



## FINANCIAL SERVICES

---

**TO:** Council  
**DATE:** September 21, 2021 **DIVISION:** 6  
**FILE:** 0194 **APPLICATION:** N/A  
**SUBJECT:** Local Improvement Tax Petition for Water System Upgrades – Prince of Peace -  
 Village – Phase #2 - Internal Distribution System

---

### POLICY DIRECTION:

Section 393 of the *Municipal Government Act* (MGA) provides that a group of owners in a municipality may petition the council for a local improvement.

### EXECUTIVE SUMMARY:

On August 18, 2021, property owners in the Prince of Peace - Village submitted a second petition requesting that Council proceed with the installation of a potable water pipeline – internal distribution system (Phase #2). The Chief Administrative Officer has deemed the second petition as sufficient, as it meets the requirements prescribed in section 392(2) of the MGA. The attached Declaration of Sufficient Petition (Attachment 'A') satisfies section 226(1) of the MGA.

In order to proceed, Administration is seeking direction on the distribution of the local improvement plan and first reading to Borrowing Bylaw C-8238-2021.

### ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

### BACKGROUND:

On June 12, 2020, property owners in the Prince of Peace subdivision submitted a petition requesting that Council proceed with the installation of a potable water pipeline. On August 18, 2021, the residents of Prince of Peace Village submitted a second petition for the upgrade of the internal water distribution system (Phase #2). Funding for phase #2 is estimated at a total of \$339,000.00 and would be borrowed through the Alberta Provincial Government – Loans to Local Authorities. The County would repay the debenture through the collection of an annual Local Improvement Tax on all of the lots.

The following are Council motions to date for the Prince of Peace Village potable water system.

On July 28, 2020, the following motions were carried regarding a petition for the construction of a main water line to the Prince of Peace development:

*MOVED by Councillor Gautreau that the Local Improvement Tax report be received for information.*

*MOVED by Councillor Gautreau that Administration be directed to prepare a Local Improvement Plan and corresponding borrowing bylaw for the water system in the Prince of Peace subdivision for Council's consideration.*

---

### Administration Resources

Barry Woods, Financial Services



On September 22, 2020, the following motions were carried:

- MOVED by Councillor Gautreau that Bylaw C-8083-2020 be given first reading as amended.*
- MOVED by Councillor Gautreau that Administration be directed to send the Local Improvement Plan to all properties included in the plan area.*

On November 24, 2020, the following motions were carried:

- MOVED by Councillor Gautreau that Borrowing Bylaw C-8083-2020 be given second reading.*
- MOVED by Councillor Gautreau that Borrowing Bylaw C-8083-2020 be given third and final reading.*
- MOVED by Councillor Gautreau that the budget adjustment as presented in Attachment 'C' for \$644,000 be approved.*

**Local Improvement Plan**

Sections 394 and 395 of the MGA provide that the County must prepare a Local Improvement Plan that sets out detailed information on the local improvement. Information such as costs, method of Local Improvement Tax distribution to properties affected, and the direction of the Local Improvement Tax are included in this plan.

**Notification to Owners Liable to Pay Local Improvement Tax**

Section 396 of the MGA provides that the County must send notices to the persons who will be liable to pay the Local Improvement Tax. These notices must include a copy of the Local Improvement Plan. If after 30 days the Chief Administrative Officer has not received a sufficient petition objecting to the Local Improvement Tax, Council may proceed with the Local Improvement Tax within three (3) years after the sending of the notices.

**BUDGET IMPLICATIONS:**

Once the Local Improvement Plan and borrowing bylaw are completed, Administration will prepare a budget adjustment for Council's consideration.

**OPTIONS:**

- Option #1:    Motion # 1    THAT the Declaration of Sufficient Petition be received for information.
- Motion # 2:    THAT Administration be directed to prepare and send a Local Improvement Plan to all affected land owners for the internal water distribution in the Prince of Peace Village area.
- Motion # 3:    THAT Borrowing Bylaw C-8238-2021 be given first reading.
- Option #2:    THAT alternative direction be provided.



Respectfully submitted,

“Barry Woods”

---

Manager, Financial Services

Concurrence,

“Kent Robinson”

---

Acting Chief Administrative Officer

BW/rp

**ATTACHMENTS:**

ATTACHMENT ‘A’: Declaration(s) of Sufficient Petition

ATTACHMENT ‘B’: Borrowing Bylaw C-8238-2021