

**BYLAW 753.15
LAMONT COUNTY
SUBDIVISION AUTHORITY BYLAW**

BEING A BYLAW OF LAMONT COUNTY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A SUBDIVISION AUTHORITY QAND TO SE FORTH THE POWERS AND DUTIES THEREOF

WHEREAS Council wishes to establish a Subdivision Authority as required under the Municipal Government Act, RSA 2000, c. M-26.1;

NOW THEREFORE the Municipal Council of Lamont County hereby enacts as follows:

Part 1 - Title

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

Part 2 - Definitions

2.0 The following terms are defined below:

- a. "Act" means the Municipal Government Act, RSA 2000, c. M-26.1, as amended;
- b. "Authority" means the Subdivision Authority established pursuant to this Bylaw;
- c. "County" means Lamont County;
- d. "County Manager" means the Chief Administrative Officer of Lamont County;
- e. "Council" means the Council of Lamont County;
- f. "Director of the Planning and Community Services" means the person appointed to that position pursuant to the Development Authority Bylaw; and
- g. "Land Use Bylaw" means the Lamont County Land Use Bylaw No. 675/07, as amended.
- h. "Regulations" means the Regulations proclaimed pursuant to the Act.




Part 3 - Establishment of Authority

- 3.0 The Subdivision Authority of Lamont County is the Director or Acting Director of Planning and Community Services.

Part 4 - Powers and Duties

- 4.0 The Subdivision Authority has those powers and duties as set out in the Act and any regulations made thereunder.
- 4.1 The Subdivision Authority shall ensure statutory notices and decisions are provided to such persons as the Act and the Regulations require.
- 4.2 The Subdivision Authority shall have prepared and maintain a file for each application made to it, including a record of its decisions, copies of which shall be available to the Administrator of Lamont County on request.
- 4.3 The Subdivision Authority must not approve an application for subdivision approval unless:
- a. 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;
 - b. The proposed subdivision confirms to the provisions of any statutory plan and, subject to section 4.4 of this bylaw, any Land Use Bylaw that affects the land proposed to be subdivided;
 - c. The proposed subdivision complies with the Act and the Regulations, and
 - d. All outstanding property taxes on the land proposed to be subdivided have been paid to Lamont County or arrangements satisfactory to Lamont County have been made for their payment pursuant to Part 10 of the Act.
- 4.4 The Subdivision Authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the Land Use Bylaw of Lamont County if, in its opinion:
- a. the proposed subdivision would not:
 - (i) Unduly interfere with the amenities of the neighbourhood, or
 - (ii) Materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and

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- b. The proposed subdivision conforms with the use prescribed for that land in the Land Use Bylaw of the Lamont County.
- 4.5 The Subdivision Authority may approve, approve subject to conditions, or refuse an application for subdivision approval.
- 4.6 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.
- 4.7 A decision of the Subdivision Authority must state:
- a. Whether an appeal lies to the Subdivision and Development Appeal Board or to the Municipal Government Board, and
 - b. If an application for subdivision approval is refused, the reasons for the refusal.
- 4.8 The power to extend the periods pursuant to Section 657(6) of the Act is delegated the Subdivision Authority.
- 4.9 The power to decide if an environmental reserve easement is to be applied to a parcel of land which is 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.
- 4.10 Upon endorsement of a subdivision plan the Director of Planning and Community Services is authorized to accept minor modifications to plot lines provided:
- a. No additional lot is created;
 - b. The area of municipal or environmental reserve does not change;
 - c. Roadway standards of the County are not compromised.
- 4.11 Land Use Bylaw standards may be included as provided for in Section 654 (2) of the Act.


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Part 5 - Effective Date

5.0 The effective date of this bylaw is the 1st day of January, 2016

Read the first time this 10th day of November, 2015

Read a second time this 10th day of November, 2015

Read a third and final time this 10th day of November, 2015



REEVE



COUNTY MANAGER