



## **FINANCIAL SERVICES**

<b>TO:</b>	Council	
<b>DATE:</b>	January 25, 2022	<b>DIVISION:</b> 1
<b>FILE:</b>	0650	<b>APPLICATION:</b> N/A
<b>SUBJECT:</b>	Local Improvement – Upgrades to Range Road 34	

### **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 November 4, 2021, four property owners have submitted a petition requesting that Council proceed with the upgrade to the 700m gravel portion of Range Road 34 north of highway 8 to a paved standard. Administration has reviewed the petition and deemed it sufficient. The purpose of this report is to seek direction in moving forward with preparing a local improvement plan.

### **ADMINISTRATION RECOMMENDATION:**

Administration recommends approval in accordance with Option #2.

### **BACKGROUND:**

A petition was received by four property owners requesting that Council proceed with the upgrade to the 700m gravel portion of Range Road 34 north of Highway 8 to a paved standard. Three of the four property owners are in favor of upgrading the road and one is opposed. The three that are in favor of the upgrade are in compliance with the following MGA requirement:

1. The Petition must be signed by 2/3s of the owners who would be liable to pay for the Local Improvement Tax. In this case, owners for three of the four lots have signed the petition in favor of the Local Improvement Tax. This meets and exceeds the 2/3s requirement; and
2. The owners who signed the petition must represent at least 50% of the value of the assessments prepared for the parcels of land upon which the Local Improvement Tax will be imposed. In this case, the owners who signed the petition in favor of the Local Improvement Tax exceed the 50% requirement.

The CAO has deemed the petition as sufficient, as it meets the requirements prescribed in section 392(2) of the *MGA*. The Declaration of Sufficient Petition (Attachment 'A') satisfies section 226(1) of the *MGA*.

The two current surface types on Range Road 34 create operational challenges requiring duplicate service responses and fugitive dust in a residential area. Upgrading to a consistent paved surface will result in one service level and a decrease in long term maintenance resulting in a operational savings. For this reason, Administration has provided an option for Council's consideration that would direct that the County participate in the project and share some of the costs.

### **Administration Resources**

Barry Woods, Manager, Financial Resources



**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:**

Cost estimate - \$400,000. If the County was to participate, 20% or \$80,000 would be contributed by the County and the balance would be collected through a local improvement tax.

**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 landowners for the upgrade of Range Road 34 to a paved standard.
- Option #2:     Motion # 1:     THAT the Declaration of Sufficient Petition be received for information.
- Motion # 2:     THAT Rocky View County be included in the cost sharing of the local improvement as a participant at 20%.
- Motion # 3:     THAT Administration be directed to prepare and send a Local Improvement Plan to all affected landowners for the upgrade of Range Road 34 to a paved standard.
- Option #3:                         THAT alternative direction be provided.



ROCKY VIEW COUNTY

Respectfully submitted,

“Kent Robinson”

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Executive Director  
Corporate Services

BW/ls

Concurrence,

“Byron Reiman”

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Acting Chief Administrative Officer

**ATTACHMENTS:**

ATTACHMENT ‘A’: Declaration of Sufficient Petition  
ATTACHMENT ‘B’: Range Road 34 Map