

BYLAW 20398

To authorize the City of Edmonton to construct, finance and assess Sidewalk Reconstruction Local Improvements in the Baturyn Neighbourhood

RECOMMENDATION

That Bylaw 20398 be given the appropriate readings.

Purpose

To authorize the City of Edmonton to borrow the sum of \$4.22 million to construct, finance and assess Sidewalk Reconstruction Local Improvements in the Baturyn Neighbourhood.

Readings

Bylaw 20398 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 20398 be considered for third reading.”

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 in the Baturyn Neighbourhood.

REPORT

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 petition period expired on March 2, 2023. The valid petitions on the project, as outlined in Attachment 2 of this report, range from one to four per cent of owners, which is less than the

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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.

The reconstruction of sidewalks falls under the cost sharing program as outlined in City Policy C619, 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 Baturyn Neighbourhood is estimated to be \$8.44 million. Borrowing of \$4.22 million 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. 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.

ATTACHMENTS

1. Bylaw 20398
2. Petitions Received
3. Declaration Re: Local Improvement
4. Location of Proposed Local Improvement

OTHERS REVIEWING THIS REPORT

- M. Plouffe, City Solicitor