

BYLAW 2176-24

A BYLAW OF THE TOWN OF STETTLER, IN THE PROVINCE OF ALBERTA, BEING A BYLAW TO AUTHORIZE THE COLLECTION OF OFF-SITE LEVIES FOR WASTEWATER INFRASTRUCTURE RELATED TO FUTURE GROWTH BY WAY OF SUBDIVISION AND DEVELOPMENT OF LAND.

WHEREAS, section 648 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, allows the council of a Municipality to impose and collect payment of a levy in respect of land that is to be developed or subdivided;

WHEREAS, an Off-site Levy structure has been established in accordance with the requirements of the Alberta Regulation 187-2017, an amendments thereto, known as the Off-site Levies Regulation

WHEREAS, the Council of the Town of Stettler deems it necessary and expedient to collect an Off-site Levy to pay for capital cost of wastewater infrastructure required for future growth and development within the Town and County.

WHEREAS, existing residential, commercial and industrial taxpayers of the Town have already received and paid for appropriate utility services; and

NOW THEREFORE, the Municipal Council of the Town of Stettler duly assembled enacts as follows:

Short Title

1. This Bylaw shall be know and referred to as the “**Off-site Levy Bylaw**”

Purpose

2. The purpose of this Bylaw shall be the collection of funds to pay for all or part of the capital cost of any or all of the following:
 - a) New or expanded facilities for the treatment, movement of disposal of wastewater (Sanitary).

Levy Rates and Calculation Methodology

3. Council has authorized a 2019 Regional Master Servicing Study which describes infrastructure improvements and provides cost estimates which can be used to indicate how the amount of levy was determined and that expenditures for wastewater infrastructure and all related facilities to be recovered from owners, occupants and developers of lands within the Town and County limits: and
4. The Off-site Levy is hereby established and imposed on the basis of the method set out in the report attached hereto as Schedule “A” “2019 Regional Master Servicing Study Summary”, be and is hereby deemed to form part of this Bylaw.
5. Off-site Levy rates shall be established and charged as indicated in Schedule “B”.
6. For the purpose of calculating and imposing off-size levies, the developable lands shall be divided up into areas as shown on Schedule “C” of this Bylaw.

7. The Town of Stettler shall update the Off-site Levy model used to determine the Off-site Levy rates contained within this Bylaw annually and shall amend this Bylaw correspondingly in accordance with section 606 and Section 648 of the Municipal Government Act.

Collection of Levies

8. The Levy imposed herein shall be paid upon the issuance of a Development permit in respect of the Lands, or
9. The Levy imposed herein shall be paid before the registration of a subdivision pursuant to the Land Title Act, or
10. The Levy imposed herein shall be paid upon the execution of a development Agreement entered into and complied with by the owner or occupier of the lands with the Town of Stettler, which agreement shall provide for the payment of levies imposed as specified pursuant to this Bylaw.
11. All funds collected pursuant to this Bylaw herein shall be accounted for in a special fund for each category of infrastructure and expended only as permitted under the provisions of the Municipal Government Act.
12. An off-site levy for the purposes of wastewater infrastructure provision shall be paid on undeveloped and/or redeveloped land within the limits of the Town and County that is to be developed for residential, commercial, industrial or other purposes, payable by Developers to the Town of Stettler at a rate of \$6,555.23 per gross acre of development as described in Schedule "B" and "C" of this Bylaw.
13. Where prior to the passage of this Bylaw a Development Agreement making provision for the payment of Levies pursuant to a Bylaw has been entered into between the Town and the Owner or Occupier of the land subject to the development, Levies were imposed on the land and collected as a result of the then existing Off-site Levy Bylaw, the provision of the Off-site Levy Bylaw which established the amount of the Levy shall continue in force as if this Bylaw or any intervening Off-site Levy Bylaw had not been enacted.
14. Where a development or subdivision is to be completed in multiple stages, the Off-site Levy applicable to each stage shall be calculated on the basis of the Off-site Levy Bylaw in force at the time that the stage of development or subdivision is commenced.

Administration

15. Council hereby delegates the Chief Administrative Officer the duty and authority to enforce and administer this Bylaw.

Severability

16. If any portion of the Bylaw is declared or found to be invalid for any reason the remaining provisions of the Bylaw shall continue in full force and effect.

Repeal

17. Bylaw 1972-08 and all amendments thereto, are hereby repealed.

READ a first time this 20TH day of August, A.D. 2024.

Advertised _____ and _____

READ a second time this ____ day of _____, 2024.

READ a third time and finally passed this ____ day of _____, 2024.

Mayor

Assistant CAO

Schedule "A"
2019 REGIONAL MASTER SERVICING STUDY SUMMARY

2019 Regional Master Servicing Study Summary

Purpose:

- Evaluate all infrastructure servicing to determine possibilities of joint infrastructure servicing to support future land uses along the shared border between the County of Stettler and Town of Stettler.
- Undertake an analysis of existing infrastructure along the shared border to support future development.
- Plan infrastructure development for long term development and provide interim options.
- Evaluate both municipalities existing policy context including all statutory documents and plans adopted by both municipalities. Ensure all servicing concepts support the existing plans.

Methodology:

- Evaluate all current infrastructure networks and identify challenges that exist.
- Identify gaps and overlaps in the servicing and provide recommendations.
- Identify constraints with existing and future systems to achieve joint servicing opportunities.
- Analyze servicing concepts to identify the optimal servicing concept for the study area without consideration of municipal boundaries.
- Provide recommendations to enable existing and future joint servicing opportunities that mitigate constraints with integrating the municipal servicing systems.
- Evaluate the existing offsite levy bylaw and recommend any necessary changes to the bylaw based on the outcome of the study.
- Provide recommendations for overall storm water servicing as it relates to Red Willow Creek.
- Provide infrastructure phasing strategies and timelines, based on existing slow growth trends in the region, and direct development phasing accordingly.

Report Recommendations:

1. Infrastructure Servicing Plan
 - a. Water:
 - i. No oversize improvements are required within the existing system to service the associated growth areas.
 - ii. Multiple recommendations to existing system that require modifications to meet fire flow, capacity issues.

- iii. Required infrastructure to service new developments and therefore those costs will be borne by the developers of those properties.

b. Storm Water

- i. Storm water retention ponds are proposed to serve new developments to manage stormwater drainage to meet Red Willow Creek outfall capacity of 2.3 l/s/ha. High level design is included for future developable lands. Developments not reaching Red Willow Creek drainage basin will be required to manage stormwater to predevelopment flow rates as established in the current standards.

c. Wastewater

- i. Recommended pipe upgrades through regular wastewater main replacements to be considered as part of regular replacement programs.
- ii. The project growth for the 25 year horizon will require capacity upgrades to Lift Station's A and B. There are also minor pipe size upgrades required upstream of Lift Station B.

2. Transportation

- a. The existing arterial road network (Highways 12 and 56) will be sufficient to accommodate the anticipated future growth.
- b. Intersection improvements and new installations will be required along both highways as development occurs. Based on the existing traffic volumes on both highways, an Alberta Transportation standard for a Type IV intersection may be required. Costs of intersection upgrades to be born by developers. Cost sharing options via endeavors to assist to be evaluated through development agreements. Intersection requirements at each location will need to be confirmed with a traffic impact assessment at the time of development.
- c. Re-alignment of Highway 56 was considered in the plan.
- d. Future road networks are generally shown for collector road networks within the plan.

3. Off-site Levies

- a. A review of the existing offsite levy bylaw from 2008 was reviewed. The existing levy and contributing areas were reviewed and compared to the newly identified 25 year development area. The plan includes recommendations to include both a water offsite levy and a wastewater offsite levy. The report includes numerous inclusions and recommendations summarized below.

Item No	Phase	Costs
Water Supply Network	Highway 12 from 61 Street to Town Reservoir 2080m of 350mm Main	\$5,012,800
Total Water Supply Network		\$5,012,800
Wastewater Treatment Facilities	Additional Storage Pond (completed in 2010)	\$694,617
	Upgrade Lagoon Transfer Pumping System and Wetland Expansion	\$2,000,000
	Lift Station A Upgrades	\$1,825,000
	Lift Station B Upgrades	\$3,625,000
Sanitary Sewer Trunks	44 Ave from 62 St to Hwy 56	\$1,449,600
	52 Ave from 62 St to 57 St	\$528,660
	Future 55 Ave from 62 St to 57 St	\$423,940
	Future 55 Ave from 57-48 Street	\$861,040
Total Wastewater Upgrades		\$11,407,857

The report included a review of stormwater upgrades, however, generally, stormwater management is done by each developer and so for the purpose of the offsite levy review was not included for consideration.

Associated Engineering Infrastructure Servicing Levy Summary

Summary	Cost
Total Water Supply Network	\$5,012,800
Total Wastewater Treatment Facilities	\$11,407,857
Total Infrastructure Servicing Improvements	\$16,420,657
Levy Boundary Area	1,161 ha or 2,868 acres
Levy Cost	\$14,143.55/Ha or \$5,725/acre

Staff Recommendation for Offsite Levies:

When evaluating what a municipality should include in their costs for offsite levy bylaws, it's important to consider lands impacted and infrastructure improvements required that are feasible for our community.

Water Supply

The water supply network improvement recommended in the report changes a 300mm watermain to a 375mm watermain at a cost of \$5,012,800 for the purpose of providing increased capacity to the Water Reservoir. In lieu of completing this line upgrade, as regular watermain replacements are completed, consideration to upsize piping that supplies the reservoir is a more feasible solution to increase capacity without requiring an offsite levy to accomplish this. Administration is not recommending a water offsite levy at this time.

Wastewater

The wastewater offsite levy evaluation included in the report includes sanitary trunk mains that should be accomplished through development agreements. The existing wetland is sized for a population of 8,200, which is greater than the expected 25 year growth area and therefore should be excluded. The balance of project costs for the sanitary lagoon cell 9 construction completed in 2010 is included. Upgrades to both lift stations A & B will be required to service the 25 year growth area identified in the report.

Staff recommended wastewater offsite levy inclusions:

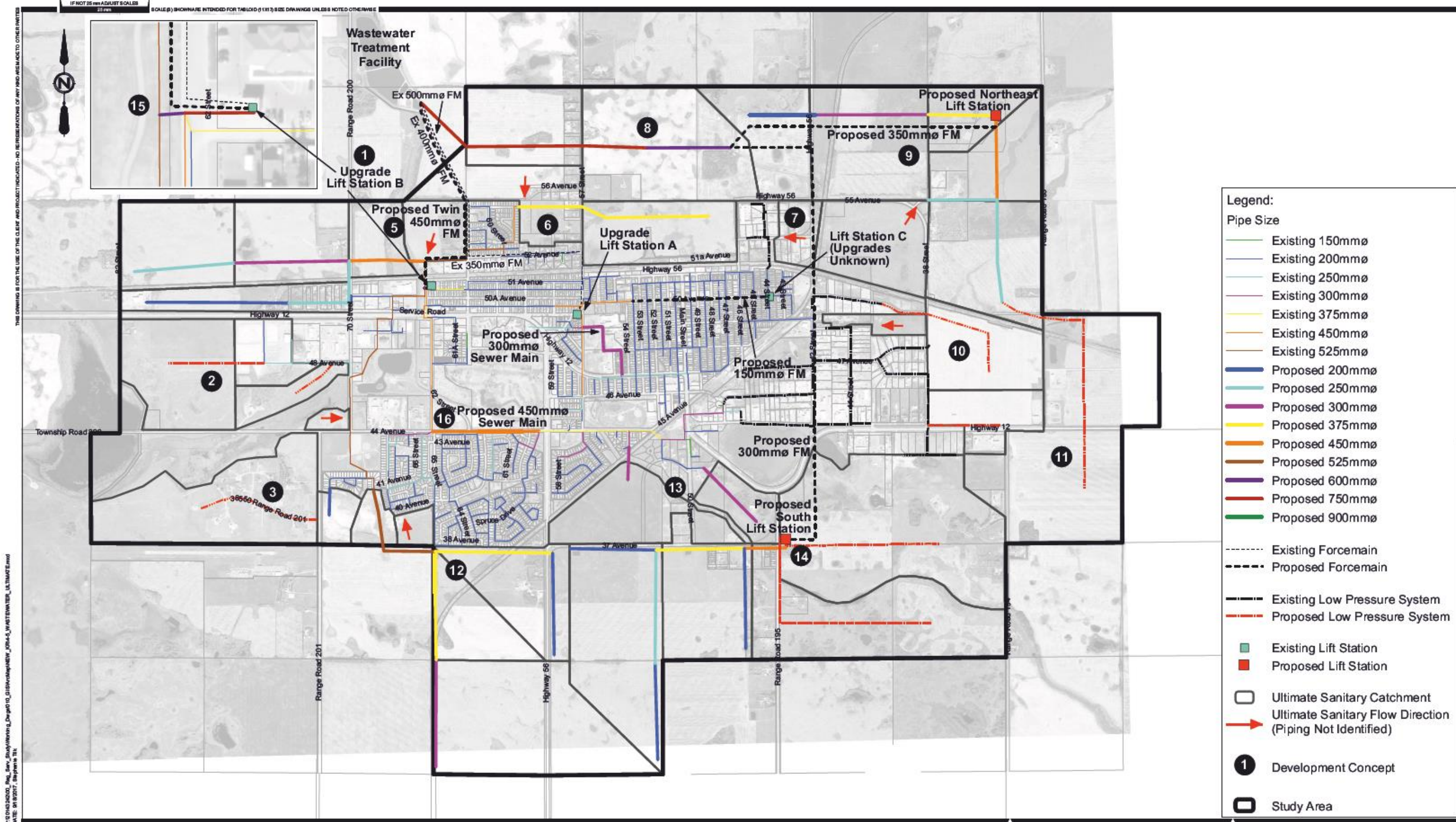
Wastewater Treatment Facilities	Additional Storage Pond (completed in 2010)	\$694,617
Wastewater Collection	Lift Station A Upgrades	\$1,825,000
Wastewater Collection	Lift Station B Upgrades	\$3,625,000
Total Wastewater Improvements		\$6,144,617

Levy Boundary Area

The consultant included all lands currently developed and undeveloped in the plan area for a total of affected levy area of 1,161 ha. Discussions through the project, staff felt that all lands should pay the same levy rate for simplicity and ease of developers to plan for and understand. The actual lands available for development within the area are 380 ha.

Wastewater Offsite Levy Summary

Summary	Cost
Total Wastewater Improvements	\$6,144,617
Levy Boundary Area	380 ha or 937 acres
Levy Cost	\$16,170/ha or \$6,555/acre



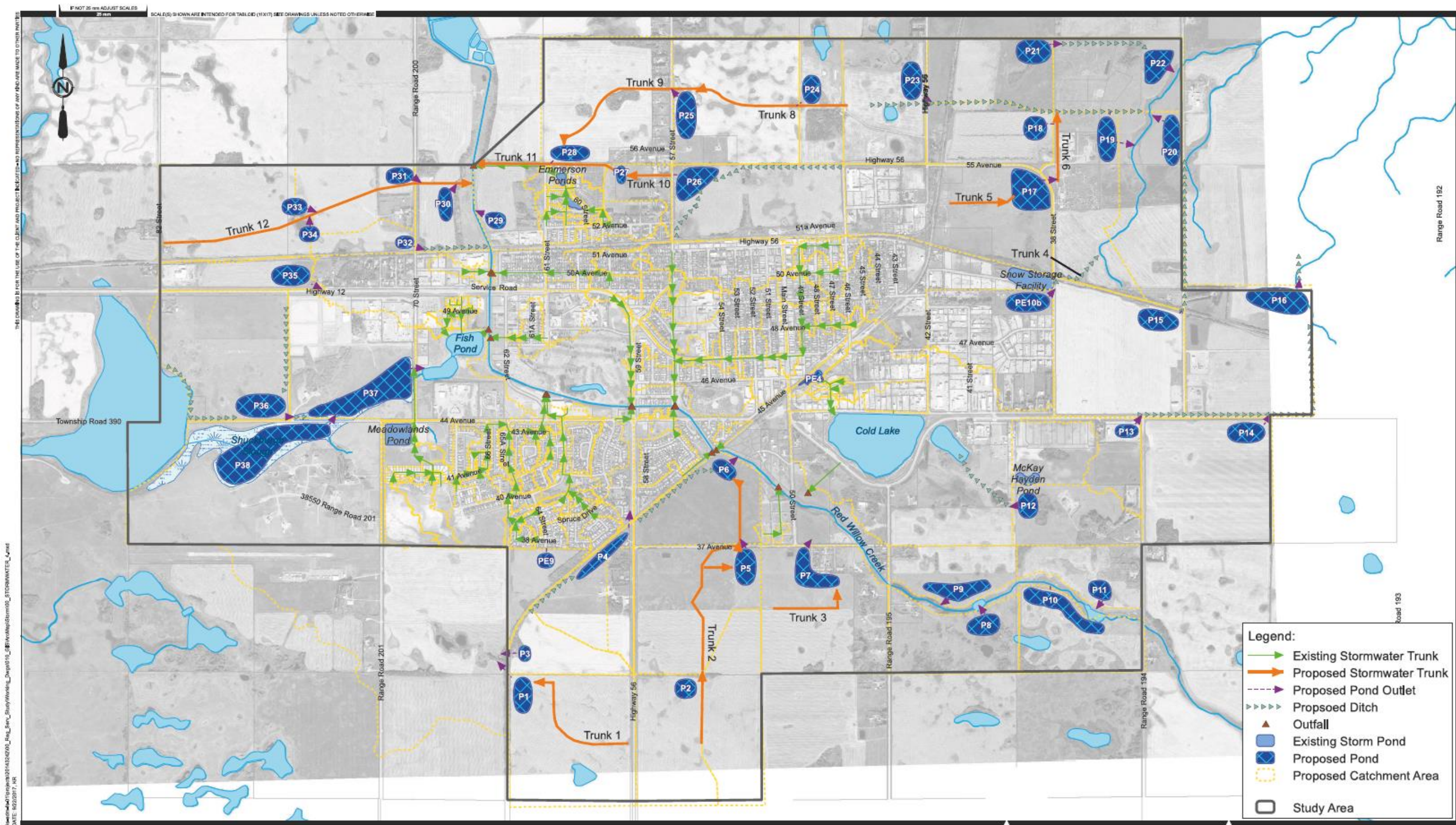
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- Pipe Size**
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 - Existing 200mmø
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 - Existing 300mmø
 - Existing 375mmø
 - Existing 450mmø
 - Existing 525mmø
 - Proposed 200mmø
 - Proposed 250mmø
 - Proposed 300mmø
 - Proposed 375mmø
 - Proposed 450mmø
 - Proposed 525mmø
 - Proposed 600mmø
 - Proposed 750mmø
 - Proposed 900mmø
- Existing Forcemain
 - Proposed Forcemain
 - Existing Low Pressure System
 - Proposed Low Pressure System
 - Existing Lift Station
 - Proposed Lift Station
 - Ultimate Sanitary Catchment
 - Ultimate Sanitary Flow Direction (Piping Not Identified)
 - Development Concept
 - Study Area

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 DATE ISSUED FOR REPORT
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FIGURE No. B-5
 COMMUNITY OF STETTLER
 WASTEWATER
 ULTIMATE WASTEWATER COLLECTION SYSTEM

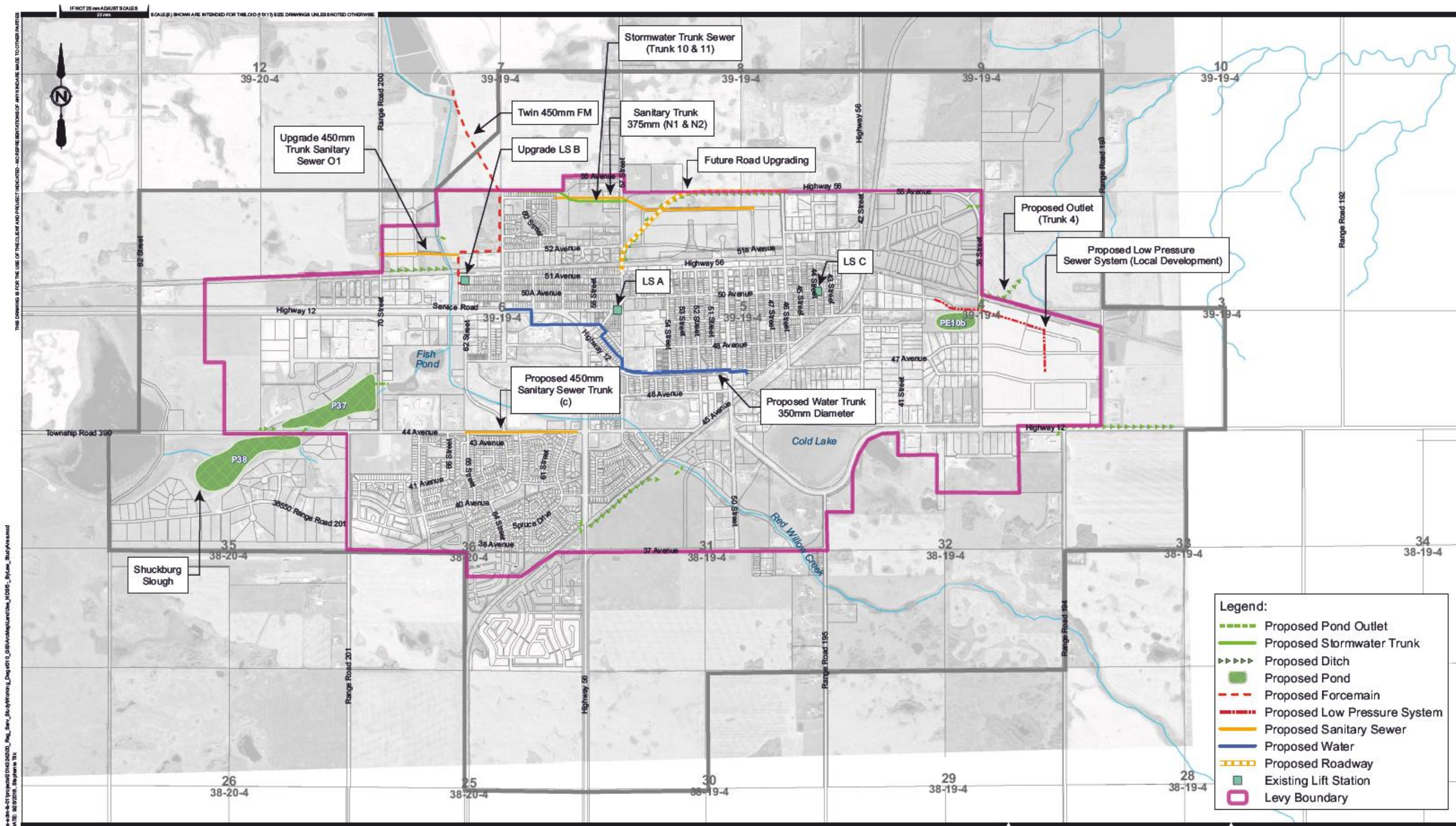


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FIGURE No. C-11
 COMMUNITY OF STETTLER
 STORMWATER
 FUTURE MANAGEMENT FACILITIES



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FIGURE No. 6-1
 COMMUNITY OF STETTLER
 INFRASTRUCTURE OFF-SITE LEVY

Schedule "B"
OFF-SITE LEVY RATES PER GROSS DEVELOPMENT AREA
 *See schedule "C" Map of Development Areas

TABLE 2
SUMMARY OF OFFSITE LEVIES PER DEVELOPMENT AREA

DEVELOPMENT BENEFIT AREA	GROSS LEVY AREA (Ac)	LEVY RATE PER GROSS DEVELOPABLE ACRE	TOTAL LEVY FOR BENEFIT AREA
1	56.46	\$6,555.23	\$370,108.29
2	43.21	\$6,555.23	\$283,251.49
3	75.14	\$6,555.23	\$492,559.98
4	20.31	\$6,555.23	\$133,136.72
5	51.02	\$6,555.23	\$334,447.83
6	48.31	\$6,555.23	\$316,683.16
7	22.5	\$6,555.23	\$147,492.68
8	14.18	\$6,555.23	\$92,953.16
9	3.15	\$6,555.23	\$20,648.97
10	88.82	\$6,555.23	\$582,235.53
11	108.44	\$6,555.23	\$710,849.14
12	101.56	\$6,555.23	\$665,749.16
13	21.88	\$6,555.23	\$143,428.43
14	17.52	\$6,555.23	\$114,847.63
15	4.19	\$6,555.23	\$27,466.41
16	61.21	\$6,555.23	\$401,245.63
17	7.19	\$6,555.23	\$47,132.10
18	43.89	\$6,555.23	\$287,709.04
19	21.61	\$6,555.23	\$141,658.52
20	126.77	\$6,555.23	\$831,006.51
TOTAL	937.36	\$6,555.23	\$6,144,610.38

Schedule "C"
OFF-SITE LEVY AREAS

Stettler Off-site Levies

