

Municipal Reserve Policy

Public Reserve Policy (Adopted April 18/96)

Under Section 666(1) of the Municipal Government Act the Council may require the owner of a parcel of land that is subject to a subdivision proposal, to provide land for municipal reserve or provide money in place of the municipal reserve.

The amount of land or cash-in-lieu of land to be provided for municipal reserve will be equal to 10% of the titled parcel(s). The land required to be provided as environmental reserve or environmental reserve easement will not be included in the calculation of municipal reserve.

Under Section 671(2) it states that Municipal reserve, school reserve or municipal and school reserve may be used by a municipality or school authority or by them jointly only for any or all of the following purposes:

- a. a public park;
- b. a public recreation area;
- c. school authority purposes;
- d. to separate areas of land that are used for different purposes.

I. NO PUBLIC RESERVE IS REQUIRED WHEN:

- a. one lot is to be created from a quarter section;
- b. land is to be subdivided into lots of 16 hectares (39.5 acres) or more and is to be used only for agricultural purposes;
- c. the land to be subdivided is .8 hectares (1.98 acres) or less; or
- d. reserves have already been provided for the title.

Even though no public reserve is required, a Deferred Reserve Caveat may be placed on title at the discretion of Council to notify the landowner that at the time that the parcel is further subdivided, municipal reserve will be required.

II. FORM OF RESERVE – DEDICATION OF LAND OR CASH-IN-LIEU

For a redesignation or subdivision application, when the reserves to be provided are more than 1.98 acres, a separate lot must be shown on the site plan. It will be at the discretion of Council at the time of the decision as to whether land will be taken or cash-in-lieu.

On lots 21 acres or less, 10% cash-in-lieu of land will be required under the following circumstances:

- a. on the full original parcel where the land is being subdivided to the maximum density allowed under the Land Use Bylaw.
- b. on two of the lots where the proposal is to create 75% of the maximum allowable density with the reserves being deferred on the largest lot.
- c. on one of the lots where the proposal is to create 50% of the maximum allowable density with the reserves being deferred on the largest lot.

III. COUNCIL MAY REQUIRE THE RESERVES TO BE DEFERRED WHEN:

- a. it is deemed that the maximum allowable density allowed under the Land Use Bylaw has not been obtained. The balance of the reserves owing on the existing title will be deferred, by Caveat, on the largest lot.
- b. parcels are located within an urban fringe or Inter-Municipal Development area;
- c. the new lot is created under the 'Agricultural District' Land Use Rules.

A Deferred Reserve Caveat would be placed on title to notify the owner on title that at the time that this parcel is further subdivided, municipal reserve will have to be provided.

This policy will serve as a guideline and the form of Public Reserve will remain at the discretion of Council.