



Policy #03-ADMIN

Adoption Date: January 18, 2018

Revised on: May 10, 2023

Resolution #2023-239

Subject: Policy for the Provision of Land, Cash, or a Combination thereof, to the RM from Subdivided Lands

Purpose: To establish criteria for the provision and calculation of land, cash, or a combination thereof, to the Municipality authorized under *The Planning Act*, as follows:

Conditions of approval

135 A subdivision of land may be approved subject to one or more of the following conditions, which must be relevant to the subdivision:

6. A condition that the applicant dedicate the following land, without compensation:
 - (b) land for public reserve purposes, not exceeding 10% of the land being subdivided, but only if the land is being divided into parcels of less than 4 hectares;

Money in place of public reserve or school lands

136(1) The council may require the owner of land that is the subject of a proposed subdivision to provide money to the municipality or a school board or school district in place of dedicating land for public reserve purposes or for school purposes under section 135, item 6(b) or (c). The amount paid must be equivalent to the value of the land that would have been dedicated.

Council must specify payment as a condition

136(2) If money is required to be paid in place of dedicating lands, the council must specify that such a payment is required in a resolution under section 125.

Uses of public reserve land

138(1) Public reserve land may be used only for

- (a) a public park;
- (b) a public recreation area;
- (c) a natural area;
- (d) a planted buffer strip separating incompatible land uses; or
- (e) public works.

Policy:

1. This policy shall apply only to subdivisions where lot(s) are created that are less than 4 hectares (9.88 acres).
2. In cases where the Municipality deems it necessary to obtain either land or cash-in-lieu specifically, the Municipal requirement shall be stated in the conditionally approving Resolution for the development.
3. The percentage of land or cash provided shall be calculated on the total portion of vacant land which is being developed within the planned area, including all lands being developed into public roads, pathways, individual lots, and other such cases, but shall not include any larger residual parcel which could be subject to further development in the future.
4. The calculation of any cash provision shall be as follows:

Total Current Un-Portioned Assessment of
Proposed Development Area at Pre-Development Value

X

10%

5. In cases where the provision will be a combination of land & cash, the percentage of land provided shall be calculated as a percentage and the cash shall be the remaining percentage, as outlined in Item 3, to total 10% between the two.
6. Moneys collected under the authority of this Policy shall be used only for purposes attributed to Public Reserve Lands under Section 138(1) of the *Planning Act*. To ensure appropriate use of these funds, **all cash amounts collected under this policy shall be placed in the Municipal Recreation Reserve Fund.**