



Administrative Procedure 7030

Land or Financial Consideration Requirements for Municipal Subdivision Applications

Board Governance Policy Cross Reference: [1](#), [14](#), [15](#)

Administrative Procedures Cross Reference:

Form Cross Reference:

Legal/Regulatory Reference:

[The Planning Act \(136\(1\)\)](#)

Date Adopted: October 1984

Amended: May 2019

In accordance with the provisions of *The Planning Act*, the Brandon School Division may request the Municipal Planning Branch and the appropriate municipality to include as a condition of approval of a Proposal to Subdivide, that the Applicant provide to the Division a school site dedication or financial consideration in lieu of land dedication. The choice of land dedication or financial consideration and the amount of same shall be determined by the Division in accordance with this established Administrative Procedure.

Upon receipt from the Municipal Planning Branch of advisement of a Proposal to Subdivide, the Division may request that land for a school site be provided by the Developer of that the Developer provide financial consideration in lieu of land dedication. Where appropriate, the Division may also request that road access to the development be acceptable for school bus use.

The Municipal Planning Branch shall refer to the Division for response to all subdivision applications. The Division's requirement may be waived at the discretion of the Superintendent/CEO and/or Secretary-Treasurer.

School Site Dedication

The Division may require that a school site be provided by a Developer where, in the opinion of the Division, there is a potential future need for a school site in the area. The size and location of the school site shall be the subject of negotiations with the Municipal Planning Branch, the municipality and Developer and, in accordance with The Planning Act.

Financial Consideration in Lieu of Land Dedication

Where the Division decides that a school site will not be required from a Developer, it may require that the Developer pay to the Division financial consideration in lieu of land dedication which shall be calculated as follows:

Total Development Site	_____ acres
Total Number of Sites	_____ lots
Projected Population	number of lots x (3.5(R1), 2.5 Apartments)
Projected Student Population	18% x Projected Population = 36% of maximum dedication
Estimated Value per Acre	\$ _____ dollars

Financial Consideration:

a) $36\% \text{ of } \frac{\text{Projected Population}}{100} \times \text{Estimated Value Per Acre}$
or

b) $45\% \text{ of } \frac{\text{Projected Population}}{100} \times \text{Estimated Value Per Acre}$

NOTES:

- The Estimated Value Per Acre is the value after approval but before servicing and development of the subdivision. The Value should include land cost or value, engineering fees, surveyor fees, legal fees, costs to process subdivision application and profit for the Developer. It shall exclude road costs selling costs, and services such as paving, lighting, electrical, telephone, water, public areas, walkways and streets. Said Value shall be obtained from the Property Administrator, The City of Brandon, or by professional appraisal.
- Financial consideration in lieu of land dedication received by the Division shall be deposited in an interest bearing trust account. Said funds, including interest earned, shall be used by the Division for the purchase of land, other capital expenditures, appraisals and legal fees, and the like which are not financially supported by the Public Schools Finance Board.