

BYLAW 551-24

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

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 Heisler, 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 from time to time.

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

2.3. "Land Use Bylaw" means The Village of Heisler Bylaw 452-11, as amended, repealed or replaced from time to time.

2.4. "Land and Property Rights Tribunal" established under the Land and Property Rights Tribunal Act.

2.5. "Subdivision and Development Appeal Board" means the Board established to hear subdivision and development appeals pursuant to section 627 of the *Municipal Government Act*.

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 Heisler 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 Heisler, 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 Heisler 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 Heisler 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 Heisler 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.
- 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 **Bylaw 327-07** dated May 27th, 2007.

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

Mayor

Chief Administrative Officer

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

Mayor

Chief Administrative Officer

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

Mayor

Chief Administrative Officer