

Town of Mayerthorpe

Policy Manual
Section: Planning & Development
Policy: X-001

TITLE: Infrastructure Payment & Security Program
POLICY NO.: X-001
APPROVAL: Council
EFFECTIVE DATE: May 27, 2013
AMENDED DATE: January 25, 2016
REVIEW DATE: May 21, 2013
January 18, 2016
March 20, 2017
SUPERSEDES POLICY NO.:

POLICY STATEMENT: Town of Mayerthorpe desires to facilitate development within the Town in a manner that reduces costs to the developer while maintaining the “Developer Pays” principle.

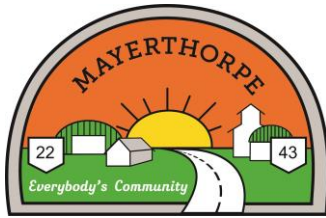
PURPOSE: To provide a framework for the deferral of costs related to the provision of municipal infrastructure as part of the subdivision and development process.

This policy is based upon the following principles:

- 1) Ratepayers within the Town of Mayerthorpe will not bear direct costs associated with the extension of infrastructure (roads, water, sewer, and storm water works) as part of the subdivision and development process,
- 2) The Town may defer certain costs to be paid by the Developer in accordance with an agreement entered into between the Developer and the Town through the use of certain legislative tools such as local improvement taxes, and
- 3) The Town may reduce costs associated with the subdivision and development process where the reduction will not adversely impact existing infrastructure, residents and ratepayers.

Policy Details: Local Improvement

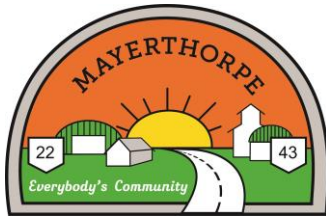
- 1) The appropriate type of infrastructure (i.e., road construction and road surfacing, water, waste water and storm sewer) required to service a development shall be determined by the Town of Mayerthorpe.
- 2) The amount of funds allocated towards an infrastructure project shall be determined on a percentage basis between the developer and future landowners.



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- 3) The Town of Mayerthorpe shall classify costs in the following categories:
 - a) amount owed by the Developer at the commencement of the development with the funds to be described through a development agreement pursuant to Section 650 or Section 655 of the Municipal Government Act, R.S.A., 2000, as amended, and
 - b) amount to be assumed by future landowners and collected pursuant to an improvement tax in accordance with Section 391 of the Municipal Government Act, R.S.A., 2000 and an agreement pursuant to this policy.
- 4) The cost of servicing of all infrastructure described in (1) above and as applicable in (2) shall be determined by the Town of Mayerthorpe, then adjusted through predicted inflation throughout the term of an agreement pursuant to this policy.
- 5) The Term of the agreement may be no more than twenty (20) years.
- 6) Where infrastructure funding is to be acquired by the Municipality from the Developer and/or future landowners, the funding shall only be used in accordance with the agreement.
- 7) Infrastructure construction should take place when one or more of the following conditions exist:
 - a) The levy for all applicable properties has been paid in full, or
 - b) 75% of all privately owned properties subject to the agreement have been developed.
- 8) Requests related to infrastructure improvements outside of what is described in (7) shall be determined by Council on their merits.
- 9) Where the amount of funds collected through an agreement pursuant to this policy is less than the cost of the required work, Council may consider a further special local improvement tax against the lands in order to pay for the additional amount. Said tax would be subject to the normal legislative process and would be outside of this agreement.
- 10) Within the first five years of an agreement pursuant to this policy the developer may apply to Council for a deferral of special local improvement taxes owed on one or more undeveloped properties owned by the developer, provided the



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developer enters into an agreement to have 100% of the outstanding taxes paid as part of the sale from the developer to a third party, when that sale occurs.

- 11) An extension to the time limit stated in condition (10) above may be considered upon written request for lands which are solely owned by the Developer and where less than 50% of the residential properties within the subdivision have an approved and occupied dwelling. Lands which are under a rent-to-own agreement from the developer are not applicable for this provision.
- 12) Land owned by the Town of Mayerthorpe are exempt from payments under this policy. Where the Town of Mayerthorpe has assumed ownership of a property through a tax recovery process the remaining amount of the levy shall be paid in full as part of the future sale of the property.
- 13) Where land is to be sold to a public organization or other level of government, the outstanding amount of a levy pursuant to this agreement must be paid in full to the Town as a condition of the sale from the Developer to the third party.
- 14) Funds paid to the Town of Mayerthorpe pursuant to an agreement under this policy are non-refundable.
- 15) Where an agreement pursuant to this policy is entered into by the Developer and the Town of Mayerthorpe, the Town shall attach the agreement to each applicable certificate of title, and may also register a caveat describing the amounts to be paid to the Town as a condition of any sale or transfer of title.
- 16) When an improvement levy becomes part of the agreement between the Town of Mayerthorpe and the Developer, the Developer shall not sell any property until the local improvement levy has been signed into bylaw and registered against all applicable certificates of title.

End Policy.