

## BYLAW 2621/D&P/19

### **BEING A BYLAW OF THE TOWN OF STONY PLAIN IN THE PROVINCE OF ALBERTA TO ESTABLISH THE SUBDIVISION AUTHORITY AND SET FORTH THE POWERS AND DUTIES THEREOF**

---

WHEREAS, the *Municipal Government Act*, RSA 2000, c. M-26 and amendments thereto, authorizes Council to pass bylaws;

AND WHEREAS this bylaw shall be subject to the provisions of the *Municipal Government Act*, RSA 2000, c. M-26 and amendments thereto;

AND WHEREAS, Section 623 of the *Municipal Government Act*, RSA 2000, c. M-26 and amendments thereto, provides that a Council must, by bylaw, establish a Subdivision Authority;

AND WHEREAS, the Council of the Municipality has deemed it desirable to replace the existing Municipal Planning Commission Bylaw; and

NOW THEREFORE, the Council of the Municipality in the Province of Alberta, duly assembled, enacts the following:

#### **1.0.0 Title**

1.1.0 This bylaw may be cited as the "Subdivision Authority Bylaw".

#### **2.0.0 Definitions**

2.1.0 "Act" means the *Municipal Government Act*, RSA 2000, c. M-26 and amendments thereto;

2.2.0 "Chief Administrative Officer" means the Chief Administrative Officer of the Municipality or any person acting as the Chief Administrative Officer of the Municipality;

2.3.0 "Council" means the municipal Council of the Municipality;

2.4.0 "Land Use Bylaw" means the Land Use Bylaw of the Municipality, and amendment thereto;

2.5.0 "Municipality" means the Town of Stony Plain, a municipal corporation, in the Province of Alberta, and where the context so requires, means the area contained within the corporate boundaries of the said Municipality;

2.6.0 "Regulation" means the *Subdivision and Development Regulation* pursuant to the Act; and

2.7.0 "Reserve" means any reserve, conservation reserve, environmental reserve, municipal reserve, school reserve, municipal and school reserve, community service reserve pursuant to the Act.

#### **3.0.0 General**

##### Authority and Delegation

3.1.0 The Municipality's Chief Administrative Officer is the Subdivision Authority, with powers and duties as set out in this Bylaw and may in writing delegate any or all of these powers and duties specified in this bylaw to a designated officer.

3.2.0 A designated officer may in writing be given the ability to further delegate any or all of the powers and duties they themselves have been given.

##### Powers and Duties

3.3.0 The Subdivision Authority is authorized to exercise subdivision powers and duties on behalf of the Municipality in accordance with the Act, the Regulation and the Land Use Bylaw.

3.4.0 The power to extend the time for endorsement of subdivision plans and for registration of subdivision plans in accordance with the Act is delegated to the Subdivision Authority.

3.5.0 The Subdivision Authority is authorized to create processes, procedures and rules as it deems necessary for the conduct of its business consistent with this Bylaw, the Act, the Regulation and the Land Use Bylaw.


- 3.6.0 The power to decide if an environmental reserve easement is to be applied to a parcel of land which is subject to subdivision rather than designated Environmental Reserve in accordance with the Act is delegated to the Subdivision Authority.
- 3.7.0 Prior to endorsement of a subdivision plan, the Subdivision Authority is authorized to accept minor modifications to lot lines provided:
- a. the area of any Reserve lots does not change;
  - b. staging amendments within the subdivision are appropriate;
  - c. roadway and infrastructure standards of the Town are not compromised; and
  - d. such adjustments comply with adopted statutory plans and municipal bylaws, with the exception that minor changes to the Land Use Bylaw standards may be included as provided for in Section 654(2) of the Act.
- 3.8.0 The Subdivision Authority will maintain records of all subdivision applications and decisions.
- 3.9.0 The Subdivision Authority will charge fees to conduct its business as determined by Council.
- 3.10.0 The Subdivision Authority will apply any development charges, including any off-site levy, to the lands which are the subject of a subdivision application in accordance with municipal bylaws and policies.

**4.0.0 Effectiveness and Review**

- 4.1.0 If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.
- 4.2.0 Bylaw 2499/D&P/13 and amendments thereto are hereby repealed.
- 4.3.0 This bylaw shall be reviewed within its fifth year, being 2024, or as deemed necessary.
- 4.4.0 This bylaw shall take full force and effect upon passage of third and final reading in accordance with Section 213, *Municipal Government Act*, RSA 2000, c. M-26, and amendments thereto.

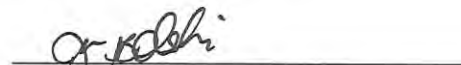
Read a first time this 16<sup>th</sup> day of October, AD 2019.

Read a second time this 16<sup>th</sup> day of October, AD 2019.



---

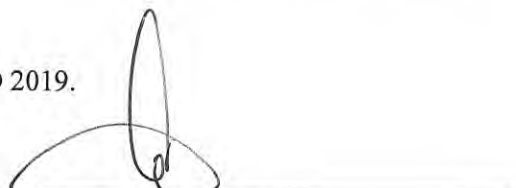
Mayor William Choy



---


Jen Boleski, CPA, CA  
General Manager, Corporate Services

Read a third time this 28<sup>th</sup> day of October, AD 2019.



---

Mayor William Choy



---

Jen Boleski, CPA, CA  
General Manager, Corporate Services