

**TOWN OF BOWDEN
BYLAW 001/2008**

**A BYLAW TO ESTABLISH OFF-SITE LEVIES IN THE TOWN OF BOWDEN,
PROVINCE OF ALBERTA**

WHEREAS pursuant to Section(s) 648 and 649 of the Municipal Government Act, 2000 Chapter M - 26. Council deems it expedient to 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 developed or subdivided; and

WHEREAS Council deems it expedient to authorize an agreement to be entered into in respect of the payment of the levy.

NOW THEREFORE the Council of the Town of Bowden, in the Province of Alberta duly assembled, enacts as follows:

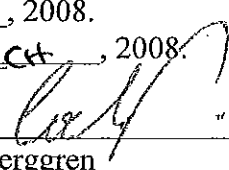
1. For the purposes of the Bylaw the following definitions apply:
 - a. "Act" means The Municipal Government Act, 2000 chapter M-26.
 - b. "Development" means:
 - i. an excavation or stock pile in the creation of either of them;
 - ii. a building or an addition to, or replacement or repair of a building and the construction or placing of any of them in, on, over or under land;
 - iii. a change of use of land or a building or an act done in relation to land or a building that results in, or is likely to result in a change in the use of the land or building, or;
 - iv. a change in the intensity of use of land, or a building, or an act done in relation to land or a building, that results in or is likely to result in a change in the intensity of use of the land or building.
 - c. "Excess Capacity" means any capacity in excess of that required for a proposed Development or Subdivision;
 - d. "Improvement" means:
 - i. a facility or land referred to in section 2, or
 - ii. a road, pedestrian walkway, utility or facility referred to in Section 650(1) or 655(1)(b) of the Actwhether or not located on the land to be developed or subdivided, and whether or not constructed at the time of Development or Subdivision approval.
 - e. "Subdivision" means the division of a parcel of land by an instrument and "subdivided" has a corresponding meaning.
2. This Bylaw may be cited as the "Off-Site Levies Bylaw."

3. There is imposed an off-site Levy to be used only to pay for all or part of the Capital cost of any or all of the following:
 - a. new or expanded facilities for the storage, transmission, treatment or supplying of water;
 - b. new or expanded facilities for the treatment, movement or disposal of sanitary sewage.
 - c. new or expanded storm sewer drainage facilities;
 - d. new or expanded roads required for or impacted by a Subdivision or Development.
 - e. land required for or in connection with any facilities described in clauses 3.a. through 3.d.
4. The Levy for Development shall be as set out in Schedule 'A' attached hereto and forming a part of this Bylaw.
5. The Levy as set out in Section 4 shall be paid to the Town of Bowden on the following terms and conditions:
 - a. where land is to be subdivided, subdivision approval shall be subject to each landowner affected entering into a Development Agreement with the Town of Bowden, with respect to payment of the Levy.
 - b. where land is to be developed, Development Permit approval shall be subject to the developer paying the Off-Site Levy to the Town of Bowden.
6. An Agreement referred to in Section 5 may require the applicant for a Development Permit or subdivision approval to construct or pay for all or a portion of an Improvement with an Excess Capacity.
7. That this Bylaw shall come into effect upon third and final reading with exception of those subdivision applications made prior to this date.


Read for a first time this 11 day of FEBRUARY, 2008.

Read for a second time this 10 day of MARCH, 2008.

Read for a third and final time this 10 day of MARCH, 2008.



Mayor Cody Berggren



Chief Administrative Officer

**TOWN OF BOWDEN
PROVINCE OF ALBERTA**

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SCHEDULE 'A'**

To calculate the levy for a specific parcel:

1. Determine the parcel's physical area in Hectares (Ha), designated land use.
2. Multiply the physical area in Hectares (HA) and the designated land use Levy amount Per Ha as listed in the Table below:

Table 1

Designated Land Use	Levy Per Hectare (HA)
Residential	\$15,000
Commercial	\$15,000
Industrial	\$15,000

3. By way of example the Off-Site Levy for a 10.99 Ha Commercial.

$$10.99 \text{ Ha} \times \$15,000/\text{Ha} = \$164,850$$

4. To determine the Levy Per Equivalent Dwelling Units (EDU) for the designated land use. Divide the Levy amount Per Ha as identified in the Table 1 by the EDU per hectare in Table 2

Designated Land Use	Equivalent Dwelling Units (EDU)
Residential Single Family	10.0 EDU/Ha
Residential (High Density)	12.5 EDU/Ha
Duplex Lot	2.0 EDU/Ha
Townhouse	1.0 EDU/Ha
Triplex	3.0 EDU/Ha
Fourplex	4.0 EDU/Ha
Apartments	0.5 EDU/Ha per suite
Commercial	12.5 EDU/Ha
Industrial	10.0 EDU/Ha
Institutional	10.0 EDU/Ha

5. By way of example the Off-Site Levy for Commercial. Per EDU

$$\$15,000/\text{Ha} / 12.5 \text{ EDU/Ha} = \$1,200$$