

CITY OF EDMONTON

BYLAW 21066

Bylaw 21066 to authorize the City of Edmonton to construct, finance and assess Sidewalk Reconstruction Local Improvements in the Ottewell Phase 2 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 Phase 2 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 \$7,201,304.00 of which \$3,600,652.00 will be funded by the City at large and \$3,600,652.00 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 \$3,600,652.00 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 not exceeding 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, 2023 is \$4,167,485,798.43 as calculated in accordance with the City of Edmonton Debt Management Fiscal Policy C203D, 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 17,154 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 \$17.25 per assessable metre per annum for twenty (20) years be set for the Project, residential and commercial standard, undertaken in 2025. 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 RS, RSF, RR, A, PS, PSN, UF and PU pursuant to Zoning Bylaw 20001, as amended, otherwise known as the City of Edmonton Zoning Bylaw, 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-ninety-thousandths per cent (5.290%) interest charge per annum for a twenty (20) year assessment.
- 4. That for the purpose of the Project the sum of \$3,600,652.00 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 \$3,600,652.00 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 \$3,600,652.00, 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.

PROPOSED SIDEWALK RECONSTRUCTION 2025 (50/50 PROGRAM) LOCAL IMPROVEMENTS
 OTTEWELL PHASE 2 NEIGHBOURHOOD
 \$209.90 CASH COST PER METRE
 UNIT RATE OF \$17.25 PER METRE PER YEAR FOR 20 YEARS

L.I. PLAN No.	REF.	SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
23	A	NORTH	94B AVENUE	OTTEWELL ROAD	50 STREET	1,025	215,148
23	B	SOUTH-NORTH	95 AVENUE	69A STREET	AUSTIN O'BRIEN ROAD	777	163,093
23	C	SOUTH-NORTH	96A AVENUE	67A STREET	68A STREET	78	16,373
23	D	SOUTH-NORTH	97 AVENUE S	64 STREET	97 AVENUE W	179	37,573
23	E	SOUTH-NORTH	97 AVENUE N	67A STREET	97 AVENUE E	89	18,682
23	F	SOUTH-NORTH	97 AVENUE	68A STREET	OTTEWELL ROAD	208	43,660
23	G	SOUTH	98 AVENUE SERVICE ROAD	64 STREET	98 AVENUE SERVICE ROAD W	409	85,850
23	H	EAST-WEST	68A STREET	94A AVENUE	94B AVENUE	84	17,632
23	I	EAST-WEST	68 STREET	94B AVENUE	95 AVENUE	22	4,618
23	J	EAST-WEST	69A STREET	95 AVENUE	97 AVENUE	605	126,990
23	K	EAST-WEST	68A STREET	96A AVENUE	97 AVENUE	345	72,416
23	L	EAST-WEST	67A STREET	95 AVENUE	98 AVENUE	425	89,208
23	M	EAST-WEST	97 AVENUE	97 AVENUE S	97 AVENUE N	261	54,784
23	N	WEST	64 STREET	AUSTIN O'BRIEN ROAD	98 AVENUE SERVICE ROAD	212	44,499
23	O	EAST	58 STREET	94A AVENUE	94B AVENUE	11	2,309

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24	A	SOUTH-NORTH	95 AVENUE	57 STREET	AUSTIN O'BRIEN ROAD	747	156,796
24	B	SOUTH-NORTH	95 AVENUE	52 STREET	54 STREET	187	39,252
24	C	SOUTH-NORTH	AUSTIN O'BRIEN ROAD	57 STREET	APPROX. 106m W AUSTIN O'BRIEN ROAD	213	44,709
24	D	SOUTH-NORTH	97 AVENUE	57 STREET	54 STREET	261	54,784
24	E	SOUTH-NORTH	97A AVENUE	57 STREET	APPROX. 150m W 97A AVENUE	288	60,452
24	F	SOUTH-NORTH	97A AVENUE	57 STREET	52 STREET	394	82,701
24	G	SOUTH	98 AVENUE SERVICE ROAD	64 STREET	A/E 98 AVENUE SERVICE ROAD	252	52,895
24	H	EAST-WEST	61 STREET	94B AVENUE	95 AVENUE	21	4,408
24	I	EAST-WEST	AUSTIN O'BRIEN ROAD	95 AVENUE	APPROX. 106m E AUSTIN O'BRIEN ROAD	294	61,711
24	J	EAST-WEST	62 STREET	AUSTIN O'BRIEN ROAD	A/N 97A AVENUE	87	18,262
24	K	EAST-WEST	97A AVENUE	62 STREET	APPROX. 150m 97A AVENUE	298	62,551
24	L	EAST	57 STREET	94B AVENUE	98 AVENUE	228	47,858
24	M	EAST-WEST	54 STREET	95 AVENUE	97 AVENUE	386	81,022
24	N	EAST-WEST	52 STREET	94B AVENUE	97A AVENUE	652	136,855
24	O	NORTH	57 STREET	57 STREET E	57 STREET W	74	15,533

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25	A	SOUTH-NORTH	92A AVENUE	60 STREET	68 STREET	661	138,744
25	B	SOUTH-NORTH	92B AVENUE	62 STREET	68 STREET	457	95,925
25	C	SOUTH-NORTH	92B AVENUE	58 STREET	60 STREET	120	25,189
25	D	SOUTH-NORTH	93 AVENUE	62 STREET	68 STREET	559	117,335
25	E	SOUTH	93A AVENUE	58 STREET	OTTEWELL ROAD	525	110,198
25	F	SOUTH-NORTH	94 AVENUE	67A STREET	68A STREET	85	17,842
25	G	SOUTH-NORTH	94 AVENUE	54 STREET	67A STREET	929	194,998
25	H	SOUTH	93B AVENUE	54 STREET	56 STREET	115	24,139
25	I	SOUTH-NORTH	94A AVENUE	52 STREET	68A STREET	1,731	363,337
25	J	EAST-WEST	62 STREET	92 AVENUE	93 AVENUE	229	48,068
25	K	EAST-WEST	68 STREET	92A AVENUE	93A AVENUE	535	112,297
25	L	EAST-WEST	67A STREET	93A AVENUE	94 AVENUE	268	56,254
25	M	EAST-WEST	68A STREET	94 AVENUE	94A AVENUE	303	63,600
25	N	EAST-WEST	62 STREET	94 AVENUE	94A AVENUE	22	4,618
25	O	EAST	58 STREET	92 AVENUE	94A AVENUE	469	98,444
25	P	WEST	56 STREET	93B AVENUE	94 AVENUE	99	20,781
25	Q	EAST	54 STREET	93B AVENUE	94 AVENUE	120	25,189
25	R	EAST-WEST	52 STREET	94A AVENUE	52 STREET CUL-DE-SAC	608	127,620
25	S	EAST-WEST	60 STREET	92A AVENUE	92B AVENUE	207	43,450
						17,154	\$ 3,600,652
TOTAL ANNUAL PAYMENT						\$295,906.50	