

PROPOSED 2015 SPECIAL TAX BYLAW

EXECUTIVE SUMMARY

In accordance with Section 382 of the Municipal Government Act (MGA), Council may pass a special tax bylaw to raise revenue for a specific service or purpose, including a boulevard tax. The special tax levy process was created to provide a self-funded mechanism for communities that desire an enhanced level of boulevard maintenance around streets and parks. The available services include mowing and trimming; tree well and shrub bed maintenance; perennial and annual flowers; litter control; and snow removal. A number of communities annually participate in the levy process and have either an established long-term enhanced Landscape Maintenance Agreement (LMA) or Pathways Snow Removal Agreement (PSRA) with The City of Calgary. Individual community maps are included in Attachment 1. This report provides an update on 2014 activities, the 2015 process, and requests three readings of the proposed 2015 Special Tax Bylaw for communities in Calgary.

ADMINISTRATION RECOMMENDATION(S)

That the SPC on Community and Protective Services recommend that Council give three readings to the proposed 2015 Special Tax Bylaw (Attachment 1).

RECOMMENDATION OF THE SPC ON COMMUNITY AND PROTECTIVE SERVICES, DATED 2015 APRIL 01:

That Council give three readings to proposed **Bylaw 19M2015**.

Opposition to Recommendation:

Opposed: E. Woolley

PREVIOUS COUNCIL DIRECTION / POLICY

On 1996 February 26, Council approved FB96-04, Christie Estates Special Tax Bylaw Evaluation, a special tax process and procedure. Administration provides reports on special tax bylaws on an annual basis, with the most recent report, CPS2014-0204 receiving Council approval on 2014 March 31.

BACKGROUND

Special tax levies and the enhanced service agreements (LMA and PSRA) are established at the request of an organized community group such as a homeowners association. This process allows communities to generate sufficient funds required to operate additional park or other green-space maintenance services. A LMA or PSRA is established between The City and the participating community – the contract elements identify the specific land involved, defines mutual roles and responsibilities and describes a set of maintenance guidelines.

Currently, 11 communities participate in the city-wide special tax levy program; there are ten communities with LMAs and one community (McKenzie Lake) with a PSRA (Attachment 2).

Currently, The City undertakes a comprehensive community engagement process, following a request from a community group to establish a tax levy. All property owners within the

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community are petitioned. A two-thirds (2/3) majority in support of the petition is required to proceed with the tax levy.

For communities with approved tax levies, Roads - Local Improvements Section annually mails notices to all the property owners in the affected communities to advise the property owners of the proposed special tax, along with their right to petition against the special tax.

Further, every five years, participating communities are required to re-evaluate their desire to continue in the program by holding a public meeting and community vote to confirm ongoing support for the tax levy. A 50 per cent plus one simple majority of the property owners in attendance is required.

In addition, The City liaises with the tax levy communities throughout the year to support the residents in meeting their reporting obligations as required by the policy.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Environmental sustainability and appropriate best horticultural practices are priorities for The City. The City is committed to managing all special tax levy processes and enhanced maintenance agreements in accordance with current open space management best practices. The City routinely engages tax levy communities regarding implementation of innovative and environmentally sustainable management practices.

The Special Tax Bylaw 2015 Annual Budget Summary lists the tax levy and total taxes collected in 2014 and proposed tax levy and budget data for the 11 participating communities in 2015 (Attachment 2). The annual budget for each community is the product of the tax levy and total property count. Communities are asked each fall to consider maintaining or raising their levy for the following year.

Proposed wording for the 2015 Special Tax Bylaw for the 11 communities are included in Attachment 1. The 2015 Special Tax Bylaw has been consolidated to streamline the approval process at Council.

Stakeholder Engagement, Research and Communication

Community homeowners are engaged through the initial survey required to establish the tax levy. Residents receive annual written notification and have further opportunity to review the program prior to the five-year renewal vote as described in the background section above.

Strategic Alignment

This report aligns with the Council approved *Action Plan 2015-2018*: “Respond to the needs and aspirations of the citizens of Calgary.”

Further, the report also aligns with the goals and objectives of the following documents:

- 2020 Sustainability Direction
- Calgary Open Space Plan

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Social, Environmental, Economic (External)

Social

Community based landscape maintenance programs enhance the liveability of neighbourhoods and encourage collaboration and community pride among residents.

Environmental

Landscape maintenance programs incorporate The City's best practices of urban forestry, water management, integrated pest and turf management to support biodiversity within Calgary's urban ecosystem.

Economic (external)

High quality park space favourably impacts the image and economy of Calgary and is associated with indirect benefits including increased land values and tax revenues.

Financial Capacity

Current and Future Operating Budget:

Presently, the participating communities are eligible to request an annual three per cent inflationary increase through the tax levy process. The 2015 Annual Budget Summary identifies three per cent inflationary requests that were received from Diamond Cove, Douglas Glen, Douglasdale, Hawkwood, Patterson Hills and Royal Oak Estates.

The property count substantially increased in the community of Citadel; this subsequently will increase the amount to be collected through the tax levy. The additional funds are applied to enhanced maintenance on the expanded land base in West Citadel; the Citadel tax levy rate was not adjusted for 2015.

Total revenue for the 2015 Special Tax Bylaw, Program 445 Parks, is approximately \$1,198,847. Further detail, along with 2014 data is outlined in the annual budget summary (Attachment 2).

Current and Future Capital Budget:

No budget implications.

Risk Assessment

There are no significant risks associated with this program. The provisions within the enhanced LMA or PSRAs between The City and each community or homeowners association mitigate the associated risks to the Corporation.

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REASON(S) FOR RECOMMENDATION(S):

In accordance with Section 382 of the Municipal Government Act (MGA), Council may pass a special tax bylaw to raise revenue for a specific service or purpose, including a boulevard tax. In 2015, 11 communities confirmed their continued participation in the program and administration proposes that Council adopt the attached bylaw.

ATTACHMENT(S)

- 1. Proposed Bylaw 19M2015**
2. Special Tax Bylaw 2015 Annual Budget Summary