



BYLAW 816 – 24.

A BYLAW OF THE VILLAGE OF LOUGHEED IN THE PROVINCE OF ALBERTA TO ESTABLISH THE SUBDIVISION AUTHORITY OF THE VILLAGE OF LOUGHEED

WHEREAS Section 623 and Section 625 of the Municipal Government Act, R. S.A. 2000, as amended ("the Act"), require that a Municipal Council establish a Subdivision Authority by Bylaw.

NOW THEREFORE, the Council of the Village of Lougheed, duly assembled in the Province of Alberta, enacts the following:

1. Name

1.1. This Bylaw may be cited as the "Subdivision Authority Bylaw."

2. Definitions

The following words and phrases mean:

2.1. "Act" means the Municipal Government Act, R.S.A. 2000, as amended ("the Act").

2.2. "Council" means the Mayor and Councilors of the Village of Lougheed for the time being elected pursuant to the provisions of the Act, whose term is unexpired, who have not resigned and who continue to be eligible to hold office as such under the terms of the Act.

2.3. "Subdivision and Development Appeal Board" means the Board established to hear development and subdivision appeals pursuant to Section 3 of the Flagstaff Regional Subdivision and Development Appeal Board Bylaw.

2.4. "Subdivision Authority" means the persons established under Section 3 of this Bylaw to perform the functions of a Subdivision Authority under the Act.

2.5. "Regulations" means the Regulations proclaimed pursuant to the Act.

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2.6. "Subdivision Authority Officer" means the position established under Section 4 herein.

3. **Establishment of Subdivision Authority**

3.1. The Subdivision Authority of the Village of Loughheed is hereby established.

3.2. The Subdivision Authority shall be comprised of (1) a representative from **Municipal Planning Service (2009) Ltd** and (2) members of the Council of the Village of Loughheed, appointed by resolution of Council.

3.3. If the appointed person shall die, retire, or resign, another person may be appointed by resolution of the Council.

3.4. Council may remove the person from the position of Subdivision Authority by resolution at any time.

4. **Subdivision Authority Officer**

4.1. The position of designated Officer for the limited purpose of carrying out the function of the Officer to the Subdivision Authority is hereby established.

4.2. The Subdivision Authority Officer shall be appointed by the Chief Administration Officer for the Village of Loughheed.

4.3. The Subdivision Authority Officer shall have responsibilities and functions including the following:

4.3.1. Undertakes all those responsibilities delegated to the Subdivision Authority Officer by the Subdivision Authority.

4.3.2. Ensures applications to the Subdivision Authority and statutory notices and decisions of the Subdivision Authority are provided to such persons as the Act and regulations require.

4.3.3. Signs orders, decisions, approvals, notices, and other items given or done by the Subdivision Authority on its behalf.



5. Fees and Expenses

5.1. The Bylaw may set the fees for applications to the Subdivision Authority for all manner of activities and approvals within the purview of the Subdivision Authority.

6. Responsibilities and Functions

6.1. The Subdivision Authority shall exercise those functions and powers within the Village of Lougheed as described in the Act and the Regulations.

6.2. The Subdivision Authority may delegate any of its responsibilities as provided under the Act or the Regulations to a Subdivision Authority Officer or another person by resolution of the Subdivision Authority.

6.3. The Subdivision Authority shall provide statutory notices and decisions to such persons as the Act and the Regulations require.

6.4. The Subdivision Authority is not required to hold a hearing when considering an application for subdivision.

6.5. The Subdivision Authority shall prepare and maintain a file for each application made to it, including a record of its decisions. Copies of this file shall be available to the Chief Administrative Officer of the Village of Lougheed and the Council at their request at all times.

6.6. The Subdivision Authority may make rules necessary for its business that are consistent with this Bylaw, the Village of Lougheed Land Use Bylaw, and the Act.

6.7. The Subdivision Authority must not approve an application for subdivision approval unless:

6.7.1. The land proposed to be subdivided is, in the opinion of the Subdivision Authority, suitable for the purpose for which the subdivision is intended.

6.7.2. The proposed subdivision conforms to the provisions of any statutory plan and, subject to section 6.8. of this Bylaw, any Land Use Bylaw that affects the land proposed to be subdivided.

6.7.3. The proposed Subdivision complies with the Act and the Regulations.



- 6.7.4. All outstanding property taxes on the land proposed to be subdivided have been paid to the Village of Lougheed, or arrangements satisfactory to the Village of Lougheed has been made for payment pursuant to Part 10 of the Act.
- 6.8. The Subdivision Authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the Land Use Bylaw of the Village of Lougheed if, in the opinion of the Subdivision Authority:
- 6.8.1. The proposed subdivision would not:
- (i) unduly interfere with the amenities of the neighborhood or
 - (ii) materially interfere with or affect the use, enjoyment, or value of neighboring parcels of land and
- 6.8.2. The proposed subdivision conforms with the use prescribed for that land in the Land Use Bylaw of the Village of Lougheed.
- 6.9. The Subdivision Authority may approve subject to conditions or refuse an application for subdivision approval.
- 6.10. The Subdivision Authority's decision must be given in writing to the applicant and the Government departments, persons, and local authorities to whom the Regulations require the Subdivision Authority to give a copy of the application.
- 6.11. A decision of the Subdivision Authority must state:
- 6.11.1. Whether an appeal lies to the Subdivision and Development Appeal Board, and
- 6.11.2. If an application for subdivision approval is refused, the reasons for the refusal.
- 6.12. The power to extend the periods pursuant to Section 657(6) of the The Council delegates act to the Subdivision Authority. The Subdivision Authority may further delegate this power to the Subdivision Authority Officer.
- 6.13. The power to decide if an environmental reserve easement is to be applied to a parcel of land subject to a subdivision rather than an environmental reserve pursuant to Section 664(2) of the Act is delegated by the Council to the Subdivision Authority.



7. **Commencement and Repeal**

7.00. This Bylaw will replace and repeal any other passed Bylaws relating to the Subdivision Authority.

7.01. This Bylaw shall come into force and effect upon the date of the final passing.

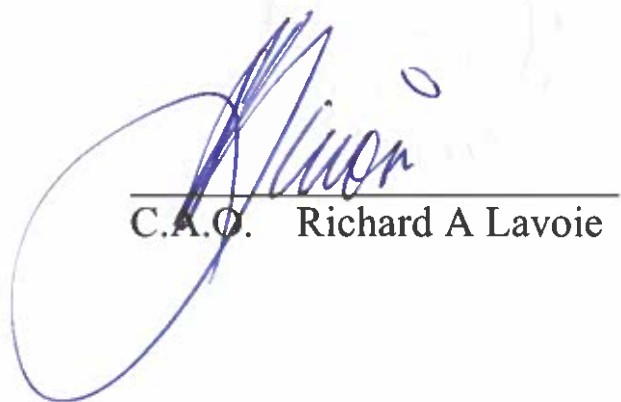
READ A FIRST TIME THIS 18th DAY OF APRIL, A.D. 2024,

READ A SECOND TIME THIS 16th DAY OF MAY, A.D. 2024,

READ A THIRD TIME AND FINALLY PASSED THIS 16th DAY OF MAY, A.D. 2024.



Mayor Shawn Sieben



C.A.O. Richard A Lavoie

