

Major Recreation Facility Funding

Date of Approval by Council: 01/29/91; 06/03/97; 02/06/07 Resolution No. 74/91; 335/97; 72/2007

Lead Role: Chief Commissioner Replaces: N/A

Last Review Date: February 6, 2007 Next Review Date: 02/2010

Administrative Responsibility: Planning & Development Services

Policy Statement

This policy establishes a process for the payment of a major recreation facility contribution. All lands within Strathcona County benefit from new major recreation facilities within Sherwood Park, and the new major recreation facilities will be a benefit to the new urban residential areas and the new rural residential areas of Strathcona County.

The major recreation facility fund is an interest bearing fund to be administered by the County and be utilized only for the construction of benefiting facilities.

A. DEFINITIONS:

In this policy:

“Benefiting Area” shall mean Strathcona County in its entirety.

“Benefiting Facility” shall mean those major recreation facilities listed in the County’s Business Plan, or facilities of a similar type.

“Council” shall mean the Council of Strathcona County.

“County” shall mean Strathcona County.

“Residential Unit” shall mean a self-contained living premises with a private entrance from outside the building or from a common hall, lobby, or stairway inside or outside the building and includes single family residential units, multi-family units and apartment units, but does not include a motel, hotel, boarding house, hospital, assisted living unit in any of these excluded categories.

B. PROCEDURE:

Where an application is made to the County for development or subdivision for residential lands where a Development Agreement is required, the applicant or owner, as the case may be, shall enter into a development agreement with the County which will include provisions regarding the contribution of the major recreation facility fund.

The amount which shall be paid by the Developer to the County for new major recreation facilities, shall be an amount equal to EIGHT HUNDRED AND TWENTY-FIVE (\$825.00) DOLLARS for each allowable residential dwelling unit which can be constructed within the Development Area.

The County shall have the right, for purposes of each calendar year, to amend this policy and adjust or change the amount payable for each allowable residential dwelling unit; PROVIDED, that any such adjustment or change shall be of general application within the County.

C. PAYMENT:

Pursuant to the Development Agreement the Developer shall pay its proportionate share of the new major recreation facilities, subject to adjustment in instalments as listed below:

- (a) on January 30th following the execution of the Development Agreement, the County will issue to the Developer an invoice for an amount equal to EIGHT HUNDRED AND TWENTY-FIVE (\$825.00) DOLLARS for each residential dwelling unit within the Development Area for which a development permit has been issued in the preceding TWELVE (12) months;
- (b) on January 30th in the second year following the execution of the Development Agreement, the County will issue to the Developer an invoice for an amount equal to EIGHT HUNDRED AND TWENTY-FIVE (\$825.00) DOLLARS for each residential dwelling unit within the Development Area for which a development permit has been issued subsequent to the invoice issued pursuant to clause (a);
- (b) on January 30th in the third year following the execution of the Development Agreement, the County will issue to the Developer an invoice for an amount equal to EIGHT HUNDRED AND TWENTY-FIVE (\$825.00) DOLLARS for each allowable residential dwelling unit within the Development Area less the amounts invoiced pursuant to clauses (a) and (b);
- (d) the Developer will, within THIRTY (30) days of the issuance of an invoice pursuant to clauses (a), (b) and (c), pay to the County the amount specified in the particular invoice.

D. CALCULATION OF DWELLING UNITS:

For purposes of calculating the allowable number of residential dwelling units and calculating the amounts of the Developer's proportionate share of the costs of the new major recreation facilities, the following provisions shall govern:

- (a) the allowable number of residential dwelling units shall be calculated on the basis of the allowable maximum residential densities under the County's Land Use Bylaw;
- (b) for vacant multiple family sites the allowable number of residential dwelling units for the particular site shall be calculated on the basis of the maximum allowable density under the County's Land Use Bylaw for the district designation of the particular site at the time of invoicing for the particular site;
- (c) in the event that a multiple family site, or portion thereof, has been developed for residential purposes at the time of invoicing for the particular site, the allowable number of residential dwelling units for the particular site, or portion thereof, shall be calculated on the basis of the actual number of residential dwelling units within the particular site or portion thereof;
- (d) in the event that the Developer has made payment for a vacant multiple family site, and in the further event that the particular site, or portion thereof, is developed for residential purposes (with actual construction of the dwelling units being substantially completed) within FIVE (5) years of the effective date of the Agreement, then the payment for the particular site shall be adjusted to reflect the actual number of residential dwelling units within the particular site or portion thereof;
- (e) in the event that the Developer has made payment for a vacant multiple family site, and in the further event that the particular site, or portion thereof, is re-districted, within FIVE (5) years of the date of the Agreement, to a new district designation under the County's Land Use By-law which has a higher permissible density, then the payment for the particular site, or portion thereof, shall be adjusted to reflect the new allowable number of residential dwelling units for the particular site or portion thereof;

- (f) in the event that TWO (2) or more single family sites are consolidated and redistricted to a multiple family site within FIVE (5) years of the date of the Agreement, then the provisions of clause (b) shall apply;
- (g) in the event that any lands within the Development Area which are not designated for residential use are redistricted under the County's Land Use Bylaw, within FIVE (5) years of the date of the Agreement, to a residential district, then those lands shall be subject to the provisions of the Agreement relating to the payment by the Developer of the Developer's proportionate share of the new major recreation facilities;
- (h) in the event that a payment adjustment is required pursuant to clause (d), then the County shall pay to the Developer, or the Developer shall pay to the County, as the case may be, the amount of the payment adjustment within THIRTY (30) days of the first occupancy of a residential dwelling unit within the particular site or portion thereof;
- (i) in the event that a payment adjustment is required pursuant to clause (e), then the Developer shall make the additional payment to the County within THIRTY (30) days of the third reading of the redistricting bylaw the particular site or portion thereof;
- (j) in the event that any lands within the Development Area are redistricted as contemplated in clause (g), then the Developer shall pay to the County, within THIRTY (30) days of third reading of the redistricting bylaw, an amount equal to EIGHT HUNDRED AND TWENTY-FIVE (\$825.00) DOLLARS for each additional allowable residential dwelling unit within the lands which are redistricted;