

BYLAW 20387

To authorize the City of Edmonton to undertake, construct, and finance Integrated Infrastructure Services Project, 103A Avenue Pedway Local Improvement

RECOMMENDATION

1. That the budget for capital profile 21-50-9100 103A Avenue Pedway be increased by \$4,500,000 to \$31,000,000 as set out in Attachment 2 of the February 22, 2023, Financial and Corporate Services report FCS01641.
2. That Bylaw 20387 be given the appropriate readings.

Purpose

To authorize the City of Edmonton to borrow the sum of \$4,500,000 to undertake, construct, and finance Integrated Infrastructure Services Project, 103A Avenue Pedway Local Improvement.

Readings

Bylaw 20387 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 20387 be considered for third reading.”

Position of Administration

Administration supports this Bylaw.

Report Summary

This Bylaw (Attachment 1) provides for borrowing to finance the property owner’s share of 2023 Integrated Infrastructure Services Project, 103A Avenue Pedway Local Improvement.

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REPORT

During the 2021 Fall Supplemental Capital Budget Adjustment deliberations from November 30, 2021, to December 17, 2021, Council approved a new standalone capital profile 21-50-9100 103A Avenue Pedway within the 2019-2022 Capital Budget to construct the 103A Avenue Pedway (Attachment 2) with a total project cost of \$26.5 million, financed through tax-supported debt. The Community Revitalization Levy (CRL) debt Bylaw 20031 to authorize the City of Edmonton to borrow \$26.5 million to undertake, construct and finance the 103A Avenue Pedway (FCS01071rev), was approved by Council on April 19, 2022.

The project costs have increased by \$4.5 million due to inflationary increases for materials and labor costs, as well as revised cost estimates, and is proposed to be funded by local improvement financing. The total project cost would increase to \$31.0 million. Recommendation 1 is to increase the project budget from \$26.5 million, to \$31.0 million, an increase of \$4.5 million.

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.

The local improvement petition period expired on January 23, 2023. There were no petitions on the project, as outlined in Attachment 3, which is less than the two-thirds petition requirement under the *Municipal Government Act* and less than the majority of owners, who would be liable to pay the local improvement tax, representing at least half of the value of assessments as outlined in City Policy C619 - Local Improvements - Surface. As a result, this Bylaw may proceed with all three readings if City Council chooses to approve the budget increase.

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 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. The Local Improvement Declaration is included as Attachment 4. A map showing the proposed Local Improvement location is included as Attachment 5.

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ATTACHMENTS

1. Bylaw 20387
2. Capital Profile 21-50-9100
3. Petitions Received
4. Declaration Re: Local Improvement
5. Location of Proposed Local Improvement

OTHERS REVIEWING THIS REPORT

- M. Plouffe, City Solicitor