

BY-LAW 1052/05

**WATER AND SANITARY SEWER OFF-SITE LEVY BY-LAW
STURGEON VALLEY AREA**

STURGEON COUNTY, ALBERTA

BEING A BYLAW OF STURGEON COUNTY FOR THE PURPOSE OF RECOVERING THE CAPITAL COSTS OF WATER AND SANITARY SEWER INFRASTRUCTURE IN THE STURGEON VALLEY AREA.

WHEREAS, there is land located within Sturgeon County which has been contemplated for subdivision and development as per By-law 882/99, the Sturgeon Valley Area Structure Plan as amended; and

WHEREAS, new or expanded water storage, water supply and sanitary sewer collection facilities have been constructed or are proposed to service certain lands within Sturgeon County. The lands identified as “Country Residential – Proposed” and outlined in orange on “Schedule “A”” hereto attached and amended from Council from time-to-time (hereinafter referred to as the “Benefitting Lands”) will benefit from the said facilities; and

WHEREAS, Sturgeon County maintains and proposes different levels of service for different areas within the County; and

WHEREAS, Sturgeon County finds it appropriate and reasonable to impose by By-law a Water and Sanitary Sewer Off-site Levy pursuant to the Municipal Government Act, R.S.A. 2000, Ch M-26, and amendments thereto, in relation to the aforesaid lands;

NOW THEREFORE BE IT RESOLVED, under the authority of the Municipal Government Act, the Council of Sturgeon County duly assembled, hereby enacts as follows:

- 1) The object of this By-law is to provide for recovery from the Benefitting Lands of the construction costs together with interest of new and expanded water storage, water supply and wastewater collection facilities.
- 2) The Offsite Levies payable pursuant to this By-law shall be levied and become payable in full payment to a Development Agreement, Agreement Addendum or Development Agreements authorized by Council in respect to the payment of the levy pursuant to the Municipal Government Act, R.S.A. 2000, Ch. M-26 amendments thereto.
- 3) All funds derived from the application of this By-law shall be reserved to pay for all or part of the capital cost of any or all of the following:
 - a) new or expanded facilities for the storage, transmission, treatment or supplying of water;

- b) new or expanded facilities for the treatment, movement or disposal of sanitary sewage;
 - c) land required for or in connection with any facilities described in clauses (a) to (b)
- 4) The amount of the Off-Site Levies hereunder shall be as provided for in “Schedule “B”” hereto attached, as amended by Council from time-to-time.
 - 5) The Off-site Levies imposed hereunder shall be determined in accordance with “Schedule”C”” hereto attached, as amended by Council from time-to-time.
 - 6) In addition to the sum per lot to be levied against the Benefitting Lands pursuant to Section 4 of this By-law, the development agreement required pursuant to Section 2 of this Bylaw shall require payment of reasonable interest on the amounts expended by or to be expended by Sturgeon County in connection with the facilities described in Section 3 of this Bylaw, such interest to be calculated on the amount per lot described in Section 4 of this Bylaw at the rate fixed by Sturgeon County.
 - 7) The Council of Sturgeon County shall be at liberty, from time to time, to enter into an agreement, agreements, or agreement addendums in respect of the payment of the levies imposed by this By-law, which agreement may provide for all matters connected with the payment of the said off-site levies, including the deferral of payment in whole or in part, interest on any amounts deferred, the depositing of security for payment of any amounts deferred and the construction by a developer of a portion or portions of the new or expanded facilities described in Section 5 above in lieu of the payment by the developer of all or a portion of the levy imposed by this By-law.
 - 8) This By-law shall come into effect upon the date of its final passing thereof.
 - 9) Bylaw 1013/04 is hereby repealed.

Read a first time this 8th day of February, 2005.

CARRIED UNANIMOUSLY

READ a second time this 8th day of March, 2005.

READ a third time and finally passed this 8th day of March, 2005.

CARRIED UNANIMOUSLY

SCHEDULE "B"

Water Off-site Levy is FOUR THOUSAND NINE HUNDRED SEVENTY-EIGHT DOLLARS (\$4,978.00) per residential lot.

Sanitary Sewer Off-site Levy is FOUR THOUSAND SIX HUNDRED FOURTY DOLLARS (\$4,640.00) per residential lot.

SCHEDULE “C”

1) Water Storage, Transmission, Treatment and Supply Facilities

Actual Capital and Financing Costs to Date

127 th Street Water Supply Line (2002)	\$818,300
Allin Ridge Reservoir and Pumphouse (2003)	\$1,840,900
Estate Way Water Line	\$33,339
2002 to 2004 Carrying Costs	\$153,076

Estimated Future Capital and Financing Costs

Sturgeon Road Pressure Reducing Valve (Proposed 2005)	\$50,000
Summerbrook Lateral Water Line (Proposed 2005)	\$200,000
East River Crossing (Proposed 2009)	\$250,000
2005 Estimated Carrying Costs	\$67,706

Subtotal Water Improvements	\$3,413,321
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Off-site Levies and Infrastructure Contributions to date	\$921,799
Infrastructure-in-lieu Contributions Expected	\$200,000
Grants Received towards Area Infrastructure	\$15,000
Sturgeon County Share of Water Improvements	\$31,353

Total 2005 Remaining Developer Share of Water Improvements	\$2,245,169
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Water Cost per lot for 451 remaining lots Benefitting Lands	\$4,978/lot
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2) **Sanitary Sewage Movement Facilities**

Actual Capital and Financing Costs to Date

Bellerose Gravity Sewer and Force Main (2002)	\$724,181
Bellerose Lift Station (2002)	\$263,280
Summerbrook/Upper Manor Sewer Design (2003)	\$87,297
Estate Way Sanitary Sewer Line	\$76,250
2002 to 2004 Carrying Costs	\$25,133

Estimated Future Capital and Financing Costs

Upper Manor Gravity Trunk(Proposed 2005)	\$518,825
Graystone Forcemain & Lift Station	\$584,000
Forcemain Twinning to St. Albert (Proposed 2005)	\$869,500
Sturgeon Road Forcemain Upgrade (Proposed 2005)	\$120,000
Bellerose Lift Station Upgrade (Proposed 2006)	\$250,000
Summerbrook/Upper Manor Low-Pressure Sewer	\$1,340,326
2004 Estimated Carrying Costs	\$9,430

Subtotal Sanitary Sewer Improvements	\$4,868,222
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Off-site Levies and Infrastructure Contributions to date	\$820,921
Infrastructure-in-lieu Contributions Expected	\$584,000
Grants Approved towards Area Infrastructure	\$785,848
Sturgeon County Share of Wastewater Improvements	\$840,132

Total 2005 Remaining Developer Share of Water Improvements	\$1,837,321
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Wastewater Cost for 396 remaining lots in Benefitting Lands	\$4,640/lot
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