

THE RURAL MUNICIPALITY OF EAST ST. PAUL

BY-LAW NO. 99 – 21

A By-Law to Establish Fees for Examination and Approval of Subdivisions.

WHEREAS Subsection 74(1) of The Planning Act, L.R.M. 1987 c. P80 states as follows:

“74(1) The council of a municipality may pass a by-law prescribing and regulating the fees and charges to be paid by an applicant for subdivision approval in respect of technical, administrative, professional, consultative or other services required by the municipality in examining and approving an application for the subdivision of land, and such fees and charges shall be credited to and form part of the general funds of the municipality.”

AND WHEREAS it is deemed expedient and in the public interest to establish such fees and charges:

NOW THEREFORE BE IT ENACTED as a By-Law of the Rural Municipality of East St. Paul, in Council, duly assembled as follows:

1. An applicant for approval of subdivision shall pay for services performed by, or on behalf of the Municipality, such fees and charges as may be appropriate to the examination, consideration and approval of the subdivision in accordance with the Schedule of Fees and Charges more particularly set out as Schedule “A” to this By-Law.
2. That By-Law No. 96-46 be hereby rescinded.

DONE AND PASSED by the Council of the Rural Municipality of East St. Paul, in Council duly assembled in East St. Paul, in Manitoba, this 9th day of November, A.D. 1999.

Reeve

Chief Administrative Officer

Read a first time this 28th day of October, A. D. 1999.
Read a second time this 9th day of November, A. D. 1999.
Read a third time this 9th day of November, A. D. 1999.

SCHEDULE "A" TO BY-LAW NO. 99-21

Fees and charges for applications for subdivision approval shall be paid prior to the application for subdivision being considered by the Municipality.

1. Initial fees and charges are set as follows:

a) Residential:

No. of Residential Lots	Administration Fee	Service Deposit	Total
0 to 5	\$200.00	\$800.00	\$1,000.00
6 to 10	\$300.00	\$1,200.00	\$1,500.00
11 to 20	\$500.00	\$2,000.00	\$2,500.00
Over 20 Lots	\$1,000.00	\$4,000.00	\$5,000.00

b) Commercial, Industrial and Other Large Lot Developments:

For these developments, the residential fees shall be used, except that each commercial, industrial, or other large lot shall be considered as the equivalent of five residential lots.

The service deposit shall be applied against all technical, professional, consultative, or other services required by the Municipality in examining the application. Where the service deposit exceeds the actual expenses incurred, the excess funds will be reimbursed to the developer.

2. Subsequent Deposit:

Where Council approves the subdivision subject to the condition of a development agreement, a letter will be forwarded to the developer stating that conditional approval has been provided. The letter will also provide that in order to proceed, the developer must return a signed copy of the letter indicating that he or she understands that the developer will pay all technical, professional, consultative, or other services required by the Municipality in approving the application, and provide a further deposit of \$100.00 per equivalent residential lot for this purpose, as well as a further deposit should this be required. Where the service deposit exceeds the actual expenses incurred, the excess funds will be reimbursed to the developer.

3. Development Agreement:

Upon the signing of a development agreement, a further fee for administration for residential development at \$100.00 per lot.