

CITY OF EDMONTON

BYLAW 16421

A Bylaw to authorize the City of Edmonton
to construct, finance and assess Asphalt Alley
Paving – Existing Gravel Local Improvement

WHEREAS:

The Council of the City of Edmonton has decided to issue a bylaw pursuant to Sections 251, 263, and 404 of the *Municipal Government Act*, R.S.A. 2000, c. M-26 to authorize the City of Edmonton to construct, finance and assess Asphalt Alley Paving – Existing Gravel Local Improvement;

The Council has also decided to set uniform tax rates based on average costs throughout the municipality pursuant to Section 398(2) of the *Municipal Government Act*, R.S.A. 2000, c. M-26 for the types of local improvements authorized by this Bylaw;

If, after a local improvement tax rate has been set, the actual cost of the local improvement is higher than the estimated cost on which the local improvement tax rate is based, the Council may revise the rate pursuant to Section 403(3) of the *Municipal Government Act*;

In order to construct and complete the said project, it will be necessary for the City of Edmonton to borrow the sum of \$185,046.00 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 ten (10) 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, 2012 is \$2,232,921,181.89, 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 ten (10) years;

The proposed construction will serve about 714 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 Asphalt Alley Paving – Existing Gravel Local Improvement, 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 uniform tax rate for each unit of frontage of \$30.09 per assessable metre per annum for 10 years be set for 4.0 metres wide for Asphalt Alley Paving – Residential, Existing Gravel Local Improvement, undertaken in 2013.
2. With respect to parcels of land which are zoned 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 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 two and eight hundred ten one-thousandths per cent (2.810%) interest charge per annum for a ten (10) year assessment.

4. That for the purpose of the Asphalt Alley Paving – Existing Gravel Local Improvement the sum of \$185,046.00 be borrowed by way of debenture on the credit and security of the City of Edmonton at large, of which amount the sum of \$185,046.00 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 \$185,046.00, 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 ten (10) 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 schedules 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.
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 the benefiting property in the City of Edmonton, collectible at the same time and in the same manner as other taxes, in an amount sufficient to pay 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.

14. This Bylaw shall take effect on the day of the final passing thereof.

SIGNED AND PASSED 22nd day of May , A. D. 2013.


MAYOR


CITY CLERK

Schedule "A"
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PROPOSED ASPHALT ALLEY PAVING, EXISTING GRAVEL, 2013 CONSTRUCTION LOCAL IMPROVEMENT
4.0m WIDE
RESIDENTIAL
\$259.16 CASH COST PER METRE
UNIT RATE OF \$30.09 PER METRE PER YEAR FOR 10 YEARS

L.I. PLAN No.	REF	SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
80		E/W	A/E 89 STREET	ROWLAND ROAD	APPROX. 84m NORTH	156	40,429
81	A	N/S	A/S CONNAUGHT DRIVE	130 STREET	A/E 130 STREET	60	15,550
81	B	N/S	A/S CONNAUGHT DRIVE	A/E 130 STREET	APPROX. 34m EAST	145	37,579
81	C	N/S	A/N 103 AVENUE	130 STREET	A/E 130 STREET	50	12,959
81	D	E/W	A/E 130 STREET	103 AVENUE	A/N 103 AVENUE	13	3,370
82	A	N/S	2nd A/N ROWLAND ROAD	89 STREET	A/E 89 STREET	15	3,888
82	B	E/W	A/E 89 STREET	ROWLAND ROAD	2nd A/N ROWLAND ROAD	225	58,312
82	C	N/S	A/N ROWLAND ROAD	A/W 87 STREET	A/E 89 STREET	41	10,626
82	D	E/W	A/W 87 STREET	ROWLAND ROAD	A/N ROWLAND ROAD	9	2,333
						<u>714</u>	<u>185,046</u>
					TOTAL ANNUAL PAYMENT	21,484.26	

ACTUAL WIDTH TO BE DETERMINED AT TIME OF CONSTRUCTION