

**LOCAL IMPROVEMENT BYLAWS 1L2014 AND 2L2014 FOR 2014 STEPHEN AVENUE  
MALL AND BARCLAY MALL ENHANCED MAINTENANCE**

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**EXECUTIVE SUMMARY**

Stephen Avenue Mall and Barclay Mall represent high use, high activity pedestrian corridors in the City Centre. The purpose of Local Improvement Bylaws 1L2014 and 2L2014 is to facilitate the continued enhanced maintenance program to provide for cleanliness and litter control, furniture and roadway infrastructure repairs throughout the year, and snow and ice control during winter for Stephen Avenue Mall and Barclay Mall. Through the adoption of these bylaws the facilities will be maintained to a high standard which reflects and helps to facilitate the activity levels among these corridors.

**ADMINISTRATION RECOMMENDATION(S)**

That Council:

1. Give three readings to Bylaw 1L2014; and
2. Give three readings to Bylaw 2L2014.

**PREVIOUS COUNCIL DIRECTION / POLICY**

On 2013 January 28 Council approved Local Improvement Bylaws 1L2013 and 2L2013 for 2013 Stephen Avenue Mall and Barclay Mall Enhanced Maintenance, Report Number C2013-0060.

**BACKGROUND**

The Enhanced Mall Maintenance program has been in effect since at least 1990 and the funding formula for this program has always been a 50/50 split between The City of Calgary and the property owners. This program enables The City to improve the condition of street furniture and waste receptacles, and to provide a higher than normal level of maintenance activities that include surface repairs, snow and ice control, street cleaning and street lighting. The Local Improvement Bylaws 1L2014 and 2L2014 are required to collect the funds to deliver the enhanced maintenance program for Stephen Avenue Mall, located along 8 Avenue between 1 Street SE and 4 Street SW, and Barclay Mall, located along 3 Street SW between Barclay Parade SW and 9 Avenue SW.

In 2012 and 2013, funds were expended as follows:

<i>Item</i>	<i>2012 Expenditures</i>	<i>2013 Expenditures*</i>
<i>Stephen Ave Mall Repairs</i>	<i>17,122</i>	<i>32,789</i>
<i>Stephen Ave Mall Electrical Services</i>	<i>17,040</i>	<i>11,372</i>
<i>Stephen Ave Mall Snow Removal</i>	<i>63,751</i>	<i>39,874</i>
<i>Stephen Ave Mall Contract Clean</i>	<i>173,435</i>	<i>118,768</i>
<i>Stephen Ave Mall Sweeping</i>	<i>3,153</i>	<i>0</i>
<i>Total</i>	<i>274,501</i>	<i>202,803</i>
<i>Less Normal Maintenance</i>	<i>-27,450</i>	<i>- 20,280</i>
<i>Sharable Costs</i>	<i>247,051</i>	<i>182,523</i>
<i>Property Owner's Share @ 50%</i>	<i>123,526</i>	<i>91,262</i>

\* As of October 31, 2013.

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<i>Item</i>	<i>2012 Expenditures</i>	<i>2013 Expenditures*</i>
<i>Barclay Mall Repairs</i>	6,465	3,414
<i>Barclay Mall Electrical Services</i>	85,103	56,998
<i>Barclay Mall Snow Removal</i>	17,687	5,520
<i>Barclay Mall Contract Clean</i>	84,066	51,861
<i>Barclay Mall Sweeping</i>	0	11,618
<i>Total</i>	193,321	129,411
<i>Less Normal Maintenance</i>	-34,798	-23,294
<i>Sharable Costs</i>	158,523	106,117
<i>Property Owner's Share @50%</i>	79,262	53,059

\* As of October 31, 2013.

**INVESTIGATION: ALTERNATIVES AND ANALYSIS**

Local Improvement Bylaws are processed according to the Municipal Government Act (MGA), and various policies and guidelines. Pursuant to requirements of section 396 of the MGA, 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 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, and must be received within 30 days of the mailing date of the Notice of Intention. If a valid petition against a project is received, The City is prohibited from proceeding with the work (M.G.A. 396 (3)).

**Stakeholder Engagement, Research and Communication**

Notices of The City's intention to undertake the mall enhanced maintenance were sent to affected property owners on 2013 October 15. No petitions against these projects were received by the 2013 November 13 deadline. Council will be informed by Administration at the 2014 January 27 meeting of any petitions received subsequent to preparation of this report.

Affected property owners will be notified in writing the results of Council's decision after 2014 January 27.

**Strategic Alignment**

The Enhanced Mall Maintenance funds provide an enhanced level of service for the high pedestrian use corridors of Stephen Avenue Mall and Barclay Mall. This program aligns with the Calgary Transportation plan by helping to facilitate and provide mobility choices in the City Centre, and promoting safety for all transportation system users. The cost of the Enhanced Mall Maintenance Program is shared equally (50/50) between The City and the adjacent property owners. These local improvement projects 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 City ensures that all aspects of the Stephen Avenue Mall and Barclay Mall are safe and secure, enabling prompt and effective emergency response. These objectives are achieved through the ongoing operations of the mall maintenance.

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**Social, Environmental, Economic (External)**

**Social**

The Enhanced Mall Maintenance program assists in encouraging social interaction along Stephen Avenue and Barclay Mall by improving safety, area cleanliness and accessibility. This contributes to the heritage preservation and vitality of the City Centre.

**Environmental**

The Enhanced Mall Maintenance Program encourages pedestrian travel and consequently helps reduce automobile dependency and vehicle emissions.

**Economic (External)**

Cost sharing of the Enhanced Mall Maintenance Program contributes to the vitality of the City Centre by creating an attractive area for public and business activity.

**Financial Capacity**

**Current and Future Operating Budget:**

The 2014 estimated cost of the Enhanced Mall Maintenance Program, \$605,000 (see attachments 1 & 2), is to be shared equally (50/50) between The City and the property owners deemed by Council to benefit from the upgrades. The normal maintenance costs of the two malls (estimated at \$97,400 in 2014), is not included in the \$605,000. The normal maintenance cost and The City's portion of the enhanced maintenance program will continue to be funded through Roads Operating Program 132.

The scope of improvements and program costs for the Enhanced Mall Maintenance Program are set forth in Schedule 1 of Bylaws 1L2014 (Attachment 1) and 2L2014 (Attachment 2). The one year levy will be assessed in 2015.

**Current and Future Capital Budget:**

There are no capital budget implications.

**Risk Assessment**

There are no significant risks associated with the Local Improvement Bylaws 1L2014 and 2L2014.

**REASON(S) FOR RECOMMENDATION(S):**

Enhanced Mall Maintenance along Stephen Avenue and Barclay Mall contributes to the vitality of the downtown core by fostering accessible and inviting public spaces that support local businesses and encourage sustainable modes of transportation such as walking.

**ATTACHMENT(S)**

1. Proposed Local Improvement Bylaw No. 1L2014 of The City of Calgary
2. Proposed Local Improvement Bylaw No. 2L2014 of The City of Calgary