

2023 Local Improvement Bylaws for Stephen Avenue Mall and Barclay Mall

RECOMMENDATION(S):

That Council:

1. Give three readings to Proposed Bylaw 1L2023; and
2. Give three readings to Proposed Bylaw 2L2023.

HIGHLIGHTS

- Since the 1980's, The City has used the enhanced mall maintenance program to deliver extra maintenance to portions of Stephen Avenue Mall (8 Avenue between 1 Street SE and 4 Street SW) and Barclay Mall (3 Street SW between Barclay Parade and 9 Avenue SW).
- The cost of the program is shared equally between The City and adjacent property owners through Local Improvement Bylaws 1L2023 and 2L2023.
- Each year property owners are notified in advance about the proposed work, the estimated construction cost and their share. They can object to the work by petitioning The City before the bylaws are submitted to Council. There have been no petitions to the 2023 proposal.
- **What does this mean to Calgarians?** This program enables The City to improve the condition of street furniture including surface repairs, to perform additional snow and ice control, and to provide enhanced street cleaning and street lighting. These improvements attract business, residents, and tourism to the downtown and contribute to the Calgary economy overall.
- **Why does this matter?** Stephen Avenue Mall and Barclay Mall are important pedestrian corridors in downtown Calgary. The proposed Local Improvement bylaws allow us to continue to provide a vibrant, attractive, and safe space for visitors, businesses and Calgarians while encouraging sustainable modes of transportation.

DISCUSSION

The funding for the program is made possible through the authorization of the Local Improvement bylaws. These bylaws allow for local projects to prevent deterioration of existing infrastructure, maintain or improve accessibility, and enhance appearance without burdening all taxpayers with the full financial responsibility of improving these public spaces. The cost of the enhanced mall maintenance program is shared equally (50/50) between The City and the adjacent property owners.

This program aligns with the Calgary Transportation Plan by helping to facilitate and provide mobility choices in the City Centre while promoting safety for all transportation system users.

Council must annually approve the Local Improvement bylaws. Most recently, Council approved Local Improvement Bylaws 1L2022 and 2L2022 for 2022 Stephen Avenue Mall and Barclay Mall Enhanced Maintenance on 2022 March 29 (Attachment 1).

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EXTERNAL ENGAGEMENT AND COMMUNICATION

- Public/interested parties were informed
- Dialogue with interested parties was undertaken
- Public communication or engagement was not required
- Public engagement was undertaken

Local Improvement bylaws are processed according to the Municipal Government Act (MGA), and various City policies and guidelines. As required by section 396 of the MGA, a Notice of Intention is mailed to each affected property owner outlining the type of proposed construction, the estimated construction cost, the annual rate per metre and the property owner's estimated share of the cost.

Affected property owners have an opportunity each year to challenge the program through a petition process. They can submit a petition to The City against the proposed local improvement. To be considered valid, a petition must be signed by at least two-thirds of the affected property owners representing at least half of the assessed property value and must be received within 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 396(3)).

Notices of The City's intention to undertake the enhanced maintenance were sent to affected property owners on 2022 December 14. No petitions against these projects were requested by any affected property owner(s) or received by The City.

IMPLICATIONS

Social

The enhanced mall maintenance program assists in encouraging social interaction along Stephen Avenue Mall and Barclay Mall by improving safety, area cleanliness and accessibility. This contributes to the heritage perseverance and vitality of Calgary's downtown.

Environmental

These improvements under the enhanced mall maintenance program encourage pedestrian travel by means of walking and promotes the use of other modes of transportation such as bikes, scooters, and transit.

Economic

Attracting visitors and business to this area fosters economic activity. Cost sharing of the enhanced mall maintenance program delivers a more desirable space while limiting costs to both The City and adjacent property owners.

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Service and Financial Implications

Existing operating funding - base

For 2023, the estimated cost of the enhanced mall maintenance program is \$403,690 for Stephen Avenue Mall and \$278,337 for Barclay Mall (see Table 1). Total estimated cost for the two malls is \$682,027. The normal maintenance costs of the two malls (estimated at \$108,449 in 2022), will be deducted from the estimated total of \$682,027 and the residual costs will be shared equally between The City and the property owners deemed to benefit from the program.

The normal maintenance cost and The City's portion of the enhanced maintenance program will continue to be funded through the Mobility operating budget. The costs are comparable to the same as 2022.

Table 1: Maintenance Costs – Stephen Avenue Mall and Barclay Mall

Maintenance Costs	2023 Stephen Avenue Mall Budget	2023 Barclay Mall Budget
Total	\$ 403,690	\$ 278,337
Less: Normal Maintenance	\$ (49,598)	\$ (58,851)
Sharable Costs	\$ 354,092	\$ 219,486
Property Owners Share (50%)	\$ 177,046	\$ 109,743

Maintenance related to the walking and wheeling lane on THE WEST END OF 8 AVENUE SW is not charged to this enhanced mall maintenance program and is funded separately under the snow clearing budget.

The program costs for the enhanced mall maintenance program are set forth in Schedule "1" of Bylaws 1L2023 (Attachment 2) and 2L2023 (Attachment 3). The one-year levy will be assessed in 2024.

RISK

There are no significant risks associated with the Local Improvement Bylaws 1L2023 and 2L2023. There would be a significant risk in not approving this cost sharing mechanism as the enhanced level of maintenance that is now expected in that downtown corridor would likely have large impacts to the number of people spending time in that space.

ATTACHMENT(S)

1. Previous Council Direction
2. Proposed Bylaw 1L2023
3. Proposed Bylaw 2L2023

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Doug Morgan	Operational Services	Approve
Troy McLeod	Operational Services	Approve
Thom Mahler	Planning & Development Services	Inform