

CITY OF WHITEHORSE
COUNCIL POLICY

POLICY: **LOCAL IMPROVEMENT**

PURPOSE: To provide guidelines for the charging of local improvements to benefiting property owners located in commercial/industrial areas, or in downtown urban areas.

AUTHORITY: Council Resolution #2011-08-04 dated April 26, 2011

LOCAL IMPROVEMENT POLICY

Background

The City of Whitehorse uses local improvement charges to fund capital infrastructure programs for the installation of above ground services benefiting abutting property owners.

Objective

The objective of this policy is the application of local improvement charges in a fair and equitable manner, taking into consideration the debt load of the City, the impact said charges have on its ratepayers, and the impact on benefitting properties.

Implementation

If a new local improvement development is proposed where no legal road right-of-way exists, the developer will cover all costs of developing the land. Otherwise, local improvements will be apportioned dependent upon benefit. Unless otherwise specified by council, abutting properties are deemed to benefit from those capital works involving a local improvement charge. Infrastructure developed on city road rights-of-way will be subject to local improvement charges as described below.

Local improvement charges will be based on a standard rate for surface improvements developed by the City Engineer and updated on an annual basis with a detailed review to be conducted every five years.

The standard rate is the estimated cost to construct an average road to the same City standard required in new developments. The aim of this standard rate is to establish a local improvement charge that is fair, equitable and consistent to all benefitting properties depending what type of road is constructed adjacent to those properties, or in what part of the City the local improvement would occur.

Unless otherwise specified by council, abutting property owners will be levied a local improvement charge for construction of a new road to approved City standards. The charge will be based on a portion of the standard rate identified as an urban road for the downtown core, or a non-urban road for commercial or industrial areas and based on use as follows:

33.33%	Residential and local non-profit organizations
66.66%	Non-Residential
100.0%	Government

Council may consider approving a local improvement charge for upgrading existing surface conditions to an approved standard that that is not applicable to the standard surface rate for new road infrastructures such as new paving on existing gravel or BST roads, or lanes. The cost to abutting property owners will be subject to council approval.

Unless otherwise specified or revised by council, the terms of the assessment charge shall be fifteen years. If the city wishes to improve the surface feature and a local improvement bylaw already exists for an improvement and the time for pay back has not lapsed, the original local improvement bylaw will be cancelled and in its place the new bylaw will apportion the local improvement charges.

Objection

In accordance with the current version of the *Yukon Municipal Act*, if more than fifty percent of the benefitting property owners object in writing to a local improvement, the city will not proceed with local improvement charges in that year.

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