

**Date:** March 4, 2025

**To:** **Mayor and Council**

**Name and title:** Ethan Anderson, Manager of Legislative Services / Corporate Officer

**Subject:** Fox Drive Road Paving Local Area Service (LAS) Petition Results

**Attachment(s):** Appendix "A" – Map of the Fox Drive Road Paving Proposed Local Area Service  
Appendix "B" – Corporate Officer Certificate of Insufficiency  
Appendix "C" – Staff report dated November 12, 2024 from the Director of Civic Operations (Considered at the December 16, 2024 council meeting)

## Recommendation(s):

That Council RECEIVES FOR INFORMATION the Corporate Officer Certificate of Insufficiency dated March 4, 2025 regarding the petition in support of the Fox Drive Road Paving Local Area Service, attached to the report dated March 4, 2025 from the Manager of Legislative Services/Corporate Officer, titled "Fox Drive Road Paving Local Area Service (LAS) Petition Results."

## PURPOSE:

The purpose of this report is to provide Council with the results of the petition in support of the Fox Drive Road Paving Local Area Service (LAS).

## DISCUSSION:

The proposed Fox Drive Road Paving LAS project was initiated following a request from homeowners on Fox Drive for the installation of an asphalt surface treatment. As outlined in the staff report dated November 12, 2024 (attached to this report as Appendix "C"), the City's Road Rehabilitation Reserve Bylaw permits the rehabilitation of existing paved roads but does not allow for new or upgraded infrastructure, such as converting gravel roads to asphalt.

In response to the interest from Fox Drive residents, Council authorized Administration to facilitate a formal petition for the proposed Fox Drive Road Paving LAS. The proposed LAS would include 29 properties along Fox Drive, as shown on the map in Appendix "A".

In accordance with section 212 of the Community Charter, on January 17, 2025, Administration issued a letter and local area service petition for paving Fox Drive to the owners of the 29 properties that would be included in the LAS. The letter and petition provided an overview of the service, outlined the boundaries of the local service area, presented an estimate of the costs, explained the proposed cost recovery method, and clarified the portion of the costs to be recovered through general municipal property tax for each of the 29 properties within the local service area. Additionally, the letter and petition noted that the LAS would be debt-funded through the Municipal Finance Authority, detailing the total amount proposed

to be borrowed by bylaw, the maximum loan term, and the portions of the costs to be recovered through a local service tax paid by the property owners.

For Council to consider the petition as valid authority to create the local area service, it must be signed by the owners of at least 50% of the parcels within the proposed area, representing at least 50% of the assessed value of land and improvements subject to the local service tax.

To deem the petition sufficient, petitions representing at least 15 parcels, with a combined assessed value of at least \$8,012,450 were required to be submitted by the petition deadline of March 3, 2025, at 5:00 p.m. As outlined in the Certificate of Insufficiency (attached as Appendix "B"), Administration received petitions representing 8 parcels, with a combined assessed value of \$5,198,700 in land and improvements. As such, Council should not consider the petition as valid authority to create the local area service to pave Fox Drive.

#### CONCLUSION:

As indicated by the attached Certificate of Insufficiency, approval of the residents that would be subject to the Fox Drive Road Paving Local Area Service has not been obtained preventing Council from adopting bylaws to establish a local area service and loan authorization for the proposed works.

#### RESPECTFULLY SUBMITTED:

Ethan Anderson Corporate Officer/Manager of Legislative Services

PREPARED BY: Leslie Kellett, Deputy Corporate Officer

#### APPROVED BY:

Walter Babicz, City Manager

Meeting Date: 2025/03/24