

CITY OF WHITEHORSE
BYLAW 2019-09

A bylaw to provide for a tax levy for the partial funding of a local improvement project on Cook Street West

WHEREAS section 267(1) of the *Municipal Act* (R.S.Y. 2002) provides that a municipality may undertake any local improvement it considers necessary for the benefit of all or part of a municipality; and

WHEREAS section 267(2) of the *Municipal Act* requires that a bylaw to provide for and authorize a local improvement will prescribe which properties will benefit and how to determine the total cost or a portion of that cost that is to be levied against properties that will benefit from a local improvement; and

WHEREAS section 267(2) of the *Municipal Act* requires that a bylaw to provide for and authorize a local improvement will determine the levy to be charged against each property that will benefit over the probable life of the local improvement; and

WHEREAS section 267(2) of the *Municipal Act* provides that council may by bylaw levy the total cost or a proportion of the cost of a local improvement against the properties that will benefit from the local improvement, and provide the means for assessment, collection, and payment of the cost; and

WHEREAS the actual cost of the design and construction of the Cook Street Reconstruction Project is estimated to be \$7,400,000.00 of which ~~\$485,050.18~~ \$632,409.49 will be raised by way of a special frontage charge, and ~~\$6,914,949.82~~ \$6,767,590.51 will be contributed by the municipality at large; and

WHEREAS in order to construct and complete the project it will be necessary to borrow up to the sum of ~~\$485,050.18~~ \$632,409.49 on the credit of the City by issuing debentures as herein provided; and

WHEREAS the amount of taxable assessment as last determined and fixed by the Assessment Review Board for 2019 was \$3,145,453,516; and

WHEREAS the amount of debenture debt of the City as at December 31, 2018 was \$7,632,718, no part of which is in arrears; and

WHEREAS the estimated life of the project exceeds fifteen years; and

WHEREAS it is considered necessary and expedient that the City undertake certain local improvement works, namely the construction of underground and surface works on a portion of Cook Street from Fourth Avenue to Eighth Avenue;

NOW THEREFORE the council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Pursuant to section 269(1) of the *Municipal Act*, notice is hereby given that the council of the City of Whitehorse hereby authorizes a work of local improvement,

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- being the construction of underground and surface works on the roadways abutting the properties as set out in Schedule "A" attached to and forming part of this bylaw.
2. The properties benefiting from this work of local improvement and their frontages have been determined in accordance with the provisions of City of Whitehorse Bylaw 2011-21 and are as set out in Schedule "A" to this bylaw.
 3. The total cost of the local improvement has been determined in accordance with the provisions of Bylaw 2011-21.
 4. A portion of the cost of the work is to be paid for by way of a frontage tax to be levied on those properties as set out in Schedule "A" to this bylaw, and a portion is to be paid for out of capital general funds.
 5. For the purposes aforesaid, the sum of up to ~~\$485,050.18~~ \$632,409.49 is to be borrowed by way of debentures issued on the credit and security of the City at large.
 6. The sum of ~~\$485,050.18~~ \$632,409.49 is to be collected by way of a special frontage charge assessment as provided in Schedule "A" to this bylaw.
 7. The debentures to be issued under this bylaw shall be dated upon such day as may be appropriate having regard to the date of the borrowing, and shall be issued for the term of 15 years. The said debentures shall be issued in such manner that the principal and interest will be combined and be made payable in, as nearly as possible, equal annual instalments during the said 15 years.
 8. The debentures shall bear interest during the currency of the debenture at a rate not exceeding the rate as fixed from time to time by the Department of Finance of the Government of Yukon as being the rate of interest applicable on loans to municipalities and others.
 9. The Mayor and the Assistant City Clerk shall sign the said debentures, and the Assistant City Clerk shall affix thereto the corporate seal of the City.
 10. There shall be levied and raised in each year of the currency of the local improvement hereby authorized the amount necessary to pay the annual amount of interest and principal falling due in each year on such debenture. The amount necessary shall be raised by levying a special assessment under the *Assessment and Taxation Act*, and there is hereby imposed on all lands set out in Schedule "A" attached hereto and forming part of this bylaw, an annual fee for each of 15 years. At the date of borrowing, the annual fee shall be computed based on the same interest rate as the borrowing allowed for in section 8 of this bylaw. The said special assessment shall be in addition to all other rates and taxes.
 - (1) The property owner has the option of paying the total property charge prior to its due date, or of paying equal annual instalments each of 15 years, commencing on the due date.
 - (2) The property owner may reduce the balance owing on the total property charge by making a lump sum payment in any year during the life of the

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bylaw. Such lump sum payments shall be accepted only in the month of January each year.

- (3) The property owner may pay off the balance owing at any point during the 15-year life of the bylaw.
11. The frontage rate is determined as residential or non-residential in accordance with the property's assessment class. Should this assessment class change during the life of this bylaw, the unit rate may also change as required.
12. Any existing local improvement charges for surface works abutting any properties set out in Schedule "A" are hereby rescinded.
13. The provisions of section 269 and 270 of the *Municipal Act* respecting the giving of notice and hearing of objections shall be followed prior to final passage of this bylaw.
14. A public hearing will be held at the regular council meeting on ~~Tuesday, April 23, 2019~~ **Monday, May 6, 2019** at which council will hear and consider any submissions respecting the proposed project and local improvement charges. The meeting will take place in Council Chambers at City Hall, beginning at 5:30 p.m.
15. The provisions of this bylaw shall come into full force and effect pending budget approval.

FIRST READING: March 25, 2019

NOTICE GIVEN: April 11, 2019

PUBLIC HEARING: **May 6, 2019**

SECOND READING:

THIRD READING and ADOPTION:

Mayor

City Clerk

Downtown Reconstruction - Cook Street (4th-escarpment)

Local Improvement Charge

BYLAW 2019-09

Full Rate (Gov't): 1,936.56

Residential rate 1/3 645.52

Commercial Rate 2/3 1,291.04

Estimated Interest Rate for 15 Years

6.25%

Lot Block Plan	Owner Address	Civic Address	Roll #	Assessed Use/Class	Surface Frontage Charge (\$/M)	Assessed Frontage (m)	Total Property Charge	Annual Property Charge OVER 15 YEARS
1 113 18415	4190 4TH AVENUE WHITEHORSE, YT Y1A 1J8	4190 4TH AVENUE	3011130100	CMS	1291.04	15.24	\$ 9,837.72	\$ 1,029.53
1 113 18415	4190 - 4TH AVENUE WHITEHORSE, YT Y1A 1J8	4190 - 4TH AVENUE	3011130100	CMS	1291.04	15.24	\$ 19,675.45	\$ 2,059.06
2 113 18415	27 BELL CRESCENT WHITEHORSE, YT Y1A 4T4	404 COOK STREET	3011130200	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
3 113 18415	BOX 20640 WHITEHORSE, YT Y1A 7A2	406 COOK STREET	3011130300	RSM	645.52	30.48	\$ 19,675.45	\$ 2,059.06
9 112 18415	100 14505 BANNISTER ROAD SE T2X 3J3 CALGARY, ALBERTA	407 COOK STREET	3011120900	CMS	1291.04	15.24	\$ 9,837.72	\$ 1,029.53
10 112 18415	100 14505 BANNISTER ROAD SE T2X 3J3 CALGARY, ALBERTA	407 COOK STREET	3011120900	CMS	1291.04	15.24	\$ 9,837.72	\$ 1,029.53
11 112 18415	100 14505 BANNISTER ROAD SE T2X 3J3 CALGARY, ALBERTA	407 COOK STREET	3011120900	CMS	1291.04	15.24	\$ 9,837.72	\$ 1,029.53
12 112 18415	100 14505 BANNISTER ROAD SE T2X 3J3 CALGARY, ALBERTA	407 COOK STREET	3011120900	CMS	1291.04	15.24	\$ 9,837.72	\$ 1,029.53
9/10/11/12 112 18415	100-14505 BANNISTER ROAD SE T2X 3J3 CALGARY, ALBERTA	407 COOK STREET	3011120900	CMS	1291.04	60.96	\$ 78,701.80	\$ 8,236.24
8 112 18415	28 WINZE PLACE WHITEHORSE, YT Y1A 0A9	409 COOK STREET	3011120800	CMS	1291.04	15.24	\$ 9,837.72	\$ 1,029.53
8 112 18415	28 WINZE PLACE WHITEHORSE, YT Y1A 0A9	409 COOK STREET	3011120800	CMS	1291.04	15.24	\$ 19,675.45	\$ 2,059.06
5 113 18415	100 PARK LANE WHITEHORSE, YT Y1A 3E7	410 COOK STREET	3011130500	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
7 112 18415	411 COOK STREET WHITEHORSE, YT Y1A 2R2	411 COOK STREET	3011120700	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
6 113 18415	412 COOK STREET WHITEHORSE, YT Y1A 2R1	412 COOK STREET	3011130600	CMS	1291.04	15.24	\$ 9,837.72	\$ 1,029.53
6 113 18415	412 COOK STREET WHITEHORSE, YT Y1A 2R1	412 COOK STREET	3011130600	CMS	1291.04	15.24	\$ 19,675.45	\$ 2,059.06

Downtown Reconstruction - Cook Street (4th-escarpment)

Local Improvement Charge

BYLAW 2019-09

Full Rate (Gov't): 1,936.56

Residential rate 1/3 645.52

Commercial Rate 2/3 1,291.04

Estimated Interest Rate for 15 Years

6.25%

Lot Block Plan	Owner Address	Civic Address	Roll #	Assessed Use/Class	Surface Frontage Charge (\$/M)	Assessed Frontage (m)	Total Property Charge	Annual Property Charge OVER 15 YEARS
1 123 18415	805 COOK STREET WHITEHORSE, YT Y1A 2S2	502 COOK STREET	3011230100	RS2	645.52	12.19	\$ 7,868.89	\$ 823.49
2 123 18415	504 COOK STREET WHITEHORSE, YT Y1A 2R4	504 COOK STREET	3011230200	RS2	645.52	15.04	\$ 9,708.62	\$ 1,016.02
3 123 18415	5119-5TH AVENUE WHITEHORSE, YT Y1A 1L5	506 COOK STREET	3011230300	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
13 133 80932	605 STRICKLAND STREET WHITEHORSE YT, Y1A2K6	602 COOK STREET	3011331300	RSM	645.52	30.48	\$ 19,675.45	\$ 2,059.06
7 122 91-116	2 KLONDIKE ROAD WHITEHORSE, YT Y1A 3L5	6189 6TH AVENUE	3011220700	GOV	1936.56	42.51	\$ 27,441.06	\$ 2,871.74
7 122 91-116	2 KLONDIKE ROAD WHITEHORSE, YT Y1A 3L5	6189 - 6TH AVENUE	3011220700	GOV	1936.56	42.51	\$ 82,323.17	\$ 8,615.22
12 132 18415	6188 - 6TH AVENUE WHITEHORSE, YT Y1A 1N8	6188 - 6TH AVENUE	3011321200	RSM	645.52	15.24	\$ 9,837.72	\$ 1,029.53
11 132 18415	174 MORaine DRIVE WHITEHORSE, YT Y1A 0E5	603 COOK STREET	3011321100	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
10 132 18415	605 COOK STREET WHITEHORSE, YT Y1A 2R5	605 COOK STREET	3011321000	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
3 133 18415	606 COOK STREET WHITEHORSE, YT Y1A 2R6	606 COOK STREET	3011330300	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
9 132 18415	1102 PINE STREET WHITEHORSE, YT Y1A 4E8	607 COOK STREET	3011320900	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
4 133 18415	608 COOK STREET WHITEHORSE, YT Y1A 2R6	608 COOK STREET	3011330400	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
8 132 18415	609 COOK STREET WHITEHORSE, YT Y1A 2R5	609 COOK STREET	3011320800	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
5 133 18415	7191-7TH AVENUE	610 COOK STREET	3011330500	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
7 132 18415	200-211 MAIN STREET (SUITE 200) WHITEHORSE, YT Y1A 2B2	611 COOK STREET	3011320700	RS1	645.52	35.49	\$ 22,909.50	\$ 2,397.51
6 133 18415	7191-7TH AVENUE WHITEHORSE, YT Y1A 1R4	7191 - 7TH AVENUE	3011330600	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
10 142 20077	#2-701 COOK STREET WHITEHORSE, YT Y1A 2R7	701 COOK STREET	3011421000	RSM	645.52	18.29	\$ 11,806.56	\$ 1,235.57

Downtown Reconstruction - Cook Street (4th-escarpment)

Local Improvement Charge

BYLAW 2019-09

Full Rate (Gov't): 1,936.56

Residential rate 1/3 645.52

Commercial Rate 2/3 1,291.04

Estimated Interest Rate for 15 Years

6.25%

Lot Block Plan	Owner Address	Civic Address	Roll #	Assessed Use/Class	Surface Frontage Charge (\$/M)	Assessed Frontage (m)	Total Property Charge	Annual Property Charge OVER 15 YEARS
1 143 20077	410H JARVIS STREET WHITEHORSE, YT Y1A 2C6	702 COOK STREET	3011430100	RS2	645.52	18.29	\$ 11,806.56	\$ 1,235.57
1 143 20077	410H JARVIS STREET WHITEHORSE, YT Y1A 2C6	702 COOK STREET	3011430100	GOV	1936.56	18.29	\$ 35,419.68	\$ 3,706.71
9 142 20077	100 PARK LANE WHITEHORSE, YT Y1A 3E7	703 COOK STREET	3011420900	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
2 143 20077	704 COOK STREET WHITEHORSE, YT Y1A 2R9	704 COOK STREET	3011430200	RSM	645.52	15.24	\$ 9,837.72	\$ 1,029.53
8 142 20077	100 PARK LANE WHITEHORSE, YT Y1A 3E7	705 COOK STREET	3011420800	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
3 143 20077	70 KLUANE CRESCENT WHITEHORSE, YT Y1A 3G8	706 COOK STREET	3011430300	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
7 142 20077	707 COOK STREET WHITEHORSE, YT Y1A 2R7	707 COOK STREET	3011420700	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
4 143 20077	708 COOK STREET WHITEHORSE, YT Y1A 2R9	708 COOK STREET	3011430400	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
6 142 20077	709 COOK STREET WHITEHORSE, YT Y1A 2R7	709 COOK STREET	3011420600	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
5 143 20077	115-108 ELLIOTT STREET WHITEHORSE YT, Y1A 6C4	710 COOK STREET	3011430500	RSM	645.52	15.24	\$ 9,837.72	\$ 1,029.53
14 152 20077	8188 8TH AVENUE WHITEHORSE, YT Y1A 1T2	801 COOK STREET	3011521400	RS2	645.52	15.24	\$ 9,837.72	\$ 1,029.53
1 153 20077	802 COOK STREET WHITEHORSE, YT Y1A 2S1	802 COOK STREET	3011530100	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
13 152 20077	342 VALLEYVIEW CRESCENT WHITEHORSE, YT Y1A 3C9	803 COOK STREET	3011521300	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
2 153 20077	BOX 31291 WHITEHORSE, YT Y1A 5P7	804 COOK STREET	3011530200	RS2	645.52	15.24	\$ 9,837.72	\$ 1,029.53
12 152 20077	805 COOK STREET WHITEHORSE, YT Y1A 2S2	805 COOK STREET	3011521200	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
3 153 20077	BOX 11016 WHITEHORSE, YT Y1A 6L6	806 COOK STREET	3011530300	RS2	645.52	15.24	\$ 9,837.72	\$ 1,029.53

Downtown Reconstruction - Cook Street (4th-escarpment)

Local Improvement Charge

BYLAW 2019-09

Full Rate (Gov't): 1,936.56

Residential rate 1/3 645.52

Commercial Rate 2/3 1,291.04

Estimated Interest Rate for 15 Years

6.25%

Lot Block Plan	Owner Address	Civic Address	Roll #	Assessed Use/Class	Surface Frontage Charge (\$/M)	Assessed Frontage (m)	Total Property Charge	Annual Property Charge OVER 15 YEARS
11 152 20077	104A KEEWENAW DRIVE WHITEHORSE YT, Y1A 0B5	807 COOK STREET	3011521100	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53
10 152 20077	809 COOK STREET WHITEHORSE, YT Y1A 2S2	809 COOK STREET	3011521000	RS1	645.52	15.24	\$ 9,837.72	\$ 1,029.53

TOTAL	751.41	\$ 485,050.18	\$ 50,761.10
TOTAL	751.41	632,409.49	66,182.43