

BYLAW NO. 1253/17

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 JOINT ECONOMIC DEVELOPMENT AREA WEST OF THE QE2 HIGHWAY

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 facilities, stormwater facilities and improvements to the road infrastructure in the Lacombe Joint Economic Development Area West of the QE2 Highway identified in the *Lacombe Intermunicipal Development Plan - 2017 Servicing Study and the Road Offsite Levy Calculation Joint Economic Development West Highway QE2 and Highway 12* 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:

Lacombe Globe	January 11 th , 2018 and January 18 th , 2018
Lacombe County News	December 22 nd , 2017

AND WHEREAS a public hearing was held on January 25th, 2018 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 Lacombe Joint Economic Area West of the QE2 Highway 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 Lacombe Joint Economic Area West of the QE2 Highway which is identified in Schedule "A" attached hereto and forming part of this Bylaw.
3. An Offsite Levy in the amount of \$83,517 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 for the water and wastewater services outlined in the attached Schedule "B".
4. An Offsite Levy in the amount of \$12,708 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 for the stormwater management services outlined in the attached Schedule "B".

5. An Offsite Levy in the amount of \$23,975 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 for road infrastructure upgrades outlined in the attached Schedule "B".
6. Where the land to be subdivided or developed is a partial hectare, the Off-Site Levy shall be calculated proportionately based upon the per hectare levy identified herein.
7. Where prior to this Bylaw coming into effect Council has approved a Deferred Service Agreement with a developer or owner of land within the Development Area, the amount owing pursuant to the Deferred Service Agreement shall be calculated based upon the sum of \$83,517 for water and wastewater services and \$12,708 for stormwater services per hectare of land, or proportion thereof, unless the Deferred Service Agreement provides to the contrary. Where the land subject to a Deferred Service Agreement is a partial hectare, the cost shall be calculated proportionately based upon the per hectare rate identified herein.
8. 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 Off-Site Levies hereby imposed.
9. The preamble and schedules to this Bylaw are incorporated into and form part of this Bylaw.
10. The County Manager, or his or her designate shall review this Bylaw and report to Council annually so that the levies provided for hereby, and the information utilized to calculate those levies, is kept current.
11. This Bylaw shall come into full force and effect on the third and final reading hereof, and signature by the Reeve and County Manager.

This Bylaw shall come into effect upon final passage thereof.

INTRODUCED AND GIVEN FIRST READING this 14th day of December, 2017

GIVEN SECOND READING this 25th day of January, 2018

GIVEN THIRD AND FINAL READING this 25th day of January, 2018

Paula Law
Reeve

Tim Timmons
County Manager