

**Town of High River
Alberta
Bylaw No. 4364/2013**

BEING A BYLAW OF THE TOWN OF HIGH RIVER IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING OFF-SITE LEVIES.

WHEREAS in accordance with Section 648 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, a Council may by bylaw:

- a) Provide for the imposition and payment of a levy, to be known as an "off-site" levy, in respect of land that is to be developed or subdivided, and
- b) Authorize agreements to be entered into in respect of the levy.

AND WHEREAS the Town of High River Council deems it desirable to establish off-site levies for the purposes described in Section 648 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26;

AND WHEREAS the Town of High River Council engaged the engineering firm of ISL Engineering and Land Services Ltd. ("ISL") to prepare a report dated May 17, 2013 (the "ISL Report") with respect to the fair and equitable calculation and allocation of off-site levies in accordance with the purposes of the *Municipal Government Act*, R.S.A. 2000 Chapter M-26;

AND WHEREAS the Town of High River Council has reviewed the report prepared by ISL and wishes to enact a bylaw to impose and provide for the payment of off-site levies, to authorize agreements to be entered into in respect of payment of the off-site levies, to set out the object of each levy, and to indicate how the amount of each levy was determined;

AND WHEREAS the Town of High River Council has advertised its intention to consider the provisions of this Bylaw pursuant to Section 606 of the *Municipal Government Act*, R.S.A. 2000 Chapter M-26;

NOW THEREFORE pursuant to the authority conferred upon it by the laws of the Province of Alberta, the Town of High River Council, duly assembled, enacts as follows:

1. SHORT TITLE

1.1 This Bylaw may be cited as the "Town of High River Off-Site Levy Bylaw No. 4364/2013".

2. PURPOSE AND INTENT

2.1 The purpose and intent of this Bylaw is to:

- a) impose and provide for the payment of levies to be known as off-site levies in respect of land that is to be subdivided or developed,
- b) authorize agreements to be entered into in respect of payment of the off-site levies,
- c) set out the objects of each off-site levy, and
- d) indicate how the amount of each off-site levy was determined.

3. DEFINITIONS

In this Bylaw, the following words and phrases shall have the following meanings:

3.1 "Act" means the *Municipal Government Act*, R.S.A. 2000 Chapter M-26 and amendments thereto;

- 3.2 "Applicant" means the person who is applying for a Development permit or Subdivision approval;
- 3.3 "Bylaw" means this bylaw together with all schedules;
- 3.4 "Chief Administrative Officer" means the Chief Administrative Officer of the Town or his/her authorized designate;
- 3.5 "Council" means the Town of High River Council;
- 3.6 "Development" has the same meaning as provided in the Act;
- 3.7 "Development Agreement" means an agreement contemplated within Sections 650 and 655 of the Act;
- 3.8 "SE Industrial Zone" means those lands identified as such on Schedule "A" and which are subject to the October 18, 2007 Offsite Levy and Density Assessment Agreement attached to this Bylaw as Schedule "D";
- 3.9 "Gross Developable Area" means the total area of land that is the subject of a Development permit or Subdivision approval excluding land provided as environmental reserve or municipal reserve;
- 3.10 "Lands" means private titled parcels of land in accordance with the *Land Titles Act*, R.S.A. 2000 Chapter L-4;
- 3.11 "Land Use Bylaw" means the Town's Land Use Bylaw, as amended or replaced from time to time in accordance with the Act;
- 3.12 "Off-Site Levy" means a levy imposed and created by this Bylaw;
- 3.13 "Off-Site Levy Fund" means a fund into which an Off-Site Levy together with any interest earned from the investment of the Off-Site Levy is deposited and kept separate from General Account or any other municipal account and administered in accordance with the Act;
- 3.14 "Subdivision" has the same meaning as provided for in the Act; and
- 3.15 "Town" means the Town of High River or the geographical area contained within its boundaries, as the context may require.

4. ADMINISTRATION AND ENFORCEMENT

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

5. ENACTMENT

- 5.1 An Off-Site Levy as provided for in the Act is hereby imposed with respect to the Gross Developable Area of all Lands within the Town that are to be Developed or Subdivided at the rates and on the terms as specified in this Bylaw with the exception of any Lands where Off-Site Levies have been previously imposed and collected in full.
- 5.2 Notwithstanding any other provision in this Bylaw, the Town may impose further or different Off-Site Levies, duly enacted by bylaw, on any portion of Lands which are the subject of Development permit or Subdivision approval and in respect of which the Town has not collected Off-Site Levies imposed under this Bylaw or any previous off-site levy bylaw authorized by the Act or a predecessor Act.

5.3 The Town is hereby authorized to enter into agreements with owners of the Lands referred to in Paragraph 5.1 for payment of the Off-Site Levy imposed on the Lands.

5.4 The Off-Site Levy is deemed to have been imposed on the Gross Developable Area of all Lands within the Town that are to be Developed or Subdivided in accordance with this Bylaw regardless if the imposition of the Off-Site Levy is made a specific condition of a Development permit or Subdivision approval.

6. OBJECT OF THE OFF-SITE LEVIES

6.1 The object of the Off-Site Levy or Levies imposed and collected pursuant to this Bylaw are to pay for all or any part of the capital cost of any or all of the following:

- a) new or expanded facilities for the storage, transmission, treatment or supplying of water,
- b) new or expanded facilities for the treatment, movement or disposal of sanitary sewage,
- c) new or expanded storm sewer drainage facilities,
- d) new or expanded roads required for or impacted by a Subdivision or Development, and
- e) land required for or in connection with any facilities described within this Paragraph.

7. OFF-SITE LEVY PAYMENT

7.1 The Off-Site Levy imposed pursuant to this Bylaw shall be paid upon the earlier of the following dates:

- a) the issuance of the Development permit in respect of the Lands,
- b) execution of a Development Agreement entered into pursuant to the conditions of a Development permit or Subdivision approval granted in respect of the Lands, or
- c) prior to the endorsement of the plan of Subdivision for the Lands.

7.2 Where the Applicant or owner of Lands that are subject to the imposition of an Off-Site Levy or Levies under this Bylaw fails, neglects or refuses to either pay the Off-Site Levy imposed or provide sufficient security for the payment of the Off-Site Levy, the Town may:

- a) commence proceedings in Court for recovery of the Off-Site Levy as an amount due and payable to the Town, or
- b) refuse to endorse a plan of Subdivision or release a Development permit until the Applicant or land owner has paid the Off-Site Levy or has provided sufficient security for the payment of the Off-Site Levy in a form satisfactory to the Chief Administrative Officer.

8. OFF-SITE LEVY FUND

8.1 The Chief Administrative Officer shall establish and maintain a separate fund for each facility in respect of which an Off-Site Levy is being imposed pursuant to this Bylaw. Such Off-Site Levy fund shall be kept separate from the Town's General Account or any other Town account and shall be administered in accordance with the Act.

9. DIVISION OF THE TOWN INTO AREAS

9.1 For the purpose of imposing Off-Site Levies, the Town is divided into 7 geographic areas as shown on Schedule "A":

- a) Inner NW
- b) NW
- c) Inner NE
- d) NE
- e) SE Industrial
- f) Inner S
- g) S

10. DETERMINATION OF THE OFF-SITE LEVIES

10.1 The Off-Site Levies included in this Bylaw were determined in accordance with the calculations from the Off-Site Levy Report prepared by ISL dated May 17, 2013 (the "ISL Report"). The ISL Report is hereby incorporated into this Bylaw by reference and shall be disclosed upon request in accordance with Section 11 of this Bylaw.

10.2 The determination of the amount of each Off-Site Levy amount in respect of each of the separate facilities for which an Off-Site Levy has been imposed is as shown on Schedule "B". The total amount of the Off-Site Levies imposed in respect of each of the 7 geographic areas referenced in Section 9 are shown in Schedule "C".

10.3 The 2013 Off-Site Levies reflected in this Bylaw will apply to all new Subdivision and Development approved subsequent to this date.

10.4 Notwithstanding any other provision in this Bylaw, the Eastern Lands are subject to the off-site levy calculations as reflected in the Off-Site Levy and Density Assessment Agreement attached to this Bylaw as Schedule "D" with respect to only the infrastructure projects included in the Off-Site Levy and Density Assessment Agreement. The Eastern Lands shall be subject to the Off-Site levies established by this Bylaw for any infrastructure projects which are not included in the Off-Site Levy and Density Assessment Agreement.

11. INFORMATION ON REQUEST

11.1 Upon receiving a request from a ratepayer or landowner, the Town shall disclose full information regarding Off-Site Levy calculations, allocations, impositions, collections, costs and payments.

12. REVIEW OF OFF-SITE LEVY RATES

12.1 Not more than once per calendar year, Council may adjust the Off-Site Levy rates from time to time through amendment or replacement of this Bylaw.

13. ANNUAL REPORT TO COUNCIL

13.1 Not less than once per calendar year, the Chief Administrative Officer shall provide a report to Council detailing all Off-Site Levies imposed under this Bylaw, collections and expenditures during the previous calendar year, unpaid Off-Site Levy amounts as at the end of the previous calendar year, funds on hand to meet anticipated expenditures during the current calendar year and updated estimates of the costs expected to be incurred in order to complete construction of the facilities in respect of which an Off-Site Levy has been imposed under this Bylaw.

14. GENERAL

- 14.1 In the event that any provision of this Bylaw be declared invalid or void by any Court having competent jurisdiction, then such invalid or void provision shall be severed from the Bylaw and the remaining provisions of the Bylaw shall be maintained and deemed valid.
- 14.2 Bylaw Nos. 4209/2008 and 4169/2007 are repealed on the date of the third and final reading of this Bylaw.
- 14.3 This Bylaw comes into full force and effect on the date of third and final reading of this Bylaw.

Read a First time this _____ day of _____ A.D., 2013

Mayor /Deputy Mayor

**Chief Administrative
Officer/ Director of
Legislative and Administrative Services**

Read a Second time this _____ day of _____ A.D., 2013

Mayor /Deputy Mayor

**Chief Administrative
Officer/ Director of
Legislative and Administrative Services**

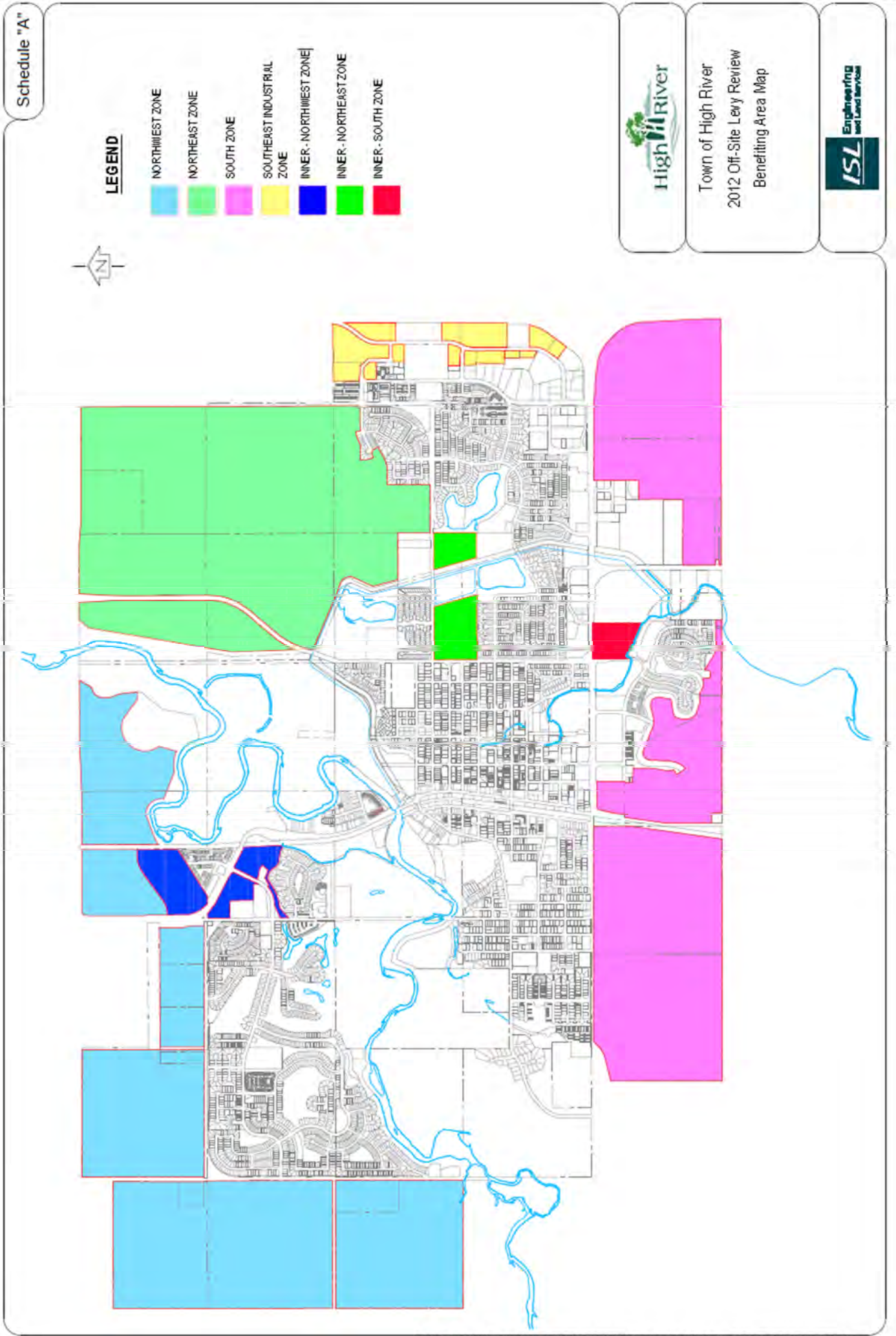
Read a Third time this _____ day of _____ A.D., 2013

Mayor /Deputy Mayor

**Chief Administrative
Officer/ Director of
Legislative and Administrative Services**

SCHEDULE "A"

GEOGRAPHIC AREA MAP



SCHEDULE "B"

DETERMINATION OF THE OFF-SITE LEVY BY PROJECT

PROJECT: W1 New NW Reservoir

Project Description:

According to Infrastructure Master Plan (ISL, 2011), there is a need to construct a new reservoir and pumphouse in the northwest quadrant of the Town. Based on the calculations completed during the Infrastructure Update, the reservoir was sized for an additional 5,800m³. The pumphouse should include new duty pumps as well as a fire pump.

Project Costs:

Capital Cost: \$11.2 million

Total Levied: \$11.2 million

Benefitting Area: Entire growth area as this provides water storage and pumping capacity for the entire growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 2,061 acres (834.07ha) of growth area.

PROJECT: W2 New NW Pressure Zone

Project Description:

According to Infrastructure Master Plan (ISL, 2011), there is a need to construct a new northwest pressure zone to allow for servicing of the higher elevation terrain in that area without increasing pressure in the lower parts of Town. This would require four pressure reducing valves to be installed.

Project Costs:

Capital Cost: \$360,000

Total Levied: \$360,000

Benefitting Area: Inner-NW and NW growth areas.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 758 acres (306.69ha) of growth area.

PROJECT: W3 Cayley Watermain Oversize

Project Description:

The Town recently agreed to pay an oversize charge for a watermain to serve the Hamlet of Cayley to the south. This will offset the need for a future watermain in the area. Accordingly, this cost has been included in the levies, as this will ultimately save money for developers in the area by eliminating the need for a new watermain.

Project Costs:

Capital Cost: \$60,000

Total Levied: \$60,000

Benefitting Area: South growth area

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 589 acres (238.45ha) of growth area.

PROJECT: W4 Water Supply Upgrade

Project Description:

Upgrades to the Town's water supply system to meet future needs. As per the Offsite Levy Discussion Paper (BSEI, 2008), an estimate to meet the needs of the Town to 25,000 people was developed (growth of about 14,000). Only the cost to the 25,000 population is levied at this time.

Project Costs:

Capital Cost: \$8 million

Total Levied: \$8 million

Benefitting Area: Entire growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 2,061 acres (834.07ha) of growth area.

PROJECT: W5 Water Treatment Upgrade

Project Description:

Upgrades to the water treatment plant to convert to sand filters as detailed in the Town's Infrastructure Master Plan (ISL, 2011).

Project Costs:

Capital Cost: \$15 million__

Total Levied: \$10.5 million

Cost to Town: \$4.5 million

Benefitting Area: Entire Town. Estimate 30% benefit to existing Town based on existing population versus 50,000 horizon.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 2,061 acres (834.07ha) of growth area.

PROJECT: W6 NW Trunk Watermains

Project Description:

According to Infrastructure Master Plan (ISL, 2011), there is a need to construct a number of watermains for new development in the NW. These would be developer funded and constructed with no Town contribution.

Project Costs:

Capital Cost: \$8.53 million

Total Developer Built/Financed: \$8.53 million

Levied Amount: \$0

Benefitting Area: NW growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (711 acres (287.91ha) if levied.)

PROJECT: W7 NE Trunk Watermains

Project Description:

According to Infrastructure Master Plan (ISL, 2011), there is a need to construct a number of watermains for new development in the NE. These would be developer funded and constructed with no Town contribution.

Project Costs:

Capital Cost: \$4.41 million

Total Developer Built/Financed: \$4.41 million

Levied Amount: \$0

Benefitting Area: NE growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (613 acres (248.12ha) if levied.)

PROJECT: W8 South Trunk Watermains

Project Description:

According to Infrastructure Master Plan (ISL, 2011), there is a need to construct a number of watermains for new development in the South. These would be developer funded and constructed with no Town contribution.

Project Costs:

Capital Cost: \$4.82 million

Total Developer Built/Financed: \$4.82 million

Levied Amount: \$0

Benefitting Area: South growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (589 acres (238.45ha) if levied.)

PROJECT: Wallaceville Sanitary Bypass

Project Description:

This consists of a sanitary capacity upgrade to benefit the northwest part of Town.

Project Costs:

Capital Cost: \$4.15 million

Cost to Town: \$4.15 million

Levied Amount: \$0

Benefitting Area: Inner-NW growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable A

PROJECT: WW1 West Lift Station/Forcemain

Project Description:

This consists of a lift station and forcemain to service part of the northwest part of Town.

Project Costs:

Capital Cost: \$1.28 million

Total Developer Built/Financed: \$1.28 million

Levied Amount: \$0

Benefitting Area: NW growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (711 acres (287.91ha) if levied.)

PROJECT: WW2 Northwest Gravity Trunk/Siphon

Project Description:

This consists of gravity trunk and a siphon to service the northwest part of Town.

Project Costs:

Capital Cost: \$3.63 million

Total Developer Built/Financed: \$3.63 million

Levied Amount: \$0

Benefitting Area: NW growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (711 acres (287.91ha) if levied.)

PROJECT: WW3 North Lift Station

Project Description:

This consists of a lift station to service growth in the northwest and northeast parts of Town.

Project Costs:

Capital Cost: \$2 million

Total Levied: \$2 million

Benefitting Area: NW and NE growth areas.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 539 acres (536.03ha) of growth area.

PROJECT: WW4 North Forcemain

Project Description:

This consists of a forcemain from the North Lift Station to the Wastewater Treatment Plant to service growth in the northwest and northeast parts of Town.

Project Costs:

Capital Cost: \$5.5 million

Total Levied: \$5.5 million

Benefitting Area: Inner-NW, NW, Inner-NE, and NE growth areas.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 1,405 acres (568.64ha) of growth area.

PROJECT: WW5 Wastewater Treatment Upgrade

Project Description:

This consists of upgrading the Town's existing aerated lagoon to the OPTAER system by Nelson Environmental. As per BSEI, 2011 and EPCOR, 2011, this system is felt to be the most cost effective at this time. This estimate is based on reaching 25,000 people. It is estimated that a total of \$30,000,000 will be required to service the full build-out population of roughly 50,000 noted on this basis. Only the upgrade cost to 25,000 is levied at this time.

Project Costs:

Capital Cost: \$14.4 million

Total Levied: \$14.4 million

Benefitting Area: Entire growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 2,061 acres (834.07ha) of growth area.

PROJECT: WW6 Wastewater Outfall to Frank Lake

Project Description:

This consists of an upgrade to the outfall line from the Wastewater Treatment Plant to Frank Lake. The estimate is being carried to reach the build-out population of around 50,000.

Project Costs:

Capital Cost: \$10 million

Cost to Regional Wastewater Commission: \$10 million

Levied Amount: \$0

Benefitting Area: Entire growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (2,061 acres (834.07ha) if levied.)

PROJECT: WW7 Northeast Gravity Trunk

Project Description:

This consists of gravity trunk and to service the northeast part of Town.

Project Costs:

Capital Cost: \$990,000

Total Developer Built/Financed: \$990,000

Levied Amount: \$0

Benefitting Area: NE growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (613 acres (248.12ha) if levied.)

PROJECT: WW8 Southwest Gravity Trunk

Project Description:

This consists of gravity trunk and to service the southwest part of Town.

Project Costs:

Capital Cost: \$1.08 million

Total Developer Built/Financed: \$1.08 million

Levied Amount: \$0

Benefitting Area: South growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (589 acres (238.45ha) if levied.)

PROJECT: WW9 Southeast Gravity Trunk

Project Description:

This consists of gravity trunk to service the southeast part of Town.

Project Costs:

Capital Cost: \$620,000

Total Developer Built/Financed: \$620,000

Levied Amount: \$0

Benefitting Area: South growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (589 acres (238.45ha) if levied.)

PROJECT: WW10 Southeast Lift Station/Forcemain

Project Description:

This consists of a lift station and forcemain to service part of the southeast part of Town.

Project Costs:

Capital Cost: \$1.02 million

Total Developer Built/Financed: \$1.02 million

Total Levied: \$0

Benefitting Area: South growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (589 acres (238.45ha) if levied.)

PROJECT: WW11 Main Lift Station Upgrade

Project Description:

This consists of upgrades at the main lift station to allow for increased discharge rates to the Wastewater Treatment Plant.

Project Costs:

Capital Cost: \$1 million

Total Levied: \$1 million

Benefitting Area: Inner-NE, SE Industrial, Inner-South, and South growth areas.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 690 acres (279.26ha) of growth area.

PROJECT: WW12 Main Lift Station Gravity Trunk

Project Description:

This consists of a gravity trunk feeding from the Montrose forcemain to the Main Lift Station.

Project Costs:

Capital Cost: \$1.55 million

Total Levied: \$1.55 million

Benefitting Area: Inner-NE, SE Industrial, Inner-South, and South growth areas.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 690 acres (279.26ha) of growth area.

PROJECT: T1 12 Avenue S (Highway 2 to 5 Street E) – Widening

Project Description:

Widening to 4-lane urban divided arterial. This estimate is based on BSEI's 2008 levy document and has been updated with 2012 pricing. 12 Avenue is the Town's primary connection to Highway 2 and is of Town-wide importance, with upgrades also benefiting existing residents. Cost sharing based on 70% benefit to growth, 30% to existing development.

Project Costs:

Capital Cost: \$8.5 million

Total Levied Now: \$5.95 million

Cost to Town: \$2.55 million

Benefitting Area: Entire Town.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 2,061 acres (834.07ha) of growth area.

PROJECT: T2A 12 Avenue S (5 Street E to Centre Street) – Widening

Project Description:

Widening to 4-lane arterial with 2-way-left-turn-lane and roundabout. This project was primarily constructed in 2011. The only remaining works to be completed include fencing and completion of the railway crossing, both of which are included in the final estimated cost. Cost sharing based on 70% benefit to growth, 30% to existing development.

Project Costs:

Capital Cost: \$7.99 million

Total Levied Now: \$5.6 million

Cost to Town: \$2.39 million

Benefitting Area: Entire Town.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 2,061 acres (834.07ha) of growth area.

PROJECT: T2B 12 Avenue S (5 Street E to Centre Street)

Project Description:

Convert median from 2-way-left-turn-lane to a raised concrete median. From Council direction, the twinning of 12 Avenue in 2011 included a 2-Way-Left-Turn-Lane. When traffic growth warrants, the central pavement will need to be removed and rebuilt as a raised, divided median. Cost sharing based on 70% benefit to growth, 30% to existing development.

Project Costs:

Capital Cost: \$988,000

Total Levied in Future: \$691,600

Cost to Town: \$296,400

Benefitting Area: Entire Town.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 2,061 acres (834.07ha) of growth area once levied.

PROJECT: T3 Centre Street (12 Avenue S to 3 Avenue S) - Widening

Project Description:

Widening through downtown to a 4-lane urban undivided arterial. Cost sharing based on 70% benefit to growth, 30% to existing development.

Project Costs:

Capital Cost: \$5.12 million

Total Levied Now: \$3.58 million

Cost to Town: \$1.54 million

Benefitting Area: Entire Town.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 2,061 acres (834.07ha) of growth area.

PROJECT: T4 Centre Street (3 Avenue S to Lineham Channel) - Widening

Project Description:

Widening to a 4-lane urban divided arterial and Highwood River Bridge. The project includes construction of a new Highwood River bridge. The cost for rehabilitation of the existing bridge is considered primarily to benefit the existing town and the percentage breakdown is reflective of that cost. Cost sharing based on 70% benefit to growth, 30% to existing development.

Project Costs:

Capital Cost: \$15.7 million

Total Levied Now: \$11 million

Cost to Town: \$4.7 million

Benefitting Area: Entire Town.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 2,061 acres (834.07ha) of growth area.

PROJECT: T5 Centre Street (Lineham Channel to Longview Trail) - Widening

Project Description:

Widening to a 4-lane urban divided arterial and Lineham Channel Bridge. The cost for the channel and pedestrian crossing works is considered to be borne by the Town and is reflected in the Town's contribution. Cost sharing based on 70% benefit to growth, 30% to existing development.

Project Costs:

Capital Cost: \$12.5 million

Total Levied Now: \$8.74 million

Cost to Town: \$3.76 million

Benefitting Area: Entire Town.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 2,061 acres (834.07ha) of growth area.

PROJECT: T6 3 Avenue S (Centre Street to 5 Street E) – Access Management/Driveway Closures

Project Description:

Previous planning for 3 Avenue in the downtown area contemplated significant land acquisition to widen the roadway to four lanes. The 2011 Infrastructure Master Plan recommended instead that 3 Avenue be maintained as a 2-lane roadway, but that traffic flow and safety would benefit by the removal of residential driveways and revision of the lots to rear-access-only. There are currently 11 driveways, and there is an estimated cost of \$50,000 per lot to complete the conversion over time. This cost could be incurred either by direct compensation to homeowners for conversion of existing lots, or by acquiring the lots on an opportunity basis over a number of years, such that the Town would complete the necessary conversion and return the home to market. Cost sharing based on 50% benefit to growth, 50% to existing development.

Project Costs:

Capital Cost: \$550,000

Total Levied Now: \$275,000

Cost to Town: \$275,000

Benefitting Area: NE growth area and existing Town.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 613 acres (248.12ha) of growth area.

PROJECT: T7 2 Avenue S (5 Street E to Little Bow Canal) – Roadway Realignment and Roundabout

Project Description:

A functional plan for 5 Street and the 2 Avenue S connector were prepared by ISL and approved by the Town in 2011. 2 Avenue S will be realigned east of the Little Bow Canal to connect directly adjacent to the 3 Avenue S intersections on 5 Street. A dual-lane roundabout will be constructed to accommodate long-term traffic demand. This project consists of the 2 Avenue realignment and roundabout connection, which is considered to be of sole benefit to the Northeast development area.

Project Costs:

Capital Cost: \$5.42 million

Total Levied Now: \$5.42 million

Benefitting Area: NE growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 613 acres (248.12ha) of growth area.

PROJECT: T8 5 Street E (12 Avenue S to 4 Avenue S) - Widening

Project Description:

Widening to a 4-lane urban divided arterial. As per the 2011 IMP, 5 Street E is a major network road and requires widening to a 4-lane standard in future. As a key network link between 12 Avenue and 498 Avenue (Highway 543,) upgrades of the existing road will benefit both the existing Town and all future growth areas. Cost sharing based on 70% benefit to growth, 30% to existing development.

Project Costs:

Capital Cost: \$5.71 million

Total Levied Now: \$3.99 million

Cost to Town: \$1.72 million

Benefitting Area: Entire Town.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 2,061 acres (834.07ha) of growth area.

PROJECT: T9A 5 Street E (2 Avenue S to North side of Little Bow Canal) – Phase 1 Upgrade

Project Description:

Overlay and pathway construction. As the first step toward ultimate upgrading of the 5 Street E corridor, this initial project would allow for interim upgrading and preservation of the roadway. Work completed at this stage would be compatible with the ultimate 4-lane stage. Cost sharing based on 70% benefit to growth, 30% to existing development.

Project Costs:

Capital Cost: \$603,010

Total Levied Now: \$422,107

Cost to Town: \$180,903

Benefitting Area: Entire Town.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 2,061 acres (834.07ha) of growth area.

PROJECT: T9B 5 Street E (2 Avenue S to North side of Little Bow Canal) – Phase 2 Upgrade

Project Description:

Widening to 4-lane urban divided arterial. This project would carry on from 9A, widening 5 Street to its ultimate 4-lane urban standard, including a wider bridge structure over the Little Bow Canal. Cost sharing based on 70% benefit to growth, 30% to existing development.

Project Costs:

Capital Cost: \$7.71 million

Total Levied in Future: \$5.4 million

Cost to Town: \$2.31 million

Benefitting Area: Entire Town.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 2,061 acres (834.07ha) once levied.

PROJECT: T10 5 Street E (North side of the Little Bow Canal to 498 Avenue) – Widening

Project Description:

Widening to 4-lane divided urban arterial. The twinning of 5 Street north of the Little Bow Canal will be necessary to support development growth in future. Existing Town areas have already funded and benefitted from recent construction of the first two lanes of the permanent roadway. Thus, the future expansion will be to benefit all remaining development areas.

Project Costs:

Capital Cost: \$12.7 million

Total Levied in Future: \$12.7 million

Benefitting Area: Entire Town.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 2,061 acres (834.07ha) of growth area once levied.

PROJECT: T11 12 Avenue S (Centre Street to Highwood Trail) – Phase 1 Upgrade

Project Description:

Upgrade to 2-lane urban roadway. 12 Avenue west of Centre Street will ultimately be a divided arterial roadway, but will not serve as significant a network function as other sections of 12 Avenue (i.e. – it is not part of Highway 2A.) Thus, the benefit will be to growth. The first phase of upgrading will consist of urbanizing the existing rural road, with costing based on BSEI's 2008 levy document updated with 2012 prices.

Project Costs:

Capital Cost: \$3.65 million

Total Levied in Future: \$3.65 million

Benefitting Area: South growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 589 acres (238.45ha) of growth area once levied.

PROJECT: T12 9 Avenue SE (18 Street to 20 Street SE) - Widening

Project Description:

Widen 9 Avenue between 18 Street and 20 Street S.E., install directional raised median at 18 and 20 Avenue. Intersection reconstruction at 9 Avenue and 20 Street and at 20 Street and 10 Avenue.

Project Costs:

Capital Cost: \$1.47 million

Cost to Town: \$1.47 million

Benefitting Area: Existing Town.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: None.

PROJECT: T13 Longview Trail W (Regional Road 291 from Longview Trail W southward to the Town Boundary) – Widening

Project Description:

Widening to a 4-lane urban undivided arterial. This section of Longview Trail will be required to be upgraded by the area Developer as a direct development requirement, and is not included in the Levy program.

Project Costs:

Capital Cost: \$1.78 million

Total Developer Built/Financed: \$1.78 million

Total Levied: \$0

Benefitting Area: NW growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (711 acres (287.91ha) if levied.)

PROJECT: T14 High Country Drive Extension (Formerly titled Longview Trail Connector)

Project Description:

Construction of this project was completed in 2011, with a few outstanding items.

Project Costs:

Capital Cost: \$3 million

Total Levied Now: \$3 million

Benefitting Area: NW growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 711 acres (287.91ha) of growth area.

PROJECT: T16A 2 Avenue S (Little Bow Canal to Hamptons Blvd.) – Phase 1

Project Description:

700m of 2-lane urban road. This project was constructed by the area developer, and is not included in the Levy program.

Project Costs:

Paid by developer.

Benefitting Area: NE growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (613 acres (248.12ha) if levied.)

PROJECT: T16B 2 Avenue S (Hamptons Blvd to 2 Avenue N) – Phase 2

Project Description:

700m of a 2-lane urban road. Included in this project is the adjustment of the current intersection at Hamptons Blvd to accommodate the ultimate stage of 2 Avenue S as a 2-lane urban roadway.

Project Costs:

Capital Cost: \$4.71 million

Total Levied Now: \$4.71 million

Benefitting Area: NE growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 613 acres (248.12ha) of growth area.

PROJECT: T17 20 Street E (2 Avenue N to the previous Town Boundary)

Project Description:

4-lane urban divided arterial. This project was constructed by the area developer, and is not included in the Levy program.

Project Costs:

Paid by developer.

Benefitting Area: NE growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (613 acres (248.12ha) if levied.)

PROJECT: T18A 20 Street E (Previous Town Boudnary to 498 Avenue) – Phase 1

Project Description:

2-lane urban road. Project details include the removal of the existing road structure and upgrading the roadway to an urban cross section.

Project Costs:

Capital Cost: \$7.53 million

Total Levied in Future: \$7.53 million

Benefitting Area: NE growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 613 acres (248.12ha) of growth area once levied.

PROJECT: T18B 20 Street E (Previous Town Boundary to 498 Avenue) – Phase 2

Project Description:

2-lane urban road to a 4-lane divided arterial. 20 Street north of 2 Avenue N will ultimately need to be a 4-lane divided standard to support area development.

Project Costs:

Capital Cost: \$3.47 million

Total Levied in Future: \$3.47 million

Benefitting Area: NE growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 613 acres (248.12ha) of growth area once levied.

PROJECT: T19 Longview Trail (10 Street W to 600m East of Centre Street) – Phase 1A

Project Description:

Upgrade to a 2-lane urban road. The estimate for this project is based on a unit length estimate for removal and reconstruction of the road to a 2-lane urban standard. This section of Longview Trail will be required to be upgraded by the area Developer as a direct development requirement, and is not included in the Levy program.

Project Costs:

Capital Cost: \$5.67 million

Total Developer Built/Financed: \$5.67 million

Total Levied: \$0

Benefitting Area: NW growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (711 acres (287.91ha) if levied.)

PROJECT: T20 Longview Trail (600m E of Centre Street) – Phase 1A

Project Description:

Realign and construct a new 2-lane urban road. The estimate for this project is based on a unit length estimate for realignment of Longview Trail to connect with the 7 Street intersection on Highway 2A. This section of Longview Trail will be required to be upgraded by the area Developer as a direct development requirement, and is not included in the Levy program.

Project Costs:

Capital Cost: \$3.53 million

Total Developer Built/Financed: \$3.53 million

Total Levied: \$0

Benefitting Area: NW growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (711 acres (287.91ha) if levied.)

PROJECT: T21 Longview Trail (10 Street W to 600m East of Centre Street) – Phase 2A

Project Description:

Upgrade from a 2-lane urban road to a 4-lane urban divided arterial. This is a continuation of Project 19, further upgrading Longview Trail to a divided arterial standard. This section of Longview Trail will be required to be upgraded by the area Developer as a direct development requirement, and is not included in the Levy program.

Project Costs:

Capital Cost: \$2.41 million

Total Developer Built/Financed: \$2.41 million

Total Levied: \$0

Benefitting Area: NW growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (711 acres (287.91ha) if levied.)

PROJECT: T22 Longview Trail (600m E of Centre Street) – Phase 2B

Project Description:

Upgrade from a 2-lane urban road to a 4-lane urban divided arterial. This is a continuation of Project 20, further upgrading Longview Trail to a divided arterial standard. This section of Longview Trail will be required to be upgraded by the area Developer as a direct development requirement, and is not included in the Levy program.

Project Costs:

Capital Cost: \$1.23 million

Total Developer Built/Financed: \$1.23 million

Total Levied: \$0

Benefitting Area: NW growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (711 acres (287.91ha) if levied.)

PROJECT: T23 10 Street W (Longview Trail to Highway 543) – Phase 1

Project Description:

Upgrade to a 2-lane urban road. The estimate for this project is based on a unit length estimate for removal and reconstruction of the road to a 2-lane urban standard. This section of 10 Street W will be required to be upgraded by the area Developer as a direct development requirement, and is not included in the Levy program.

Project Costs:

Capital Cost: \$4.36 million

Total Developer Built/Financed: \$4.36 million

Total Levied: \$0

Benefitting Area: NW growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (711 acres (287.91ha) if levied.)

PROJECT: T24 10 Street W (Longview Trail to Highway 543) – Phase 2

Project Description:

Upgrade from a 2-lane urban road to a 4-lane urban divided arterial. This is a continuation of Project 23, further upgrading Longview Trail to a divided arterial standard. This section of 10 Street W will be required to be upgraded by the area Developer as a direct development requirement, and is not included in the Levy program.

Project Costs:

Capital Cost: \$1.77 million

Total Developer Built/Financed: \$1.77 million

Total Levied: \$0

Benefitting Area: NW growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (711 acres (287.91ha) if levied.)

PROJECT: T25 Centre Street (12 Avenue S to South Town Boundary) – Phase 1

Project Description:

Upgrade to a 2-lane urban road. The estimate for this project is based on a unit length estimate for removal and reconstruction of the road to a 2-lane urban standard. Future twinning of Centre Street would be considered in the event that additional lands are annexed to the south.

Project Costs:

Capital Cost: \$3.95 million

Total Levied in Future: \$3.95 million

Benefitting Area: South growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 589 acres (238.45ha) of growth area once levied.

PROJECT: T26 10 Street E (12 Avenue S to South Town Boundary) – Phase 1

Project Description:

Upgrade to a 2-lane urban road. The estimate for this project is based on a unit length estimate for removal and reconstruction of the road to a 2-lane urban standard. Future twinning of 10 Street E would be considered in the event that additional lands are annexed to the south.

Project Costs:

Capital Cost: \$4.36 million

Total Levied in Future: \$4.36 million

Benefitting Area: South growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 589 acres (238.45ha) of growth area once levied.

PROJECT: T27 18 Street E (12 Avenue S to South Town Boundary)

Project Description:

Construct as 4-lane urban divided arterial. The estimate for this project is based on a unit length estimate for construction of this new industrial arterial. This section of 18 Street E will be required to be constructed by the area Developer as a direct development requirement, and is not included in the Levy program.

Project Costs:

Capital Cost: \$6.14 million

Total Developer Built/Financed: \$6.14 million

Total Levied: \$0

Benefitting Area: South growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (589 acres (238.45ha) if levied.)

PROJECT: T28 Centre Street N (Longview Trail to Highway 543) - Widening

Project Description:

Widen to a 4-lane rural divided arterial. The estimate for this project is based on a unit length estimate for upgrading the existing section of Centre Street (Highway 2A) from a 2-lane rural to a 4-lane rural divided road. Cost sharing based on 70% benefit to growth, 30% to existing development.

Project Costs:

Capital Cost: \$2.84 million

Total Levied Now: \$1.99 million

Cost to Town: \$850,000

Benefitting Area: Entire Town.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: 2,061 acres (834.07ha) of growth area.

PROJECT: T29 24 Street NE

Project Description:

Replacing Highway 2 off-ramp. This project will include extending 24 Street NE north to the north Town Boundary, once the existing Off-Ramp is closed from Highway 2. In future, it is expected that industrial development will extend 24 Street further North, to connect back to 20 Street near 498 Avenue.

Project Costs:

Capital Cost: \$1.71 million

Cost to Town: \$1.71 million

Total Levied: \$0

Benefitting Area: SE Industrial growth area.

Cost and Benefit Allocation Rationale (New and Existing Development):

Upgrade benefits growth of these areas.

Total Gross Developable Acres to be charged for the project: N/A (54 acres (21.66ha) if levied.)

SCHEDULE "C"

**SUMMARY OF ALLOCATED OFF-SITE LEVIES PER GROSS DEVELOPABLE
 HECTARE TO GEOGRAPHIC AREAS**

(Effective **Sept 23**, 2013)

Area	Water	Wastewater	Stormwater	Transportation	Total Rate \$/ha
Inner-NW	\$36,782	\$26,937	\$0	\$66,437	\$130,156
NW	\$36,782	\$30,668	\$0	\$66,437	\$133,887
Inner-NE	\$35,609	\$36,068	\$0	\$74,243	\$145,920
NE	\$35,609	\$30,668	\$0	\$74,243	\$140,520
SE Industrial	Covered by separate agreement (See Schedule "D")				
Inner-S	\$35,609	\$26,396	\$0	\$56,266	\$118,270
S	\$35,860	\$26,396	\$0	\$56,266	\$118,522

SCHEDULE "D"

OFF-SITE LEVY AND DENSITY ASSESSMENT AGREEMENT

**OFFSITE LEVY AND DENSITY ASSESSMENT AGREEMENT
FOR AREAS J, J1 AND J2 AS PER BYLAW 4169/2007
(EASTERN LANDS)**

TOWN OF HIGH RIVER a Municipal Corporation
at 309B Macleod Trail SW, High River, Alberta T1V 1Z5
(hereinafter referred to as "the Town"),

OF THE FIRST PART

AND

CANADA FINANCE CORPORATION LIMITED
at 417, 5920 - 1A Street S.W., Calgary, Alberta T2H 0G3
(hereinafter referred to as "the Developer")

OF THE SECOND PART

Given the 30 years which have passed since the initial development of the "eastern lands", being those lands as identified in Schedule "A" to this agreement and referenced as Areas J, J1 and J2 in Offsite Levy Bylaw 4169/2007, and given the numerous changes and improvements agreed to between the Town and the Developer which were paid for by the Developer; and

Given the costs of infrastructure collected by the Town in the form of offsite levies to date relative to the "eastern lands" and given the Town's desire to collect costs associated with water and sewer treatment as per Offsite Levy Bylaw 4169/2007; and

Given Section 8 of Offsite Levy Bylaw 4169/2007 which stipulates that a separate agreement will be entered into with respect to offsite levies on the "eastern lands";

Now therefore in respect of the above, the Town and the Developer agree to the Offsite Levy and Density Assessments as follows:

...2

**OFFSITE LEVY AND DENSITY ASSESSMENT AGREEMENT
FOR AREAS J, J1 AND J2 AS PER BYLAW 4169/2007 (EASTERN LANDS)
TOWN OF HIGH RIVER/CANADA FINANCE CORPORATION LIMITED
PAGE TWO:**

Cost of O.S.L. on Total Area				4,200,000
AREA 1: Lot 14, Block 5, Plan 0614027	11,393.00	x	4.72 acres	53,775
	45	units x	2,500.00	112,500
				<u>166,275</u>
AREA 2: Lot 16, Block 5, Plan 0614775; Lot 6, Block 4, Plan 0611354; Lot 3, Block 13, Plan 0113148 and Lots 5, 8, 9 & 10, Block 3, Plan 8010227	11,393.00	x	21.91 acres	249,621
	454.00	units x	2500	1,135,000
				<u>1,384,621</u>
Collected O.S.L. on Previous Sales	11,393.00	x	35.72 acres	418,304
Total O.S.L. Density Paid or Payable				<u>1,969,200</u>
Balance Outstanding				2,230,800
<u>Unsold Land 55 Acres</u>				
O.S.L. Paid on Unsold Land	11,393.00	x	55 acres	626,615
Balance Unpaid	29,167.00	per acre		1,604,185
			TOTAL	4,200,000

Summary of Offsite Levies to be collected by Town of High River:

AREA 1 - to Pay	166,275
AREA 2 - to Pay	1,135,000
AREA 3 (55 Acres) - to Pay (at \$29,167/acre)	1,604,185

TOTAL TO PAY 2,905,460

Notes:

1. Areas 1, 2 and 3 are illustrated in Schedule "A" being part of this agreement
2. Charges are based on "2007 Infrastructure & Off-Site Levy Discussion Paper" prepared by BSEI which is a schedule to Bylaw 4169/2007 and which is also included here as Schedule "B", being part of this agreement

TOWN OF HIGH RIVER

CANADA FINANCE CORPORATION LIMITED

Mayor/Deputy Mayor

Date

James R. Wells

Town Manager/Director of Corporate Services

Date

Date

October 18, 2007

SCHEDULE "A"

*Offsite Levy and Density Assessment Agreement
Town of High River/Canada
Finance Corporation Ltd.*

