

Request for Decision

Title	9:05 a.m. Alan Grueber Presentation re Off-site Levy Exemption Request
Proposed Motion	That Council direct Administration to exempt the off-site levy fee payment of \$119,378.52 for Lot 21, Block 5, Plan 7621623 as a condition of the Development Permit for a single detached dwelling.
Administrative Recommendation	Administration recommends that the exception request be supported, as the development of a single detached dwelling will not significantly impact the off-site municipal infrastructure. Council could showcase flexibility in this regard, and the municipality retains the ability to collect off-site levies if there is additional development on the land or if the lands are subdivided in the future.
Previous Council Direction	<p><u>April 27, 2021 Regular Council Meeting</u> Motion 257/21: That Council give third reading of Bylaw 1531/21.</p> <p><u>April 11, 2017 Regular Council Meeting</u> Motion 151/17: That Council approve the Off-site Levy Policy as presented, to establish clear principles and procedures pertaining to the implementation of Off-site Levy Bylaws in Sturgeon County.</p>
Report	<p><u>Background Information</u></p> <ul style="list-style-type: none"> The applicant, Mr. Alan Grueber, contacted Administration enquiring about the requirements for obtaining a Development Permit to build a single detached house on a 1.24 hectare (ha) parcel of land within the Sturgeon Valley. Mr. Grueber was informed that he would be required to enter into a development agreement and pay off-site levies per the requirements of the County's Off-site Levy Bylaw 1531/21 as a condition of his Development Permit. The 1.24 ha parcel is located within Benefitting Area #11 where the total off-site levy calculation equals \$96,273 per hectare. The levy calculation for Mr. Grueber's parcel is \$96,273 x 1.24 hectares, which equals \$119,378.52. Typically, when this size of parcel is developed at a higher density, this off-site levy cost is distributed amongst multiple lots or parties. The intent of an off-site levy is to provide critical funding for the construction of road, water, sanitary, and stormwater infrastructure that is needed to support the growth and development of the area. Following a '<i>growth pays for growth</i>' philosophy means a levy is

substantially paid for by the persons developing the lands and not by the other taxpayers of the County.

- Council's Off-site Levy Policy establishes procedures pertaining to the implementation of off-site levy bylaws in Sturgeon County and includes a policy framework that provides off-site levy exemption and deferral thresholds. Policy 4.2.2 County Exemptions, states:

Except for exemption conditions outlined in legislation, off-site levies would apply to all "development" or "subdivision" situations within Sturgeon County offsite levy development areas unless such development or subdivision is explicitly exempted.

The policy provides 10 exemption thresholds or circumstances where payment of off-site levies is exempted, where it is determined that a subdivision or development application does not place any burden on road, water, sanitary, or stormwater offsite infrastructure.

These exemptions are:

- Temporary Development/ Land Uses
 - Demolition or Removing of a Structure
 - Replacement of a Structure
 - Altering a Residential Structure
 - Ancillary improvements (fences, walls, berms, etc.)
 - Division of Lands so that Further Subdivision Can Take Place (parcels greater than 16ha are exempt)
 - Non-residential Farm Buildings
 - Division of Agricultural Lands (subdivision of land in blocks of 16 ha or greater are exempt)
 - Altering an Existing Non-residential Building that Does Not Change its Use
 - Intensified Land Development That Does Not Change the Use (Non-building site development use - processing/ production facilities, storage etc. - can be increased by a threshold of 25% site size/coverage before offsite levies are assessed.)
- The development of a new single detached dwelling does not meet any of the exemption criteria. Therefore, the application for a development permit for the dwelling would trigger payment of the required off-site levies.
 - As Administration has no means to exempt this development from paying off-site levies, Mr. Grueber was advised he could apply to Council for a levy exemption for the development of the proposed single detached house.
 - If Council supports the exemption, Sturgeon County would still be able to collect the required levies at a future date when development or subdivision that will impact off-site infrastructure occurs. However, if no future development or subdivision occurs, the opportunity to collect the levies will be lost.

	<p><u>Relevant Policy/Legislation/Practices:</u></p> <ul style="list-style-type: none"> Bylaw 1531/21 (<i>Sturgeon Valley Off-Site Levy Bylaw 1531/21</i>): This Bylaw provides the rationale and calculations for funding offsite road, water, sanitary and stormwater infrastructure needed to support development within the Sturgeon Valley. The Bylaw identifies benefiting areas and associated levies amounts per hectare to be paid at the time of development or subdivision. Sturgeon County Off-site Levy Policy: This policy outlines the rationale and policy related to the collection of offsite levels and specifies the criteria and thresholds needed to exempt or defer payment of offsite levies.
Implication of Administrative Recommendation	<p><u>Strategic Alignment:</u></p> <p>The requirement to pay off site levies at the time of development or subdivision is consistent with the principle that development pays for development. In this circumstance, however, the impacts to off-site infrastructure by the proposed development of a single detached dwelling are considered minimal. The recommendation supports:</p> <ul style="list-style-type: none"> Collaborative Governance – Administration seeks to promote consistency and flexibility when working with residents and clients. Transparent and action-oriented decision making based on sound rationale is showcased. Planned Growth – Low cost, minimal red tape regulations. <p><u>Organizational:</u></p> <p>None.</p> <p><u>Financial:</u></p> <ul style="list-style-type: none"> The collection of levy fees to pay for offsite infrastructure needed to facilitate growth and development within the Sturgeon Valley will not be collected at this time and will be deferred until future development or subdivision takes place on the subject lands. If no future development or subdivision occurs, the opportunity to collect the levies will be lost.
Alternatives Considered	<p>Council could refuse the request to exempt off-site levies for this property, thereby requiring the applicant to pay the off-site levy.</p>
Implications of Alternatives	<p><u>Strategic Alignment:</u></p> <ul style="list-style-type: none"> The requirement to pay off site levies at the time of development or subdivision is consistent with the principle that development pays for development. In this case, however, the impact of the proposed single detached family dwelling is marginal and off-site levies could be collected at a later date.

	<p><u>Organizational:</u> None.</p> <p><u>Financial:</u> The collection of levy fees is needed to pay for off-site infrastructure to support the planned growth and development within the Sturgeon Valley.</p>
Follow up Action	<ol style="list-style-type: none"> 1. Assist the applicant with the Development Permit application for the single detached dwelling (Planning and Development Services, March 2022). 2. As part of the offsite levy review currently underway for the Sturgeon Valley, review the exemption criteria and recommend adjustments to Sturgeon County's Off-site Levy Policy as required (Financial Services/Engineering Services/Planning and Development Services, Q1 2023).
Attachment(s)	<ol style="list-style-type: none"> 1. Attachment 1: Presentation Request Form and Email 2. Attachment 2: Presentation Materials 3. Attachment 3: Off-Site Levy Bylaw 1531/21 4. Attachment 4: Off-site Levy Policy
Report Reviewed by:	<p>Bonnie McInnis, Manager, Planning and Development Services</p> <p>Sabrina Duquette, Manager, Corporate Finance & Treasury Services</p> <p>Travis Peter, General Manager, Development & Strategic Services</p> <p>Reegan McCullough, County Commissioner – CAO</p>

Strategic Alignment Checklist

Vision: *Offering a rich tapestry of historical, cultural, and natural experiences, Sturgeon County is a municipality that honours its rural roots and cultivates desirable communities. Uniquely situated to provide world-class agricultural, energy, and business investment opportunities, the County prioritizes responsible stewardship and dreaming big.*

Guiding Principles: Collaboration | Accountability | Flexibility | Excellence | Safety | Future Readiness | Affordability | Innovation

Community Outcome	Not consistent	Consistent	N/A
Planned Growth			
<ul style="list-style-type: none"> Internationally competitive to attract, grow and sustain diverse businesses; tenacious focus on new growth and innovation 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Modern broadband and digital capabilities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Low cost, minimal red-tape regulations 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Reliable and effective infrastructure planning; comprehensive land use and infrastructure planning 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thriving Communities			
<ul style="list-style-type: none"> Beautiful, surprising places with high standards; integrated natural spaces & trail systems; healthy and resilient 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Engaging cultural, historical, and civic amenities; strong community identity and pride 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Safe, welcoming, and diverse communities; small community feel and personal connection; commitment to high quality of life 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental Stewardship			
<ul style="list-style-type: none"> Clean air, land, and water; Carbon neutral municipal practices; circular economy opportunities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Conservation of natural areas and agricultural lands; enhanced greening and biodiversity; safekeeping ecosystems 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Sustainable development; partnerships with industry and others to drive emission reductions 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Collaborative Governance			
<ul style="list-style-type: none"> Predictable and stable external relationships; volunteer partnerships 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Meaningful connections with Indigenous communities 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Ongoing community consultation and engagement; transparent and action-oriented decision making based on sound rationale 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Respectful and informed debate; clear and supportive governance processes 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Operational Excellence			
<ul style="list-style-type: none"> Engaged and effective people – Council, Admin and Volunteers; continuous learning and improvement mindset; nimble and bold, with strong leadership 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Quality cost-effective service delivery; robust procurement and operational practices and policies; asset management and performance measurement; careful debt and reserve stewardship; long-term financial planning and sustainability 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Future focused thinking to proactively respond to emerging opportunities and challenges 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Alternative revenue generation and service delivery models integrated strategic and business planning 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>