

**BYLAW NO. 11-04  
OF THE TOWN OF STRATHMORE  
IN THE PROVINCE OF ALBERTA**

**BEING A BYLAW OF THE TOWN OF STRATHMORE IN THE PROVINCE OF ALBERTA TO PROVIDE FOR A SYSTEM PROVIDING FOR THE IMPOSITION AND COLLECTION OF LEVIES FOR OFFSITE SEWAGE COSTS, STORM WATER RETENTION PONDS, EROSION REHABILITATION, WATER SUPPLY, STORAGE AND EXPANSION, AND GENERAL TRANSPORTATION TO BE PAID BY THE REGISTERED OWNERS OF LAND, AS SHOWN IN SCHEDULE "A".**

**WHEREAS** the Council of the Town of Strathmore has deemed it necessary to construct and install the infrastructure, as defined in this Bylaw, to service existing and future developments in the Town of Strathmore, and where necessary to authorize agreements in respect to the payment of offsite levies; and

**WHEREAS** Section 648(1) of the *Municipal Government Act, R.S.A. 2000, Chapter M-26*, as amended, provides for an Offsite Levy Bylaw; and

**WHEREAS** Section 650(1) of the *Municipal Government Act, R.S.A. 2000, Chapter M-26*, as amended, authorizes the Development Approving Authority of a municipality to require, as a condition of development approval, that the applicant enter into an agreement with the Town to pay an offsite levy imposed by Bylaw.

**WHEREAS** Section 655(1) of the *Municipal Government Act, R.S.A. 2000, Chapter M-26*, as amended, authorizes the Subdivision Approving Authority of a municipality to require, as a condition of subdivision approval, that the applicant enter into an agreement with the Town to pay an offsite levy imposed by Bylaw.

**NOW THEREFORE** the Municipal Council of the Town of Strathmore in the Province of Alberta, **HEREBY ENACTS AS FOLLOWS:**

**TITLE**

101. This Bylaw shall be titled the Town of Strathmore Offsite Levy Bylaw.

**INTERPRETATION**

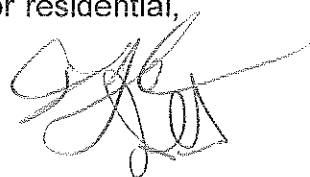
201. In this Bylaw, the following definitions shall apply:

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- (a) "Agreement" means a development or other agreement for the provision of Municipal Services as authorized by the *Municipal Government Act, R.S.A. 2000, Chapter M-26*, as amended.
- (b) "Council" means the Council of the Town of Strathmore;
- (c) "Development" means the same definition as set out in the *Municipal Government Act, R.S.A. 2000, Chapter M-26*, as amended, and shall include any building or works that may require or necessitate Municipal Services;
- (d) "Infrastructure" means any one of the following general features:
  - (i) Water supply, storage reservoirs, pumping stations, transmission lines, and appurtenances thereto;
  - (ii) Waste water treatment plant, storage facilities, lift stations, transmission lines, and appurtenances thereto;
  - (iii) Storm Water Sewer storage facilities, pumping stations, transmission lines, and appurtenances thereto;
  - (iv) Highways, arterial and primary collector roads as defined in the Town's Transportation Studies, andincludes all infrastructure identified in the attached Schedules to this Bylaw.
- (e) "Municipal Services" means all or any of the works that may be undertaken by the Town pursuant to the *Municipal Government Act, R.S.A. 2000, Chapter M-26*, as amended, that provides service directly or indirectly to the land being developed;
- (f) "Offsite Levy" means those fees and charges imposed to provide for the infrastructure; or land required for, or in the commission of any infrastructure, as mentioned above, as outlined in Schedule "A", attached to this Bylaw;
- (g) "Subdivision" means the division of a parcel of land by an instrument;

#### **ENACTMENT**

301. An Offsite Levy as provided for in the of the *Municipal Government Act, R.S.A. 2000, Chapter M-26*, as amended, is hereby imposed in respect of land that is the subject of a Development or a Subdivision for residential,



industrial, or commercial or other purposes at terms and rates as specified in Schedule "B", Schedule "C", Schedule "D", and Schedule "E" of this Bylaw.

302. Where an application is made to the Town for a Development or Subdivision in respect to any portion of the lands described in Schedule "A", and Schedules "E-1", "E-2", "E-3", "E-4" and "E-5" except where Council determines the same is not required, the applicant or the owner shall enter into an agreement with the Town, providing for the payment of the Offsite Levies specified in this Bylaw, or that provision be made for the deferring of the payment of the Offsite Levies to a future time, certain or uncertain.
303. Council may from time to time adopt policies or guidelines for the assistance and direction of the Town Administration in determining which Subdivision and Development applications are to be referred to Council, pursuant to Section 302 of this Bylaw.

#### **PENALTIES**

401. Where the registered owner fails, neglects, or refuses to pay the Offsite Levy imposed on his land, the Council of the Town of Strathmore;
- (a) may cause the levy to be added to the tax roll as a charge against the lands, or on a pro rata basis against each lot within the area in respect of which the Offsite Levies are payable under a Development Agreement as taxes, and with the same priority as to lien and to payment thereof as in the case of ordinary municipal taxes; or
  - (b) may refuse to issue final Subdivision documents, Development, or building permits until the owner or purchaser has entered into the agreement, or paid the levy.

#### **GENERAL**

501. The Offsite Levy shall be paid in cash in full to the Town, on or before receiving final document approval for a Development or Subdivision application, or as provided for in the terms of the Development Agreement agreed to for the Development or Subdivision.
502. Rates of Offsite Levies in force at the date of this Bylaw and subject to amendment are described in Schedule "B", Schedule "C", Schedule "D", and Schedule "E", and assessed and calculated in Schedule "F".



503. Nothing in this Bylaw precludes the Town from imposing further or different Offsite Levies, duly enacted by Bylaw, on any portion of the lands within the Town, so long as the Town has not collected the Offsite Levies imposed under this Bylaw or any previous Offsite Levy Bylaw authorized by statute.
504. In the event that any portion of this Bylaw is found to be contrary to law by any Court of competent jurisdiction, then the same shall be severed, and the remainder of this Bylaw shall be of full force and effect.
505. Where prior to Third and Final reading of this Bylaw, a Development Agreement which makes provision for the payment of Offsite Levies has been entered into between the Town and an owner of a portion of the lands in Schedule "A" and Schedules "E-1", "E-2", "E-3", "E-4", and "E-5" the provisions of the Offsite Levy Bylaw which established the amount of the Offsite Levy shall continue in force as if this Bylaw or any intervening Offsite Levy Bylaw had not been enacted for the term specified in the Agreement.
506. Bylaw #09-25 and amendments thereto are hereby rescinded.

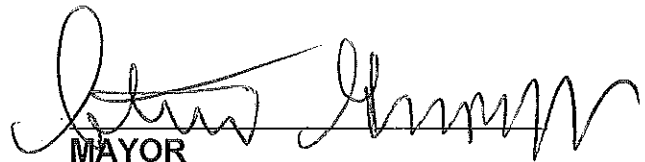
**EFFECTIVE DATE**

601. This Bylaw shall come into full force and effect on Third and Final Reading.

READ A FIRST TIME this 6<sup>th</sup> day of April, 2011.

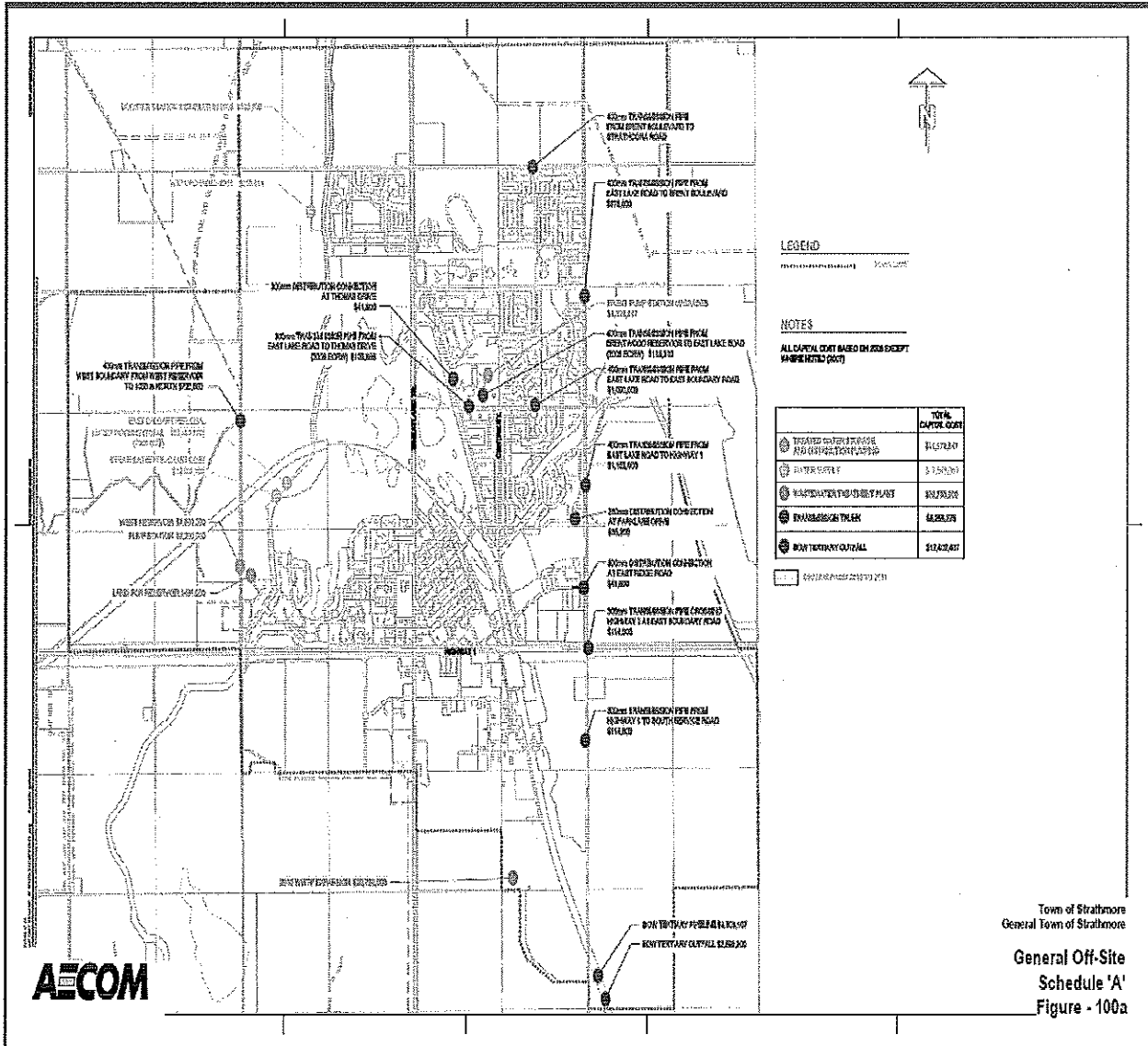
READ A SECOND TIME this 6<sup>th</sup> day of April, 2011.

READ A THIRD TIME and finally passed this 6<sup>th</sup> day of April, 2011.

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

**SCHEDULE "A"  
 LANDS**



**AECOM**

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**SCHEDULE "B"**

<b>OFFSITE LEVIES PAID OVER 2 (TWO) YEARS</b>			
<b>PROJECT</b>	<b>RESIDENTIAL PER HECTARE</b>	<b>INDUSTRIAL/ COMMERCIAL PER HA</b>	<b>PERCENTAGE OF TOTAL ASSESSMENT</b>
1. Treated Water Storage, (Based on Regional Water Line)	\$35,228	\$27,038	40.4%
2. City Water Supply	\$4,803	\$3,687	5.5%
3. Wastewater Treatment Plant	\$13,552	\$10,401	15.5%
4. General Transportation	\$18,174	\$14,363	21.1%
5. General Transmission Water Trunk Mains	\$9,640	\$7,399	11.1%
6. Bow Tertiary Outfall	\$5,103	\$4,253	6.1%
<b>Total Assessment Per Hectare</b>	<b>\$87,040</b>	<b>\$67,141</b>	<b>100%</b>

Note: Total percentage may not equate to 100% due to rounding.

Offsite levies in Schedule "B" are calculated using the following parameters:

1. The costs for Storm Water Detention Ponds have been updated based on the Master Servicing Study (MSS) – Annexation 2006 for the existing Town only, with an average completion date of 2012. Update costs related to Area 64 and 65 were completed under the 2008 SIP program.
2. Treated Water Storage costs were updated based on information supplied by EPCOR on a similar project in Chestermere and include the west reservoir and pump station assigned to future population only. The WWP grant was assumed for the pump house construction costs, but not for reservoir or land cost for the new reservoir. The reservoir assumed to meet two average days of storage as per the ECRW pipeline design and includes the water conservation at 5% over that time period. The cost of upgrading Brentwood supplied by EPCOR was applied to existing and future population and assumed no grant is available for this upgrade.
3. City Water Supply General Assessment was updated based on current cost, 87.36% grant and funding arrangements and Strathmore pro-rate cost of total project at 36%. In addition, the required temporary upgrades to the existing plant to continue growth have been added for a total of \$473.8k. No allocation of additional grants (Other Income) has been considered for the assessment calculation.
4. Waste Water Treatment Plant future expansion costs have been updated to EPCOR's plan, and \$6 Million of CAMRIF funding has been assumed. In addition to the CAMRIF, we, the Town would receive regular waste water granting.

5. The General Transportation Assessment includes capacity upgrades for existing Town limits outlined in 2006 MSS Study and Town current needs. Cost include traffic signals, bridges and structures, and roadway capacity upgrades to existing infrastructure benefit the mobility of all residents and shared between existing and future population. SIP grant program is assumed for all existing and future benefiting project, except for traffic signal are assumed only at 50% grant. The costs associated with additional road capacity through additional lanes are assumed to benefit only future populations only, with no grant.
6. The General Transmission Water Trunk mains includes capacity upgrades within the existing Town limits outlined in 2006 MSS Study and Towns current needs and is based on benefiting past and future populations. For the purpose of the assessment no grants have been applied.
7. Past BTO project assumed cost of \$9.5 Million with \$5.551 Million grant and relocation of BTO outfall to main stem estimated at \$2.9 Million with a \$1.9 Million grant.
8. Special Area Assessment, assumed no reduction for early payment.
9. Inflation rate use a CPI Inflationary based on "Construction Looking Forward – An Assessment of Construction labor Markets from 2008 to 2016 for ALBERTA, produce by the Construction sector council."
10. Assumed a debenture rate of 4.55% over a 10 year period for all past and future projects, where the developer pays for only 6 years.

The above Offsite Levies are based on the 2008 population of 11,335 people and a future population of 26,748 people. An equivalent residential population of 42 people per hectare and 35 people per hectare for industrial/commercial population will also be utilized. Capital cost estimates were taken from EPCOR's detailed listing of projects, the Master Servicing Study (MSS) – Annexation 2006, and past Capital projects.

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**SCHEDULE "C"**

<b>OFFSITE LEVIES PAID AT THE TIME OF SIGNING OF THE DEVELOPMENT AGREEMENT</b>			
<b>PROJECT</b>	<b>RESIDENTIAL PER HECTARE</b>	<b>INDUSTRIAL/ COMMERCIAL PER HA</b>	<b>PERCENTAGE OF TOTAL ASSESSMENT</b>
1. Treated Water Storage, (Based on Regional Water Line)	\$33,844	\$25,976	39.9%
2. City Water Supply	\$4,803	\$3,687	5.7%
3. Wastewater Treatment Plant	\$13,552	\$10,401	16.0%
4. General Transportation	\$18,005	\$13,819	21.3%
5. General Transmission Water Trunk Mains	\$9,262	\$7,109	10.9%
6. Bow Tertiary Outfall	\$5,064	\$4,220	6.2%
<b>Total Assessment Per Hectare</b>	<b>\$84,530</b>	<b>\$65,212</b>	<b>100%</b>

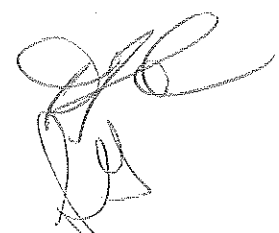
Offsite levies in Schedule "C" are calculated using the same parameters as Schedule "B" except for, debenture interest for the first two years is excluded in this calculation.

**SCHEDULE "D"**

<b>DEVELOPMENT</b>	<b>RATE</b>
Residential Lots	\$519 Per Lot
Industrial and Commercial Lots	\$5,120/ha

The offsite levy in this schedule is calculated on the basis of the Storm Water Discharge Agreement between the Town and the Western Irrigation District (W.I.D.) dated November 1<sup>st</sup>, 2007, which includes an assessment and adjustment clause, based on the results of the Technical Data Analysis for that year, and is to be placed in a Capital Fund.

The Capital Fund is to be used solely for the costs of completing new, or rehabilitating existing, storm water facilities within the boundaries of, and for the benefit of, the Town (or for such other purpose as is mutually-agreed to in writing by the W.I.D. and the Town).

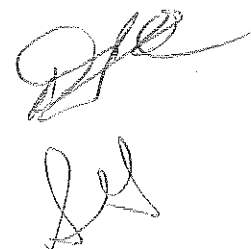


**SCHEDULE "E"**

**SPECIAL AREA ASSESSMENTS  
2011**

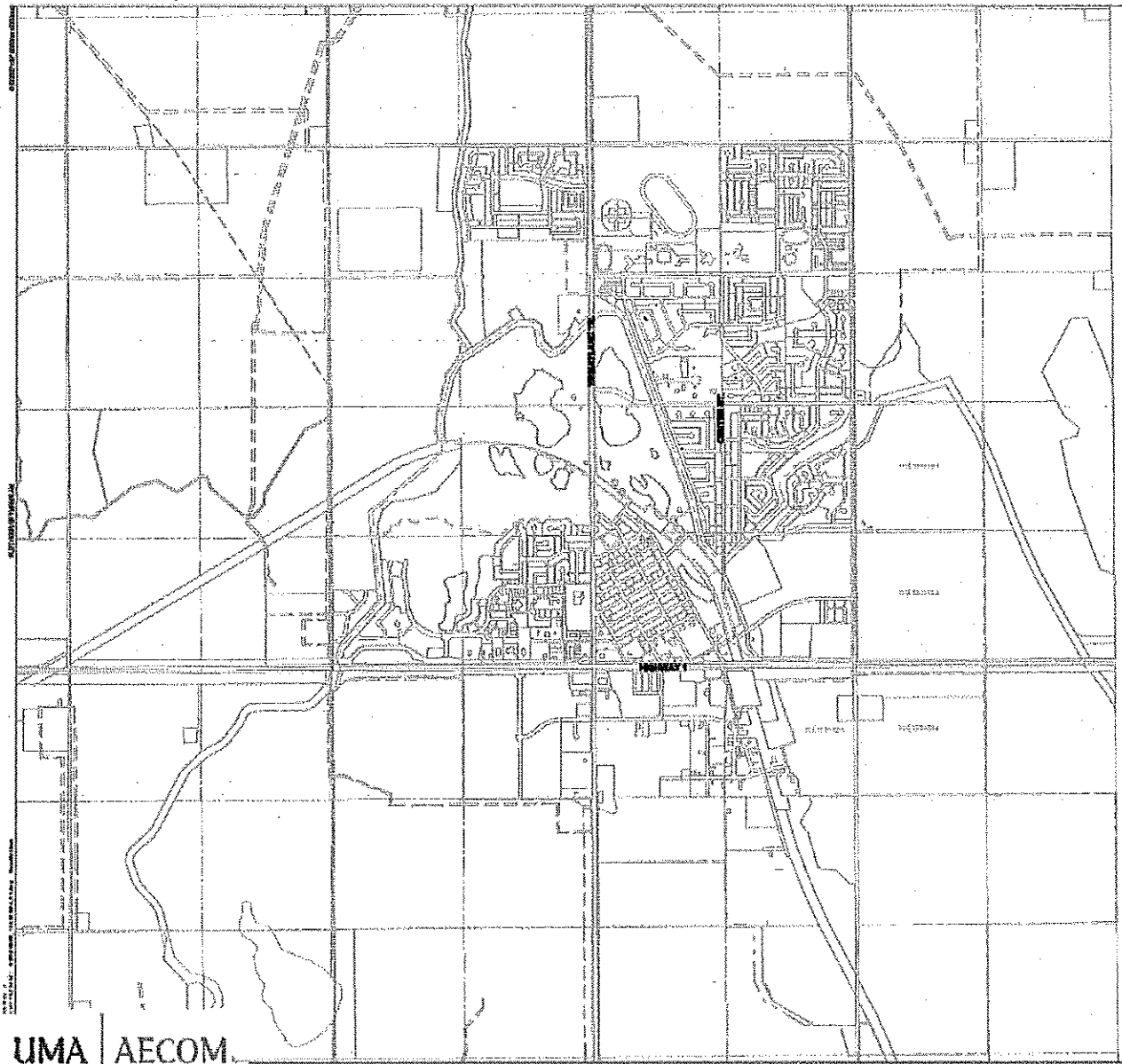
PROJECT	OFF-SITE LEVY PAID AT SIGNING OF DEVELOPMENT AGREEMENT PER HECTARE
1. East Strathmore Sanitary Servicing	\$818
2. Parkwood Bypass Sanitary Improvements in addition to SAA 1	\$7,200
3. West Strathmore Sanitary Service	\$1,264
4. Orchard Park Sanitary Sewer in addition to SAA 3	\$2,426
5. Town's Eagle Lake Stormwater	\$10,280

1. East Strathmore Sanitary Servicing as shown on Schedule "E-1".
2. Parkwood Bypass Sanitary Improvements as shown on Schedule "E-2".
3. West Strathmore Sanitary Servicing as shown on Schedule "E-3".
4. Orchard Park Sanitary Sewer as shown on Schedule "E-4".
5. Town's Eagle Lake Stormwater as shown on Schedule "E-5".

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SCHEDULE "E-1"

Plan showing assessment area for Special Area Assessment 1. East Strathmore Sanitary Servicing

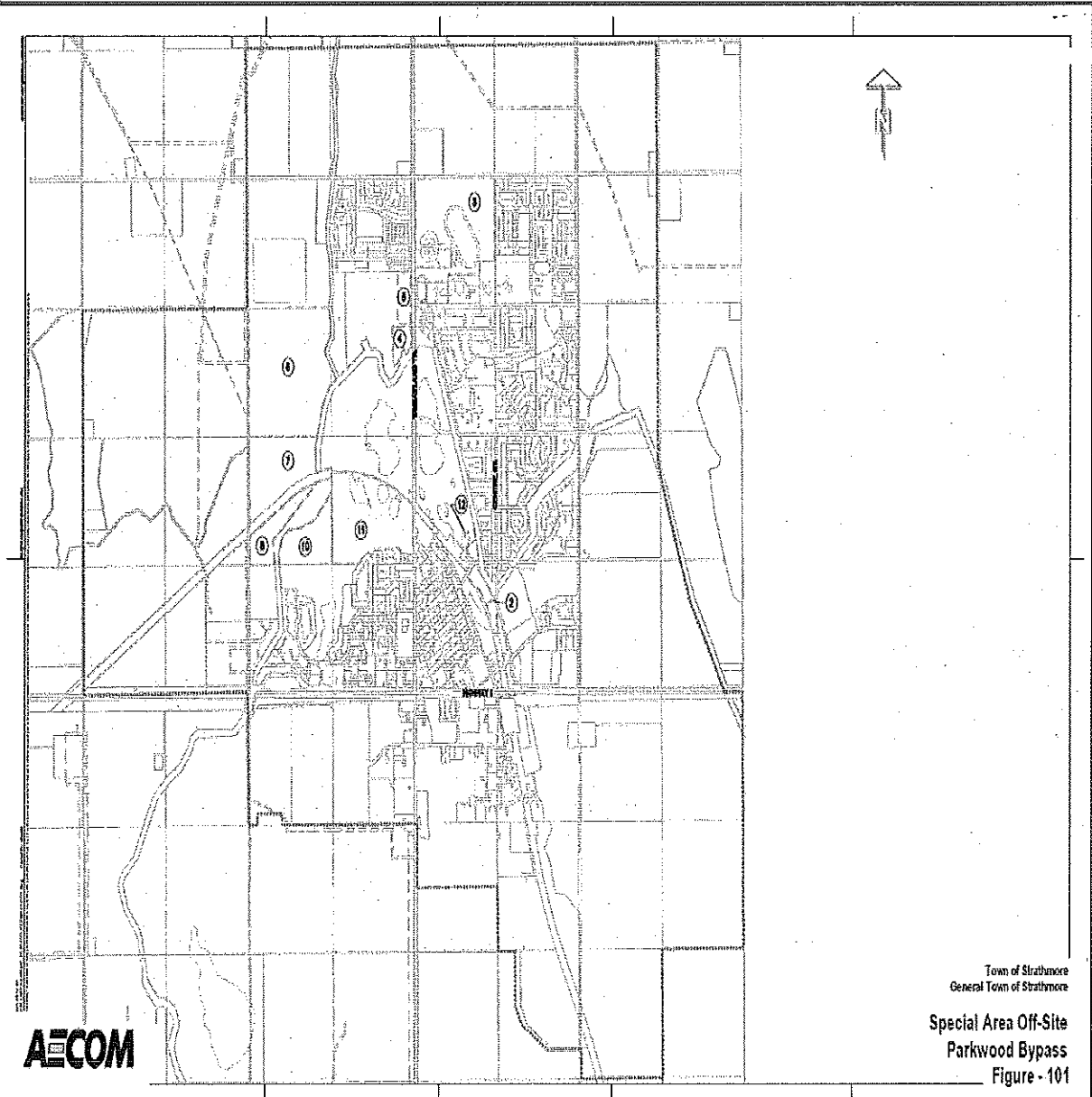


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Town of Strathmore  
General Engineering Services  
Miscellaneous  
Special Area Off-Site  
East Trunk Sewer Assessment  
Figure - 102

SCHEDULE "E-2"

Plan showing assessment area for Special Area Assessment 2. Parkwood Bypass  
Sanitary Improvements

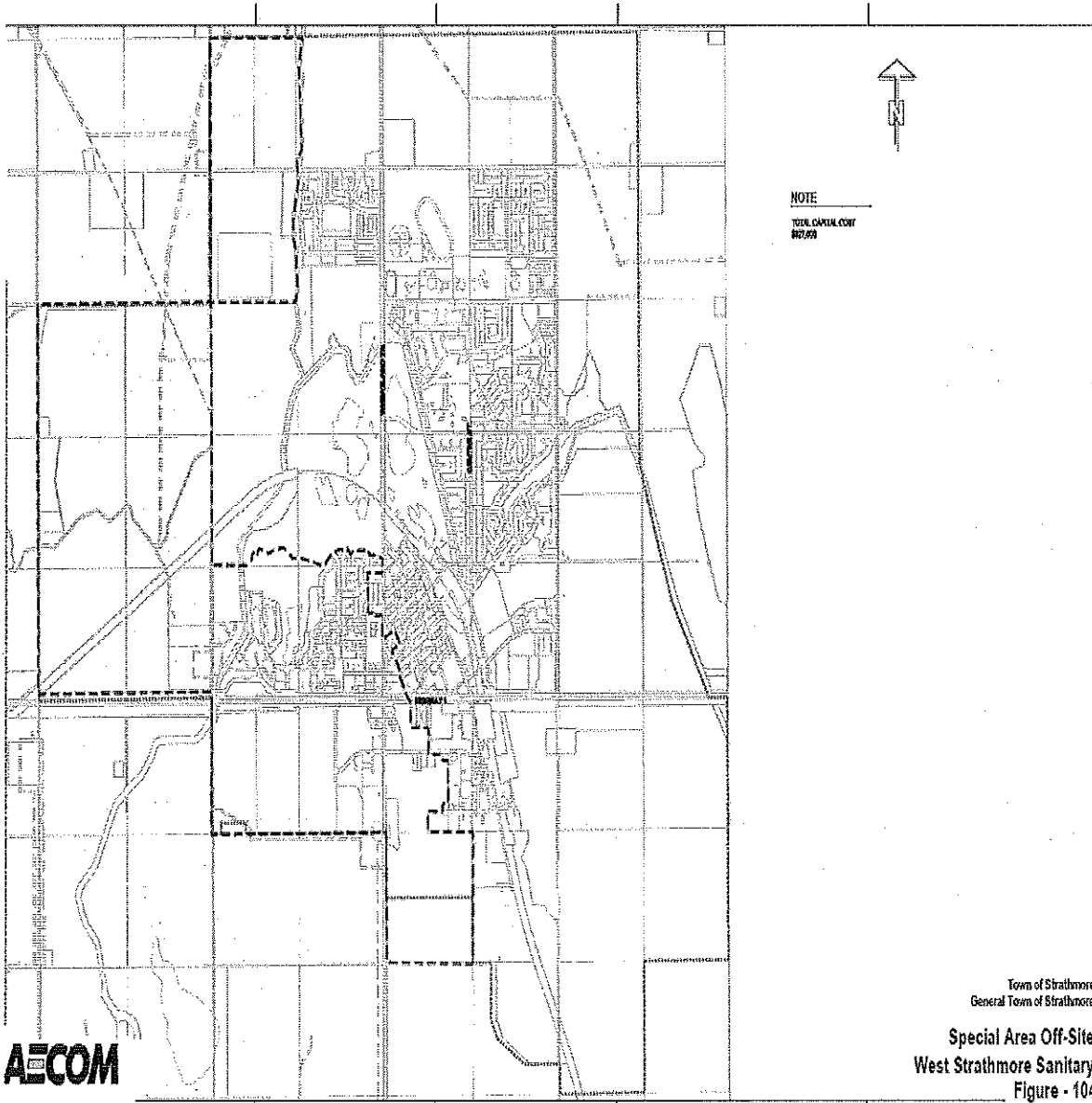


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Town of Strathmore  
General Town of Strathmore  
Special Area Off-Site  
Parkwood Bypass  
Figure - 101

SCHEDULE "E-3"

Plan showing assessment area for Special Area Assessment 3. West Strathmore Sanitary

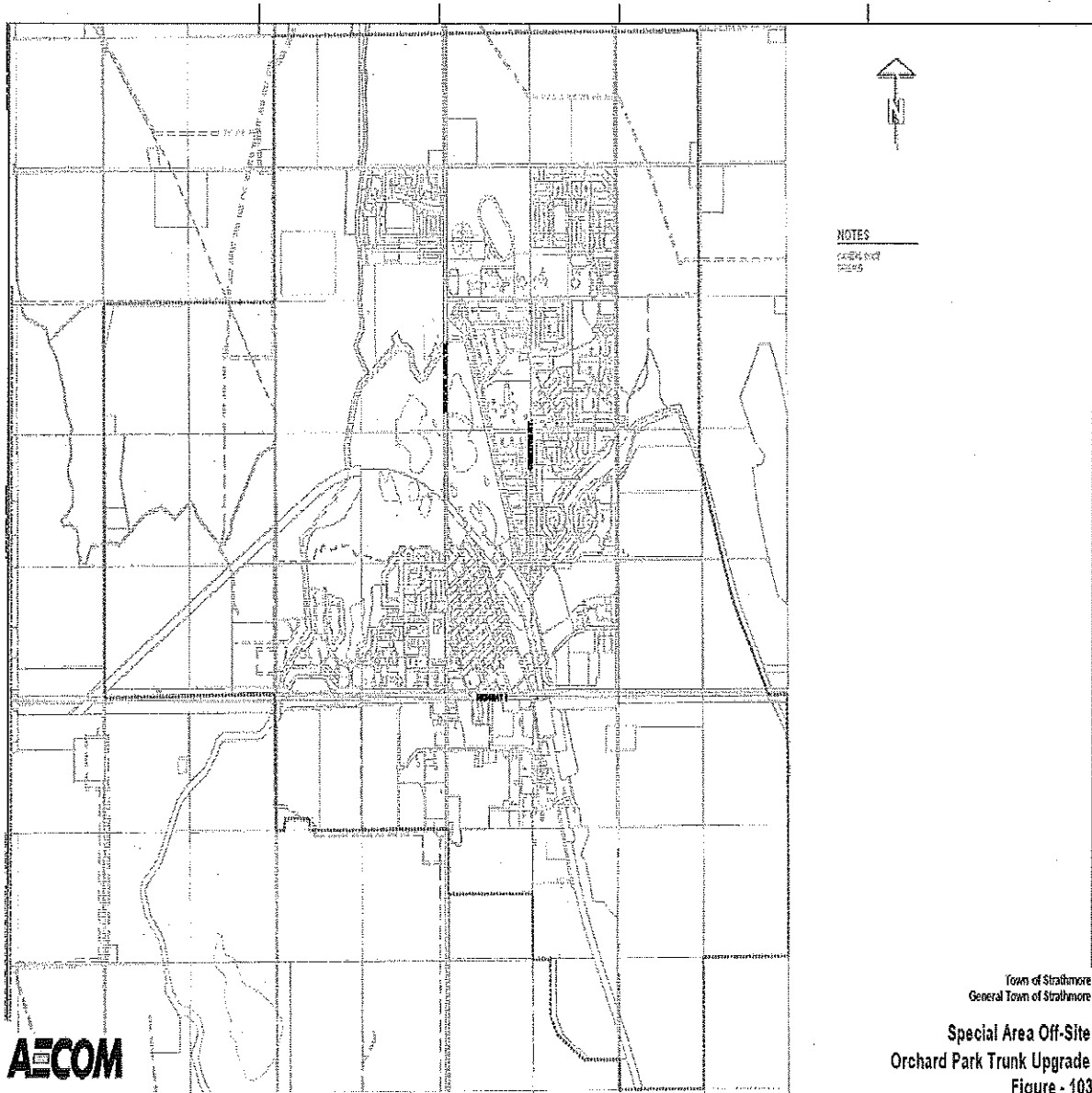


Town of Strathmore  
General Town of Strathmore  
Special Area Off-Site  
West Strathmore Sanitary  
Figure - 104

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SCHEDULE "E-4"

Plan showing assessment area for Special Area Assessment 4. Orchard Park Sanitary Sewer

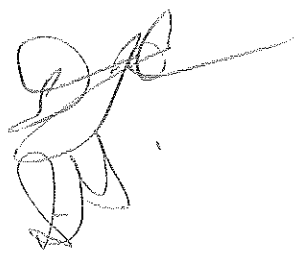






**SCHEDULE "F"**

Technical Data Analysis

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