

**VILLAGE OF LONGVIEW
BYLAW NUMBER 406-18**

Being a Bylaw of the Village of Longview to establish a Subdivision Authority.

- WHEREAS** the Municipal Government Act, Chapter M-26, 2018 as amended, must establish a Subdivision Authority to perform such functions relating to the subdivision of land as Council may delegate;
- WHEREAS** the Corporation of the Village of Longview must pass a Bylaw to establish a Subdivision Approval Authority;
- NOW THEREFORE** the Council of the Corporation of the Village of Longview in the Province of Alberta Repeals Bylaw 215-95 and 255-00
- NOW THEREFORE** the Council of the Corporation of the Village of Longview in the Province of Alberta enacts as follows:
1. This Bylaw may be cited as the Village of Longview Subdivision Authority Bylaw.
 2. In this Bylaw:
 - a) "Act" means the Municipal Government Act, Chapter M-26, 2018, as amended.
 - b) "Chief Administrative Officer" "CAO" means the person appointed by Bylaw as the Chief Administrative Officer for the Municipality.
 - c) "Council" means the Council of the Village of Longview.
 - d) "Development Officer" means the person, agency or authority authorized to exercise power and duties on behalf of the Municipality in the issuance of permits for development in accordance with Land Use Bylaw No. 400.
 - e) "Subdivision Officer" means the person or firm designated and authorized to act on behalf of the Municipality in those matters delegated to that person or firm in the performance of processing applications for subdivision approval.
 - f) "Municipality" means:
 - (i) the Corporation of the Village of Longview;
 - (ii) where the context requires, means the area of land contained within the boundaries of the Municipality's corporate limits.

ESTABLISHMENT OF THE SUBDIVISION AUTHORITY

3. That an authority known as the Village of Longview Subdivision Committee (hereinafter called the Committee) is hereby established and shall consist of the following:
- a) The Committee shall be composed of the Municipal Planning Committee (MPC).
 - b) No person who is a Subdivision Officer or a Member of the Subdivision and Development Appeal Board shall be appointed to the Committee.
 - c) The members of the Committee shall elect from its membership a Chairman and a Vice-Chairman.
 - d) Elections of the Chairman and Vice-Chairman shall occur at the first meeting of the Committee after the adoption of this Bylaw, and the first meeting following the annual organizational meeting of Council.
 - e) In the event of absence or inability of the Chairman to preside at a meeting, the Vice-Chairman shall preside.
 - f) In the event of absence or inability of both the Chairman and Vice-Chairman to preside at a meeting, the members present, in constitution a quorum shall elect one of its members to preside as Chairman for that meeting.
 - g) Council, by resolution, shall appoint a Secretary to the Committee, who shall not have a vote.
 - h) A majority of members of the MPC present shall constitute a quorum.
 - i) Members present at any meeting of the Committee, including the Chairman, shall vote on every matter before it:
 - (i) unless, in a specific case, the Chairman or Member is excused by resolution of the Committee from voting;
 - (ii) unless disqualified from voting by reason of pecuniary interest.
 - j) A Member abstaining from voting, for reasons other than specified in (i), his vote shall be counted as a negative vote.
 - k) The Chief Administrative Officer, Subdivision Officer, and the Development Officer shall be advisors to the Committee and shall be invited to attend at all meetings but shall not have a vote.
 - l) When the Committee deems it desirable it may request a person or persons to attend its meetings in an advisory capacity but such person or persons shall not be members of the Committee and shall not have a vote.
 - m) Meetings of the Committee shall be at the call of the Chairman, but must be held within the time period prescribed in Section 6 of the Subdivision and Development Regulation (AR 43/2002 as amended) for an application received and deemed to be in its complete and final form.
 - n) The remuneration, travelling and living expenses of the Chairman and other members of the Committee shall be established by resolution of Council.
 - o) The setting of fees for the matter coming before the Committee shall be established by resolution of Council as it considers necessary.

DUTIES AND RESPONSIBILITIES

4. The Committee:

- a) shall receive, consider and decide on applications for subdivision within the limits of the Act, Subdivision and Development Regulation, Inter-Municipal Development Plan, Municipal Development Plan, Land Use Bylaw 400, and other statutory documents and regulations;
- b) must consider any written submissions of those persons and local authorities to whom an application for subdivision approval or notice of application was given but is not bound by the submissions unless required by the Subdivision and Development Regulations;
- c) must decide on all applications properly submitted to it and, in making its decision, may refuse the application and give reasons for the refusal, or approve it with or without conditions.
- d) shall impose such conditions of approval as may be necessary to ensure compliance with the Act, the Subdivision and Development Regulation, Inter-Municipal Development Plan, Municipal Development Plan, Land Use Bylaw 400, or land use regulations affecting the land proposed to be subdivided;
- e) is authorized to decide on land to be provided for roads, public utilities, and environmental reserves in accordance with the Act;
- f) may meet as frequently as necessary, but it shall meet within the time period set out in clause 3(m) from receipt of an application for subdivision deemed to be in its complete and final form;
- g) must meet in public and members of the public may attend as observers;
- h) Members through the Chair may pose questions to the subdivision applicant;

ADMINISTRATION

5. The Secretary shall:

- a) Notify all applicants, members and advisors of the Committee of the arrangements for the holding of each regular and special meetings of the Committee.
- b) Notify such persons as the Committee may designate of the decisions of the Committee and the reasons therefore.
- c) Keep and maintain on file for the inspection by the public during all reasonable hours the following official records:
 - (i) a register of all applications for subdivision including the decisions thereon and the reasons therefore;
 - (ii) records of all decisions and the reasons therefore, written minutes of all meetings and business transacted by the Committee.
- d) Carry out such other administrative duties as the Committee may specify.

6. Decisions of the Committee come into effect when:


- a) it is recorded in adopted minutes or unadopted minutes signed by a designated officer to sign on behalf of the Committee; or
- b) it is given by letter, signed by a designated officer to sign on behalf of the Committee.

7. This Bylaw comes into full force and effect on Third and Final Reading.

READ A FIRST TIME THIS 20th DAY OF FEBRUARY, 2018 A.D.

READ A SECOND TIME THIS 20th DAY OF FEBRUARY, 2018 A.D.

READ A THIRD TIME THIS 20th DAY OF FEBRUARY, 2018 A.D.



Mayor



CAO