

OFFSITE LEVY EXEMPTION REQUEST

My wife Danielle and I bought a subdivided parcel of land in August of 2018. It is located on 25212A Coal Mine Road (Block 1 Lot 8 Plan 1821502) where we dreamed of building a house in the near future. We bought this from _____, who bought the entire acreage in April of 2018, subdivided it, and sold the house to another family and the side yard (0.8 acres) to us. We were sold this parcel with municipal water and sewer tie-ins already paid for. We were required to pay for the approach to the property which we did in 2019. As a father of three young kids and a big Huskie, I was very excited about more space for them to run around in the country.

Severed in line with Section 17 of the FOIP Act

Then COVID-19 came along and we postponed our plans.

Follow that up with a year of massive lumber inflation and we postponed our plans again.

Now and finally in 2022, we committed to building and signed a contract with our builder, Godwin Homes.

Feb. 7, 2022 – signed a contract with Godwin homes.

April 8, 2022 -> Tyler McNabb left a voicemail regarding an item on our development permit. I called back and did not get to speak to Tyler.

April 11, 2022 -> Tyler was able to contact my home builder and then myself regarding the Offsite Levy Condition that I owe in order to get my development permit to build my house. See his follow-up email below:

As discussed an Offsite Levy condition was added to your Development Permit including entering into a Development Agreement for payment of an Offsite Levy.

An Offsite Levy is currently in force for your parcel and the terms of such are dictated under Offsite Levy Bylaw 1531-21 Sturgeon County - Documents & <https://www.sturgeoncounty.ca/Portals/0/Documents/Bylaws/Bylaw-1531-21-Sturgeon-Valley-Off-Site-Levy.pdf>

An Offsite levy is a Development Charge on any new development to pay for Municipal Improvements that are offsite from the subject property, such as Transportation, Water and Sanitary improvements. While offsite levys are typically charged at the subdivision stage occasionally parcels are created where offsite levys are due at the Development Permit stage.

In your particular case the Subdivision that created your parcel (2017-S-040) was not charged an offsite levy and as such the offsite levy is due at the Development Permit stage.

While the final levy charge will be determined at the Development Agreement, a preliminary draft is a total of \$29,571.20 (0.32ha x \$92410/ha charge)

This news blindsided us and left my wife and I feeling sick and sleepless. It followed news of increased costs we expect when risking a home build in this market (i.e. consistent building material inflation), and some unexpected increased costs as well. This offsite levy is the last-minute straw that broke our back and overwhelmed our financial situation. \$30, 000 is a massive amount of money for our family to discover it owes after already committing to a building contract.

After speaking more with Tyler, our real estate agent Lorene Lecavalier, and our real estate lawyer, Danielle Rowand – there was no way of knowing this levy existed. Nobody involved in our purchase could have warned us about this levy because it was instituted in 2019 after we purchased the property. Our lawyer Danielle Rowand looked into the bylaws, as did Tyler in the email below:

Hi Cam,

after having completed a search, I have attached the bylaws that applied before your parcel was developed in 2018. (Bylaw 1286-12 & 1321-14)



As such the Subdivisions that created your parcel was never charged levies, however the Benefiting area (area being charged levies) was expanded in 2019 via bylaw 1446-19 also attached to include your parcel.

If you have any additional questions, please let me know,

Thanks,

Our dream and our future are seriously affected by this off-site levy fee. There was no warning of any kind over the past 3.5 years, no email nor letter indicating that if we built on our land, we would owe an additional \$30, 000. We have paid taxes every year on the property with no suggestion of an additional levy. We have paid for an approach from Coal Mine Road and had subdivision sewer/water tie-ins paid for by the seller. This offsite levy is something that would typically be done at the subdivision stage and paid for by a developer or subdivider/seller.

In summary, this offsite levy places my family in a very difficult situation. We are forced to consider selling the property "as is" or negotiating a deal with our builder to buy this opportunity from us. We feel proper delivery of this information from the county in 2019 would have given us some options to sell the parcel of land or downsize our project. It would have unquestionably given us opportunity to make more informed and realistic choices regarding our finances before signing a building contract.

I plead to the Council to look at our situation and consider an exemption of this offsite levy for my family.

Thank you for your time and consideration,

Cam and Danielle Kuzyk