

BYLAW No. 1248/13

OF THE

TOWN OF NANTON

BEING A BYLAW IN THE TOWN OF NANTON IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING A SUBDIVISION AND DEVELOPMENT AUTHORITY.

1. PURPOSE:

1.1 WHEREAS, the Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26, as amended, pursuant to Section 623, requires the municipality to adopt a bylaw to establish a municipal Subdivision Authority; and

1.2 WHEREAS, the Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26, as amended, pursuant to Section 624, requires the municipality to adopt a bylaw to establish a municipal Development Authority; and

1.3 WHEREAS, the purpose of this bylaw is to establish the Development Authority and the Subdivision Authority for the Municipality;

1.4 NOW THEREFORE, the Council of the Town of Nanton in the Province of Alberta, duly assembled, enacts as follows:

2. ENACTMENT:

2.1 Bylaw No. 1248/13 is hereby adopted.

3. INTERPRETATION:

3.1 This bylaw may be cited as the "Town of Nanton Subdivision and Development Authority Bylaw";

3.2 Definitions:

3.2.1 **Act** means the Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26, as amended.

3.2.2 **Authorized persons** means a person or organization authorized by council to which the municipality may delegate any of its Development Authority powers, duties or functions.

3.2.3 **Council** means the Municipal Council of the Town of Nanton.

3.2.4 **Designated officer** means a person or persons authorized to act as the designated officer for the municipality as established by bylaw.

3.2.5 **Development Authority** means the person or persons appointed, by bylaw, to exercise only such powers and perform duties as are specified:

3.2.5.1 in the Act; or

3.2.5.2 in the Town of Nanton Land Use Bylaw; or

3.2.5.3 in this bylaw; or

3.2.5.4 by resolution of council.

- 3.2.6 **Development Officer** means a person(s) occupying the position of development officer as established under the Town of Nanton Land Use Bylaw.
- 3.2.7 **Municipal Planning Commission ("MPC")** means the Municipal Planning Commission of the Town of Nanton as established by bylaw.
- 3.2.8 **Municipality** means the Town of Nanton in the Province of Alberta.
- 3.2.9 **Subdivision Authority** means the person or persons who exercise subdivision powers and duties on behalf of the municipality.
- 3.2.10 All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.

PART 1 – Development Authority

- 3.3 The Development Authority for the Municipality is either:

- 3.3.1 The Development Officer, or
- 3.3.2 The Municipal Planning Commission.

Powers and Duties

- 3.5 The Development Authority has those powers and duties as set out in the Act, regulations under the Act, the Land Use Bylaw, the Municipal Planning Commission Bylaw and this Bylaw, and any other statute, regulations or bylaws.

Appointment of Development Officer

- 3.6 Council may, by resolution, appoint a designated officer as Development Officer(s). The powers and duties of the development officer shall be outlined in the Town of Nanton Land Use Bylaw.

PART 2 – Subdivision Authority

Establishment

- 3.7 The Subdivision Authority for the Municipality is the Municipal Planning Commission for all applications for subdivision approval.

Powers and Duties

- 3.8 The Subdivision Authority has those powers and duties as set out in the Act and any regulation thereunder.

Administration

- 3.9 The signing authority for all subdivision related matters is the Chairperson of the Municipal Planning Commission or delegate.
- 3.10 When a registerable instrument is submitted for endorsement, the signing authority is authorized to accept minor modifications from that approved by the Subdivision Authority provided:
- 3.10.1 there is no increase to the number of parcels;
- 3.10.2 municipal, school or environmental reserves are not compromised;

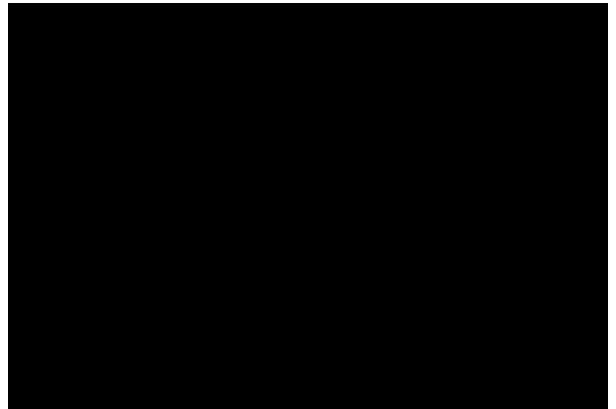


- 3.10.3 municipal roads and standards are not compromised;
- 3.10.4 changes comply with municipal bylaws, with the exception that minor changes to the Land Use Bylaw standards may be included as provided in Section 654(2) of the Act.

4. EFFECTIVE DATE AND READINGS:

- 4.1 This Bylaw comes into effect upon date of final reading and signing thereof.
- 4.2 READ a first time this 3rd day of June, 2013.
- 4.3 READ a second time this 3rd day of June, 2013.
- 4.4 READ Upon unanimous consent of those present, read a third and final time this 3rd day of June, 2013.

TOWN OF NANTON



JP