

CITY OF EDMONTON

BYLAW 19617

A Bylaw to authorize the City of Edmonton to construct, finance and assess Sidewalk Reconstruction Local Improvements in the Malmo Plains 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 Malmo Plains 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 ~~\$3,825,336.00~~ **\$3,831,934.00** of which ~~\$1,912,668.00~~ **\$1,915,967.00** will be funded by the City at large and ~~\$1,912,668.00~~ **\$1,915,967.00** 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 ~~\$1,912,668.00~~ ~~\$1,912,668.00~~ ~~\$1,912,668.00~~ 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, 2019~~ ~~December 31, 2019~~ ~~December 31, 2019~~ is ~~\$3,202,765,050.41~~ ~~\$3,202,765,050.41~~ ~~\$3,202,765,050.41~~ 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 ~~9,858~~ ~~9,858~~ ~~9,858~~ 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 \$12.61 per assessable metre per annum for twenty (20) years be set for the Project, residential and commercial standard, undertaken in 2021. 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 two and six hundred-thirty-four-thousandths per cent (2.634%) interest charge per annum for a twenty (20) year assessment.
4. That for the purpose of the Project the sum of ~~\$1,912,668.00~~ \$1,915,967.00 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 ~~\$1,912,668.00~~ \$1,915,967.00 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 ~~\$1,912,668.00~~ \$1,915,967.00, 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.~~The Mayor and 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.~~The debentures shall be signed by the Mayor and the City Manager 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.

Bylaw 19617 passed by Council April 19, 2021

PROPOSED SIDEWALK RECONSTRUCTION 2021 (50/50 PROGRAM) LOCAL IMPROVEMENTS
MALMO PLAINS NEIGHBOURHOOD
\$194.02 CASH COST PER METRE
UNIT RATE OF \$12.61 PER METRE PER YEAR FOR 20 YEARS

L.I. PLAN No.	REF.	SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
10	A	S/N	50 AVENUE	116 STREET	50 AVENUE DEAD END	250	48,506
	B	S/N	50 AVENUE	115A STREET	115 STREET	122	23,671
	C	S/N	49 AVENUE	116A STREET	49 AVENUE DEAD END	287	55,684
	D	S/N	48 AVENUE	115 STREET	48 AVENUE DEAD END	729	141,441
	E	E/W	116A STREET	49 AVENUE	50 AVENUE	92	17,850
	F	E/W	116 STREET	48 AVENUE	51 AVENUE	401	77,803
	G	E/W	115A STREET	48 AVENUE	50 AVENUE	357	69,266
11	A	S/N	46 AVENUE	116A STREET	46 AVENUE DEAD END	278	53,938
	B	E/W	117A STREET	46 AVENUE	48 AVENUE	313	60,729
	C	E/W	117 STREET	46 AVENUE	48 AVENUE	314	60,923
	D	E/W	116A STREET	46 AVENUE	48 AVENUE	355	68,878
12	A	S/N	50 AVENUE	MALMO ROAD	114B STREET	534	103,607
	B	N	49 AVENUE	114 STREET	114A STREET	125	24,253
	C	S/N	48 AVENUE	114A STREET	115 STREET	168	32,596
	D	E/W	114B STREET	48 AVENUE	50 AVENUE	355	68,878
	E	W	114A STREET	48 AVENUE	49 AVENUE	85	16,492
	F	E/W	114 STREET	49 AVENUE	50 AVENUE	66	12,806
	G	E	48 AVENUE	114 STREET	114A STREET	185	35,894

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	C	E/W	117 STREET	46 AVENUE	48 AVENUE	297	57,624
	D	E/W	116A STREET	46 AVENUE	48 AVENUE	355	68,878
12	A	S/N	50 AVENUE	MALMO ROAD	114B STREET	534	103,607
	B	N	49 AVENUE	114 STREET	114A STREET	125	24,253
	C	S/N	48 AVENUE	114A STREET	115 STREET	168	32,596
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	E	W	114A STREET	48 AVENUE	49 AVENUE	85	16,492
	F	E/W	114 STREET	49 AVENUE	50 AVENUE	66	12,806
	G	E	48 AVENUE	114 STREET	114A STREET	185	35,894
13	A	S/N	50 AVENUE	111A STREET	112 STREET	411	79,743
	B	S/N	49 AVENUE	111A STREET	MALMO ROAD	515	99,921
	C	S/N	48 AVENUE	111A STREET	48 AVENUE WEST	190	36,864
	D	S	48 AVENUE	48 AVENUE WEST	48 AVENUE EAST	151	29,298
	E	E/W	48 AVENUE	48 AVENUE NORTH	48 AVENUE SOUTH	205	39,775
	F	E/W	48 AVENUE	48 AVENUE CUL-DE-SAC	MALMO ROAD	63	12,224
	G	E/W	111A STREET	48 AVENUE	50 AVENUE	240	46,565
	H	E/W	112 STREET	49 AVENUE	50 AVENUE	106	20,567



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	C	S/N	48 AVENUE	111A STREET	48 AVENUE WEST	190	36,864
	D	S	48 AVENUE	48 AVENUE WEST	48 AVENUE EAST	151	29,298
	E	E/W	48 AVENUE	48 AVENUE NORTH	48 AVENUE SOUTH	205	39,775
	F	E/W	48 AVENUE	48 AVENUE CUL-DE-SAC	MALMO ROAD	63	12,224
	G	E/W	111A STREET	48 AVENUE	50 AVENUE	240	46,565
	H	E/W	112 STREET	49 AVENUE	50 AVENUE	106	20,567
14	A	S/N	46 AVENUE	113A STREET	115 STREET	647	125,531
	B	S/N	46 AVENUE	111A STREET	113A STREET	332	64,415
	C	E/W	113A STREET	46 AVENUE	MALMO ROAD	215	41,715
	D	E/W	111A STREET	46 AVENUE	48 AVENUE	371	71,982
15	A	S/N	MALMO ROAD	113A STREET	115 STREET	503	97,593
	B	W	MALMO ROAD	49 AVENUE NORTH	49 AVENUE SOUTH	45	8,731
	C	E/W	MALMO ROAD	49 AVENUE	51 AVENUE	235	45,595
	D	E	115 STREET	46 AVENUE	51 AVENUE	392	76,056
	E	E/W	MALMO ROAD	113A STREET	49 AVENUE	238	46,177
						9,875	1,915,967
TOTAL ANNUAL PAYMENT						\$ 124,523.75	

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15	A	S/N	MALMO ROAD	113A STREET	115 STREET	503	97,593
	B	W	MALMO ROAD	49 AVENUE NORTH	49 AVENUE SOUTH	45	8,731
	C	E/W	MALMO ROAD	49 AVENUE	51 AVENUE	235	45,595
	D	E	115 STREET	46 AVENUE	51 AVENUE	392	76,056
	E	E/W	MALMO ROAD	113A STREET	49 AVENUE	238	46,177
						9,858	\$ 1,912,668
TOTAL ANNUAL PAYMENT						\$ 124,309.38	