



## **POLICY**

**Effective Date:** March 27, 1995

**Amended:** September 25, 2006

**Amended:** April 26, 2010

**Amended:** November 23, 2015

**Amended:** January 1, 2018

**Amended:** October 22, 2018

**Amended:** October 28, 2019

**Amended:** December 16, 2019

**Amended:** September 28, 2020

**Amended:** September 27, 2021

**Amended:** October 11, 2022

**POLICY TITLE:** Off -Site Levies

**POLICY NUMBER:** 61-004

**POLICY PURPOSE:**

The Town will collect off-site levies from all benefiting lands for the following:

- New or expanded facilities for the storage, transmission, treatment or supply of water.
- New or expanded facilities for the treatment, movement or disposal of sanitary sewage,
- New or expanded storm sewer drainage facilities,
- New or expanded transportation infrastructure, and
- Land required for, or in connection with, any facilities described above.

**POLICY:**

1. The off -site levy will be charged at the time of development at the rates as issued in Bylaw 1551 – Fees, Rates and Charges Bylaw as follows:
  - i. Low Density Residential developments shall be charged on the number of dwelling unites created.
  - ii. Medium and High Density Residential developments shall be charged the greater of:
    - The total number of dwelling units created; or,
    - 70% of the dwelling units that could be developed based on the maximum density prescribed in the Land Use Bylaw for the District.



- iii. Non-Residential developments shall be charged per Hectare of land area. Developments over more than one lot will only be charged for those lots wherein structures over 10m<sup>2</sup> and/or required parking lots are constructed. The remainder of the lots will be required to pay off-site levies at the time of future subdivision or development.
  - iv. Mixed Uses shall be charged the greater of:
    - The sum of the total residential dwelling units created plus the sum of the total non-residential area occupied for buildings, parking, and vehicle maneuvering; or
    - The sum of the total residential amount payable if the site was developed to 50% of the maximum possible density as outlined in the High Density Residential Land Use District of the Town of Whitecourt Land Use Bylaw, plus the total non-residential amount per hectare of 50% of the land area.
2. Where only a percentage of the full off-site levy is to be charged to development, the following percentages will apply in calculating the levies due:
- Effective to December 31, 2023:
- |                               |     |
|-------------------------------|-----|
| Transportation Off-Site Levy: | 51% |
| Water Off-Site Levy:          | 6%  |
| Sewer Off-Site Levy:          | 43% |
3. Developments outside of Town boundaries that are to be charged off-site levies will be collected at double the rate listed in the Town's Fee Schedule or as otherwise stated in alternate agreements between the Town of Whitecourt and other third parties.
  4. On or before June 30 in each calendar year the Chief Administrative Office, or assigned designate, shall submit to Council an annual Off-Site Levy Report pursuant to Bylaw 1532 identifying:
    - a) Projects constructed during the previous calendar year and their final costs;
    - b) Updated construction estimates for projects yet to be constructed and an explanation of adjustments including any unrecorded grants or other sources of funding received for the projects;
    - c) Amount collected in Off-Site Levy Fees in the previous calendar year;
    - d) Specifics of the total value of Off-Site Levy Fees being held by the Town of Whitecourt, interest earned, and commitments for future expenditures of such monies; and



- e) Updated Off-Site Levy Rate Schedules to be approved by Council resolution on an annual basis.
5. The Off-Site Levy Bylaw and Policy should be reviewed and adjusted annually with a major review conducted every five years.
  6. Excluding Low Density Residential developments and Industrial developments, Developers who have intentions to further develop their property may be able to enter into a Development Agreement with the Town of Whitecourt to defer a portion of their off-site levies as follows:
    - i. Initial Payment:
      - a) Medium and High Density Residential developments shall be charged on the number of dwelling units proposed under their current development permit application
      - b) Non-Residential developments shall be charged on the total area proposed for buildings, parking, and vehicle maneuvering.
      - c) Mixed Uses shall be charged at the residential rate for the proposed number of dwelling units plus the non-residential rate for the footprint of the proposed non-residential development (building areas, parking areas, and vehicle maneuvering areas) under their current development permit application.
        - The non-residential area calculation shall exclude building areas dedicated to residential uses (i.e. lobbies, amenity areas, laundry facilities, etc.)
        - Where shared use exists (i.e. hallways, utility rooms, parking areas, etc.) the Development Authority shall assign an equitable distribution of that area to non-residential area calculations.
    - ii. The remaining number of residential dwelling units and/or non-residential land area required to be charged off-site levies shall be calculated as per Clause 1 of this policy and recorded in the development agreement.
    - iii. Payment of remaining Off-Site Levy charges:
      - a) Levies shall be paid in stages, at the Off-Site Levy rates in place at the time of each staged application, based on the additional development of the property as follows:
        - Medium and High Density Residential developments shall be charged on the additional number of dwelling units they create.
        - Non-Residential developments shall be charged on the additional land area utilized for their proposed development (building areas, parking areas, and vehicle maneuvering areas).
        - Mixed Uses shall be charged based on the additional number of dwelling units they create plus the additional non-residential



- development (building area, parking areas, and vehicle maneuvering areas) utilized.
- b) Where there are no further developments proposed on the parcel of the remaining fees shall be payable in full at the Off-Site Levy rates in place at the time of application.
  - c) Where a subdivision is proposed on a parcel with outstanding off-site levies, the remaining levies on the developed lots must be paid in full at the off-site levy rates in place at the time of subdivision application prior to registration of the subdivision.
7. Any Development Agreement that contains an off-site levy deferral clause must outline the following:
- The amount of the off-site owing;
  - The deferral period, if any;
  - The trigger for paying the off-site owing;
  - The payment time period, if any; and
  - The security to be provided.
8. Any Development Agreement that contains an off-site levy deferral clause shall be caveated to the title as a first charge and shall remain on title until the off-site levy is paid.
9. Parcels/lots proposed for consolidation must either:
- i. Pay the off-site levy amount owing for any remaining/undeveloped areas prior to endorsement of the consolidation.
  - ii. Enter into a Development Agreement with the Town of Whitecourt to pay the remaining off-site levy amount for any remaining/undeveloped areas at the time of future development.

**REFERENCE:**

Bylaw 1532 – Off-Site Levy Bylaw

Bylaw 1551 – Fees, Rates and Charges Bylaw