

CITY OF EDMONTON

BYLAW 20396

Bylaw 20396 to authorize the City of Edmonton to construct, finance and assess Sidewalk Reconstruction Local Improvements in the McCauley 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 McCauley 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 \$4,977,476.00 of which \$2,488,738.00 will be funded by the City at large and \$2,488,738.00 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 \$2,488,738.00 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 12,662 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 \$2,488,738.00 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 \$2,488,738.00 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 \$2,488,738.00, 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
MCCAULEY 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 (\$)
1	A	NORTH	108A AVENUE	1ST A/E 92 STREET	95 STREET	138	27,124
1	B	NORTH	109 AVENUE	92 STREET	94 STREET	81	15,921
1	C	SOUTH-NORTH	109A AVENUE	1ST A/E 92 STREET	95 STREET	298	58,572
1	D	NORTH	110 AVENUE	90 STREET	92 STREET	113	22,211
1	E	SOUTH	110 AVENUE	APPROX. 80.5m E 92 STREET	92 STREET	41	8,059
1	F	SOUTH-NORTH	110A AVENUE	92 STREET	95 STREET	405	79,603
1	G	SOUTH	MUTTART CROSSING	CNRL WAY	STADIUM ROAD	77	15,135
1	H	EAST-WEST	90 STREET	110 AVENUE	112 AVENUE	205	40,293
1	I	EAST-WEST	92 STREET	108A AVENUE	111 AVENUE	600	117,931
1	J	EAST-WEST	93 STREET	108A AVENUE	109A AVENUE	285	56,017
1	K	EAST	94 STREET	108A AVENUE	109A AVENUE	124	24,373
1	L	SOUTH-NORTH	110 AVENUE	92 STREET	95 STREET	393	77,245
2	A	NORTH	106 AVENUE	106 AVENUE E.	95 STREET	48	9,435
2	B	SOUTH-NORTH	106A AVENUE	93 STREET	95 STREET	296	58,179
2	C	SOUTH-NORTH	107 AVENUE	92 STREET	95 STREET	313	61,521
2	D	SOUTH-NORTH	108 AVENUE	92 STREET	95 STREET	278	54,641
2	E	EAST-WEST	92 STREET	FROM APPROX. 33m S. OF 107 AVENUE	108A AVENUE	476	93,558
2	F	EAST-WEST	93 STREET	106A AVENUE	108A AVENUE	628	123,434
3	A	SOUTH	108 AVENUE	95 STREET	97 STREET	297	58,376
3	B	NORTH	108A AVENUE	95 STREET	97 STREET	266	52,283
3	C	SOUTH-NORTH	109 AVENUE	95 STREET	97 STREET	526	103,386
3	D	SOUTH-NORTH	109A AVENUE	95 STREET	97 STREET	452	88,841
3	E	SOUTH-NORTH	110 AVENUE	95 STREET	97 STREET	468	91,986
3	F	SOUTH-NORTH	110A AVENUE	95 STREET	97 STREET	426	83,731
3	G	EAST-WEST	96 STREET	107A AVENUE	111 AVENUE	827	162,547

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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 (\$)
4A	A	SOUTH-NORTH	105A AVENUE	96 STREET	97 STREET	228	44,814
4A	B	SOUTH-NORTH	106 AVENUE	95 STREET	97 STREET	636	125,006
4A	C	SOUTH-NORTH	106A AVENUE	95 STREET	97 STREET	544	106,924
4A	D	SOUTH-NORTH	107 AVENUE	95 STREET	97 STREET	541	106,334
4A	E	EAST-WEST	96 STREET	103A AVENUE	107A AVENUE	1,067	209,719
5	A	NORTH	105 AVENUE	97 STREET	100 STREET	116	22,800
5	B	SOUTH-NORTH	105A AVENUE	100 STREET	101 STREET	130	25,552
5	C	SOUTH-NORTH	107 AVENUE	99 STREET	101 STREET	110	21,621
5	D	SOUTH-NORTH	107 AVENUE	97 STREET	98 STREET	61	11,990
5	E	SOUTH	108 AVENUE	97 STREET	98 STREET	66	12,973
5	F	SOUTH	108 AVENUE	99 STREET	101 STREET	14	2,752
5	G	SOUTH-NORTH	109A AVENUE	97 STREET	98 STREET	19	3,735
5	H	SOUTH-NORTH	110A AVENUE	97 STREET	101 STREET	58	11,400
5	I	EAST	98 STREET	105 AVENUE	110A AVENUE	764	150,165
5	J	WEST	99 STREET	106 AVENUE	APPROX. 51m N 106 AVENUE	7	1,376
5	K	EAST-WEST	100 STREET	105 AVENUE	106 AVENUE	122	23,980
5	L	EAST	100 STREET	106 AVENUE	APPROX. 33m N 106 AVENUE	4	787
5	M	WEST	100 STREET	106 AVENUE	107 AVENUE	92	18,083
5	N	NORTH	108A AVENUE	97 STREET	101 STREET	22	4,325
						12,662	\$ 2,488,738
TOTAL ANNUAL PAYMENT						\$ 204,617.92	