

BYLAW 20150

A Bylaw to amend Bylaw 19624, to authorize the City of Edmonton to construct, finance and assess a Water and Sanitary Sewer Underground Local Improvement within the Winterburn Industrial Area

RECOMMENDATION

That Bylaw 20150 be given the appropriate readings.

Purpose

To amend Bylaw 19624, by decreasing the borrowing authority by \$1,995,231.87 from \$4,174,063.00 to \$2,178,831.13, by decreasing the unit rate per assessable hectare by \$3,644.12 from \$14,825.47 to \$11,181.35, by decreasing the assessable hectare by 1.61 hectares from 15.85 hectares to 14.24 hectares. The interest rate will be increased by 2.471 per cent from 2.829 per cent to 5.300 per cent.

Readings

Bylaw 20150 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 20150 be considered for third reading.”

Position of Administration

Administration supports this Bylaw.

Report Summary

Bylaw 20150 amends Bylaw 19624, to decrease the borrowing authority and to accurately reflect the actual unit rate per assessable hectare, the actual assessable hectare and the actual interest rate on the borrowing for the project.

REPORT

At the March 15, 2021 City Council meeting, Bylaw 19624 was passed.

Bylaw 20150 - A Bylaw to amend Bylaw 19624, to authorize the City of Edmonton to construct, finance and assess a Water and Sanitary Sewer Underground Local Improvement within the Winterburn Industrial Area

Under the *Municipal Government Act*, a local improvement bylaw may be passed before the actual costs of a local improvement have been determined. A municipality may amend a local improvement tax rate once over the life of the local improvement if necessary.

Bylaw 20150 amends Bylaw 19624, by the following:

- decreasing the borrowing authority by \$1,995,231.87 from \$4,174,063.00 to \$2,178,831.13
- decreasing the unit rate per assessable hectare by \$3,644.12 from \$14,825.47 to \$11,181.35
- by decreasing the assessable hectare by 1.61 hectares from 15.85 hectares to 14.24 hectares
- increasing the interest rate by 2.471 per cent from 2.829 per cent to 5.300 per cent
- and by including a revised Schedule "A".

COMMUNITY INSIGHT

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 the 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. In accordance with section 460 of the *Municipal Government Act*, a complaint about a local improvement tax must be made within one year after it is first imposed. Where a local improvement tax rate has been revised under section 403(3), a complaint may be made about the revised local improvement tax whether or not a complaint was made about the tax within the year after it was first imposed. A complaint must be made within one year after the local improvement tax rate is revised.

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 20150
2. Bylaw 19624 Redline Version

OTHERS REVIEWING THIS REPORT

- M. Plouffe, City Solicitor