

**PARKLAND COUNTY  
PROVINCE OF ALBERTA**

**BYLAW 2024-10**

BEING A BYLAW OF PARKLAND COUNTY TO AUTHORIZE A BORROWING AND LENDING FOR THE PURPOSE OF FINANCING PARKLAND COUNTY'S SHARE OF THE MERIDIAN HOUSING FOUNDATION SPRUCE GROVE LODGE

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**WHEREAS** Section 251 of the *Municipal Government Act* provides that a municipality may only make a borrowing if the borrowing is authorized by a borrowing bylaw;

**AND WHEREAS** Section 258 of the Act provides that a municipality may make a borrowing for the purpose of financing capital property when the term of the borrowing exceeds 5 years provided that any expenditure for the capital property is included in a budget and the term of the borrowing does not exceed the probable lifetime of the capital property;

**AND WHEREAS** the Councils of Parkland County, the City of Spruce Grove, and the Town of Stony Plain have determined that the construction and completion of the Meridian Housing Foundation Spruce Grove Lodge (the "Project") will be carried out on a cost share basis with the costs borne by the municipalities at-large as follows:

- Parkland County – \$5,330,450
- City of Spruce Grove – \$2,871,850; and
- Town of Stony Plain – \$1,297,700

**AND WHEREAS** in order to fund its share of the Project; it will be necessary for Parkland County to borrow up to \$5,330,450 on terms and conditions referred to in this Bylaw and whereas the estimated total contribution of the County to the Project will not exceed \$5,330,450;

**AND WHEREAS** the Council of Parkland County deems it advisable to make a borrowing for a period exceeding five years for the purpose of financing the construction and completion of the Project;

**AND WHEREAS** the estimated lifetime of the Project financed under this Bylaw is equal to, or in excess of 20 years;

**AND WHEREAS** the principal amount of the outstanding debt of Parkland County on December 31, 2023 is \$39,581,118, no part of which is in arrears, and the borrowing of the amount authorized to be borrowed by this Bylaw will not cause Parkland County to exceed its debt limit;

**AND WHEREAS** Sections 264 and 265 of the Act provide Parkland County may lend money to a non-profit organization and whereas the Council of Parkland County considers that the loan will be used for a purpose that will benefit Parkland County;

**AND WHEREAS** in order to complete the construction of the Project, it will be necessary for the Council of Parkland County to loan the sum of up to \$5,330,450 to the Meridian Housing Foundation on the terms and conditions referred to in this Bylaw;

**NOW THEREFORE** Parkland County, in Council duly assembled, enacts as follows:

**PART I – DEFINITIONS AND INTERPRETATION**

**Title**

1. This Bylaw may be cited as the "Meridian Housing Foundation Spruce Grove Lodge Borrowing and Lending Bylaw".

**Definitions**

2. In this Bylaw, words have the meanings set out in the Act, except that:
  - (a) "Act" means the *Municipal Government Act*, RSA 2000, c M-26;
  - (b) "Chief Administrative Officer" means the chief administrative officer of Parkland County;
  - (c) "Chief Financial Officer" means the chief financial officer of Parkland County;
  - (d) "Project" means the Meridian Housing Foundation Spruce Grove Lodge;

- (e) "Project Loan" means the amount borrowed by Parkland County from the Province of Alberta, or another financial institution, for an amount up to but not exceeding \$5,330,450 for the construction and completion of the Project.

### **Rules for Interpretation**

3. References in this Bylaw to a statute, regulation or other bylaw refer to the current laws at the time this Bylaw was enacted and as they are amended from time to time, including successor legislation.
4. Headings and sub-headings in this Bylaw are included for convenience only and shall not be considered in interpreting the substantive content of this Bylaw.
5. The preamble paragraphs that precede the numbered paragraphs of this Bylaw are an integral and necessary part of this Bylaw and not a mere recital.

## **PART II – BORROWING AND LENDING AUTHORIZATION**

### **Borrowing**

6. Parkland County may borrow from the Province of Alberta, or another authorized financial institution, a sum up to but not exceeding \$5,330,450 (the "Project Loan").
7. The funds borrowed under this Bylaw shall be borrowed on the general credit and security of Parkland County.
8. The Chief Administrative Officer and Chief Financial Officer are authorized to execute on behalf of Parkland County promissory notes and other negotiable instruments or other evidence of indebtedness for the Project Loan as the lender may require as evidence of and security for the sum borrowed.

### **Borrowing Interest, Term and Repayment**

9. The Project Loan shall bear an annual rate of interest not to exceed 10%.
10. The sum borrowed under this Bylaw, including principal and interest, shall be repaid according to the repayment structure negotiated with the lender, but in any event, over a term not to exceed 20 years.
11. The principal borrowed and interest owing under this Bylaw will be repaid by Parkland County through payments received by Parkland County from Meridian Housing Foundation, funded through annual seniors housing requisitions, requisition by the Meridian Housing Authority, and levied and collected by Parkland County and paid to the Meridian Housing Authority pursuant to section 7 of the *Alberta Housing Act*, RSA 2000, c A-25.

### **Lending, Interest, Term and Repayment**

12. Parkland County may loan up to \$5,330,450 to Meridian Housing Foundation for the purpose of financing the construction and completion of the Project.
13. The source of the money to be loaned to Meridian Housing Foundation shall be the proceeds from the Project Loan.
14. The sum loaned under this bylaw, including principal and interest, shall be repaid through annual payments by Meridian Housing Foundation to Parkland County, funded through annual seniors housing requisitions, at the same annual rate of interest and term as the Project Loan.
15. Parkland County and Meridian Housing Foundation shall enter into a loan agreement consistent with the terms of this Bylaw. The Chief Administrative Officer and Chief Financial Officer are authorized to issue the loan to Meridian Housing Foundation on behalf Parkland County for the amount and purpose as authorized by this Bylaw.

PART III – GENERAL

**Severability**

16. Every provision of this Bylaw is independent of all other provisions, and it is the intention of Council of Parkland County that if any provision of this Bylaw is declared invalid by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

**Effective Date**

17. This Bylaw comes into effect when it is passed.

READ A FIRST TIME this 26<sup>th</sup> day of March, 2024.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

READ A THIRD TIME and finally passed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

SIGNED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer

PROPOSED