

CITY OF EDMONTON

BYLAW 15690

A Bylaw to authorize the City of Edmonton to construct, finance, and assess Sidewalk Reconstruction Local Improvements in the Capilano and West Jasper Place areas

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 Capilano and West Jasper Place areas;

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 \$9,323,172.00 of which \$4,661,586.00 will be financed by the City at large and \$4,661,586.00 will be financed 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 \$4,661,586.00 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, 2009 is \$1,492,565,983.59, 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 30,325 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 Improvements in the Capilano and West Jasper Place areas, the costs or a portion of the costs thereof to be assessed against abutting owners in accordance with the attached Schedules "A" through "D", 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 \$12.12 per assessable metre per annum for twenty (20) years be set for Sidewalk Reconstruction Local Improvements, residential standard, undertaken in 2011.
2. That a unit tax rate of \$10.34 per assessable metre per annum for twenty (20) years be set for Sidewalk Reconstruction Local Improvements, commercial standard, undertaken in 2011.
3. 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.
4. That the foregoing unit tax rate was calculated based on a four and seven hundred fifty-two one-thousandths per cent (4.752%) interest charge per annum for a twenty (20) year assessment.
5. That for the purpose of the Sidewalk Reconstruction Local Improvements in the Capilano and West Jasper Place areas the sum of \$4,661,586.00 be borrowed by way of debenture on the credit and security of the City of Edmonton at large, of which amount the sum of \$4,661,586.00 is to be collected by way of local improvement assessment as provided in Schedules "A" through "D".
6. The debentures to be issued under this Bylaw shall not exceed the sum of \$4,661,586.00, 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.
7. 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.
8. 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.

9. 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.

10. 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.

11. There shall be levied and raised in each year of the currency of the debentures a rate on all the taxable 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 and in addition thereto the amount required to pay any of such debentures which fall due in each year after applying the local improvement assessment hereafter provided for.

12. The indebtedness is contracted on the credit and security of the City of Edmonton at large.

13. 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 Schedules "A" through "D" 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 Schedules "A" through "D". The local improvement assessment shall be in addition to all other rates and taxes.

14. 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.

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

READ a first time this	day of	2011;
READ a second time this	day of	2011;
READ a third time this	day of	2011;
SIGNED AND PASSED this	day of	2011.

THE CITY OF EDMONTON

.....

MAYOR

.....

CITY CLERK

Schedule "A"
Page 1 of 3

PROPOSED SIDEWALK RECONSTRUCTION 2011 (50/50 PROGRAM) LOCAL IMPROVEMENT
RESIDENTIAL – STANDARD
\$154.17 CASH COST PER METRE
UNIT RATE OF \$12.12 PER METRE PER YEAR FOR 20 YEARS

L.I. PLAN No.	REF	SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
64	A	E	CAPILANO STREET	L/S 106A AVENUE	65 STREET	291	44,864
64	B	W	CAPILANO STREET	106 AVENUE	65 STREET	537	82,790
65	A	N/S	ST. GABRIEL SCHOOL ROAD	63 STREET	106 AVENUE	693	106,840
65	B	E/W	59 STREET	CAPILANO STREET	ST. GABRIEL SCHOOL ROAD	23	3,546
66		E/W	57 STREET	ST. GABRIEL SCHOOL ROAD	106 AVENUE	441	67,989
67		N	106 AVENUE	57 STREET	HARDISTY DRIVE	642	98,978
68		E/W	59 STREET	ST. GABRIEL SCHOOL ROAD	106 AVENUE	619	95,432
69	A	N/S	106A AVENUE	59 STREET	63 STREET	141	21,738
69	B	N/S	106B AVENUE	61 STREET	63 STREET	25	3,855
69	C	E/W	61 STREET	ST. GABRIEL SCHOOL ROAD	106A AVENUE	718	110,695
70	A	N/S	106B AVENUE	63 STREET	65 STREET	23	3,546
70	B	E/W	63 STREET	CAPILANO STREET	106 AVENUE	1,131	174,367
71	A	N/S	107A AVENUE	65 STREET	67 STREET	23	3,546
71	B	E/W	65 STREET	106 AVENUE	108 AVENUE	1,353	208,593
72	A	N/S	107 AVENUE	67 STREET	69 STREET	23	3,546
72	B	S	108 AVENUE	67 STREET	69 STREET	83	12,797
72	C	E	67 STREET	106A AVENUE	108 AVENUE	615	94,815
72	D	W	67 STREET	106A AVENUE	108 AVENUE	502	77,394
73	A	N/S	106A AVENUE	65 STREET	69 STREET	274	42,243
73	B	E/W	69 STREET	106A AVENUE	108 AVENUE	1,185	182,692
73	C	N	108 AVENUE	65 STREET	69 STREET	347	53,497
73	D	S	108 AVENUE	65 STREET	67 STREET	69	10,638
74	A	N/S	106B AVENUE	69 STREET	HARDISTY DRIVE	22	3,392

Schedule "A"
Page 2 of 3

PROPOSED SIDEWALK RECONSTRUCTION 2011 (50/50 PROGRAM) LOCAL IMPROVEMENT
RESIDENTIAL – STANDARD
\$154.17 CASH COST PER METRE
UNIT RATE OF \$12.12 PER METRE PER YEAR FOR 20 YEARS

L.I. PLAN	REF	SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
74	B	E	HARDISTY DRIVE	106 AVENUE	107B AVENUE	618	95,278
75	A	N/S	107B AVENUE	69 STREET	HARDISTY DRIVE	22	3,392
75	B	S	HARDISTY DRIVE	107B AVENUE	65 STREET	522	80,477
75	C	N	HARDISTY DRIVE	65A STREET	65 STREET	20	3,084
75	D	E/W	65A STREET	HARDISTY DRIVE	109 AVENUE	74	11,409
76	A	N	109 AVENUE	65A STREET	CAPILANO CRESCENT	73	11,255
76	B	S	CAPILANO CRESCENT	56 STREET	109 AVENUE	413	63,673
76	C	W	56 STREET	CAPILANO CRESCENT	109B AVENUE	63	9,713
77	A	N/S	109B AVENUE	56 STREET	65A STREET	539	83,098
77	B	E/W	65A STREET	109B AVENUE	109 AVENUE	64	9,867
78		N/S	109 AVENUE	56 STREET	65A STREET	296	45,635
79	A	S	109A AVENUE	50 STREET	56 STREET	232	35,768
79	B	E	56 STREET	109A AVENUE	109 AVENUE	15	2,313
79	C	W	56 STREET	109B AVENUE	109 AVENUE	105	16,188
80		N/S	109 AVENUE	CAPILANO STREET	50 STREET	561	86,490
81	A	N/S	108A AVENUE	50 STREET	54 STREET	177	27,289
81	B	E/W	54 STREET	107 AVENUE	108A AVENUE	368	56,735
81	C	N/S	107 AVENUE	CAPILANO STREET	54 STREET	204	31,451
82	A	N/S	107A AVENUE	50 STREET	54 STREET	44	6,784
82	B	E/W	52 STREET	107A AVENUE	108A AVENUE	409	63,056
83	A	E/W	52 STREET	106A AVENUE	107A AVENUE	514	79,244
83	B	N/S	106A AVENUE	CAPILANO STREET	52 STREET	120	18,501
84	A	N	108 AVENUE	47 STREET	48 STREET	125	19,272

Schedule "A"
Page 3 of 3

PROPOSED SIDEWALK RECONSTRUCTION 2011 (50/50 PROGRAM) LOCAL IMPROVEMENT
RESIDENTIAL – STANDARD
\$154.17 CASH COST PER METRE
UNIT RATE OF \$12.12 PER METRE PER YEAR FOR 20 YEARS

L.I. PLAN	REF	SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
84	B	S	108 AVENUE	47 STREET	48 STREET	11	1,696
84	C	E/W	48 STREET	106B AVENUE	108 AVENUE	622	95,894
84	D	N/S	106B AVENUE	48 STREET	50 STREET	74	11,409
85	A	N/S	109 AVENUE	46 STREET	50 STREET	444	68,452
85	B	E/W	48 STREET	108A STREET	109 AVENUE	83	12,797
85	C	N/S	108A AVENUE	48 STREET	50 STREET	202	31,143
86	A	N	109A AVENUE	L/E 46 STREET	50 STREET	411	63,364
86	B	S	109A AVENUE	50 STREET	108 AVENUE	549	84,640
87	A	N/S	109 AVENUE	46 STREET	107A AVENUE	732	112,853
87	B	N/S	107A AVENUE	44 STREET	45 STREET	86	13,259
87	C	N/S	108 AVENUE	43 STREET	44 STREET	21	3,238
88	A	N/S	108 AVENUE	45 STREET	46 STREET	86	13,259
88	B	E/W	45 STREET	107 AVENUE	108 AVENUE	470	72,460
89	A	E/W	46 STREET	107 AVENUE	109A AVENUE	392	60,435
89	B	S	107A AVENUE	46 STREET	47 STREET	142	21,893
89	C	W	47 STREET	107A AVENUE	109 AVENUE	263	40,547
90	A	N/S	107 AVENUE	43 STREET	48 STREET	941	145,074
90	B	E	43 STREET	Approx. 157m S/108 AVENUE	107 AVENUE	32	4,934
90	C	W	43 STREET	107 AVENUE	108 AVENUE	<u>157</u>	<u>24,205</u>
						21,076	3,249,317
TOTAL ANNUAL PAYMENT							255,441.12

Schedule "B"
Page 1 of 1

PROPOSED SIDEWALK RECONSTRUCTION 2011 (50/50 PROGRAM) LOCAL IMPROVEMENT
COMMERCIAL - STANDARD
\$131.48 CASH COST PER METRE
UNIT RATE OF \$10.34 PER METRE PER YEAR FOR 20 YEARS

L.I. PLAN No.	REF	SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
64	C	E	CAPILANO STREET	L/N 106 AVENUE	106 AVENUE	<u>55</u>	<u>7,232</u>
						<u>55</u>	<u>7,232</u>
TOTAL ANNUAL PAYMENT						568.70	

Schedule "C"
Page 1 of 2

**PROPOSED SIDEWALK RECONSTRUCTION 2011 (50/50 PROGRAM) LOCAL IMPROVEMENT
RESIDENTIAL - STANDARD**

\$154.17 CASH COST PER METRE

UNIT RATE OF \$12.12 PER METRE PER YEAR FOR 20 YEARS

L.I. PLAN No.	REF	SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
22	A	E	155 STREET	95 AVENUE	98 AVENUE	432	66,602
22	B	W	155 STREET	Approx. 61m N/95 AVENUE	98 AVENUE	397	61,206
22	C	N	97 AVENUE	155 STREET	L/W 155 STREET	7	1,080
22	D	N	96 AVENUE	155 STREET	L/W 155 STREET	7	1,080
23	A	E/W	154 STREET	95 AVENUE	98 AVENUE	915	141,066
23	B	N	97 AVENUE	154 STREET	155 STREET	14	2,159
23	C	N	96 AVENUE	154 STREET	155 STREET	14	2,159
24	A	E	153 STREET	95 AVENUE	98 AVENUE	202	31,143
24	B	W	153 STREET	96 AVENUE	98 AVENUE	305	47,022
24	C	W	153 STREET	95 AVENUE	Approx. 16m S/96 AVENUE	138	21,276
24	D	N	97 AVENUE	153 STREET	154 STREET	14	2,159
24	E	N	96 AVENUE	153 STREET	154 STREET	14	2,159
25	A	E/W	152 STREET	95 AVENUE	98 AVENUE	659	101,599
25	B	N	97 AVENUE	151 STREET	153 STREET	28	4,317
25	C	N	96 AVENUE	151 STREET	152 STREET	14	2,159
26	A	E	151 STREET	95 AVENUE	98 AVENUE	458	70,610
26	B	W	151 STREET	Approx. 16m N/96 AVENUE	98 AVENUE	290	44,710
26	D	E	151 STREET	95 AVENUE	96 AVENUE	153	23,589
26	E	N	97 AVENUE	151 STREET	L/E 151 STREET	14	2,159
26	G	N	96 AVENUE	150 STREET	L/W 150 STREET	7	1,080
27	A	E/W	150 STREET	95 AVENUE	98 AVENUE	915	141,066

Schedule "C"
Page 2 of 2

PROPOSED SIDEWALK RECONSTRUCTION 2011 (50/50 PROGRAM) LOCAL IMPROVEMENT
RESIDENTIAL - STANDARD
\$154.17 CASH COST PER METRE
UNIT RATE OF \$12.12 PER METRE PER YEAR FOR 20 YEARS

L.I. PLAN No.	REF	SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
27	B	N	97 AVENUE	150 STREET	L/E 150 STREET	7	1,080
27	C	N	96 AVENUE	150 STREET	L/E 150 STREET	7	1,080
28	A	E/W	155 STREET	98 AVENUE	100 AVENUE	553	85,257
28	B	N	99 AVENUE	155 STREET	Approx. 23m W/155 STREET	23	3,546
28	C	N	98 AVENUE	155 STREET	L/W 155 STREET	7	1,080
29	A	E/W	154 STREET	98 AVENUE	100 AVENUE	554	85,411
29	B	N	99 AVENUE	154 STREET	155 STREET	14	2,159
29	C	N	98 AVENUE	154 STREET	155 STREET	14	2,159
30	A	E/W	153 STREET	98 AVENUE	100 AVENUE	580	89,419
30	B	N	99 AVENUE	153 STREET	154 STREET	14	2,159
30	C	N	98 AVENUE	153 STREET	154 STREET	52	8,017
31	A	E/W	152 STREET	98 AVENUE	100 AVENUE	518	79,861
31	B	N	99 AVENUE	152 STREET	153 STREET	14	2,159
31	C	N	98 AVENUE	152 STREET	153 STREET	53	8,172
32	A	E/W	151 STREET	98 AVENUE	100 AVENUE	554	85,411
32	B	N	99 AVENUE	151 STREET	152 STREET	14	2,159
32	C	N	98 AVENUE	151 STREET	152 STREET	52	8,017
33	A	E/W	150 STREET	98 AVENUE	100 AVENUE	577	88,957
33	B	N	98 AVENUE	151 STREET	L/W 149 STREET	21	3,238
33	C	N	99 AVENUE	151 STREET	L/W 149 STREET	<u>21</u>	<u>3,238</u>
						8,646	1,332,979
TOTAL ANNUAL PAYMENT						104,789.52	

Schedule "D"
Page 1 of 1

PROPOSED SIDEWALK RECONSTRUCTION 2011 (50/50 PROGRAM) LOCAL IMPROVEMENT
COMMERCIAL - STANDARD

\$131.48 CASH COST PER METRE

UNIT RATE OF \$10.34 PER METRE PER YEAR FOR 20 YEARS

L.I. PLAN No.	REF	SIDE	ON	FROM	TO	ASSESSABLE LENGTHS (METRES)	PROPERTY SHARE (\$)
22	E	N	97 AVENUE	156 STREET	L/E 156 STREET	46	6,049
22	F	N	96 AVENUE	156 STREET	L/E 156 STREET	43	5,654
22	G	W	155 STREET	95 AVENUE	Approx. 61m N/95 AVENUE	61	8,021
24	F	W	153 STREET	96 AVENUE	Approx. 16m S/96 AVENUE	16	2,104
26	C	E	151 STREET	96 AVENUE	Approx. 16m N/96 AVENUE	16	2,104
26	F	N	96 AVENUE	151 STREET	L/E 151 STREET	46	6,049
27	D	N	97 AVENUE	149 STREET	L/W 149 STREET	46	6,049
27	E	N	96 AVENUE	149 STREET	L/W 149 STREET	44	5,786
28	D	N/S	98 AVENUE	156 STREET	L/E 156 STREET	85	11,176
28	E	N	99 AVENUE	156 STREET	Approx. 23m W/155 STREET	64	8,415
33	D	N	99 AVENUE	149 STREET	L/W 149 STREET	40	5,260
33	E	N	98 AVENUE	149 STREET	L/W 149 STREET	41	5,391
						<u>548</u>	<u>72,058</u>

TOTAL ANNUAL PAYMENT

5,666.32