

TOWN POLICY NUMBER: 001/2015

REFERENCE:

ADOPTED BY:

SUPERSEDES:

Town Council

005/2013

PREPARED BY:

EFFECTIVE DATE:

Planning and Community Development

April 7, 2015

TITLE: Development Agreement Policy

POLICY STATEMENT

To establish a written policy that outlines the policies and procedures for Development Agreements for the Town of Rocky Mountain House.

ROLES AND RESPONSIBILITIES

1. In accordance with the provisions of s. 201 and 207 of the Municipal Government Act, the respective roles and responsibilities of Council and the CAO with respect to Development Agreements are as follows:
 - (a) Council is responsible to establish the policy for the Town of Rocky Mountain House with respect to the contents of Development Agreements, after considering advice from the CAO;
 - (b) the CAO is responsible to make recommendations to Council on matters to be included in this policy;
 - (c) the CAO is responsible to negotiate, sign and administer all Development Agreements in accordance with this policy.

ADMINISTRATION PROCEDURE

1. The attached template Development Agreement in Schedule A is approved as the template for Development Agreements for the Town of Rocky Mountain House. For greater clarity, this template agreement will be used when the Town's subdivision

approving authority has approved an application for subdivision subject to a condition that the applicant enter into a Development Agreement, or where the Town's development authority has approved a development subject to a similar condition.

2. Each Development Agreement will be based on the Town's template Development Agreement (Schedule A), subject to such reasonable modifications consistent with the intent of the template and as may be necessary for the specific subdivision or development, as determined by the CAO in consultation with administrative staff. Such modifications may include any additional conditions that are specific to that Development (i.e. geotechnical, environmental, architectural guidelines, etc.).
3. The Developer will submit the following items (as applicable) to the Town prior to the Town signing of the Agreement:
 - a. Approved Construction Drawings and Specifications
 - i. Drawings (Reproducible Original)
 - ii. Overall Drawings – Digital Files
 - iii. Specifications
 - iv. Traffic Control Signage and Pavement Markings
 - b. An Administration Fee of \$2,500 for the purpose of reimbursing the Town for work done in preparing the Development Agreement, including any lawyer fees, that are required for review of the Agreement.
 - c. Offsite Levies for the area to be developed.
 - d. Securities in the form of a Letter of Credit for 25% of all Municipal Improvements. In no case will the amount of security held be less than \$100,000.
 - e. Payment in Lieu of Municipal Reserve Dedication (if required).
 - f. Payment of any boundary, area, or oversize improvement charges (if required).
 - g. Geotechnical Report (if required).
 - h. Alberta Environment – Permit to construct (if required).
4. The Town may register a caveat against the certificate of title of the parcel of land that is the subject of subdivision, if the CAO deems that to be appropriate for the specific subdivision.
5. In the case of a Development Agreement imposed as a condition of subdivision approval, if all other conditions of the subdivision have been met, and upon signature, Administration will direct the subdivision authority to endorse the subdivision for registration with Alberta Land Titles.