

BYLAW 20397

To authorize the City of Edmonton to construct, finance and assess Sidewalk Reconstruction Local Improvements in the McCauley Neighbourhood - Crown Land

RECOMMENDATION

That Bylaw 20397 be read a first time.

Purpose

To authorize the City of Edmonton to borrow the sum of \$17,887 to construct, finance and assess Sidewalk Reconstruction Local Improvements in the McCauley Neighbourhood - Crown Land.

Readings

Bylaw 20397 is ready for first reading only.

Position of Administration

Administration supports this Bylaw.

Report Summary

This Bylaw provides for borrowing to finance the property owners' 50 per cent share of 2023 sidewalk reconstruction local improvements on Crown Land in the McCauley Neighbourhood.

REPORT

The *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, requires municipalities to seek ministerial approval for the local improvement prior to second reading of the Bylaw.

Bylaw 20397 will be submitted for second and third readings after approval from the Government of Alberta Minister responsible for the administration of the Crown Land.

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.

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The petition period expired on February 15, 2023. There were no valid petitions on the projects as outlined in Attachment 2 to this report. As a result, first reading of this Bylaw may proceed.

The reconstruction of sidewalks falls under the cost sharing program as outlined in City Policy C619, Local Improvements - Surface, with 50 per cent of the reconstruction costs borne by the City at large and 50 per cent funded by the benefiting property owners through the local improvement assessment.

The total cost of the sidewalk reconstruction local improvements in the McCauley Neighbourhood for Crown Land is estimated to be \$35,774. Borrowing of \$17,887 is required to finance the property owners' share of the estimated local improvement costs.

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, which includes obtaining ministerial approval as per Alberta Regulation 164/2013 Local Improvement (Road) Tax Bylaw Regulation for local improvements impacting Crown Land. If the property owners are not in favour of this local improvement, they 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 20397
2. Petition Received
3. Declaration Re: Local Improvement
4. Location of Proposed Local Improvement

OTHERS REVIEWING THIS REPORT

- M. Plouffe, City Solicitor