

CITY OF EDMONTON

BYLAW 19969

A Bylaw to authorize the City of Edmonton to construct, finance and assess Sidewalk Reconstruction Local Improvements in the Killarney Neighbourhood

WHEREAS:

- A. The Council of the City of Edmonton has decided to issue a bylaw pursuant to Sections 251, 263, 404 and 405, of the *Municipal Government Act*, R.S.A. 2000, c. M-26, to authorize the City of Edmonton to construct, finance and assess Sidewalk Reconstruction Local Improvements in the Killarney Neighbourhood (the “Project”);
- B. The Council has also decided to set uniform tax rates based on average costs throughout the municipality pursuant to Section 398 of the *Municipal Government Act*, R.S.A. 2000, c. M-26 for the types of local improvements authorized by this Bylaw;
- C. These rates will apply whether the actual cost of the local improvement is greater or less than the uniform tax rate;
- D. The total estimated cost of the Project is \$6,092,708.00 of which \$3,046,354.00 will be funded by the City at large and \$3,046,354.00 will be funded by way of local

improvement assessment against the abutting property owners as calculated using the unit tax rates established in this Bylaw;

- E. In order to construct and complete the said Project, it will be necessary for the City of Edmonton to borrow the sum of \$3,046,354.00 for the property owner's share on the terms and conditions referred to in this bylaw;
- F. The City of Edmonton will repay the indebtedness over a period of twenty (20) years in semi-annual or annual instalments, with interest not exceeding nine per cent (9%) per annum, payable semi-annually or annually;
- G. The amount of the existing debenture debt of the City of Edmonton on December 31, 2020 is \$3,407,145,492.13 as calculated in accordance with the *Debt Limit Regulation*, A.R. 255/2000, as amended, no part of which is in arrears;
- H. The estimated lifetime of the Project is a minimum of twenty (20) years;
- I. The proposed construction will serve about 15,825 assessable metres of frontage;
- J. All required approvals for the Project have been obtained and the Project is in compliance with all Acts and Regulations of the Province of Alberta; and
- K. The Council of the City of Edmonton has given proper notice of intention to undertake the Project, the costs or a portion of the costs thereof to be assessed against abutting owners in accordance with the attached Schedule "A", and no sufficiently signed and valid petition against the said Project has been received by Council.

THEREFORE, THE COUNCIL OF THE CITY OF EDMONTON DULY ASSEMBLED ENACTS AS FOLLOWS:

1. That a unit tax rate of \$14.05 per assessable metre per annum for twenty (20) years be set for the Project, residential and commercial standard, undertaken in 2022. For condominium titled units the assessable metres for the frontage and/or flankage of the condominium plan, where the local improvement is undertaken, will be divided by the number of titled condominium units. Each titled condominium unit will bear a per parcel share of such amount as calculated in this section 1 and as applicable as calculated in section 2.
2. With respect to parcels of land which are districted RF1, RF2, RF3, RF4, RPL, RR, RSL, PU, US, A, AP, and RMH pursuant to Bylaw No. 12800, as amended, otherwise known as the Zoning Bylaw of Edmonton, and with respect to local improvement construction;
 - a) The assessed frontage (the abutting portion of the parcel) shall be calculated, dependent on the parcel shape and dimensions by using one of the following methods:
 - i) for parcels of land having equal front and rear parcel dimensions, the assessed frontage shall be equal to the abutting parcel dimension,
 - ii) for irregular shaped parcels of land having a front and rear parcel dimension that are different but do not exceed the other by more than twice as much, the assessed frontage shall be equal to the average lot dimensions of the front and rear of the parcel;

- iii) for odd or pie shaped parcels of land having a front and rear parcel dimension that are different and exceed the other by more than twice as much, the assessed frontage shall be equal to the average of the front length of the parcel and the scaled dimension of the rear of the parcel (based on a projection of the shortest parcel flankage length being imposed to that point on the longest parcel flankage length) and this average shall not exceed by more than two times the front length of the parcel.
 - b) With respect to the side or flankage of such parcels, they shall be assessed fifteen per cent (15%) of the total number of lineal metres along the side or flankage thereof abutting the road where the local improvement is undertaken.
- 3. That the foregoing unit tax rate was calculated based on a three and nine hundred-ten-thousandths per cent (3.910%) interest charge per annum for a twenty (20) year assessment.
- 4. That for the purpose of the Project the sum of \$3,046,354.00 will be borrowed by way of debenture on the credit and security of the City of Edmonton at large, of which amount the sum of \$3,046,354.00 is to be collected by way of local improvement assessment as provided in Schedule "A".
- 5. The debentures to be issued under this Bylaw shall not exceed the sum of \$3,046,354.00, and may be in any denomination not exceeding the amount authorized by this Bylaw and shall be dated having regard to the date of the borrowing.

6. The debentures shall be payable in lawful money of Canada and shall bear interest during the currency of the debentures, at a rate not exceeding nine per cent (9%) per annum, payable semi-annually or annually.
7. The debentures shall be issued for a period of twenty (20) years and the City of Edmonton will repay the principal and interest in semi-annual or annual instalments.
8. For the purpose of this Bylaw, the Chief Elected Official (as defined by the *Municipal Government Act*) means the Mayor, and the Chief Administrative Officer (as defined by the *Municipal Government Act*) means the City Manager of the City of Edmonton. At least two of the following positions; the Mayor, the Chief Financial Officer, or the City Manager, shall authorize such bank or financial institution to make payments to the holder of the debentures, on such date and in such amounts as specified in the repayment schedule forming part of each debenture.
9. The debentures shall be signed by at least two of the following positions: the Chief Financial Officer, the City Manager or the Mayor of the City of Edmonton and the City Manager shall affix thereto the corporate seal of the City of Edmonton to the debentures.
10. After applying the local improvement assessments, there shall be levied and raised in each year of the currency of the debentures a rate on all benefiting properties in the City of Edmonton, collectible at the same time and in the same manner as other taxes, in an amount sufficient to pay any of the principal and interest falling due in such year on such debentures.
11. The indebtedness is contracted on the credit and security of the City of Edmonton at large.

12. During the currency of the debentures, there shall be raised annually for payment of the owners' portion of the cost and interest thereon, by local improvement assessment, the respective sums shown as yearly payments on Schedule "A" and there is hereby imposed on all lands fronting or abutting on that portion of the streets or places whereon the improvements are to be laid, a local improvement assessment sufficient to cover the owners' portion of the cost of the said work and the interest thereon payable at the unit rate or rates set forth in said Schedule "A". The local improvement assessment shall be in addition to all other rates and taxes.
13. The net amount realized by the issue and sale of debentures authorized under this Bylaw shall be applied only for the purposes for which the indebtedness was created.

14. This Bylaw shall take effect on the day of the final passing thereof.

READ a first time this	day of	2022;
READ a second time this	day of	2022;
READ a third time this	day of	2022;
SIGNED AND PASSED this	day of	2022.

THE CITY OF EDMONTON

.....
MAYOR

.....
CITY CLERK

PROPOSED SIDEWALK RECONSTRUCTION 2022 (50/50 PROGRAM) LOCAL IMPROVEMENTS
KILLARNEY NEIGHBOURHOOD
\$192.50 CASH COST PER METRE
UNIT RATE OF \$14.05 PER METRE PER YEAR FOR 20 YEARS

L.I. PLAN No.	REF.	SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
1A	A	SOUTH-NORTH	130 AVENUE	86 STREET	90 STREET	492	94,711
1A	B	SOUTH-NORTH	130A AVENUE	87 STREET	90 STREET	343	66,028
1A	C	SOUTH-NORTH	131A AVENUE	86 STREET	87 STREET	31	5,968
1A	D	SOUTH-NORTH	131A AVENUE	88 STREET	89 STREET	152	29,261
1A	E	EAST-WEST	87 STREET	130A AVENUE	131A AVENUE	271	52,168
1A	F	EAST-WEST	88 STREET	130 AVENUE	130A AVENUE	32	6,161
1A	G	EAST	88 STREET	131A AVENUE	132 AVENUE	110	21,176
1A	H	WEST	88 STREET	131A AVENUE	A/N OF 131A AVENUE	6	1,156
1A	I	EAST-WEST	89 STREET	130A AVENUE	131A AVENUE	234	45,046
2	A	SOUTH-NORTH	130 AVENUE	82 STREET	86 STREET	424	81,621
2	B	SOUTH-NORTH	131 AVENUE	83 STREET	86 STREET	267	51,398
2	C	EAST-WEST	83 STREET	130 AVENUE	132 AVENUE	440	84,701
2	D	EAST-WEST	85 STREET	131 AVENUE	132 AVENUE	235	45,238
2	E	EAST-WEST	86 STREET	130 AVENUE	132 AVENUE	521	100,293
3	A	SOUTH-NORTH	128 AVENUE	87 STREET	90 STREET	176	33,881
3	B	SOUTH-NORTH	129B AVENUE	88 STREET	90 STREET	154	29,646
3	C	EAST-WEST	87 STREET	127 AVENUE	130 AVENUE	827	159,198
3	D	EAST-WEST	88 STREET	127 AVENUE	130 AVENUE	854	164,396
3	E	EAST-WEST	89 STREET	127 AVENUE	129B AVENUE	668	128,591
4	A	SOUTH-NORTH	128 AVENUE	82 STREET	87 STREET	435	83,738
4	B	EAST-WEST	83 STREET	127 AVENUE	128 AVENUE	201	38,693
4	C	EAST-WEST	85 STREET	127 AVENUE	130 AVENUE	581	111,843
4	D	EAST-WEST	86 STREET	127 AVENUE	130 AVENUE	819	157,658

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L.I. PLAN No.	REF.	SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
5	A	SOUTH-NORTH	129B AVENUE	90 STREET	97 STREET	961	184,993
5	B	SOUTH-NORTH	130 AVENUE	90 STREET	94A STREET	632	121,661
5	C	SOUTH-NORTH	131 AVENUE	90 STREET	93 STREET	298	57,366
5	D	EAST-WEST	91 STREET	131 AVENUE	132 AVENUE	84	16,171
5	E	EAST	130 AVENUE	130 AVENUE S	130 AVENUE N	98	18,866
5	F	EAST-WEST	93 STREET	130 AVENUE	131 AVENUE	150	28,876
5	G	EAST-WEST	94A STREET	129B AVENUE	130 AVENUE	102	19,636
5	H	EAST-WEST	95A STREET	129B AVENUE	132 AVENUE	359	69,108
6	A	SOUTH	128A AVENUE	92 STREET	95 STREET	288	55,441
6	B	SOUTH-NORTH	129A AVENUE	94 STREET	95A STREET	281	54,093
6	C	EAST	91 STREET	128 AVENUE	129B AVENUE	222	42,736
6	D	WEST	92 STREET	128 AVENUE	128A AVENUE	12	2,311
6	E	EAST-WEST	93 STREET	128A AVENUE	129B AVENUE	399	76,808
6	F	EAST-WEST	94 STREET	128A AVENUE	129A AVENUE	158	30,416
6	G	EAST-WEST	95 STREET	128A AVENUE	129A AVENUE	168	32,341
6	H	EAST-WEST	95A STREET	128 AVENUE	129A AVENUE	434	83,546
6	I	EAST-WEST	96 STREET	128 AVENUE	129B AVENUE	642	123,586
6	J	EAST-WEST	94A STREET	128 AVENUE	128A AVENUE	23	4,428
6	K	EAST-WEST	94A STREET	129A AVENUE	129B AVENUE	22	4,236
6	L	WEST	91 STREET	128A AVENUE	129B AVENUE	138	26,566
6	M	NORTH	128A AVENUE	91 STREET	95 STREET	97	18,673
7	A	SOUTH-NORTH	128 AVENUE	90 STREET	91 STREET	22	4,236
7	B	EAST-WEST	91 STREET	127 AVENUE	128 AVENUE	206	39,656
7	C	EAST-WEST	92 STREET	127 AVENUE	128 AVENUE	239	46,008
7	D	EAST-WEST	93 STREET	127 AVENUE	128 AVENUE	212	40,811
7	E	EAST-WEST	94 STREET	127 AVENUE	128 AVENUE	205	39,463
7	F	EAST-WEST	95 STREET	127 AVENUE	128 AVENUE	201	38,693
7	G	EAST-WEST	95A STREET	127 AVENUE	128 AVENUE	211	40,618
7	H	EAST-WEST	96 STREET	127 AVENUE	128 AVENUE	125	24,063
7	I	SOUTH-NORTH	128 AVENUE	92 STREET	97 STREET	563	108,378
						15,825	\$ 3,046,354
TOTAL ANNUAL PAYMENT						\$ 222,341.25	