

**TOWN OF SLAVE LAKE  
BYLAW No. 29- 2016**

**A BYLAW OF THE TOWN OF SLAVE LAKE, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING AN OFF-SITE LEVY FOR LAND THAT IS TO BE SUBDIVIDED OR DEVELOPED WITHIN THE TOWN OF SLAVE LAKE.**

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**WHEREAS** the *Municipal Government Act*, RSA 2000, c. M-26, as amended or repealed and replaced from time to time, permits a Council to impose a levy known as an Off-Site Levy in respect of land to be developed or subdivided within a municipality's limits, and to authorize an Agreement to be entered into for payment of the levy;

**AND WHEREAS** the Municipality has engaged in consultation with representatives of the development industry to address and define existing and future infrastructure requirements of the Municipality with respect to circumstances of the Municipality and the benefits of development;

**AND WHEREAS** the Municipality received advice and a Report respecting upgrades to Off-Site Infrastructure which set out a fair and equitable calculation of Off-Site Levies in accordance with the purpose of the *Municipal Government Act*, RSA 2000, c. M-26, as amended or repealed and replaced from time to time;

**AND WHEREAS** Council has advertised its intention to consider the provision of this Bylaw pursuant to the requirements of the *Municipal Government Act*, RSA 2000, c. M-26, as amended or repealed and replaced from time to time;

**NOW THEREFORE** the Council of the Municipality in the Province of Alberta, duly assembled, hereby enacts as follows:

**1. Bylaw Title**

1.1 This bylaw shall be cited as the Town of Slave Lake's "Off-Site Levy Bylaw."

**2. Definitions**

2.1 The following terms shall have the following meanings in this Bylaw:

- a) **"Bylaw"** means this off-site levy bylaw established by the Municipality;
- b) **"Chief Administrative Officer"** means the Chief Administrative Officer for the Town of Slave Lake, regardless of the specific title that may be conferred on that Officer by Council from time to time;
- c) **"Council"** means the Council for the Town of Slave Lake;
- d) **"Developable Land"** shall mean all land contained within the Development Region;

- i. upon which Development takes place after the date of passing of this Bylaw; or
- ii. for which Subdivision approval is obtained after the date of passing of this Bylaw;

excluding all Developed Land.

- e) **“Developed Land”** shall mean land that has been subject to Development or a Subdivision prior to the date of passing of this Bylaw, and in respect of which off-site levies for the same infrastructure have been paid.
- f) **“Development”** means “development” as defined in the *Municipal Government Act*, R.S.A. 2000, c. M-26, s. 616, as amended or repealed and replaced from time to time.
- g) **“Development Agreement”** means “development agreement” as referred to in the *Municipal Government Act*, R.S.A. 2000, c. M-26, ss. 650 and 655, as amended or repealed and replaced from time to time.
- h) **“Development Region”** includes the area of land within the municipal boundaries of the Municipality identified in Schedule “B”, attached;
- i) **“Growth”** shall mean:
  - i. the creation of new lots through Subdivision; and
  - ii. the occurrence of Development.
- j) **“Municipality”** means the Town of Slave Lake.
- k) **“Off-Site Infrastructure”** shall mean those components and projects referred to in the Reports, in relation to water supply facilities and infrastructure, wastewater facilities and infrastructure, and storm water infrastructure;
- l) **“Off-Site Levy”** means the off-site levy imposed pursuant to this Bylaw under the authority of the *Municipal Government Act*, RSA 2000, c. M-26, as amended or repealed and replaced from time to time;
- m) **“Report”** means the “2016 Off-Site Levies Review” prepared by Associated Engineering, dated November 2016, attached hereto as Schedule “C”;
- n) **“Subdivision”** means “subdivision” as defined in the *Municipal Government Act*, R.S.A. 2000, c. M-26, s. 616, as amended or repealed and replaced from time to time.

### 3. **Imposition of Levy**

- 3.1 There is hereby imposed a levy which shall be known as an Off-Site Levy in respect of all Developable Land.
- 3.2 The amount of the Off-Site Levy imposed is as calculated in Schedule “A”.

- 3.3 The Off-Site Levy is comprised of the Off-Site Infrastructure, and pursuant to the calculation details contained in this Bylaw and the Report.
- 3.4 The Off-Site Levy will be assessed on all Developable Land within the Development Region on a per hectare basis as provided in Schedule "A" of this Bylaw, excluding those portions of Developable Land that are designated pursuant to a Subdivision as:
- a) Environmental Reserve;
  - b) Municipal Reserve; and
  - c) Undevelopable lands.
- 3.5 Unless otherwise agreed upon, the Off-Site Levy is due and payable prior to the endorsement of Subdivision approval for the Developable Land or the issuance of a Development permit in relation to the Developable Land.
- 4. Objects, Principles and Criteria**
- 4.1 The objects, principles and criteria of the Off-Site Levy shall be in accordance with the following:
- a) This Bylaw creates an Off-Site Levy to provide funds for the construction of Off-Site Infrastructure required for Growth.
  - b) Development in new growth areas through Off-Site Levies will provide the capital that will fund the infrastructure required for Growth. Those who benefit from the infrastructure, which is defined by all Developable Land in the Development Region, should share proportionally, on a per hectare basis, in related costs.
  - c) Provision of Off-Site Infrastructure by developers of Developable Land will not create an advantage or penalty due to the time or location of development.
  - d) Off-Site Infrastructure will be provided to maintain sustainable, cost effective and orderly Growth.
  - e) The calculation of the Off-Site Levy should be an open and transparent process.
  - f) All funds collected from the Off-Site Levy will be credited to a separate and distinct, identifiable Off-Site Levy account, which may be invested as per the Municipality's Investment Policy until used for the construction of the specified Off-Site Infrastructure. The management of the Off-Site Levy account should be an audited process, with reports available to the public and industry.
  - g) The Off-Site Levy will help allow the Municipality to recover the cost of infrastructure required for Growth:
    - i. Using financing strategies that remain sustainable;
    - ii. Facilitating development by reducing risk on early developers and ensuring future developers share the costs of the facilities from which they benefit; and

- iii. Promoting cost effective and orderly development;
- h) The Off-Site Levy will help promote orderly development by:
  - i. Providing Off-Site Infrastructure, once the appropriate planning is in place, and when warranted in development; and
  - ii. Providing infrastructure for contiguous development;
- i) The Off-Site Levy will help create a transparent process by:
  - i. Providing opportunity for affected landowners and developers input into the levy, its definition and administration;
  - ii. Conforming with the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replace from time to time; and
  - iii. Providing reports on the Off-Site Levy;
- j) The Off-Site Levy will help create a clear process for calculation of the rate, levies and credits by:
  - i. Creating consistent and predictable levies and credits;
  - ii. Creating predictable and stable levies over time; and
  - iii. Documenting a process for establishing the levy rate.

## 5. Development Agreements

- 5.1 The entering into of a Development Agreement with respect to, amongst other things, the collection of an Off-Site Levy is hereby authorized.
- 5.2 Council delegates the authority to enforce and administer this Bylaw, including, but not limited to, the authority to enter into Development Agreements on behalf of the Municipality and to defer or waive collection of the Off-Site Levy imposed pursuant to this Bylaw, to the Chief Administrative Officer.
- 5.3 Council may from time to time adopt policies or guidelines for the assistance and direction of the Chief Administrative Officer in determining which Development and Subdivision applications shall require a Development Agreement or where to defer or waive collection of the Off-Site Levy imposed pursuant to this Bylaw.
- 5.4 Where it is determined that a Development Agreement is appropriate for any application for Development or Subdivision, the applicant or the owner, as the case may be, shall enter into a Development Agreement with the Municipality and such Development Agreement shall ensure that:
  - a) provision be made for the payment of the Off-Site Levy as specified in this Bylaw, or that provision may be made for the deferring of payment of the Off-Site Levies to a future time certain or uncertain, including the requirement for security for the payment of such deferred payment of any Off-Site Levy; and

- b) no further the Off-Site Levy for each type of Off-Site Infrastructure shall be required to be paid under Development Agreements for lands, which are the subject of the Development or Subdivision application, that have been previously imposed Off-Site Levies and which have been collected in full.

**6. Accounting**

6.1 All funds collected pursuant to this Bylaw shall be accounted for in a special fund and expended only as permitted under the provisions of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replace from time to time.

**7. General**

7.1 Nothing in this Bylaw precludes the Municipality from:

- a) imposing further or different levies, duly enacted by bylaw, on any portion of the Developable Lands in respect of which the Municipality has not collected Off-Site Levies;
- b) deferring collection of the Off-Site Levy for the stated objects of this Bylaw, on any portion of Developable Lands in respect of which the Municipality imposed Off-Site Levies, including requiring security for payment of such deferred Off-Site levies; or
- c) reducing or forgiving payment of the Off-Site Levies required pursuant to this Bylaw, or otherwise providing for credits for other Off-Site Infrastructure constructed by a developer in calculating and/or collecting the Off-Site Levies that become payable pursuant to this Bylaw.


7.2 Schedules "A" and "B" to this Bylaw may be amended from time to time by resolution of Council.

7.3 This Bylaw shall repeal Bylaw #05-2010 and all amendments thereto upon the passing of this Bylaw.

7.4 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.


7.5 This Bylaw shall take effect and come into force effective after final reading and signature thereof by the Chief Elected Official and Chief Administrative Officer, or their authorized delegates.

**FIRST READING** passed in open Council duly assembled in the Municipality, in the Province of Alberta, this 10 day of, January A.D. 2017

  
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 MAYOR


  
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 CHIEF ADMINISTRATIVE OFFICER

**SECOND READING** passed in open Council duly assembled in the Municipality, in the Province of Alberta, this 07 day of, February A.D. 2017

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

**THIRD AND FINAL READING** passed in open Council duly assembled in the Municipality, the Province of Alberta, this 07 day of, February A.D. 2017.

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

### SCHEDULE "A" OFF-SITE LEVY RATES

Table 7-1: Off-Site Levy Charges Summary  
2016 Update

INFRASTRUCTURE COMPONENTS (Item No.)	ESTIMATED COST (\$'000 \$)	Proposed Unimproved and Developed Areas		DEVELOPMENT AREA						TOTAL	
		Base Area (sq ft)	Growth	NORTH	WEST	CENTRAL	NET DEVELOPABLE AREA (sq ft)				SOUTH WEST
							EAST 1	SOUTH EAST	SOUTH CENTRAL		
UNDEVELOPED PORTION OF NET DEVELOPABLE AREA (sq ft)											
		44.7	71.2	8.8	8.8	71.6	84.6	20.8	20.8	83.2	83.2
CALCULATED GROWTHING AREA CHANGE											
		1,647,800	1,488,300	1,050	1,050	3,000	3,050	3,050	3,050	3,050	3,050
		124,800	124,800	2,310	2,310	2,310	2,310	2,310	2,310	2,310	2,310
		1,488,300	1,363,500	2,660	2,660	2,660	2,660	2,660	2,660	2,660	2,660
		734,700	622,700	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300
		443,400	368,400	820	820	820	820	820	820	820	820
		844,700	644,000	1,110	1,110	1,110	1,110	1,110	1,110	1,110	1,110
		1,738,000	1,600,500	3,290	3,290	3,290	3,290	3,290	3,290	3,290	3,290
		788,000	711,000	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
		378,000	378,000	4,800	4,800	4,800	4,800	4,800	4,800	4,800	4,800
		87,600	1,051,000	5,780	5,780	5,780	5,780	5,780	5,780	5,780	5,780
FUTURE WASTEWATER TREATMENT (MWT) & COLLECTION PROJECTS											
		2,228,300	2,092,000	4,400	4,400	4,400	4,400	4,400	4,400	4,400	4,400
		2,165,900	1,931,700	6,130	6,130	6,130	6,130	6,130	6,130	6,130	6,130
		794,800	1,633,600	4,400	4,400	4,400	4,400	4,400	4,400	4,400	4,400
		361,200	433,600	2,250	2,250	2,250	2,250	2,250	2,250	2,250	2,250
		606,600	738,600	7,770	7,770	7,770	7,770	7,770	7,770	7,770	7,770
		818,600	818,600	8,310	8,310	8,310	8,310	8,310	8,310	8,310	8,310
		1,702,200	698,100	13,400	13,400	13,400	13,400	13,400	13,400	13,400	13,400
		633,700	341,900	4,750	4,750	4,750	4,750	4,750	4,750	4,750	4,750
FUTURE WASTEWATER TREATMENT (MWT) & COLLECTION PROJECTS											
		2,414,100	2,138,000	4,400	4,400	4,400	4,400	4,400	4,400	4,400	4,400
		308,400	277,900	6,700	6,700	6,700	6,700	6,700	6,700	6,700	6,700
		434,900	238,700	3,750	3,750	3,750	3,750	3,750	3,750	3,750	3,750
		1,139,800	202,800	6,940	6,940	6,940	6,940	6,940	6,940	6,940	6,940
		1,378,000	1,378,000	1,378	1,378	1,378	1,378	1,378	1,378	1,378	1,378
		588,000	151,000	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
		30,800,000	28,000,000	34,350	34,350	34,350	34,350	34,350	34,350	34,350	34,350
TOTAL OFF-SITE LEVY FOR AREA											
		1,081,000	3,085,000	704,000	704,000	704,000	704,000	704,000	704,000	704,000	704,000
		20,800,000	20,800,000	20,800	20,800	20,800	20,800	20,800	20,800	20,800	20,800
		21,881,000	23,885,000	21,504	21,504	21,504	21,504	21,504	21,504	21,504	21,504



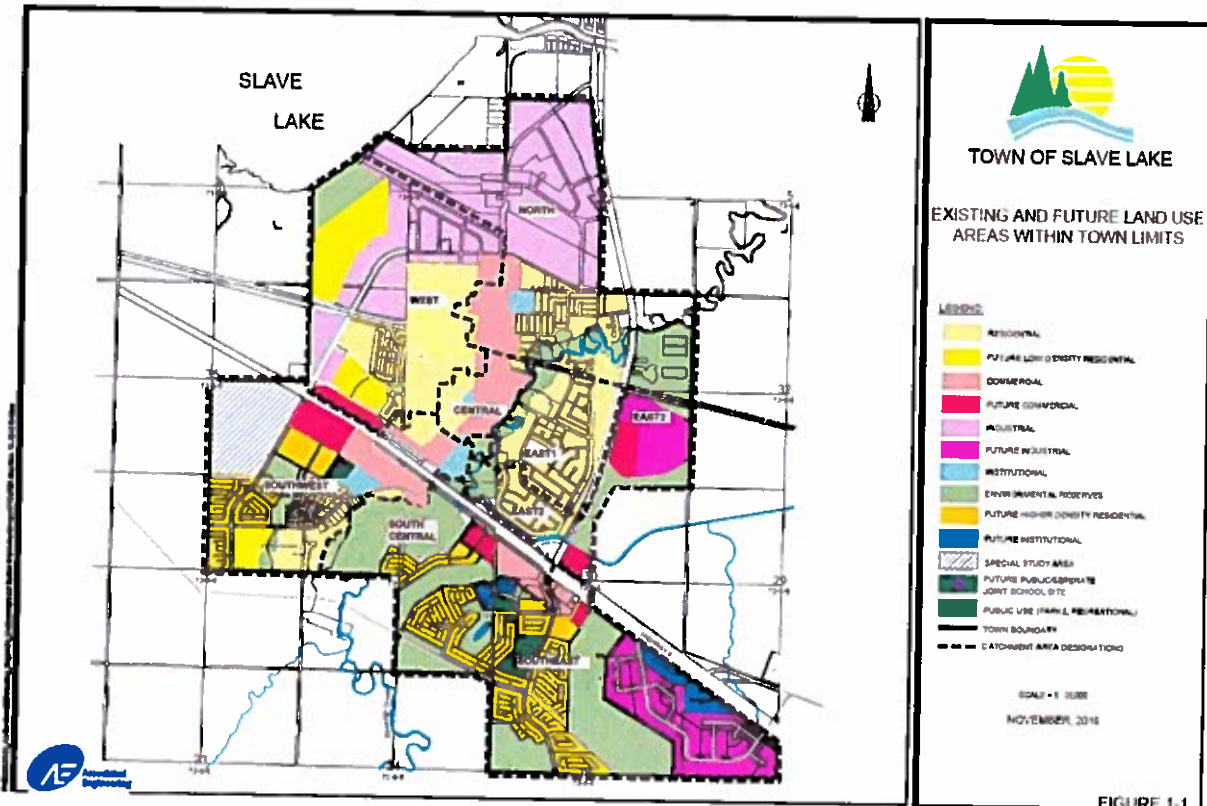
Table 7-2: Off-Site Levy Charges Summary  
Pending 2018 Update

INFRASTRUCTURE COMPONENTS (Item No.)	ESTIMATED COST (\$000,000)	Propertizing Undeveloped and Developed Areas		Development Area		NET DEVELOPABLE AREA (sq ft)					TOTAL			
		Existing	Growth	Existing	Growth	North	West	Central	East 1	East 2		South East	South Central	South West
<b>PAST WATER SUPPLY FACILITY PROJECTS</b>														
1 WTP - Phase 1	\$ 1,316,000	480.0	\$ 704,700	\$ 827,200	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300
2 WTP - Phase 2	\$ 842,000	480.0	\$ 441,400	\$ 288,000	620	620	620	620	620	620	620	620	620	
3 WTP - Phase 3	\$ 1,918,000	480.0	\$ 614,700	\$ 560,000	1,130	1,130	1,130	1,130	1,130	1,130	1,130	1,130	1,130	
4 WTP - Reserve & UV	\$ 374,500	480.0	\$ 1,778,000	\$ 1,600,000	3,280	3,280	3,280	3,280	3,280	3,280	3,280	3,280	3,280	
<b>FUTURE WATER SUPPLY FACILITY PROJECTS</b>														
5 New Water Treatment Improvement	\$ 1,850,000	480.0	\$ 289,000	\$ 211,100	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	1,480	
6 South Expansion Area	\$ 780,000	480.0	\$ 378,000	\$ 378,000	4,800	4,800	4,800	4,800	4,800	4,800	4,800	4,800	4,800	
7 Boulder Station (Cherry Creek)	\$ 250,000	480.0	\$ 81,000	\$ 1,100,000	9,700	9,700	9,700	9,700	9,700	9,700	9,700	9,700	9,700	
8 Boulder Station (North Platte)	\$ 250,000	480.0	\$ 81,000	\$ 1,100,000	9,700	9,700	9,700	9,700	9,700	9,700	9,700	9,700	9,700	
<b>PAST WASTE WATER TREATMENT (WWT) COLLECTION PROJECTS</b>														
9 North Trunk Main	\$ 2,000,000	124.8	\$ 2,985,000	\$ 780,700	6,730	6,730	6,730	6,730	6,730	6,730	6,730	6,730	6,730	
10 W. Station "C"	\$ 2,201,200	131.4	\$ 1,782,200	\$ 688,100	10,430	10,430	10,430	10,430	10,430	10,430	10,430	10,430	10,430	
11 W. Station "B" Street	\$ 374,500	124.8	\$ 633,700	\$ 344,700	4,730	4,730	4,730	4,730	4,730	4,730	4,730	4,730	4,730	
<b>FUTURE WASTE WATER TREATMENT COLLECTION PROJECTS</b>														
12 Westwood Treatment Phase	\$ 4,000,000	480.0	\$ 2,414,900	\$ 3,338,000	4,470	4,470	4,470	4,470	4,470	4,470	4,470	4,470	4,470	
13 Outlet Street/Hoy Hill East	\$ 560,200	480.0	\$ 308,400	\$ 277,900	670	670	670	670	670	670	670	670	670	
14 W. Station "C" Foreman	\$ 870,000	131.4	\$ 438,800	\$ 218,200	2,270	2,270	2,270	2,270	2,270	2,270	2,270	2,270	2,270	
15 W. Station "C" & Foreman	\$ 1,400,000	191.4	\$ 1,137,800	\$ 267,600	5,840	5,840	5,840	5,840	5,840	5,840	5,840	5,840	5,840	
16 W. Station "C" & Foreman	\$ 1,771,000	247.7	\$ 1,275,000	\$ 300,000	7,110	7,110	7,110	7,110	7,110	7,110	7,110	7,110	7,110	
<b>TOTALS</b>														
	\$ 28,800,000		\$ 11,000,000	\$ 10,600,000										
<b>TOTAL OFF-SITE LEVY PER AREA</b>														
			\$ 1,137,000	\$ 2,969,000										
			\$ 207,000	\$ 2,762,000										
			\$ 11,000	\$ 11,000										
			\$ 17,000	\$ 17,000										
			\$ 1,491,000	\$ 1,491,000										
			\$ 10,400,000	\$ 10,400,000										





# SCHEDULE "B" MAP OF DEVELOPMENT REGION



**SCHEDULE "C"**  
**2016 OFF-SITE LEVY REVIEW**

**Attached**