

CITY OF EDMONTON

BYLAW 20398

Bylaw 20398 to authorize the City of Edmonton to construct, finance and assess Sidewalk Reconstruction Local Improvements in the Baturyn 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 Baturyn 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 \$8,436,002.00 of which \$4,218,001.00 will be funded by the City at large and \$4,218,001.00 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 \$4,218,001.00 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 21,460 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 \$4,218,001.00 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 \$4,218,001.00 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 \$4,218,001.00, 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	17th	day of	April	2023;
READ a second time this	17th	day of	April	2023;
READ a third time this	17th	day of	April	2023;
SIGNED AND PASSED this	17th	day of	April	2023.

THE CITY OF EDMONTON

..... *A. Sahi*

MAYOR

..... *Queen Guisbert*

CITY CLERK

PROPOSED SIDEWALK RECONSTRUCTION 2023 (50/50 PROGRAM) LOCAL IMPROVEMENTS
 BATURYN 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	ASSESABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
10	A	SOUTH-NORTH	167A AVENUE	98 STREET	316	62,110
10	B	SOUTH-NORTH	169 AVENUE	98 STREET	522	102,600
10	C	SOUTH-NORTH	167A AVENUE	101 STREET	430	84,517
10	D	SOUTH-NORTH	168 AVENUE	100 STREET	581	114,196
10	E	EAST-WEST	98 STREET	167A AVENUE	160	31,449
10	F	EAST-WEST	99 STREET	167A AVENUE	25	4,914
10	G	EAST-WEST	101 STREET	167A AVENUE	79	15,528
10	H	EAST-WEST	104 STREET	167A AVENUE	141	27,714
11	A	SOUTH-NORTH	169 AVENUE	101 STREET	193	37,935
11	B	SOUTH-NORTH	170 AVENUE	98 STREET	528	103,779
11	C	SOUTH-NORTH	171 AVENUE	98 STREET	507	99,651
11	D	SOUTH-NORTH	171A AVENUE	101 STREET	196	38,524
11	E	SOUTH-NORTH	103 STREET	103 STREET E	128	25,159
11	F	EAST-WEST	98 STREET	171 AVENUE	530	104,172
11	G	EAST-WEST	101 STREET	170 AVENUE	183	35,969
11	H	EAST-WEST	101 STREET	171A AVENUE	157	30,859
11	I	EAST-WEST	103 STREET	103 STREET N	252	49,531
11	J	EAST-WEST	103 STREET	172 AVENUE	133	26,142
12	A	SOUTH-NORTH	171A AVENUE	98 STREET	289	56,803
12	B	SOUTH-NORTH	173 AVENUE	98 STREET	309	60,734
12	C	SOUTH-NORTH	173 AVENUE CUL-DE-SAC	173 AVENUE	336	66,041
12	D	EAST-WEST	98 STREET	173 AVENUE	156	30,662
12	E	EAST-WEST	173 AVENUE	173 AVENUE N	114	22,407
12	F	EAST-WEST	173 AVENUE CUL-DE-SAC	173 AVENUE	238	46,779
12	G	EAST-WEST	101 STREET CUL-DE-SAC	172 AVENUE	354	69,579
12	H	EAST-WEST	171A AVENUE CUL-DE-SAC	171A AVENUE	118	23,193

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L.I. PLAN No.	REF. SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
13	A	SOUTH-NORTH	104 STREET	104 STREET	330	64,862
13	B	SOUTH-NORTH	173 AVENUE	106 STREET	112	22,014
13	C	SOUTH-NORTH	173A AVENUE	104 STREET	535	105,155
13	D	SOUTH-NORTH	173A AVENUE	106 STREET	132	25,945
13	E	EAST-WEST	102 STREET	173A AVENUE	257	50,514
13	F	EAST-WEST	104 STREET	104 STREET	156	30,662
13	G	EAST-WEST	104 STREET	173A AVENUE	402	79,014
13	H	EAST-WEST	105 STREET	173A AVENUE	306	60,145
13	I	EAST-WEST	106 STREET	173A AVENUE	452	88,841
14	A	SOUTH-NORTH	173 AVENUE	107A STREET	101	19,852
14	B	SOUTH-NORTH	173A AVENUE	107A STREET	116	22,800
14	C	SOUTH-NORTH	173 AVENUE	172 AVENUE	186	36,559
14	D	SOUTH-NORTH	172 AVENUE	110A STREET	199	39,114
14	E	SOUTH-NORTH	173A AVENUE	110A STREET	329	64,665
14	F	SOUTH-NORTH	172 AVENUE	111A STREET	112	22,014
14	G	SOUTH-NORTH	173A AVENUE	111A STREET	140	27,518
14	H	EAST-WEST	107 STREET	173A AVENUE	334	65,648
14	I	EAST-WEST	107A STREET	173A AVENUE	252	49,531
14	J	EAST-WEST	108 STREET	173A AVENUE	283	55,624
14	K	EAST-WEST	110A STREET	173A AVENUE	278	54,641
14	L	EAST-WEST	111 STREET	173A AVENUE	358	70,365
14	M	EAST-WEST	111A STREET	173A AVENUE	327	64,272
14	N	EAST-WEST	110 STREET	172 AVENUE	86	16,904
15	A	SOUTH-NORTH	169 AVENUE	111 STREET	146	28,697
15	B	SOUTH-NORTH	169A AVENUE	111 STREET	323	63,486
15	C	SOUTH-NORTH	170 AVENUE	111A STREET	328	64,469
15	D	SOUTH	171 AVENUE	112 STREET	177	34,790
15	E	SOUTH-NORTH	169 AVENUE	169 AVENUE CUL-DE-SAC	248	48,745
15	F	SOUTH-NORTH	108 STREET S	108 STREET E	118	23,193

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L.I. PLAN No.	REF. SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
15	G	SOUTH-NORTH	170 AVENUE	108A STREET	109 STREET	35,773
15	H	SOUTH-NORTH	108 STREET N	108 STREET W	108 STREET CUL-DE-SAC	46,190
15	I	EAST-WEST	108 STREET	169 AVENUE	172 AVENUE	92,772
15	J	EAST-WEST	108 STREET	108 STREET	108 STREET	35,183
15	K	EAST-WEST	108A STREET	169 AVENUE	170 AVENUE	19,066
15	L	EAST-WEST	110 STREET	169 AVENUE	169A AVENUE	73,707
15	M	EAST-WEST	111 STREET	169 AVENUE	169A AVENUE	96,507
15	N	EAST-WEST	110 STREET	170 AVENUE	171 AVENUE	22,014
15	O	EAST-WEST	111A STREET	170 AVENUE	171 AVENUE	24,962
16	A	SOUTH-NORTH	167A AVENUE	106 STREET	109 STREET	125,006
16	B	SOUTH-NORTH	168 AVENUE	106 STREET	109A STREET	101,027
16	C	SOUTH-NORTH	167A AVENUE	109A STREET	111 STREET	72,527
16	D	SOUTH-NORTH	168A AVENUE	109 STREET	111 STREET	62,307
16	E	SOUTH-NORTH	110 STREET	110 STREET W	110 STREET CUL-DE-SAC	34,397
16	F	EAST-WEST	106 STREET	167A AVENUE	168 AVENUE	24,176
16	G	EAST-WEST	168 AVENUE CUL-DE-SAC 1	168 AVENUE	168 AVENUE	31,055
16	H	EAST-WEST	168 AVENUE CUL-DE-SAC 2	168 AVENUE	168 AVENUE	32,038
16	I	EAST-WEST	168 AVENUE CUL-DE-SAC 3	168 AVENUE	168 AVENUE	44,028
16	J	EAST-WEST	109A STREET	167A AVENUE	168 AVENUE	43,831
16	K	EAST-WEST	110 STREET	167A AVENUE	168A AVENUE	61,521
16	L	EAST-WEST	111 STREET	167A AVENUE	168A AVENUE	99,848
17	A	EAST	100 STREET	CASTLE DOWNS ROAD	171A AVENUE	32,628
17	B	NORTH	172 AVENUE	171A AVENUE	102 STREET	24,589
17	C	NORTH	172 AVENUE	102 STREET	108 STREET	79,800
17	D	NORTH	172 AVENUE	108 STREET	171 AVENUE	36,952
17	E	WEST	109 STREET	171 AVENUE	CASTLE DOWNS ROAD	95,131

21,460 \$ 4,218,001

TOTAL ANNUAL PAYMENT \$ 346,793.60