

<b>POLICY NO:</b>	PD 012
<b>POLICY TITLE:</b>	MUNICIPAL RESERVES
<b>DEPARTMENT:</b>	PLANNING & DEVELOPMENT
<b>APPROVAL DATE:</b>	10-12-13 (December 10, 2013)
<b>REVISION DATE:</b>	
<b>REVIEW DATE:</b>	

**Policy Statement:**

The County of Vermilion River strives to remain consistent and transparent in its process regarding the subdivision of lands and the legislated requirements for applicants.

**Purpose:**

The County of Vermilion River recognizes the need to establish a policy regarding the legislated options under the Alberta Municipal Government Act (MGA) with regards to Municipal and School Reserves. Under Section 666(1) of the MGA, a Subdivision Authority may require the owner of a parcel of land, that is the subject of a proposed subdivision, to: a) provide part of the parcel of land as municipal/school reserve b) provide money in place of municipal/school reserve or c) provide any combination of the two. Policy PD 012 provides detailed information concerning the process relating to the collection and dedication of Municipal Reserves in the County of Vermilion River.

**Policy:**

**1. General Provisions:**

- a. A Subdivision Authority as per MGA section 663 may not require reserve land or money in-lieu of land if;
  - i. One lot is to be created from a quarter section;
  - ii. Land is to be subdivided into lots of 16 hectares (39.5 acres) or more and is to be used only for agricultural purposes;
  - iii. The land to be subdivided is 0.8 hectares (2.0 acres) or less; or
  - iv. Reserves have already been provided for the title.
- b. Historically, the County of Vermilion River has opted to take money instead of land when dealing with Municipal Reserves. In select cases, the County's Subdivision Authority decides with consultation of County staff and/or council that land be provided. County administration will work with both the Subdivision Authority and

the subdivision applicant in determining the appropriate form of Municipal Reserve to be provided.

*In accordance with the Municipal Government Act of Alberta*

- c. A proposed subdivision of land may be subject to providing reserve land or money in place of land;
  - i. reserves may not exceed 10% of the parcel of land less the land required to be provided as environmental reserve and the land made subject to an environmental reserve easement;
  - ii. any combination of land or money in place of land shall follow section 666 of the MGA.
- d. If money is required to be provided in place of reserve land, it shall be in accordance with Section 667 of the MGA or as the provision shown below in Section B for the types of subdivisions from a quarter section.
- e. The amount of money in place of land will be equal to 10% of the appraised market value based on the approved subdivision titled parcel(s), determined in accordance with Section 667 of the Municipal Government Act (MGA).
- f. Lands dedicated for the provision of roads or utilities, including stormwater management systems, shall be considered developable lands and will be included in the calculation of Municipal Reserve.
- g. Where applicable, policies found within Inter-Municipal Development Plan Regulations relating to the collection and/or deferment of Municipal Reserves, shall be adhered to.
- h. Reserves or money in place of land may be deferred in accordance with section 669 where deemed appropriate by County Administration the County's Subdivision Authority.

**2. Process For Money In Place Of Lands**

Where it is determined that, in accordance with this policy, money shall be provided to satisfy the Municipal Reserve requirements for a subdivision, the following process shall be utilized.

- a. On Parcels being subdivided (which are not effected by Section 663 of the MGA), that **DO NOT** fall within a designated **Area Structure Plan Area** or an **Inter-Municipal Development Plan Area** of the County, and **DO NOT** have **Exceptional Circumstances that Could Impact Value**, the valuation for Municipal Reserve calculation shall be \$1500/acre.
- b. On Parcels being subdivided for multi-lot residential purposes, which are:
  - i. Within an approved Area Structure Plan, or
  - ii. Which are within the allowable limit of single-lot subdivisions as per the County's Municipal Development Plan, and
  - iii. which further:

1. DO NOT fall within Inter-Municipal Development Plan Areas of the County, and
2. DO NOT have Exceptional Circumstances that could impact Value,

The valuation for Municipal Reserve calculation shall be the County's assessed value unless the applicant contests the County's assessed value. If the County's assessed value is contested by the applicant then the applicant will be required to provide an appraisal completed by a qualified assessor per Section 667 of the MGA. If an appraisal is received then the Municipal Reserve calculation shall be the value as indicated in the appraisal.

- c. For subdivisions occurring on lands that are:
  - i. Business, Commercial and Industrial zoned;
  - ii. Fall within an Inter-Municipal Development Plan Area; or
  - iii. Have Exceptional Circumstances that Could Impact Value,

The calculation for money in place of land for Municipal Reserve shall be in accordance with Section 667(1) of the MGA, with all costs incurred borne by the applicant in their entirety, and shall be based on the total acreage amount shown on the final plan of survey approved by the County's Subdivision Authority.

- d. Should the final submitted plan of survey be altered prior to registration at Land Titles, the revised survey plan shall be submitted to the County of Vermilion River and the Subdivision Authority and a re-calculation of the Municipal Reserve shall occur.

Payment of Municipal Reserve shall be required prior to final conditions release and registration of the newly created parcel(s) at land titles.