

CITY OF EDMONTON

BYLAW 17137

A Bylaw to authorize the City of Edmonton to construct, finance and assess Sidewalk Reconstruction Local Improvements in the Westwood Neighbourhood.

WHEREAS:

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 Westwood neighbourhood;

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;

These rates will apply whether the actual cost of the local improvement is greater or less than the uniform tax rate;

The total estimated cost of the project is \$4,310,322.00 of which \$2,155,161.00 will be funded by the City at large and \$2,155,161.00 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;

In order to construct and complete the said project, it will be necessary for the City of Edmonton to borrow the sum of \$2,155,161.00 for the property owners' share on the terms and conditions referred to in this Bylaw;

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;

The amount of the existing debenture debt of the City of Edmonton at December 31, 2013 is \$2,426,186,670.78 as calculated in accordance with the *Debt Limit Regulation, A.R. 255/2000*, as amended, no part of which is in arrears;

The estimated lifetime of the project is a minimum of twenty (20) years;

The proposed construction will serve about 10,128 assessable metres of frontage;

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;

The Council of the City of Edmonton has given proper notice of intention to undertake Sidewalk Reconstruction Local Improvement in the Westwood neighbourhood, 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 proposal 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 \$16.05 per assessable metre per annum for twenty (20) years be set for Sidewalk Reconstruction Local Improvements, residential and commercial standard, undertaken in 2015.
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 adding together the lot dimensions of the front of the parcel and the lot dimensions of the rear of the parcel and dividing the total by two,
 - 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 adding together the lot dimension of the front of the parcel and the scaled dimension of the rear of the parcel (based on a production of the shortest parcel flankage length being imposed to that point on the longest parcel

flankage length) and dividing the total by two and this average shall not exceed by more than two times the front parcel dimension.

b) with respect to the side or flankage of such parcels, they shall be assessed fifteen percent (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 four and two hundred-eighty three-thousandths per cent (4.283%) interest charge per annum for a twenty (20) year assessment.

4. That for the purpose of the Sidewalk Reconstruction Local Improvements in the Westwood neighbourhood the sum of \$2,155,161.00 be borrowed by way of debenture on the credit and security of the City of Edmonton at large, of which amount the sum of \$2,155,161.00 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 \$2,155,161.00, 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. The Mayor and 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 the Mayor and the City Manager 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 2015;

READ a second time this day of 2015;

READ a third time this day of 2015;

SIGNED AND PASSED this day of 2015.

THE CITY OF EDMONTON

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MAYOR

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CITY CLERK

Schedule "A"

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Proposed Sidewalk Reconstruction 2015 (50/50 Program) Local Improvements (Westwood Neighbourhood)

\$212.79 Cash Cost per Metre

Unit Rate of \$16.05 per Metre per Year for 20 Years

L.I. PLAN No.	REF.	SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
35	A	N	123 AVENUE	A/E 106 STREET	107 STREET	21	4,469
35	B	E/W	106 STREET	122 AVENUE	124 AVENUE	519	110,439
35	C	E/W	107 STREET	122 AVENUE	124 AVENUE	260	55,326
36	A	N	123 AVENUE	A/E 104 STREET	A/W 105 STREET	35	7,448
36	B	E/W	104 STREET	122 AVENUE	124 AVENUE	519	110,439
36	C	E/W	105 STREET	122 AVENUE	124 AVENUE	519	110,439
37	A	N/S	123 AVENUE	A/E 102 STREET	A/W 103 STREET	55	11,704
37	B	S	124 AVENUE	102 STREET	103 STREET	14	2,980
37	C	E/W	102 STREET	122 AVENUE	124 AVENUE	518	110,226
37	D	E/W	103 STREET	122 AVENUE	124 AVENUE	520	110,651
38	A	N/S	123 AVENUE	97 STREET	A/W 101 STREET	27	5,746
38	B	E/W	101 STREET	122 AVENUE	124 AVENUE	519	110,439
39	A	N/S	121 AVENUE	105 STREET	107 STREET	61	12,981
39	B	E/W	106 STREET	121 AVENUE	122 AVENUE	309	65,753
39	C	E	107 STREET	121 AVENUE	122 AVENUE	155	32,983
40	A	N/S	121 AVENUE	103 STREET	105 STREET	286	60,858
40	B	E/W	103 STREET	121 AVENUE	122 AVENUE	178	37,877
40	C	E/W	105 STREET	121 AVENUE	122 AVENUE	178	37,877
41	A	S	120 AVENUE	105 STREET	106 STREET	14	2,980
41	B	E	106 STREET	118 AVENUE	121 AVENUE	457	97,246
42	A	N/S	120 AVENUE	104 STREET	105 STREET	28	5,959
42	B	E/W	105 STREET	119 AVENUE	121 AVENUE	583	124,057
43	A	S	120 AVENUE	103 STREET	104 STREET	14	2,980
43	B	E/W	104 STREET	119 AVENUE	121 AVENUE	610	129,802
44		E/W	103 STREET	118 AVENUE	121 AVENUE	783	166,615
45	A	N/S	119 AVENUE	103 STREET	105 STREET	42	8,938
45	B	E/W	104 STREET	118 AVENUE	119 AVENUE	149	31,706
45	C	E/W	105 STREET	118 AVENUE	119 AVENUE	252	53,624
46	A	N/S	121 AVENUE	102 STREET	103 STREET	28	5,959

Proposed Sidewalk Reconstruction 2015 (50/50 Program) Local Improvements (Westwood Neighbourhood)
 \$212.79 Cash Cost per Metre
 Unit Rate of \$16.05 per Metre per Year for 20 Years

L.I. PLAN No.	REF.	SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
46	B	E/W	102 STREET	120 AVENUE	122 AVENUE	613	130,441
47	A	N/S	121 AVENUE	97 STREET	102 STREET	94	20,003
47	B	E/W	101 STREET	120 AVENUE	122 AVENUE	461	98,097
48	A	S	120 AVENUE	97 STREET	103 STREET	34	7,235
48	B	E/W	101 STREET	119 AVENUE	120 AVENUE	303	64,476
48	C	E/W	102 STREET	119 AVENUE	120 AVENUE	305	64,901
49	A	N/S	119 AVENUE	97 STREET	103 STREET	96	20,428
49	B	E/W	101 STREET	118 AVENUE	119 AVENUE	265	56,390
49	C	E/W	102 STREET	118 AVENUE	119 AVENUE	304	64,689
						10,128	2,155,161
TOTAL ANNUAL PAYMENT \$						162,554.40	