



# Town of Cochrane Policy

<b>Policy No.:</b> <b>Policy Title:</b> <b>Approval Date:</b> <b>Revision Date:</b> <b>Department:</b>	<b>1708-01</b> <b>Front-ending Infrastructure Within the Off-Site Levy Bylaw</b> <b>July 12, 2021 (RES #126/07/21)</b> <b>Planning and Development</b>
--	---

## Policy Statement

The Town is committed to financial resiliency and sustainability. The Town recognizes that debt can be utilized in a strategic manner to deliver capital infrastructure. The Town also recognizes that new capital infrastructure is required to support growth within the Town and that high debt levels can limit the Town's financial flexibility and impair the Town's financial resiliency and sustainability. The Town recognizes the Off-Site Levy, as per the Municipal Government Act, is an effective recovery tool utilized by the Town to ensure those that benefit from infrastructure pay. If developers wish to proceed with development which relies on infrastructure included in the Off-Site Levy Bylaw before that infrastructure has been constructed or installed, the Town may allow developers to front-end that infrastructure.

The purpose for this policy is to provide direction around when infrastructure included within the OSL Bylaw may be front-ended by developers and the way in which the costs of doing so may be recovered over time and repaid to the front-ending developers without impacting the Town's debt position.

### 1. Reason for Policy

- 1.1 To ensure clarity around when developers will be permitted to front-end infrastructure within the Off-Site Levy Bylaw.
- 1.2 To ensure infrastructure included in the Off-Site Levy Bylaw that is front-ended by developers does not impact the Town's debt (financial) position.
- 1.3 To create transparency for developers related to infrastructure within the Off-Site Levy Bylaw and the front-ending of that infrastructure.

## **2. Related Information**

### 2.1 Off-site Levy Bylaw

## **3. Definitions**

- 3.1 "Front-end", "Front-ending", or "Front-ended" refers to a developer paying for infrastructure contained within the Off-Site Levy Bylaw with excess capacity beyond the requirements of that developer's particular development, constructing that infrastructure, or any combination thereof.
- 3.2 "Off-Site Levy Bylaw" means the Town's Off-Site Levy Bylaw.

## **4. Responsibilities**

- 4.1 Town Council to:
- 4.1.1 Approve by resolution this policy and any amendments.
  - 4.1.2 Consider through the approval of the Off-Site Levy Bylaw, Annual Budgets and 10-yr Capital Plan what infrastructure included in the Off-Site Levy Bylaw may be permitted to be front-ended by developers.
  - 4.1.3 Ensure resources are adequate to facilitate staff's role in implementing this policy.
- 4.2 Chief Administrative Officer to:
- 4.2.1 Implement this policy and approve any associated procedures.
  - 4.2.2 Ensure policy and procedure reviews occur and verify the implementation of policies and procedures.
  - 4.2.3 Recommend to Council necessary policy amendment(s).
- 4.3 General Managers to:
- 4.3.1 Comply with this policy and cause their departments to do the same.

## **5. Policies/Principles**

- 5.1 Ultimately the determination whether and when to proceed with a project is one determined by Council as part of the budget process. At the time of the Off-Site Levy Bylaw being passed, the following projects are not intended to be carried out by the Town unless and until fully funded through Off-Site Levies:
- River Heights Reservoir and Pump Station
  - Other Highway Intersections

- 5.2 Any infrastructure identified in the Off-Site Levy Bylaw may be considered for front-ending by developers. The above projects in particular were included in the Off-Site Levy in anticipation that they may be front-ended by developers, and front-ending of these projects is encouraged.
- 5.3 The Town will enter into a front-ending agreement with front-ending developer(s) in accordance with section 651 of the Municipal Government Act.
- 5.4 The front-ending agreement will only require the Town to provide reimbursement to the front-ending developer(s) as funds are collected under the Off-Site Levy Bylaw for those projects from development or subdivision of land that benefits from the excess capacity of those projects. The front-ending agreement shall not otherwise require the Town to reimburse front-ending developments unless specifically approved by Council.
- 5.5 The front-ending agreement will include appropriate requirements with respect to securities, standards, warranties, etc.
- 5.6 Other agreements with developer(s) may be required to facilitate front-ending between multiple developers.

## **6. End of Policy**