
**BEING A BYLAW OF THE TOWN OF BLACKFALDS IN THE PROVINCE OF ALBERTA
TO RESCIND BYLAW 867/00 AND TO HAVE COUNCIL ESTABLISH ITS OWN
SUBDIVISION AUTHORITY IN THE TOWN OF BLACKFALDS**

A Bylaw of the Town of Blackfalds, in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act*, being Chapter M 26.1 of the Revised Statutes of Alberta, 2000 and amendments thereto, for the purpose of rescinding Bylaw 867/00 and to establish the subdivision authority in the Town of Blackfalds.

WHEREAS, pursuant to Section 623 of the MGA, RSA 2000, Chapter M-26 and amendments thereto, requires Municipal Council to establish a Subdivision Authority, by bylaw, to exercise subdivision powers and duties on behalf of the municipality;

WHEREAS, the Municipal Council wishes to rescind Bylaw 867/00; and

NOW THEREFORE, the Municipal Council of the Town of Blackfalds, duly assembled, hereby enacts:

PART 1 – TITLE

1.1 That this Bylaw shall be cited as the “**Subdivision Authority Bylaw**”.

PART 2 – DEFINITIONS

2.1 In this Bylaw:

- (a) “**Act**” means the *Municipal Government Act*, S.A. 2000, as amended.
- (b) “**Council**” means the Chief Elected Official and Councillors of the Town of Blackfalds 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.
- (c) “**Subdivision and Development Appeal Board**” means the Board established to hear subdivision and development appeals pursuant to the Regional Subdivision and Development Appeal Board Bylaw 1274.22.
- (d) “**Subdivision Authority**” means the persons established under Section 3 of the Subdivision Authority Bylaw to perform the functions of a Subdivision Authority under the Act.
- (e) “**Chief Administrative Officer**” means the person appointed to the position established under Bylaw 1170/14.
- (f) “**Land and Property Rights Tribunal**” means the Land and Property Rights tribunal established under the Land and Property Rights Tribunal Act.
- (g) “**Municipality**” means the Town of Blackfalds.
- (h) “**Regulations**” means the Regulations proclaimed pursuant to the *Municipal Government Act* R.S.A. 2000, as amended, Part 17.
- (i) “**Statutory Plan**” means the Town of Blackfalds’ Municipal Development Plan, and any Intermunicipal Development Plan, Area Structure Plan or Area Redevelopment Plan adopted by Council pursuant to the Act.

PART 3 – ESTABLISHMENT OF SUBDIVISION AUTHORITY

3.1 The Subdivision Authority of the Town of Blackfalds is hereby established.

3.2 The Subdivision Authority shall consist of all duly elected members of Council.

3.3 The Subdivision Authority shall be the Council of Town of Blackfalds.

PART 4 – TERM OF OFFICE

4.1 Each member of Council shall be member of the Subdivision Authority and will only terminate upon his/her ceasing to be a member of the Council.

PART 5 – CHAIRPERSON

5.1 The Chief Elected Official shall be the Chairperson.

PART 6 – VICE CHAIRPERSON

6.1 The Deputy Chief Elected Official shall be the Vice Chairperson.

PART 7 – QUORUM AND MEETINGS

7.1 A quorum of the Subdivision Authority shall be four (4) members of Council.

7.2 The Council, being the Subdivision Authority, may transact any affairs and responsibilities of the Subdivision Authority in conjunction with the regular and/or special Council meetings.

7.3 Written minutes of the business transacted at all meetings and hearings of the Subdivision Authority shall be recorded within and be part of the minutes of Council meetings.

7.4 The Council may make rules as are necessary for the conduct of its meetings, its hearings, and its business that are consistent with this Bylaw, the Town of Blackfalds' Land Use Bylaw, and the Act.

PART 8 – FEES AND EXPENSES

8.1 The fees associated with subdivision applications, subdivision endorsements, and the holding of meetings of the Subdivision Authority are established by the Development Fees and Fines Bylaw.

PART 9 – RESPONSIBILITIES

9.1 The Subdivision Authority shall exercise subdivision powers and duties within the Town of Blackfalds as are described in the Act and the Regulations.

9.2 The Subdivision Authority may delegate any of its responsibilities as provided under the Act or the Regulations to the Chief Administrative Officer.

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

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

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

9.4.2. the proposed subdivision conforms to the provisions of any Statutory Plan and, subject to section 9.5, any Land Use Bylaw that affects the land proposed to be subdivided.

9.4.3. the proposed subdivision complies with Part 17 of the Act and the Regulations under that Part, and

9.4.4. all outstanding property taxes on the land proposed to be subdivided have been paid to the Municipality, or arrangements satisfactory to the Municipality have been made for their payment pursuant to Part 10 of the Act.

9.5 The Subdivision Authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the Town of Blackfalds' Land Use Bylaw if, in its opinion:

9.5.1 the proposed subdivision would not:

- a) Unduly interfere with the amenities of the neighbourhood, or
- b) Materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land, and

9.5.2 the proposed subdivision conforms with the use prescribed for that land in the Town of Blackfalds' Land Use Bylaw.

9.6 The Subdivision Authority may approve or refuse an application for subdivision approval.

9.7 A decision of the Subdivision Authority must be given in writing to the applicant and to the Government departments, persons, and local authorities to which the Subdivision Authority is required by the Regulations to give a copy of the application.

9.7.1 A decision of the Subdivision Authority must state:

- a) whether an appeal lies to the Subdivision and Development Appeal Board or the Land and Property Rights Tribunal, and
- b) if an application for subdivision approval is refused, the reasons for the refusal

9.8 The power to extend the subdivision approval periods referred to in section 657 of the Act is delegated by Council to the Chief Administrative Officer. The Chief Administrative Officer may further delegate this power.

9.9 The Chief Administrative Officer or his/her designate shall exercise the following powers, duties and functions:

9.9.1 Receives and processes subdivision applications for consideration by Council and in accordance with policies and procedures adopted by Council.

9.9.2 Makes and keeps a record of the Subdivision Authority's proceedings.

9.9.3 Ensures statutory notices and decisions of the Subdivision Authority are provided to such persons as the Act and the Regulations require.

9.9.4 Signs orders, decisions, approval notices, and other items given by the Subdivision Authority on its behalf.

PART 10 – REPEAL

10.1 That Bylaw 867/00 is hereby repealed upon this Bylaw coming into effect.

PART 11 – DATE OF FORCE

11.1 That this Bylaw shall come into effect upon the date on which it is finally read and passed.

READ for the first time this 27th day of June, A.D. 2023.

(RES. 203/23)

-Original Signed-

MAYOR JAMIE HOOVER

-Original Signed-

**INTERIM CAO
JUSTIN DE BRESSER**

READ for the second time this 27th day of June, A.D. 2023.

(RES. 204/23)

-Original Signed-

MAYOR JAMIE HOOVER

-Original Signed-

**INTERIM CAO
JUSTIN DE BRESSER**

READ for the third and final time this 27th day of June, A.D. 2023.

(RES. 206/23)

-Original Signed-

MAYOR JAMIE HOOVER

-Original Signed-

**INTERIM CAO
JUSTIN DE BRESSER**

UNCERTIFIED COPY