



CITY OF EDMONTON
BYLAW 10454 (AS AMENDED)
EDMONTON OLD STRATHCONA BUSINESS IMPROVEMENT
AREA BYLAW

(CONSOLIDATED ON DECEMBER 13, 2016)

THE CITY OF EDMONTON
BYLAW 10454 (AS AMENDED)

EDMONTON OLD STRATHCONA BUSINESS IMPROVEMENT AREA BYLAW

(S.2(a), Bylaw 17787, December 13, 2016)

WHEREAS the Municipal Council of the City of Edmonton received a request, appended hereto and forming Appendix "A" to this Bylaw, pursuant to the Municipal Government Act, R.S.A. 1980, c. M-26, as amended, to

- (a) designate an area as a Business Revitalization Zone and prescribe its boundaries;
- (b) establish a Board of Directors for the Business Revitalization Zone and incorporate the said Board of Directors;

(S.1(a), Bylaw No. 10963, June 6, 1995)

AND WHEREAS pursuant to Section 171.2(2) of the Municipal Government Act, R.S.A. 1980, C. M-26, 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;

(S.1(b), Bylaw No. 10963, June 6, 1995)

AND WHEREAS no petition objecting to the passing of this Bylaw was received by the Municipal Council of the City;

(S.1(c), Bylaw No. 10963, June 6, 1995)

NOW THEREFORE, the Municipal Council of the City of Edmonton, duly assembled, enacts as follows:

PART I - PURPOSE, DEFINITIONS AND INTERPRETATION

DEFINITIONS

1 In this bylaw, unless the context otherwise requires:

- (a) **"Board"** means all Directors of the Business Improvement Area 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 Edmonton Old Strathcona Business Improvement Area;
- (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) *Deleted*

(S.3, Bylaw 13922, April 19, 2005)

(S.2(b),3,4(a),Bylaw 17787, December 13, 2016)

DESIGNATION OF THE ZONE

- 2 That area, the boundaries of which are outlined and shaded on the map attached hereto as Appendix "B" and forming part of this Bylaw, and which are more particularly described in Appendix "C" attached hereto and forming part of this Bylaw, is hereby designated as the "Edmonton Old Strathcona Business Improvement Area".

(S.4, Bylaw 13922, April 19, 2005)

(S.2(c), Bylaw 17787, December 13, 2016)

ESTABLISHMENT OF THE ASSOCIATION

- 3 (1) The Board of Directors of the Edmonton Old Strathcona Business Improvement Area is hereby established as a corporation under the name “Old Strathcona Business Association”.
- (2) The Corporation hereby established shall consist of Directors appointed from time to time in accordance with Section 6 hereof.

(S.5, Bylaw 13922, April 19, 2005)

(S.4(b), Bylaw 17787, December 13, 2016)

PURPOSES OF THE ZONE

- 4 The objects or purposes for which the Edmonton Old Strathcona Business Improvement Area are established are:

- (a) improving, beautifying and maintaining property in the

Edmonton Old Strathcona Business Improvement Area;

- (b) developing, improving, and maintaining public parking; and
- (c) promoting the Edmonton Old Strathcona Business Improvement Area as a business or shopping district.

(S.4(c), Bylaw 17787, December 13, 2016)

POWERS OF ASSOCIATION

- 5 (1) Subject to the provisions of this bylaw and every other applicable bylaw of the City or statute or regulations of the Province, the Edmonton Old Strathcona Business Improvement Area shall have the power to do all things necessarily incidental to the attainment of its objects.
- (2) Nothing in this bylaw shall be construed as giving the Edmonton Old Strathcona Business Improvement Area the power to borrow money or otherwise pledge its assets without the express direction of Council.

(S.4(d), Bylaw 17787, December 13, 2016)

DIRECTORS

- 6 (1) The Board of the Edmonton Old Strathcona Business Improvement Area shall consist of fifteen Directors appointed by Council.
- (2) At the recommendation of the Board, Council may appoint fewer than fifteen Directors.
- (3) Each appointment made by Council is for a term of one year with no maximum number of terms.
- (4) No person shall be appointed as a Director unless that person:
 - (a) has been nominated in writing, submitted to the Board before close of nominations, for appointment as a Director, by any person in the Edmonton Old Strathcona Business Improvement Area 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 Edmonton Old Strathcona Business Improvement Area, and
 - (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.

(S.4(e), Bylaw 17787, December 13, 2016)

- 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 Edmonton Old Strathcona Business Improvement Area.
(S.4(f), Bylaw 17787, December 13,2016)
- (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 Edmonton Old Strathcona Business Improvement Area 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 Edmonton Old Strathcona Business Improvement Area 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 Edmonton Old Strathcona Business Improvement Area shall appear.
- (5) The banking business of the Edmonton Old Strathcona Business Improvement Area 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 Edmonton Old Strathcona Business Improvement Area 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 Edmonton Old Strathcona Business Improvement Area.
- (7) The books of account of the Edmonton Old Strathcona Business Improvement Area 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 Edmonton Old Strathcona Business Improvement Area or to the Council require that person to do so, shall have any right to inspect any account or book or document of the Edmonton Old Strathcona Business Improvement Area 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 Edmonton Old Strathcona Business Improvement Area 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 Edmonton Old Strathcona Business Improvement Area 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.

(S.4(g), Bylaw 17787, December 13,2016)

**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.
(S.6(4.0 – 10.4), Bylaw 13922, April 19, 2005)

ANNUAL REPORT

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The Board shall prepare and submit to Council an annual report of the activity of the Edmonton Old Strathcona Business Improvement Area at the time specified by Council, together with an audited financial statement of the Edmonton Old Strathcona Business Improvement Area comprised of an income and expenditure account and a balance sheet and any other statements and reports required by Council.

(S.4(h), Bylaw 17787, December 13, 2016)

Bylaw 10454

(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. 10454 passed by Council September 14, 1993

Amendments:

- Bylaw 10809 - July 12, 1994
- Bylaw 10963 - June 6, 1995
- Bylaw 13922 - April 19, 2005
- Bylaw 14432 - December 12, 2006
- Bylaw 17787 - December 13, 2016

OLD STRATHCONA MERCHANTS' ASSOCIATION



May 19, 1993

City of Edmonton
City Clerk's Office
3rd Flr., City Hall
1 Sir Winston Churchill Square
Edmonton, Alberta
T5J 2R7

To Whom It May Concern:

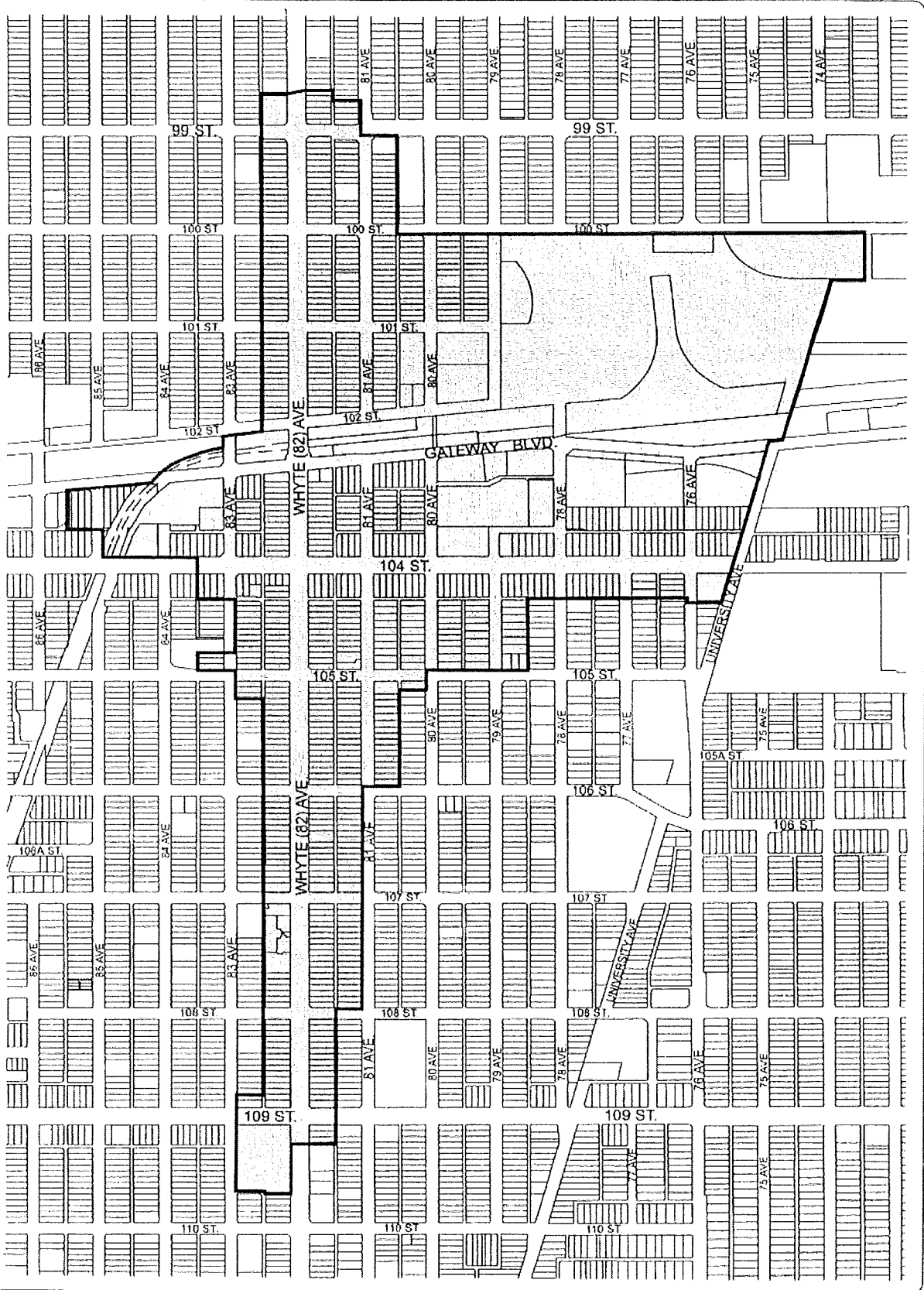
The Old Strathcona Merchants, Association officially requests the City of Edmonton to designate the area as a Business Revitalization Zone.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd McDonald".

Todd McDonald
President
Old Strathcona Merchants' Association

Appendix "B" OLD STRATHCONA BUSINESS IMPROVEMENT AREA



BOUNDARIES OF THE EDMONTON
OLD STRATHCONA BUSINESS IMPROVEMENT AREA

The Edmonton Old Strathcona Business Improvement Area shall consist of all lots lying within the following boundaries:

On the West – Originating on the north side of Whyte Avenue (82 Avenue) at the western boundary of the first lot west of 109 Street (legal description: Plan 0526142 Block 143 Lot 36), north along that boundary to continue north along the north/south lane which is east of 110 Street connecting 83 Avenue to the lane north of 82 Avenue, to 83 Avenue.

On the North – Originating at the intersection of 83 Avenue and the lane east of 110 Street, east along 83 Avenue to the eastern boundary of the second lot east of 109 Street (legal description: Plan N4000R Block 170 Lot 17), south along that boundary to the lane south of 83 Avenue, east along that lane to the west boundary of the third lot west of 105 Street (legal description: Plan I Block 66 Lot 34), north along that boundary to 83 Avenue, east along 83 Avenue to 105 Street, north along 105 Street to the lane north of 83 Avenue, east along the lane to the eastern boundary of the third lot east of 105 Street (legal description: Plan I Block 80 Lot 23), south along that boundary to 83 Avenue, east along 83 Avenue to the lane west of 104 Street, north along that lane to the north boundary of the fourth lot north of 83 Avenue (legal description: Plan I Block 80 Lot 4), east along that boundary to 104 Street, north along 104 Street to 85 Avenue, east along 85 Avenue to the north/south lane east of 104 Street, north along that lane to the northern boundary of the fourth lot north of 85 Avenue (legal description: Plan I Block 97 Lot 4), east along the northern boundary of this lot to Gateway Boulevard, south along Gateway Boulevard to the north boundary of the CPR Right-of-Way at 84 Avenue, southeast along the north boundary of the CPR Right-of-Way to 83 Avenue, east along 83 Avenue to 102 Street, south along 102 Street to the lane north of 82 Avenue, east along that lane to the eastern boundary of the first lot east of 99 Street (legal description: Plan 0022955 Block 72 Lot 41).

On the East – Originating at the intersection of the lane north of 82 Avenue and the east boundary of the first lot east of 99 Street (legal description: Plan 0022955 Block 72 Lot 41), south to 82 Avenue, south along the eastern boundary of the west ½ of the sixth lot located east of 99 Street (legal description: Plan I Block 57, west ½ of Lot 6) to the lane south of 82 Avenue, west along that lane to the eastern boundary of the fourth lot east of 99 Street (legal description: Plan I Block 57 Lot 37), south along that boundary to 81 Avenue.

On the South –

Originating on the north side of 81 Avenue at the eastern boundary of the fourth lot east of 99 Street (legal description: Plan I Block 57 Lot 37), west to 99 Street, south along 99 Street to the lane south of 81 Avenue, west along that lane to 100 Street, south along 100 Street to the south east corner of the lot located west of the intersection of 75 Avenue and 100 Street (legal description: Plan 0520934 Block 2 Lot1), continuing west along the southern boundary of this lot to the southwest corner of this lot, north along the western boundary of this lot to the southern boundary of the block with the legal description: Plan 8022223 Block 1, continuing northwesterly along the southern boundary of this Block 1 to the southeast corner of lot legally described as: Plan 1584HW Block S Lot F, continuing northwesterly along the southern boundary of this lot to Gateway Boulevard, then north to University Avenue, west along University Avenue to the western boundary of the first lot west of 104 Street (legal description: Plan 7920927 Block 13 Lot 12), north along that boundary to 76 Avenue, east along 76 Avenue to the western boundary of the fourth lot west of 104 Street (legal description: Plan I16 Block 13 Lot 4), north along the western boundary of that lot to the east/west lane north of 76 Avenue, then north along the western boundary of the third lot west of 104 Street (legal description: Plan 8146ET Block 13 Lot F) to 77 Avenue, then north along the lane west of 104 Street, continuing north along this lane west of 104 Street to the east/west lane north of 78 Avenue, west along this lane to 105 Street, north along 105 Street to 80 Avenue, west along 80 Avenue to the western boundary of the first lot west of 105 Street (legal description: Plan 8146ET Block 48 Lot P), north along that boundary to the lane south of 81 Avenue, west along that lane to 106 Street, north along 106 Street to 81 Avenue, west along 81 Avenue to 108 Street, north along 108 Street to the lane south of 82 Avenue, west along that lane to the western boundary of the third lot west of 109 Street (legal description: Plan I23 Block 142 Lot 33), north along that boundary to 82 Avenue, west along 82 Avenue to the western boundary of the first lot west of 109 Street (legal description: Plan 0526142 Block 143 Lot 36).

(S.1(b), Bylaw 14432, December 12, 2006) Effective January 1, 2007
(S.2(e), Bylaw 17787, December 13, 2016)

STATEMENT OF OBJECTIVES

FOR THE

OLD STRATHCONA BUSINESS IMPROVEMENT AREA ASSOCIATION

To physically and economically revitalize the Old Strathcona area by:

- 1) Raising the profile of the area through joint marketing, promotions, and the hosting of special events designed to attract people to the area. The BRZ will enhance awareness through promotional means - i.e. tourist trade.
- 2) Improving communications and involvement within the area's business community as well as the business community and the neighbouring residential communities and the Old Strathcona Foundation.
- 3) Upgrading the appearance of the area through streetscape improvements, expanded parking, better pedestrian access and beautification.
- 4) Formalizing operational guidelines and an internal framework that will allow the Association to identify and address important issues regarding the area.
- 5) Maintaining market share in the greater Edmonton area and assist area businesses to remain vital.
- 6) Attracting new businesses to the area.
- 7) Maintaining the working relationship with the various entities that make Old Strathcona unique.
- 8) Providing a unified voice with east, west and central Strathcona by which to liaise between the area's business community and the City of Edmonton with regard to planning developments, traffic, and/or other related issues as they may affect the Old Strathcona area.

(S.2(e), Bylaw 17787, December 13, 2016)

JUSTIFICATION FOR THE
OLD STRATHCONA BUSINESS IMPROVEMENT AREA (BRZ) BOUNDARY

The Old Strathcona Merchants Association has worked within specific borders for the past four years and have used these same borders to formulate the BRZ area. The area and businesses proposed for inclusion in the BRZ form the commercial core of Old Strathcona, and in so doing, encompass all parcels which have a commercial zoning under the Edmonton Land Use Bylaw. The proposed BRZ area contains a full range of businesses, including automotive and equipment related, business support, convenience shopping, entertainment, personal service and professional office related uses, to name a few, and is considered a complete service community.

In considering the boundary for the proposed BRZ, we have consciously excluded any areas which have as their primary form of development either notable concentrations of residential or industrial-oriented uses. The inclusion of all businesses along Whyte Avenue, from 99 Street to 109 Street, will strengthen the bond and feeling of continuity and community along this backbone of the business community in Old Strathcona.

(S.2(e), Bylaw 17787, December 13, 2016)