

COUNCIL REPORT

To: Mayor and Council

From: Administration

Date: June 12, 2025

Subject: License-to-Use Policy 1.19 - Review

RECOMMENDATION:

THAT Council approves the amendments to License-to-Use Policy 1.19 as outlined in this report.

BACKGROUND:

Following the Regular Meeting of June 10, 2024, Council directed staff to conduct a review of the policy with respect to use of District-owned property adjacent to residential property.

Current State of Policy:

This service was established in 1980's. The most recent policy was adopted in 2009 and amended in 2015. The intent of the policy was to establish criteria for granting requests to use District-owned land abutting private property for purposes related to activities which may include landscaping, gardening, dog run and the placement of a storage structure.

The District currently has 14 active LTUs with agreement and registration with BC Assessment for taxation purposes. However, based on aerial photography and historical records, there are a number of what look to be expired LTUs that are still being used by new owners who may not be aware they are using District land (ie. land was previously cleared, a fence was put up many years ago and not dismantled when the LTU expired, etc.). Additionally, some property owners may be using District-owned land unknowingly and have matched their back property lines with neighbouring LTUs.

The program is long-standing and there have been changes in practices, staffing, and record keeping over the years. We do not have an up-to-date inventory and have not followed-up with expired agreement holders at this time. As time permits, staff will work with BC Assessment to identify, contact, and gain compliance and appropriate taxation for those properties that may be unaware of their use of District-owned land and the risk/liability and restrictions associated with the use.

Moving forward, the attached amendments to Policy 1.19 are proposed to assist in maintaining the program more effectively and equitably.

Policy Benefits

The policy supports improved quality of life to some residents of the community by allowing them to extend their properties for dog runs, gardens, or temporary storage. This supports Council's Community and Social Development Strategic Priorities.

Competing Interests

One of the challenges with the program is determining whether a request can be approved and reasons why some may not be.

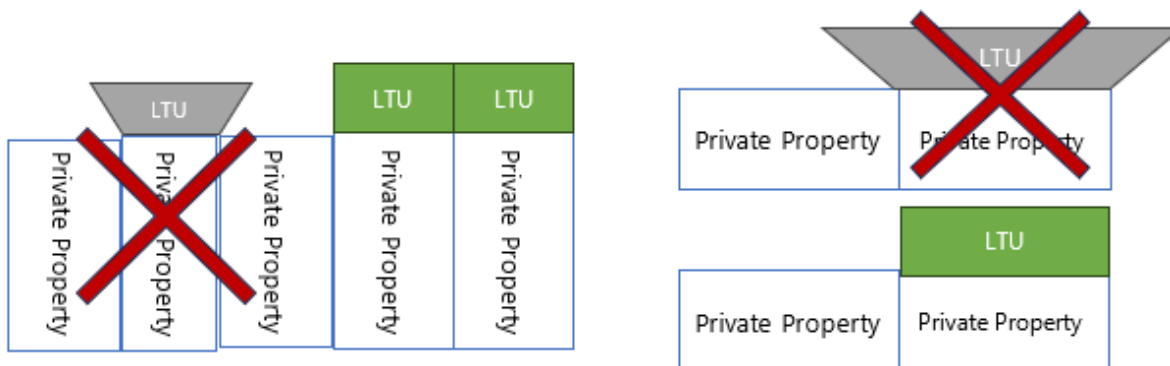
In the new policy, to reduce the number of these unique circumstances, we have suggested making the following properties ineligible for applications:

- those abutting District snow-dumps or water/sewer system right-of-way
- those abutting steep embankments, watercourses, marshes, other lands deemed appropriate to avoid for environmental consideration (ie. Parsnip Crescent Area)
- Properties within the Mobile Home Parks. The land is owned by a commercial entity, which requires the District to enter into license agreements with fees similar to that of other businesses such as Ace Victory or the Purple Bicycle.

Equity

The current policy states the maximum size of an LTU is 25% of the abutting property's parcel size. This has created inequity among different sized lots and in cases neighbours. The policy has proposed to be amended to have a maximum of 25% or 160 m² (the average size of an LTU), whichever is smaller, and it cannot encroach in a potential LTU area of a neighbour.

Additionally, staff and Council have the discretion to increase or reduce the size of the LTU to be consistent with previously approved neighbouring LTUs along a street. By making the size consistent, it will help with the design of future development and make the installation of new servicing more efficient. Example diagram below depicting general intent.



Service Costs and Fee:

Staff reviewed the cost structure of this service and the current application fee of \$250 with the additional annual taxation on the property is appropriate for cost-recovery of the staff time and notices.

Tax Revenue from Service:

A list of agreement holders is provided to BC Assessment on an annual basis to incorporate as part of their assessments. The average LTU property is 160 m². BC Assessment shared an example in the community that the difference in assessed land value between one current LTU agreement holder (Assessed Land Value: \$53,600) and their neighbour of a similar overall property value (Assessed Land Value: \$52,300) without and LTU, was \$1,300. This equated to an additional \$10.40 in property tax revenue for the District in 2025.

Proposed Policy Amendments:

Staff have attached a draft policy with several updates highlighted to improve clarity for staff and those looking to apply. Overall, the conditions of the permits remain the same based on legal and insurance advice received. An application form, brochure, information about the required information and steps to expect, similar to our development applications, will be prepared to assist with improving communications and transparency about the program.

Lastly, there is a new section suggesting some applications be delegated to staff to authorize, with the intent of reducing administration time for lower-risk LTU applications. This is an optional addition for Council's consideration.

BUDGETARY IMPACT:

There is no budgetary impact to the policy amendment.



COUNCIL PRIORITIES:

Strong Governance and Finances

- As the municipality's elected governing body, we serve all residents and businesses in the community. We engage residents and stakeholders on important issues and make our decisions through open and transparent processes. We are careful in our use of resources, mindful of the need to maintain programs and services, while also meeting the community's infrastructure needs.

RESPECTFULLY SUBMITTED:

Emily Kaehn, Director of Corporate Administration

Reviewed By: Corporate and Financial Services

Approved By: Chief Administrative Officer