

CITY OF EDMONTON

BYLAW 20399

Bylaw 20399 to authorize the City of Edmonton to construct, finance and assess Sidewalk Reconstruction Local Improvements in the Ottewell 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 Ottewell 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 \$6,567,982.00 of which \$3,283,991.00 will be funded by the City at large and \$3,283,991.00 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 \$3,283,991.00 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, 2021 is \$3,546,570,054.36 as calculated in accordance with the *Debt Limit Regulation*, A.R. 255/2000, as amended, and the City of Edmonton Debt Management Fiscal Policy C203C, 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 16,708 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 \$16.16 per assessable metre per annum for twenty (20) years be set for the Project, residential and commercial standard, undertaken in 2023. 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 five and two hundred-eighty-thousandths per cent (5.280%) interest charge per annum for a twenty (20) year assessment.
- 4. That for the purpose of the Project the sum of \$3,283,991.00 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 \$3,283,991.00 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 \$3,283,991.00, 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.
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.
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.

READ a first time this	day of	2023;
READ a second time this	day of	2023;
READ a third time this	day of	2023;
SIGNED AND PASSED this	day of	2023.

THE CITY OF EDMONTON

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MAYOR

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CITY CLERK

PROPOSED SIDEWALK RECONSTRUCTION 2023 (50/50 PROGRAM) LOCAL IMPROVEMENTS
 OTTEWELL NEIGHBOURHOOD
 \$196.55 CASH COST PER METRE
 UNIT RATE OF \$16.16 PER METRE PER YEAR FOR 20 YEARS

L.I. PLAN No.	REF.	SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
20	A	SOUTH-NORTH	91 AVENUE	69 STREET	71 STREET	408	80,193
20	B	SOUTH-NORTH	91 AVENUE	72 STREET	73 STREET	135	26,535
20	C	SOUTH-NORTH	92 AVENUE	73 STREET	74 STREET	115	22,604
20	D	SOUTH	92 AVENUE	70 STREET	71 STREET	81	15,921
20	E	SOUTH-NORTH	92 AVENUE	74 STREET	75 STREET	116	22,800
20	F	SOUTH	92A AVENUE	71 STREET	75 STREET	119	23,390
20	G	SOUTH	92A AVENUE	OTTEWELL ROAD	70 STREET	51	10,025
20	H	NORTH	92A AVENUE	OTTEWELL ROAD	75 STREET	462	90,807
20	I	EAST	OTTEWELL ROAD	90 AVENUE	92A AVENUE	334	65,648
20	J	EAST-WEST	69 STREET	91 AVENUE	92A AVENUE	369	72,527
20	K	EAST	70 STREET	92 AVENUE	92A AVENUE	101	19,852
20	L	EAST	71 STREET	91 AVENUE	92 AVENUE	11	2,163
20	M	WEST	71 STREET	91 AVENUE	92A AVENUE	187	36,755
20	N	EAST-WEST	72 STREET	91 AVENUE	92A AVENUE	349	68,596
20	O	EAST-WEST	73 STREET	91 AVENUE	92A AVENUE	378	74,296
20	P	EAST-WEST	74 STREET	91 AVENUE	92A AVENUE	244	47,959
20	Q	EAST	75 STREET	92 AVENUE	92A AVENUE	83	16,314
21	A	SOUTH-NORTH	92B AVENUE	69A STREET	73 STREET	610	119,896
21	B	SOUTH-NORTH	93 AVENUE	69A STREET	73 STREET	566	111,248
21	C	SOUTH-NORTH	94 AVENUE	OTTEWELL ROAD	73 STREET	368	72,331
21	D	NORTH	94B AVENUE	OTTEWELL ROAD	75 STREET	400	78,621
21	E	EAST	OTTEWELL ROAD	92A AVENUE	94B AVENUE	441	86,679
21	F	EAST-WEST	69A STREET	92B AVENUE	93 AVENUE	193	37,935
21	G	EAST-WEST	72 STREET	92A AVENUE	92B AVENUE	23	4,521
21	H	EAST-WEST	72 STREET	93 AVENUE	94 AVENUE	23	4,521
21	I	EAST-WEST	73 STREET	92B STREET	93 AVENUE	166	32,628
21	J	EAST-WEST	73 STREET	94 AVENUE	94B AVENUE	401	78,817
21	K	EAST-WEST	74 STREET	92A AVENUE	94B AVENUE	946	185,937
21	L	EAST	75 STREET	92A AVENUE	94B AVENUE	478	93,951

PROPOSED SIDEWALK RECONSTRUCTION 2023 (50/50 PROGRAM) LOCAL IMPROVEMENTS
 OTTEWELL NEIGHBOURHOOD
 \$196.55 CASH COST PER METRE
 UNIT RATE OF \$16.16 PER METRE PER YEAR FOR 20 YEARS

L.I. PLAN No.	REF.	SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
22	A	SOUTH-NORTH	95 AVENUE	OTTEWELL ROAD	74 STREET	544	106,924
22	B	SOUTH-NORTH	96A AVENUE	OTTEWELL ROAD	75 STREET	367	72,134
22	C	SOUTH-NORTH	96B AVENUE	OTTEWELL ROAD	74 STREET	322	63,290
22	D	SOUTH	98 AVENUE	OTTEWELL ROAD	75 STREET	318	62,503
22	E	EAST	OTTEWELL ROAD	94B AVENUE	98 AVENUE	419	82,355
22	F	EAST	98B AVENUE	96B AVENUE N	96B AVENUE S	77	15,135
22	G	EAST	74 STREET	95 AVENUE	96B AVENUE	271	53,266
22	H	WEST	74 STREET	95 AVENUE	96B AVENUE	400	78,621
22	I	EAST	75 STREET	94B AVENUE	98 AVENUE	457	89,824
26A	A	SOUTH-NORTH	90A AVENUE	52 STREET	60 STREET	647	127,168
26A	B	SOUTH-NORTH	56 STREET CUL-DE-SAC	56 STREET E	56 STREET W	191	37,542
26A	C	SOUTH-NORTH	91 AVENUE	52 STREET	60 STREET	577	113,410
26A	D	SOUTH	92 AVENUE	50 STREET	OTTEWELL ROAD	811	159,403
26A	E	SOUTH-NORTH	92A AVENUE	52 STREET	58 STREET	377	74,100
26A	F	SOUTH-NORTH	92B AVENUE	52 STREET	56 STREET	302	59,359
26A	G	SOUTH-NORTH	92C AVENUE	54 STREET	58 STREET	244	47,959
26A	H	SOUTH	54 STREET	54 STREET E	54 STREET W	57	11,204
26A	I	SOUTH-NORTH	93A AVENUE	54 STREET	58 STREET	304	59,752
26A	J	EAST	58 STREET	90 AVENUE	92 AVENUE	161	31,645
26A	K	EAST-WEST	52 STREET	90A AVENUE	91 AVENUE	580	114,000
26A	L	EAST	56 STREET CUL-DE-SAC	56 STREET S	56 STREET N	65	12,776
26A	M	EAST-WEST	56 STREET	90A AVENUE	56 STREET N	70	13,759
26A	N	EAST-WEST	60 STREET	90A AVENUE	91 AVENUE	229	45,010
26A	O	EAST-WEST	52 STREET	92A AVENUE	92B AVENUE	191	37,542
26A	P	EAST-WEST	56 STREET	92A AVENUE	92B AVENUE	104	20,442
26A	Q	EAST	92C AVENUE CUL-DE-SAC	92C AVENUE S	92C AVENUE N	50	9,828
26A	R	WEST	54 STREET CUL-DE-SAC	54 STREET S	54 STREET N	75	14,742
26A	S	EAST-WEST	54 STREET	92C AVENUE	93A AVENUE	255	50,121
26A	T	EAST	93A AVENUE CUL-DE-SAC	93A AVENUE S	93A AVENUE N	85	16,707

16,708 \$ 3,283,991

TOTAL ANNUAL PAYMENT \$ 270,001.28