

BYLAW 19973

A Bylaw to authorize the City of Edmonton to construct, finance and assess Residential Alley Reconstruction Local Improvements on 130 Street from 109 Avenue to 109A Avenue

RECOMMENDATION

That Bylaw 19973 be given the appropriate readings.

Purpose

To authorize the City of Edmonton to borrow the sum of \$79,825 to construct, finance and assess Residential Alley Reconstruction Local Improvements on 130 Street from 109 Avenue to 109A Avenue.

Readings

Bylaw 19973 is ready for three readings.

A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree “That Bylaw 19973 be considered for third reading.”

Position of Administration

Administration supports this Bylaw.

Report Summary

This Bylaw provides for borrowing to finance the property owners’ 100 per cent share of 2022 residential alley reconstruction local improvement on 130 Street from 109 Avenue to 109A Avenue.

REPORT

Council has given proper notice of its intention to undertake and complete this project. The required approvals for the project have been obtained and the project is in compliance with all acts and regulations of the Province of Alberta.

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The petition period expired on April 5, 2022. The valid petitions on the project, as outlined in Attachment 2 of this report, are nine per cent of owners, which is less than the two-thirds of the owners petition requirement under the *Municipal Government Act*, less than the majority of owners as outlined in City Policy C619, *Local Improvements - Surface* and less than at least half of the value of assessments required by both. As a result, this Bylaw may proceed.

The Alley Reconstruction Local Improvement process, separate from the Alley Renewal Program, remains an option for residents who wish to accelerate the renewal of their alley. This initiative is 100 per cent property owner funded.

The total cost of the residential alley reconstruction local improvement on 130 Street from 109 Avenue to 109A Avenue is estimated to be \$79,825. Borrowing of \$79,825 is required to finance the property owners' share of the estimated local improvement costs.

COMMUNITY INSIGHTS

The City engages with the public when a local improvement plan is proposed for the affected areas. When a local improvement is proposed, the City must prepare a local improvement plan and send notice to the property owners who will be liable to pay the local improvement. If the affected property owners are not in favour of this local improvement, the affected property owners may file a petition as set out in sections 222 to 226 and 392 of the *Municipal Government Act*. These petitions must be filed and received by the City's Chief Administrative Officer within 30 days from the notices being sent. If no sufficient petitions have been received, the City may proceed with the preparation of a local improvement bylaw.

Council must pass a separate local improvement bylaw for each local improvement. Local improvement bylaws are prepared in accordance with sections 263, 397 and 398 of the *Municipal Government Act*. In the case that sufficient petitions are received, the City cannot proceed with the local improvement.

ATTACHMENTS

1. Bylaw 19973
2. Petition Received
3. Declaration Re: Local Improvement
4. Location of Proposed Local Improvement

OTHERS REVIEWING THIS REPORT

- M. Plouffe, City Solicitor