

BYLAW NO. 1220/16

A BYLAW OF LACOMBE COUNTY, IN THE PROVINCE OF ALBERTA, TO ADOPT AN OFF-SITE LEVY FOR LAND THAT IS TO BE SUBDIVIDED OR DEVELOPED WITHIN THE ASPELUND AREA DEVELOPMENT NODE

WHEREAS pursuant to the provisions of Section 648 of the Municipal Government Act, Lacombe County Council may by bylaw provide for the imposition of an Off-Site Levy to recover the cost of providing municipal water and wastewater services and upgrades to the Aspelund Road to the development area identified in the *Offsite Levies Bylaw Update for Joint Economic Area West of Blackfalds* carried out by Stantec dated February 26, 2016, and Lacombe County Council wishes to enact this Bylaw for that purpose;

AND WHEREAS Lacombe County has consulted with landowners and developers affected by the levies hereby imposed;

AND WHEREAS notice was given of Council's intention to adopt the Off-Site Levy Bylaw in the following local newspapers:

County News	May 20, 2016
Red Deer Express	June 1, 2016 and June 8, 2016
Lacombe Globe	May 26, 2016 and June 2, 2016
Blackfalds Life	May 26, 2016 and June 2, 2016

AND WHEREAS a public hearing was held on June 9, 2016 pursuant to Section 606 of the Municipal Government Act to allow the general public and landowners and developers to comment and make submissions in regard to the proposed Bylaw;

NOW THEREFORE Lacombe County Council, duly assembled, pursuant to the Municipal Government Act, RSA 2000, c. M-26-1, as amended, hereby enacts as follows:

1. This Bylaw may be referred to as the Aspelund Off-Site Levy Bylaw.
2. In this Bylaw, the following words and terms shall have the following meanings:
 - a. "Council" means the duly elected Council of Lacombe County;
 - b. "County" means Lacombe County;
 - c. "Development Area" means those lands within the Aspelund Area Development Node which is identified in Schedule "A" attached hereto and forming part of this Bylaw.
3. An Offsite Levy in the amount of \$95,000 per hectare is hereby imposed upon all lands within the Development Area to be developed or subdivided and for which no Off-Site Levy has been previously collected. Where the land to be subdivided or developed will be greater or lesser than a hectare, the Off-Site Levy shall be calculated proportionately based upon per hectare levy identified herein. Agricultural, residential and home based businesses, as defined by the Land Use Bylaw, will be exempt from this Bylaw at Lacombe County Council's discretion.
4. The levy hereby imposed shall be in addition to any fees or charges payable related to the subdivision or development of land, and shall be paid to the County upon approval of a subdivision, or the approval of a development permit application, as the case may be.
5. Where a request is made to connect to the municipal water and wastewater services for exempted uses detailed in section 3, and the water and wastewater services are adjacent and/or immediately available to those lands, the levy will be imposed at the discretion of Lacombe County.
6. The Council of Lacombe County may, in its sole discretion, waive or defer or otherwise deal with any portion of the levies or charges required to be paid pursuant to this Bylaw, including, without restricting the generality of the foregoing, where the County has entered into an agreement with the developer or owner of the lands within the Development Area to construct a portion of the infrastructure which would otherwise form part of the costs which would be subject to the Offsite Levies hereby imposed.

7. The preamble and schedules to this Bylaw are incorporated into and form part of this Bylaw.
8. The County Commissioner, or his or her designate shall review this Bylaw, every three years or other time frame as deemed necessary, and report to Council so that the levies provided for hereby, and the information utilized to calculate those levies, is kept current.
9. This Bylaw shall come into full force and effect on the third and final reading hereof, and signature by the Reeve and County Commissioner.
10. Bylaw No. 1178/13 is hereby repealed.

This Bylaw shall come into effect upon final passage thereof.

INTRODUCED AND GIVEN FIRST READING this 12th day of May, 2016.

GIVEN SECOND READING this 9th day of June, 2016

GIVEN THIRD AND FINAL READING this 9th day of June, 2016

Paula Law
Reeve

Terry Hager
County Commissioner



Table 3.0 - Summary of Off-Site Levies Update
Lacombe County - Joint Economic Area West of Blackhalds
 113929427
 February 26, 2016



Costs to Date	\$ 9,313,649
Levies Recovered to Date	\$ 9,537,836
Current Balance	\$ 224,187

Period	Off-Site Levies Rates
2014 - 2015	\$ 80,000
2016 +	\$ 95,000

Infrastructure Item	Ongoing and Completed Developments										Future Developments										Total
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R			
Gross Area (Hq)	64	64	40	64	59	64	64	64	64	64	64	64	64	64	64	64	64	64	64	611	
Developable Area (as per the Original Report)(Hq)	40	32	17	38	30	19	45	51	51	51	51	51	51	51	51	51	51	51	51	374	
Historical Costs, By Location																					
Town of Blackhalds Water and Wastewater Connections	\$ 392,200	\$ 140,250	\$ 158,950	\$ 355,300																\$ 1,047,200	
QEI Highway Water and Wastewater Crossings	\$ 694,529	\$ -	\$ -	\$ -																\$ 694,529	
Lift Station	\$ 2,057,789	\$ -	\$ -	\$ -																\$ 2,057,789	
Water Trunks	\$ 694,276	\$ 282,041	\$ 347,738	\$ 406,505																\$ 1,730,560	
Wastewater Trunks	\$ 833,931	\$ 561,696	\$ 627,115	\$ 438,359																\$ 1,896,099	
General/Misc. Site Work	\$ 680,000	\$ 24,285	\$ 67,830	\$ 50,692																\$ 793,308	
Professional Services	\$ 799,272	\$ 100,877	\$ 68,830	\$ 125,086																\$ 1,094,165	
Total Historical Costs	\$ 6,122,516	\$ 1,109,649	\$ 705,483	\$ 1,375,941																\$ 9,313,649	
Projected Future Costs, By Location																					
Town of Blackhalds Water and Wastewater Connections	\$ -	\$ 233,750	\$ -	\$ -	\$ 280,500	\$ 177,650	\$ 420,750	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 2,543,200	
Booster Station and Reservoir	\$ -	\$ -	\$ -	\$ -			\$ 6,875,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,875,000	
Future QEI Water Crossing for Looping	\$ 377,500	\$ -	\$ -	\$ -	\$ 321,500	\$ 404,250	\$ 461,250	\$ 489,125	\$ 404,250	\$ 407,250	\$ 407,250	\$ 407,250	\$ 407,250	\$ 407,250	\$ 407,250	\$ 407,250	\$ 407,250	\$ 407,250	\$ 407,250	\$ 2,811,250	
Water Trunks	\$ -	\$ 323,625	\$ -	\$ -	\$ 369,740	\$ 253,330	\$ 766,980	\$ 244,200	\$ 244,200	\$ 192,960	\$ 198,920	\$ 198,920	\$ 198,920	\$ 198,920	\$ 198,920	\$ 198,920	\$ 198,920	\$ 198,920	\$ 198,920	\$ 2,376,560	
Wastewater Trunks	\$ -	\$ 830,430	\$ -	\$ -	\$ 644,175	\$ -	\$ 585,000	\$ 585,000	\$ 585,000	\$ 585,000	\$ 585,000	\$ 585,000	\$ 585,000	\$ 585,000	\$ 585,000	\$ 585,000	\$ 585,000	\$ 585,000	\$ 585,000	\$ 3,628,350	
Asphalt Road Twining (Three Intersections)*	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,584,733	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,584,733	
Cost of Financing (Debt/Lease for Booster Station and Reservoir)	\$ -	\$ -	\$ -	\$ -	\$ 207,372	\$ -	\$ 197,274	\$ 2,456,449	\$ 395,498	\$ 354,663	\$ 357,351	\$ 357,351	\$ 357,351	\$ 357,351	\$ 357,351	\$ 357,351	\$ 357,351	\$ 357,351	\$ 357,351	\$ 4,820,598	
Professional Services & Contingency (50% Construction)	\$ 113,250	\$ 545,469	\$ -	\$ -	\$ 192,233	\$ 1,179,112	\$ 1,032,504	\$ 13,650,182	\$ 2,190,673	\$ 2,013,723	\$ 2,013,723	\$ 2,013,723	\$ 2,013,723	\$ 2,013,723	\$ 2,013,723	\$ 2,013,723	\$ 2,013,723	\$ 2,013,723	\$ 2,013,723	\$ 26,017,191	
Total Projected Future Costs	\$ 490,750	\$ 2,597,449	\$ -	\$ -	\$ 280,500	\$ 1,776,650	\$ 6,875,000	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 476,850	\$ 26,017,191	
Summary																					
Total Historical and Future Costs (\$)	\$ (6,613,346)	\$ (3,707,098)	\$ (705,483)	\$ (2,213,368)	\$ (1,179,112)	\$ (1,032,504)	\$ (13,650,182)	\$ (2,190,673)	\$ (2,013,723)	\$ (2,013,723)	\$ (2,013,723)	\$ (2,013,723)	\$ (2,013,723)	\$ (2,013,723)	\$ (2,013,723)	\$ (2,013,723)	\$ (2,013,723)	\$ (2,013,723)	\$ (2,013,723)	\$ (35,330,840)	
Completed Development Area (Hq)	42	15	17	38	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	112	
Future Development Area (Hq)	0	25	0	0	30	19	45	51	51	51	51	51	51	51	51	51	51	51	51	272	
General Levies Received to Date (2014 - 2015, \$80,000/Hq)	\$ 3,360,000	\$ 1,200,000	\$ 1,360,000	\$ 3,040,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,960,000	
Asphalt Road Twining Levies Received to Date	\$ 216,689	\$ 77,289	\$ 87,707	\$ 194,052	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 577,836	
Future Levies (2016 +, \$95,500)	\$ -	\$ 2,373,000	\$ -	\$ -	\$ 2,850,000	\$ 1,805,000	\$ 4,225,000	\$ 4,845,000	\$ 4,845,000	\$ 4,845,000	\$ 4,845,000	\$ 4,845,000	\$ 4,845,000	\$ 4,845,000	\$ 4,845,000	\$ 4,845,000	\$ 4,845,000	\$ 4,845,000	\$ 4,845,000	\$ 25,840,000	
Net Projected Recovery	\$ (3,036,658)	\$ (54,709)	\$ 742,244	\$ 1,022,683	\$ 1,670,888	\$ 772,493	\$ (9,375,182)	\$ 2,654,328	\$ 2,831,277	\$ 2,831,277	\$ 2,831,277	\$ 2,831,277	\$ 2,831,277	\$ 2,831,277	\$ 2,831,277	\$ 2,831,277	\$ 2,831,277	\$ 2,831,277	\$ 2,831,277	\$ 46,998	

*Note - amounts shown reflect 10% Lacombe County benefit and contribution