

TOWN POLICY NUMBER: 005/2004

REFERENCE:

ADOPTED BY:
TOWN COUNCIL

SUPERSEDES:

PREPARED BY:

PLANNING & DEVELOPMENT DEPARTMENT

EFFECTIVE DATE:

JANUARY 1, 2005

TITLE: OFF-SITE LEVY POLICY

POLICY

To establish a written policy, approved by Council, to provide Administration guidance for collection of Off-Site Levies. As per Off-Site Levy Bylaw 04/09 OS Section 5 and Section 8 read as follows:

5. A Levy shall be imposed upon the following lands:
 - (a) All lands within the Development Areas for which subdivision approval is obtained after the date of passing of the within Bylaw; and
 - (b) All lands within the Development Areas for which development approval is obtained after the date of passing of the within Bylaw

(the "Lands") except as otherwise specified in this Bylaw.

8. The payment of the Levy shall be made as follows:
 - (a) where the Levy imposed to Paragraph 5 herein is imposed as a condition for subdivision approval, the Levy shall be paid either before the subdivision linen is registered or according to terms set out in the development agreement entered into as a condition for subdivision approval;
 - (b) where the Levy imposed pursuant to Paragraph 5 herein is imposed as a condition for development approval, the Levy shall be paid according to the terms set out in the development permit or accordingly to the terms set out in the development agreement entered into as a condition for development approval.

Note: All definitions of 04/09 OS apply to this policy.

ADMINISTRATION PROCEDURE

Standard procedures will be as follows:

- To collect all off-site levies due and payable for residential subdivision at time of Development Agreement preparation on all lands contained within the Development Area, prior to the registration of linen at Alberta Land Titles. There is the option for negotiation with Council during the Development Agreement preparation to allow for a phased approach.
- To defer payment of off-site levies on all commercial subdivisions until a development permit or land transfer occurs. Monies are to be paid by the original developer and will be placed on the subdivision via the development agreement.
- To collect off-sites for any new infill development where there is an increased demand being placed on the Town of Rocky Mountain House storm, sanitary or water systems. No off-sites for accessory use buildings. Council may defer or negotiate if there is only partial development on a large site. This would be achieved via a development agreement.