RURAL MUNICIPALITY OF STANLEY
BY-LAW NO. 14-26

BEING a By-Law of the R.M. of Stanley 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 as follows:

> 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.

AND WHEREAS the Council of the Rural Municipality of Stanley 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) sewage lagoon
b) sewage collection system
c) water treatment and distribution system
e) roads and road systems
f) public works, buildings and major equipment
g) parks, recreational facilities, and walkways
h) civic assembly hall and administration offices
i) other capital works, structures and equipment
j) drainage system

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 the Rural Municipality of Stanley 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 necessary capital development, capital repairs, expansion, replacement and renewal of the capital infrastructure of the Municipality.

AND WHEREAS the Council of the Rural Municipality of Stanley desires to enact a by-law prescribing the imposition of capital levies on all new lots created by subdivision of lands within the Municipality and establishing a Reserve Fund for those capital levies.

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

NOW THEREFORE the Council of the Rural Municipality of Stanley in Council duly assembled, hereby enacts as follows:

1. THAT a capital levy be assessed, charged and imposed upon any applicant for subdivision approval in accordance with the prescribed scale attached as Schedule "A";
2. THAT all such dedication shall be paid as a condition of subdivision approval and no subdivision shall be approved:

    a) Except subject to a condition requiring the payment of the applicable capital levy;
    b) Until such capital levy has been paid or arrangements satisfactory to the Municipality for the payment of the capital levy have been made, including, if required, the posting of security to ensure payment of the capital levy in accordance with such arrangement;

3. THAT the Municipality shall maintain a reserve fund or funds for the capital levies paid to the Municipality pursuant to this By-Law and funds paid shall be used for capital purposes, including capital expenditures for developing, repairing, expanding, replacing or renewing the capital infrastructure of the Municipality and shall be dealt with and expended in accordance with the requirements of Section 168(2) of The Municipal Act.
4. THAT the capital levies must be paid:
    a. At the time of entering into the Development Agreement or;
    b. If no Development Agreement is required, upon receiving the subdivision Conditional Approval;
5. THAT this By-law applies to applications in existence when it comes into force as follows:
    a. subdivision applications that have received Subdivision Conditional Approval prior to this By-law coming into force, the capital levies shall be as set out in By-law 2-25
    b. subdivision applications that have not received Subdivision Conditional Approval prior to the new By-law coming into force, the capital levies shall be as set out in this By-law.
6. THAT despite section 1, the applicant may apply to Council for a waiver or a reduction of the requirement to pay the levy and Council may decide to waive all or part of the levy payable or postpone payment if in Council's opinion there are no additional services and no impact to municipal services or if land has been dedicated for park space.
7. THAT any Schedules attached hereto may be updated and adopted by resolution of Council.
8. THAT By-law 2-25 is hereby repealed. Despite the repeal:
    a. By-law 2-25 continues to apply in circumstances not subject to section 5, and
    b. levies outstanding under By-law 2-25 remain payable under any arrangement made for deferred payment.

DONE AND PASSED in open council assembled at the Municipal Office at Stanley in the Province of Manitoba this 22nd day of October, A.D. 2026.

RURAL MUNICIPALITY OF STANLEY

per: _____
Reeve

per: _____
Chief Administrative Officer

Read a first time this 15th day of October, A.D. 2026.
Read a second time this 22nd day of October, A.D. 2026.
Read a third time this 22nd day of October, A.D. 2026.

Schedule "A" to By-law 14-26

1. Property designations are shown within the MSTW Development Plan:

(a) Properties designated as Emerging Communities, be charged $17,100 per new lot.

(b) Properties designated Village be charged $16,000 per new lot.

(c) Properties designated Rural Clusters be charged $13,700 per new lot.

(d) Properties designated Stanley Corridor be charged $22,600 per acre of land being subdivided into a new lot.

(e) Properties designated Rural Employment where wastewater is not planned will be charged $12,300 per acre of land being subdivided into a new lot. If within an area where wastewater is planned, the charge will be $22,600 per acre of land being subdivided into a new lot.

(f) All other properties be charged $15,700 per new lot.

For condominium developments, the levies provided for in sub-sections a-f. shall be based on per unit.