



## **CITY OF EDMONTON**

### **BYLAW 15239**

# **A BYLAW TO AUTHORIZE THE CITY OF EDMONTON TO CONSTRUCT, FINANCE, AND ASSESS AURUM ENERGY PARK - WATER, SANITARY SEWER, STORM SEWER AND FACILITIES CONSTRUCTION LOCAL IMPROVEMENT**

**(CONSOLIDATED ON MARCH 14, 2012)**

**CITY OF EDMONTON**

**BYLAW 15239**

A Bylaw to authorize the City of Edmonton  
to construct, finance, and assess Aurum Energy Park -  
Water, Sanitary Sewer, Storm Sewer and Facilities  
Construction Local Improvement

**WHEREAS:**

The Council of the City of Edmonton has decided to issue a bylaw pursuant to Sections 251, 263, and 402 of the *Municipal Government Act*, R.S.A. 2000, c. M-26 to authorize the City of Edmonton to construct, finance, and assess Aurum Energy Park – Water, Sanitary Sewer, Storm Sewer and Facilities Construction Local Improvement;

The Council has also decided to set uniform tax rates based on estimated 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;

The Council also intends to amend this Bylaw to reflect the actual cost of the construction of this local improvement upon completion;

The *Municipal Government Act*, R.S.A. 2000, c. M-26, Section 399 provides as follows: The undertaking of a local improvement may be started, the local improvement tax bylaw may be passed and debentures may be issued before or after the actual cost of the local improvement has been determined.

In order to construct and complete the said project, it will be necessary for the City of Edmonton to borrow the sum of \$5,658,386.30 for the property owners' share on the terms and conditions referred to in this Bylaw;

(S.1, Bylaw 16046, March 14, 2012)

The City of Edmonton will repay the indebtedness over a period of twenty-five (25) 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, 2008 is \$1,232,741,601.65, no part of which is in arrears;

The estimated lifetime of the project is a minimum of twenty-five (25) years;

The proposed construction will serve about 31.845 hectares;

(S.2, Bylaw 16046, March 14, 2012)

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 Canada;

The Council of the City of Edmonton has given proper notice of intention to undertake construct, finance, and assess Aurum Energy Park – Water, Sanitary Sewer, Storm Sewer and Facilities Construction Local Improvement, the costs or a portion of the costs thereof to be assessed against benefiting owners in accordance with the attached Schedules "A" through "C", 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 \$2,176.73 per hectare per annum for 25 years be set for Water Main and Service Construction as described in Schedule "A" based on the estimated cost.

(S.3, Bylaw 16046, March 14, 2012)

2. That a unit tax rate of \$1,813.94 per hectare per annum for 25 years be set for Sanitary Sewer Lateral, Interceptor and Service Construction as described in Schedule "B" based on the estimated cost.

(S.4, Bylaw 16046, March 14, 2012)

3. That a unit rate of \$8,102.27 per hectare per annum for 25 years be set for Storm Sewer Lateral and Service Construction as described in Schedule "C" based on the estimated cost.

(S.5, Bylaw 16046, March 14, 2012)

4. That the foregoing unit tax rate was calculated based on a four and five hundred eighty-nine one-thousandths per cent (4.589%) interest charge per annum for a twenty-five (25) year assessment.

(S.6, Bylaw 16046, March 14, 2012)

5. That for the purpose of the Aurum Energy Park - Water, Sanitary Sewer, Storm Sewer and Facilities Construction Local Improvement the sum of \$5,658,386.30 be borrowed by way of debenture on the credit and security of the City of Edmonton at large, of which amount the sum of \$5,658,386.30 is to be collected by way of local improvement assessment as provided in Schedules "A" through "C".

(S.1, Bylaw 16046, March 14, 2012)

6. The debentures to be issued under this Bylaw shall not exceed the sum of \$5,658,386.30, 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.

(S.1, Bylaw 16046, March 14, 2012)

7. The debentures 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-five (25) years and the City of Edmonton will repay the principal and interest in semi-annual or annual instalments.

9. The debentures shall be payable in lawful money of Canada at the principal office of the Toronto-Dominion Bank either in the City of Edmonton, in the Province of Alberta, or at its principal office in the City of Toronto, in the Province of Ontario.

10. 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.

11. 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.

12. 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.

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

14. 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 "C" 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 "C". The local improvement assessment shall be in addition to all other rates and taxes.

15. 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.

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

(NOTE: Consolidation made under Section 69 of the *Municipal Government Act*, R.S.A. 2000, c.L-21 and Bylaw No. 12005, and printed under the City Manager's authority)

Bylaw No. 15239, passed by Council July 8, 2009

Amendments:  
Bylaw 16046, March 14, 2012

Schedule "A"

**WATERMAIN AND SERVICE CONSTRUCTION  
AT A UNIT RATE OF \$2,176.73 PER HECTARE PER ANNUM FOR 25 YEARS  
CASH RATE OF \$31,983.34 PER HECTARE**

**Water Main and Related Construction Service Connections**

**On 137 Avenue NE R/W from 33 Street NE to West of existing oil pipeline R/W including crossing oil pipeline R/W. On water main Utility R/W from intersection of 137 Avenue NE R/W and West portion of water main R/W going Southeast then East and connecting to existing water main located in R/W West of 33 Street NE.**

**Plan 1123218 - Located West of 33 Street NE and South of 137 Avenue (Aurum Road) NE**

<b>PARCEL</b>	<b>LOT</b>	<b>BLOCK</b>	<b>PARCEL AREA (HECTARES)</b>	<b>INTEREST RATE</b>	<b>ANNUAL PAYMENT</b>	<b>PROPERTY SHARE</b>
1	1	5	1.220	4.589%	\$ 2,655.61	\$ 39,019.68
2	2	4	10.319	4.589%	22,461.66	330,036.11
3	3	4	7.977	4.589%	17,363.76	255,131.12
4	6	4	<u>12.329</u>	4.589%	<u>26,836.88</u>	<u>394,322.62</u>
<b>TOTAL</b>			31.845		\$ 69,317.90	\$1,018,509.53

(S.7, Bylaw 16046, March 14, 2012)

## Schedule "B"

**SANITARY SEWER LATERAL, INTERCEPTOR AND SERVICE CONSTRUCTION  
AT A UNIT RATE OF \$1,813.94 PER HECTARE PER ANNUM FOR 25 YEARS  
CASH RATE OF \$26,652.76 PER HECTARE**

**Sanitary Sewer Lateral, Interceptor and Related Construction Service Connections**

On 137 Avenue NE R/W from 33 Street NE to approximately 150 metres East of existing quarter section section line (NW 22-53-23-4 and NE 22-53-23-4).

On Utility R/W located West of SWMF from SE 22-53-23-4 to 137 Avenue NE R/W.

On Utility R/W and located South of SWMF going West from existing sanitary sewer lateral to new construction of sanitary sewer lateral in Utility R/W which runs in a North/South direction.

Plan 1123218 - Located West of 33 Street NE and South of 137 Avenue (Aurum Road) NE

PARCEL	LOT	BLOCK	PARCEL AREA (HECTARES)	INTEREST RATE	ANNUAL PAYMENT	PROPERTY SHARE
						\$
1	1	5	1.220	4.589%	\$ 2,213.01	32,516.40
2	2	4	10.319	4.589%	18,718.05	275,030.09
3	3	4	7.977	4.589%	14,469.80	212,609.27
4	6	4	<u>12.329</u>	4.589%	<u>22,364.07</u>	<u>328,602.19</u>
<b>TOTAL</b>			31.845		\$57,764.92	\$848,757.94

(S.7, Bylaw 16046, March 14, 2012)



Schedule "C"

**STORM SEWER LATERAL AND SERVICE CONSTRUCTION  
AT A UNIT RATE OF \$8,102.27 PER HECTARE PER ANNUM FOR 25 YEARS  
CASH RATE OF \$119,049.11 PER HECTARE**

**Storm Sewer Lateral and Related Construction Service Connections**

On 137 Avenue NE R/W from 33 Street NE to West of North/South Utility R/W located on East side of SWMF.

On 137 Avenue NE R/W from North/South Utility R/W located on West side of SWMF to approximately 8 metres West of existing section line (NW 22-53-23-4 and NE 22-53-23-4).

On Utility R/W and located West of SWMF from 137 Avenue NE R/W going South to South end of SWMF.

On Utility R/W and located East of SWMF from 137 Avenue NE R/W going South to South end of SWMF.

On Utility R/W and located South of SWMF going East and West from North/South Utility R/W's which are located on both the East and West side of the SWMF – to inlet.

Plan 1123218 - Located West of 33 Street NE and South of 137 Avenue (Aurum Road) NE

PARCEL	LOT	BLOCK	PARCEL AREA (HECTARES)	INTEREST RATE	ANNUAL PAYMENT	PROPERTY SHARE
1	1	5	1.220	4.589%	\$ 9,884.76	\$ 145,239.91
2	2	4	10.319	4.589%	83,607.28	1,228,467.74
3	3	4	7.977	4.589%	64,631.78	949,654.73
4	6	4	12.329	4.589%	99,892.84	1,467,756.44
<b>TOTAL</b>			31.845		\$ 258,016.66	\$3,791,118.81

(S.7, Bylaw 16046, March 14, 2012)