

**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 “Act” means the *Municipal Government Act*, RSA 2000, c M-26 as amended or repealed and replaced from time to time.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 on July 6, 2022.

Read a first time this ___ day of _____ 20__.

Read a second time this ___ day of _____ 20__.

Read a third time this ___ day of _____ 20__.

Alanna Hnatiw
MAYOR

Reegan McCullough
COUNTY COMMISSIONER (CAO)

DATE SIGNED