

Administrative Backgrounder

Public Presentation Request

Title	2:30 p.m. Cam Kuzyk Presentation re Off-site Levy Exemption Request
Purpose of Report	To provide background information on Mr. Cam Kuzyk's request to Council for an off-site levy exemption.
Proposed Motion	That Council refer the May 24, 2022 presentation from Cam Kuzyk regarding his Off-site Levy Exemption Request to Administration to present a recommendation at a future Council meeting.
Previous Council Direction	None.
Additional Background Information	<p><u>Background</u></p> <ul style="list-style-type: none">• Cameron Kuzyk applied for a Development Permit to build a single detached house on a 0.32 hectare (ha) parcel of land within the Sturgeon Valley.• Mr. Kuzyk 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 (see Attachment 3) as a condition of his Development Permit.• The 0.32 ha parcel is located within Benefitting Area #10 where the total off-site levy calculation equals \$92,418 per hectare. The levy calculation for Mr. Kuzyk's parcel is \$92,418 x 0.32 hectares, which equals \$29,571.20.• 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 'growth pays for growth' philosophy means a levy is substantially paid for by the persons developing the lands and not by the other taxpayers of the County.• Sturgeon County's Off-site Levy Policy (see Attachment 4) 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 the following:

- Except for exemption conditions outlined in legislation, off-site levies would apply to all "development" or "subdivision" situations within Sturgeon County off-site 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 off-site 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 16ha or greater are exempt);
 - Altering an Existing Non-residential Building that Does Not Change its Use; and
 - 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 off-site 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. Kuzyk was advised that the levy payment was required. Mr. Kuzyk was also advised that he could apply to Council for a levy exemption for the development of the proposed single detached house, if so desired.
- If Council supports the exemption, Sturgeon County would still be able to collect the required levies at a future date when additional 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.
- Mr. Kuzyk is presenting his request at the May 24, 2022 Council meeting (see Attachments 1 and 2), and it is recommended that

	<p>his presentation be referred to Administration to present a recommendation at a future Council meeting.</p> <p><u>Relevant Policy/Legislation/Practices:</u></p> <ul style="list-style-type: none"> • Bylaw 1531/21 - Sturgeon Valley Off-Site Levy Bylaw: This Bylaw provides the rationale and calculations for funding off-site road, water, sanitary, and stormwater infrastructure needed to support development within the Sturgeon Valley. The Bylaw identifies benefitting 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 off-site levies and specifies the criteria and thresholds needed to exempt or defer payment of off-site levies.
Attachment(s)	<ol style="list-style-type: none"> 1. Attachment 1: Cam Kuzyk - Presentation Request Form 2. Attachment 2: Cam Kuzyk - Presentation Materials 3. Attachment 3: Bylaw 1531/21 -Sturgeon Valley Off-Site Levy Bylaw 4. Attachment 4: Off-Site Levy Policy
Report Reviewed by:	<p>Bonnie McInnis, Manager, Planning & Development Services</p> <p>Travis Peter, General Manager, Development & Strategic Services</p> <p>Reegan McCullough, County Commissioner – CAO</p>