope will only be made at the District's sole discretion.

- 4.5.3. The full final construction costs will be borne by the owners in the Benefiting Area, which may vary from the estimates provided in the Petition.


### 5. Authority

- 5.1. *Community Charter, SBC, 2003*
- 5.2. *Local Government Act, RSBC, 2015*
- 5.3. Fees and Charges Bylaw No. 5025, 2019 (as amended)

### 6. Related Policies or Procedures

- 6.1. Local Area Service Procedure 0140

### 7. Approval

<b>Approved by</b>	<input type="checkbox"/> CAO	<input checked="" type="checkbox"/> Mayor and Council
<b>Approval date</b>	2021/11/08	
<b>Council minutes eDocs # (Council Policies only)</b>	4311683	
<b>Council report eDocs # (Council Policies only)</b>	4283776	
<b>Signature</b>	X  _____	

## 8. Additional Information

<b>Category</b>	<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Administrative
<b>Related procedure</b>	<input checked="" type="checkbox"/> Yes (0282-20-0140)	<input type="checkbox"/> No
<b>Date of last review</b>	n/a	