

May 15, 2018

Off-Site Levies Regulation Amended

Order in Council released May 1, 2018

The **Off-Site Levies Amendment Regulation** was recently released to the public, where it outlined several requirements for municipalities to consider when determining off-site levy amounts, and the use of agreements focused on funding and the reimbursement of costs.

Key Amendments

- The Regulation places sole responsibility on the municipality to address and define existing and future infrastructure, transportation infrastructure, and facility requirements.
- Within the Regulation, there are a few terms, such as “degree of benefit” and “proportional benefit” which may create differences in application amongst municipalities.
- The incorporation of the term “transportation infrastructure” which is defined as infrastructure and land in section 648 of the **Municipal Government Act**.
- Expansion under section 3 to include:
 - Clarification that a levy will not direct the Government of Alberta to undertake actions (funding or otherwise) related to transportation infrastructure.
 - The use of agreements that clarifies the use of a levy to solely fund the construction of infrastructure, or transportation infrastructure.
 - The use of an agreement to identify reimbursement of the cost incurred or payment made in excess of the applicant’s “proportional benefit” of the infrastructure, transportation infrastructure or facilities.
- Section 5(1) (Principles and criteria for determining costs) requires the consideration of the following in calculating a levy:
 - Supporting traffic impact assessments and other technical studies, statutory plans, policies, or agreements related to growth and need for and benefits from the new transportation infrastructure.
 - The portion of the estimated costs beyond those covered by the province that will be covered by the municipality, levy-generated revenue, and other sources of revenues.
 - The requirement for the municipality to determine the benefitting areas, based on reasonable geographic area that will use of the transportation infrastructure.

RMA, along with Alberta Urban Municipalities Association (AUMA), are working to develop a guide focused on off-site levies as part of the *Municipal Government Act* change management process. This information will be critical in assisting municipalities with developing their intermunicipal development

2510 Sparrow Drive
Nisku, Alberta T9E 8N5

OFFICE: 780.955.3639
FAX: 780.955.3615
RMAAlberta.com



BULLETIN

plans (IDPs) and intermunicipal collaboration frameworks (ICFs).
For enquiries, please contact:

Allison Hansen
Policy Analyst
allison@RMAAlberta.com

Tasha Blumenthal
Director of External Relations & Advocacy
tasha@RMAAlberta.com

2510 Sparrow Drive
Nisku, Alberta T9E 8N5

OFFICE: 780.955.3639
FAX: 780.955.3615
RMAAlberta.com