

2023 Local Improvements Projects

RECOMMENDATIONS:

That Council:

1. Approve an increase of 4,576,713.35 in 2023 budget appropriation to Public Services Capital Program 147-148; and
2. Give three readings to Proposed Bylaw 1R2023.

HIGHLIGHTS

- This report requests authorization of Bylaw 1R2023 to carry out owner-initiated local improvement projects in 2023. These projects include paving residential laneways and lowering the height of the curb for individual residential driveways (called driveway crossings).
- **What does this mean to Calgarians?** Local Improvement projects are projects that benefit a small section of local property owners rather than the majority of Calgarians. Through the owner-initiated Local Improvement process, the City and property owners facilitate and support efforts to improve neighborhood assets that increase the attractiveness and accessibility of an area.
- **Why does this matter?** All the projects associated with this bylaw were initiated or requested by adjacent property owners. Annual adoption of this bylaw is required to facilitate completion of these projects. This report affects locations in Wards 1, 4-12, and 14.
- The Municipal Government Act (MGA) provides provincial statutory guidelines for Local Improvement administration. Local Improvement charges are assessed to adjacent benefitting properties and then added to property taxes until the costs are repaid.
- There is no cost sharing between The City and property owners. All costs for these improvements are charged to the property owners.
- Previous Council Direction, Background (Attachment 1).

DISCUSSION

Local Improvement Bylaws are processed according to the Municipal Government Act (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.
- 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.

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- 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 the petition is valid.

Bylaw 1R2023 is required for lane paving in residential areas with standard widths and new residential driveway crossings (Attachment 2).

- 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 3).

EXTERNAL ENGAGEMENT AND COMMUNICATION

- | | |
|---|---|
| <input checked="" type="checkbox"/> Public engagement was undertaken | <input checked="" type="checkbox"/> Dialogue with interested parties was undertaken |
| <input checked="" type="checkbox"/> Public/interested parties were informed | <input checked="" type="checkbox"/> Public communication or engagement was not required |

Notices of The City’s intention to undertake 53 Local Improvement projects were sent to affected property owners on 2023 January 16. “Petitions Against” were requested and sent out for 7 projects. There was one petition against that was returned for validation and was invalid. Council will be informed by Administration at the 2023 March 14 meeting of any petitions received after 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.

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

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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 2023 budget of \$4,576,713.35 is required for Public Services Delivery Capital Program 147/148, Activity 432395 (Attachment 5). The requested budget will be funded by Local Improvement debt to pay for contract work outlined in the Bylaw 1R2023. The borrowed funds are 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 can upgrade infrastructure to improve quality of life in their community.

ATTACHMENT(S)

1. Attachment 1 - Previous Council Direction, Background
2. Attachment 2 - Proposed Local Improvement Bylaw No. 1R2023 of The City of Calgary
3. Attachment 3 - 2023 Local Improvement Uniform Tax Rates
4. Attachment 4 - 2023 Petition Against Summary Report
5. Attachment 5 - Summary of Financial Impact
6. Attachment 6 - 2023 Group One Local Improvement Projects Presentation

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Kerensa Fromherz	Infrastructure Services	Approve
Michael Thompson	Infrastructure Services	Approve