

THE RURAL MUNICIPALITY OF ARMSTRONG

BY-LAW NO. 3-2023

Being a by-law of the Rural Municipality of Armstrong to provide for the imposition of a Capital Levy on all new lots created by subdivision of lands within the Municipality and for the purpose of establishing a reserve fund for such levies.

WHEREAS Section 143(1) of The Planning Act of the Province of Manitoba provides for the following:

“A Council may, by by-law, set the levies to be paid by applicants to compensate the Municipality for capital costs specified in the by-law that may be incurred by the subdivision of land.”

AND WHEREAS Section 143(2) of The Planning Act of the Province of Manitoba provides for the following:

“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 Armstrong has reviewed the existing capital infrastructure of the Municipality and the anticipated future capital needs of the Municipality, demand for which may be created or accelerated by development including:

- a) Drainage systems
- b) Fire and protection services buildings and major equipment
- c) Roads and road systems
- d) Public works buildings and major equipment
- e) Parks, recreational facilities and walkways
- f) Waste sites, environmental and refuse collection areas and equipment
- g) Other capital works, structures and equipment.

AND WHEREAS the Council of the Rural Municipality of Armstrong deems it prudent and in the best interests of the Municipality to ensure that a sufficient capital levy is obtained from new lots created by subdivision within the Municipality to contribute to the anticipated capital development, capital repairs, expansion, replacement and renewal of the capital infrastructure of the Municipality.

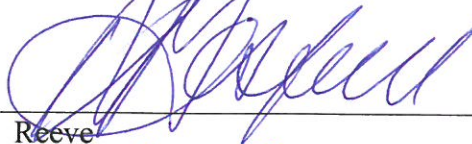
AND WHEREAS the Council of the Rural Municipality of Armstrong desires to enact a by-law prescribing the imposition of capital levies to be paid by an applicant on all new lots created by subdivision of lands within the Municipality and establishing a reserve fund for those capital levies.

NOW THEREFORE be it enacted as a by-law of the Rural Municipality of Armstrong, as follows:

- 1.0 That a capital levy be assessed, charged and imposed upon any applicant for subdivision approval in accordance with the following:
  - a) That a capital lot levy of ONE THOUSAND DOLLARS (\$1,000.00) per lot be charged on any and all new residential lots created in any area.
  - b) That a capital lot levy of FIFTEEN HUNDRED DOLLARS (\$1,500.00) per lot be charged on any and all new lots created for commercial/industrial/institutional purposes up to and including one acre in size, and lots over one acre be charged an additional FIVE HUNDRED (\$500.00) for each and every acre thereafter.
- 2.0 That dedication shall be paid as a condition of subdivision approval and no subdivision will be approved until such capital levy payment has been made to the Municipality or security approved by Council therefore.
- 3.0 That the Municipality shall hereby create and maintain a Reserve Fund for the purposes of deposit of the capital levies paid to the Municipality pursuant to this by-law 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 the Municipality and shall be dealt with and expended only in accordance with the requirements of Section 168(2) of The Municipal Act.
- 4.0 That this by-law shall come into force and take effect upon third reading and passing of this by-law.

DONE AND PASSED as a by-law of the Rural Municipality of Armstrong at Inwood, Manitoba, this 12<sup>th</sup> day of September, 2023.

THE RURAL MUNICIPALITY OF ARMSTRONG



Reeve



CAO

Read a third time on the 22<sup>nd</sup> day of August, 2023

Read a second time on the 12<sup>th</sup> day of September, 2023

Read a third time on the 12<sup>th</sup> day of September, 2023

# RURAL MUNICIPALITY OF ARMSTRONG

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September 12, 2023

## RESOLUTION

Resolution # 309-2023

Agenda Item # 12.1.1 3rd Reading - Capital Lot Levy By-law 3/2023

Moved By : Brent Dziadek

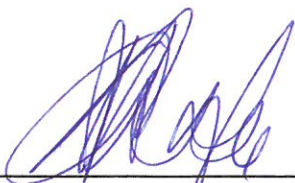
Seconded By : Paul Humeny

RESOLVED THAT By-Law 3/2023 being a By-Law to impose a Capital Lot Levy on new subdivisions and establish a new reserve be read a third time.

Recorded Vote Requested By : \_\_\_\_\_

Name	Yes	No	Abstained	Absent
Allen Pfrimmer	✓			
Brent Dziadek	✓			
Hilda Zotter				
Kate Basford	✓			
Pat Stein	✓			
Paul Humeny	✓			
Ted Sumka		✓		

Carried

  
\_\_\_\_\_  
Reeve  
Rural Municipality of Armstrong