



## AMHERST TOWN COUNCIL

RFD# 2023068

Date: April 24, 2023

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**TO:** Mayor Kogon and Members of Council

**SUBMITTED BY:** Aaron Bourgeois, Director of Operations

**DATE:** April 24, 2023

**SUBJECT:** Local Improvement Bylaw Review

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**ORIGIN:** Requirement to update the bylaw in order to incentivise new residential construction within the Town.

**LEGISLATIVE AUTHORITY:** MGA section 47(1) states; The council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law. MGA Section 81 provides that council of a Town may make bylaws imposing, fixing, and providing methods of enforcing payment for charges of local improvements;

**RECOMMENDATION:** That Council repeal the existing Local Improvement Bylaw and give second reading of the new Local Improvement Bylaw.

**BACKGROUND:** Local Improvement Bylaws have been used by municipalities for many years to help cover the capital costs of infrastructure improvements deemed to benefit a specific neighbourhood or area.

Local Improvements can include constructing or improving streets, curbs, sidewalks, and the extension of sewer and water systems within the public right of way.

The existing Bylaw, approved in 1995, is outdated and should be repealed.

**DISCUSSION:** The existing bylaw is focussed on the installation and payment of new infrastructure on existing streets where Council feel the desired infrastructure is not a priority. An example of this may be a new sidewalk on a local street. While the proposed bylaw still allows for such work to be completed, more importantly it allows for the financing of new streets and infrastructure that is needed to promote new residential development within the Town. Specifically, the bylaw allows for the cost of the infrastructure to be financed by the Town with the outstanding balance being a first lien on a property, much like outstanding taxes. This change removes much of the risk of the Town financing new residential infrastructure.





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**FINANCIAL IMPLICATIONS:** When used, local improvement charges help the Town cover the cost for capital projects on existing streets. It also removes much of the risk of financing new infrastructure for residential development.

**SOCIAL JUSTICE IMPLICATIONS:** There are no social justice implications.

**ENVIRONMENTAL IMPLICATIONS:** There are no environmental implications.

**COMMUNITY ENGAGEMENT:** Notice of Intent appeared in the Cumberland Wire on April 5, 2024. If approved, notice of publication will appear in the Cumberland Wire.

**ALTERNATIVES:**

Direct staff to make additional changes to the bylaw.  
Do approve the proposed amendments to the bylaw.

**ATTACHMENTS:**

Local Improvement Bylaw - Existing  
Local Improvement Bylaw - Proposed

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Report prepared by: Aaron Bourgeois, Director of Operations  
Report and Financial approved by:

