

TOWN OF WEMBLEY

BY-LAW NO. 636

A BY-LAW FOR THE TOWN OF WEMBLEY IN THE PROVINCE OF ALBERTA, PROVIDING FOR THE IMPOSITION OF AN OFF-SITE LEVY ON THE UNDEVELOPED LANDS ENCOMPASSED BY THE BOUNDARIES OF THE TOWN. THE OFF-SITE COSTS TO BE PAID BY THE OWNERS OR PURCHASERS OF LAND REQUIRING MUNICIPAL SERVICES FROM THE TOWN.

WHEREAS, the Town of Wembley must expand Municipal utility services and roads requiring an expenditure for water reservoir and its related facilities, and/or an expenditure for sewage treatment and related services, and/or an expenditure for roads required for or impacted by a development or subdivision; and

WHEREAS, existing residential, commercial and industrial taxpayers of the Town have already received and paid for appropriate municipal services; and

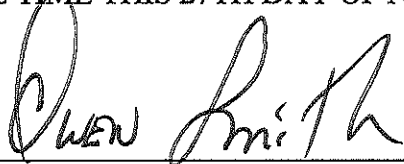
WHEREAS, Council deems it just and reasonable to impose by by-law a levy of to-site costs on undeveloped land as authorized by Section 648 of the Municipal Government Act, Chapter M26, Revised Statutes of Alberta, 2000 and amendments thereto, that will allow the principal and interest upon the expenditures for water facilities and /or sewage facilities and roads to be chiefly recovered from owners and occupants of lands within Town limits now being developed hereafter due to the availability of such services.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE TOWN OF WEMBLEY DULY ASSEMBLED AND ACTING IN GOOD FAITH ENACTS AS FOLLOWS:

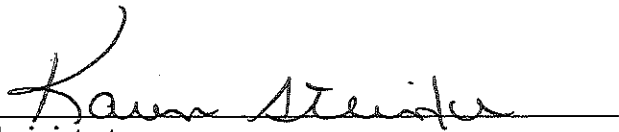
1. An off-site cost levy shall be paid on undeveloped land within the limits of the Town that is to be developed for residential, commercial, industrial or other purposes, payable as follows:
 - (a) for each unit of housing, whether built separately or as part of a duplex, townhouse, rowhouse or otherwise, the sum of \$1800.00 as an off-site levy:
 - (b) for each apartment house, excepting duplexes, townhouses, and rowhouses or similar units:
 - (i) a bachelor suite \$200.00
 - (ii) a one bedroom suite \$350.00
 - (iii) a two bedroom suite \$400.00
 - (iv) a three bedroom suite \$450.00
 - (v) a four bedroom or more suite \$500.00
 - (c) for each commercial, industrial, or institutional development, an off-site levy of 50 cents per square foot of total gross floor area, calculated on the basis of the external dimensions of the building, to a maximum of \$3,000.00.
 - (d) An off-site cost levy of \$1,500.00 per acre on the gross acreage of mobile home park developments.
 - (e) An off-site cost levy of \$1,500.00 per gross acre on industrial or commercial lands where construction other than buildings would be prevalent.
2. The Council of the Town of Wembley is hereby authorized to enter into a development agreement or agreements, with the owners or purchasers of that land to be legally described, for the provision of municipal services to that land whether or not it has been subdivided and to enter into an agreement with the owners or purchaser of the land for the payment of the off-site levy imposed on that land. This by-law provides that in the event a designated development area is to be allowed in stages, an additional agreement shall be entered into with the owners or purchasers for payment of the off-site levy on the remaining or future developments of the designated area and shall be entered into before the first off-site levy agreement on the designated area is signed and sealed.

3. All levies imposed under this by-law shall be paid prior to the issuance of either a development permit or a building permit and shall be in addition to any fee required for a development permit or for a building permit.
4. All of the required agreements referred to in this by-law shall be approved, before signing, by the Town of Wembley or by a legal advisor selected by the Town Council.
5. This by-law shall take effect upon final reading.
6. By-law No. 607 is hereby rescinded.

READ A FIRST, SECOND, AND BY UNANIMOUS CONSENT A THIRD AND FINAL TIME THIS 27TH DAY OF NOVEMBER, 2006.



Mayor



Administrator