TOWN OF LEGAL
BYLAW #17-2026
OFF-SITE LEVY BYLAW

A BYLAW OF THE TOWN OF LEGAL, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING AN OFF-SITE LEVY FOR LAND THAT IS TO BE SUBDIVIDED OR DEVELOPED WITHIN THE TOWN OF LEGAL.

WHEREAS the *Municipal Government Act*, R.SA. 2000, c.M-26 permits a Council to impose a levy, known as an Off-Site Levy, in respect of land to be developed or subdivided within a municipality's limits, and to authorize an Agreement to be entered into for payment of the levy;

AND WHEREAS the Municipality has engaged in consultation with representatives of the development industry to address and define existing and future infrastructure requirements of the Municipality with respect to circumstances of the Municipality and the benefits of development;

AND WHEREAS the Council received advice and Reports respecting upgrades to Off-Site Infrastructure which set out a fair and equitable calculation of Off-Site Levies in accordance with the purpose of the *Municipal Government Act*;

AND WHEREAS Council has advertised its intention to consider the provision of this Bylaw pursuant to the requirements of the *Municipal Government Act*.

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

1. Definitions

1.1. The following terms shall have the following meanings in this Bylaw:

a) **"**Bylaw" means the Off-Site Levy Bylaw established by the Municipality, to which the rates are as per the Town's Fees and Charges Bylaw.

b) "Chief Administrative Officer" means the Chief Administrative Officer for the Town of Legal, regardless of the specific title that may be conferred on that Officer by Council from time to time.

c) "Council" means the Council for the Town of Legal.

d) "Developable Land" shall mean all land contained within the Development Region:

i. upon which Development takes place after the date of passing of this Bylaw; or
ii. for which Subdivision approval is obtained after the date of passing of this Bylaw;

excluding all Developed Land.

e) "Developed Land" shall mean land that has been subject to Development or a Subdivision prior to the date of passing of this Bylaw, and in respect of which Off-Site Levies for the same services have been paid.

f) "Development" means the same as defined in the *Municipal Government Act,* R.S.A. 2000, c. M-26.

g) "Development Agreement" means the same as referred to in the *Municipal Government Act,* R.S.A. 2000, c. M-26.

h) "Development Region" includes the area of land within the municipal limits of the Municipality's boundaries identified in Schedule "A", attached.



i) "Fees and Charges" means the Town's Fees and Charges as set out in the Town's Fees & Charges Bylaw as amended by Council from time to time;

j) "Growth" shall mean:

i. the creation of new Lots through Subdivision; and
ii. the occurrence of Development.

k) "Lot" means the same as defined in the *Municipal Government Act,* R.S.A. 2000, c. M-26.

l) "Municipality" means the municipal corporation of the Town of Legal.

m) "Off-Site Infrastructure" shall mean those components and projects referred to in the Reports, in relation to water facilities and sanitary sewer facilities.

n) "Off-Site Levy" means the Off-Site Levy imposed pursuant to this Bylaw under the authority of the *Municipal Government Act* RSA 2000, c. M-26.

o) "Reports" means the following:

i. "Water and Sanitary Sewer Assessment" prepared by UMA Engineering Ltd., dated April 2007;
ii. "Town of Legal, Off-Site Levy Assessment" prepared by UMA Engineering Ltd., dated August 2007.

p) "Subdivision" means the same as defined in the *Municipal Government Act,* R.S.A. 2000, c. M-26.

2. Imposition of Levy

2.1. There is hereby imposed a levy which shall be known as an Off-Site Levy in respect of all Developable Land.

2.2. The amount of the levy imposed is as calculated in the Town's Fees and Charges Bylaw.

2.3. The Off-Site Levy is comprised of the Off-Site Infrastructure, and pursuant to the calculation details contained in this Bylaw and the Reports.

2.4. The Off-Site Levy will be assessed on all Developable Land within the Development Region on a per Lot basis, excluding those portions of Developable Land that are designated pursuant to a Subdivision as:

a) Environmental Reserve;
b) Municipal Reserve; or
c) Arterial Road Right of Way.

2.5. Unless otherwise agreed upon, the Off-Site Levy is due prior to the issuance of Subdivision approval for the Development Region or the issuance of a Development permit in relation to the subject Lot.

3. Objects, Principles and Criteria

3.1. The objects, principles and criteria of the Off-Site Levy shall be in accordance with the following:

a) This Bylaw creates an Off-Site Levy to provide funds for the construction of Off-Site Infrastructure required for Growth.

b) Development in new Growth areas through Off-Site Levies will provide the capital that will fund the infrastructure required for Growth. Those who benefit from the infrastructure, which is defined by all Developable Land in

the Development Region, should share proportionally, on a per Lot basis, in related costs.

c) Provision of Off-Site Infrastructure by developers of Developable Land will not create an advantage or penalty due to the time or location of Development.

d) Off-Site Infrastructure will be provided to maintain sustainable, cost effective and orderly Growth.

e) The calculation of the Off-Site Levy should be an open and transparent process.

f) All funds collected from the Off-Site Levy will be credited to a separate and distinct, identifiable Off-Site Levy account, which may be invested as per the Town of Legal's Investment Policy until used for the construction of the specified Off-Site Infrastructure. The management of the Off-Site Levy account should be an audited process, with Reports available to the public and industry.

g) The Off-Site Levy will help allow the Municipality to recover the cost of infrastructure required for Growth:

   i. using financing strategies that remain sustainable;
   ii. facilitating Development by reducing risk on early developers and ensuring future developers share the costs of the facilities from which they benefit; and
   iii. promoting cost effective and orderly Development.

h) The Off-Site Levy will help promote orderly Development by:

   i. providing Off-Site Infrastructure, once the appropriate planning is in place, and when warranted in Development; and
   ii. providing infrastructure for contiguous Development.

i) The Off-Site Levy will help create a transparent process by:

   i. providing opportunity for industry input into the levy, its definition and administration;
   ii. conforming with the *Municipal Government Act,* R.S.A. 2000, c. M-26, as amended or repealed and replace from time to time; and
   iii. providing Reports on levies;

j) The Off-Site Levy will help create a clear process for calculation of the rate, levies and credits by:

   i. creating consistent and predictable levies and credits;
   ii. creating predictable and stable levies over time; and
   iii. documenting a process for establishing the levy rate.

4. Development Agreements

4.1. The entering into of a Development Agreement with respect to, amongst other things, the collection of an Off-Site Levy is hereby authorized.

4.2. Council delegates the authority to enforce and administer this Bylaw, including, but not limited to, the authority to enter into Development Agreements on behalf of the Town and to defer or waive collection of Off-Site Levies imposed pursuant to this Bylaw, to the Chief Administrative Officer.

4.3. Council may from time to time adopt policies or guidelines for the assistance and direction of the Chief Administrative Officer in determining which Development and Subdivision applications shall require a Development Agreement.

4.4. Where it is determined that a Development Agreement is appropriate for any application for Development or Subdivision, the applicant or the owner, as the case may be, shall enter into a Development Agreement with the Municipality and such Development Agreement shall ensure that:

a) provision be made for the payment of Off-Site Levies as specified in this Bylaw, or that provision may be made for the deferring of payment of the Off-Site Levies to a future time certain or uncertain; and

b) no further Off-Site Levies shall be required to be paid under Development Agreements that have been previously collected in full in respect to all of the lands which are the subject of the Development or Subdivision application.

5. Accounting

5.1. All funds collected pursuant to this Bylaw shall be accounted for in a special fund and expended only as permitted under the provisions of the *Municipal Government Act,* R.S.A. 2000, c. M-26, as amended or repealed and replace from time to time.

6. General

6.1. Nothing in this Bylaw precludes the Municipality from:

a) imposing further or different levies, duly enacted by bylaw, on any portion of the Developable Lands in respect of which the Municipality has not collected levies;

b) deferring collection of the Off-Site Levy for the stated objects of this Bylaw, on any portion of Developable Lands in respect of which the Municipality collected levies, including requiring security for payment of such deferred levies; or

c) reducing or forgiving payment of the levies required pursuant to this Bylaw, or otherwise providing for credits for other Off-Site or oversize infrastructure constructed by a developer in calculating and/or collecting the levies that become payable pursuant to this Bylaw.

6.2. Schedule "A" of this Bylaw may be amended from time to time by resolution of Council.

6.3. This Bylaw shall take effect and come into force effective after third and final reading and signature thereof by the Chief Elected Official and Chief Administrative Officer, or their authorized delegates.

READ A FIRST TIME THIS 8 DAY OF September, 2026

READ A SECOND TIME THIS 8 DAY OF September, 2026

READ A THIRD TIME THIS 8 DAY OF September, 2026

MAYOR

CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A"
MAP OF DEVELOPMENT REGION

PEPINS POINT – STAGE 2 MAP

