

RURAL MUNICIPALITY OF ELTON

BY-LAW NO. 1605

**BEING A BY-LAW OF THE RURAL MUNICIPALITY OF ELTON TO ESTABLISH
A CAPITAL DEVELOPMENT LEVY**

WHEREAS the provisions of *The Planning Act* provide in part as follows:

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 Elton (Elton) deems it in the best interest of Elton to ensure that a Capital Development Levy is obtained from new sites created by subdivisions within Elton for those capital costs related to the repair, renewal, expansion or development of the capital infrastructure of Elton that may be incurred by Elton wholly or in part by reason of the subdivision;

AND WHEREAS the Council of the Rural Municipality of Elton (Elton) has reviewed existing infrastructure of the Municipality and the anticipated future capital needs of the Municipality, demand for which may be created or accelerated by development including but not limited to:

- a) Sewage lagoon
- b) Water systems, reservoirs, and booster stations
- c) Community parks and walkways
- d) Recreation
- e) Roads and road systems
- f) Public works, municipal/administration buildings, and major equipment
- g) Other capital works, structures, and equipment
- h) Nuisance grounds and refuse collection areas and equipment.

AND WHEREAS purchasers of new lots shall be entitled to receive and benefit of all such existing and future capital infrastructure;

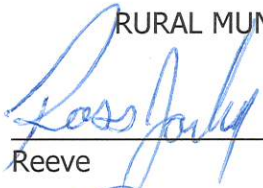
AND WHEREAS the Council of Elton desires to pass a by-law prescribing the scale of levies to be paid by an applicant for subdivision approval as compensation to Elton for capital costs pursuant to Section 143(1) of The Planning Act.

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

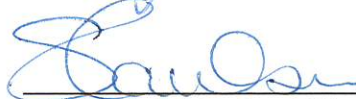
1. That a capital development levy be assessed, charged, and imposed upon any applicant, on each lot created by the subdivision of land within Elton, for subdivision approval in accordance with the following:
 - a. Subdivisions with an existing habitable residential building(s) shall be ONE THOUSAND DOLLARS (\$1,000.00) for each new parcel created;
 - b. Subdivisions with no existing habitable residential building(s) shall be TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$2,500.00) per lot;
 - c. Subdivisions for commercial and industrial lots shall be THREE THOUSAND DOLLARS (\$3,000.00) per lot.
2. That payment of the Capital Development Levy shall be payable to Elton upon approval of the subdivision by Elton.
3. All monies collected by Elton from the Capital Development Levy shall be placed in the "Capital Development Reserve Fund" and funds paid into the reserve fund shall be used for capital purposes only, including capital expenditures for developing, repairing, expanding, replacing, or renewing the capital infrastructure of Elton and shall be dealt with and expended only in accordance with the requirements of Section 168(2) of The Municipal Act.
4. That Council may, on an individual application basis and by resolution of Council, adjust the amount of or waive the capital development levy per lot.
5. This By-Law shall be amended upon final reading.

DONE AND PASSED BY THE COUNCIL OF THE RURAL MUNICIPALITY OF ELTON IN
REGULAR SESSION ASSEMBLED IN THE COUNCIL CHAMBERS AT FORREST, IN
MANITOBA, THIS 10th DAY OF August, A.D. 2021.

RURAL MUNICIPALITY OF ELTON



Reeve



Chief Administrative Officer

READ A FIRST TIME THIS 15th DAY OF June A.D. 2021.
READ A SECOND TIME THIS 10th DAY OF Aug. A.D. 2021.
READ A THIRD TIME THIS 10th DAY OF Aug. A.D. 2021.