

VILLAGE OF LONGVIEW

BYLAW 439-21 ESTABLISH SUBDIVISION AUTHORITY

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

WHEREAS the Municipal Government Act, Chapter M-26.1, 1994 as amended, must establish a Subdivision Authority to perform such functions relating to the subdivision of land as Council may delegate;

WHEREAS the Village of Longview must pass a by-law to establish a Subdivision Approval Authority;

NOW THEREFORE the Council of the Village of Longview in the Province of Alberta enacts as follows:

1. This By-law may be cited as the Village of Longview Subdivision Authority By-law.
2. In this By-law:
 - (a) "Act" means the Municipal Government Act, Chapter M-26 Sept 2020 as amended.
 - (b) "Chief Administrative Officer" means the person appointed by by-law 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. 400-17 as amended.
 - (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.
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 Subdivision Committee will be made up of the Municipal Planning Commission (MPC) of the Village of Longview.
 - (b) Elections of the Chairman and Vice-Chairman shall occur at the first meeting of the Committee if the MPC is made up of more members than Council only. If MPC is only Council then the Mayor will act as Chairperson of the Subdivision Committee and the Deputy Mayor will act as the Vice-Chairperson.
 - (c) In the event of absence or inability of the Chairman to preside at a meeting the Vice-Chairman shall preside.

VILLAGE OF LONGVIEW

BYLAW 439-21 ESTABLISH SUBDIVISION AUTHORITY

- (d) Council, by resolution, shall appoint a Secretary to the Committee, who shall not have a vote.
- (e) Two (2) members of the Committee present shall constitute a quorum.
- (f) 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.
- (g) A Member abstaining from voting, for reasons other than specified in (f), his vote shall be counted as a negative vote.
- (h) 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.
- (i) 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.
- (j) Meetings of the Committee shall be at the call of the Chairman but must be held within the time prescribed in MGA Division 7, 653.1(1) for an application received and deemed to be in its complete and final form.
- (k) The remuneration of the Chairman and other members of the Committee shall be established by resolution of Council.
- (l) 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, Municipal Development Plan, Land Use Bylaw No. 400-17 as amended, 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 Municipal Government Act Division 7;
 - (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 a condition of approval that an applicant enter into an agreement with the Council in accordance with Section 655(1)(b);

VILLAGE OF LONGVIEW

BYLAW 439-21 ESTABLISH SUBDIVISION AUTHORITY

- (e) shall impose such conditions of approval as may be necessary to ensure compliance with the Act, the Subdivision and Development Regulation, Municipal Development Plan, Land Use Bylaw No. 400-17 as amended, or land use regulations affecting the land proposed to be subdivided;
- (f) is authorized to decide on land to be provided for roads, public utilities, and environmental reserves in accordance with the Act;
- (g) must determine the location and allocation of municipal and school reserves in accordance with the Act.
- (h) may request the applicable Government department to grant a waiver of any MGA Division 7 provision prior to making a decision on a proposed subdivision;
- (i) may meet as frequently as necessary, but it shall meet within the time period set out in MGA Division 7, 653.1(1) from receipt of an application for subdivision deemed to be in its complete and final form;
- (j) must meet in public and members of the public may attend as observers;
- (k) Members through the Chair may pose questions to the subdivision applicant;
- (l) is delegated the authority to consider and comment on subdivision applications referred to the municipality by other subdivision approving authorities and agencies.

ADMINISTRATION

- 5. The Secretary shall:
 - (a) Notify all applicants, members and advisors of the Committee of the arrangements for the holding of 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.

VILLAGE OF LONGVIEW

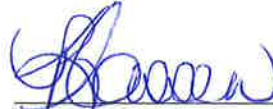
BYLAW 439-21 ESTABLISH SUBDIVISION AUTHORITY

THIS BYLAW comes into full force and effect upon third and final reading.

READ a first time this 21st day of September 2021 A.D.

READ a second time this 21st day of September 2021 A.D.

READ a third and final time this 26th day of October 2021 A.D.



MAYOR



CHIEF ADMINISTRATIVE OFFICER