



THE RURAL MUNICIPALITY OF MACDONALD

BY-LAW NO. 6/16

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF MACDONALD to establish fees, charges and levies pertaining to the examination and approval of subdivisions.

WHEREAS the provisions of The Planning Act, C.C.S.M. c. P80 provide in part as follows:

By-laws establishing fees and charges

142(1) A board or council may, by by-law, set the fees and charges to be paid by applicants.

Examination and approval services

142(2) Fees and charges may relate to technical, administrative, professional, consultative or other services required by the municipality or planning district to examine and approve a subdivision application.

Levies established by by-law

143(1) A council may, by by-law, set the levies to be paid by applicants to compensate the municipality for the capital costs specified in the by-law that may be incurred by the subdivision of land.

Establishment of reserve funds

143(2) A council must establish a reserve fund under *The Municipal Act* into which the levies are to be paid.

AND WHEREAS the Council of the Rural Municipality of Macdonald deems it in the best interest of the Municipality to ensure that a capital levy is obtained from new sites created by subdivision within the Municipality for those capital costs related to the repair, renewal, expansion or development of the capital infrastructure of the Municipality that may be incurred by the Municipality wholly or in part by reason of the subdivision;

AND WHEREAS it is deemed expedient and in the public interest to revise the scale of levies for that purposes;

NOW THEREFORE, the Council of the Rural Municipality of Macdonald duly assembled, enacts as follows:

1. Where approval of an application for subdivision may require the municipality to incur capital costs, wholly or in part, as result of the subdivision, the applicant shall pay those levies or charges more particularly set out in the form attached hereto as Schedule "A" to this By-Law; and
2. All compensation for capital costs received from such application shall be placed in a "Capital Development Reserve Fund" or as directed by Council in the "Recreation Reserve Fund".
3. This By-Law shall take effect upon final reading.
4. By-Law No. 3/04 will be repealed.

DONE AND PASSED by the Council of the Rural Municipality of Macdonald, in Council duly assembled, at Sanford, Manitoba this 14th day of June A.D., 2016.

THE RURAL MUNICIPALITY OF MACDONALD

Original Signed by

"B. Erb"

Brad Erb
Reeve

"D. Hrehirchuk"

Daryl Hrehirchuk, CMMA
Chief Administrative Officer

Read a First time this 11th day of April, A.D., 2016

Read a Second time this 29th day of April A.D., 2016

Read a Third time this 14th day of June A.D., 2016

Schedule "A" to By-Law No. 6/16

Capital Levy

As a condition of approval of subdivision, the applicant shall pay a capital levy of:

1. a) Two Thousand Five Hundred Dollars (\$2,500.00) for each lot subdivided in 2016 in
 - Agricultural Zones
 - Residential Zones
 - General Development Zones
- b) in the subsequent years on the first day of January in each year the levy will be increased by the CPI for Manitoba.
2. a) 5% of the market value of the land subdivided in
 - Commercial Zones
 - Industrial Zones
- b) subject to a minimum capital levy of \$2,500.00 per acre
3. The capital levy may be adjusted or waived by a resolution of Council.