

BYLAW NO. 1339-24

**BEING A BYLAW OF THE
MACKENZIE COUNTY
FOR THE IMPOSITION OF AN OFFSITE LEVY
FOR THE LA CRETE EAST WATERLINE**

WHEREAS, pursuant to the Municipal Government Act, R.S.A. 2000 c. M-26, as amended, enables Council by Bylaw to provide for the imposition and payment of an off-site levy in respect of land to be developed or subdivided and to authorize agreements to be entered into in respect of the payment of the levy;

WHEREAS, an off-site levy may be used to pay for all or part of the capital cost of new or expanded facilities or land required for or in connection with any new or expanded facilities for:

- (a) the transmission of treated water;

WHEREAS, the County, landowners and developers have agreed to share the cost of infrastructure to support continued growth;

AND WHEREAS, Mackenzie County has created the off-site levies based on the principles and criteria set out in the Off-Site Levies Regulation, Alberta Reg 187/2017;

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

1. This Bylaw may be referred to as the “La Crete East Waterline Off-Site Levy Bylaw”.

Definitions

In this bylaw, the following definitions apply:

- a) **Act** means the Municipal Government Act, RSA 2000, Chapter M-26, and amendments thereto;
- b) **Benefiting Lands** means those areas located within Mackenzie County which will benefit from the Off-Site Infrastructure or Improvements subject of this Bylaw as identified in Schedule B;
- c) **Council** means the Municipal Council of Mackenzie County in the Province of Alberta, as duly elected and defined in the Municipal Government Act, RSA 2000, Chapter M-26 and amendments thereto;
- d) **County** means the municipal district of Mackenzie County in the Province of Alberta;

- e) **Land Owner/Developer** – means a person or entity who submits a Subdivision or Development Permit Application, pursuant to this Bylaw;
- f) **Off-Site Infrastructure** means the project specified in Schedule C of this Bylaw for the purposes of providing treated water east of the Hamlet of La Crete;
- g) **CAO** means the Chief Administrative Officer of Mackenzie County, a person duly appointed pursuant to the Municipal Government Act and the Municipality's Chief Administrative Officer Bylaw.

Off-Site Levies

- 2. The off-site levy rates are set out in Schedule A.
- 3. The off-site levy shall be applied to the lands as identified in Schedule B.
- 4. The off-site levies have been calculated as described in Schedule C.
- 5. Any proposed development on lands outside of the defined areas identified in Schedule B that desires to connect to municipal infrastructure that is subject to a levy as set out in Schedule A and Schedule B shall be required to contribute to the applicable levies.

Payment of Levies

- 6. The Administration of Mackenzie County may enter into an agreement in respect to payment of the off-site levy with all affected landowners.
- 7. A levy imposed on a subdivision shall form a part of the developer's agreement. The off-site levy payment shall be made in full prior to Final Acceptance Certificate.
- 8. A levy imposed on a development shall be paid prior to release of the water meter.
- 9. The County may use any remedy available to the County for the collection of late or non-payment of levies.

Annual Report

- 10. The County shall report annually to Council regarding the levies in a format acceptable to the CAO.

Enactment

- 11. Bylaw 1330-24 is hereby repealed

12. This bylaw comes into force at the beginning of the day of third and final reading thereof.

READ a first time this 7th day of May, 2024.

READ a second time this 11th day of June, 2024.

READ a third time and finally passed this 11th day of June, 2024.

(original signed)

Joshua Knelsen
Reeve

(original signed)

Darrell Derksen
Chief Administrative Officer

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SCHEDULE "A"

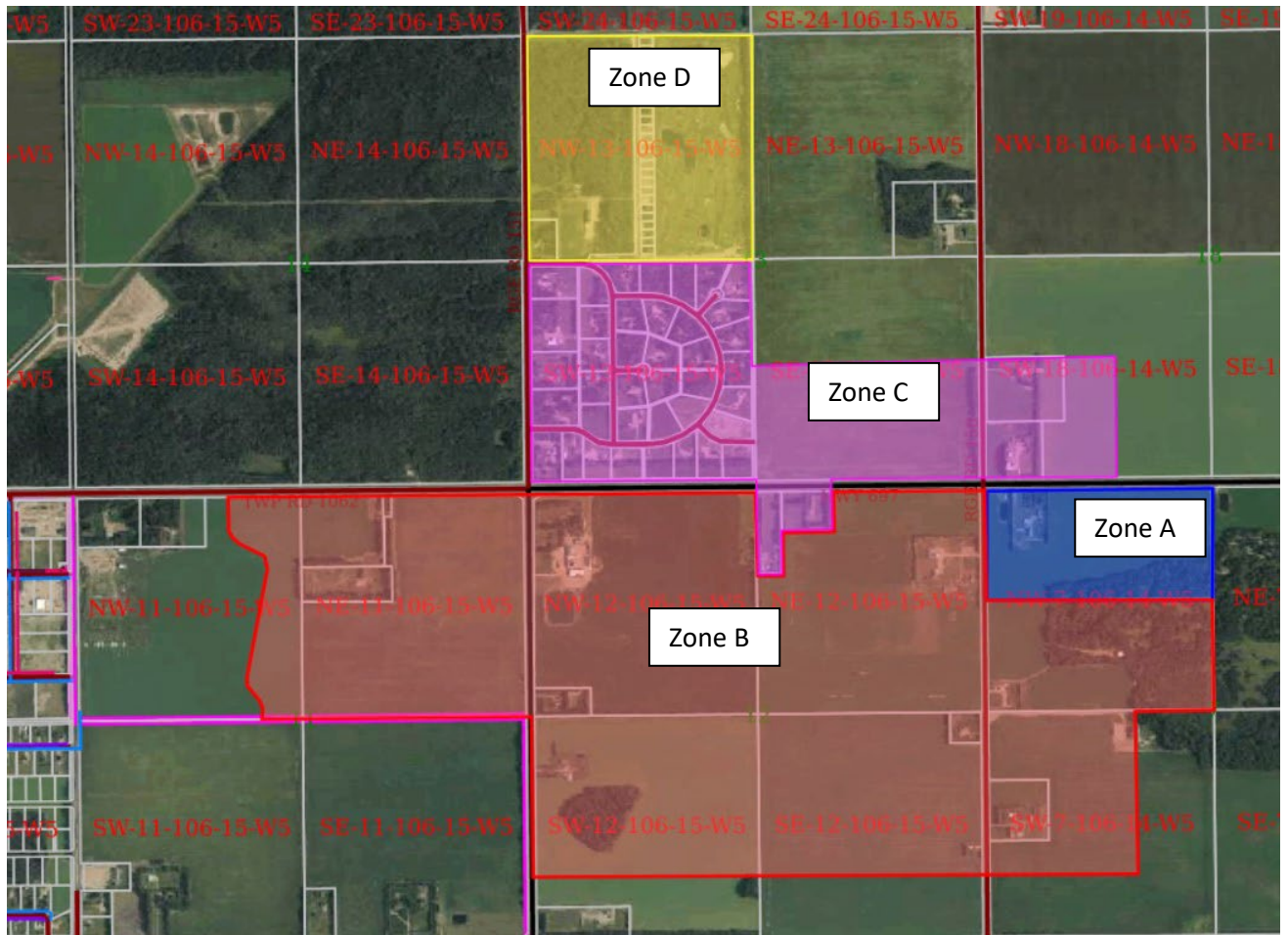
1. The off-site levy rates are set out in the table below and apply to the areas outlined in Schedule B:

Zone	Fee (\$/acre)	Notes
A	\$350,000	Capital contribution.
B	\$806/acre	
C	\$175/acre	
D	\$560/lot connected	

There shall be no fee payable to connect the existing home/business (constructed and in use as of March 31, 2024) located on NW & NE 12-106-15 (this exemption does not include any parcels subdivided from the quarter section), subject to the connection being completed prior to June 1, 2026.

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SCHEDULE "B"



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SCHEDULE “C”

BACKGROUND INFORMATION

The following assumptions, rationale and calculations have been utilized in determining the fees:

Initial project will be funded by Mackenzie County and the developer of Zone A, under a capital contribution agreement for this project.

Project cost is estimated at \$1,142,773, with \$350,000 to be collected through Zone A contribution agreement and connection fees.

Benefitting area without the need for additional offsite investment = Zone A = 80 acres
 = Zone B = 885 acres

Benefitting area with the need for additional offsite investment = Zone C = 293 acres

Other areas of interest = golf course area developments = Zone D = 160 acres

It is advantageous to have access to water infrastructure without needing to construct additional offsite infrastructure, as there is an additional cost to those individuals to benefit from the existing investment. Therefore, those that benefit without the need for a large additional investment should bear the primary financial burden for the new waterline asset.

Directly benefitting lands will contribute 90% of the project costs less Zone A contribution. The remaining project costs (10%) will be dispersed among the secondary benefitting areas.

Primary Benefitting Area Contribution \$792,773 x 90% = \$713,496

Secondary Benefitting Area Contribution \$792,773 x 10% = \$ 79,277

The quarter section containing the golf course is unlikely to be fully developed, and the calculated fee for the quarter section is \$28,000. In order to equitably apply a fee, it will be charged on a per lot basis. For the purpose of the calculation it is assumed that there will be 50 lots contributing to the levy fee.

Zone	Contribution Rate (%)	Contributing Area (acres)	Fee (\$/acre)	Notes
A	90%	80	\$350,000	Capital contribution.
B	90%	885	\$806/acre	
C	10%	293	\$175/acre	
D	10%	160	\$560/lot connected	