

BYLAW 1589/22
2022 SUBDIVISION AUTHORITY BYLAW
STURGEON COUNTY, MORINVILLE, ALBERTA

A BYLAW OF STURGEON COUNTY, ALBERTA, FOR THE PURPOSE OF REPEALING AND REPLACING BYLAW 1339/14, BYLAW 1376/16, AND BYLAW 1520/20, AND REPEALING MUNICIPAL PLANNING COMMISSION BYLAW 1524/20.

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 Sturgeon County has deemed it desirable to repeal Bylaw 1339/14 - Establishment of a Subdivision Authority and related amendments and replace it with Bylaw 1589/22 – 2022 Subdivision Authority Bylaw;

AND WHEREAS, the Council of Sturgeon County has deemed it desirable to repeal Bylaw 1524/20 – Municipal Planning Commission Bylaw;

NOW THEREFORE, the Council of Sturgeon County, in the Province of Alberta, duly assembled, enacts as follows:

1. Title

- 1.1. This Bylaw may be referred to as the “2022 Subdivision Authority Bylaw”.

2. Purpose

- 2.1. The purpose of this Bylaw is to establish the County’s Subdivision Authority.

3. Definitions

In this Bylaw:

- 3.1. “Act” means the *Municipal Government Act*, RSA 2000, c M-26 as amended or repealed and replaced from time to time.
- 3.2. “Applicant” means any person that has submitted a subdivision application.
- 3.3. “County” means Sturgeon County.
- 3.4. “Multi-lot subdivision” means a subdivision application proposing a minimum of five lots.

4. Application

- 4.1. The Subdivision Authority for all subdivision applications is the Manager of Planning and Development Services, or their designate, unless otherwise stated within the Land Use Bylaw.
- 4.2. The Manager of Planning and Development Services may, at their discretion, refer any subdivision application to the General Manager of Development and Strategic Services for a decision.

- 4.3. The Subdivision Authority shall exercise all subdivision powers and duties on behalf of the County, in accordance with the Act.
- 4.4. Upon endorsement of a previously approved plan of subdivision, the Subdivision Authority is authorized to accept minor modifications to the approved plan provided that:
 - a. Written rationale is provided by the applicant as to why the modification has been requested;
 - b. The plan pertains to a multi-lot subdivision;
 - c. The number of additional lots is consistent with all statutory planning documents that apply to the land subject to the subdivision application;
 - d. The amount of reserve land and/or the amount of cash in-lieu of reserves is not reduced;
 - e. The General Municipal Servicing Standards (GMSS) of the County are not compromised; and
 - f. Such modifications comply with section 654(2) of the Act.
- 4.5. The Manager of Planning & Development Services is authorized to extend the time for endorsement of a previously approved subdivision plan for registration in accordance with the Act.
- 4.6. In considering the time extension, the Manager of Planning & Development Services shall consider whether the applicant for subdivision approval has exercised reasonable efforts in meeting the time periods set out in the Act for registration of the subdivision plan.
- 4.7. The Manager of Planning & Development Services, or their designate, is authorized to endorse any plan of subdivision or other instrument required to complete the registration of a subdivision approval issued by the Subdivision Authority.

5. Severability

- 5.1. 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.

6. Repeal

- 6.1. Bylaw 1339/14, Bylaw 1376/16, Bylaw 1520/20, and Bylaw 1524/20 are repealed.

7. Effective Date

7.1. This Bylaw shall come into force upon being passed.

Read a first time this 3rd day of May, 2022.

Read a second time this 23rd day of August, 2022.

Read a third time this 23rd day of August, 2022.

Alanna Hnatiw
MAYOR

Reegan McCullough
COUNTY COMMISSIONER (CAO)

DATE SIGNED