

## THE CITY OF EDMONTON

### BYLAW 14125

#### STONY PLAIN ROAD AND AREA BUSINESS REVITALIZATION ZONE BYLAW

**WHEREAS** Edmonton City Council received a request, pursuant to section 3(1) of AR 377/94, the Business Revitalization Zone Regulation, to establish a business revitalization zone generally located within the area bounded by 140 Street and 100 Avenue and 102 Avenue, centred along Stony Plain Road, a page of such request is appended hereto as Schedule A;

**AND WHEREAS** pursuant to section 3(3) of AR 377/94, notice of the intention of Council to pass this bylaw was mailed to every person who was shown on the then current assessment roll of the City as being assessed for business taxes within the boundaries of the Business Revitalization Zone;

**AND WHEREAS** no petition objecting to the passing of this bylaw was received by the City;

Edmonton City Council enacts:

#### DEFINITIONS

- 1 In this bylaw, unless the context otherwise requires:
- (a) **“Board”** means all Directors of the business revitalization zone as appointed by Council from time to time;
  - (b) **“City”** means the municipal corporation of the City of Edmonton;
  - (c) **“Council”** means the municipal council of the City of Edmonton;
  - (d) **“Director”** means a person appointed by Council pursuant to section 6 of this bylaw;
  - (e) **“Member”** means a business assessed for business taxes within the Zone;
  - (f) **“MGA”** means the *Municipal Government Act*, S.A. 2000, c. M-26;
  - (g) **“Person”** includes an individual, partnership, association, corporation, trustee, executor, administrator or legal representative; and
  - (h) **“Zone”** means the Stony Plain Road and Area Business Revitalization Zone designated in section 2 of this bylaw.

<b>DESIGNATION OF THE ZONE</b>	2	That area, the boundaries of which are outlined and shaded on the map attached hereto as Schedule B and forming part of this bylaw, and which are more particularly described in Schedule C attached hereto and forming part of this bylaw, is hereby designated as the “Stony Plain Road and Area Business Revitalization Zone Bylaw”.
<b>ESTABLISHMENT OF THE ASSOCIATION</b>	3	<p>(1) The Board of Directors of the Zone is hereby established as a corporation under the name “Stony Plain Road and Area Business Association”.</p> <p>(2) The Corporation hereby established shall consist of Directors appointed from time to time in accordance with section 6 hereof.</p>
<b>PURPOSES OF THE ZONE</b>	4	<p>The objects or purposes for which the Zone are established are:</p> <p>(a) improving, beautifying and maintaining property in the Zone;</p> <p>(b) developing, improving, and maintaining public parking; and</p> <p>(c) promoting the Zone as a business or shopping district.</p>
<b>POWERS OF ASSOCIATION</b>	5	<p>(1) Subject to the provisions of this bylaw and every other applicable bylaw of the City or statute or regulations of the Province, the Zone shall have the power to do all things necessarily incidental to the attainment of its objects.</p> <p>(2) Nothing in this bylaw shall be construed as giving the Zone the power to borrow money or otherwise pledge its assets without the express direction of Council.</p>
<b>DIRECTORS</b>	6	<p>(1) The Board of the Zone shall consist of fifteen Directors appointed by Council.</p> <p>(2) At the recommendation of the Board, Council may appoint fewer than fifteen Directors.</p> <p>(3) Each appointment made by Council is for a term of one year with no maximum number of terms.</p> <p>(4) No person shall be appointed as a Director unless that person:</p> <p>(a) has been nominated in writing, submitted to the Board before close of nominations, for appointment as a Director, by any person in the Zone who is shown on the current assessment roll of the City as being assessed for business taxes with respect to a business carried on within the Zone, and</p>

- (b) has consented to act as a Director, in writing submitted to the Board prior to that person's appointment.

(5) A majority of existing, appointed members constitutes quorum.

#### **REMUNERATION**

- 7 (1) The position of a Director is voluntary, and no remuneration will be paid for services as a Director.
- (2) Directors shall be reimbursed for expenses necessarily incurred in the performance of duties as a Director.

#### **PROCEDURES FOR THE BOARD**

- 8 (1) The Board shall manage the business and affairs of the Zone.
- (2) The Board shall meet at least quarterly and may meet more frequently, as it sees fit, for the dispatch of business.
- (3) The Directors shall:
  - (a) elect one of their number as Chair of the Board to preside at all meetings of the Board, and
  - (b) determine the period for which that person is to hold office.
- (4) If the Chair is not present within fifteen (15) minutes from the time fixed for the holding of any meeting, the Directors present shall choose one of their number to be the Chair of the meeting.
- (5) A motion is lost when the vote is tied.
- (6) The Board may delegate any of the Board's powers to a committee or committees consisting of one or more Directors.

#### **FINANCIAL MATTERS**

- 9 (1) The financial year of the Board is the calendar year.
- (2) The Board may appoint such officers of the Zone as the Board sees fit and may specify the powers and duties of such officers and, subject to the provisions of this bylaw, may delegate to any officer such of the powers of the Board as the Board thinks fit.
- (3) If a Director or a Director's family member, as defined within the MGA, has a pecuniary interest in a matter before the Board, the Director shall be precluded from voting or participating in the discussion.
- (4) The Zone may have a corporate seal, which seal may be adopted or changed from time to time by the Board and on which the name of the Zone shall appear.
- (5) The banking business of the Zone shall be transacted with such banks or financial institutions as the Board may from time to time

designate, and shall be transacted in accordance with such agreements, instructions, and delegations of power as the Board may from time to time prescribe.

- (6) The Board shall cause true accounts to be kept of the sums of money received and expended by the Zone and the matter or matters in respect of which such receipts and expenditures take place, all acquisitions and dispositions of property of the Association, and all the assets and liabilities of the Zone.
- (7) The books of account of the Zone shall be kept at such place or places as the Board thinks fit, and no person, other than a Director, an officer, the City Auditor, or an officer, accountant, or other person, whose duty to the Zone or to the Council require that person to do so, shall have any right to inspect any account or book or document of the Zone except as may be authorized by the Board, by Council, or by statute.
- (8) The Board shall, in each year at the time and in the form prescribed by the Council, submit to the Council, for its approval, estimates of revenues and expenditures expected to be received and made by the Zone for the next fiscal year.
- (9) The Board shall present and review these estimates with its Members at the annual general meeting and subsequently revise, if necessary, and approve them prior to their submission to Council.
- (10) The Board shall notify by mail, personal delivery, or a combination of the two, all businesses within the Zone listed in the current assessment roll of the proposed budget, and of the date and place when Council will consider approval of the proposed budget.

**ANNUAL GENERAL  
MEETINGS AND  
SPECIAL  
MEETINGS OF THE  
BOARD**

- 10 (1) In each calendar year, prior to submitting its estimates of revenues and expenditures to Council, the Board shall hold an annual general meeting of all Members.
- (2) Written notice of the annual meeting shall be sent by mail, personal delivery, or a combination of the two, to all Members, at least fourteen (14) days prior to the meeting date.
- (3) At the annual meeting the Board shall:
  - (a) review with Members its estimates of revenues and expenditures for the next calendar year;
  - (b) review with Members any nominations for new Directors from the Members for the next calendar year received by the Board prior to the meeting;

- (c) seek any additional nominations for new Directors for the next calendar year; and
  - (d) close the nomination period permanently for new Directors for the next calendar year.
- (4) For the purposes of any vote of the membership during the annual meeting or a special meeting, the following voting procedures shall apply:
- (a) Each Member shall be entitled to one vote;
  - (b) In order to be eligible to vote, each representative shall present to the Board upon arrival at the meeting, an original signed statement giving the bearer permission to represent the Member in any vote at that meeting; and
  - (c) Motions are passed by a majority of the votes cast by the Members present at the meeting.

**ANNUAL REPORT**      11      The Board shall prepare and submit to Council an annual report of the activity of the Zone at the time specified by Council, together with an audited financial statement of the Zone comprised of an income and expenditure account and a balance sheet and any other statements and reports required by Council.

READ a first time this      day of      , A.D. 2005;

READ a second time this      day of      , A.D. 2005;

READ a third time this      day of      , A.D. 2005;

SIGNED and PASSED this      day of      , A.D. 2005.

THE CITY OF EDMONTON

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

**SCHEDULE A – REQUEST FOR ESTABLISHMENT****Request to Council**

We the undersigned taxpayers of businesses shown on the current business assessment role for the City of Edmonton, generally located within the area bounded by 140 Street and 170 Street and 100 Avenue and 102 Avenue, centred along Stony Plain Road, request that Edmonton City Council establish a business revitalization zone using the boundaries marked on the attached Schedule "A". The purposes of the zone are listed in the attached Schedule "B".

Business Name as per Licence	Business Location Address	Printed Name of Business Taxpayer (owner of business)	Signature	Date	Witness
Rendezvous Pub 49	10108-149 ST	PAUL CHING	<i>[Signature]</i>	July 12/05	<i>[Signature]</i>
Tower Waffle House	16406 100 Ave	Dave Cooper	<i>[Signature]</i>	July 12/05	<i>[Signature]</i>
SCISSOR WITCH	14916-58th St	TRIS HARPE	<i>[Signature]</i>	July 13/05	<i>[Signature]</i>
LIBERTY TAX	10112-149 ST	MAREK FOLUSIEWICZ	<i>[Signature]</i>	July 13/05	<i>[Signature]</i>
Glenwood Wellness Clinic	16416-100 Ave	Todd Lynes	<i>[Signature]</i>	7/14/05	<i>[Signature]</i>
DECORE HOTELS	10074-164 St Edm AB	KARYN DECORE	<i>[Signature]</i>	July 16/05	<i>[Signature]</i>

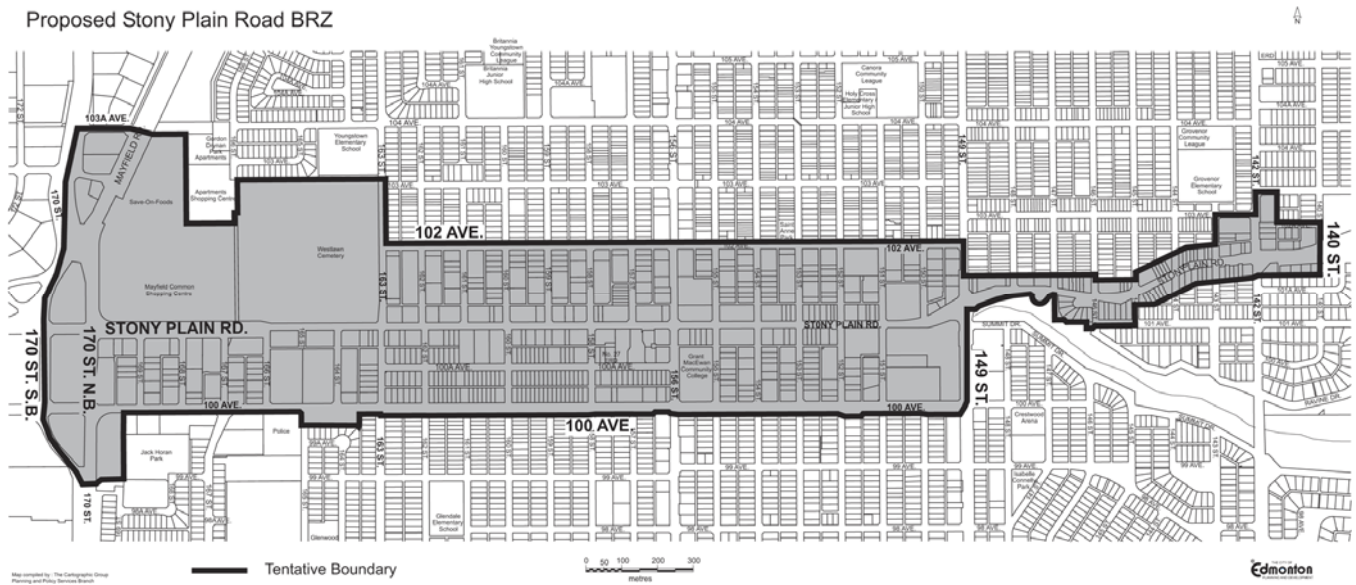
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**SCHEDULE B – BOUNDARY MAP**

Proposed Stony Plain Road BRZ



**SCHEDULE C – BOUNDARIES OF THE STONY PLAIN ROAD AND AREA BUSINESS  
REVITALIZATION ZONE**

The Stony Plain Road and Area Business Revitalization Zone shall consist of all properties within the boundaries as illustrated in Schedule B. Such boundaries shall be described as follows:

**On the West**

Originating at the south end of 170 Street Southbound where 170 Street Southbound joins 170 Street Northbound, continuing north up the centreline of 170 Street Southbound to continue along 170 Street to 103A Avenue.

**On the North**

Originating at the intersection of 170 Street and 103A Avenue, continuing east across Mayfield Road and along the north boundary of Plan 9022549, Block A, south along the east boundary of Plan 9022549, Block A, east along the south boundary of Plan 5060RS, Lot 4 at the south of the end of 166 Street, north along the east boundary of Plan 5060RS Lot 4, to the lane south of 103 Avenue, east along the lane south of 103 Avenue to the intersection of 163 Street, south along 163 Street to the intersection of 102 Avenue, east along 102 Avenue to 149 Street, south along 149 Street to the lane north of Stony Plain Road, east along the lane north Stony Plain Road to 146 Street, south on 146 Street to the lane north of Stony Plain Road, east along the lane north of Stony Plain Road to 145 Street, north on 145 Street to the lane north of Stony Plain Road, northeast along the lane north of Stony Plain Road to 143 Street, north along 143 Street to the intersection of 103 Avenue, east along 103 Avenue to 142 Street, north on 142 Street to the intersection of 103 Avenue, east along 103 Avenue to the lane east of 142 Street, south along the lane east of 142 Street to 102A Avenue, east along 102A Avenue to the intersection of 140 Street.

**On the East**

Originating at the intersection of 102A Avenue and 140 Street, continuing south along 140 Street to Stony Plain Road, continuing south along the west boundary of Plan 2602HW, Block 130, Lot 5 to the lane south of Stony Plain Road.

**On the South**

Originating at west boundary of Plan 2602HW, Block 130 Lot, 5 and the lane south of Stony Plain Road, west along the lane south of Stony Plain Road to 142 Street, continuing west along the lane south of Stony Plain Road to 143 Street, west along the lane south of Stony Plain Road to the lane west of 143 Street, southwest along the lane south of Stony Plain Road to a point where the lane south of Stony Plain Road intersects with the lane north of 101 Avenue and south of Stony Plain Road; continuing west along the lane south of Stony Plain Road to 145 Street, south along 145 Street to the intersection with 101 Avenue, west along 101 Avenue to the intersection with 146 Street, west around the perimeter of the two lots described as Plan 4590W Block OT and OT-53-25-4, to the south boundary of Plan 9723890 Block 7 Lot 6 on Ravine



Point, west along the south boundary of Plan 9723890 Block 7 Lot 5, and Plan 9723890 Block 7 Lot 4 on the south side of Ravine Point west of 146 Street, west along the south boundary of Plan 9723890 Block 7 Lot 8 on Stony Plain Road, north along the west boundary of Plan 9723890 Block 7 Lot 8 on Stony Plain Road, west along Stony Plain Road to the intersection with 149 Street, south along 149 Street to 100 Avenue, west along 100 Avenue to the east boundary of Plan 9524440 Block 10 Lot 11A, continuing west 38.11 meters, south 60.01 meters, continuing along the east boundary of Plan 9524440 Block 10 Lot 11A, west along the south boundary of the Plan 9524440 Block 10 Lot 11A, to the middle of 170 Street Southbound where it joins 170 Street Northbound

Where there is a conflict between this written description, Schedule C, and the boundary map, Schedule B, the boundary map shall prevail.