

## BYLAW NO. 25-2021

A BYLAW OF THE CITY OF LLOYDMINSTER IN THE PROVINCES OF ALBERTA AND SASKATCHEWAN TO PROVIDE FOR THE ASSESSMENT OF OFFSITE LEVIES.

WHEREAS the Council of the City of Lloydminster deems it necessary to establish a Bylaw to deal with public utilities.

AND WHEREAS the *Lloydminster Charter* provides authority to City Council to pass bylaws for municipal purposes;

AND WHEREAS the *Lloydminster Charter* provides authority to the City to pass bylaws respecting the enforcement of bylaws.

NOW THEREFORE the Council of the City of Lloydminster deems it necessary to establish a Bylaw to assess the Offsite Levy; and

NOW THEREFORE, the Council of the City of Lloydminster, pursuant to the authority granted in Section 15 of the *Lloydminster Charter*, enacts as follows:

### 1. SHORT TITLE

1.1. This Bylaw shall be cited as the Offsite Levy Bylaw.

### 2. DEFINITIONS

2.1. The definitions listed in Schedule "A" attached to this Bylaw shall apply, unless context otherwise requires.

### 3. APPOINTMENT, AUTHORITY AND DUTIES OF THE CITY MANAGER

3.1. Except where specific authority is reserved to Council, in the Bylaw the administration and enforcement of this Bylaw is hereby delegated to the City Manager.

3.2. Without restricting any other power, duty or function granted by this Bylaw, the City Manager may carry out anything required for the administration of this Bylaw, including but not limited to the following:

3.2.1. delegate any powers, duties or functions under this Bylaw to an employee of the City;

3.2.2. carry out any inspections that are reasonably required to determine compliance with this Bylaw;

3.2.3. establish any forms required for the administration of this Bylaw.

### 4. OFFSITE LEVY RATE

4.1. The Offsite Levy Rate as outlined in the attached Schedule "B", and further defined below within Table 1, are hereby established and these Offsite Levy Rates shall be paid on the "New Development Area" of all undeveloped land within the boundaries of the City of Lloydminster. The terms of payment shall be outlined in the Development Agreement that is signed by the City of Lloydminster and the Developer.

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INFRASTRUCTURE CATEGORY	OFF-SITE LEVY RATE (per HA)				
	Effective Until December 31, 2023	Effective Until December 31, 2024	Effective Until December 31, 2025	Effective Until December 31, 2026	Effective Until December 31, 2027
<b>Water: Treatment &amp; Supply</b>	\$17,375	\$17,896	\$18,433	\$18,986	\$19,556
<b>Water: Distribution &amp; Storage</b>	\$17,160	\$17,675	\$18,205	\$18,751	\$19,314
<b>Sanitary: Treatment &amp; Disposal</b>	\$8,975	\$9,245	\$9,522	\$9,808	\$10,102
<b>Sanitary: Collection</b>	\$66,960	\$68,969	\$71,038	\$73,169	\$75,364
<b>Stormwater</b>	\$6,578	\$6,775	\$6,978	\$7,187	\$7,403
<b>Transportation</b>	\$41,220	\$42,456	\$43,730	\$45,042	\$46,393
<b>Levy Total</b>	\$158,267	\$163,015	\$167,906	\$172,943	\$178,131

*Table 1: Off-Site Levy Rate (per HA)*

**5. OFFSITE LEVY CALCULATION**

5.1. The Offsite Levy shall be calculated using the Offsite Levy Rates outlined in Schedule "B" as follows:

$$\text{Assessed Offsite Levy} = \text{New Development Area} \times \text{Offsite Levy Rate}$$

**6. NUMBER AND GENDER REFERENCES**

6.1. All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.

**7. SEVERABILITY**

7.1. Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

This Bylaw shall come into force and effect upon the final passing thereof.

The following bylaws and all amendments thereto are hereby repealed:

- Bylaw No. 13-2011



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INTRODUCED AND READ a first time this \_\_\_ day of \_\_\_\_\_, 2021, A.D.

READ a second time this \_\_\_ day of \_\_\_\_\_, 2023, A.D.

READ a third time this \_\_\_ day of \_\_\_\_\_, 2023, A.D.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
CITY CLERK

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SCHEDULE "A"

**Definitions**

<b>Bylaw Enforcement Officer</b>	A Person appointed by the City pursuant to the Lloydminster Charter to enforce City Bylaws, including a member of the Royal Canadian Mounted Police and, when authorized, a Community Peace Officer appointed under the Peace Officer Act S.A. 2006, c. P-3.5, as amended or repealed and replaced from time to time.
<b>Charter</b>	Refers to the <i>Lloydminster Charter</i>
<b>City</b>	The City of Lloydminster and the area contained within the corporate boundaries of the City
<b>City Manager</b>	The Commissioner of the City of Lloydminster as appointed by Council or designate
<b>Council</b>	The Municipal Council of the City of Lloydminster
<b>Developer</b>	Means the Developer, together with the Developer's successors, successors in title, assigns or representatives.
<b>Development</b>	A change of use of land, or an act done in relation to land that results in or is likely to result in a change in the use of the land, or a change in the intensity of the use of land and an act done in relation to land that results in or is likely to result in, a change of the intensity of the use of the said land
<b>Municipal Government Act (MGA)</b>	Means the <i>Municipal Government Act</i> , RSA 2000, c. M.-26, as amended from time to time.
<b>New Development Area</b>	The total area of undeveloped lands that are subject to off-site levies including Roads/Circulation and Public Utility Lots (PUL) and excluding Environmental Reserve (ER) and Municipal Reserve (MR). Infill development within the City shall be subject to levies where the lands have not been subject to an off-site levy previously for the same type of infrastructure.
<b>Offsite Levies (OSL)</b>	Those levies imposed under the City of Lloydminster's Offsite Levy Bylaw, as amended from time to time. For further clarity, Council has determined the Offsite Levies are the costs associated with proposed subdivision, in accordance with s. 172(3)(b) of the <i>Planning and Development Act, 2007</i> .
<b>Person</b>	Any individual, a group of individuals, a corporation, firm, partnership, proprietorship, association, society or co-operative organization
<b>Planning and Development Act, 2007</b>	Means <i>The Planning and Development Act</i> , ss 2007, c. P-13.2, as amended from time to time.

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<p><b>Development Agreement or Agreement</b></p>	<p>An agreement, executed by the City of Lloydminster and the developer of undeveloped land, that includes details regarding the municipal services that will be provided to undeveloped land, the terms of payment of offsite levies for the undeveloped land, an area contribution based on applicable storm water retention facilities and channels, and an area contribution for parks and trail systems. This and includes a servicing agreement pursuant to s. 172 of <i>the Planning and Development Act, 2007</i>.</p>
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SCHEDULE "B"

Attached hereto is the Off-site Levy Background Report 2023, prepared by Urban Systems Ltd., issued September 2023. Urban Systems Project No.: 2319.0025.01.

