

Transportation Report to
Combined Meeting of Council
2019 March 18

ISC: UNRESTRICTED
C2019-0172

2019 Group One Local Improvements Projects

EXECUTIVE SUMMARY

The purpose of Bylaw 1R2019 is to carry out owner-initiated local improvement projects in 2019. These projects include laneway paving in residential areas and residential driveway crossings by lowering the height of the curb. Adoption of this Bylaw is required to facilitate completion of these projects.

All of the projects associated with this Bylaw were initiated or requested by adjacent property owners. This Bylaw affects locations in Ward 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12 and 14.

ADMINISTRATION RECOMMENDATION:

That Council:

1. Approve an increase of \$4,140,513 in 2019 budget appropriation to Roads Capital Program 147-148; and
2. Give three readings to **Proposed Bylaw 1R2019**.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2018 July 30 Council approved Local Improvement Bylaw 2R2018 for 2018 Group Two Local Improvement Projects.

BACKGROUND

Local Improvements (LI'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 LI's to help cover the cost of infrastructure. LI 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 LI 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.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

LI Bylaws are processed according to the MGA (Section 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.

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- 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 396 (3)). In this case, The City deletes the local improvement from the LI bylaw.
- In all cases, The City advises affected property owners in writing whether or not the petition is valid.

Bylaw 1R2019 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 LI'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, Research and Communication

Notices of The City's intention to undertake 46 LI projects were sent to affected property owners on 2018 November 30. Due to a postal strike, an extension was given making the deadline for receiving petitions against, 2019 January 11 at 4:30 p.m.

"Petitions Against" were requested and sent out for 15 projects. 4 petitions against were returned for validation (Attachment 3). Council will be informed by Administration at the 2019 March 18 meeting of any petitions received subsequent to 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.

Strategic Alignment

Through the owner-initiated LI process, The City and property owners facilitate and support efforts to improve neighborhood assets. LI projects maintain or improve accessibility and enhance appearance without burdening all taxpayers with the full financial responsibility of improving these public spaces.

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Social, Environmental, Economic (External)

Owner-initiated LI projects can improve a specific area's livability. They can contribute to increased attractiveness and accessibility. The LI process provides a mechanism for adjacent residents to improve public infrastructure such as paving a lane, while sharing the cost over numerous properties. Lane paving is an effective means of dust reduction, offers better drainage and prevents erosion of the lane surface. Proper driveway crossings often replace ramps or built-up material in the gutter, resulting in improved drainage and ensures accessibility for mobility devices is maintained.

Low effective interest rates, as set by the Alberta Capital Finance Authority, and a 15 year amortization help lower annual costs for affected property owners.

Financial Capacity

Current and Future Operating Budget:

There are no operating budget impacts as a result of this report.

Current and Future Capital Budget:

The full costs for first time paving of lanes and driveway crossings are borne by the property owners. An increase to the 2019 budget of \$4,140,513 is required for Roads Capital Program 147-148 (Attachment 4). The requested budget will be funded by LI debt to pay for contract work outlined in the Bylaw 1R2019. The borrowed funds are ultimately repaid by the property owners and are not mill rate supported.

Risk Assessment

The City's ability to complete requested LI projects and provide services to citizens (property owners) in a timely manner could be negatively impacted if the LI bylaws are not approved.

REASON(S) FOR RECOMMENDATION(S):

Through the Local Improvement process, property owners have the opportunity to upgrade infrastructure to improve quality of life in their community.

ATTACHMENT(S)

1. **Attachment 1 – Proposed Local Improvement Bylaw No. 1R2019 of The City of Calgary**
2. Attachment 2 – 2019 Local Improvement Uniform Tax Rates
3. Attachment 3 – Petition Against Summary Report
4. Attachment 4 – Summary of Financial Support