



Item.....
Meeting2018 Mar 07

REVIEW PANEL REPORT

TO: MEMBERS OF THE PARCEL TAX ROLL REVIEW PANEL **DATE:** 2018 March 07

FROM: DIRECTOR FINANCE **FILE:** 43500-20

SUBJECT: 2018 FOOT FRONTAGE FOR 7753 DAVIES ST

PURPOSE: Review of Local Area Service foot frontage assessment for 7753 Davies St, for Local Area Service Project No. 16-601

RECOMMENDATION:

1. **THAT** the actual frontage footage of 62.7ft be used in respect of the Local Area Service project No. 16-601 instead of the taxable frontage of 118.24ft

REPORT

Betty Gopala Krishna and Gopala Seshadri Krishna, joint owners of 7753 Davies Street have submitted a written notice of complaint (attached) against the use of the taxable foot-frontage assessment instead of the actual foot-frontage assessment in respect of a Local Area Service (LAS) lane paving project on 12th Ave to 13th Ave, between Mary Ave and Davies St. Work was completed in 2017 and all the abutting properties are included in the Frontage Tax Assessment Roll presented to this Panel.

Frontage rules for the purpose of LAS assessment have been established and are incorporated in the *Local Improvement Charges Bylaw 9784* adopted by Council 1992 September 28. Essentially, properties are charged on the actual foot frontage except in cases of corner lots, triangular lots or irregular lots (cul-de-sacs, etc.) where adjustments are sometimes necessary to provide a more equitable distribution of LAS charges.

Betty Gopala Krishna and Gopala Seshadri Krishna, note that the additional frontage arises from the fact that there was a right of way assigned to 7769 Davies Street by the past owners of 7533 12th Avenue, which resulted in the creation of a small lane used exclusively by 7769 Davies Street and 7533 12th Avenue properties. The lane used to be a part of the property belonging to 7533 12th Avenue, however it is noted that they do not use the lane nor are able to use the lane even if they wanted to. They would like the City to consider changing the taxable portion for their property from 118.24ft to the actual frontage footage of the house, at 62.70ft.

To: Members of the Parcel Tax Roll Review Panel
From: Director Finance
Re: 2018 Foot Frontage For 7753 Davies St
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RECOMMENDATION

After further analysis of the foot frontage assessment of 7753 Davies St, and consultation with Deputy Director Engineering, Finance recommends that due to the particularity of this property, where the property is not able to use the right of way on which the improvement is provided, that the actual frontage footage of 62.70ft be used to determine the Local Area Service charge for project 16-601.

Noreen Kassam
DIRECTOR FINANCE

EJ/RR

Copied to: City Manager
City Clerk
Director Engineering

ATTACHMENT 1 – APPEAL EMAIL

From: [Gopal & Betty](#)

Sent: Monday, March 5, 2018 1:36 PM

To: tax@burnaby.ca

Subject: APPEAL to Parcel Tax roll review panel : 2018 March 7, 1800 hrsRE: 7163-7753-0000 - 7753 Davies Street, Burnaby BC

Dear Sir/Madam,

We would like to appeal the amount of frontage assigned to us for taxing due to the paving of the back lane.

Our taxable frontage is 118.24 ft, whereas our actual frontage is 62.70 ft.

The additional footage arises from the fact that there was a right of way assigned to 7769 Davies street by the past owners of 7533 12th Avenue, which resulted in the creation of a small lane that is used only by 7769 Davies Street and 7533 12th Avenue properties. The lane used to be a part of the property belonging to 7533 12th Avenue originally. Our property has no use for that lane nor are we able to use the lane even if we wanted to.

We therefore feel that the additional 55.54 feet being taxed to us is unreasonable as the said lane is of no use to us and in no way are we able to use this laneway even if we wanted to.

We therefore submit for your consideration that the taxable frontage of our property – 7753 Davies Street may be limited to the actual frontage which is 62.70 ft.

We will make ourselves present at the review to provide any more information that the panel may require.

Sincerely,

Betty Gopala Krishna
Gopala Seshadri Krishna
Joint owners of 7753 Davies Street.

Sent from [Mail](#) for Windows 10

ATTACHMENT 2 – SITE PHOTO AND MAP

