

BYLAW 20400

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

RECOMMENDATION

That Bylaw 20400 be given the appropriate readings.

Purpose

To authorize the City of Edmonton to borrow the sum of \$3,145 to construct, finance and assess Sidewalk Reconstruction Local Improvements in the Ottewell Neighbourhood - Crown Land.

Readings

Pursuant to the amended *Municipal Government Act*, Ministerial approval has been received and Bylaw 20400 is ready for second and third readings.

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 Ottewell Neighbourhood.

REPORT

At the April 17, 2023, City Council meeting, Bylaw 20400 received first reading.

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.

The petition period expired on March 6, 2023. There were no sufficiently signed and valid petitions on the projects as outlined in Attachment 2 to this report. As a result, this Bylaw may proceed.

The *Municipal Government Act* requires municipalities to seek ministerial approval for local improvement prior to the second reading of the Bylaw. The Minister of Infrastructure for Alberta

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approved Bylaw 20400 on June 5, 2023, and has provided a memorandum on the decision (Attachment 5).

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 Ottewell Neighbourhood for Crown Land is estimated to be \$6,290. Borrowing of \$3,145 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 20400
2. Petitions Received
3. Declaration Re: Local Improvement
4. Location of Proposed Local Improvement
5. Approval Memorandum from Alberta Infrastructure

Others Reviewing the Report

- M. Plouffe, Chief People Officer and City Solicitor