

2021 Group One Local Improvement Projects

RECOMMENDATION(S):

That Council:

1. Approve an increase of \$5,051,402 in 2021 budget appropriation to Roads Capital Program 147-148; and
2. Give three readings to Bylaw 1R2021.

HIGHLIGHTS

- This report requests authorization of Bylaw 1R2021 to carry out owner-initiated local improvement (LI) projects in 2021. These projects include laneway paving in residential areas and residential driveway crossings by lowering the height of the curb.
- **What does this mean to Calgarians?** Through the owner-initiated LI process, The City and property owners facilitate and support efforts to improve neighborhood assets. LI projects maintain or improve accessibility and enhance appearance without burdening all taxpayers with the full financial responsibility of improving these public spaces.
- **Why does this matter?** All of the projects associated with this bylaw were initiated or requested by adjacent property owners. Adoption of this bylaw is required to facilitate completion of these projects. This is an annual process that The City has been doing for many years. This update affects locations in all Wards except Wards 2 and 6.
- LI's are construction projects on City property that Council considers to be a greater benefit to a particular area of the municipality than to the whole municipality. Examples include street or lane paving and driveway crossings.
- Municipalities have a long history of using LI's to help cover the cost of infrastructure. LI charges are assessed to adjacent benefiting properties and then added to property taxes until the costs are repaid. The Municipal Government Act (MGA) provides provincial statutory guidelines for LI administration.
- There is no cost sharing between The City and property owners with respect to laneway paving and driveway crossings. All costs for these improvements are charged to the property owners.
- Strategic Alignment to Council's Citizen Priorities: A city that moves

DISCUSSION

LI Bylaws are processed according to the MGA (Sections 392-396) and various policies and guidelines, as follows:

- A petition package to initiate the local improvement is obtained by calling The City of Calgary Operations Centre at 311.
- To be valid, a petition must be signed by at least two-thirds (2/3) of the affected property owners representing at least one-half (1/2) of the assessed value of land.
- The completed petition form is returned to The City for validation.
- When a valid petition is received, the proposed project is included in the next available group of local improvements.

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- A Notice of Intention is mailed to each affected property owner outlining the type of proposed construction, the estimated cost and the property owner's estimated share of the cost.
- Property owners have the right to submit petitions to The City against the proposed local improvements. To be valid, a "petition against" must be signed by at least two-thirds (2/3) of the affected property owners representing at least one-half (1/2) of the assessed value of land.
- A "petition against" must be received within the 30 days of the mailing date of the Notice of Intention.
- If a valid "petition against" is received, The City is prohibited from proceeding with the work (MGA Section 396 (3)). In this case, The City deletes the local improvement from the LI bylaw.
- In all cases, The City advises affected property owners in writing whether or not the petition is valid.

Bylaw 1R2021 is required for lane paving in residential areas with standard widths and new residential driveway crossings (Attachment 1).

The scope of improvements, program costs and specific tax rates used for the Group One LI's are set forth in the bylaw. A general listing of tax rates used by The City is included with this report (Attachment 2).

STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)

- ☒ Public Engagement was undertaken
- ☐ Public Communication or Engagement was not required
- ☒ Public/Stakeholders were informed
- ☐ Stakeholder dialogue/relations were undertaken

Notices of The City's intention to undertake 58 LI projects were sent to affected property owners on 2020 November 23.

"Petitions Against" were requested and sent out for 12 projects. No petitions against were returned for validation (Attachment 3). Council will be informed by Administration at the 2021 March 22 meeting of any petitions received subsequent to preparation of this report. If this occurs, it will be recommended that Council identify and approve the withdrawal of any project prior to second reading of the bylaw, direct Administration to recalculate dollar values and amend the bylaw content accordingly. Second and third readings may be given to the bylaw, as amended, with Council's understanding that all changes will be made by Administration and delivered to the City Clerk's office to serve as the legal corporate record.

Affected property owners will be notified in writing of Council's decision.

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IMPLICATIONS

Social

Owner-initiated LI projects can improve a specific area's livability. They can contribute to increased attractiveness and accessibility. The LI process provides a mechanism for adjacent residents to improve public infrastructure such as paving a lane, while sharing the cost over numerous properties.

Environmental

Lane paving is an effective means of dust reduction and it offers better drainage and prevents erosion of the lane surface.

Economic

Low effective interest rates, as set by the Province of Alberta (the "Province"), and a 15-year amortization help lower annual costs for affected property owners.

Service and Financial Implications

No anticipated financial impact

The full costs for first time paving of lanes and driveway crossings are borne by the property owners. An increase to the 2021 budget of \$5,051,402 is required for Roads Capital Program 147 / 148 Activity 432395 (Attachment 4). The requested budget will be funded by LI debt to pay for contract work outlined in the Bylaw 1R2021. The borrowed funds are ultimately repaid by the property owners and are not mill rate supported.

RISK

The City's ability to complete requested LI projects and provide service in a timely manner could be negatively impacted if the LI bylaws are not approved. Through the LI process, property owners have the opportunity to upgrade infrastructure to improve quality of life in their community.

ATTACHMENT(S)

1. Proposed Local Improvement Bylaw No.1R2021 of The City of Calgary
2. 2021 Local Improvement Uniform Tax Rates
3. 2021 Petition Against Summary Report
4. Summary of Financial Impact

Department Circulation

General Manager	Department	Approve/Consult/Inform
Doug Morgan	Transportation	Approve