

**TOWN OF BEAUSEJOUR
BY-LAW 1819-25**

Being a by-Law of the Town of Beausejour to prescribe levies to be paid as compensation for capital costs associated with residential, commercial, industrial and institutional development within the Town of Beausejour.

WHEREAS Section 143 (1) of the Planning Act provides as follows: “A Council may by by-law, set levies to be paid by applicants to compensate the municipality for the capital cost specified in the by-law that may be incurred by subdivision of land.”

AND WHEREAS Section 143 (2) of the Planning Act provides as follows: “A Council must establish a reserve fund under the Municipal Act into which the levies are to be paid”;

AND WHEREAS Sections 232(2), 250 and 252 of the Municipal Act provide that a municipality may set levies to be paid for the increase in Capital Costs and need for services required as a result of development;

AND WHEREAS the Council of the Town of Beausejour has reviewed the existing capital infrastructure of the Town and the anticipated future capital needs, demand for which may be created or accelerated by development;

AND WHEREAS owners of property are entitled to receive the benefit of all such existing and future capital infrastructure;

AND WHEREAS the Council of the Town of Beausejour deems it prudent and in the best interests of the Town to ensure that a sufficient capital levy is obtained from development within the Town to contribute to the necessary capital development, capital repairs, expansion, replacement and renewal of the capital infrastructure of the Town;

AND WHEREAS the Council of the Town of Beausejour desires to enact a By-Law prescribing the imposition of capital levies on development of land to be paid as compensation for Capital Costs associated with residential, commercial, industrial and institutional development and establishing reserve funds for those capital levies;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of Beausejour in open Council assembled enacts the following:

Definitions

In this By-law:

“applicant” means a person who has made an application for development of land.

“development levy” means the levy imposed under this By-law and payable for the development of land in the Town.

“owner” means the registered owner of the land.

1. Development levy

- a. A development levy is established as follows:
 - i. Residential, commercial, industrial and institutional development - \$8,000.00 per newly created lot.
 - ii. Multi-unit residential, commercial, and industrial development - \$8,000.00 per unit.
- b. The development levy shall be imposed and paid as follows:
 - i. All residential, commercial, industrial and institutional development - on a per newly created lot basis.
 - ii. All multi-unit residential, commercial, and industrial - on a per unit basis.
 - iii. All mixed-use residential and commercial - on a per unit basis.
- c. The owner or applicant must pay the applicable development levy as follows:
 - i. Application for subdivision - before issuance of the certificate of conditional approval; or
 - ii. Application to amend the zoning by-law - upon 3rd reading of the by-law; or
 - iii. Application for a conditional use - upon approval of the conditional use; or
 - iv. Development or building permits – prior to issuance of the permit.

- d. The development levy does not apply to accessory buildings.
- e. The Town shall only impose and collect, and an owner or applicant shall only pay, the development levy provided for under this By-law once, provided there are no changes to the development in respect of which the development levy imposed on subdivision under the Planning Act, was paid.

When multi-unit residential, commercial, and industrial development fees are applicable, it shall be deemed that one unit of the development has already been subject to development fees.

2. Deposit of development levy in Town Reserve Funds

- a. \$2,000.00 from each development levy collected under this By-law shall be deposited into the Capital Improvement Reserve Fund.
- b. \$6,000.00 from each development levy collected under this By-law shall be deposited into the Water & Sewer Utility Reserve Fund;

3. Change in timing of payment of development levy

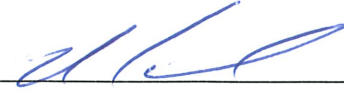
- a. The timing of the levy payable under Section 1.c. of this By-law may be amended by approval of the Council. Any such changes shall be provided for in a development agreement with the owner or applicant.

4. General

- a. The development levy as established under this By-law will be reviewed from time to time as deemed necessary by Council.
- b. By-law No. 1808-24 is repealed. By-law No. 1808-24 remains in effect as necessary for the payment of levies imposed under By-law No. 1808-24 for development approved before the coming into force of this By-law.

DONE AND PASSED by the Council of the Town of Beausejour, assembled at the Municipal Council Chambers, at Beausejour, Manitoba this 25th day of February, A.D., 2025.

The Town of Beausejour



Mayor



Chief Administrative Officer

Given First Reading this 11th day of February, A.D., 2025

Given Second Reading this 25th day of February, A.D., 2025

Given Third Reading this 25th day of February, A.D., 2025