

VILLAGE OF ONOWAY

Bylaw 511-98

A BYLAW OF THE VILLAGE OF ONOWAY FOR THE IMPOSITION OF OFF-SITE LEVIES.

WHEREAS, in accordance with Section 648 of the Municipal Government Act, being Chapter M-26.1 of the Statutes of Alberta which enables Council, by bylaw, to provide for the imposition and payment of an off-site levy in respect of lands to be developed or subdivided;

AND WHEREAS, an off-site levy may be used only to pay for all or part of the capital cost of any or all of the following:

- (a) new or expanded facilities for the storage, transmission, treatment or supplying of water;
- (b) new or expanded facilities for the treatment, movement or disposal of sanitary sewer;
- (c) new or expanded storm sewer drainage facilities;
- (d) land required for or in connection with any facilities described in clauses (a) to (c).

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

1. An off-site levy shall be imposed on all subdivided lands to be developed within the Corporate Limits of the Village of Onoway and shall be levied on the following basis:
 - (a) Residential
 - (i) For each unit of a single family dwelling, whether detached, semi-detached, duplex, mobile home or otherwise, the sum of \$1,000.00
 - (b) Industrial
 - (i) For each industrial development with water and sewer servicing, an off-site levy of \$6,500.00 per hectare.
2. Notwithstanding Section 1 of this bylaw, an off-site levy of \$6,500.00 per hectare may be imposed upon land that is not subdivided and is being sold from the municipality to a developer, forming part of the purchase price of the said lands.
3. An off-site levy imposed under this Bylaw may be collected only once in respect of land that is the subject of a development or subdivision.
4. The Council of the Village of Onoway may enter into an agreement in respect to payment of an off-site levy including a Development Agreement which may be registered at the Alberta Land Titles office.
5. In the absence of an Agreement for the payment of an off-site levy, where an owner of land proposes to construct a development or proceed with a subdivision of land, and where the payment of an off-site levy is required, the payment of the off-site shall be made prior to the issuance of a development permit or subdivision approval. If the off-site levy is not paid, a caveat shall be registered on the title of the property and shall not be removed until payment of the off-site levy is made.

6. In the event that land is to be redeveloped or re-subdivided and no previous off-site levies have been collected under this Bylaw or under any previous Bylaw, the off-site levies shall be due and payable if there is an increase in the intensity of use, such payment to be made in accordance with Section 1 of this Bylaw and at the discretion of the Development Authority.
7. The levies were calculated on the basis of the unsupported cost of \$655,000.00 for installation of additional water lines, expansion of the clear water storage reservoir, new groundwater well, sewage treatment facility pump upgrade and required storm drainage expansion for future development. It has been determined that 35% of the costs will be obtained from grants and 40% is required to be obtained from the off-site levies collected pursuant to this Bylaw. The developable area being considered is approximately 400,000 square meters, and a levy of \$0.65 per square meter equals 40% of the cost of the said expansions.
8. This Bylaw repeals Bylaw 318.
9. This Bylaw shall come into full force and effect upon receiving third and final reading.

READ A FIRST TIME THIS 23 day of February 1998.

READ A SECOND TIME THIS

READ A THIRD AND FINAL TIME THIS

Signed By Lorne Olsvik
Mayor

Signed By Catherine Dunn
Municipal Manager (Acting)