



BYLAW C-8550-2024

A bylaw of Rocky View County, in the Province of Alberta, to authorize an off-site levy to pay for all or part of the capital cost of new or expanded community recreation facilities.

WHEREAS in accordance with section 648 of the *Municipal Government Act*, a Council may by bylaw provide for the imposition and payment of a levy, to be known as an off-site levy, in respect of land that is to be subdivided or developed and to authorize agreements to be entered into in respect of the levy;

AND WHEREAS Rocky View County Council deems it desirable to establish an off-site levy for the purposes of described in section 648 of the *Municipal Government Act*;

AND WHEREAS Rocky View County has consulted in good faith with stakeholders in order to define and address existing and future facility requirements and determine the methodology on which to base off-site levy for community recreation facilities;

AND WHEREAS Rocky View County Council engaged the firm of Mooreview Management Consulting Inc. to prepare the following reports and plans, to be known collectively as the reports, for the fair and equitable calculation and allocation of an off-site levy for community recreation facilities in accordance with the purposes of the *Municipal Government Act*:

(1) *Technical Memorandum*, June 10, 2024, prepared by Mooreview Management Consulting Inc.

AND WHEREAS Rocky View County applied the principles and criteria specified in the *Off-Site Levies Regulation* in the development of the off-site levy established by this bylaw;

AND WHEREAS Rocky View County Council wishes to adopt a bylaw to impose and provide for the payment of an off-site levy, to set out the object of the off-site levy, to set the amount of the off-site levy, to indicate how the amount of the off-site levy was determined, and to authorize agreements to be entered into in respect of payment of the off-site levy;

NOW THEREFORE the Rocky View County Council, duly assembled, enacts as follows:

Title

1 This bylaw may be cited as the *Community Recreation Off-Site Levy Bylaw*.

Definitions

2 Words in this bylaw have the same meaning as set out in the *Municipal Government Act* and the *Land Use Bylaw*, except for the definitions provided in Schedule 'A' of this bylaw, as the context requires.



Purpose and Interpretation

- 3 The purpose of this bylaw is to:
 - (1) impose and provide for the payment of an off-site levy in respect of lands that are to be subdivided or developed and that will require or benefit from new or expanded community recreation facilities;
 - (2) set out the object of the off-site levy;
 - (3) indicate how the amount of the off-site levy was determined; and
 - (4) authorize Rocky View County to enter into agreements for the payment of the off-site levy.
- 4 The object of the off-site levy imposed and collected pursuant to this bylaw is to pay for all or any part of the capital costs for any or all of the following:
 - (1) new or expanded community recreation facilities; and
 - (2) land required for or in connection with the community recreation facilities described in this bylaw.
- 5 The following schedules and maps are attached to and form part of this bylaw:
 - (1) Schedule 'A' – Definitions;
 - (2) Schedule 'B-1' / Map 'B-1' – Entire County Area Base Levy;
 - (3) Schedule 'B-2' / Map 'B-2' – Eastern Catchment Area Levy;
 - (4) Schedule 'B-3' / Map 'B-3' – Western Catchment Area Levy; and
 - (5) Schedule 'C' – Off-Site Levy Summaries.

Imposition of the Off-Site Levy

- 6 Subject to Section 14 through 17 of this bylaw, an off-site levy for community recreation facilities as provided for under the *Municipal Government Act* is imposed in respect of the development area of all lands that are to be subdivided or developed within Rocky View County and that will require or benefit from the new or expanded community recreation facilities detailed in this bylaw.
- 7 The off-site levy is imposed at the rates and on the terms specified by this bylaw. The off-site levy amounts imposed by this bylaw will apply to all new development permit and subdivision approvals after the date of the coming into full force and effect of this bylaw.
- 8 The off-site levy will be imposed as a condition of a development permit or subdivision approvals in accordance with this bylaw when such approval occurs after the coming into full force and effect of this bylaw.



ROCKY VIEW COUNTY

- 9 An off-site levy for community recreation facilities will be imposed as a condition of development permit or subdivision approval for all lands located within Rocky View County that are subject to the off-site levy imposed by this bylaw, unless otherwise exempted in accordance with this bylaw:
- (1) a base levy in the amount of \$1,162 per gross acre of the development area for all lands identified within the entire County area as described in Schedule 'B-1' and Map 'B-1' of this bylaw;
 - (2) a levy in the amount of \$6,076 per acre of the development area for all lands identified within the eastern catchment area as described in Schedule 'B-2' and Map B-2' of this bylaw;
 - (3) a levy in the amount of \$2,887 per gross acre of the development area for all lands identified within the western catchment area as described in Schedule 'B-3' and Map 'B-3' of this bylaw.
- 10 In addition to the off-site levy amounts imposed by section 9 of this bylaw, an off-site levy will be imposed as a condition of subdivision approvals as follows:
- (1) subdivision approvals with respect to all lands located in the benefitting areas shown in Schedules 'B-1' through 'B-3' and Maps 'B-1' through 'B-3' of this bylaw that will create residential parcels less than 4.0 hectares (9.88 acres);
 - (2) subdivision approvals with respect to all lands located in the benefitting areas shown in Schedules 'B-1' through 'B-3' and Maps 'B-1' through 'B-3' of this bylaw that will create residential parcels greater than 4.0 hectares (9.88 acres) where, in the opinion of Rocky View County, further subdivision or development is unlikely to occur due to technical limitations;
 - (3) subdivision approvals with respect to all lands located in the benefitting areas shown in Schedules 'B-1' through 'B-3' and Maps 'B-1' through 'B-3' of this bylaw that will create business or institutional parcels of any size.
- 11 In addition to the off-site levy amounts imposed by section 9 of this bylaw, an off-site levy will be imposed as a condition of development permit approvals as follows:
- (1) development permit approvals for any business, residential, or institutional uses for all lands located in the benefitting areas shown in Schedules 'B-1' through 'B-3' and Maps 'B-1' through 'B-3' of this bylaw.
- 12 If, prior to the coming into force of this bylaw, Rocky View County imposed and collected a fee or charge as a condition of a development permit or subdivision approval for the purpose of new or expanded community recreation facilities, an off-site levy for the same purpose may not be imposed in relation to the lands or portion of the lands that were the subject of such fee or charge.



ROCKY VIEW COUNTY

- 13 Despite any other provision in this bylaw, Rocky View County may impose further or different off-site levies, duly imposed by bylaw, on any portion of lands that are the subject of a development permit or subdivision approval and which the County has not already collected the off-site levy imposed by this bylaw or any previous off-site levy bylaw authorized by the *Municipal Government Act* or predecessor legislation for the same purpose as provided for in this bylaw.

Exemptions to the Off-Site Levy

- 14 Despite any other provision of this bylaw, the off-site levy will not be imposed on subdivision approvals as follows:
- (1) subdivision approvals in an agricultural district for agricultural uses when the parcel(s) created as a result of the subdivision exceed 4.0 hectares (9.88 acres) and where in the opinion of Rocky View County, further subdivision or development is likely to occur;
 - (2) subdivision approvals for first parcels out; or
 - (3) subdivision approvals for boundary adjustments.
- 15 Despite any other provision of this bylaw, the off-site levy will not be imposed on development permit approvals as follows:
- (1) development permit approvals for lands that are located within an agricultural or residential district and where the development permit is issued for a temporary use and subject to renewal; or
 - (2) development permits issued for lands that are located within an agricultural or residential district and where the development permit issued is for an accessory building or does not result in an increase to the number of dwelling units on the lands.
- 16 Council, in its sole and unfettered discretion, may defer the imposition of the off-site levy under this bylaw, in whole or in part, to the next development permit or subdivision approval affecting the lands:
- (1) If Council determines that it is appropriate to defer the imposition of the off-site levy on the lands as a condition of the development permit or subdivision approval; and
 - (2) subject always to receipt of a report from Rocky View County or consultation with the County.
- 17 The off-site levy, in whole or in part, will not be imposed on lands where Council determines, in its sole and unfettered discretion, that the off-site levy should not be imposed.

Off-Site Levy Payments

- 18 Rocky View County may enter into agreements, including development agreements, with owners of lands subject to the imposition of the off-site levy for the payment of the off-site levy imposed on those lands by this bylaw.



ROCKY VIEW COUNTY

- 19 The off-site levy imposed by this bylaw must be paid upon the earlier of the following dates:
- (1) the issuance of the development permit in respect of the lands if no development agreement is required as a condition of the development permit approval;
 - (2) prior to the endorsement of a plan of subdivision in respect of the lands if no development agreement is required as a condition of the subdivision approval; or
 - (3) the date(s) required for payment of the off-site levy as set forth within a development agreement pursuant to the conditions of a development permit or subdivision approval in respect of the lands.
- 20 Any payment of the off-site levy imposed by this bylaw that is not paid when due and owing is a debt owing to Rocky View County and will be subject to interest as determined by the County's policies. This provision does not affect any other remedy available to Rocky View County for late or non-payments of the off-site levy.
- 21 When the owner of lands subject to the off-site levy imposed by this bylaw fails, neglects, or refuses to pay the off-site levy imposed on the lands, to execute a required development agreement addressing payment of the off-site levy imposed on the lands, or to provide sufficient security for the payment of the off-site levy imposed on the lands, Rocky View County may, in addition to any other rights or remedies available:
- (1) refuse to issue a development permit or endorse a plan of subdivision until the owner of the lands has paid the off-site levy imposed on the lands, has executed the required development agreement address the payment of the off-site levy imposed on the land, or has provided sufficient security for the payment of the off-site levy imposed on the lands to the satisfaction of the Chief Administrative Officer, as the context requires; or
 - (2) commence court proceedings for the recovery of the off-site levy as an amount due and payable to Rocky View County.
- 22 The Chief Administrative Officer may authorize and enter into development agreements that provide a credit to an owner or developer to be applied towards payment of the off-site levy payable by the owner or developer in an amount equivalent to all or a portion of the cost of construction incurred by the owner or developer in relation to a community recreation facility that is within scope of this bylaw.

Determination of the Off-Site Levies

- 23 The off-site levy imposed by this bylaw was determined in accordance with the information and calculations from the report prepared by Mooreview Management Consulting Inc. which is incorporated into this bylaw by reference and will be disclosed by Rocky View County upon request in accordance with section 30 of this bylaw.
- 24 The basis and determination of the off-site levy amount for each of the benefitting lands for which an off-site levy has been imposed by this bylaw is shown in Schedules 'B-1' through 'B-3' and Maps 'B-1' through 'B-3' of this bylaw.



ROCKY VIEW COUNTY

- 25 The total off-site levy amount imposed on lands that will require or benefit from the construction of new or expanded community recreation facilities is shown in Schedule 'C' of this bylaw.
- 26 With respect to the cost of borrowing incurred by Rocky View County to fund the construction of new or expanded community recreation facilities pursuant to this bylaw:
- (1) the cost of borrowing accruing after the coming into full force and effect of this bylaw will be calculated by Rocky View County and be required as part of the off-site levy imposed and payable under this bylaw.

Off-Site Levy Administration and Off-Site Levy Fund

- 27 Council delegates to the Chief Administrative Officer the power and responsibility to administer and enforce this bylaw.
- 28 The Chief Administrative Officer must establish, maintain, and administer an off-site levy fund in accordance with the *Municipal Government Act*.

Annual Report to Council and Information Requests

- 29 The Chief Administrative Officer must, at least once per calendar year, provide Council with a report detailing all off-site levies imposed under this bylaw, collections and expenditures during the previous calendar year, unpaid off-site levy amounts as at the end of the previous calendar year, funds on hand to meet anticipated expenditures during the current calendar year, and updated estimates of the costs expected to be incurred in order to complete construction of community recreation facilities for which the off-site levy has been imposed by this bylaw.
- 30 Rocky View County must disclose full information regarding off-site levy calculations, allocations, impositions, collections, costs, and payments upon request by an owner or ratepayer.

Severability

- 31 Each provision of this bylaw is independent of all other provisions. If any provision of this bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this bylaw will remain valid and enforceable.

Transition, Repeal, and Effective Date

- 32 This bylaw is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.



ROCKY VIEW COUNTY

READ A FIRST TIME this _____ day of _____, 2024

READ A SECOND TIME this _____ day of _____, 2024

UNANIMOUS PERMISSION FOR THIRD READING this _____ day of _____, 2024

READ A THIRD AND FINAL TIME this _____ day of _____, 2024

Reeve

Chief Administrative Officer

Date Bylaw Signed



ROCKY VIEW COUNTY

Bylaw C-8550-2024**Schedule 'A' – Definitions**

- 1 **"Accessory building"** has the same meaning as in the *Land Use Bylaw*.
- 2 **"Agriculture"** or **"agricultural"** means any subdivision or development for an agricultural" or agriculture use as contemplated in the *Land Use Bylaw*.
- 3 **"Benefitting areas"** means those lands within the respective benefitting areas of the community recreation facilities as described in Schedules 'B-1' through 'B-3' of this bylaw.
- 4 **"Boundary adjustment"** means the adjustment of lot boundaries of parcels of lands without the creation of additional lots.
- 5 **"Building"** has the same meaning as in the *Land Use Bylaw*.
- 6 **"Chief Administrative Officer"** means the Chief Administrative Officer of Rocky View County pursuant to the *Municipal Government Act* or their authorized delegate.
- 7 **"Community Recreation Facilities"** has the same meaning as provided for in the *Municipal Government Act* and includes the facility, the associated infrastructure, the land necessary for the facility, and related appurtenances.
- 8 **"Council"** means the Rocky View County Council.
- 9 **"County"** means Rocky View County.
- 10 **"Development"** has the same meaning as provided for in the *Municipal Government Act*.
- 11 **"Development agreement"** means a development agreement as provided for in the *Municipal Government Act*.
- 12 **"Development area"** means the gross acreage of lands that are subject of the proposed subdivision or development, including:
 - (1) all buildings and other structures;
 - (2) all driveway access areas;
 - (3) all areas required to be landscaped as a condition of the development permit or subdivision approval;
 - (4) all storage and display areas directly associated with the development permit or subdivision approval;
 - (5) all parking areas required for the development permit or subdivision approval;
 - (6) all areas utilized for the growing of crops that are the subject of the development permit approval;



ROCKY VIEW COUNTY

- (7) all areas to be designated as reserve lands or subject to exclusions below as a condition of a subdivision approval; and
- (8) any areas that will be dedicated for roads or utilities as a condition of development permit or subdivision approval.

Despite the above, development area does not include the following:

- (9) with respect to a development permits issued for a golf course, any portion of the lands that are outside the scope of the development area outlined above (i.e. hazards, roughs, greens, etc.);
- (10) with respect to development permits issued for a solar farm, any portion of the Lands that are outside of the scope of the development area outlined above (i.e. solar panels and electricity grid);
- (11) with respect to Subdivisions involving an existing dwelling, the subdivided parcel that contains the existing dwelling; and
- (12) all areas designated environmental reserve or subject to an environmental reserve easement, each as defined within the *Municipal Government Act* as a condition of subdivision approval.

13 **"Development permit"** has the same meaning as in the *Land Use Bylaw*.

14 **"Dwelling"** has the same meaning as in the *Land Use Bylaw*.

15 **"Dwelling unit"** has the same meaning as in the *Land Use Bylaw*.

16 **"First parcel out"** has the same meaning as in the *Land Use Bylaw*.

17 **"Industrial"** means any subdivision or development for an industrial use as contemplated in the *Land Use Bylaw*.

18 **"Institutional"** means any subdivision or development for an institutional use as contemplated in the *Land Use Bylaw*.

19 **"Land Titles Act"** means the *Land Titles Act*, RSA 2000, c L-4, as amended or replaced from time to time.

20 **"Land Use Bylaw"** means Rocky View County's current *Land Use Bylaw*, as amended or replaced from time to time.

21 **"Lands"** means private titled parcels of land in accordance with the *Land Titles Act*.

22 **"Off-site levy"** or **"off-site levies"** means the off-site levy imposed by this bylaw.

23 **"Off-Site Levies Regulation"** means the *Off-Site Levies Regulation*, AR 187/2017, as amended or replaced from time to time.



ROCKY VIEW COUNTY

- 24 **"Report"** means the *Technical Memorandum* from Mooreview Management Consulting Inc. dated June 10, 2024 and all supporting documents referred to therein.
- 25 **"Reserve land"** has the same meaning as provided for in the *Municipal Government Act*.
- 26 **"Residential"** means any subdivision or development for residential use as contemplated in the *Land Use Bylaw*.
- 27 **"Rocky View County"** means Rocky View County or the geographical area within its jurisdictional boundaries, as the context may require.
- 28 **"Subdivision"** has the same meaning as provided for in the *Municipal Government Act*.



Bylaw C-8550-2024

Schedule 'B-1' – Entire County Area Base Levy

Description:

Rocky View County requires new or expanded recreational facilities to accommodate projected growth across the Entire County Area. The facilities included in the community recreation levy for the entire County area are as follows:

- Langdon Recreation Centre and Field House;
- Indus Ice Rink Centre;
- Conrich Community Event Centre and Sports Field;
- South Springbank Community Facilities (consisting of Phase 1 community centre); and
- Harmony Community Event Centre and Sports Field.

Benefitting Lands:

The lands included in the entire County area are the lands that are expected to access and will benefit from the community recreation facilities as shown on Map 'B-1' of this bylaw.

All development across the entire County area is expected to benefit from the new or expanded community recreation facilities in a 1:2 ratio (33.3%) relative to the benefits expected from the development within either of the eastern or western catchment areas in Schedules 'B-2' and 'B-3' of this bylaw. As such, 33.3% of each community recreation facility's net capital costs have been allocated to the entire County area for the purposes of calculating the base levy rate.

Estimated Costs:

The estimated net capital costs for the community recreation facilities allocated to the entire County area for the purposes of calculating the base levy rate are as follows:

Langdon Recreation Centre and Field House	\$ 12,535,412
Indus Ice Rink Centre	\$ 3,594,186
Conrich Community Event Centre and Sports Field	\$ 5,372,715
South Springbank Community Facilities (Phase 1)	\$ 5,225,455
Harmony Community Event Centre and Sports Field	\$ 2,939,243
TOTAL	\$29,667,012



ROCKY VIEW COUNTY

Benefit to New Development

Costs and benefits were allocated between new and existing development in accordance with the report prepared by Mooreview Management Consulting Ltd. and the growth projections and development forecasts contained in the report.

A total of \$15,867,681 is allocated to new development forecasted to occur in the twenty years between 2024-2043 based on a development forecast of 13,657 acres across the entire County area.

Levy Cost Calculation

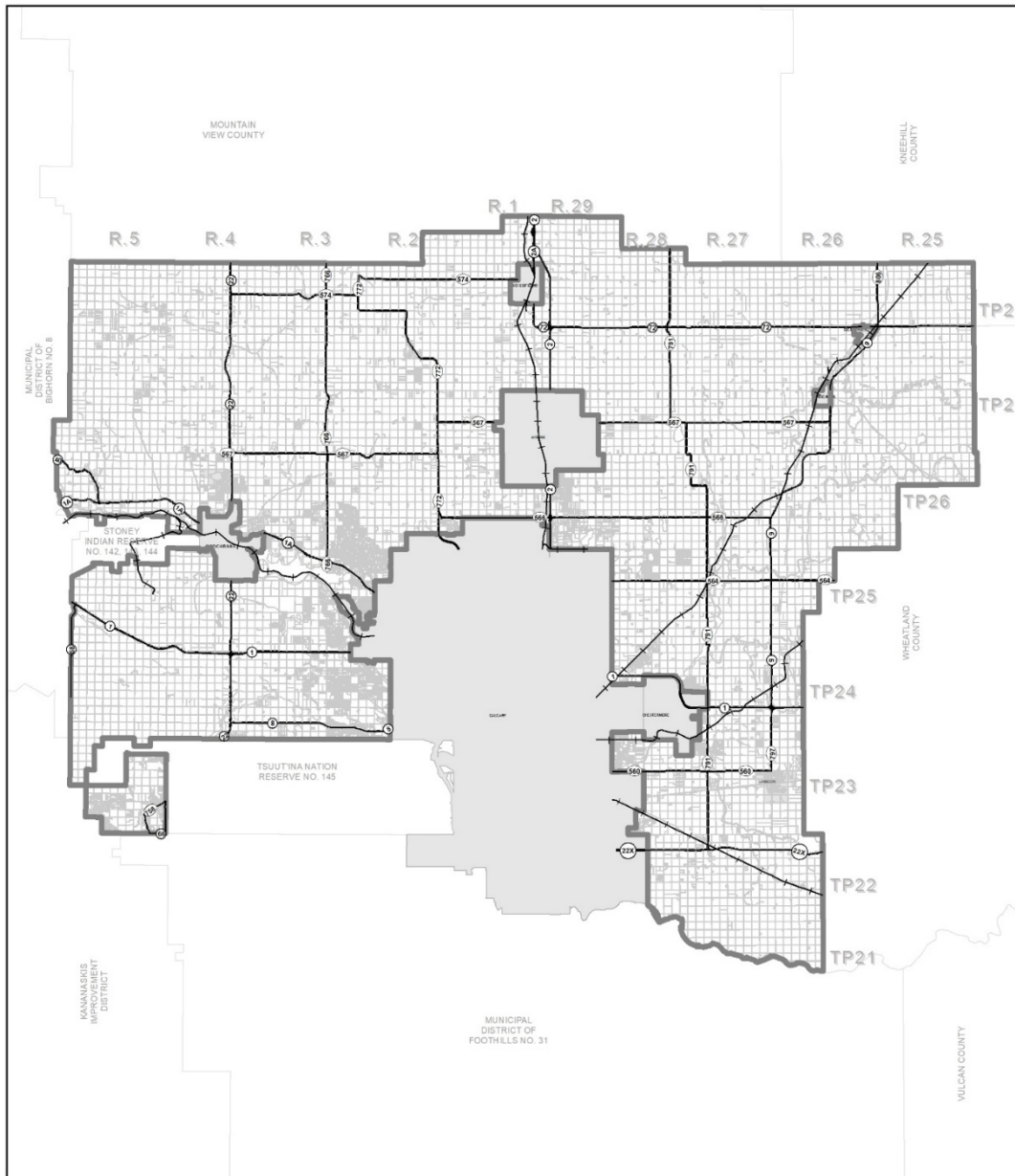
$\$15,867,681.00 / 13,657 \text{ acres} = \$1,162/\text{per acre}$ or $\$2,871/\text{per hectare}$.




Bylaw C-8550-2024

Schedule 'B-1' – Recreation Facility Levy


Map 'B-1' – Entire County Area



Schedule B-1
Recreation Facility Levy



0 4.5 9 18
Kilometers



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Information as depicted is subject to change, therefore Rocky View County assumes no responsibility for discrepancies after date of printing.



Bylaw C-8550-2024

Schedule 'B-2' – Eastern Catchment Area Levy

Description:

Rocky View County requires new or expanded recreational facilities to accommodate projected growth in the eastern catchment area. The community recreation facilities included in the eastern catchment area are as follows:

- Langdon Recreation Centre and Field House;
- Indus Ice Rink Centre; and
- Conrich Community Event Centre and Sports Field.

(Known collectively as the “eastern community recreation facilities”)

Benefitting Lands

The lands included in the eastern catchment area are the lands that are expected to access and will benefit from the eastern community recreation facilities as shown on Map 'B-2' of this bylaw.

All development within the eastern catchment area is expected to benefit from the new or expanded community recreation facilities in a 2:1 ratio (66.7%) relative to the benefits expected from the development across the entire County area in Schedule 'B-1' of this bylaw. As such, 66.7% of each community recreation facility's net capital costs have been allocated to the eastern catchment area for the purposes of calculating the eastern catchment levy rate.

Estimated Costs:

The estimated net capital costs for the eastern community recreation facilities allocated to the eastern catchment area for the purposes of calculating the eastern catchment levy rate are as follows:

Langdon Recreation Centre and Field House	\$ 25,070,825
Indus Ice Rink Centre	\$ 7,188,371
Conrich Community Event Centre and Sports Field	\$ 10,745,431
TOTAL	\$43,004,627

**Benefit to New Development**

Costs and benefits were allocated between new and existing development in accordance with the report prepared by Mooreview Management Consulting Ltd. and the growth projections and development forecasts contained in the report.

A total of \$26,473,502 is allocated to new development forecasted to occur in the twenty years between 2024-2043 based on a development forecast of 4,357 acres.

Levy Cost Calculation

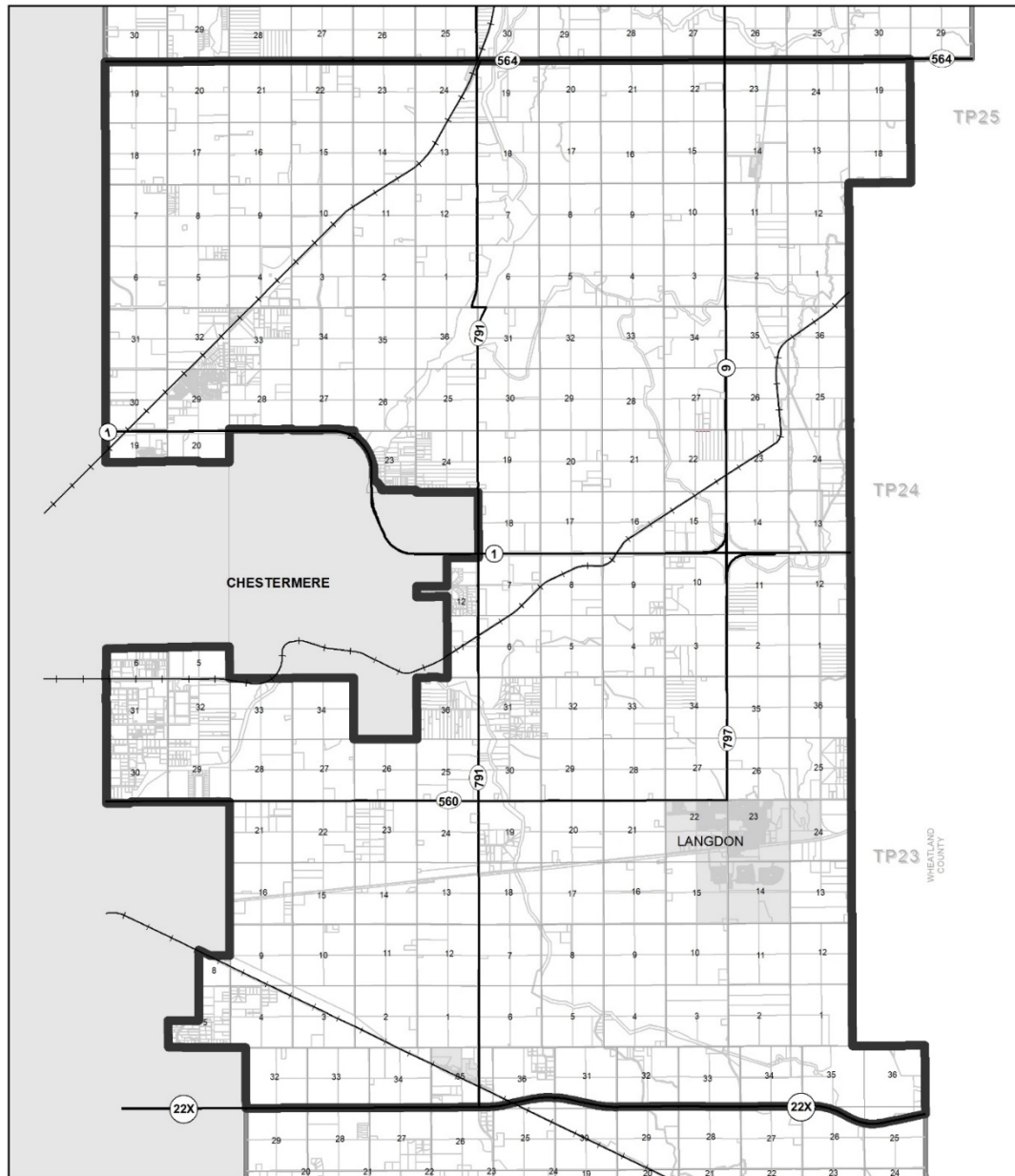
$\$26,473,502.00 / 4,357 \text{ acres} = \$6,076/\text{per acre}$ or $\$15,014/\text{per hectare}$.



Bylaw C-8550-2024

Schedule 'B-2' – Recreation Facility Levy

Map 'B-2' – Eastern Catchment Area



Schedule 'B-2'
Recreation Facilities - Eastern Catchment Area

Recreation Catchment Area

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C-8550-2024

Schedule 'B-3' – Western Catchment Area Levy

Description

Rocky View County requires new or expanded recreational facilities to accommodate projected growth in the western catchment area. The community recreation facilities included in the western catchment area are as follows:

- South Springbank Community Facilities (consisting of Phase 1 community centre); and
- Harmony Community Event Centre and Sports Field.

(Known collectively as the “western community recreation facilities”)

Benefitting Lands

The lands included in the western catchment area are lands that are expected to access and will benefit from the western community recreation facilities as shown on Map 'B-3' of this bylaw.

All development within the western catchment area is expected to benefit from the new or expanded community recreation facilities in a 2:1 ratio (66.7%) relative to the benefits expected from the development across the Entire County. As such, 66.7% of each facility’s net capital costs have been allocated to the Western Catchment Area for the purposes of calculating the Western Catchment Levy Rate.

Estimated Costs

The estimated net capital costs for the western community recreation facilities allocated to the western catchment area for the purposes of calculating the western catchment area levy rate are as follows:

South Springbank Community Facilities (Phase 1)	\$10,450,911
Harmony Community Event Centre and Sports Field	\$ 5,878,487
TOTAL	\$16,329,398

**Benefit to New Development**

Costs and benefits were allocated between new and existing development in accordance with the report prepared by Mooreview Management Consulting Ltd. and the growth projections and development forecasts contained in the report.

A total of \$8,624,558 is allocated to new development forecasted to occur in the twenty years between 2024-2043 based on a development forecast of 2,988 acres.

Levy Cost Calculation

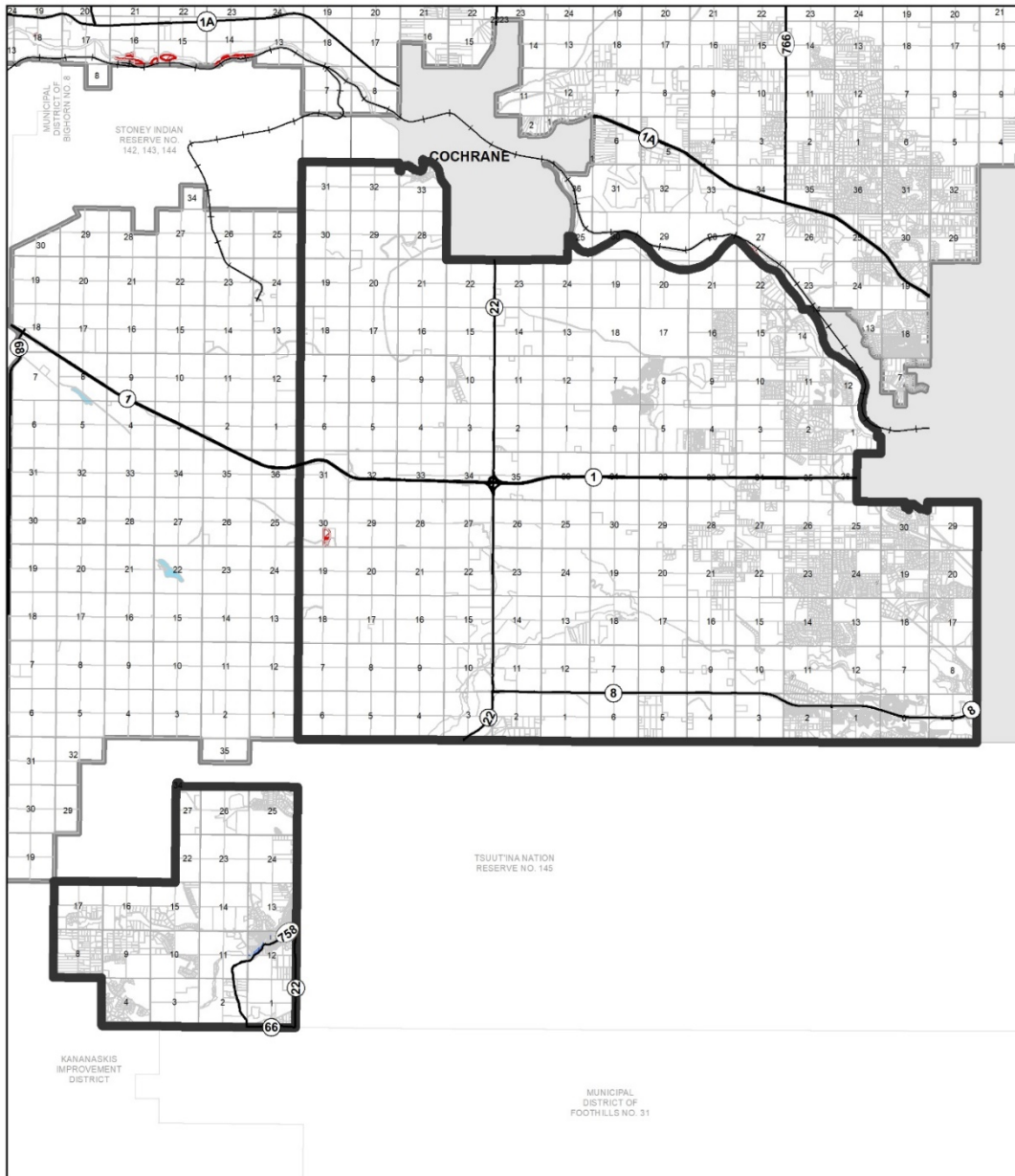
$\$8,624,558.00 / 2,988 \text{ acres} = \$2,887/\text{per acre}$ or $\$7,134/\text{per hectare}$.



C-8550-2024

Schedule 'B-3' – Western Catchment Area Levy

Map 'B-3' – Western Catchment Area



Schedule 'B-3'
Recreation Facilities - Western Catchment Area

0 1.5 3 6 Kilometers

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Recreation Catchment Area



C-8550-2024

Schedule 'C' – Summaries of Off-Site Levy

Community Recreation Facilities		
Area	Rate	Map
Entire County Area Base Levy	\$1,162 per gross acre	Schedule 'B-1' / Map 'B-1'
Eastern Catchment Area Levy	\$6,076 per gross acre	Schedule 'B-2' / Map 'B-2'
Western Catchment Area Levy	\$2,887 per gross acre	Schedule 'B-3' / Map 'B-3'