

## 2022 Group One Local Improvement Projects

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### RECOMMENDATION(S):

That Council:

1. Approve an increase of \$5,479,370 in 2022 budget appropriation to Roads Capital Program 147-148; and
2. Give three readings to Bylaw 1R2022.

### HIGHLIGHTS

- This report requests authorization of Bylaw 1R2022 to carry out owner-initiated local improvement (LI) projects in 2022. 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 Local Improvement process, The City and property owners facilitate and support efforts to improve neighborhood assets. Local Improvement 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 from 1-14.
- Local Improvement'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 Local Improvement's to help cover the cost of infrastructure. Local Improvement 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 Local Improvement 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

Local Improvement 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 half (1/2) 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.

## **2022 Group One Local Improvement Projects**

- 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 half (1/2) 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 Local Improvement bylaw.
- In all cases, The City advises affected property owners in writing whether or not the petition is valid.

Bylaw 1R2022 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 Local Improvement'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 61 Local Improvement projects were sent to affected property owners on 2021 December 08.

"Petitions Against" were requested and sent out for 14 projects. There was one petition against that was returned for validation and was considered 'invalid'. Council will be informed by Administration at the 2022 March 08 meeting of any petitions received subsequent to the 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 Local Improvement projects can improve a specific area’s livability. They can contribute to increased attractiveness and accessibility. The Local Improvement 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 are borne by the property owners. An increase to the 2022 budget of \$5,479,370 is required for Roads Capital Program 147/148, Activity 432395 (Attachment 4). The requested budget will be funded by Local Improvement debt to pay for contract work outlined in the Bylaw 1R2022. The borrowed funds are ultimately repaid by the property owners and are not mill rate supported.

**RISK**

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

**ATTACHMENT(S)**

1. Proposed Bylaw 1R2022
2. 2022 Local Improvement Uniform Tax Rates
3. 2022 Petition Against Summary Report
4. Summary of Financial Impact

Department Circulation

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