

AGENDA

MUNICIPAL PLANNING COMMITTEE MEETING OF THE VILLAGE OF LONGVIEW

In the Province of Alberta, held on Tuesday, May 21, 2024

At Longview Council Chambers 5:30 pm

1.0 CALL TO ORDER

2.0 AGENDA

3.0 MINUTES

3.1 Minutes of MPC meeting August 1, 2023

4.0 BUSINESS

4.1 Subdivision Authority RFD.

5.0 CLOSED MEETING

5.1 **FOIP** section 24(1)(c), contract negotiations, land development.

6.0 ADJOURNMENT

MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING
OF THE VILLAGE OF LONGVIEW

In the Province of Alberta, held on Tuesday, August 1, 2023

Held in Longview Council Chambers at 5:30 p.m.

PRESENT

Mayor Klassen
Deputy Mayor Lyons
Councillor Penner

PUBLIC IN ATTENDANCE

Chief Administrative Officer Roy Tutschek

2 public in attendance

CALL TO ORDER

Mayor Klassen called the Meeting to order at 5:27 p.m.

AGENDA

Resolution 123-23

MOVED by Councillor Penner that the agenda be accepted as amended, add New Business 4.3, request of support to consider redesignate a Malmberg property to R-MF and add closed meeting FOIP section 19(1) evaluative discussions regarding New Business 4.2 Sidewalk repair, Malmberg Place.

CARRIED

MINUTES OF PREVIOUS MEETINGS

Resolution 124-23

MOVED by Councillor Penner that the minutes of the MPC meeting July 11, 2023 be accepted as presented.

CARRIED

A Question Period was opened up to the Gallery.

Comments were made that further Community Garden Council discussions should be in Council meetings, not MPC meetings, given that now the land development aspects have been addressed. Further, Council clarified at the August 1, 2023 MPC meeting, the word on the street communicated from the Gallery, is ahead of any official Council decisions and that further Council meetings are being planned to try clarify for all residents/stakeholders.

The following Motion of the July 11, 2023 MPC meeting, carried with resolution number 118-23, was read to the Gallery to help clarify some questions from the Gallery re: possible residential alternative uses of the 1.4 acres:

MOVED by Councillor Penner that Council approves: 1) the Longview Heritage Committee to prepare a project plan for a Community Garden, 2) a public hearing to be held and 3) final approval by the Village of Longview Council. This decision will facilitate submission of grants. The Longview Heritage Committee agrees to give up the 1.4 acres being used as a Community Garden if a new land development project is available for the 1.4 acres. The Village Council in this case will try to find if land is available for the Community Garden to move to.

CARRIED

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From the Gallery it was also requested that upcoming Council meetings be posted on the office Bulletin Board.

NEW BUSINESS

**4.1 Community
Garden Location.**

See the Motion carried further below.

**4.2 Sidewalk repair,
Malmberg Place.**

Resolution 125-23

MOVED by Mayor Klassen that the June 29, 2023 motion carried as 4.1 New Construction Performance/damage deposit overage and being Resolution 010-23, be recinded.

CARRIED

Resolution 126-23

MOVED by Councillor Penner, that the MPC will consider the option of the builder repairing and restoring Malmberg Place property sidewalks and curb damage at his own cost, instead of further performance damage deposit charges by the Village. The Village of Longview Public Works Lead Worker, together with the Village Development Officer, will determine what part of the sidewalks and curbs at Malmberg Place are to be repaired by the builder, at the builder's cost, based on an onsite review together with the builder. A repair completion date will be established and the repair needs to be signed off as complete and satisfactory by the sidewalk contractor selected by the Village, Public Works Lead Worker and Development Officer to complete this motion.

If these conditions above are not met next steps will be determined at a subsequent MPC meeting.

CARRIED

**4.3 Letter of support
for redesignate a
Malmberg Place
property to R-MF.**

Resolution 127-23

MOVED by Mayor Klassen that given this request for redesignation to R-MF, came in just a few hours before the MPC meeting tonight, after some discussion on this request, direction was given that the Development Officer should continue researching the request.

CARRIED

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CLOSED MEETING
New business 4.1 and
4.2.

Resolution 128-23

MOVED by Councillor Penner to close the meeting at 6:45 pm under FOIP Section 16(1) Land Negotiations and 19(1) evaluations.

CARRIED

Come out of Closed
Meeting
Resolution 129-23

MOVED by Mayor Klassen to come out of the closed meeting at 6:53 pm.

CARRIED

No residents waiting to re-enter meeting.

Resolution 130-23

MOVED by Deputy Mayor Lyons that the MPC has decided not to conduct a closed meeting today for the Community Garden, given that original Land development location aspects have already been addressed at a previous MPC meeting, rather, that future Community Garden non-land development related discussions or decisions will be conducted by Special or Regular Council meetings, not through MPC meetings.

And further that the Council continues to appreciate the passion and commitment of the Longview Heritage Committee and that the CAO should advise the Longview Heritage Committee that Council will hold a special meeting 5:30 pm Tuesday August 8, 2023, in the Council Chambers to further clarify expectations going forward for the Community Garden, taking into consideration recent questions from the Longview Heritage Committee representatives.

CARRIED

ADJOURNMENT

Resolution 131-23

MOVED by Deputy Mayor Lyons to adjourn the meeting at 7:25 p.m.

CARRIED

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Mayor

CAO

UNAPPROVED



VILLAGE OF LONGVIEW
REQUEST FOR COUNCIL DECISION

Agenda Item #: 4.1

Date: May 21, 2024
Title: Municipal Planning Services as The Village Subdivision Authority
Submitted by: Roy Tutschek, Village CAO

Recommendation: MOVED by _____ that _____.
Alternatives: 2. Defeat above motion.
 : 3. That discussion be tabled _____ (for further information or future date).

Background: Request Council to make a decision to support putting in place Municipal Planning Services as the Village of Longview Subdivision Authority (SDA).
 Attached are list of advantages, considerations and draft Bylaw 473-24 Establish Subdivision Authority Bylaw – 2024, for submission to the May 21, 2024 Regular Council meeting, following the May 21, 2024, MPC meeting.
 The only cost to the Village would be if there were appeals, some travel and analysis time or if the Village requested the SDA presentation to the MPC. The residents, business owners would be billed directly by MPS for SDA processing fees and the rates appear to be within reason.
 Municipal Planning Services (MPS) the organization that prepared our current Land Use Bylaw would be efficient, accuracy, complete and MGA compliant.

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Implications:
Policy, Statutory Plans, Legislative:
Financial: N/A

Communications: Notices posted at Council meetings
 :

Attachments: Is the documentation severed by **NO**
 FOIP:
 1. none

- **Experience**
 - Jane Dauphinee, MPS Principal and Senior Planner, has 17 years of professional planning experience (all with MPS)
 - All MPS Planners are Registered Professional Planners (RPP) and Members of the Canadian Institute of Planners (MCIP), or eligible for and working towards achieving their professional accreditation
 - MPS is the Subdivision Authority or Subdivision Authority Officer for 75+ Counties, Towns, Villages, and Summer Villages
 - Supported by Brad MacDonald (RPP, MCIP), James Haney (RPP, MCIP), and Shelly Barrett (MPS Officer Administrator, 20+ years' experience administering the subdivision process)
 - Can transition into the role of Subdivision Authority quickly and efficiently, minimizing transition impacts on the Village and applicants
- **Knowledge and Efficiency**
 - Strong familiarity with provincial legislation and subdivision requirements
 - Experienced in reviewing statutory plans and land use bylaws for policies and regulations relevant to subdivision applications
 - Draw upon knowledge from being the Subdivision Authority/Subdivision Authority Officer for 75+ municipalities in Alberta
 - MPS staff are cross trained and available to assist the Subdivision Authority or provide information to applicant/Village at any time
 - Existing knowledge of the Village and its planning documents
 - Established, efficient and effective subdivision services delivery model
 - Increase organization capacity and efficiency by providing support for administration. Examples include reduce volume of workload, represent the Village at Appeal Hearings, and assistance/advice as required on matters pertaining to Pt. 17 of the MGA.
- **Removal of Local Biases and Conflicts of Interest**
 - Subdivision decisions made based on the merits of each application following professional planning review including:
 - site suitability analysis
 - legislative and municipal plan/bylaw review (MGA, statutory plans, bylaws, and provincial regulations)
 - Our clients include municipalities, the Government of Alberta and environmental stewardship organizations. Our firm does not work for (or represent) development proponents. This enables our office to avoid conflicts of interest between our municipal clients and developers.
 - Greater separation of governance and administrative functions.
 - Appointing MPS as the Subdivision Authority depoliticizes the subdivision process and provides clearer separation between governance and administrative functions
- **Cost Effective**
 - If our fee schedule is approved by Council, then most services provided by MPS as the Subdivision Authority are covered by subdivision application/endorsement fees¹
 - No retainer/annual fee
 - No additional work undertaken by MPS staff unless requested in writing by the Village administration

¹ Examples of 'for fee' services not covered by the subdivision application/endorsement fees include involvement at appeals, in-person meetings with the subdivision applicant and Village (requested by the Village), site inspections (requested by the Village).

VILLAGE OF LONGVIEW

BYLAW 473-24 ESTABLISH SUBDIVISION AUTHORITY

BEING A BYLAW OF THE VILLAGE OF LONGVIEW, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE SUBDIVISION AUTHORITY OF THE VILLAGE OF LONGVIEW.

WHEREAS pursuant to Part 17 of the *Municipal Government Act*, RSA 2000, c. M-26, the purpose of Part 17 is to provide a means whereby plans and related matters may be prepared and adopted to achieve orderly, economical, and beneficial development, use of land and patterns of human settlement;

AND WHEREAS pursuant to section 623 of the *Municipal Government Act*, RSA 2000, c. M-26, council must by bylaw establish a subdivision authority to exercise subdivision powers and duties on behalf of the municipality;

AND WHEREAS pursuant to the *Municipal Government Act*, RSA 2000, c. M-26, a subdivision authority may include one or more of all members of council, a designated officer, a municipal planning commission, and any other person or organization;

NOW THEREFORE the Council of The Village of Longview, duly assembled, enacts as follows:

1. Short Title

1.1. This Bylaw shall be known as the "Subdivision Authority Bylaw".

2. Definitions

In this Bylaw:

2.1. "Act" means the *Municipal Government Act*, RSA 2000, c. M-26, as amended or replaced.

2.2. "Council" means the Council of The Village of Longview.

2.3. "Land Use Bylaw" means The Village of Longview Bylaw, as amended.

2.4. "Land and Property Rights Tribunal" means the tribunal established pursuant to section 488 of the Act, as amended or replaced.

2.5. "Subdivision and Development Appeal Board" means the Board established to hear subdivision and development appeals pursuant to section 627 of the Act as amended or replaced.

2.6. "Subdivision Authority" means the Subdivision Authority established pursuant to this Bylaw.

3. Establishment of Subdivision Authority

- 3.1. The Subdivision Authority of The Village of Longview is hereby established.
- 3.2. The Subdivision Authority shall consist of one person or organization appointed by resolution of Council.
- 3.3. If the appointed person or organization is unable or unwilling to exercise subdivision powers and duties on behalf of The Village of Longview, Council shall appoint another person or organization by resolution.
- 3.4. Council may remove the person or organization from the position of Subdivision Authority by resolution at any time.

4. Term of Office

- 4.1. Subject to Section 3.4 of this Bylaw, the Subdivision Authority shall be appointed by Council for a term of one year and may be reappointed upon the expiry of the term.

5. Fees

- 5.1. The fees to be charged by the Subdivision Authority in connection with any steps involved in the subdivision of land shall be set by Council by resolution.

6. Powers and Duties

- 6.1. The Subdivision Authority is authorized to exercise subdivision powers and duties on behalf of The Village of Longview in accordance with the Act, its regulations, and the Land Use Bylaw.
- 6.2. The Subdivision Authority may delegate any of its responsibilities, except the authority to refuse or approve subdivisions, with or without conditions, to another person or organization.
- 6.3. The Subdivision Authority is not required to hold a hearing in considering an application for subdivision.
- 6.4. The Subdivision Authority shall maintain a record of all applications it receives and all decisions it makes, copies of which shall be available to the Chief Administrative Officer of The Village of Longview and Council upon request.
- 6.5. The Subdivision Authority may make rules as are necessary for the conduct of its business that are consistent with the Act, its regulations, this Bylaw, the Land Use Bylaw, and any other The Village of Longview bylaws.
- 6.6. The Subdivision Authority shall have the authority to sign subdivision decisions.
- 6.7. The Subdivision Authority may, with the written consent of the applicant, communicate electronically with the applicant in accordance with the Act.
- 6.8. The Subdivision Authority may extend the time for endorsement of subdivision plans and the time for registration of subdivision plans in accordance with the

Act for an additional one-year period. No additional time extensions shall be allowed.

6.19. The Subdivision Authority has the authority to agree that any or all of the land that is to be taken as environmental reserve is instead to be the subject of an environmental reserve easement for the protection and enhancement of the environment in accordance with the Act.

7. Repeal

7.1. This bylaw repeals and replaces all previous Subdivision Authority bylaws adopted by the Village of Longview.

READ A FIRST TIME THIS _____ DAY OF _____, 2024.

Mayor

Chief Administrative Officer

READ A SECOND TIME THIS _____ DAY OF _____, 2024.

Mayor

Chief Administrative Officer

READ A THIRD TIME AND PASSED THIS ____ DAY OF _____, 2024.

Mayor

Chief Administrative Officer